

**INTERPLAY BETWEEN ETHNIC IDENTITY AND ECONOMIC
DEVELOPMENT IN SELECTED COUNTIES OF WESTERN KENYA
SINCE 1963**

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**A Thesis Submitted in Partial Fulfilment of the Requirements for the Conferment of
the Degree of Doctor of Philosophy in History of Masinde Muliro University of
Science and Technology**

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DEDICATION

I dedicate this Research Thesis to my family, my dear wife Mercy Nasiebanda and daughters Sheila Zawadi and Deborah Khasiro.

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ABSTRACT

Ethnic identity is one issue that has remained highly contested as regards economic freedom and development in the world today. As independence dawned on the nation-state of Kenya, there were waves of excitement. The liberated citizens had high expectations of a strong lithified nationhood that would embrace inclusivity, equal distribution of the national resources, sustainable development as well as living in unity, peace and liberty. This study generally interrogated the interplay between ethnic identity and economic development in Kenya since 1963. The study specific objectives were to; trace the origins, nature and development of ethnic identity in Kenya; asses the influence of ethnic identity on economic development in Kenya since 1963, examine the legal policies and institutional framework in addressing effects of ethnic identity in Kenya and finally evaluate the challenges and opportunities in the interplay between ethnic identity and economic development challenges in Kenya since 1963. In the scope, the study was conducted in Kenya, addressing the period since 1963, when Kenya gained self-rule. The study was conducted in 7 Counties in Kenya since they were occupied by all the 45 ethnic groups. Literature review was conducted and knowledge gaps were identified. It adopted Instrumental Marxist theory and Relative Deprivation theory. The study was qualitative in nature. It adopted historical research design. The target population included political leadership, community elders, social workers, residents of the seven counties and experts on historical matters. The data collected was analyzed by the use of content analysis and its presentation done thematically. The study used, purposive and snow ball sampling techniques to identify various respondents to be involved in the study. The study findings demonstrate that: Since Kenyan's independence in 1963, Kenyan politics has been bedeviled by ethnic politics as a result of ethnic polarization and sentimental coloration of all national issues. Further, marginalization, inequalities and other forms of disparities have also been the result of ethnicity and ethnic-based politics, which have since colonialism been a central basis of discrimination. Additionally, through the promotion of equality and the addressing of the underlying effects of ethnic identity, Kenya has the potential to pave the way for a future that is more inclusive and prosperous for all of its citizens. Lastly, the politicization of resource allocation, favoring regions or communities based on ethnic affiliations, has engendered stark disparities in infrastructure development, service provision, and access to economic opportunities. The study observed that: It became evident that the country's socio-political landscape was deeply influenced by tribal divisions. Also, ethnic divisions have hindered progress by perpetuating inequalities in resource allocation and fostering a climate of favoritism. Moreover, existing policies often fail to adequately address the root causes of ethnic tensions and disparities in Kenya. Finally, by implementing comprehensive reforms and inclusive policies that transcend ethnic boundaries, Kenya can overcome divisive forces and harness its cultural diversity as a driver of sustainable economic development. From the foregoing observation, the study concludes that, while Interpretivism philosophy advocates for practical and adaptable solutions, the entrenched nature of ethnic identity in Kenya highlights the complexity of societal challenges that defy simplistic remedies. It is recommended that, the implementation of comprehensive civic education programs is necessary. On top of that, there is need for the establishment of inclusive economic policies in Kenya. Also, there is need to reform the legal system to promote equality and non-discrimination in Kenya. Lastly, there is a need to implement inclusive economic policies that prioritize equitable resource distribution and promote the participation of all ethnic groups in economic activities.

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LIST OF ABBILIATIONS AND ACRONYMS

AfCFTA:	African Continental Free Trade Area
ANC:	African National Congress
BEE:	Black Economic Empowerment
CBO:	Community Based Organization
CDE:	County Director of Education
CSDOs:	County Social Development Officers
CSO:	Civil Society Organizations
CWO:	Community Welfare Officers
DC:	District Commissioner
DCC:	Deputy County Commissioner
DDOs:	District Development Officers
DPS:	Directorate of Postgraduate Studies
DRC:	Democratic Republic of Congo
DSDOs:	District Social Development Officers
EAC:	East African Community
EAEP:	East Africa Education Publishers
EBA:	Enterprise Bargaining Agreement
Eds:	Editors

EF:	Ethnic Identity
EFI:	Economic Freedom Index
EFL:	Ethno-Linguistic Fractionalization
FDI:	Foreign Direct Investment.
FGD:	Focus Group Discussions
FPTP:	First Past The Post
GDP:	Gross Domestic Product
GEMA:	Gikuyu, Embu, Meru and Akamba
HDI:	Human Development Index
IJR:	Institute of Justice and Reconciliation
IM:	Instrumental Marxism
IOM:	International Organization for Migration
ISQ:	Interview Schedule Questionnaire
KADU:	Kenya African Democratic Union
KANU:	Kenya African National Union
KIIs:	Key Informant Interviews
KNA:	Kenya National Archives
KPU:	Kenya People Union
LDC:	Less Developed Countries

LEGCO:	Legislative Council
LTD:	Limited
Mau Mau:	Mzungu Aende Ulaya Mwafrika Apate Uhuru
MISR:	Makerere Institute of Social Research
MMUST:	Masinde Muliro University of Science and Technology
NACOSTI:	National Commission for Science, Technology and Innovation
NCIC:	National Commission Integration Commission
NCIC:	National Cohesion and Integration Commission
NYSC:	National Youth Service Corps
O I:	Oral Interview
OECD:	Organization for Economic Cooperation and Development
PAC:	Parliamentary Accounts Committee
RD:	Relative Deprivation
SCSDE:	Sub-county Social Development Officer
SDAs:	Social Development Assistants
SDOs:	Social Development Officers
SOGs:	Self Observation Generalizations
STI:	Science Technology and Innovation
U.S.A:	United States of America

WAA: War Against Abuse

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OPERATIONAL OF KEY CONCEPTS

Economic development: In this study, it involves a broad range of factors and policies that aim to promote economic progress and improve the overall well-being of Kenya.

Economic freedom: In this study, economic freedom refers to the ability of individuals and businesses to engage in voluntary economic activities with minimal government intervention or restrictions in Kenya.

Ethnic based inclusion: This implies a decision, judgment, or outcome reached by taking into account the ethnicity or ethnic background of individuals or groups involved in a matter in Kenya.

Ethnic identity: It refers to the degree of division or segmentation within a society along ethnic lines. It can be measured by factors such as the number of distinct ethnic groups, the distribution of population across ethnic groups, and the level of interaction or conflict between different ethnic communities in Kenya whereby it portrays a positive and negative correlation.

Ethnic politicization: It refers to the extent to which ethnic identity is mobilized for political purposes, including the formation of ethnic-based political parties, the use of ethnic rhetoric in political discourse, and the allocation of political power along ethnic lines in Kenya.

Ethnic: It is a way of categorizing and identifying groups of people who share a distinct cultural or historical background in Kenya.

Identity: variation of identity among the people in a place as regards access to various rights, resources and opportunities in Kenya.

Intelligentsia: Local academicians known to hold information and knowledge about public life in a society in Kenya.

Marginalized: This is a term used to refer a community which, by reason of its size has been unable to participate fully in the public life in the country systematically denies some individuals or communities take part in economic, social, political and or cultural that are available to other individuals or communities in Kenya.

Western Kenya: This refers to the former Western region area during colonial administration and period recognized as Western and Nyanza Province by the Kenyan administration.

CHAPTER ONE

INTRODUCTION

1.1 Chapter Overview

This chapter presents the background and conceptual attributes that constitute the foundations of the study. It provides the study background, statement of the problem, the general objective, specific objectives, research questions, justification, significance, scope and limitations of the study. In addition, the chapter provides theories that guided the study and literature review prompted by the general and specific study objectives. This led to a discussion of the research methodology. The chapter ends with a summary.

1.2 Background to the Study

The interplay between ethnic identity and economic development in the global perspective is also a complex and diverse phenomenon. It varies across countries and regions due to different historical, cultural, and socio-economic contexts. Ethnic identity can bring diverse perspectives, ideas, and cultural knowledge, which can foster innovation and creativity.¹

In the United States this phenomenon is a composite and multidimensional issue. The United States has a long history of ethnic diversity, with people from various racial and ethnic backgrounds contributing to its economic development. Ethnic identity can have both positive and negative effects on economic development, and the relationship between the two factors is not always straightforward. Ethnic identity can bring a wealth of cultural

¹Donna Lee Van Cott, *From movements to parties in Latin America: The evolution of ethnic politics*. Cambridge University Press, 2007, p.7.

diversity, which can foster innovation and creativity. Different perspectives and experiences can lead to new ideas, approaches, and entrepreneurial ventures that contribute to economic growth.²

Ethnic identity can enhance the human capital of a society by bringing in diverse skill sets and talents. A diverse labor market can lead to a broader range of expertise, improving productivity and competitiveness in certain sectors.³ However, challenges can arise if there are significant disparities in education, employment opportunities, or discriminatory practices that limit access to economic resources for certain ethnic groups. High levels of ethnic identity can potentially impact social cohesion and trust within a society. If there is a lack of trust or social divisions along ethnic lines, it may hinder collaboration, cooperation, and collective action, which are important for economic development.⁴

Ethnic identity can intersect with economic disparities and inequalities. Some ethnic groups may face systemic barriers or discrimination that restrict their access to resources, education, employment, and business opportunities. Such disparities can impede overall economic development and contribute to social and economic inequality. The role of policies and institutions cannot be overlooked in shaping the interplay between ethnic identity and economic development. Inclusive policies that promote equal opportunities, social mobility, and protection against discrimination can help mitigate the negative effects of ethnic identity and create an environment conducive to economic growth. It is important

²Russell S. Sobel, Nabamita Dutta and Roy Sanjukta. "Does cultural diversity increase the rate of entrepreneurship?." *The Review of Austrian Economics* 23 (2010): 269-286., p.271.

³Tom Baum, "Human resources in tourism: Still waiting for change." *Tourism management* 28, no. 6 (2007): 1383-1399., p.1387.

⁴Mark Granovetter, "The impact of social structure on economic outcomes." In *The sociology of economic life*, Routledge, 2018, pp. 46-61, p.48.

to note that the interplay between ethnic identity and economic development is a complex issue with numerous variables at play. The specific dynamics can vary across different regions within the United States and evolve over time. Public discourse, policy initiatives, and societal attitudes towards diversity and inclusion also influence this interplay.⁵

In African perspective it is a complex and diverse issue, given the continent's rich ethnic diversity and varied socio-economic contexts.⁶ Africa is home to a wide range of ethnic groups with diverse languages, traditions, and cultural practices. This ethnic diversity can contribute to cultural richness and heritage, which can be harnessed to promote tourism, creative industries, and cultural exchanges, thereby stimulating economic development. Ethnic identity can pose challenges to social cohesion and political stability in some African countries. Ethnic tensions and conflicts can hinder economic progress by causing instability, displacements, and disruptions to infrastructure and productive activities.⁷

Promoting inclusive governance, dialogue, and reconciliation efforts are crucial to fostering social cohesion and enabling economic development. In some cases, ethnic identity intersects with disputes over access to natural resources. Unequal distribution of resources, combined with ethnic divisions, can fuel conflicts that impede economic development.⁸ Addressing resource governance, promoting transparency, and ensuring equitable resource sharing can contribute to stability and create an environment conducive to economic

⁵Chih Ming Tan, "No one true path: uncovering the interplay between geography, institutions, and fractionalization in economic development." *Journal of Applied Econometrics* 25, no. 7 (2010): 1100-1127, p.1109.

⁶Bruce J. Berman, "Ethnicity, patronage and the African state: the politics of uncivil nationalism." *African affairs* 97, no. 388 (1998): 305-341, p.309.

⁷Patricia Daley. "Ethnicity and political violence in Africa: The challenge to the Burundi state." *Political Geography* 25, no. 6 (2006): 657-679, p.659.

⁸Colletta J. Nat and Michelle L. Cullen. *Violent conflict and the transformation of social capital: Lessons from Cambodia, Rwanda, Guatemala, and Somalia*. Vol. 795. World Bank Publications, 2000, p.78.

growth. Ethnic identity can intersect with economic disparities and marginalization of certain ethnic groups. Historically marginalized communities may face barriers to accessing education, employment opportunities, and financial resources.⁹

Addressing these disparities through inclusive policies, targeted investments, and affirmative action can help promote equitable economic development. Ethnic identity can also stimulate entrepreneurship and innovation. Different ethnic groups bring unique skills, knowledge, and business networks that can drive economic growth. Supporting entrepreneurship and creating an enabling environment for innovation, such as access to finance, business development services, and intellectual property rights protection, can harness the economic potential of ethnic diversity. Africa's ethnic identity can present challenges but also opportunities for regional integration and trade.¹⁰ Regional economic communities that promote cross-border trade, investment, and cooperation can help overcome ethnic divisions and create larger markets for economic activities. Enhancing infrastructure connectivity, reducing trade barriers, and harmonizing regulations can foster economic integration and development.

It is important to note that the interplay between ethnic identity and economic development in Africa is highly context-specific, and experiences vary across countries and regions.¹¹

Historical legacies, governance structures, institutional capacities, and policy approaches all

⁹Maria Amparo Cruz-Saco, "Promoting social integration: Economic, social and political dimensions with a focus on Latin America." p.87., In Retrieved from United Nations website: http://www.un.org/esa/socdev/social/meetings/egm6_social_integration/documents/Promoting_Social_Integration.pdf. 2008.

¹⁰Gerard George, *et. al.*, "Bringing Africa in: Promising directions for management research." *Academy of management journal* 59, no. 2 (2016): 377-393, p.381.

¹¹Carl-Friedrich Schleussner, *et. al.*, "Armed-conflict risks enhanced by climate-related disasters in ethnically fractionalized countries." *Proceedings of the National Academy of Sciences* 113, no. 33 (2016): 9216-9221, p.9218.

influence outcomes. Efforts to promote inclusive development, address ethnic inequalities, strengthen social cohesion, and foster peace and stability are crucial for harnessing the potential benefits of ethnic diversity and promoting sustainable economic development in Africa.¹²

The interplay between ethnic identity and economic development in Nigeria is a significant and complex issue. Nigeria is a diverse country with over 250 ethnic groups, each with its own cultural traditions, languages, and historical backgrounds.¹³ Understanding the dynamics between ethnic identity and economic development is crucial for addressing challenges and fostering inclusive growth. Nigeria's ethnic diversity brings with it a rich cultural heritage, which can be harnessed to promote tourism, creative industries, and cultural exchanges. The cultural diversity of the country can also contribute to innovation, creativity, and entrepreneurship, fostering economic development in various sectors. Ethnic identity can present challenges to social cohesion and political stability in Nigeria. Tensions and conflicts along ethnic lines have at times led to violence, displacements, and disruptions to economic activities. Promoting inclusiveness, dialogue, and peaceful coexistence among ethnic groups is crucial for fostering social cohesion and creating a stable environment for economic development.¹⁴ Nigeria's natural resources, such as oil, have often been a source of contention and conflicts.

¹²Huma Haider, "Community-based approaches to peacebuilding in conflict-affected and fragile contexts." (2009), p.87.

¹³Chih Ming Tan, "No one true path: uncovering the interplay between geography, institutions, and fractionalization in economic development." *Journal of Applied Econometrics* 25, no. 7 (2010): 1100-1127, p.1108.

¹⁴Jonathan Goodhand, David Hulme, and Nick Lewer. "Social capital and the political economy of violence: a case study of Sri Lanka." *Disasters* 24, no. 4 (2000): 390-406, p.396.

Ethnic identity intersects with disputes over resource allocation and revenue distribution, which can impede economic development. Ensuring equitable resource management and addressing issues of resource governance are essential for fostering stability and enabling inclusive economic growth. Ethnic identity can intersect with economic disparities and marginalization within Nigeria.¹⁵ Certain ethnic groups may face historical and systemic barriers that limit their access to education, employment opportunities, and economic resources. Addressing these disparities through inclusive policies, affirmative action, and targeted investments can promote equitable economic development and reduce ethnic inequalities.

Nigeria's ethnic identity is also associated with regional disparities in economic development. Some regions, such as the Niger Delta and the North-East, have faced significant economic challenges, often exacerbated by ethnic tensions and conflicts.¹⁶ Bridging regional disparities through infrastructure development, investments, and targeted interventions can promote inclusive growth and reduce inter-ethnic tensions. Ethnic identity has implications for political representation and governance in Nigeria. Ensuring inclusive and participatory governance systems that reflect the diversity of the country can help address ethnic tensions, promote trust, and facilitate economic development. Effective governance structures that prioritize accountability, transparency, and the rule of law are crucial for creating an enabling environment for sustainable economic growth. It is important to recognize that the interplay between ethnic identity and economic development in Nigeria is a complex and multifaceted issue. Addressing ethnic inequalities,

¹⁵Rotimi, Suberu, "Federalism in Africa: The Nigerian experience in comparative perspective." *Ethnopolitics* 8, no. 1 (2009): 67-86, p.69.

¹⁶Samuel C. Ugoh and Wilfred I. Ukpere. "Policy of the federal character principle and conflict management in Nigerian federalism." *African journal of business management* 6, no. 23 (2012): 6771., p.6771.

promoting inclusive policies, and fostering social cohesion are critical for leveraging the country's diverse ethnic makeup and achieving sustainable and equitable economic development.

The interplay between ethnic identity and economic development in East Africa is influenced by the region's diverse ethnic composition and varied socio-economic contexts. East Africa comprises countries such as Kenya, Tanzania, Uganda, Rwanda, Burundi, and others.¹⁷ East Africa is home to a wide range of ethnic groups, each with its unique cultural heritage. This diversity can contribute to cultural tourism, creative industries, and cultural exchanges, which have the potential to stimulate economic development. Traditional arts and crafts, music, dance, and other cultural practices can attract tourists and generate revenue. Ethnic identity can pose challenges to social cohesion and political stability in East Africa. Historical ethnic tensions and conflicts have, at times, disrupted economic activities and hindered development.¹⁸

Promoting inclusive governance, inter-ethnic dialogue, and conflict resolution mechanisms are crucial for fostering social cohesion and creating a stable environment for economic growth. Natural resources, such as minerals, oil, and land, often intersect with ethnic identity in East Africa. Disputes over resource ownership and distribution can lead to conflicts and hinder economic development. Ensuring equitable resource governance, transparency, and inclusive decision-making processes are vital for sustainable

¹⁷Nic Cheeseman, Michaela Collord and Filip Reyntjens. "War and democracy: the legacy of conflict in East Africa." *The Journal of Modern African Studies* 56, no. 1 (2018): 31-61, p.37.

¹⁸Merkel Wolfgang and Brigitte Weiffen. "Does heterogeneity hinder democracy?" *Comparative Sociology* 11, no. 3 (2012): 387-421, p.389.

development and conflict pentation. Ethnic identity can intersect with economic disparities and marginalization of certain ethnic groups in East Africa.

Historically marginalized communities may face barriers to accessing education, healthcare, employment, and economic resources. Addressing these disparities through inclusive policies, targeted investments, and affirmative action can promote equitable economic development and reduce ethnic inequalities.¹⁹ Ethnic identity can impact regional integration efforts and trade in East Africa. Harmonizing trade policies, reducing trade barriers, and enhancing infrastructure connectivity are crucial for leveraging the economic potential of regional markets. Strengthening regional economic communities, such as the East African Community and the Common Market for Eastern and Southern Africa, can promote cross-border trade, investment, and cooperation among diverse ethnic groups.²⁰ East Africa's agricultural sector is of great significance to the region's economy. Ethnic identity can influence land ownership patterns, agricultural practices, and access to markets and resources.

Promoting inclusive agricultural policies, providing support to small-scale farmers, and improving rural infrastructure can contribute to poverty reduction, food security, and overall economic development.²¹ It's important to note that the interplay between ethnic identity and economic development in East Africa is complex and context-specific. Historical legacies, governance structures, and policy frameworks shape the outcomes.

¹⁹Grace-Edward Galabuzi, "Social exclusion." *Social determinants of health: Canadian perspectives* (2004): 235-251, p.239.

²⁰Ali Keya Anami, "Contribution of regional integration to economic development of member states, case study: East African community (EAC)." *World Journal of Advanced Research and Reviews* 17, no. 2 (2023): 758-769, p.760.

²¹V. O. S. Rob and Andrea Cattaneo. "Poverty reduction through the development of inclusive food value chains." *Journal of Integrative Agriculture* 20, no. 4 (2021): 964-978, p.769.

Emphasizing inclusive development, addressing ethnic inequalities, and fostering social cohesion are crucial for harnessing the economic potential of ethnic diversity and promoting sustainable economic development in East Africa.

The interplay between ethnic identity and economic development in Kenya since 1963, when the country gained independence, has been a significant and complex issue.²² Kenya is characterized by a diverse population with more than 40 different ethnic groups. Ethnic identity has played a significant role in Kenyan politics since independence. Ethnic divisions have at times influenced political dynamics, leading to competition, tensions, and conflicts. Episodes of political violence, particularly during elections, have had adverse effects on economic development by disrupting business activities, investments, and the overall stability necessary for sustainable growth.²³

Ethnic identity intersects with disparities in resource distribution and economic opportunities. Historically marginalized communities have faced limited access to education, healthcare, infrastructure, and economic resources. This marginalization has hindered their participation in and benefit from economic development initiatives, perpetuating inequalities and inhibiting inclusive growth. Kenya's devolution process, initiated in 2013, aimed to address regional imbalances and enhance local governance. By devolving power and resources to county governments, the hope was to promote more equitable development across the country. Ethnic considerations in the allocation of

²²Robin Burgess, *et. al.*, "The value of democracy: evidence from road building in Kenya." *American Economic Review* 105, no. 6 (2015): 1817-1851, p.1828.

²³Herve Maupeu. "Revisiting post-election violence." *Les Cahiers d'Afrique de l'Est/The East African Review* 38 (2008): 193-230, p.194.

resources and political representation at the county level have both positive and negative implications for economic development.²⁴

While devolution provides opportunities for localized development strategies, it also risks entrenching ethnic divisions if not managed effectively. Infrastructure development is crucial for economic growth and reducing regional disparities. Ethnic identity can influence infrastructure priorities, as different regions may have varying needs and demands. Ensuring equitable distribution of infrastructure projects, such as roads, railways, and energy, can facilitate inclusive economic development and improve connectivity between different ethnic communities.²⁵ Ethnic identity can also drive entrepreneurship and innovation. Different ethnic groups bring diverse skills, knowledge, and business networks, contributing to economic growth in various sectors.

Ethnic entrepreneurs have played significant roles in sectors such as trade, agriculture, and manufacturing, contributing to job creation, income generation, and overall economic development. Building social cohesion and fostering national unity are critical for sustainable economic development.²⁶ Addressing ethnic divisions, promoting inclusivity, and nurturing a sense of shared identity can help mitigate conflicts, enhance trust among different ethnic groups, and create an environment conducive to economic growth. It is important to note that the interplay between ethnic identity and economic development in Kenya is complex and has evolved over time.

²⁴James A. Piazza, "Rooted in poverty? Terrorism, poor economic development, and social cleavages." *Terrorism and political Violence* 18, no. 1 (2006): 159-177. p. 164.

²⁵Alexander Sokolov, *et. al.*, "Scenario-based identification of key factors for smart cities development policies." *Technological Forecasting and Social Change* 148 (2019): 119729.

²⁶Colin C. Williams, and Mark A. Lansky. "Informal employment in developed and developing economies: Perspectives and policy responses." *International Labour Review* 152, no. 3-4 (2013): 355-380. p.360.

The country has made progress in addressing ethnic inequalities and promoting inclusivity through various policy initiatives.²⁷ However, challenges remain, and continued efforts are needed to ensure that economic development is inclusive, equitable, and not hindered by ethnic divisions. It is against this diverse background that this study interrogated the interplay between ethnic identity and economic development in Kenya since 1963.

1.3 Statement of the Problem

As independence dawned on the nation-state of Kenya, there were waves of excitement. The liberated citizens had high expectations of a strong lithified nationhood that would embrace inclusivity, equal distribution of the national resources, sustainable development as well as living in unity, peace and liberty. They looked forward to seeing plenty being found within the borders of Kenya as spelt out in the National Anthem. Thus, the prospects of improved livelihoods were high. Moreover, the founding fathers declared war on poverty, disease and ignorance as key enemies of economic development. However, within a short time after independence, these dreams and expectations became a mirage, resulting into a false start in Kenya.²⁸ Negative ethnicity saw sharp divisions in government with the Vice President, Jaramogi Oginga Odinga, pulling out of government. Ethnic identity for political gains ensued, leading to politicized ethnicity. Since then, Government efforts to bring about economic development in the country have been challenged. The cries of “*serikali saidia, punda amechoka*” which translates to, “*we need government’s help, the donkey is tired*” and the politics of “It’s our time to eat” have continued to manifest in

²⁷Jasper Edward Nyaura, "Devolved ethnicity in the Kenya: Social, economic and political perspective." *European Review of Applied Sociology* 11, no. 16 (2018): 17-26., p.26.

²⁸ Rene Dumont, "African agricultural development." (1966). p. 87.

Kenya. The government of Kenya has implemented various strategies ranging from policies and laws that safeguards diversified ethnic groups in Kenya for the betterment of economic development. Not only the government but also studies such as P. Opondo and S. Kwatemba, have been carried out in relation to ethnic identity, however most of them concentrate on ethnic identity and internal conflicts as well as democracy.²⁹³⁰ Therefore this created a lacuna that was filled by this study that interrogated the interplay between ethnic identity and economic development in Kenya since 1963.

1.4 Objectives of the Study

The study had both the general and specific research objectives which were derived from the variables of the study as follows:

1.4.1 General Objective of the Study

The general objective of the study was to analyze the interplay between ethnic identity and economic development in selected counties in Western Kenya since 1963.

1.4.2 Specific Objectives of the Study

The specific objectives of the study were which were drawn from the variables in the general objective were to:

- (i) Trace the origins, nature and development of ethnic identity in Kenya Since 1963.

²⁹Paul A. Opondo, "Ethnic politics and post-election violence of 2007/8 in Kenya." *African Journal of History and Culture* 6, no. 4 (2014): 59.

³⁰Shilaho Westen Kwatemala, "Ethnicity and political pluralism in Kenya." *Journal of African elections* 7, no. 2 (2008): 77-112., p.86.

- (ii) Assess the influence of ethnic identity on economic development in Western Kenya since 1963.
- (iii) Examine the legal policies and institutional framework in addressing effects of ethnic identity in Western Kenya Since 1963.
- (iv) Evaluate the challenges and opportunities in the interplay between ethnic identity and economic development in Western Kenya since 1963.

1.5 Research Questions

The study attempted to answer the following four specific questions in line with the specific objectives:

- i. What is the nature, origins and development of ethnic identity in Kenya Since 1960?
- ii. To what extent has ethnic identity influenced investment, governance and state stability in different regions of Western Kenya since 1963?
- iii. What are the legal policies and institutional frameworks in place for addressing effects of ethnic identity in Western Kenya Since 1963?
- iv. Which challenges and opportunities are found in the interplay between ethnic identity and economic development in Western Kenya since 1963?

1.6 Justification of the Study

This section provides the academic, philosophical and policy justification of the research study. The academic justification is derived from the literature reviewed on the previous related studies. The philosophical justification is instrumental in providing the explanation

as to how the study will contribute to general knowledge. Policy justification provided information to the government of Kenya specifically and Africa in general on the real place of ethnic identity and economic freedom.

1.6.1 Academic Justification of the Study

The research is academically justified due to the critical role that ethnicity plays in shaping the country's socio-political and economic landscape. Since independence, Kenya has experienced persistent ethnic divisions that have significantly influenced resource allocation, political representation, and economic policies. These divisions have roots in colonial history but have been perpetuated and exacerbated by post-independence governance, particularly in the context of multiparty politics, where ethnic identities are often manipulated for political gain.

Understanding the interplay between ethnic identity and economic development is crucial for several reasons. To begin with, it provides insights into how ethnic divisions have contributed to economic inequalities, fostering regional disparities that hinder national development. Additionally, the research offers an opportunity to evaluate the effectiveness of policies aimed at promoting inclusivity and national cohesion, identifying gaps that need to be addressed to foster sustainable economic growth. Finally, by examining the historical and contemporary factors that sustain ethnic divisions, the study can inform the design of more effective governance frameworks that transcend ethnic boundaries. This research is particularly relevant in the context of Kenya's ongoing efforts to achieve economic development goals, such as those outlined in Vision 2030, and to promote national unity in a multicultural society.

1.6.2 Philosophical Justification

The study is founded under a pragmatic philosophical foundation that comes with a platform for the voiceless and oppressed to be listened to.³¹ Therefore the study wants to advance that, ethnic diversity presents several opportunities for economic freedom and that there are indeed relevant lessons to be learnt from regions that register positive economic development while being highly fragmented. Moreover, pragmatic philosophy offers a useful perspective for understanding the interplay between ethnic identity and economic development in Kenya since 1963. Interpretivism emphasizes the practical consequences of ideas and actions, focusing on finding effective solutions to real-world problems. Applying pragmatic principles to this research topic can provide valuable insights and guide policy interventions. Interpretivism encourages focusing on practical problems and their resolution.³²

In the context of ethnic identity and economic development in Kenya, pragmatic philosophy emphasizes understanding the real-life challenges faced by diverse ethnic groups and exploring how these challenges impact economic growth. The research will prioritize practical implications, seeking to address issues related to inequality, social cohesion, and inclusive development. Interpretivism encourages experimentation and the use of empirical evidence to inform decision-making.³³ In the investigation of ethnic identity and economic development, a pragmatic approach would involve gathering and

³¹Eric Hogan, "Pragmatic Social Justice: A Conceptual Framework for Practitioners." *Essays in the Philosophy of Humanism* 25, no. 1 (2017), p.87.

³²Patsy Healey, "The pragmatic tradition in planning thought." *Journal of planning education and research* 28, no. 3 (2009): 277-292. p.287.

³³Ian Sanderson, "Intelligent policy making for a complex world: Interpretivism, evidence and learning." *Political studies* 57, no. 4 (2009): 699-719, p. 609.

analyzing data to assess the relationship between these factors.³⁴ This empirical evidence could come from historical records, quantitative indicators, and qualitative interviews.³⁵ By employing an experimental approach, policymakers can identify effective strategies to promote economic growth while mitigating the negative effects of ethnic divisions.

Interpretivism emphasizes problem-solving as the primary goal of inquiry. In the context of Kenya's ethnic identity and economic development, a pragmatic philosophy would encourage identifying practical solutions to address these challenges.³⁶ This could involve designing policies and interventions that foster inclusivity, reduce inequality, and promote social cohesion. The research aimed to provide actionable recommendations for policymakers, stakeholders, and communities to navigate the interplay between ethnic divisions and economic progress effectively. Interpretivism recognizes the importance of engaging various stakeholders in decision-making processes. In the investigation of ethnic identity and economic development, a pragmatic approach would involve actively involving policymakers, community leaders, representatives from civil society organizations, and affected communities. Engaging these stakeholders can provide valuable insights, ensure that diverse perspectives are considered, and enhance the relevance and effectiveness of policy interventions. Pragmatic philosophy emphasizes the need for flexibility and adaptation in response to changing circumstances and new evidence.³⁷ In studying the interplay between ethnic identity and economic development, a pragmatic

³⁴Thomas Ricento, "Historical and theoretical perspectives in language policy and planning." *Journal of sociolinguistics* 4, no. 2 (2000): 196-213. p. 203.

³⁵*Ibid.*, p.198.

³⁶Johnstone O. Akanga, "Character development through education in Kenya: A pragmatic perspective." PhD diss., University of Nairobi, 2014, p.78.

³⁷Patrick Seaton Tarrant and Paul Thiele Leslie, "Practice makes pedagogy—John Dewey and skills-based sustainability education." *International Journal of Sustainability in Higher Education* 17, no. 1 (2016): 54-67., p.60.

approach would encourage researchers and policymakers to remain open to increasing strategies and policies based on new findings and evolving dynamics. Flexibility allows for the adjustment of interventions to address emerging challenges and to align with the changing needs of diverse ethnic groups and the evolving economic landscape.

By adopting a pragmatic philosophy in the investigation of the interplay between ethnic identity and economic development in Kenya, researchers can provide practical insights, evidence-based recommendations, and adaptive strategies to promote inclusive development and address the challenges associated with ethnic divisions. This approach aligns with the pragmatic focus on practical consequences, problem-solving, stakeholder engagement, and flexibility in addressing complex socio-economic issues.

1.6.3 Policy Justification

The interplay between ethnic identity and economic development in Kenya since 1963 has had significant implications for the country's socio-economic progress. Various initiatives have been adopted such as establishment of policies in regards to ethnic identity for instance; the article 27 and 56 on freedom from ethnic discrimination and support of marginalized communities, NCIC act on peace and cohesion among Kenyan communities. Despite the implementation of the aforementioned policies that address the challenges arising from ethnic divisions that affect economic development. The Kenyan society continues to experience challenges that has been brought about by ethnic fragmentation which leads to economic redundancy. Addressing the interplay between ethnic divisions and economic development is vital for fostering social cohesion and peace. By implementing effective policies that promote inclusivity and reduce the disparities resulting

from ethnic identity, Kenya can create a more harmonious society, which is essential for sustainable economic growth. Ethnic identity can impede economic development by creating barriers to cooperation and hindering collective action. Developing policies that promote inclusivity and address inequalities associated with ethnic divisions can unlock the economic potential of all ethnic groups.³⁸ By ensuring equal opportunities and providing resources for marginalized communities, Kenya can tap into a broader talent pool, enhance productivity, and improve overall economic competitiveness.

Ethnic identity often exacerbates socio-economic inequalities, with certain ethnic groups facing systemic disadvantages.³⁹ These disparities hinder inclusive economic growth and perpetuate poverty. Policy interventions that focus on reducing inequality and promoting equitable access to resources, education, employment, and economic opportunities can help uplift marginalized communities and reduce poverty rates, leading to more sustainable and inclusive development. Ethnic divisions can limit social and human capital development in Kenya. Discrimination and exclusion based on ethnicity can hinder access to quality education, healthcare, and other essential services.⁴⁰ Policy measures that address ethnic identity can help create an enabling environment for equitable social and human capital development. Investing in education, skills training, and healthcare infrastructure in marginalized areas can improve human capital outcomes and contribute to long-term economic development.

³⁸Richard C., M. Feiock, Jae Moon and Jun Park Hyung, "Is the world "flat" or "spiky"? Rethinking the governance implications of globalization for economic development." In *Debating Public Administration*. Routledge, 2017., , pp. 225-246, p.227.

³⁹Morgan Craig Gemma Knowles and Gerard Hutchinson. "Migration, ethnicity and psychoses: evidence, models and future directions." *World Psychiatry* 18, no. 3 (2019): 247-258., p.250.

⁴⁰Martha Minow, *Making all the difference: Inclusion, exclusion, and American law*. Cornell University Press, 1990., p.59.

Ethnic identity poses challenges to political stability and good governance in Kenya.⁴¹ Ethnic divisions often influence political dynamics and can lead to power struggles and conflicts. Addressing the interplay between ethnic identity and economic development requires policies that promote inclusive governance, political representation, and participatory decision-making processes. Ensuring equitable political representation and fostering inclusive democratic institutions can contribute to political stability, effective governance, and long-term economic development.⁴²

Addressing ethnic identity and promoting inclusive economic development can enhance Kenya's attractiveness to foreign investments and foster international cooperation. Investors and international partners seek stable and inclusive environments that offer opportunities for sustainable economic growth. By implementing policies that address ethnic divisions and promote inclusive economic development, Kenya can create a favorable investment climate, strengthen international partnerships, and access additional resources for development.

Exploring the interplay between ethnic identity and economic development can contribute to achieving these goals by promoting equitable growth and social cohesion. By investigating the relationship between ethnic identity and economic development, this research can provide evidence to inform policy decisions aimed at reducing ethnic tensions and promoting inclusive growth.⁴³ It can guide policymakers in designing targeted

⁴¹E. Bedasso Biniam, "Ethnicity, intra-elite differentiation and political stability in Kenya." *African Affairs* 114, no. 456 (2015): 361-381., p.368.

⁴²M. Abdellatif Adel, "Good governance and its relationship to democracy and economic development." In *Global Forum III on Fighting Corruption and Safeguarding Integrity, Seoul*, vol. 20, no. May, 2003, p. 31.

⁴³Andrew Sumner and Michael A. Tribe, "International development studies: Theories and methods in research and practice." (2008): 1-192. p.89.

interventions to address the socio-economic challenges associated with ethnic divisions. Understanding the dynamics between ethnic identity and economic development can contribute to conflict prevention and resolution strategies. By identifying potential triggers or mitigating factors, policymakers and stakeholders can work towards building more cohesive societies and fostering sustainable development.

Therefore, the interplay between ethnic identity and economic development in Kenya since 1963 has significant implications for the country's socio-economic progress. By prioritizing policies that address ethnic divisions and promote inclusive economic growth, policymakers can foster social cohesion, enhance economic productivity, reduce inequality, and strengthen political stability. These policy interventions can contribute to sustainable development, poverty reduction, and improved well-being for all Kenyan citizens.

1.7 Significance of the Study

The study on the interplay between ethnic identity and economic development in Kenya since 1963 holds great significance for multiple stakeholders, including policymakers, researchers, communities, and international organizations. The findings of this study inform policy formulation and decision-making processes in Kenya. By understanding how ethnic identity impacts economic development, policy makers can design targeted interventions that promote inclusive growth, reduce inequalities, and address the challenges associated with ethnic divisions. Evidence-based policies can contribute to more effective resource allocation, improved governance, and the creation of an enabling environment for sustainable economic progress.

The study's findings provide insights into the dynamics of ethnic divisions and their implications for social cohesion and peacebuilding efforts in Kenya. By identifying the factors that contribute to ethnic tensions and conflicts, policymakers and stakeholders can develop strategies to mitigate these challenges, foster social harmony, and promote peaceful coexistence among diverse ethnic groups.

Understanding the interplay between ethnic identity and economic development is essential for promoting inclusive economic growth. By identifying the barriers and disparities faced by different ethnic groups, policymakers can design policies and interventions that ensure equal access to economic opportunities, resources, and services. This can contribute to reducing poverty, enhancing productivity, and creating an environment conducive to economic prosperity for all Kenyan citizens.

The study aligns with the United Nations' SDGs, particularly Goal 10 (Reduced Inequalities) and Goal 16 (Peace, Justice, and Strong Institutions).⁴⁴ By examining the relationship between ethnic identity and economic development, the study contributes to achieving these global development goals by addressing inequality, fostering social cohesion, and promoting inclusive institutions.

The study's findings facilitate international collaboration and partnerships. Understanding the interplay between ethnic divisions and economic development in Kenya can help attract investments, foster cooperation with international organizations, and access resources for development. International stakeholders can use the study's insights to align their support and interventions with the specific challenges and needs identified in the research.

⁴⁴Deborah Salvo, *et. al.*, "Physical activity promotion and the United Nations sustainable development goals: building synergies to maximize impact." *Journal of Physical Activity and Health* 18, no. 10 (2021): 1163-1180, p.1169.

The study contributes to the existing body of knowledge by providing a comprehensive analysis of the interplay between ethnic identity and economic development in Kenya since 1963. It fills a gap in the literature by exploring the long-term implications of ethnic divisions on economic progress. The study's findings can serve as a valuable reference for researchers, scholars, and academics interested in understanding the complex relationship between ethnicity and economic development in diverse contexts.

Finally, the study on the interplay between ethnic identity and economic development in Kenya since 1963 holds immense significance in guiding policy formulation, promoting social cohesion, fostering inclusive economic growth, and contributing to the achievement of sustainable development goals. Its findings can inform decision-making processes, drive positive change, and contribute to academic knowledge on the intersection of ethnicity and economic development.

1.8 Scope of the Study

The study focused on the period 1963 since it is the pivotal year that marks Kenya's independence from British colonial rule. Independence brought significant political, social, and economic transitions, including the shift from colonial governance structures to African-led government systems. Therefore, ethnic identities became more pronounced in post-independence Kenya as political power and economic resources were distributed among ethnic groups. The establishment of ethnic-based political alliances, land distribution policies, and regional disparities in resource allocation from 1963 onwards profoundly influenced economic development across the country. In Western Kenya, the dynamics of ethnic identity—especially among the Luhya, Luo, and other communities—played a crucial role in shaping economic opportunities and challenges. Thus, 1963 provides a meaningful temporal framework to explore how ethnic

identity has intersected with economic development in the region. Ethnicity in the post-colonial period was guard towards economic development unlike the colonial period the stratification of society was based on ethnic group for the satisfaction political, economic and social self-aggrandization mission of divide and Rule. Therefore 1963 was the most appropriate year in relation to Ethnic identity that was largely influenced by internal economic development challenges.

This study examines how ethnic divisions have influenced economic development in Kenya, focusing on the diverse interactions among ethnic groups in terms of cooperation, conflict, and access to economic opportunities. It explores disparities, exclusion, and advantages experienced by different ethnic communities, analyzing economic indicators such as GDP growth, poverty rates, income inequality, employment, education, healthcare, and infrastructure.

The research investigates factors shaping the relationship between ethnic identity and economic progress, including political dynamics, governance, resource allocation, and historical contexts. By focusing on Kenya's unique ethnic diversity, political history, and regional variations, the study highlights how these elements impact economic outcomes across urban and rural settings.

Using a multidisciplinary approach that draws from political science, economics, sociology, development studies, and history, the study provides a comprehensive analysis of the interplay between ethnicity and economic development. It also evaluates policy implications, proposing strategies to address challenges posed by ethnic divisions and

promote inclusive growth. The study was conducted over six months, from September to February 2024.

1.9 Limitations of the Study

The study heavily relied on participants' personal narratives to understand the historical interplay between ethnic identity and economic development. This reliance risked incorporating subjective biases or inaccuracies, as participants' memories and perspectives could be influenced by personal or community experiences. To overcome this limitation, the researcher employed a strategy of cross-verification by interviewing a diverse range of participants from various ethnic backgrounds and age groups. This approach helped ensure that individual accounts were balanced and that multiple perspectives were included, reducing the risk of a singular, biased narrative.

Accessing various ethnic communities across Kenya presented logistical and cultural challenges. Some communities were geographically remote or hesitant about discussing sensitive historical topics. To address this limitation, the researcher-built relationships with local community leaders and organizations facilitated introductions and encouraged participation. These partnerships helped establish trust, making participants more willing to share their insights openly and allowed the researcher to reach a wider range of ethnic perspectives.

Discussions surrounding ethnic identity and its impact on economic development could be sensitive, particularly given Kenya's history of ethnic tensions. This sensitivity made it difficult for some participants to engage freely and honestly on such topics. To mitigate this

issue, the researcher ensured confidentiality and emphasized that participants' identities would be protected. Additionally, interviews were conducted in a respectful, culturally sensitive manner, and participants were given the option to withdraw or skip questions they found uncomfortable, creating a safer environment for open discussion.

The extensive qualitative data collected from narratives, interviews, and historical accounts presented challenges in synthesizing findings without losing important context or nuance. To overcome this challenge, the researcher employed thematic analysis, systematically categorizing data into themes relevant to the study's objectives. This method allowed for an organized approach to data while preserving contextual insights, ensuring a coherent analysis that reflected the complex interplay between ethnic identity and economic development in Kenya.

1.10 Literature Review

This section presents related literature as reviewed from similar works by other scholars and the theoretical framework that interrogated this study. The review is arranged according to the objectives of the study. The sub sections of the literature review examined studies and works by other scholars on the subject of ethnic identity and economic development according to the set objectives.

1.10.1 The Origins, Nature and Development of Ethnic Identity

Ethnic identity refers to the division of population into distinct ethnic groups, often characterized by differences in language, culture, religion, or other social markers.⁴⁵ It can lead to various social, political, and economic consequences within a society.⁴⁶ They are expounded as follows:

1.10.1.1 The Origin of Ethnic Identity

According to Alesina and La Ferrara, the origins of ethnic identity in the global perspective can be traced back to various historical, social, political and economic factors. While each case of ethnic identity is unique and influenced by specific contexts, there are several common origins that can be identified.⁴⁷ For instance, historical events, such as colonialism, imperialism, and decolonization, have had a profound impact on ethnic identity. The imposition of colonial borders, policies of divide and rule, and unequal treatment of ethnic

⁴⁵Joan Esteban, Laura Mayoral and Debraj Ray. "Ethnicity and conflict: An empirical study." *American Economic Review* 102, no. 4 (2012): 1310-1342, p.1320.

⁴⁶Ravi Kanbur, Prem Kumar Rajaram and Ashutosh Varshney. "Ethnic diversity and ethnic strife. An interdisciplinary perspective." *World Development* 39, no. 2 (2011): 147-158, p.150.

⁴⁷Alberto Alesina, and Eliana La Ferrara. "Ethnic diversity and economic performance." *Journal of economic literature* 43, no. 3 (2005): 762-800, p.768.

groups by colonial powers have often contributed to ethnic tensions and divisions. Post-colonial processes, including struggles for independence and the redrawing of national boundaries, have also influenced the formation and reconfiguration of ethnic identities.⁴⁸

Ethnic identity can stem from cultural and identity differences. Distinct ethnic groups often have unique languages, customs, traditions, and historical narratives that shape their collective identity.⁴⁹ These differences, when amplified and politicized, can lead to intergroup tensions and conflicts. Unequal distribution of resources, such as land, water, minerals, or economic opportunities, can be a significant factor in ethnic identity. When different ethnic groups compete for limited resources, perceived marginalization or exclusion from resource access can deepen intergroup divisions and conflicts.

Ethnic identity is often intertwined with political power struggles. The quest for political dominance or control over the state apparatus can lead to the mobilization of ethnic identities for political gain.⁵⁰ Ethnic-based political parties or movements may emerge, leading to competition or conflict along ethnic lines. Social and economic inequalities can contribute to ethnic identity. When certain ethnic groups face systemic discrimination, marginalization, or limited access to resources and opportunities, it can fuel grievances and foster divisions between groups.⁵¹ The rise of nationalism and independence movements can both unite and fragment ethnic groups. While these movements often aim for self-determination and national sovereignty, they can also reinforce ethnic identities and contribute to the exclusion of minority groups, potentially leading to identity.⁵²

⁴⁸Ibid., p.763.

⁴⁹Ibid., p.765.

⁵⁰Ibid., p.766.

⁵¹Ibid., p.767.

⁵²Ibid., p.769.

Ethnic identity can also be influenced by external factors, such as interference by external powers, geopolitical interests, or international interventions. External actors, through their policies or interventions, may exacerbate ethnic tensions or exploit existing divisions for their own interests.⁵³ Important to note from Alesina and La Ferrara, is that the origins of ethnic identity are complex and interconnected. The combination of historical legacies, socio-economic factors, political dynamics, and cultural differences shapes the nature and development of ethnic identity in different parts of the world. What has not been discussed by Alesina and La Ferrara is that understanding these origins can provide insights into addressing the challenges associated with ethnic identity and promoting inclusive societies.⁵⁴ Therefore, this study discussed this gap in the context of Kenya since 1963 as far as interplay between ethnic identity and economic development.

In the context of Australia, Curthoys and Moore allude that, the indigenous Aboriginal and Torres Strait Islander peoples have been the original inhabitants of the continent for tens of thousands of years, with diverse cultures, languages, and territories.⁵⁵ The origin of ethnic identity in Australia can be traced back to various historical factors. The arrival of the British in 1788 marked the beginning of European settlement and colonization in Australia. British colonization had a profound impact on the indigenous population, leading to dispossession of land, forced removal of children (known as the Stolen Generations), and systemic discrimination.⁵⁶ These policies and practices contributed to the marginalization and identity of indigenous communities.

⁵³Ibid., p.770.

⁵⁴Ibid., p.770.

⁵⁵Ann Curthoys and Clive Moore. "Working for the white people: an historiographic essay on Aboriginal and Torres Strait Islander labour." *Labour History* 69 (1995): 1-29., p.10.

⁵⁶Ibid., p.2.

Furthermore, Curthoys and Moore posited that, the colonization process in Australia was characterized by violent conflicts between European settlers and indigenous peoples.⁵⁷ Frontier violence, including massacres, displacements, and conflicts over land and resources, led to significant loss of life and cultural disruption. These conflicts further contributed to the identity of indigenous communities and the erosion of traditional social structures. In the 19th and 20th centuries, assimilation policies were implemented by the Australian government, aimed at forcibly assimilating indigenous peoples into the dominant European-Australian society.⁵⁸ These policies sought to erase indigenous cultures, languages, and identities, causing further identity within indigenous communities and a disconnection from cultural heritage.

The forced removal of indigenous children from their families and communities, known as the Stolen Generations, had a profound impact on indigenous societies.⁵⁹ The removal policies disrupted kinship networks, cultural transmission, and the passing down of traditional knowledge, leading to social dislocation and identity within indigenous communities. The loss of traditional lands and territories due to colonization and subsequent government policies has been a significant factor in ethnic identity. Dispossession of land has disrupted indigenous connections to country, disrupted traditional governance structures, and resulted in the displacement of communities, contributing to social and cultural identity.⁶⁰

⁵⁷Ibid., p.3.

⁵⁸Ibid., p.4.

⁵⁹Ibid., p.6.

⁶⁰Ibid., p.7.

The legacy of historical injustices and policies of assimilation has had a lasting impact on indigenous communities. Intergenerational trauma, including psychological and social effects passed down through generations, has contributed to on-going social and cultural identity within indigenous communities.⁶¹ From Curthoys and Moore, it is important to acknowledge that efforts towards reconciliation, land rights, cultural preservation, and self-determination have been on-going in Australia. Despite this, Curthoys and Moore have not explained the recognition of indigenous rights, the apology issued by the Australian government in 2008 for past policies, and the implementation of programs aimed at addressing disadvantage and promoting cultural resilience as steps towards healing and promoting unity among indigenous communities.⁶² This scenario was discussed in relation to the Kenyan context.

According to Mengistu, the origin of ethnic identity in Africa is a complex and multifaceted phenomenon influenced by a combination of historical, socio-economic, political, and cultural factors.⁶³ The colonization of Africa by the European powers from the late 19th century to the mid-20th century for instances had a profound impact on ethnic identity. Colonial powers imposed artificial borders, often disregarding pre-existing ethnic territories and creating multi-ethnic states.⁶⁴ This arbitrary division led to the grouping of diverse ethnic groups within the same political boundaries, which can sometimes result in tensions and conflicts.

⁶¹Ibid., p.8.

⁶²Ibid., p.8.

⁶³Muhabie Mekonnen Mengistu, "The root causes of conflicts in the Horn of Africa." *American Journal of Applied Psychology* 4, no. 2 (2015): 28-34, p.31.

⁶⁴Ibid., p.29.

Africa is home to a vast array of ethnic groups with distinct languages, cultures, and traditions. The continent's rich ethnic diversity, while a source of strength and cultural richness, can also contribute to identity, especially in contexts where ethnic identities are strongly emphasized and politicized.⁶⁵ Ethnic identity in Africa can have roots in pre-colonial history. Africa had numerous indigenous kingdoms, empires, and chiefdoms with their own ethnic affiliations and territorial boundaries. Interactions, rivalries, and conflicts among these entities shaped ethnic identities and, in some cases, laid the groundwork for future divisions and tensions.⁶⁶

Ethnic identity can arise from competition over resources, such as land, water, minerals, or economic opportunities.⁶⁷ Unequal distribution of resources, perceived marginalization, and disputes over resource access can fuel intergroup conflicts and deepen ethnic divisions. Political power struggles can play significant role in ethnic identity. In some instances, ethnic identities are mobilized for political purposes, leading to competition or conflicts along ethnic lines. Ethnic-based political parties or movements may emerge, exacerbating divisions and hindering the development of inclusive governance structures. External factors, such as colonial powers, international interventions, or regional dynamics, can also contribute to ethnic identity.⁶⁸ Historical and ongoing geopolitical interests, interventionist policies, and conflicts in neighbouring countries can spill over, exacerbating existing ethnic tensions or creating new fault lines.

⁶⁵Ibid., p.29.

⁶⁶Ibid., p.30.

⁶⁷Ibid., p.30.

⁶⁸Ibid., p.31.

Socio-economic disparities, including poverty, inequality, and limited access to resources and opportunities, can contribute to ethnic identity.⁶⁹ Marginalization, perceived or real, can lead to grievances and foster divisions between ethnic groups. From the above literature, it is important to note that while ethnic identity has been a challenge in some parts of Africa, the continent also demonstrates resilience, cultural diversity, and ongoing efforts towards unity and integration.⁷⁰ Pan-African movements, regional integration initiatives, and inclusive governance approaches are among the strategies aimed at addressing ethnic identity and promoting harmonious coexistence across diverse ethnic groups. Therefore, this study unravelled this misery with the main reference to Kenya since 1963.

According to Meskell, the origin of ethnic identity in South Africa is rooted in a complex historical and socio-political context, shaped by various factors. It is important to note that the apartheid system, which lasted from 1948 to 1994, was a state-sanctioned policy of racial segregation and discrimination.⁷¹ Apartheid classified people into different racial categories, primarily based on skin colour, resulting in the marginalization and oppression of non-White communities. This policy created divisions along racial lines, leading to ethnic identity and tensions between different racial and ethnic groups.⁷²

South Africa's history includes colonization by the Dutch and the British, which influenced ethnic identity. The colonial powers imposed racial hierarchies and land dispossession, leading to the displacement and marginalization of indigenous populations.⁷³ The division

⁶⁹Ibid., p.32.

⁷⁰Ibid., p.32.

⁷¹Lynn Meskell, "Trauma culture: Remembering and forgetting in the new South Africa." In *Memory, trauma and world politics: Reflections on the relationship between past and present*, pp. 157-175. London: Palgrave Macmillan UK, 2006., p.162.

⁷²Ibid., p.158.

⁷³Ibid., p.159.

of land and resources as well as the imposition of Western cultural norms created divisions between different ethnic groups in South Africa. During apartheid, the South African government implemented policies to further separate different ethnic groups.⁷⁴ Bantustans, also known as homelands, were designated territories for different ethnic groups, primarily Black African communities. These policies aimed to concentrate specific ethnic groups in designated areas, further exacerbating ethnic divisions and identity.

Apartheid-era racial classification created distinct racial categories, such as Black, Coloured, Indian, and White. These classifications were used to determine an individual's rights, privileges, and opportunities in society.⁷⁵ The racial categorization contributed to the identity of communities based on their perceived racial identities. Under apartheid, the South African government established tribal homelands or "Bantustans" to further separate ethnic groups. The government designated specific areas for different ethnic groups, attempting to undermine the unity of the Black population and consolidate control over resources. This policy created artificial divisions and reinforced ethnic identity.⁷⁶ The struggle against apartheid led to the emergence of various resistance movements, such as the African National Congress (ANC), Pan-Africanist Congress (PAC), and other anti-apartheid organizations. These movements often represented different ethnic groups and ideologies, contributing to the politicization of ethnic identities and further fragmenting society.⁷⁷

⁷⁴Ibid., p.162.

⁷⁵Ibid., p.165.

⁷⁶Ibid., p.166.

⁷⁷Ibid., p.168.

While South Africa transitioned to democracy in 1994, post-apartheid challenges persist. Economic disparities, unequal access to resources, land reform, and social inequalities have contributed to continued ethnic tensions and identity. The legacy of apartheid, coupled with socio-economic factors, poses ongoing challenges to national unity and social cohesion. It is important to note that efforts have been made to address ethnic identity and promote national unity in South Africa. The country has implemented policies of reconciliation, affirmative action, and nation-building initiatives to address historical injustices and promote inclusivity. However, un-explained by the author is how the complex legacy of apartheid and ongoing socio-economic challenges require sustained efforts to promote a united and cohesive society. This was underscored by this study with the main reference being Kenya on the interplay between ethnic identity and economic development.

From the works of Oucho, the origin of ethnic identity in Kenya can be traced back to a combination of historical, socio-political, and economic factors. For instance, Kenya was colonized by the British from the late 19th century until its independence in 1963.⁷⁸ During this period, the British colonial administration implemented policies that favoured certain ethnic groups over others, leading to inequalities and tensions. The divide and rule strategy employed by the colonial powers exacerbated ethnic divisions and created a legacy of ethnic disparities that continues to influence Kenya's social and political landscape.⁷⁹

Kenya is home to numerous ethnic groups, with over 40 officially recognized ethnic groups. Each ethnic group has its own distinct languages, cultural practices, and

⁷⁸John Oucho, "Undercurrents of ethnic conflict in Kenya." In *Undercurrents of Ethnic Conflict in Kenya*. Brill, 2021, p.78.

⁷⁹Ibid., p.79.

traditions.⁸⁰ The diversity of ethnic identities can sometimes lead to competition and tensions, particularly when ethnic affiliations are politicized or instrumentalized for power struggles. Ethnic identity in Kenya is often intertwined with political competition. Political parties and alliances have been formed along ethnic lines, and ethnic mobilization has been used as a strategy to gain political power and influence. This has sometimes resulted in ethnic tensions and conflicts, especially during elections.⁸¹

Competition for resources, such as land, water, and economic opportunities, has contributed to ethnic identity in Kenya. Unequal distribution of resources, perceived marginalization of certain ethnic groups, and land disputes have fuelled intergroup conflicts and tensions.⁸² Historical grievances related to land injustices, displacement, and historical injustices contribute to ethnic identity. Some communities feel marginalized or excluded due to past events, leading to intergroup tensions and divisions. Socio-economic disparities and inequalities can exacerbate ethnic identity. Limited access to education, healthcare, employment, and economic opportunities, particularly for marginalized ethnic groups, can perpetuate intergroup disparities and create grievances that fuel tensions.⁸³

Ethnic identities are deeply ingrained in Kenyan society, and individuals often strongly identify with their ethnic group. While ethnic identities can foster a sense of belonging and cultural pride, they can also contribute to divisions and identity when used to exclude or discriminate against other ethnic groups. It is important to note that Kenya has made efforts to address ethnic identity and promote national unity. The country has implemented

⁸⁰Ibid., p.80.

⁸¹Ibid., p.81.

⁸²Ibid., p.87.

⁸³Ibid., p.88.

devolved governance structures, aimed at addressing local concerns and fostering equitable development across regions. Un attended to by the author is how efforts towards promoting inclusive governance, addressing historical injustices, and fostering interethnic dialogue are crucial for building a united and cohesive society in Kenya. It is on this basis that this study informed its audience on how good governance, historical injustice interethnic dialogue should be addressed to enhance the growth of Kenya since 1963 with reference to interplay between ethnic identity and economic development.

1.10.1.2 The Nature of Ethnic Identity

According to Stren and Polese, the nature of ethnic identity in a global perspective encompasses various dynamics and patterns that are observed across different regions and countries.⁸⁴ Ethnic identity reflects the diversity and plurality of the world's population. Different ethnic groups exist in virtually every region, often characterized by unique languages, cultures, and identities. This diversity contributes to the richness of global heritage and human experience.⁸⁵

Ethnic identity is influenced by global migration patterns. Whether voluntary or forced, migration has led to the formation of diaspora communities and the spread of ethnic groups across different regions.⁸⁶ This has resulted in the establishment of transnational ethnic identities and interactions. Ethnic identity interacts with the concept of nation-states and national boundaries. The drawing of political borders and the formation of nation-states

⁸⁴Richard Stren and Mario Polese. "Understanding the new sociocultural dynamics of cities: Comparative urban policy in a global context." *The social sustainability of cities: diversity and the management of change* (2000): 3-38., p.28.

⁸⁵Ibid., p.4.

⁸⁶Ibid., p.5.

have often disregarded existing ethnic boundaries, leading to the inclusion of multiple ethnic groups within a single country. This can create challenges in managing intergroup relations and fostering a sense of national identity.

Ethnic identity is affected by globalization and the increasing interconnectedness of societies. Globalization facilitates the movement of people, ideas, and cultural influences, contributing to the blending of ethnic identities and the emergence of transnational ethnic communities.⁸⁷ Ethnic identity intersects with identity politics, where ethnic identities become important factors in shaping political discourse and social movements. Ethnic groups often mobilize around shared identities to assert their rights, demand recognition, and challenge inequalities.

Ethnic identity is linked to both conflict and peace-building efforts at the global level. Fueled by historical grievances, ethnic conflicts, political marginalization, or resource competition, have led to violence and instability in various regions.⁸⁸ Conversely, international efforts focus on conflict resolution, reconciliation, and fostering inclusive societies to address ethnic tensions and promote peace. Ethnic identity raises concerns about the protection of human rights, particularly for ethnic minority groups. Discrimination, marginalization, and exclusion based on ethnicity are challenges that many ethnic communities face globally. Ensuring equal rights, promoting cultural diversity, and combating ethnic-based discrimination are crucial aspects of human rights advocacy.

It is, therefore, important to recognize that the nature of ethnic identity in the global perspective is complex and multifaceted. It is shaped by historical, political, social, and

⁸⁷Ibid., p.5.

⁸⁸Ibid., p.2.

economic factors, and its manifestations can vary significantly across different regions and contexts. Understanding and addressing the challenges and opportunities associated with ethnic identity requires global cooperation, dialogue, and respect for cultural diversity. These pertinent issues have not been clearly addressed by Stren and Polese in his works. Therefore, this study looked forward to address the challenges and opportunities which are associated with ethnic identity in Kenya since 1963.

Within a global perspective, the nature of ethnic identity in China, is characterized by diverse ethnic groups, historical complexities, and ongoing challenges in intergroup relations.⁸⁹ China is home to a significant number of ethnic minorities alongside the Han majority. Moreover, China is a multiethnic country with 55 officially recognized ethnic minority groups in addition to the Han Chinese majority. These ethnic groups have distinct languages, cultures, and traditions, contributing to the rich ethnic tapestry of the country.⁹⁰

According to Schaefer, ethnic identity in China is often observed through regional concentrations of certain ethnic groups. For example, the Uighurs in Xinjiang, Tibetans in Tibet, and Zhuang in Guangxi have significant populations and maintain distinct cultural identities within these regions.⁹¹ The history of China has witnessed interactions, assimilation, and conflicts between different ethnic groups. Historical events, such as the expansion of Han Chinese rule, migration patterns, and border changes, have shaped intergroup dynamics and contributed to tensions and challenges in interethnic relations.

⁸⁹Richard T. Schaefer, *Encyclopedia of race, ethnicity, and society*. Vol. 1. Sage, 2008., p.16.

⁹⁰*Ibid.*, p.56.

⁹¹*Ibid.*, p.57.

The Chinese government aims to maintain national unity while respecting the cultural identities of ethnic minority groups. Policies like regional autonomy, affirmative action, and cultural preservation programs have been implemented to address the needs and aspirations of ethnic minority communities.⁹² However, challenges and debates persist regarding the balance between integration and autonomy. Economic disparities between ethnic groups can contribute to ethnic identity. Some ethnic minority regions, such as Xinjiang and Tibet, have experienced economic inequalities and perceived marginalization, which can lead to social tensions and calls for greater economic opportunities.⁹³

Efforts to preserve and promote ethnic minority cultures are observed in China, such as language education, cultural festivals, and heritage protection.⁹⁴ However, concerns also exist regarding cultural assimilation and the potential erosion of distinct ethnic identities due to broader societal and economic influences. Promoting social integration and fostering harmony among different ethnic groups is an ongoing challenge in China. Encouraging positive intergroup interactions, combating discrimination, and addressing grievances are crucial in building cohesive and inclusive societies.

It is important to note that the nature of ethnic identity in China is influenced by various factors and is subject to ongoing changes, debates, and policy adjustments. Different ethnic groups have different historical experiences, levels of economic development, and cultural aspirations. Therefore, addressing ethnic identity requires continuous dialogue, understanding, and efforts to ensure equal rights, inclusivity, and respect for diverse ethnic

⁹²Ibid., p.57.

⁹³Ibid., p.58.

⁹⁴Ibid., p.59.

identities. These issues have not been addressed by Schaefer in his works. This study unraveled this phenomenon.

According to Palmer, the nature of ethnic identity in Africa is complex and multifaceted, characterized by a diverse range of ethnic groups, historical factors, and ongoing intergroup dynamics.⁹⁵ Africa is home to a remarkable diversity of ethnic groups, with over 2,000 different ethnicities across the continent.⁹⁶ These groups have distinct languages, cultural practices, and social structures, contributing to the vibrant mosaic of African societies. Historical factors have significantly influenced ethnic identity in Africa. The colonial era, which involved the imposition of artificial borders and power structures by European colonizers, often created multiethnic nations with diverse populations. The legacy of colonization can contribute to intergroup tensions and conflicts.

Ethnic identity in Africa is closely tied to issues of identity and belonging. Ethnic groups often form the basis of individual and collective identity, shaping individuals' sense of self and their relationships with others.⁹⁷ Strong ethnic identities can both promote a sense of pride and unity within a group and contribute to divisions between groups. Ethnic identity can be fueled by competition for scarce resources, including land, water, minerals, or economic opportunities. Unequal access to resources and perceived marginalization of certain ethnic groups can lead to intergroup tensions and conflicts.⁹⁸ Politics in Africa can sometimes be influenced by ethnic divisions. Ethnic affiliations are mobilized for political purposes, and power struggles may take on an ethnic dimension. Ethnic politics can shape

⁹⁵Colin A. Palmer, "Defining and studying the modern African diaspora." *The Journal of Negro History* 85, no. 1-2 (2000): 27-32., p.29.

⁹⁶*Ibid.*, p.27.

⁹⁷*Ibid.*, p.28.

⁹⁸*Ibid.*, p.28.

electoral dynamics, power-sharing agreements, and political representation, with implications for intergroup relations.

Ethnic identity is often connected to social inequalities and disparities. Certain ethnic groups may experience discrimination, marginalization, and limited access to education, healthcare, employment, and other resources.⁹⁹ These disparities can perpetuate intergroup divisions and contribute to social unrest. Africa has witnessed various efforts towards peacebuilding, conflict resolution, and reconciliation. These initiatives aim to address historical grievances, promote interethnic dialogue, and foster social cohesion. Truth and reconciliation commissions, community-based dialogues, and inclusive governance structures are some examples of peacebuilding mechanisms.¹⁰⁰

From the works of Palmer, it is important to note that the nature of ethnic identity in Africa varies across countries, regions, and contexts. The specific historical, political, social, and economic circumstances of each country play a significant role in shaping intergroup dynamics. Understanding and addressing ethnic identity in Africa require context-specific approaches that emphasize inclusivity, respect for diversity, and equitable development. This study unraveled these approaches in the context of Kenya since 1963.

According to Elischer, the nature of ethnic identity in Ghana, is characterized by a diverse range of ethnic groups, historical influences, and efforts towards national unity.¹⁰¹ Ghana is known for its rich ethnic diversity, with over 100 distinct ethnic groups. The major ethnic

⁹⁹Ibid., p.29.

¹⁰⁰Ibid., p.30.

¹⁰¹Sebastian Elischer, *Political parties in Africa: Ethnicity and party formation*. Cambridge University Press, 2013, p.54.

groups include the Akan, Mole-Dagbani, Ewe, Ga-Adangbe, and others. Each ethnic group has its own language, cultural practices, and traditions.¹⁰²

Historical factors have shaped the ethnic identity in Ghana. The colonial period, with British rule from the late 19th century until independence in 1957, contributed to the formation of a unified Ghanaian identity, transcending ethnic boundaries.¹⁰³ However, historical legacies and intergroup interactions during colonization have left, some ethnic tensions and divisions.¹⁰⁴ Ethnic groups in Ghana often have regional concentrations, with specific groups being more prevalent in certain geographic areas. The Akan for example is dominant in the Ashanti and Eastern regions, while the Ewe are concentrated in the Volta Region. These regional concentrations can influence intergroup dynamics.¹⁰⁵

Since gaining independence, Ghana has pursued a path of political integration and national unity. Efforts to build a sense of Ghanaian national identity and promote unity among different ethnic groups have been emphasized in educational curricula, national symbols, and political rhetoric. Ghana has generally enjoyed a peaceful coexistence among its ethnic groups.¹⁰⁶ There have been instances of interethnic conflicts in the past, such as the conflicts in the Northern Region in the 1990s, but Ghana has made significant strides in maintaining peace and stability through dialogue, reconciliation, and peaceful elections.

Interethnic relations in Ghana are characterized by mutual respect, cultural exchange, and intermarriage. People from different ethnic groups often interact in various social,

¹⁰²Ibid., p.54.

¹⁰³Ibid., p.55.

¹⁰⁴Ibid., p.55.

¹⁰⁵Ibid., p.57.

¹⁰⁶Ibid., p.58.

economic, and political contexts, fostering a sense of national cohesion. While ethnic identities remain important to individuals, there is also a growing sense of Ghanaian national identity that transcends ethnic boundaries.¹⁰⁷ Ghanaians often take pride in their shared history, cultural heritage, and achievements as a nation.

From this account, it's important to record that although Ghana has generally experienced peaceful interethnic relations, challenges and tensions can still arise. Economic disparities, political competition, and social issues can sometimes lead to intergroup conflicts or grievances. Emphasizing inclusive governance, addressing inequalities, and promoting cultural diversity and understanding are essential for maintaining harmony and unity among Ghana's diverse ethnic groups. From this point of view, this study addressed the emphasis of inclusive governance, addressing inequalities and cultural diversity in relation to the Kenyan context since 1963.

According to Omeje and Hepner, the nature of ethnic identity in East Africa, is characterized by a complex interplay of diverse ethnic groups, historical legacies, and regional dynamics.¹⁰⁸ East Africa is home to a wide range of ethnic groups, with numerous distinct cultures, languages, and traditions. The region has a rich tapestry of ethnicities, including groups such as the Kikuyu, Luo, Maasai, Somali, Oromo, Tigray, Hutu, Tutsi, and many others. Historical factors have played a significant role in shaping ethnic identity in East Africa. The legacy of colonization, including the imposition of colonial borders, policies,

¹⁰⁷Ibid., p.59.

¹⁰⁸Kenneth Omeje and Redeker Hepner Tricia eds. *Conflict and peacebuilding in the African Great Lakes region*. Indiana University Press, 2013, p.30.

and administrative structures, has influenced intergroup dynamics and, in some cases, contributed to tensions between ethnic groups.¹⁰⁹

Ethnic identity can be influenced by competition for scarce resources, including land, water, and economic opportunities.¹¹⁰ Unequal distribution of resources, as well as perceived marginalization of certain ethnic groups, can exacerbate intergroup tensions and conflicts. Politics in East Africa often intersects with ethnic identities. Ethnic affiliations have been mobilized for political purposes, with political parties and alliances formed along ethnic lines.¹¹¹ Ethnic politics can shape electoral dynamics, power struggles, and governance structures, which can impact intergroup relations.

Ethnic identity in East Africa has, at times, been marked by conflicts and violence. Historical ethnic conflicts, such as the Rwanda genocide in 1994, have left lasting scars.¹¹² However, efforts towards peacebuilding, reconciliation, and conflict resolution have also been significant in the region, aiming to foster peaceful coexistence and national unity. East Africa has a history of cross-border interactions among ethnic groups.¹¹³ Cultural exchanges, trade, migration, and intermarriage between neighboring ethnic communities have influenced intergroup relations and contributed to a sense of shared regional identity.

Moreover, regional integration initiatives, such as the East African Community (EAC), have aimed at fostering closer economic, political, and social ties among the member

¹⁰⁹Ibid., p.32.

¹¹⁰Ibid., p.32.

¹¹¹Ibid., p.33.

¹¹²Elavie Ndura-Ouedraogo, "The role of education in peace-building in the African Great Lakes region: educators' perspectives." *Journal of Peace Education* 6, no. 1 (2009): 37-49.

¹¹³Ibid., p.37.

countries.¹¹⁴ These efforts seek to promote cooperation, reduce barriers, and enhance regional identity and solidarity. It is important to note that the nature of ethnic identity in East Africa varies across countries and regions within the region. Each country has its unique ethnic composition, historical context, and specific intergroup dynamics.¹¹⁵ Addressing ethnic identity requires inclusive governance, equitable development, and policies that respect and celebrate the diverse ethnic identities in the region. Therefore, this study focused on the interplay between ethnic identity and economic development in Kenya since 1963, in relation to unique ethnic composition, historical context and specific intergroup dynamics.

From Nyambegera, the nature of ethnic identity in Kenya, is characterized by a diverse range of ethnic groups, historical influences, and socio-political dynamics.¹¹⁶ Kenya is known for its rich ethnic diversity, with over 40 officially recognized ethnic groups. The major ethnic groups include the Kikuyu, Luhya, Luo, Kalenjin, Kamba, Somali, and others. Each ethnic group has its own distinct languages, cultural practices, and traditions.¹¹⁷

Additionally, Nyambegera holds that historical factors have played a significant role in shaping ethnic identity in Kenya. The colonial era, contributed to the formation of ethnic identities and divisions. The colonial administration favored certain ethnic groups, leading to inequalities and tensions that persist to some extent. Ethnic affiliations have often intersected with politics in Kenya. Political parties and alliances have been formed along

¹¹⁴Ibid., p.38.

¹¹⁵Ibid., p.39.

¹¹⁶Stephen Morangi Nyambegera, "Ethnicity and human resource management practice in sub-Saharan Africa: the relevance of the managing diversity discourse." *International Journal of Human Resource Management* 13, no. 7 (2002): 1077-1090, p.1082.

¹¹⁷Ibid., p.1078.

ethnic lines, and political competition has at times exacerbated ethnic tensions. Ethnic politics can influence electoral dynamics, power-sharing agreements, and resource distribution, shaping intergroup relations.

Ethnic identity can be fueled by competition for resources, including land, water, and economic opportunities.¹¹⁸ Unequal access to resources, perceived marginalization of certain ethnic groups, and land disputes can contribute to intergroup conflicts and tensions. Ethnic identities are important to individuals in Kenya, and they can shape a sense of belonging and social cohesion within specific ethnic communities. However, efforts towards forging a common national identity have also been made, emphasizing a shared Kenyan identity that transcends ethnic boundaries.¹¹⁹

Ethnic identity is closely linked to social inequalities and disparities in Kenya. Certain ethnic groups may face discrimination, marginalization, and limited access to education, healthcare, employment, and other resources.¹²⁰ These disparities can contribute to intergroup tensions and conflicts. Kenya has experienced periods of interethnic conflicts, particularly during elections. Efforts towards peace-building, conflict resolution, and reconciliation have been significant in addressing these tensions. Initiatives such as the Truth, Justice and Reconciliation Commission and community-based dialogues aim to promote understanding, healing, and reconciliation among different ethnic groups.¹²¹

From the works of Nyambagera, it is important to note that Kenya has also made strides in promoting national unity and inclusivity. The country has a devolved governance system

¹¹⁸Ibid., p.1078.

¹¹⁹Ibid., p.1080.

¹²⁰Ibid., p.1081.

¹²¹Ibid., p.1082.

that aims to address local concerns and foster equitable development across regions. What was not addressed is how emphasizing inclusive governance, addressing social and economic disparities, and promoting interethnic dialogue are crucial for maintaining harmony and unity among Kenya's diverse ethnic groups.

1.10.1.3 The Development of Ethnic Identity

Makhamadaminovich, ascertains that, the development of ethnic identity in India is a complex and multifaceted phenomenon shaped by various historical, socio-political, and cultural factors.¹²² India has a long history of diverse civilizations and empires, which have contributed to the formation of numerous ethnic and linguistic communities.¹²³ The caste system, which is deeply rooted in Indian society, has played a significant role in shaping social hierarchies and identities, often leading to divisions and identity along caste lines. The British colonial rule in India, which lasted for nearly two centuries, had a profound impact on ethnic identity. The colonial administration employed policies of divide and rule, which exacerbated existing ethnic, religious, and linguistic divisions. They also categorized and classified communities based on caste, religion, and ethnicity, creating a legacy of communal and ethnic tensions that continue to influence Indian society.¹²⁴

Furthermore, Makhamadaminovich maintains that India is known for its religious diversity, with Hinduism, Islam, Sikhism, Christianity, Buddhism, and other religions coexisting. Religious differences have at times led to conflicts and divisions, with instances of

¹²²Sodirjonov Mukhriddin Makhamadaminovich, "Ethnic Factors and Attitudes Towards Human Capital Development." *The American Journal of Interdisciplinary Innovations and Research* 3, no. 01 (2021): 118-130., p.122.

¹²³Ibid., p.119.

¹²⁴Ibid., p.120.

communal violence and tensions between different religious communities.¹²⁵ India is home to numerous languages and distinct cultural traditions. While being a source of richness and pride, the diversity of languages and cultures can also contribute to ethnic identity, especially when language-based identity politics or cultural conflicts emerge. Politics in India is often influenced by identity-based mobilization, including along ethnic, caste, and religious lines. Political parties sometimes use these identities to gain support and consolidate power, leading to the politicization of ethnic divisions.¹²⁶

Socio-economic disparities, unequal access to resources and opportunities, and economic marginalization can contribute to ethnic identity. Communities that perceive themselves as marginalized or excluded may develop grievances, leading to intergroup tensions and conflicts.¹²⁷ India's vast size and regional variations in development have contributed to ethnic identity. Unequal distribution of resources, development projects, and economic opportunities across regions can lead to perceptions of favouritism and exacerbate divisions between regions and ethnic groups. Identity politics, where individuals and groups emphasize and mobilize around their ethnic, caste, or religious identities, can reinforce ethnic identity.¹²⁸ Politicians often cater to specific identity-based interests, further deepening divisions and creating fragmented social and political landscapes. It is essential to note that India is also a vibrant democracy with a strong commitment to pluralism and unity in diversity. Makhamadaminovich have not elaborated how Constitutional provisions, affirmative action policies, and efforts to promote inclusivity and social justice are being

¹²⁵Ibid., p.121.

¹²⁶Ibid., p.122.

¹²⁷Ibid., p.124.

¹²⁸Ibid., p125.

implemented to address ethnic identity and foster a sense of national unity. This was elaborated in this study.

In Africa, the development of ethnic identity in Nigeria is a complex and intricate process influenced by a combination of historical, socio-political, and economic factors.¹²⁹ The colonial administration in Nigeria employed a divide-and-rule strategy that exacerbated existing ethnic divisions and hierarchies.¹³⁰ They created separate administrative units based on ethnic and regional lines, fostering a sense of ethnic identity and competition for resources and power. Nigeria is one of the most ethnically diverse countries in Africa, with over 250 ethnic groups. The three largest ethnic groups are the Hausa-Fulani in the north, the Yoruba in the southwest, and the Igbo in the southeast. While being a source of cultural richness, ethnic diversity can also lead to competition, rivalries, and tensions between different ethnic groups.¹³¹

Nigeria's vast natural resources, including oil, have been a source of competition and conflicts among ethnic groups.¹³² Disparities in resource distribution and access have created grievances and fuelled intergroup tensions, particularly in resource-rich regions like the Niger Delta. Politics in Nigeria often revolves around ethnic identities, with ethnic-based political parties and alliances. Ethnic mobilization is sometimes used as a strategy to gain political power and influence. Political power struggles along ethnic lines can deepen divisions and contribute to ethnic identity.¹³³ Nigeria exhibits significant regional disparities

¹²⁹Osinubi Tokunbo Simbowale and Oladipupo Sunday Osinubi. "Ethnic conflicts in contemporary Africa: The Nigerian experience." *Journal of Social Sciences* 12, no. 2 (2006): 101-114, p.107.

¹³⁰*Ibid.*, p.101.

¹³¹*Ibid.*, p.102.

¹³²*Ibid.*, p.103.

¹³³*Ibid.*, p.104.

in development, infrastructure, and resource allocation. Disparities in economic opportunities and development projects can lead to perceptions of marginalization and exacerbate ethnic tensions and divisions. Nigeria is divided along religious lines, with a predominantly Muslim population in the north and a predominantly Christian population in the south. Religious differences, combined with ethnic identities, can contribute to ethnic identity, particularly in regions where religious and ethnic affiliations overlap.¹³⁴

Historical events, such as the Nigerian civil war (1967-1970) and interethnic conflicts have left deep-seated grievances and mistrust between ethnic groups. The legacies of past conflicts can contribute to ongoing ethnic identity and tensions. Socio-economic disparities, including poverty, inequality, and limited access to resources and opportunities, can exacerbate ethnic identity. Marginalized communities may develop grievances, leading to intergroup tensions and conflicts.

Efforts have been made in Nigeria to address ethnic identity and promote national unity. The Nigerian constitution emphasizes the principle of federal character, which seeks to ensure fair representation of ethnic groups in government institutions.¹³⁵ However, un - attended to in this study is challenges remain, and how ongoing efforts to address ethnic tensions, promote inclusivity, and foster equitable development are necessary to build a more cohesive and united Nigeria. This was unleashed by this study fully and deeply in relation to Kenya since 1963.

¹³⁴Ibid., p.105.

¹³⁵Ibid., p.107.

The development of ethnic identity in Kenya has been influenced by a combination of historical, socio-political, and economic factors.¹³⁶ The British colonial administration employed the policy of divide and rule, which exacerbated existing ethnic divisions and hierarchies. They implemented land and labour policies that favoured certain ethnic groups over others, leading to disparities and grievances that continue to shape ethnic relations in Kenya today. Kenya is home to numerous ethnic groups, with over 40 officially recognized ethnic groups.¹³⁷ Each ethnic group has its own distinct languages, cultural practices, and traditions. While being a source of richness and diversity, the diversity of ethnic identities has also been a source of competition and tensions, particularly when ethnic affiliations are politicized or instrumentalized for power struggles.

Competition for resources, such as land, water, and economic opportunities, has contributed to ethnic identity in Kenya. Land disputes, unequal distribution of resources, and perceived marginalization of certain ethnic groups have fuelled intergroup conflicts and tensions.¹³⁸ Political competition in Kenya often revolves around ethnic identities. Political parties and alliances are formed along ethnic lines, and ethnic mobilization is sometimes used as a strategy to gain political power and influence. This politicization of ethnicity can deepen divisions and contribute to ethnic identity.

Historical grievances related to land injustices, displacement, and historical injustices contribute to ethnic identity in Kenya.¹³⁹ Some communities feel marginalized or excluded

¹³⁶M. M. Kirimi, "Exploring the Influence of Kenyan-Indians in the Development of Kenyan-Indian Inter-State Relations: A Historical and Sociopolitical Analysis." *Journal of African Interdisciplinary Studies* 7, no. 3 (2023): 5-16., p.8.

¹³⁷Ibid., p.7.

¹³⁸Ibid., p.8.

¹³⁹Ibid., p.8.

due to past events, leading to intergroup tensions and divisions. Socio-economic disparities and inequalities can exacerbate ethnic identity.¹⁴⁰ Limited access to education, healthcare, employment, and economic opportunities, particularly for marginalized ethnic groups, can perpetuate intergroup disparities and create grievances that fuel tensions.¹⁴¹ Ethnic identities play a significant role in Kenyan society, with individuals often strongly identifying with their ethnic group. While ethnic identities can foster a sense of belonging and cultural pride, they can also contribute to divisions and identity when used to exclude or discriminate against other ethnic groups.¹⁴²

Efforts have been made in Kenya to address ethnic identity and promote national unity. The country has implemented devolved governance structures, aimed at addressing local concerns and fostering equitable development across regions. Efforts towards promoting inclusive governance, addressing historical injustices, and fostering interethnic dialogue are crucial for building a united and cohesive society in Kenya. Thus, this study explained how the said efforts are contributing to the development of Kenya as far as economic development is concerned.

1.10.2 Influence of Ethnic Identity on Economic Development

As explained by Alesina and La Ferrara, ethnic identity can have both positive and negative influences on economic development in the global perspective. Ethnic identity can lead to the segmentation of markets along ethnic lines.¹⁴³ This can create smaller markets with

¹⁴⁰ Ibid., p.9.

¹⁴¹ Ibid., p.10.

¹⁴² Ibid., p.11.

¹⁴³ Alberto Alesina and Eliana La Ferrara. "Ethnic diversity and economic performance." *Journal of economic literature* 43, no. 3 (2005): 762-800., p.782.

limited scale economies, hindering economic integration and efficiency. Fragmented markets may face challenges in attracting investment, developing infrastructure, and achieving economies of scale, which can hamper overall economic development.

Ethnic identity can affect trust and cooperation among different ethnic groups. When there is a lack of trust and social cohesion, it becomes more difficult to establish business relationships, collaborate on projects, and build social capital necessary for economic development.¹⁴⁴ In such cases, ethnic tensions can lead to a breakdown in cooperation and hinder economic progress. Ethnic identity can impact human capital development. Discrimination or exclusion based on ethnicity can limit opportunities for education and skill development for certain ethnic groups. Unequal access to education and limited social mobility can hinder the overall development of human capital, which is crucial for economic growth and productivity.

Ethnic tensions and conflicts can undermine social and political stability, which are essential for sustained economic development.¹⁴⁵ Political instability resulting from ethnic divisions can create an uncertain business environment, discourage investment, and disrupt economic activities. In contrast, peaceful and inclusive societies are more likely to attract investment, foster entrepreneurship, and facilitate economic growth. On the other hand, ethnic diversity can be a source of innovation and creativity. Different ethnic groups bring unique perspectives, knowledge, and cultural practices, which can foster innovation and entrepreneurship. In diverse societies where there is social cohesion and inclusivity, the exchange of ideas and cross-cultural collaboration can spur economic development.¹⁴⁶

¹⁴⁴Ibid., p.763.

¹⁴⁵Ibid., p.763.

¹⁴⁶Ibid., p.764.

Ethnic identity can also involve diaspora communities residing in other countries. These communities often maintain strong connections to their home countries and contribute to economic development through remittances, investments, and knowledge transfer. Remittances from diaspora communities can serve as an important source of income and contribute to poverty reduction and local economic development.¹⁴⁷ However, from the foregoing literature, it is important to note that the influence of ethnic identity on economic development varies across contexts and depends on various factors, including the extent of identity, institutional arrangements, and governance structures. Therefore, this study discussed the efforts to promote social cohesion, inclusivity, and equal opportunities for all ethnic groups are crucial for mitigating the negative impacts of ethnic identity and harnessing its potential benefits for economic development in Kenya since 1963.

According to Pannell and Schmidt, the influence of ethnic identity on economic development in China historically has been a complex and varied phenomenon. China is a vast country with significant regional variations in terms of economic development and ethnic composition.¹⁴⁸ Historically, certain regions with a dominant ethnic group or a higher level of ethnic homogeneity have experienced more rapid economic development. This can be attributed to factors such as better social cohesion, cultural unity, and a conducive business environment within these regions. Ethnic identity can impact infrastructure development, particularly in regions with diverse ethnic groups. Resources may be allocated unevenly, resulting in disparities in the availability of transportation networks,

¹⁴⁷Ibid., p.768.

¹⁴⁸Clifton W. Pannell and Philipp Schmidt. "Structural change and regional disparities in Xinjiang, China." *Eurasian Geography and Economics* 47, no. 3 (2006): 329-352, p.335.

electricity, water supply, and other critical infrastructure. Insufficient infrastructure can impede economic development, investment, and trade in certain ethnic minority areas.¹⁴⁹

Ethnic identity can give rise to cultural and linguistic barriers, which can affect economic activities. Language differences can hinder communication, trade, and business interactions, particularly for ethnic minority groups whose languages may not be widely spoken or recognized.¹⁵⁰ Cultural differences may also impact consumer preferences, marketing strategies, and business practices. Ethnic identity can also foster ethnic entrepreneurship, which can have both positive and negative effects on economic development. Ethnic minority groups, when empowered and provided with opportunities, can contribute to local economies through their entrepreneurial activities. They may bring unique skills, knowledge, and cultural products to the marketplace, stimulating innovation and diversifying economic activities.¹⁵¹

Government policies aimed at addressing ethnic disparities and promoting equal economic opportunities can play a significant role in mitigating the negative impacts of ethnic identity.¹⁵² Policies such as affirmative action, targeted investments, and development programs for ethnic minority areas can help reduce disparities and promote inclusive economic development. Social stability and political factors are also influential in determining the impact of ethnic identity on economic development in China. In regions where ethnic tensions and conflicts are prevalent, social instability can disrupt economic activities and deter investment. Conversely, regions with better social cohesion and

¹⁴⁹Ibid., p.330.

¹⁵⁰Ibid., p.331.

¹⁵¹Ibid., p.332.

¹⁵²Ibid., p.332.

political stability are more likely to attract investment, promote entrepreneurship, and foster economic growth.¹⁵³

From the literature above, it is important to note that China's economic development has been influenced by other factors beyond ethnic identity, including government policies, globalization, industrialization, and institutional frameworks. The impact of ethnic identity on economic development in China has evolved over time, and the country has implemented various measures to address regional disparities and promote inclusive growth, including targeted development programs and investment initiatives for ethnic minority areas. Therefore, there was need to address the several measures that are attached to regional disparities and especially the marginalized groups and communities in Kenya as far as economic development are concerned.

The influence of ethnic identity on economic development in Africa has had notable impacts in various countries and at different points in history.¹⁵⁴ Ethnic identity has had a significant influence on the DRC's economic development. The country experienced a civil war from 1998 to 2003, involving multiple armed groups representing different ethnic and regional interests. The conflict resulted in widespread violence, displacement, and destruction of infrastructure, severely hindering economic development.¹⁵⁵

Ethnic tensions and conflicts emerged in Ivory Coast in the early 2000s, particularly between the ethnic groups of the north and south.¹⁵⁶ The country faced a civil war in 2002,

¹⁵³Ibid., p.332.

¹⁵⁴Daniel N. Posner, "Measuring ethnic fractionalization in Africa." *American journal of political science* 48, no. 4 (2004): 849-863, p.854.

¹⁵⁵Ibid., p.850.

¹⁵⁶Duncan Pedersen, "Political violence, ethnic conflict, and contemporary wars: broad implications for health and social well-being." *Social science & medicine* 55, no. 2 (2002): 175-190.

followed by a political crisis in 2010-2011. These events disrupted the economy, leading to a decline in investment, trade, and agricultural production, which are key sectors for the country's economic development. Sudan experienced a long-standing civil war between the central government and ethnic minority groups, such as the Darfur region.¹⁵⁷ The conflict lasted from 2003 to 2010, resulting in widespread violence, displacement, and humanitarian crises. The economic impact was significant, with disruptions to agriculture, trade, and infrastructure development, hindering overall economic progress.¹⁵⁸

Ethnic identity played a central role in the Rwandan genocide that occurred in 1994. The conflict between the Hutu and Tutsi ethnic groups resulted in the loss of hundreds of thousands of lives and had devastating effects on the economy.¹⁵⁹ Reconstruction and reconciliation efforts since then have contributed to Rwanda's economic recovery and development.¹⁶⁰ In recent years, Ethiopia has witnessed ethnic tensions and conflicts, particularly between different ethnic groups seeking political representation and economic opportunities.¹⁶¹ These tensions have led to violence and displacement, impacting the country's economic development. Efforts have been made to address these challenges through political reforms and inclusive policies aimed at reducing ethnic divisions and promoting economic growth.¹⁶²

It is important to note that the influence of ethnic identity on economic development in Africa is complex and multifaceted, and the examples provided here represent just a few

¹⁵⁷Ibid., p.175.

¹⁵⁸Ibid., p.176.

¹⁵⁹Dawn L. Rothe, Christopher W. Mullins and Kent Sandstrom. "The Rwandan genocide: International finance policies and human rights." *Social Justice* 35, no. 3 (113 (2008): 66-86, p.69.

¹⁶⁰Ibid., p.67.

¹⁶¹Ibid., p.67.

¹⁶²Ibid., p.68.

instances where ethnic tensions have had notable impacts. The specific years mentioned highlight key events, but it's essential to recognize that ethnic identity's influence is often rooted in historical, social, and political factors that extend beyond specific timeframes. This study therefore explained how historical factors, social factors and political factors have influenced economic development amidst ethnic identity in Kenya since 1963.

From the works of Burgess *et al.*, the influence of ethnic identity on economic development in Kenya has had both positive and negative effects throughout its history. Kenya experienced political and economic stability after gaining independence in 1963.¹⁶³ However, ethnic tensions emerged during the presidency of Jomo Kenyatta, particularly between the Kikuyu ethnic group (which Kenyatta belonged to) and other ethnic groups. These tensions affected land distribution and economic opportunities, leading to some level of economic disparities among different ethnic communities.

The reintroduction of multi-party democracy in the 1990s brought about political and economic reforms. However, ethnic tensions also surfaced during this period. The 1992 and 1997 elections witnessed ethnic-based political violence, which had adverse effects on the economy, including disruptions in trade, tourism, and investment.¹⁶⁴ The 2007 presidential election in Kenya resulted in a period of intense ethnic conflict and violence. Ethnic tensions, particularly between the Kikuyu and Luo communities, erupted, leading to widespread violence and displacement.¹⁶⁵ The violence had severe economic consequences,

¹⁶³Robin Burgess *et. al.*, "The value of democracy: evidence from road building in Kenya." *American Economic Review* 105, no. 6 (2015): 1817-1851, p.1821.

¹⁶⁴*Ibid.*, p.1818.

¹⁶⁵*Ibid.*, p.1819.

including disruptions in agricultural production, trade, and tourism. It took several years for the economy to fully recover from the impact of the violence.

The implementation of devolution in Kenya in 2013 aimed to address regional disparities and promote inclusive development.¹⁶⁶ Devolution involves the transfer of power and resources to county governments, allowing for more localized decision-making. However, ethnic identity has influenced the allocation of resources and development projects, with some counties benefiting more than others. This has led to both positive and negative impacts on economic development across different regions of Kenya.

From Burgess *et al.*, it's important to note that ethnic identity in Kenya is a complex issue influenced by historical, political, and socio-economic factors. While ethnic tensions and conflicts have had negative impacts on the economy, efforts to promote national cohesion, inclusivity, and equitable distribution of resources are ongoing to mitigate the negative effects and foster sustainable economic development. This study explained how these factors are mitigated in the society and foster on sustainable economic development in Kenya since 1963.

1.10.3 The Legal Policies and Institutional Framework in Addressing Effects of Ethnic Identity

In the United States, Pierson addresses the effects of ethnic identity has involved various legal policies and the establishment of an institutional framework.¹⁶⁷ The Civil Rights Act of 1964 is a landmark legislation that prohibits discrimination based on race, colour,

¹⁶⁶Ibid., p.1820.

¹⁶⁷Paul Pierson, "Fragmented welfare states: Federal institutions and the development of social policy." *Governance* 8, no. 4 (1995): 449-478, p.452.

religion, sex, or national origin. It was a significant step towards addressing ethnic identity and promoting equality. The Act outlawed segregation and discrimination in public facilities, employment, and educational institutions, aiming to ensure equal opportunities for all Americans.¹⁶⁸

The Voting Rights Act of 1965 aimed to address racial discrimination in voting practices. It prohibited racial barriers such as literacy tests and poll taxes that disproportionately affected ethnic minority communities, particularly African Americans.¹⁶⁹ The Act helped protect the voting rights of marginalized groups and promote political representation. The Fair Housing Act of 1968 expanded anti-discrimination protections to the housing sector. It prohibited housing discrimination based on race, colour, religion, sex, national origin, and familial status. The Act aimed to ensure fair access to housing opportunities and combat residential segregation.¹⁷⁰

Affirmative action policies were introduced in the late 1960s and early 1970s to address historical inequalities and promote diversity and inclusion. These policies aimed to ensure that historically marginalized groups, including ethnic minorities, have equal opportunities in areas such as education and employment.¹⁷¹ Affirmative action policies have been the subject of ongoing debates and legal challenges. The Office of Minority Business Enterprise was established in 1969 as part of the U.S. Department of Commerce to promote the growth and development of minority-owned businesses. It provides resources,

¹⁶⁸Ibid., p.450.

¹⁶⁹Ibid., p.453.

¹⁷⁰Ibid., p.455.

¹⁷¹Ibid., p.457.

assistance, and access to capital for minority entrepreneurs, contributing to economic empowerment and addressing economic disparities.¹⁷²

Ethnic studies programs were established in various educational institutions across the United States, primarily in the 1960s and 1970s.¹⁷³ These programs focus on the histories, cultures, and contributions of different ethnic groups, helping to address the effects of ethnic identity by promoting cultural awareness, understanding, and inclusivity.¹⁷⁴ From the works of Pierson, it's important to note that the efforts to address ethnic identity in the United States have evolved over time, and ongoing discussions and policy developments continue to shape the institutional framework. The examples provided highlight significant milestones in the legal and institutional response to ethnic identity, but they are not exhaustive, as numerous other policies and initiatives have also played a role in promoting equality and inclusivity. Therefore, what has not been discussed properly is how these factors can be compared to those of other nations. Therefore, this study discussed these issues, making comparisons between USA and Kenya with reference to interplay between ethnic identity and economic development since 1963.

In Nigeria, Ugoh and Ukpere explain that the legal policies and institutional framework aimed at addressing the effects of ethnic identity have evolved over time. For instance, the Federal Character Principle was enshrined in the 1979 Constitution of Nigeria.¹⁷⁵ It aimed to promote equity, fairness, and the representation of diverse ethnic groups in public appointments and government institutions. The principle emphasizes the need for

¹⁷²Ibid., p.459.

¹⁷³Ibid., p.460.

¹⁷⁴Ibid., p.461.

¹⁷⁵Samuel C. Ugoh and Wilfred I. Ukpere, "Policy of the federal character principle and conflict management in Nigerian federalism." *African journal of business management* 6, no. 23 (2012): 6771-6789, p.6771.

proportional representation of different ethnic groups in the public service, ensuring that no single group dominates decision-making positions.¹⁷⁶

The NYSC scheme was established in 1973 to foster national unity and integration. It requires graduates of tertiary institutions to participate in a one-year national service, serving in states other than their states of origin.¹⁷⁷ The program promotes cross-cultural interaction, understanding, and appreciation among young Nigerians from different ethnic backgrounds. The Federal Character Commission was established in 1989 to monitor and promote compliance with the Federal Character Principle. The Commission ensures that federal government institutions and agencies adhere to the principle of equitable distribution of positions and resources among the various ethnic groups in Nigeria.¹⁷⁸

The National Human Rights Commission was established in 1995 to promote and protect human rights in Nigeria. It plays a crucial role in addressing ethnic tensions and conflicts by investigating and addressing human rights violations, including those based on ethnic or religious differences.¹⁷⁹ The Niger Delta Development Commission was established in 2000 to address the economic and social challenges faced by communities in the Niger Delta region. The Commission focuses on infrastructure development, poverty reduction, and environmental remediation, aiming to address the grievances and development disparities in the oil-rich region.

¹⁷⁶Ibid., p.6771.

¹⁷⁷Ibid., p.6772.

¹⁷⁸Ibid., p.6773.

¹⁷⁹Ibid., p.6774.

The Truth, Justice, and Reconciliation Commission was established in 2009 as part of efforts to address historical injustices and conflicts in Nigeria.¹⁸⁰ It aims to promote reconciliation, healing, and social cohesion among different ethnic and religious groups through truth-telling, justice mechanisms, and community dialogue.¹⁸¹ From Ugoh and Ukpere, it is important to note that while these legal policies and institutional frameworks have been established to address ethnic identity in Nigeria, challenges and tensions still persist. The effective implementation and continuous adaptation of these policies remain crucial to foster inclusivity, social cohesion, and equitable development across ethnic groups in Nigeria. Therefore, this study addressed these gaps that have not been addressed as it spurs challenges and tension in Nigeria.

In Ethiopia, Wubneh explains that the legal policies and institutional framework addressing the effects of ethnic identity have undergone significant changes over time.¹⁸² The 1995 Constitution of Ethiopia established a federal system that recognizes and provides for the rights of various ethnic groups in the country.¹⁸³ It grants regional states autonomy and the right to self-determination, allowing for the participation of different ethnic groups in decision-making processes.¹⁸⁴ Ethiopia's ethnic-based federalism system, introduced in the 1995 Constitution, aims to accommodate the ethnic diversity of the country. It divides Ethiopia into regions based on ethnic lines, with each regional state having a degree of self-

¹⁸⁰Ibid., p.6776.

¹⁸¹Ibid., p.6778.

¹⁸²Mulatu Wubneh, "Policies and praxis of land acquisition, use, and development in Ethiopia." *Land use policy* 73 (2018): 170-183, p.172.

¹⁸³Ibid., p.171.

¹⁸⁴Ibid., p.172.

governance and representation. This system seeks to address historical marginalization and promote inclusivity among different ethnic groups.¹⁸⁵

Affirmative action policies have been implemented in Ethiopia to address historical marginalization and economic disparities among different ethnic groups.¹⁸⁶ These policies aim to promote representation and access to resources for historically disadvantaged ethnic communities. They include quotas in government institutions, education, and employment opportunities to ensure proportional representation.¹⁸⁷ The National Electoral Board of Ethiopia was established in 2001 to ensure free and fair elections in the country.¹⁸⁸ It plays a crucial role in organizing elections and ensuring that the electoral process is inclusive and representative of the diverse ethnic groups in Ethiopia.

The Ethiopian Human Rights Commission was established in 2000 to promote and protect human rights in Ethiopia.¹⁸⁹ It investigates human rights violations, including those related to ethnic tensions, and works towards addressing grievances and promoting reconciliation among different ethnic communities. The establishment of the Oromia-Somali Boundary Commission in 2017 aimed to address boundary disputes and conflicts between the Oromia and Somali regional states.¹⁹⁰ The Commission works to resolve territorial issues and promote peaceful coexistence between the respective ethnic communities.

From Wubneh, it's important to note that Ethiopia's journey in addressing ethnic identity is ongoing, and the effectiveness and implementation of these policies are subject to debate

¹⁸⁵Ibid., p.174.

¹⁸⁶Ibid., p.174.

¹⁸⁷Ibid., p.175.

¹⁸⁸Ibid., p.177.

¹⁸⁹Ibid., p.177.

¹⁹⁰Ibid., p.178.

and ongoing reforms. The literature has not explained why and how the complex nature of ethnic relations in Ethiopia does requires continuous efforts to promote inclusivity, equal representation, and socio-economic development for all ethnic groups. It's against this gap that this study addressed this gap bringing the comparisons that exist between Kenya and Ethiopia since 1963 when Kenya gained its self-rule.

In Kenya, according to Branch and Cheeseman, the legal policies and institutional framework addressing the effects of ethnic identity have evolved over time.¹⁹¹ The Independence Constitution of Kenya, enacted in 1963, provided a framework for governance that recognized the ethnic diversity of the country. It emphasized power-sharing arrangements and the protection of minority rights, seeking to address ethnic identity and promote unity.¹⁹² The Sessional Paper No. 10 of 1965 outlined the principles of the Kenyan government's policy on African Socialism and its application in economic development. The paper aimed to address ethnic disparities in access to resources and economic opportunities, promoting inclusive development and reducing inequalities.

The National Cohesion and Integration Act was enacted in 2008 in response to the post-election violence that occurred earlier that year.¹⁹³ The act established the National Cohesion and Integration Commission (NCIC), which is responsible for promoting and facilitating national cohesion, addressing hate speech, and investigating and addressing incidents of ethnic conflicts.¹⁹⁴ The 2010 Constitution of Kenya introduced a devolved

¹⁹¹Daniel Branch and Nic Cheeseman, "Democratization, sequencing, and state failure in Africa: Lessons from Kenya." *African Affairs* 108, no. 430 (2009): 1-26, p.10.

¹⁹²*Ibid.*, p.5.

¹⁹³Alice Nderitu, "Taming the Demon of Kenya's Election Violence A Strategy for the National Cohesion and Integration Commission (NCIC)." (2011)., p.8.

¹⁹⁴*Ibid*, p.10.

system of government, which aimed to address ethnic identity and promote regional development. It established 47 county governments, giving them significant powers and resources to manage local affairs and promote equitable distribution of resources across different regions.¹⁹⁵

The Commission for the Implementation of the Constitution (CIC) was established in 2010 to oversee and ensure the effective implementation of the new constitution.¹⁹⁶ The CIC played a crucial role in monitoring the devolution process, among other constitutional provisions, to address ethnic disparities and promote inclusive governance. The Building Bridges Initiative, launched in 2018, sought to address ethnic tensions and promote national unity.¹⁹⁷ The initiative proposed constitutional reforms, including the creation of additional positions in the executive branch to ensure inclusivity and power-sharing among ethnic groups. The BBI process has undergone various stages of public consultation and legislative consideration.¹⁹⁸

However, from the preceding literature, it is important to note that the effectiveness and impact of these legal policies and institutional frameworks in addressing ethnic identity in Kenya are subject to ongoing evaluation and debate. Efforts to foster inclusivity, equality, and social cohesion among different ethnic groups continue to shape Kenya's legal and institutional landscape. Therefore, this literature by Branch and Cheeseman has not substantively addressed how legal policies and institutional frameworks addressed ethnic

¹⁹⁵Ibid, p.12.

¹⁹⁶Ben M. Okondo, "Strategies adopted by CIC in implementation of the new constitution in Kenya." PhD diss., 2012, p.56.

¹⁹⁷Ibid., p.73.

¹⁹⁸Ibid., p.75.

identity. This study addressed this gap fully and addressing Kenya's legal and institutional landscape since 1963.

1.10.4 The Challenges and Opportunities in the Interplay between Ethnic Identity and Economic Development

According to Rosenau, the challenges and opportunities in the interplay between ethnic identity and economic development in the global perspective have unfolded over many years and continue to evolve.¹⁹⁹ In the Colonial Era (16th century - mid-20th century), European colonial powers often exploited ethnic divisions to maintain control and extract resources, leading to the identity of societies and hindering economic development in colonized regions. Due to this, resistance movements and anti-colonial struggles brought together diverse ethnic groups in their fight for independence and laid the foundation for future nation-building efforts and economic development.

In the Post-World War II era (1945-1970s), the decolonization process led to the creation of new nation-states with diverse ethnic populations, often resulting in ethnic tensions and conflicts that posed challenges to economic development.²⁰⁰ However, many newly independent countries pursued policies of national unity, emphasizing inclusive development and equitable distribution of resources. For example, Singapore actively promoted social cohesion among its diverse ethnic groups and implemented policies that transformed it into a global economic hub.²⁰¹

¹⁹⁹James N. Rosenau, "New dimensions of security: The interaction of globalizing and localizing dynamics." *Security dialogue* 25, no. 3 (1994): 255-281, p.257.

²⁰⁰*Ibid.*, p.256.

²⁰¹*Ibid.*, p.257.

During globalization and neoliberalism (1980s-2000s), globalization and neoliberal economic policies created both opportunities and challenges in relation to ethnic identity and economic development.²⁰² In some cases, these policies exacerbated inequalities and marginalized certain ethnic groups. Therefore, the rise of global supply chains and economic integration presented opportunities for countries to leverage their ethnic diversity for economic growth. For example, countries like Malaysia and India capitalized on their multicultural societies to attract international investments and foster economic development.

On the Identity Politics and Social Movements (2000s-2010s), identity politics and the resurgence of ethnic tensions in some regions have posed challenges to economic development.²⁰³ Conflicts based on ethnic or religious divisions have disrupted economies and hindered investment. Moreover, increased awareness of the potential economic benefits of ethnic diversity has prompted some countries to embrace multicultural policies and inclusive development strategies. For instance, Canada's multiculturalism policy has been seen as strength, attracting skilled immigrants and fostering economic growth.

Lately in the 2020s, ethnic identity, social divisions, and rising nationalism in various parts of the world present challenges to economic development.²⁰⁴ These divisions can lead to social unrest, political instability, and hinder cooperation and economic integration. To address this, indeed, recognizing the economic potential of diversity, efforts are being made to promote inclusive growth, empower marginalized ethnic groups, and foster intercultural

²⁰²Ibid., p.258.

²⁰³Ibid., p.258.

²⁰⁴Ibid., p.259.

dialogue.²⁰⁵ Embracing diversity can lead to innovation, cultural exchange, and economic resilience. From the works of Rosenau, it's important to note that the challenges and opportunities in the interplay between ethnic identity and economic development in the global perspective are highly diverse and context-dependent. Different regions and countries face unique circumstances, requiring tailored approaches to address ethnic divisions and harness the economic potential of diversity. Therefore, this work made this study to address on issues to do with ethnic divisions and how to harness the economic potential of diversity in Kenya since 1963.

According to Tan, the interplay between ethnic identity and economic development in the United States has presented both challenges and opportunities throughout its history.²⁰⁶ From 1619 to 1960s, the institution of slavery and subsequent segregation policies created significant economic disparities between African Americans and white Americans.²⁰⁷ African Americans faced limited access to education, employment opportunities, and property ownership, which hindered their economic development. These challenges persisted even after the abolition of slavery, with segregation policies enforcing racial discrimination until the Civil Rights Movement in the 1960s. Up to 2023, racial discrimination and inequality in USA, continue to pose challenges to economic development in the United States.²⁰⁸ Disparities in educational attainment, employment opportunities, access to capital, and housing contribute to unequal economic outcomes

²⁰⁵Ibid., p.260.

²⁰⁶Chih Ming Tan, "No one true path: uncovering the interplay between geography, institutions, and fractionalization in economic development." *Journal of Applied Econometrics* 25, no. 7 (2010): 1100-1127., p.1119.

²⁰⁷Ibid., p.1101.

²⁰⁸Ibid., p.1103.

among different ethnic groups. Persistent racial biases and systemic barriers have hindered the full participation and economic advancement of marginalized communities.²⁰⁹

However, the Civil Rights Movement brought about significant legal and social changes, challenging racial discrimination and promoting equal rights for African Americans. The movement led to the enactment of key legislation, such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965, which aimed to address racial inequalities and provide opportunities for economic advancement.

From 1960 to 2023, affirmative action policies have sought to address historical disadvantages and promote diversity and inclusion.²¹⁰ These policies have created opportunities for historically marginalized groups, including ethnic minorities, in areas such as education, employment, and government contracting. Affirmative action has facilitated increased representation and economic mobility for individuals from underrepresented communities.²¹¹

In the recent past, ethnic minority communities in the United States have shown resilience and entrepreneurial spirit, established successful businesses and contributed to economic growth.²¹² Minority-owned businesses play a vital role in job creation, innovation, and community development, providing economic opportunities and fostering self-sufficiency

²⁰⁹Ibid., p.1105.

²¹⁰Ibid., p.1105.

²¹¹Ibid., p.1105.

²¹²Ibid., p.1105.

within ethnic communities.²¹³ It's important to note that the challenges and opportunities in the interplay between ethnic identity and economic development in the United States have evolved over time and are ongoing. Efforts to address systemic barriers, promote inclusive policies, and combat racial discrimination remain crucial to ensuring equitable economic development for all ethnic groups. This was unleashed in relation to Kenya's interplay between ethnic identity and economic development since 1963.

According to Posner, the challenges and opportunities in the interplay between ethnic identity and economic development in Africa have varied across different countries and time periods.²¹⁴ For instance, in the Colonial Era (late 19th century - mid-20th century), European colonial powers often exploited ethnic divisions to maintain control and extract resources, leading to deep-seated divisions and conflicts among ethnic groups.²¹⁵ However, the emergence of nationalist movements in the mid-20th century aimed to unite diverse ethnic groups under a common goal of independence, fostering a sense of national identity and potential for collective economic development.

During the post-independence era (1950s-1970s), it is pertinent to record that, those newly independent African countries faced the task of nation-building and overcoming ethnic divisions inherited from the colonial era. Ethnic tensions and conflicts posed obstacles to economic development.²¹⁶ Despite all this the Governments implemented policies to

²¹³Ibid., p.1107.

²¹⁴Daniel N. Posner, "Measuring ethnic fractionalization in Africa." *American journal of political science* 48, no. 4 (2004): 849-863., p.852.

²¹⁵Ibid., p.850.

²¹⁶Ibid., p.852.

promote social cohesion and inclusive economic growth. For example, Tanzania's President Julius Nyerere pursued the concept of *Ujamaa*, a policy aimed at communal ownership and shared development, to foster unity and economic progress.²¹⁷

With the Structural Adjustment Programs (1980s-1990s), economic crises and external pressures led many African countries to implement structural adjustment programs, which often resulted in reduced government spending on social services and exacerbated ethnic disparities. Moreover, some countries used this period to initiate economic reforms that encouraged private sector growth, entrepreneurship, and foreign investment. For example, Ghana implemented economic reforms in the 1980s that stimulated private sector development and attracted foreign investment, contributing to overall economic growth.

During the Post-Cold War era (1990s-2000s), it emerged that the ethnic conflicts and political instability continued to hinder economic development in various African countries.²¹⁸ Resource disputes, power struggles, and exclusionary policies based on ethnicity hampered progress. Due to this fact, efforts were made to address ethnic identity through power-sharing agreements and inclusive governance structures. For instance, in South Africa, the transition from apartheid to democracy led to the establishment of a multi-ethnic government and policies promoting inclusive economic development.²¹⁹

In the recent Years (2010s-2020s), ethnic tensions and conflicts still persist in some African countries, impeding economic development.²²⁰ Limited access to resources, exclusionary policies, and unequal distribution of wealth remains significant challenges. Important to

²¹⁷Ibid., p.854.

²¹⁸Ibid., p.856.

²¹⁹Ibid., p.857.

²²⁰Ibid., p.860.

note is that African countries are increasingly recognizing the potential of harnessing diversity for economic growth. Efforts are being made to promote regional integration, intra-African trade, and inclusive policies that empower marginalized ethnic groups.²²¹ The African Continental Free Trade Area (AfCFTA) agreement, which came into effect in 2021, aims to boost trade among African nations and enhance economic integration. It's important to note that the challenges and opportunities within the interplay between ethnic identity and economic development are highly context-specific and can vary significantly across different countries and regions within Africa. That is why this study was limited to the Kenyan set up since 1963.

According to Berman, the interplay between ethnic identity and economic development in South Africa has been a complex and multifaceted issue throughout its history.²²² The challenges and opportunities arising from this interplay can be examined within different historical periods. For instance, during the Apartheid era (1948-1994), Apartheid policies enforced strict racial segregation, resulting in deep divisions along ethnic lines.²²³ The government systematically marginalized the majority Black population, hindering their economic opportunities. The opportunity that emerges is that the anti-apartheid movement brought together people from diverse ethnic backgrounds in their struggle for political and economic equality. This solidarity laid the groundwork for future collaboration and inclusive economic development.²²⁴

²²¹Ibid., p.861.

²²²Bruce J. Berman, "Ethnicity, patronage and the African state: the politics of uncivil nationalism." *African affairs* 97, no. 388 (1998): 305-341, p.309.

²²³Ibid., p.306.

²²⁴Ibid., p.307.

During the transition to Democracy (1994-1999), the end of apartheid brought hopes of greater inclusivity, but it also sealed deep economic disparities between different ethnic groups. The legacy of past discrimination required concerted efforts to address economic inequality. The opportunity was that the newly democratic government implemented policies such as Black Economic Empowerment (BEE) to promote economic participation among historically disadvantaged communities. This presented an opportunity to bridge ethnic divisions and create a more equitable society.

In the post-apartheid era (2000s-2010s), the ethnic identity continued to pose challenges, as the disparities in wealth, education, and access to resources persisted. Deep-rooted social and economic divisions hindered inclusive growth and economic development.²²⁵ Therefore, the diverse cultural heritage and skills of South Africa's population offered potential for economic growth through cultural tourism, arts, and crafts industries. Embracing cultural diversity could drive economic development while promoting social cohesion.

In the Current Context by 2020s, South Africa faces ongoing challenges of economic inequality, high unemployment rates, and limited economic opportunities for marginalized groups.²²⁶ Ethnic identity can exacerbate these issues, leading to social unrest and economic instability. In this regard, addressing ethnic identity through inclusive policies, targeted investments in education and skills development, and promoting entrepreneurship can unlock the potential of all ethnic groups. Emphasizing social cohesion and intergroup

²²⁵Ibid., p.308.

²²⁶Ibid., p.310.

collaboration can drive sustainable economic development.²²⁷ From Berman, it is important to note that the interplay between ethnic identity and economic development is a dynamic process that evolves over time. Therefore, it is crucial to note that, while South Africa has made progress in addressing some of the challenges, there is still work to be done to fully realize the opportunities of a diverse and inclusive society. That is why this study majorly focused in Kenya since 1963.

In Kenya, Githigaro narrates that, the interplay between ethnic identity and economic development has had both challenges and opportunities.²²⁸ In the Pre-Independence Era (late 19th century - early 1960s), the colonial rule created divisions among ethnic groups through policies of divide and rule, resulting in interethnic tensions and rivalries. Despite of this, the emergence of nationalist movements, such as the Mau Mau uprising, brought together various ethnic groups in the struggle for independence, fostering a sense of national unity and shared aspirations.²²⁹

In the post-Independence era (1960s-1970s), ethnic divisions and rivalries continued to be a challenge in the early years of independence.²³⁰ Political competition along ethnic lines often resulted in ethnic-based patronage and exclusionary policies. Due to this the government introduced policies aimed at promoting equitable economic development, such as the Sessional Paper No. 10 of 1965, which advocated for a mixed economy and rural development.²³¹ The establishment of the Kenya African National Union (KANU) as a

²²⁷Ibid., p.311.

²²⁸John Mwangi Githigaro, "Legacies of Colonial Agency in Africa: Reflections of an 'Ethnicized' Space in Kenya and Rwanda." *Shifting Forms of Continental Colonialism: Unfinished Struggles and Tensions* (2019): 363-385., p.371.

²²⁹Ibid., p.364.

²³⁰Ibid., p.365.

²³¹Ibid., p.366.

dominant political party also sought to unite different ethnic groups under a common political platform.

During the Structural Adjustment era (1980s-1990s), indeed, Kenya, like many other African countries, implemented structural adjustment programs under pressure from international financial institutions.²³² These programs led to austerity measures, reduced government spending, and socio-economic disparities. Therefore, despite the challenges, economic liberalization policies introduced during this period opened up opportunities for private sector growth and foreign investment. This period saw the emergence of successful Kenyan businesses in various sectors, contributing to economic development.

In the Constitutional Reforms and Devolution (2000s-2010s), ethnic divisions and competition for resources remained significant challenges in Kenya.²³³ Political violence following the 2007 elections highlighted the need to address ethnic identity and foster inclusivity. Moreso, the promulgation of a new constitution in 2010 introduced devolution, which decentralized power and resources to county governments. Devolution aimed to promote equitable development, reduce ethnic tensions, and enhance citizen participation in decision-making at the local level.²³⁴

By 2022, Kenya continued to face challenges related to ethnic identity, including unequal distribution of resources, political competition along ethnic lines, and periodic outbreaks of violence during elections.²³⁵ However, efforts were being made to address these challenges through initiatives such as the Building Bridges Initiative (BBI), which sought to foster

²³²Ibid., p.367.

²³³Ibid., p.368.

²³⁴Ibid., p.370.

²³⁵Ibid., p.371.

inclusivity, address historical injustices, and promote national unity. The government also focused on initiatives such as the Big Four Agenda, which aims to spur economic growth in key sectors like manufacturing, agriculture, healthcare, and affordable housing.²³⁶

Therefore, from Githigaro's literature, it's important to note that the challenges and opportunities in the interplay between ethnic identity and economic development in Kenya are ongoing and subject to evolving dynamics. Efforts to promote inclusivity, reduce inequalities, and foster national unity remain crucial for sustainable economic development in the country. It is on this basis that this study addressed this gaps that dwelt on efforts to promote inclusivity, reduce inequality and fostering national unity with reference to interplay between ethnic identity and economic development in Kenya since 1963.

1.10.5 Summary of the Identified Gaps

According to Palmer, the nature of ethnic identity in Africa is complex and multifaceted, characterized by a diverse range of ethnic groups, historical factors, and ongoing intergroup dynamics. From the works of Palmer, it is important to note that the nature of ethnic identity in Africa varies across countries, regions, and contexts. The specific historical, political, social, and economic circumstances of each country play a significant role in shaping intergroup dynamics. Understanding and addressing ethnic identity in Africa require context-specific approaches that emphasize inclusivity, respect for diversity, and equitable development. This study unraveled these approaches in the context of Kenya since 1963.

²³⁶Ibid., p.372.

According to Elischer, the nature of ethnic identity in Ghana, a country located in West Africa, is characterized by a diverse range of ethnic groups, historical influences, and efforts towards national unity. From this literature, it's important to record that although Ghana has generally experienced peaceful interethnic relations, challenges and tensions can still arise. Economic disparities, political competition, and social issues can sometimes lead to intergroup conflicts or grievances. Emphasizing inclusive governance, addressing inequalities, and promoting cultural diversity and understanding are essential for maintaining harmony and unity among Ghana's diverse ethnic groups. From this point of view, this study addressed the emphasis of inclusive governance, addressing inequalities and cultural diversity in relation to the Kenyan context since 1963.

According to Omeje and Hepner, the nature of ethnic identity in East Africa, which encompasses countries such as Kenya, Tanzania, Uganda, Rwanda, Burundi, and Ethiopia, is characterized by a complex interplay of diverse ethnic groups, historical legacies, and regional dynamics. Addressing ethnic identity requires inclusive governance, equitable development, and policies that respect and celebrate the diverse ethnic identities in the region. Therefore, this study focused on the interplay between ethnic identity and economic development in Kenya since 1963, in relation to unique ethnic composition, historical context and specific intergroup dynamics.

Important to note from Alesina and La Ferrara, is that the origins of ethnic identity are complex and interconnected. The combination of historical legacies, socio-economic factors, political dynamics, and cultural differences shapes the nature and development of

ethnic identity in different parts of the world. What has not been discussed by Alesina and La Ferrara is that understanding these origins can provide insights into addressing the challenges associated with ethnic identity and promoting inclusive societies. Therefore, this study looked forward to discuss this gap in the context of Kenya since 1963 as far as interplay between ethnic identity and economic development.

From Curthoys and Moore, it is important to acknowledge that efforts towards reconciliation, land rights, cultural preservation, and self-determination have been on-going in Australia. Despite this, Curthoys and Moore have not explained the recognition of indigenous rights, the apology issued by the Australian government in 2008 for past policies, and the implementation of programs aimed at addressing disadvantage and promoting cultural resilience as steps towards healing and promoting unity among indigenous communities. This scenario was discussed in relation to the Kenyan context.

Makhamadaminovich have not elaborated how Constitutional provisions, affirmative action policies, and efforts to promote inclusivity and social justice are being implemented to address ethnic identity and foster a sense of national unity. This was elaborated in this study.

According to Pannell and Schmidt, the influence of ethnic identity on economic development in China historically has been a complex and varied phenomenon. China is a vast country with significant regional variations in terms of economic development and ethnic composition. The impact of ethnic identity on economic development in China has evolved over time, and the country has implemented various measures to address regional disparities and promote inclusive growth, including targeted development programs and

investment initiatives for ethnic minority areas. Therefore, there was need to address the various measures that are attached to regional disparities and especially the marginalized groups and communities in Kenya as far as economic development are concerned.

1.11 Theoretical Framework

The study utilized two theories; Instrumental Marxist theory (IM) as advanced by the Marxist scholar, Ralph Miliband and Rachel Goldstein in 1981²³⁷, and Relative Deprivation theory propounded by Walter Runciman in 1966.²³⁸

1.11.1 The Instrumental Marxism Theory

According to Goldstein, the British sociologist and Marxist author Ralph Miliband is often considered as the main proponent of this theory and it was propounded in 1981.²³⁹ Instrumental Marxism posits that, policy makers in government and positions of power tend to share a common business or class background, and that their decisions often reflect their business or class interests.²⁴⁰ IM focuses on the material conditions in society and how the society affects its people. This is an agent-centered view emphasizing on the policy makers' decisions, where the relevant agents are either individual elites, a section of the ruling class, or the class as a whole.

The IM theory is a conflict hypothesis as proposed by Karl Marx. It emphasizes that the society is always in conflict due to struggle for finite resources. Domination and power rather than agreement and compliance are said to preserve the social order. Miliband argues that there are inequalities in our societies based on a number of factors, such as class

²³⁷Michael Newman and Bob Jessop. "Ralph Miliband and the politics of the new left." *Labour* 54 (2004): p.320.

²³⁸ Iain Walker and Smith Heather J. eds., *Relative deprivation: Specification, development, and integration*. Cambridge University Press, 2002, p.67.

²³⁹Ibid

²⁴⁰Clyde W. Barrow, "Critical Theories of the State: Marxist, neo-Marxist, post-Marxist." *Journal of Sociology and Social Welfare* 21 (1994): 239-239., p.239.

differences.²⁴¹ IM tries to explain social phenomena within any given society by analyzing the material conditions and economic activities required to fulfill human material needs. The theory emphasizes that society is always at conflict as a result of diminishing resources. Accordingly, Miliband saw the state as a society as run by a number of elites who run key institutions.²⁴² These elites include cabinet ministers, Members of Parliament, Senior Police and Military Officers.²⁴³ Together, they run to protect their class, the ruling class in order to protect private property and yes, capitalism.

In the study, the Instrumental Marxist theory was found relevant for investigating the nexus between ethnic identity and politics, economic freedom, social evils such as corruption and governance. The theory was used to explain the process of ethnic identity within the societies as a state tool, to achieve the government goals and desires. Marx Weber (1864-1920) presents a model that focuses on the struggle between capitalists and the working class. How ethnic identity enhances economic freedom was the general objective of the study.

Although the above-mentioned groups are connected by similar social, economic and educational background, for Miliband, these groups are best described as ruling-class while the rest of the society members form the 'ruled' who aspire and try to be part of the ruling-class. Accordingly, Instrumental Marxists argue that, the ruling-class groups have an interest and try to ensure that the *status quo* remains (things stay the same). They use the state to ensure that certain private properties are defended at all costs so as to preserve their

²⁴¹Miliband Ralph, "The capitalist state: reply to Nicos Poulantzas." In *Karl Marx*, Routledge, 2017, pp. 307-314., p.318 and Ibid., p.239.

²⁴²Ibid., p.308.

²⁴³Ibid., p.310.

capitalist system. As such, the state is a tool (Instrument) of capitalism for use by the ruling class.

Miliband postulates that the ruling-class use both economic power and the power of ‘social networks’ to dominate.²⁴⁴ The Instrumental Marxists argue that indeed, the ruling class dominate by roping onto themselves numerous supports from the ruled through promises and hopes of being rewarded. They dominate by depending on the many state institutions such as the law, education system, media and religion which do operate as ‘ideological state apparatuses.

The nature of politics and governance in some African countries indeed institutionalizes ethnic entitlement, rights and privileges which often encourage the exclusion of others. Adebo observes that, ethnic identity is often used to ensure that elites from minority groups are excluded from enjoying access to state jobs, resources, and related benefits.²⁴⁵ Sometimes, they use state resources to enter into coalitions of convenience with one or two minorities so as to weaken the resistance of the ruled (excluded minorities).²⁴⁶

Njagi further observes that, the fear of resistance and rivals for state power encourages the incumbent ethnic group leaders to weaken all independent sources of power so they can dominate minus opposition, challenges and conflicts.²⁴⁷ In the study, ethnicity is presented as a disposable tool manipulated through identity to enhance capitalist tendencies of the

²⁴⁴Miliband Ralph, "The capitalist state: reply to Nicos Poulantzas." In *Karl Marx*, Routledge, 2017, pp. 307-314., p.312.

²⁴⁵Ibid., p.313.

²⁴⁶Andreas Wimmer *et al.*, "Ethnic politics and armed conflict: A configurational analysis of a new global data set." *American sociological review* 74, no. 2 (2009): 316-337., p.320.

²⁴⁷Samuel M. Njagi, "The Role of Politicized Ethnicity on Conflict in Africa: a Case Study of Kenya, 1992-2013." PhD diss., University of Nairobi, 2018., p.92.

ruling class. The ruling class employs ethnic identity to achieve the needed support to maintain the *status quo*.

Like any other theory or conceptual framework, the Instrumental Marxist paradigm, when applied to investigate ethnic identity shows its inherent strengths and weaknesses.²⁴⁸ To begin with, the Instrumental Marxist theory was specifically tasked to guide this study due to the following strengths inherent therein. The Instrumental Marxist theorists do perceive ethnicity as an instrument which is manipulated almost at will by the capitalist ruling-class as a whole or in certain instances, by particular factions of the capitalist ruling class. This view was beneficial to the research study because it helped seal the social fictions fronted such as 'Rule of Law' and 'equality before the law.' The study attempted to explore the interplay between ethnic identity and economic freedom in Kenya since 1963. Accordingly, the theory was utilized in an effort to unearth the lines and cords that connect the state, government and the two variables.

Furthermore, Instrumental Marxism theorist's sensitivity to the practical influence of rights talk led by IM scholars does put greater emphasis on the constitutive impact of the Marxist ideologies. Marxist theorists believe that economic and social conditions, especially the class struggle that derive from them affect all aspects of an individual's life; from legal to religious believe systems to cultural frameworks.²⁴⁹ Marxism is about the Communist Thoughts whereas the history is the history of class struggle. The major tenets underpinning Instrumental Marxism are; the Theory of Equality, Theory of Freedom, Theory of Progress, the Approximation of Armed Revolt and the Theory of Identity of Ends and Means. In this

²⁴⁸Therese C. Reitan, "Theories of interorganizational relations in the human services." *Social Service Review* 72, no. 3 (1998): 285-309., p.289.

²⁴⁹Bryan S. Turner, "Outline of a theory of human rights." *Sociology* 27, no. 3 (1993): 489-512, p.490.

respect, the proponents of Instrumental Marxism seek to distance themselves from Structural Marxism who posits that, the state functions to serve the long-term interests of the Bourgeoise (middle class).²⁵⁰ In the study, the Instrumental Marxist theory was found relevant for investigating the nexus between ethnic identity and politics, economic freedom, social evils such as corruption and governance. The study investigated ethnic identity in relation with the capitalist economy of Kenya since 1963.

Moreover, the theory was used to explain the process of ethnic identity within the societies as a state tool, to achieve the government goals and desires. By creating ethnic and class differences, the governments in reality creates a 'we versus them' in the nation-state. The Instrumental Marxist theory was specifically tasked to guide this study due to the following strengths inherent therein.²⁵¹ To begin with, the Instrumental Marxist theorists do perceive ethnicity as an instrument which is manipulated almost at will by the capitalist class as a whole or in certain instances, by particular factions of the capitalist ruling class. This view was beneficial to the study because it helped seal the social fictions fronted such as 'Rule of Law' and 'equality before the law.'

In addition, the Instrumental Marxist theorist's sensitivity to the practical influence of rights talk led by IM scholars does put greater emphasis on the constitutive impact of the Marxist ideologies. In this respect, the proponents of Instrumental Marxism seek to distance themselves from Structural Marxism who posits that, the state functions to serve the long-term interests of the Bourgeoise (Middle class). The Instrumental Marxism has

²⁵⁰Dimitris Milonakis and Ben Fine, *From political economy to economics: Method, the social and the historical in the evolution of economic theory*. Routledge, 2009., p.67.

²⁵¹Albert Gordon Otieno Omulo, "Ethnicity, governance and socio-economic development in Africa: A case study of Kenya and its Luo community, 1963-2013." (2017), p.27.

undergone a number of criticisms from several scholars, some suggesting that it be replaced by the Structural Marxism.²⁵² Clearly, the theory has a number of weaknesses which are hereby explained. First and foremost, Instrumental Marxism views society as always at conflict. Whatever happens 'never just happens,' everything is seen to be done by the state to enhance dominance. The theory fails to account for historical ethnic diversities which happened minus manipulation.

Furthermore, the Instrumental Marxists neglect the position of economic power. They do not acknowledge the fact that often, political power is not held by the same groups at the same time in a pluralistic society.²⁵³ For instance, in some countries like Kenya rent control and social welfare laws have been passed, to the detriment of the capitalist political class.

The theory assumes that the state and all its actors as a tool for the capitalists ruling-class. Structural Marxist thinkers believe that the law is indeed not an exclusive domain for ruling-class but rather, used to maintain long-term interests of the capitalists' system and control members of any class of threatening its existence. For instance, the IM theorists hold that the media owners are capitalists who control the media content and that the media houses perform ideological functions. Accordingly, IM theorists hold that the basic role of the media is to keep a largely passive audience from criticizing capitalistic tendencies so as to maintain the *status quo*.²⁵⁴

In addition, Instrumental Marxism is largely a sociological theory. The proponents view the society as masses, the ruling-class and the ruled who are portrayed as disadvantaged and

²⁵²James Duncan and David Ley, "Structural Marxism and human geography: a critical assessment." *Annals of the Association of American Geographers* 72, no. 1 (1982): 30-59, p.32.

²⁵³Ibid., p.32.

²⁵⁴Stevenson, Nicholas. "Understanding media cultures: Social theory and mass communication." (2002): 1-256., p.102.

yearning for solution ever. However, its sociological orientation was be offloaded by bringing on board historical imperatives in the study and also adopting the relative deprivation theory that was used to investigate the second variable; ‘Economic Freedom’ in Kenya. As such, it’s the discretion of the researcher to complement this theory by adopting the Relative Deprivation Theory.

1.11.2 The Relative Deprivation Theory

This theory was propounded by Walter Runciman in 1966. Runciman was interested to see the attitudes to social inequality in the 20th century England.²⁵⁵ Runciman borrowed the term “relative deprivation” which was originally coined by Merton and Kitt who are the authors of “The American Soldier”. The main assumption of the theory is that a people’s satisfaction is conditioned by their expectations and measured in parallel with their reference group. Runciman said that “the proverbial way to make oneself conscious of one’s advantages is to contrast one’s situation with that of others who are worse off than oneself”.

“Evolution of the rising expectations” at a class or national level, Runciman believed that, people will be conservative when there is long term poverty.²⁵⁶ If people have been led to see as a possible goal the relative prosperity of some more fortunate community with which they can directly compare themselves, then they will remain discontented with their lot

²⁵⁵Tom Burns, "Relative deprivation and social justice. A study of attitudes to social inequality in twentieth-century England." (1966): 430-434, p.432.

²⁵⁶Ibid., p.77.

until they have succeeded in catching up. This is the so called ‘solution of the rising expectations’.²⁵⁷

‘Evolution of the rising expectations’ is against “comparative reference groups” or against their representatives. “When a comparative reference group is ‘positive’ (in the sense that a person wants to share the situation of another group, not to disassociate himself from it), a relative deprivation is necessarily engendered”.²⁵⁸ This clearly illustrated that when ‘comparative reference groups’ compete to share power, resource, equality or justice, there will be probability of conflict. The conflict will lead to a leadership that will effectively encourage economic freedom.

Runciman supposed that the rate of recurrence of relative deprivation will be low when there is equal promotion or demotion.²⁵⁹ The equal demotion is labeled as ‘absolute deprivation’. However, the assumption that ‘absolute deprivation’ will slow down the rate of ‘relative deprivation’ is not convincing according to him. When there is disparity in promotions, demotions, the rate of recurrence of relative deprivation will rise and fall as the people explore available opportunities.

In his book entitled *Relative Deprivation and Social Justice- A study of Attitudes to Social Inequality in Twentieth – Century England*, Runciman believed that ‘relative deprivation’ and ‘reference group’ are two terms which are inseparable and rooted from a common

²⁵⁷H. U. Rahman and W. A. Runciman. "A crystal field calculation in uranium dioxide." *Journal of Physics and Chemistry of Solids* 27, no. 11-12 (1966): 1833-1835., p.1834.

²⁵⁸Ibid., p.1834.

²⁵⁹Ibid., p.1836.

point.²⁶⁰ They refer people's attitudes, aspirations and grievances largely depend on the frame of reference with in which they are conceived. Similarly, Neckerman said that "as inequality increases, the opportunity for negative social comparisons increase because the distance between the rich and the poor increases".²⁶¹

Runciman asserted that despite the objective deprivation, that is a person demonstrably lacking something in a physical sense compared to others, relative deprivation should always be understood to mean a "sense of deprivation".²⁶² This means that to say there is relative deprivation, apart from the objective denial of something; people should have the psychological sentiment of being deprived. According to the definition, 'objectively' here includes not only intentional but also unpremeditated and undetectable deprivation acts by others which mean the sense of deprivation is such as to involve a comparison with the imagined situation of some other person or group. This other person or group is the 'reference group' or more accurately the 'comparative reference group'. Reference group need not be a group at all; it may be a single person or even an abstract idea, situation or people.

Although reviews of RD research center largely on whether RD offers an adequate explanation for participation in collective action collective action is just one of many possible responses to feeling deprived. First, RD reactions can signify intents and behaviors to improve one's personal situation, or they can represent intentions and behaviors to

²⁶⁰Tom Burns, "Relative deprivation and social justice. A study of attitudes to social inequality in twentieth-century England." (1966): 430-434, p.432.

²⁶¹David T. Ellwood, Christopher Jencks and Kathryn M. Neckerman, "The uneven spread of single-parent families: What do we know? Where do we look for answers." *Social inequality* 1, no. 1 (2004): 3-77., p.72.

²⁶²H. U. Rahman & W. A. Runciman, (1966), *Op. Cit.*, p.1836.

improve the situation for one's locus group.²⁶³ Second, these bases distinguish among inner states (such as anxiety, depression and attitudes toward the self), attitudes (towards the system and other groups), and actual behavior.²⁶⁴

The second category entails studies of *intergroup attitudes* that include attitudes toward such political policies as affirmative action and immigration, preconception toward outgroups and ingroup identification and bias. Attitudes toward outgroups include measures of blatant and subtle prejudice outgroup stereotyping and majority group members' attitudes toward affirmative action.²⁶⁵ Attitudes toward the social system include belief in a just world, trustworthiness and legitimacy of political institutions and organizational commitment. Attitudes toward the ingroup include measures of ingroup identification, nationalism and ingroup bias. In general, these first two categories of outcomes represent attitudes, intentions and behaviors that focus on one's group's situation.

The third category of outcomes involves *individually oriented behaviors*, both normative and non-normative. Deviant behaviors include: an official record of delinquency; a self-report measure of the propensity to date rape; absence from work bullying and crime.²⁶⁶ Achievement behaviors include: self-reported activities for church committees; moonlighting; engagement in academic activities; and participating in individual professional development activities.²⁶⁷ Escape behaviors include physical exercise,

²⁶³Benjamin D. Wright, "A history of social science measurement." *Educational measurement: Issues and practice* 16, no. 4 (1997): 33-45., p.37.

²⁶⁴Ibid., p.35.

²⁶⁵Ibid., p.36.

²⁶⁶Filip M. Wiecko, "Late-onset offending: Fact or fiction." *International journal of offender therapy and comparative criminology* 58, no. 1 (2014): 107-129, p.109.

²⁶⁷Ibid., p.108.

smoking, drinking alcohol and other drug use; gambling and watching television.²⁶⁸ In general, this category of outcomes represents efforts to cope with one's individual situation. Finally, the fourth category entails work focused on such *internal responses* as psychological stress, depression, physical health and altered self-evaluations. Mental health measures include the number of stress symptoms people check; depression and anxiety measures.²⁶⁹ Self-concept measures include self-esteem; optimism and social competence Physical health measures include self-reported physical health as well as blood pressure and medical history.²⁷⁰

Today, it is found that the Relative Deprivation theory is still very relevant and can be applied effectively in the study. This is a product of a situational upward comparison that indicates that one's disadvantaged position is maybe undeserved and facilitated by anger and resentment. RD is generally associated with reduced reasoning and increased individual deviance and collective action to enhance deviance. It is the judgment that one is worse off compared to some standard. Marx captures the intuitive appeal of relative deprivation as an explanation for social behavior.²⁷¹ If comparisons to others; groups, themselves or individuals at different points in time lead people believe that they do not have what they deserve, they will become resentful. The study roped in these subjective evaluations to navigate the interplay between ethnic identity and economic freedom in Kenya.

²⁶⁸Ibid., p.110.

²⁶⁹Ibid., p.115.

²⁷⁰Ibid., p.116.

²⁷¹Ibid., p.116.

Runciman further broadened the RD construct by distinguishing between fraternal (group) and egoistic (individual) RD.²⁷² Accordingly, a person could believe that she is personally deprived (individual RD) or that a social group to which she belongs is deprived. Both types of RD are outcomes of feelings of prejudice and lead to search for alternative ways united fronts (for achievement), group actions for defense or survival and property crime to compensate for the deprivation as a way of seeking justice.

According to Runciman external variables play a pivotal role in aggravating relative deprivation but when 'external stimulus' is absent the mobility of relative deprivation might be minimum because the underprivileged may take their status as a habit or the presence of poverty and conservatism as well as they may lack ambition. In order to have 'rising spiral of expectations and comparisons' which will continue until a new equilibrium is reached, Runciman makes a number of suggestions; first, the vicious circle should be broken and second some external influences should be there. The external influences might be war, media, education or economic change. Runciman believed that two ways contribute to elevate the frequency of relative deprivation during a war time.²⁷³ Firstly, under privileged groups who suffer from exertions will inspire to take their share from the 'better world' of their superiors and secondly, war by its nature brings people together and open a door for immediate contact with each other than peace. Media (recipient of news) is the other major task force to tell people about their horrible economic or social situation even though they may not think over about it before.

²⁷²H. U. Rahman, & W. A. Runciman, (1966), *Op. Cit.*, p.1838.

²⁷³*Ibid.*, p.1839.

However, important to note is that, Relative Deprivation Theory (RDT) has been widely adopted in the study of ethnic identity and economic development in Western Kenya due to its emphasis on the perceptions of inequality and the impact of relative deprivation on social unrest. The theory posits that feelings of deprivation arise when an ethnic group perceives that they are being unfairly excluded from economic resources relative to others.²⁷⁴ In the context of post-independence Kenya, RDT helps explain why marginalized ethnic groups in Western Kenya, such as the Luhya, have felt excluded from national economic opportunities, fostering tension and conflict. The strength of RDT in this study lies in its focus on the emotional and social dynamics of perceived economic inequality.²⁷⁵

However, RDT's focus on subjective perceptions fails to adequately account for the systemic and structural causes of economic inequality, such as the role of political elites in resource allocation.²⁷⁶ This limitation is why the researcher complements RDT with Instrumental Marxism Theory, which highlights the material conditions and power struggles that lead to ethnic economic marginalization.²⁷⁷ Marxism better addresses the structural dimensions of inequality and exploitation that RDT overlooks, providing a more holistic understanding of the forces shaping economic development in Kenya.

²⁷⁴Ted Robert Gurr, *Why Men Rebel*. Princeton University Press, 1970, p.36.

²⁷⁵Caroline Walker and David Smith, *Relative Deprivation and Social Unrest: Exploring Ethnic Tensions in Post-Independence Africa*. Oxford University Press, 2019, p.78.

²⁷⁶Andrew Larsen, "Ethnic Identity and Economic Development in Africa: The Case of Kenya." *Journal of African Political Economy* 27 (4): 2013, 45-67., p.12.

²⁷⁷Robert Barrett, *Class, Power, and Ethnicity in Post-Colonial Africa*. Cambridge University Press, 2017, p.16.

1.12 Research Methodology

This section encompasses the following sections: Philosophical underpinnings, research approaches, research design, the study area, target population, sampling techniques, sample size, data collection tools, data analysis, data procedures, reliability, validity and ethical considerations.

1.12.1 Philosophical Underpinnings and Research Paradigms

The suited adapted the interpretivist philosophy. This is because Interpretivist philosophy was well-suited for examining the research variables, as it emphasized subjective understanding and contextual exploration. The study applied interpretivism to delve into the intricate ways in which ethnic identities influenced economic policies, resource distribution, and community roles within Kenya's socio-economic framework. This approach facilitated an exploration of ethnic dynamics from a local perspective, focusing on lived experiences and collective identities shaped by social interactions, history, and evolving political landscapes.²⁷⁸

Interpretivism also strengthened the study's philosophical underpinnings by integrating epistemology the study of knowledge and meaning-making into its approach. By acknowledging that knowledge was constructed through community interactions and cultural experiences, the study embraced an interpretivist paradigm, which allowed it to view economic development not merely as a quantitative metric but as a concept influenced

²⁷⁸Schwandt, Thomas A. *Interpretivism: A Dictionary of Qualitative Inquiry*. Thousand Oaks, CA: Sage Publications, 2000.

by social relations and ethnic distinctions.²⁷⁹ This approach was applied consistently across findings, enabling nuanced insights into how different ethnic groups perceived and participated in economic processes. Through interpretivism, the study captured how economic policies shaped, and were shaped by, ethnically aligned interests, revealing the complexities of Kenyan development and ethnic identity.²⁸⁰ This interpretivist lens thus allowed the research to reveal the interconnectedness between identity and economy, presenting a holistic understanding of Kenya's development trajectory that would have been obscured by purely positivist methods.

1.12.2 Research Design

The term research design is used in research to connote how the researcher proposed to collect and analyze data, keeping in mind the study purpose, objectives and availability of resources.²⁸¹ The researcher employed historical research design. Historical research design is a plan or strategy within which a researcher collects data systematically and evaluates them by relating them to the past occurrences to establish the causes, effects or trends of these occurrences-with the aim of using the data to understand and explain the past or present and future anticipated events.²⁸²

In the historical research design, the writings are descriptive, and they begin with a chronological recounting of events. Their investigation focuses on the events' explanatory

²⁷⁹Guba, Egon G., and Yvonna S. Lincoln. "Competing Paradigms in Qualitative Research." In *Handbook of Qualitative Research*, edited by Norman K. Denzin and Yvonna S. Lincoln, 105–117. Thousand Oaks, CA: Sage Publications, 1994.

²⁸⁰Bryman, Alan. *Social Research Methods*. 5th ed. Oxford: Oxford University Press, 2016.

²⁸¹P. Duff, (2018). *Op. Cit.*, p.59.

²⁸²Patricia Duff, *Case study research in applied linguistics*. Routledge, 2018., p.58.

connection and effects.²⁸³ The study particularly focused on the events cause and effect and on the events' explanatory.

The study focused on Western Kenya as the case study since 1963. The year 1963 is unique since it is the year when Kenya gained independence after the cruel some colonial era established in the country in 1920. It was expected that the inauguration of an independent Kenya would promote democratic principles of good governance and significantly alleviate negative ethnicity and poverty for promotion of economic freedom. Since the interplay is ongoing, the researcher proposed to leave the topic open with no particular year of ending the investigation and analysis. This allowed the study to analyze the progress made on alleviating negative ethnicity as put in the New Constitution of Kenya, 2010.

1.12.3 The Study Area

The study took place in Kenya. The republic of Kenya is one of the 54 countries in Africa, having acquired her independence in December 1963. Kenya is located in East Africa. Its terrain rises from a low coastal plain on the Indian Ocean to plateaus and mountains at the center. Bisected horizontally by the equator on the East of Coast of Africa, Kenya borders the republic of Somalia to the east, Ethiopia to the north, Tanzania to the south, Uganda to the west, Indian Ocean to the south east and South Sudan to the North West. Lake Victoria is found to the west of the republic ant the border with Tanzania and Uganda. The Country is made up of 47 Counties that came into effect on promulgation of Constitution 2010.²⁸⁴ The map in fig 1 on the next page shows all the ethnic groups in Kenya.

²⁸³Brian T. Pentland, "Building process theory with narrative: From description to explanation." *Academy of management Review* 24, no. 4 (1999): 711-724, p.718.

²⁸⁴Constitution of Kenya, 2010.

1.12.4 Target Population

The target population of the research study was the entire set of units for which the study data are to be used to make references. According to Gall, Borg and Gall, a target population provides a solid foundation and first step upon which to build the validity and reliability for a study. It is the population from which data for the study will be collected. The study targeted 7 Counties in former (colonial) western Kenya which are; Kakamega, Bungoma, Busia, Kisumu, Kisii, Siaya and Homa-Bay. This is because, the western region counties host all ethnic communities of Kenya.²⁸⁶ The study targeted political leaders, community elders, social workers, academicians, religious leaders, respondents from the seven counties and experts on historical matters. Nyongesa, Mabele and Murunga do advocate for utilization of information from variety of sources as part of triangulation.²⁸⁷

1.12.5 Sampling Techniques

Sampling technique refers to the process that is used in order to come up with actual respondents that will be involved in the study, the results of which will form a basis of generalization.²⁸⁸ The study used, purposive and snow ball sampling techniques to identify various respondents to be involved in the study.²⁸⁹ Purposive sampling and Snow ball sampling were meant for identification of various respondents who are thought to have

²⁸⁶Kenya National Bureau of Statistics, 2019.

²⁸⁷Charles Lumuli Nyongesa *et. al.*, "Influence of Top Management Strategic Decisions on Effective Implementation of E-Learning in Public Technical and Vocational Education and Training (TVET) Institutions in Western Kenya." *The International Journal of Humanities & Social Studies* 9, no. 12 (2021), 28–75, p.66.

²⁸⁸Hamed Taherdoost, "Sampling methods in research methodology; how to choose a sampling technique for research." *How to choose a sampling technique for research (April 10, 2016)* (2016), p.67.

²⁸⁹*Ibid.*, p.68.

relevant information in order to enable the researcher answer the research questions in order to meet the objectives of the study.²⁹⁰ In this case, purposive sampling was used to reach respondents who were in administration position, clergy and social development officials. On the other hand, the researcher utilized snowballing to reach respondents as referred to by those who were interviewed beginning from the purposively reached respondents.

1.12.8 Sample Size

Sampling is the process of selecting part of the population for the study on whose findings form generalization of the characteristics of the entire Population.²⁹¹ Kombo and Tromp²⁹² recommend that a good sample size should be 30% of the population. Any sample taken below these may lead to issues with reliability and related errors. Therefore, the study sample size was 192. Essentially, historical research is a qualitative one, hence it is required to be large enough to obtain enough data to sufficiently address the research questions and describe the given phenomenon of interest. The study was carried out in 7 Counties which included, Bungoma, Busia, Kakamega, Kisumu, Kisii, Homabay, and Siaya. These counties were arrived at because all the 45 ethnic communities in Kenya occupy and are found in the 7 counties aforementioned. The study included the following sub-division of sample size 100 community leaders, 40 political leaders, 30 social workers, 22 religious leaders.

²⁹⁰Julian Kirchherr and Charles Katrina, "Enhancing the sample diversity of snowball samples: Recommendations from a research project on anti-dam movements in Southeast Asia." *PloS one* 13, no. 8 (2018): e0201710., p.28.

²⁹¹J. W. Creswell, (2016). *Op. Cit.*, p.217.

²⁹²Isaac Kazungu and William B. Warsanga. "Proposal and Thesis Writing: An Introduction." (2021)., p.78.

1.12.9 Data Collection instruments

In order to accomplish the objectives of the study, different methods of data collection and analysis were used. Secondary and primary data were used in order to enrich the study. The primary data was obtained by use of well thought out interview guides which were administered to the sampled groups in the population. In addition, interviews were conducted, particularly targeting the specialists in the area of the study. The specific people to be interviewed included security experts, Provincial Administration Officials, NCIC Commissioners, scholars specializing in the study subject area, Civil Society Organization and other social work practitioners in the area of study. Conversely, the secondary data was obtained through research in libraries of institutions of higher learning where a variety of journal, books, newspapers, magazines and reports from relevant authorities will be accessed. Most of the materials relevant on ethnic identity, governance and economic freedom in Kenya, it was obtained from the Kenya National Library in Kakamega, Kibabii University Library, the Margaret Thatcher Library of Moi University and the Masinde Muliro University of Science and Technology Library, Kakamega. Data was collected using both primary and secondary data collection techniques. Primary data involved use of four principal instruments namely; interview schedule guide, FGD, archivals and document analysis.

1.12.9.1 Interview Guides

Interview guides were targeted for use since they enabled the collection of large volumes of data in relatively shorter time of six months at relatively lower cost.²⁹³ Since this study involved coverage of a wider geographical region, the interview guides were found to be more convenient. The guides had both open and closed ended items. Development of interview guides along this structure was important due to its ability to enable collection of comprehensive information for enrichment of the study. In addition, interview schedule were chosen because they enabled the collection of detailed information about the study variables as it allowed the researcher to come up with probing questions, seeking of clarifications where possible unlike the state where the questionnaire is used.²⁹⁴ To administer the guides, the researcher was assisted by graduate assistants who worked with the guidance of the researcher.

1.12.9.2 Document Analysis

On secondary data, document analysis was employed. Document analysis is critical on studies that may need documentary evidence. Document analysis sought information on development indices of various regions, ethnic composition, conflicts, resources and other information that deemed fit in informing the study. Such information was sought from reputable sources such as government libraries. According to Phillip, observation becomes a scientific tool and method of data collection when it serves a formulated research purpose

²⁹³Mark Saunders, Philip Lewis and Adrian Thornhill, "Research Methods for Business Students Fourth Edition." (2007), p.2.

²⁹⁴Ibid., p.4.

and is systematically planned and recorded.²⁹⁵ This method was rigorously applied and subjected to be subjected to checks and controls on reliability and validity as recommended by Kothari.²⁹⁶ Accordingly, the researcher with his assistants made efforts to physically visit the seven counties to help derive data on the interplay between ethnic identity and economic freedom in Kenya. The participant observation helped the researcher to make inferences on unspoken responses, for instance as to why they behave the way they do. Consequently, the researcher used the obtained information from observation to verify and confirm the information gotten from questionnaires.

1.12.9.3 Focus Group Discussion Guide

Focus Group Discussions were held in each of clusters of the study. The FGD was organized by selecting 6-12 participants with shared characteristics relevant to the study. The researcher/moderator guided the discussion using FGD guides. They were sitted in a semi-circle set-ip. FGDs captured diverse perspectives, facilitating in-depth exploration of topics. According to B. Philip, FGDs capitalize on group dynamics and allow a small group of respondents to be guided by a skilled moderator (researcher) into increasing levels of focus and depth on the key issues of the topic. FGD ensures group interaction between respondent's generally stimulating richer responses and allowing new and valuable thought to emerge. The researcher observed the discussion and obtained first hand insights into the respondent's behavior, attitudes, language, including body language and feeling.²⁹⁷

²⁹⁵Prabhat Pandey and Mishra Pandey Meenu. *Research methodology tools and techniques*. Bridge Center, 2021, p.79.

²⁹⁶Chakravanti Rajagopalachari Kothari, *Research methodology: Methods and techniques*. New Age International, 2004, p.64.

²⁹⁷Ibid., p.34.

1.12.9.4 Archival Sources

Archival data constituted the primary sources. Archival sources were mainly obtained from the Kenya National Archives in Nairobi. Documents ranging from District annual reports, handing over reports for both colonial and post-colonial period was analyzed. In addition, Governments reports on ethnic identity, Gross Domestic Product Indexes and economic development were analyzed. From the documents, the historical data on ethnic identity, taxation, land tenure, labor policies especially from the County Social Development Officers and their assistants at the Sub- County and County offices, the Social Development Assistants, Chiefs and their Assistants will be obtained. These were instrumental in analyzing the interplay between ethnic identity and economic development in Kenya.

1.12.10 Validity of Research Instruments

The study guides were validated by the supervisors who confirmed their capabilities in leading to achieving of accurate data to be used in the study. Furthermore, they confirmed its reliability which is a measure of the degree to which research instruments yield consistent results or data after repeated trials. Systematic application of a line of questions for even unanticipated areas is particularly important for reliability and for possible replication of a study. To ensure the validity of instruments the researcher shared the tools with the supervisors who confirmed and validated the interview schedule guides that were used.



Plate 1: Showing Prof. P.G. Okoth and Fr. Dr. Kizito Muchanga, the supervisors validating the research instruments of Samuel Mukanda, PhD Thesis

1.12.11 Data Analysis Techniques

Data was collected from a variety of sources leading to appropriate conclusions at the end of the research study. As observed by Bogdan and Biklen, the data from the field was systematically interrogated and processed by use of content analysis. To begin with, the

study adopted the logical historical method.²⁹⁸ This method was found to be handy to the study. The logical historical method entails the analysis and explanation of harnessed data, both historically and logically. It involved a critical investigation of events, development and experiences of the past. It also called for careful weighing of evidence of the validity of sources of information and the interpretation of the weighed evidence.²⁹⁹ It is this method that confers scientific or professional status to the discipline. The historical method of data analysis was necessitated by the fact that the historical inquiry into a social phenomenon requires more than a mere knowledge of the facts and events in their chronological order. The facts must be applied to establish the historical specificity of the social phenomenon in terms of its constituent elements and of the relations between these elements which determined the structure of and give it coherence.³⁰⁰ The study vigorously applied this method in an endeavor to produce a truly historical piece of work.

1.12.12 Ethical Considerations

While conducting the study, the researcher was covetous of research ethics so as to avoid what is not acceptable. Booth *et al.*, observe that, ethical research does not inflict harm of any kind, including physical or psychological abuse and that observing these ethics benefits not only those who participate in the research but also those who read the work (consumers).³⁰¹ As such, the researcher was keen to avoid any sort of harm during the research process and upheld research study ethics even where those who participate in the

²⁹⁸Mary B. Williams, "The Logical Skeleton of Darwin's Historical Methodology." In *PSA: Proceedings of the Biennial Meeting of the Philosophy of Science Association*, vol. 1986, no. 1, Philosophy of Science Association, 1986., pp. 514-521, p.518.

²⁹⁹*Ibid.*, p.519.

³⁰⁰*Ibid.*, p.518.

³⁰¹Salman Yousuf, Guraya N. J. M London and Shaista Salman Guraya, "Ethics in medical research." *Journal of Microscopy and Ultrastructure* 2, no. 3 (2014): 121-126, p.124.

research may not be concerned with ethics. Accordingly, the researcher used the letter of research proposal from the Directorate of Postgraduate Studies (DPS), Masinde Muliro University of Science and Technology (MMUST), (see appendix I), to obtain official clearance (research permit) from the National Commission for Science Technology and Innovation, (NACOST), (See appendix V).

Other ethical issues of the study were addressed in the following manner; first, informed consent of participants was sought before actual data collection for the study. Then, members of the sampled groups were not subjected to coercion in any way. In addition, the study participants were briefed about the scholarly objectives of the project. The respondents were assured that the information so collected from them was used purely for academic purposes. Being a historical study, the researcher prudently informed the participants that, so as to enhance authenticity and authority for the work, they may be quoted in verbatim or in paraphrased format in the final research work and that their names, place of interview and the particular date of interview may be published accordingly. The respondents who agreed gave their signed consent. This is important in order to avoid issues of anonymity which do not apply to historical studies.

In addition, the researcher recruited and trained twelve graduate research assistants for the study. Their training enhanced the quality of the study. Specifically, the Research assistants were people conversant and familiar with the customs and culture of the particular study areas and the seriousness of the task to be undertaken.³⁰² Then, the researcher discussed the

³⁰²Jean M. Converse and Stanley Presser. *Survey questions: Handcrafting the standardized questionnaire*. No. 63. Sage, 1986., p.67.

items with the assistants and colleagues to ensure that the questions are structured in a manner not to cause tension or anxiety in the respondents.³⁰³

Finally, the researcher ensured systematic and effective documentation of references to avoid cases of plagiarism. In addition, the respondents were assured of the confidential and purposes of whatever information that was obtained.³⁰⁴ Kellehear emphasizes the importance of explaining ethical issues such as subject protection, privacy, consent and fraudulent use of data in a research study.³⁰⁵ Research ethics are important in a study for several reasons. First of all, they promote the aims of research, such as expanding knowledge in a given area of specialization. Secondly, research ethics do support the values required for collaborative work such as respect and fairness. Then, they support social and moral values such as the principles of academic freedom, transparency, plagiarism and accountability.³⁰⁶ According to Mugenda, adhering to ethical considerations is key in a research study as it ensures the researcher does not go overboard and infringe on the rights of others nor hurt the participants in the research work.³⁰⁷

³⁰³Abel Gitau Mugenda and A. G. Mugenda. "Social science research: Theory and principles." *Nairobi: Applied* (2008): 11-22., p.16.

³⁰⁴Emma Bell and Bryman Alan "The ethics of management research: an exploratory content analysis." *British journal of management* 18, no. 1 (2007): 63-77., p.65.

³⁰⁵Allan Kellehear, "Rethinking the survey." In *Health research in practice: political, ethical and methodological issues*, Boston, MA: Springer US, 1993., pp. 126-137., p.128.

³⁰⁶Stephen Ifedha Akaranga and Bretta Kavutha Makau. "Ethical considerations and their applications to research: A case of the University of Nairobi." *Journal of educational policy and entrepreneurial research* 3, no. 12 (2016): 1-9., p.6.

³⁰⁷Abel Gitau Mugenda and Olive M. Mugenda. *Op. Cit.*, p.13.

1.13 Chapter Summary

This chapter has provided the background to the study from which the problem statement has emanated. Also presented are the general, specific objectives and research questions for the study. Then, the chapter has presented the justification, scope, limitations and notes on the study area, the republic of Kenya. The related literature has been reviewed based on the four objectives for the study in an effort to unravel the gaps in the various works that the study endeavored to fill. In addition, the chapter provided the theoretical underpinnings that came as a pair; the Instrumental Marxism and Relative Deprivation. The Combination of these two theories helped to guide the study and give interpretation to the data collected. The last section of the chapter has provided the research methodology and highlighted the ethical considerations for the study. This paves way for the next chapter which is on origins, nature and development of ethnic identity in Kenya.

CHAPTER TWO

ORIGINS, NATURE AND THE DEVELOPMENT OF ETHNIC IDENTITY IN KENYA SINCE 1963

2.1 Introduction

The pious chapter underscored the introductory part of the study. This chapter, dealt with ethnic identity in Kenya which stands as a formidable challenge, deeply entrenched within the country's socio-political fabric since its independence. This chapter delves into the intricate layers of this phenomenon, seeking to understand its nature, origins, and subsequent development over time. Kenya's landscape is dotted with diverse ethnic groups, each holding unique cultural identities and historical narratives. However, beneath this rich embroidery lies a complex web of divisions and rivalries that have shaped the nation's trajectory. The origins of ethnic identity in Kenya can be traced back to the colonial era, marked by the implementation of divisive policies that sowed the seeds of ethnicity and favouritism. These policies laid the groundwork for the politicization of ethnic identity, a trend that gained momentum in post-independence Kenya. The era of one-party rule witnessed the entrenchment of ethnic politics, with the ruling elite exploiting tribal allegiances to maintain power.

As Kenya transitioned into a multiparty state, ethnic politics evolved, giving rise to ethnic parties, coalitions, and voting blocs. Ethnic favouritism further exacerbated tensions, perpetuating disparities in resource allocation and political representation. Succession politics became entangled with ethnicity, deepening divisions and fuelling power struggles.

To overcome ethnic politics, Kenya must embark on a journey of reform. This includes addressing electoral systems, nurturing multi-ethnic political parties, promoting merit-based public appointments, empowering local communities through devolution, and fostering inter-ethnic relations. By unravelling the complexities of ethnic identity and implementing targeted strategies, Kenya can strive towards a more cohesive and inclusive society. With the use of Interpretivism ideas, the study chapter was underscored by the use of The Instrumental Marxism Theory.

2.2 Origin of ethnic identity in Kenya

The political exclusion of many ethnic communities in Kenya is the legacy of colonial rule and a decade long centralized, ethnicized, and personalized presidential system.³⁰⁸ The presidency was used for the political and material benefit of the holder of the office and his close political associates, often belonging to the ethnic community from which the president hailed.³⁰⁹ The British, as part of their divide and rule colonial policy, chose individuals from specific ethnic communities, to the exclusion of others to allow access to the country's political and administrative institutions, as a reward for this collaboration.³¹⁰

The formation of the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU) in the early 1960s exemplifies the complex interplay between ethnicity and politics in Kenya.³¹¹ KANU, founded in 1960 and primarily supported by the

³⁰⁸Westen Shilaho Kwatamba, "Ethnicity and political pluralism in Kenya." *Journal of African elections* 7, no. 2 (2008): 77-112., p.80.

³⁰⁹KNA, DC/EN/1/1: Elgon Nyanza District Annual Report, 1958.

³¹⁰Mary E. Stuckey, *Defining Americans: The presidency and national identity*. University Press of Kansas, 2023., p.67.

³¹¹Njagi, Samuel M. "The Role of Politicized Ethnicity on Conflict in Africa: a Case Study of Kenya, 1992-2013." PhD diss., University of Nairobi, 2018, p.107.

Kikuyu and Luo ethnic groups, sought a centralized government structure, which reflected the interests of the larger and more dominant communities. The formation of KANU can be seen as an effort to consolidate power among these groups, leveraging their numerical and political strength to shape the new nation's governance.³¹²

Conversely, KADU emerged in 1960 as a coalition of smaller ethnic groups, including the Kalenjin, Maasai, and coastal communities, who feared marginalization in a KANU-dominated government.³¹³ KADU advocated for a federal system, or *majimboism*, which aimed to protect the interests of minority groups by granting them more autonomy within their regions.³¹⁴ This illustrates how ethnic considerations significantly influenced the political landscape during Kenya's transition to independence.

The rivalry between KANU and KADU highlighted the challenges of forging a national identity amidst diverse ethnic loyalties. According to historian Bethwell Ogot, "the ethnic factor was at the core of political organization" in Kenya during this period.³¹⁵ This dynamic underscore the enduring impact of ethnicity on Kenyan politics, as seen in the persistent regional and ethnic alignments in subsequent electoral contests. The formation of these parties thus reflects the central role of ethnicity in shaping Kenya's political evolution.

An FGD while the researcher was involved in a discussion over the preceding secondary source, posited that:

³¹²Ibid., p.109.

³¹³Tuli, Albert. "International human rights and state management of internal conflict: a case study of the ethnic clashes in Kenya, 1991-1997." PhD diss., 2005, p.93.

³¹⁴Ibid., p.97.

³¹⁵Ogot, Bethwell A., and William Robert Ochieng, eds. *Decolonization & independence in Kenya, 1940-93*. Ohio State University Press, 1995, p.87.

After independence, Jomo Kenyatta, the first Kenyan President, largely maintained the colonial political and economic structures, and chose to politically and economically empower himself and those, mainly, from his ethnic community - the Kikuyu - to the exclusion of others. To this effect he abolished the Independence Constitution that provided for a semi-federal political system and centralized all political powers in his office. He justified the centralization of powers by the ideal of nation building, a project that was predicated on a denial of the ethnic diversity of the Kenyan people. Dubbed pejoratively *majimboism*, the semi-federal system was viewed as a system that would exacerbate the ethnic cleavages of the Kenyan people and sabotage the nation-building project.³¹⁶

Therefore, since Kenyan's independence in 1963, Kenyan politics has been bedeviled by ethnic politics as a result of ethnic polarization and sentimental coloration of all national issues. This problem has been one of the major factors inhibiting national cohesion and integration and overall national development in Kenya. Kenyan politics is tainted with ethnic sentiments and politically induced disharmony. Ethnic politics has been one of the factors responsible for poor socio-economic development.³¹⁷ While ascertaining the above discovery made by the research, oral source, Peter Kemei informed the researcher that:

Ethnic politics was deliberately introduced and propagated in the Kenyan political system by the British colonial government through its divisive 'divide and rule' policy to actualize colonial and imperialist economic and political objectives. The origins of ethnic consciousness as manifested in Kenya's political processes lay partially in the arbitrary way in which the British colonialists based administrative boundaries and local government on cultural and linguistic lines, a decision informed by an assumption that Africans lived in ethnic groups, so ethnic groups must constitute the basis of colonial administration.³¹⁸

³¹⁶FGD with WAA CBO Leaders at Farm View Hotel, Busia (K), on 10/1/2024.

³¹⁷Abdallah Kheri, "Status of Muslim in Kenya politics and the election phobia of postelection violence in the 2017 general election." *International Journal of Recent Research in Social Sciences and Humanities* (IJRSSH) 4, no. 2 (2017): 160-173., p.165.

³¹⁸Peter Kemei, O.I, in Kakamega Town, On, 12/11/2023.

These vices were continued on an even larger scale by post-colonial political leaders who failed to inculcate national cohesion and unity due to their pursuit of sectarian and self-interests at the expense of the nation-building project. Further, the study noted that, efforts by the successive regimes to advance a national identity have proved futile as all of them have worked to calcify it through its exploitation and politicization. The crux of this study argument is that ethnicity has, over time, been used by the self-aggrandizing political elite for self-serving interests.

Another opinion to this study and point in question was put forward by a key informant, Taabu Mafimbo, who reiterated to the researcher that; before 2007-2008, Kenya was among the few African countries that for a long period of time had enjoyed significant amounts of quiescence since independence. It has been regarded as an oasis of peace in a turbulent region. This was extraordinary going by the quantity of political violence, protracted conflicts, and civil wars that had occurred in the continent. However, Kenya had also seen its share of turbulent times that began as soon as the country attained independence under the Kenyatta regime (1963-1978). This period was largely characterized by the suppression of plural democracy resulting in a one-party state, political assassinations, and monopolization of the media by the state.³¹⁹

In 1978, Moi's regime took over and furthered Kenyatta's machinations with some enhanced degree of brutality, a situation that triggered what came to be known as the clamor for multi-party democracy from the early 1980s. From the works of Throup and Hornsby, by the early 1990s, the clamor gained momentum and transmogrified into open rebellion, and an ethnicized brand of politics due to the marginalization of some ethnic

³¹⁹Taabu Mafimbo, O.I, in Busia Town, On, 15/11/2023.

groups.³²⁰ It is further opined that the political climate of the 1990s served to put the country on a dangerous political path that led to political and ethnic bigotry. It emerged those pockets of political violence and ethnic clashes in some parts of the country for example in Rift valley.

Following unprecedented internal and external pressure the then President Daniel Toroitich Arap Moi allowed for the repeal of section 2 A of the Constitution of Kenya and thus multi-party politics was ushered in the country.³²¹ There was an election in 1997 that had significant violence, particularly in the coast and Rift Valley region. The 2002 General Election was the most peaceful election in Kenya. The transfer of power was also very smooth.

From the writings of Peter Mbogo works, the 2007/2008 the post-election violence that ensued in the wake of divisive presidential elections highlighted the extent of the ethnic divisions that had largely been ignored in the past as the country stood at the precipice of a civil war.³²² The human cost was enormous with over 1000 people losing their lives in less than two months and hundreds of thousands being displaced. Yet, the violence also revealed the deeply entrenched structural decay that engulfed the country from the dysfunctional electoral institution, the insidious culture of impunity, ethnicization of politics, and power to imperious presidency and corruption.³²³ From this information, a respondent informed this researcher that:

³²⁰David Throup and Charles Hornsby. "Multi-party politics in Kenya: The Kenyatta & Moi States & the triumph of the system in the 1992 election." (No Title) (1998)., p.92.

³²¹P. C. Rwigema, "The pros and cons of elections: Kenya general elections (August 2022)." *The Strategic Journal of Business & Change Management* 9, no. 3 (2022): 397- 446., p.400.

³²²Peter Mbogo, "Women Waging Peace in a Post-election Conflict: The Case of Naivasha, Nakuru County, 2007-2017." PhD diss., University of Nairobi, 2022., p.56.

³²³Adem Gok. "The role of governance on inward foreign direct investment." (2006)., p.78.

In 2008, after the restoration of peace by the panel of eminent personalities led by the late Koffi Anan, Kenya was presented with an opportunity to begin a new chapter of robust constitutional and institutional reforms: packaged in a four-item agenda. Although some significant achievements were registered - promulgation of the new constitution in 2010, reconstitution of the electoral body as well as other institutions like the judiciary and police -the country was still faced the almost similar challenges of 2007 during the 2013 general elections.³²⁴

It is also worth noting that the 2017 election ushered the country into another political dilemma after the results of the elections were nullified by the Supreme Court judges led by Chief Justice David Maraga, citing deep irregularities and utter mendacity. The country was again at the precipice until 9th March 2018 when the historic symbolic ‘handshake’ between President Uhuru Kenyatta and former Prime Minister Raila Odinga took place. In their speeches, grand corruption, ethnicity, and ethnicized politics were among the issues that these two leaders identified as having adverse effects on the country’s social, political, and economic development.³²⁵ The legacy of colonial rule, marked by the British divide and rule policy, entrenched ethnic divisions by favoring certain communities for political and administrative positions. Post-independence, leaders like Jomo Kenyatta maintained centralized power structures, perpetuating exclusionary politics that favored their own ethnic groups, notably the Kikuyu.³²⁶

Ethnic politics, fueled by colonial legacies and post-colonial leadership, hindered national cohesion and development. The instrumentalist perspective highlights how ethnicity was deliberately propagated by colonial powers to serve their political and economic interests.

³²⁴Shadrack Oruko, O.I, in Koyonzo Kakamega, on 1/12/2023.

³²⁵Kisaka, Michael Otieno, and Israel Nyaburi Nyadera. "Ethnicity and politics in Kenya’s turbulent path to democracy and development." In *Journal of social policy conferences*, no. 76, Istanbul University, 2019, pp. 159-180, p.171.

³²⁶Khadiagala, Gilbert M. "Political movements and coalition politics in Kenya: entrenching ethnicity." *South African Journal of International Affairs* 17, no. 1 (2010): 65-84., p.68.

Moreover, post-independence leaders continued to exploit ethnicity for personal gain, calcifying ethnic identities and perpetuating divisions. The transition to multi-party democracy in the 1990s brought both hope and challenges. While it allowed for greater political participation, it also exacerbated ethnic tensions, leading to pockets of violence and instability, particularly during elections. The 2007 post-election violence exposed deep-seated ethnic divisions, pushing the country to the brink of civil war.³²⁷

However, moments of crisis also presented opportunities for reform. The 2008 peace agreement, facilitated by international mediators, paved the way for constitutional and institutional reforms aimed at addressing the root causes of political turmoil. The symbolic "handshake" between President Uhuru Kenyatta and former Prime Minister Raila Odinga in 2018 signaled a commitment to overcoming ethnicized politics and corruption, albeit with ongoing challenges.

In conclusion, Interpretivism and the Instrumental Marxism Theory shed light on the historical and structural factors underlying Kenya's ethnic identity. By understanding the instrumental use of ethnicity in politics and embracing pragmatic solutions aimed at fostering national unity and inclusivity, Kenya can navigate towards a more stable and prosperous future.

³²⁷Kamau, Lucy W. "Impact of election conflicts in Africa: a case study of Kenya's post-election violence recovery, 2000–2012." PhD diss., University of Nairobi, 2013, p.89.

2.3 Nature of Ethnic Identity in Kenya

Like most African countries, Kenya is multi-ethnic. In identity studies, Kenya is considered to be one of the most ethnically fragmented society in Africa.³²⁸ According to Kilikinji Wekhanya, the exact number of ethnic groups in Kenya is a contested issue. For quite a long time, it was thought or claimed that the number stood at 42.³²⁹ This figure is said to have originated from the questionnaire administered during the 1969 population census. A consensus seems to have emerged in recent years that there are more than 42 ethnic groups in the country.³³⁰ As such, the questionnaire or data sheet for the 2009 population census listed no less than 111 ethnic groups. The expansion of the list of ethnic groups from 42 in 1969 to at least 111 in 2009 is partly the fruit of the struggles by historically marginalized communities, such as the Endorois, Ogiek, and Sengwer, to be officially recognized by the state.³³¹ Based on the secondary preceding secondary source, a respondent posited that:

It similarly reflects the ever-growing assertion by certain sub-groups that they are actually distinct or different from the larger groups into which they were subsumed during the colonial period. For instance, the 2009 population census included figures for the Marachi, Maragoli, Marama and other groups which were piously counted as part of the Luhya ethnic group. It also included Mijikenda and Kalenjin sub-groups, such as the Boni, Choli, and Dahalo, and the Kipsigis, Marakwet, and Nandi, respectively.³³²

The compilation of an extended list for purposes of the 2009 population census begs the following question: what precisely defines one's ethnic identity and his or her membership

³²⁸Githieya, Kimari. "Youth Identities in an Urbanizing and Ethnically Fragmented Society: a Case Study of Kenya." PhD diss., University of Nairobi, 2021., p.106.

³²⁹Kilikinji Wekhanya, O.I, in Miluki Bungoma, On, 12/1/2024.

³³⁰Mary Muyonga, Alfred Otieno and George Odipo. "Inequality and migration in Kenya: Investigating the subnational associations using census data." *F1000Research* 10 (2021): 1208 – 1230, p.1213.

³³¹George Mukundi Wachira, "Vindicating indigenous peoples' land rights in Kenya." PhD diss., University of Pretoria, 2009., p.93.

³³²Maurice Makhanu, O.I, in Bumula Bungoma, On, 12/1/2024.

in an ethnic group? It emerged that, a simple and primordial answer to this question is that one is born with an ethnic identity. This means that ethnic identity is not only natural and immutable but it is also defined by one's culture, biological heritage, and territorial roots.³³³

While affirming the above observation by the study, a key informant retorted that:

Various categories of social scientists do not easily buy this answer although it is a popular one especially amongst politicians. Instrumentalist scholars define the ethnic identity of an individual or group in terms of its relationship with the identity of other individuals or groups. Seen in this light, ethnicity is a subjective way of interpreting a group's identity, often in the hope of maximizing the members' interests. In other words, individuals choose to associate with a certain ethnic identity because of the incentives and advantages it offers.³³⁴

As Lynch correctly points out however, an ethnic group should not be confused with an ordinary interest group. Over and above shared interests, there must be ties that bind together an ethnic group such as language and culture.³³⁵ Other ties include an idea of blood ties and a shared past, of common descent and a history of union. A third and dominant approach to understanding ethnic identity is based on the argument that identities are socially constructed. The definitions of ethnic identity are insufficient particularly because they do not appreciate the fact that identities can and do often evolve. Ethnic identity evolves because the factors that define it, such as social relationships, the everyday practices of perceiving and treating others, and the institutions in which we are embedded, change over time.³³⁶

³³³George Mukundi Wachira, (2009). *Op. Cit.*, p.97.

³³⁴Maurice Makhanu, O.I, in Bumula Bungoma, On, 12/1/2024.

³³⁵KNA, DC/NN/2/5: North Nyanza Handing Over reports, 1952.

³³⁶Verkuyten, Maykel. *The social psychology of ethnic identity*. Routledge, 2018., p.34.

According to Lynch, ethnic identities are complex and contested social constructions, perpetually in the process of creation.³³⁷ Karega-Munene similarly notes that ethnic identity is fluid and malleable and, therefore, negotiable, contestable, destructible and re-constructible.³³⁸ Based on Lynch and Karega-Munene, a respondent stated that: In essence, people play an important role in constructing ethnic identities, a role that may include giving names or labels to such identities, and is defined by social, cultural, economic, and political experiences. This author adopts, as many others do, a view of ethnic identity that blends the instrumentalist and constructivist approaches.

If ethnic identities are socially constructed, then it should be possible to speak, as Karega Munene does, of production of ethnic identity, and to point to particular moments in history when certain ethnic groups claimed to be or emerged as distinct entities. For example, the term Kalenjin, which is now widely associated with the Nandi-speaking peoples, and partly created by the colonial administration, served as a form of ethnic identity in the 1940s and 1950s for a small group of academic and political elites such as Daniel Arap Moi and Taita Towett. The term gained popularity from mid-1950s when these politicians promoted its use in order to establish a broader political base.³³⁹

From the above assertions the 1979 and with Moi as the President, the national population census included a category called Kalenjin for purposes of disaggregating ethnic

³³⁷Gabrielle Lynch, "Negotiating ethnicity: Identity politics in contemporary Kenya." *Review of African political economy* 33, no. 107 (2006): 49-65., p.53.

³³⁸Karega Munene. "Museums in Kenya: spaces for selecting, ordering and erasing memories of identity and nationhood." *African studies* 70, no. 2 (2011): 224-245, p.228.

³³⁹Wanyonyi Wamamili, O.I, in Webuye Bungoma, On, 30/1/2024.

affiliation.³⁴⁰ From the findings recorded by the study, an oral source informed the researcher that:

The terms Luhya and Sabaot, coined in the 1920s and 1940s respectively, evolved in more or less the same fashion. As mentioned earlier, certain sub-groups within the Kalenjin and Luhya ethnic groups have in the recent past insisted on being recognized as separate and distinct ethnic identities. Members of the Endorois, Sengwer, and Ogiek sub-groups, for instance, now largely regard themselves as ethnically separate from the Kalenjin. The Mbeere and Tharaka have also sought to differentiate themselves from the Embu and Meru, respectively.³⁴¹

It is observed that, these detachments point to the fact that ethnic identity is at its core a matter of personal choice, individuals and groups have the autonomy to choose an ethnic identity of their preference and may adopt multiple identities. An individual may describe himself as a Kikuyu, Kenyan, farmer, and East African, all at once. However, the Kenyan High Court has frowned upon the idea that ethnic identity is a matter of personal choice.³⁴² Furthermore, based on the preceding discussion, it emerged to the study through Dismus Aluku that; in a case concerning the ethnic identities of certain individuals appointed to public office, a High Court judge observed that allowing people to choose their ethnic identities will run counter to the constitutional objective of ensuring regional or ethnic balance in the public service because persons may be able to choose their ethnicity or regional background depending on the benefit that may accrue to them. Despite what may be seen as the gradual identity of the Kalenjin ethnic group, some people chose to be identified as Kalenjin for purposes of the 2009 population census. They did so

³⁴⁰Samantha Balaton-Chrimes and Laurence Cooley. "To count or not to count? Insights from Kenya for global debates about enumerating ethnicity in national censuses." *Ethnicities* 22, no. 3 (2022): 404-424., p.407.

³⁴¹Nicholas Aswani, O.I, in Nambale Busia, On, 27/11/2024.

³⁴²Gabrielle Lynch, "The fruits of perception: 'ethnic politics' and the case of Kenya's constitutional referendum." *African Studies* 65, no. 2 (2006): 233-270., p.257.

notwithstanding the fact that they were at liberty to alternatively indicate that they belonged to one of the sub-groups that comprise the Kalenjin.³⁴³

Similarly, there are those who preferred to be identified as Luhya or as Mijikenda as the case may be. Interestingly, slightly more than 600,000 people or 1.6% of the total population stated that their ethnic affiliation is Kenya.³⁴⁴ This choice is interesting because ethnic identity is often considered to be the primary alternative to national identity.³⁴⁵ However, a 2008 scientific survey by Bratton and Kimenyi find no evidence that ethnic identity and national identity are mutually exclusive in Kenya.³⁴⁶ It is curious, though, that the percentage of the population that described itself as Kenyans in the 2009 census (1.6%) is significantly lower than what Bratton and Kimenyi found in their survey. In particular, as high as 22% of the sampled people claimed that they feel only Kenyan and nothing else.³⁴⁷ Even a higher percentage, 29% to be exact, said that they feel more Kenyan than anything else. Only a paltry 12% indicated that they preferred their ethnic identity over the national identity.³⁴⁸

The 2009 population census placed Kenya's total population at 38.6 million. Like the five national population surveys preceding it, the 2009 census revealed that five large ethnic groups account for more than 66% of the country's total population (See Table below). The Big Five, as they are sometimes called, are: Kikuyu (17.7%), Luhya (14.2%), Kalenjin

³⁴³Dismus Aluku, O.I, in Musokoto Busia, On, 6/1/2024.

³⁴⁴Paul Njoroge Muiru, "The social, cultural and economic impact of ethnic violence in Molo Division, 1969–2008." PhD diss., MA. thesis]. Nairobi: Kenyatta University. <https://ir-library.ku.ac.ke/handle/123456789/6863>, 2012., p.92.

³⁴⁵KNA, DC/EN/1/1: Elgon Nyanza District Annual Report, 1956.

³⁴⁶Michael Bratton and S. Mwangi Kimenyi. "Voting in Kenya: Putting ethnicity in perspective." *Journal of Eastern African Studies* 2, no. 2 (2008): 272-289., p.278.

³⁴⁷Ibid, p.279.

³⁴⁸Ibid, p.281.

(13.3%), Luo (10.8%), and Kamba (10.4%). Other relatively big ethnic groups are the Somali (6.4%), Kisii (5.9%), Mijikenda (5.2%) and Meru (4.4%). This ethnic configuration has direct implications on Kenyan politics, and especially, on the formation of political parties or coalitions and voting patterns.

Table 1: Population share of the five big ethnic groups in Kenya

Ethnic group	% share of national population					
	1962	1969	1979	1989	1999	2009
Kikuyu	19.0	20.1	20.9	20.8	18.5	17.7
Luhya	12.6	13.3	13.8	14.4	14.2	14.2
Luo	13.3	13.9	12.8	12.4	10.8	10.8
Kamba	10.8	10.9	11.3	11.4	10.3	10.4
Kalenjin	10.5	10.9	10.8	11.5	12.1	13.3
Total	66.2	69.1	69.6	70.4	65.9	66.4

Source³⁴⁹

It is also important to mention that, controversy has almost always accompanied the release of the official population figures of ethnic groups. The results of the 1989 census, for example, was bitterly disputed because it showed that the highest growth rates were amongst those ethnic groups aligned to the government at the time (Kalenjin, Maasai and

³⁴⁹Kanyinga Karuti, (2006:354) and NCIC (2016:29)

Luhya).³⁵⁰ A further bone of contentionolved around the fact that the Kalenjin had displaced the Kamba as the fourth largest ethnic group. According to Eric Wasike:

The census was conducted in August 1989 but the results were released four years later (1994), a fact that led many to believe that the government had adjusted the true results for partisan political reasons. For the 1999 census, the government chose not publish data relating to ethnic groups. Like the 1989 census, the results of the 2009 elicited considerable controversy. The census report indicated that the results for eight districts located in what are now Garissa, Mandera, Wajir and Turkana counties presented implausibly high or low growth rates which deviated significantly from the patterns portrayed not only by the rest of the country but by their respective neighboring districts as well.³⁵¹

On this basis, the government not only advised that the results should be treated with caution but also went ahead to cancel them altogether. A few residents of the eight districts successfully applied for a High Court order barring the government from circulating or using any other results apart from those contained in the report of the 2009 census. In the end, however, the Court of Appeal lifted the High Court order.³⁵²

The expansion of ethnic groups listed in the 2009 census, underscores the contested nature of ethnic identity. While some argue for a primordial view, suggesting ethnicity as inherent and immutable, instrumentalist scholars assert that ethnic identity is subjectively constructed to maximize individual or group interests.³⁵³ The emergence of distinct ethnic identities, such as the Kalenjin and Luhya, illustrates how social relationships and historical contexts contribute to identity formation. However, the autonomy of individuals to choose their ethnic identity, as observed by the High Court, raises concerns about the potential

³⁵⁰Ibid

³⁵¹Eric Wasike, O.I, in Chwele Bungoma, On, 19/1/2024.

³⁵²Mettler, Suzanne. *The government-citizen disconnect*. Russell Sage Foundation, 2018, p.87.

³⁵³Lewin-Epstein, Noah, and Yinon Cohen. "Ethnic origin and identity in the Jewish population of Israel." *Journal of Ethnic and Migration Studies* 45, no. 11 (2019): 2118-2137., p.2122.

manipulation of ethnicity for personal gain, undermining constitutional objectives of regional and ethnic balance.³⁵⁴

Despite the diverse ethnic affiliations recorded in the census, a significant portion of the population identifies primarily as Kenyan, indicating a growing sense of national identity alongside ethnic attachments. This challenges the notion of ethnic identity as the sole alternative to national identity, suggesting a more nuanced understanding of identity politics in Kenya. In navigating the complexities of ethnic identity, a pragmatic approach informed by these theoretical perspectives can pave the way for inclusive policies and social cohesion.³⁵⁵

2.4 Development of Ethnic Identity in Kenya

Ethnic identity has long been regarded as a powerful force in the politics of many countries. Across the world, and certainly in Africa, ethnic identity is frequently used or manipulated by political elites to achieve or pursue partisan ends.³⁵⁶ This practice is what is commonly referred to as politicization of ethnic identity or simply as ethnic politics. In the literature, Mozaffar offers a relatively good articulation of what politicization of ethnic identity entails.³⁵⁷ It is observed that politicization of ethnic identity is a strategically rational behavior involving the contingent (as opposed to the reflexive) activation of objective ethnic markers by political elites to form groups, define group interests, and organize collective action to advance political goals.

³⁵⁴Ibid

³⁵⁵Ibid., p.2125

³⁵⁶Elischer, Sebastian. *Political parties in Africa: Ethnicity and party formation*. Cambridge University Press, 2013, p.67.

³⁵⁷Shaheen Mozaffar, *How context mediates the effects of electoral institutions on the structure of party systems in Africa's emerging democracies*. 2004., p.13.

Ethnic politics is a sub-set of identity politics which may be organized around any of the following identity markers: race, religion, gender, age, ethnicity, and so forth.³⁵⁸ As Odindo Ignatius puts it:

Ethnic politics is animated by the claim that it represents and seeks to advance the interests of particular groups in society, the members of which often share and unite around common experiences of actual or perceived social and economic injustice, relative to the wider society of which they form part of and exist. There are a number of features that are always present in societies in which ethnic politics is deeply embedded.³⁵⁹

The focus is on three major features. To begin with, political parties draw the majority of their membership from and are founded to basically advance the interests of specific ethnic groups, and by extension, to counter the interests of perceived enemy ethnic groups. What distinguish parties in such societies are who rather than what they represent. In many instances, there are no major variations in the ideologies and programmatic policies that different political parties subscribe to or seek to pursue.³⁶⁰ With parties playing the ethnic card, almost everything else in the political arena ends up taking an ethnic flavor. Porus Walela informed the researcher that; when and where ethnicity and race are politicized and that politicization is institutionalized in the party system, the political landscape becomes frozen along an ethnic dimension. A good number of scholars agree, and empirical evidence suggests, that such a situation is generally bad for democracy. Amongst other things, politicization of ethnic identity significantly diminishes citizens' trust in and satisfaction with political processes and institutions. At its worst, politicization of ethnic

³⁵⁸Ibid

³⁵⁹Ignatious Odindo, O.I, in Ukwala Siaya, On, 18/11/2023.

³⁶⁰KNA, DC/EN/1/1: Elgon Nyanza District Annual Report, 1959.

identity foments deadly conflicts. Second, elections are by and large decided by ethnic votes. Ethnic groups vote as a block, and in many cases, for one of their own.³⁶¹

This practice reduces elections to what Horowitz referred to as ethnic census in his 1985 book *Ethnic Groups in Conflict*.³⁶² In other words, elections are simply a head count of the individual members of competing ethnic groups. Ethnic voting is often directly linked to the ethnic nature of political parties. To affirm Horowitz views, a respondent informed the researcher that:

With no rational basis for distinguishing between political parties, a voter has little choice but to vote for the party that presumably represents the interests of his or her ethnic group. Ethnic voting is also a product of ethnic mobilization especially during campaign periods. Politicians marshal voters around ethnic identities and stoke fear of rival ethnic groups.³⁶³

On their part, voters rally behind political elites from their own ethnic groups if only to ensure that rival ethnic groups do not ascend to or continue to retain power. This position was further opined by a respondent that; even if voting for one of their own does not necessarily translate into direct material benefits to them, voters still do so because of expected symbolic benefits: There is the feel -good factor about having one of our own in charge of the state apparatus or a public office – it is a psychological status symbol. Third, the exercise of political power often translates into ethnic hegemony because where there are ethnically dominated party systems, one's ethnic group is either in or out of power. To be in power means to use (or misuse) state authority to access and channel resources, public goods, services and other benefits almost exclusively to one's own ethnic group or to the

³⁶¹ Porus Walela, O.I, in Komora Centre Eldoret, On, 30/1/2024.

³⁶² Jeremy Horowitz, "Ethnic Groups and Campaign Strategy in Kenya's 2007 Election." Working Group in African Political Economy Working Paper 17 (2009)., p.5.

³⁶³ Jane Knight, O.I, in Karen Nairobi, On, 13/11/2023.

relevant alliance of ethnic groups. It also means that public service appointments are significantly influenced by ethnic identity as patronage and favoritism take center stage in appointments and recruitments.³⁶⁴

Over time, these practices result in deep inequalities which in turn provide further basis and reason for politics to be organized around ethnic identity. In this regard, the following words of another respondent, Lucas Ochieno are instructive. He said that:

Politicization of ethnicity often takes place in a situation characterized by an inequitable structure of access. Such a structure gives rise to the emergence of the "in group" and the "out group" with the latter trying to break the structure of inequality as the former responds by building barriers to access that ensure the continuation of its privileged position. At the center of this scenario are the elites who, feeling excluded or threatened with exclusion, begin to invoke ethnic ideology in the hope of establishing a "reliable" base of support to fight what is purely personal and/ or elite interests. Ethnic favoritism and patronage in the provision of public services and social goods also account for the failure of many African countries, Kenya included, to nurture a strong national identity amongst all its citizens. Politicization of ethnic identity has the effect of deepening tensions between national and ethnic identities.³⁶⁵

Thus, from the above assertion that proceeded from the premise that the most visible reminder of the state in Africa is the availability of public services, Peterson found that where individuals self-identify first and foremost as belonging to a specific ethnic group, this ethnic identification reduces if they are reminded of the range of public services which are available at their disposal.³⁶⁶

³⁶⁴Mary Nakhumicha, O.I, in Kitengela Kajiado, on, 9/11/2023.

³⁶⁵Lucas Ochieno, O.I, in Matayos Busia, On, 6/1/2024.

³⁶⁶Kristin Langellier and Eric Peterson. *Storytelling in daily life: Performing narrative*. Temple University Press, 2004, p.76.

In conclusion, it is important to note that ethnic politics is often contrasted with issue-based politics. In this context, issue-based politics is defined as programmatic style of politics. Therefore, the main feature of issue-based politics is the focus on values, principles, ideologies, policies, and issues of the day, rather than on personalities and their ethnic identities.³⁶⁷ If Kenya were to fully embrace issue-based politics, as opposed to ethnic politics, some of the major issues that elections would probably revolve around the provision of basic needs, infrastructural development, unemployment, corruption, and leadership qualities as articulated in Chapter Six of the 2010 Constitution of Kenya.

2.4.1 Politicization of Ethnic Identity in Kenya

Kenya is one of the African countries with a deeply embedded practice of ethnic politics. Political elites have traditionally used ethnic identity to pursue partisan ends to the extent that it is near impossible to discuss Kenyan politics without reference to the notion of ethnic identity.³⁶⁸ Historical accounts trace the emergence of ethnic politics back to the colonial period. Additionally, the study was informed by Rose Omamo, that; prior to the imposition of colonial rule in Kenya, ethnic groups were largely egalitarian and interacted amongst each other in multiple ways including through migration, intermarriage and even warfare. These interactions were rarely loaded with the ideological notion of ethnic other because ethnic identities were fluid and flexible.

Intersections between politics and ethnic identities were very limited and less visible or pronounced than they are today. Conceptions of power were different from those that the

³⁶⁷Ibid., p.78.

³⁶⁸Walter O. Oyugi, "Ethnicity in the electoral process: The 1992 general elections in Kenya." *African Journal of Political Science/Revue Africaine de Science Politique*, (1997): 41-69, p.43.

colonialist introduced. In particular, to be in power, if such a notion ever crossed the minds of pre-colonial societies, basically meant that one presided over intricate networks of clientage involving reciprocal but unequal relations with 'small boys', as well as power over women and children, and those held in the diverse forms and degrees of servitude, pawnship, and slavery.³⁶⁹

It is affirmed that colonial policies, rules and practices significantly altered African conceptions of ethnic identities and power. On its establishment, the colonial state began to define and regulate almost all aspects of people's lives, including their ethnic identity, occupation, movement, and access to resources. With time, the encounter between the state and African societies resulted in the birth of ethnic politics.³⁷⁰ The preceding finding is in line with Wanyonyi Wamamili as shown in plate 2, who explains broadly after an interview with the study on how this happened. He asserted that:

The state in colonial Africa, within the broader context of the intrusion of capitalist modernity, was the central institutional force in the organization, production and distribution of social resources. It also shaped the accompanying changes in the social criteria of access to those resources; and the resulting social structural differentiation between individuals and communities. By authoritatively defining rules of behavior that specified for Africans what was required, prohibited and permitted, the colonial state structured the choices of individuals by constructing social, economic and political situations; assigning individual roles and identities; and defining the choice of goals, strategies and behaviors.³⁷¹

In so doing, that state delineated the strategic contexts in which ethnicity was or was not salient, and molded the choices of political actors with regard to both the ascriptive markers

³⁶⁹Rose Omamo, O.I, in Kisumu Nyalenda, on, 17/11/2023.

³⁷⁰KNA, DC/NN/1/19: North Kavirondo District Annual Report, 1937.

³⁷¹Wanyonyii Wamamili, O.I, in Webuye Town, Bungoma, On, 30/01/2024.

of ethnicity and the organizational forms in which it was expressed. Moreover, it emerged to the study that this shaped, in turn, the scope of ethnic politics, its relationship with other social cleavages, and the complex interaction of ethnic identities and interests. Put differently, the colonial state begun to politically deploy ethnic identity in a manner that was neither possible nor necessary before. But what exactly did the colonial state require, prohibit and permit in relation to ethnic identities?



Plate 2: Oral interview with a respondent, Dr. Wanyonyi Wamamili, Webuye Town, Bungoma (K) on 30th January, 2024

To begin with, colonial administrators actively encouraged Africans to think and act ethnically.³⁷² This assertion was confirmed by a respondent who postulated:

They downplayed or accentuated commonalities and differences between ethnic groups depending on the circumstances. They also perpetuated ethnic stereotypes, by instance, allocating jobs on the basis of one's ethnic identity.³⁷³

Perhaps more importantly, in a bid to stem resistance and the possibility of a united struggle against it, the colonial administration applied the divide and rule policy which entailed creating administrative units demarcated along ethnic lines.³⁷⁴ According to the archival data, the study found out that; ...this policy had several lasting implications insofar as the origins of ethnic politics are concerned. First, it led to the amalgamation and classification of numerous ethnic communities under new common names or labels. The Bantu-speaking groups assigned to the North Kavirondo region became collectively known as the Luhya. The Nandi-speaking groups were labelled the Kalenjin. In essence, when the colonial administration thought two or more communities had some close affinity, they lumped them together. That this was an official policy of the colonial administration is patently evident, for instance, from the pages of the report of the committee established in 1929 to examine the Ndorobo question. This committee recommended that where possible, the Dorobo should become members of, and be absorbed into, the ethnic group with which they have the most affinity.³⁷⁵

³⁷²Evans, Ivan. *Bureaucracy and race: Native administration in South Africa*. Vol. 53. Univ of California Press, 2023, p.51.

³⁷³Robert Kioko, O.I, in Nairobi, on, 8/11/2023.

³⁷⁴Gbenenye, Emmanuel M. African colonial boundaries and nation-building. *Inkanyiso* 8, no. 2 (2016): 117-124, p.121.

³⁷⁵KNA, DC/NN/2/15: North Kavirondo District Annual Report, 1937.

The execution of the policy necessarily required the colonial state to employ African chiefs and headmen to administer sub-divisions and villages on its behalf.³⁷⁶ From the archival source:

The chiefs and headmen reported to European district administrators or commissioners. The nature of this relationship is the foundation of present-day political and ethnic patronage. To win and maintain their loyalties, European administrators frequently extended goodies and benefits to chiefs and headmen. The chiefs and headmen often accepted these benefits, and with time, they became amongst the wealthiest people in society. This practice planted the idea amongst Africans that the state was the primary custodian and distributor of the benefits of modernity and development. More importantly, it succeeded in sending the message that patronage was the foremost avenue for accessing state resources and benefits. Third, the divide and rule policy propagated the idea that certain ethnic groups are the true owners of specific geographical parts of the country. Ethnic identity played a crucial role in the colonial demarcation of administrative units such as districts and provinces.³⁷⁷

The country was divided into eight provinces. Predictably, each province ended with a dominant ethnic group. For instance, the Kalenjin were the majority ethnic group in Rift Valley, the Luhya in Western, the Kikuyu in Central, and the Mijikenda in the Coast.³⁷⁸ The table below shows the dominant ethnic group in each province.³⁷⁹ To date, provinces and districts are associated with specific ethnic groups and this information is also in official government documents. For instance, the ethnic and diversity audit reports of the National Cohesion and Integration Commission use the home district original of government employees as the proxy for their ethnic identity.

³⁷⁶Ibid

³⁷⁷KNA, DC/NN/3/18: North Kavirondo District Annual Report, 1937.

³⁷⁸Ibid

³⁷⁹John Oucho, "Evidence and Pattern of Ethnic Conflicts in Kenya." In *Undercurrents of Ethnic Conflict in Kenya*, Brill, 2002., pp. 70-97., p.75.

Table 2: Dominant ethnic group in each region

Province	Dominant ethnic	Group Percentage
Central	Kikuyu	93.8
Coast	Mijikenda	54.4
Eastern	Kamba	53.9
Nairobi	Kikuyu	32.4
North	Eastern Somali/Ogaden	36
Nyanza	Luo	57.9
Rift Valley	Kalenjin	46.4
Western	Luhya	86.2

Source³⁸⁰

The policy necessitated the formation of ethnic-based political parties. Archival eals data:

Due to restrictions on movement and interaction, political organizations that mushroomed during the early years of the colonial period, such as the Baluhya Political Union, Kalenjin Union and the Kikuyu Central Association, were bound to be ethnically motivated. Agitation for independence and the emergence of the Mau armed revolt prompted the colonial government to ban the formation of nationwide political parties from 1955 onward. Political party formation was permitted at the district level only. The result was the formation of such parties as the Taita African Democratic Union, Nandi District Independence Party, and Nakuru African Progressive Party. By default, they were all formed along ethnic lines. Things did not change with the lifting of the ban on nationwide political parties in 1960.³⁸¹

³⁸⁰Alwy & Schech (2004: 268)

³⁸¹KNA, DC/NN/4/19: North Kavirondo District Annual Report, 1939.

From the foregoing, it is evident that the two major political parties formed to contest the 1961 elections were based on and pursued the interests of specific ethnic groups; they were, in the words of Barkan, loose coalitions of the district and local level political organizations. A respondent affirmed these findings by reiterating that; ...the Kenya National African Union was mainly an ethnic alliance of Kikuyu and Luo while the Kenya African Democratic Union brought together those communities that felt politically threatened by the large numbers and possible ethnic domination of the Kikuyu/Luo alliance. In particular, KADU was an ethnic alliance of mainly the Kalenjin, Luhya and Mijikenda. The Northern Province Progressive People's Party that also participated in the 1961 elections drew its membership from the Somali ethnic group. By 1963 when Kenya attained independence, ethnic politics had already pervaded the political arena. For the remainder of this section, the manifestations and implications of ethnic politics in the post-independence period is examined. For analytical purposes, the post-independence period is divided into two major epochs: the one-party era (1963-1991) and the multiparty era (1992-present).³⁸²

At independence, Kenya was a multiparty state with two main political parties: KANU and KADU. In November 1964, just about a year into independence, KADU dissolved and its members joined KANU.³⁸³ The researcher was informed by another respondent that:

The dissolution of KADU effectively made Kenya a *de facto* one-party state. This state of affairs did not last for long. Ideological differences between the first president of the country, Jomo Kenyatta, and his vice-president, Oginga Odinga, resulted in the resignation in 1966 of the latter. Oginga subsequently formed an opposition party, the Kenya's Peoples' Union. Once again, Kenya

³⁸²Maurice Makhanu, O.I, in Bumula, Bungoma, On, 12/1/2024.

³⁸³KNA, DC/NN/2/17: North Nyanza Handing Over Reports, 1957.

became a multiparty state. In the aftermath of Tom Mboya's assassination in 1969 which was blamed on the government, KPU was outlawed. From 1969 to 1982, Kenya remained a *de facto* one-party state. In 1982, a constitutional amendment made the country a *de jure* one-party state for the next decade or so. During this period, KANU was the sole political party in the country by operation of the law. In December 1991, Kenya returned to a multiparty status after the Constitution was amended to allow for the formation of multiple political parties.³⁸⁴

The period between 1963-1991 as a one-party era because moments of multiparty politics during this period were very brief and short-lived. More fundamentally, it was a period during which mere dissent, let alone the operations of opposition parties, was severely repressed. As Mueller cogently demonstrates, the government basically blunted efforts by KPU between 1966 and 1969 to organize and meaningfully participate in national politics.³⁸⁵

2.4.2 Ethnic Politics and One-Party State

At the end of its rule, the colonial government handed over the reins of power to Jomo Kenyatta. Thus, a respondent, Shadrack Oruko, acknowledged that; Jomo Kenyatta embarked on a project aimed at promoting nationhood by encouraging citizens to abandon parochial ethnic identities and embrace the Kenyan national identity. Additionally, the respondent added that:

He publicly condemned ethnic politics which he claimed polarized the country and undermined national unity and development. This public stance was largely a façade. Kenyatta's public pronouncements on the question of ethnic politics were the exact opposite of what he did in practice. Ethnic politics flourished during his tenure and became etched in the country's political fabric.

³⁸⁴ Maurice Makhanu, O.I, in Bumula, Bungoma, On, 12/1/2024.

³⁸⁵ Mueller, Robert S. *The Mueller Report*. e-artnow, 2019, p.89.

Daniel Arap Moi, who succeeded Kenyatta in 1978, did little, if at all, to change the rules of the game.³⁸⁶

Like his predecessor, President Moi perpetuated and thrived on ethnic politics. It was discovered that, two major expressions or manifestations of ethnic politics dominated the one-party era. Thus, patronage and concentration of wealth and resources in the president's ethnic group; and political maneuvers to ensure power remains in the ruling ethnic group.³⁸⁷

2.4.3 Ethnic Favouritism

Ethnic favoritism was another theme that formed the development of ethnic identity. From the archival data; ...the dissolution of KADU in 1964 provides a good glimpse into how patronage crept into Kenyan politics almost immediately after independence. The government orchestrated the dissolution of KADU by making promises of Cabinet and sub-cabinet appointments and state development resources to leaders who would defect from KADU to KANU, and the denial of government development services to the constituencies of those leaders who remained in KADU. It is in this this context that KADU's Ronald Ngala, Daniel Arap Moi and Masinde Muliro secured positions in Kenyatta's cabinet. Kenyatta and Moi applied this sticks and carrots approach during the entire of their respective tenures.³⁸⁸

State resources and services were channeled to and concentrated in regions inhabited by ethnic communities that were or perceived to be in the good books of the president, the

³⁸⁶Shadrack Oruko, O.I, in Koyonzo, Kakamega, On, 1/12/2023.

³⁸⁷Mueller, Robert S. (2019). *Op. Cit.*, p.92.

³⁸⁸KNA, DC/NN/5/21: North Kavirondo District Annual Report, 1940.

government, or the ruling party.³⁸⁹ This observation was not far from the complement offered by a respondent, Mabonga Duncun, to the effect that:

It was common for political and community leaders of various ethnic groups to visit the president to pay homage, present their grievances and seek for state intervention and fringe benefits. In response, the president would issue a directive, for example, for a specific infrastructural development to be initiated in the region occupied by the visiting delegations. Although they had begun as spontaneous events, observes Branch, these visits steadily became highly regulated modes of interaction between citizens and their head of state. Branch was speaking about Kenyatta's tenure but his observation is also true of Moi's tenure. Kenyatta and Moi also rewarded loyalty and political support with public appointments. As it became routine, they also punished dissent with dismissal. For instance, shortly after KPU was formed, all its members who served in statutory boards were sacked. But perhaps more importantly, Kenyatta and Moi flooded the public service with members of their Kikuyu and Kalenjin ethnic groups, respectively. There were growing concerns about the rise of Kikuyu hegemony as early as 1966.³⁹⁰

This part underscored that all the cabinet ministers constituted by Kenyatta during his tenure were dominated by the Kikuyus.³⁹¹ This finding was ascertained by a respondent, Peter Baraza who said: This group did not just have high numbers, it was, more importantly, overrepresented if its share of the population during this period is considered. Kikuyu dominance in the cabinet was replicated in other key institutions of government. By 1971, it is reported that Kenyatta had abandoned all but the most perfunctory pretense that his was a government for all Kenyans. He had succeeded in creating a relatively strong Kikuyu hegemony. Upon becoming president, Moi maintained the composition of the cabinet he inherited from Kenyatta but only for a short period of time. He steadily

³⁸⁹Michael Barkan Chege, "Decentralising the state: district focus and the politics of reallocation in Kenya." *The Journal of Modern African Studies* 27, no. 3 (1989): 431-453., p.436.

³⁹⁰Dancun Mabonga, O.I, in Busia (K), On, 16/11/2023.

³⁹¹KNA, DC/NN/2/21: North Nyanza Handing Over reports, 1958.

established a Kalenjin hegemony by reducing Kikuyu's numerical strength in public service while increasing that of the Kalenjin.³⁹²

As Table below shows, the proportion of Kikuyu ministers in Moi's cabinet stood at 30%. It reduced to 25% in 1982 and further down to 20% in 1985. By the time multiparty politics was reintroduced, the proportion was below 20%. On the contrary, the proportion of the Kalenjin gradually increased. There was only one Kalenjin minister in Kenyatta's last cabinet (1978). Moi appointed three Kalenjins into his 1979 cabinet bringing their proportion to 11% down from 4.8%. By 1998, Kalenjin ministers constituted 22% of the cabinet.³⁹³

³⁹²Peter Baraza, O.I, in Homabay Town, On, 13/11/2023.

³⁹³Kanyinga Karuti, (2006: 374)

Table 3: Representation of ethnic groups in Kenyatta cabinets, 1966-1978

Ethnic group	1966		1967		1968		1970		1978	
	No	%	No	%	No	%	No	%	No	%
Kikuyu	6	28.6	6	28.6	8	31.6	6	28.6	6	28.6
Luhya	2	9.5	2	9.5	1	5.3	2	9.5	1	4.8
Luo	3	14.3	3	14.3	3	15.8	2	9.5	3	14.3
Kalenjin	1	4.8	1	4.8	1	5.3	2	9.5	1	4.8
Kamba	1	4.8	2	9.5	2	10.5	2	9.5	2	9.5
Kisii	2	9.2	2	9.5	1	5.3	2	9.5	2	9.5
Meru	1	4.8	1	4.8	1	5.3	1	4.8	1	4.8
Mijikenda	2	9.3	2	9.5	2	10.5	2	9.5	3	14.3
Other	3	14.3	2	9.5	1	10.5	2	9.5	2	9.5

Source³⁹⁴

³⁹⁴Ibid

Table 4: Representation of ethnic groups in Moi cabinets, 1979-2001

Ethnic group	1979		1982		1985		1987		1994		1998		2001	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Kikuyu	8	30	7	25	5	20	4	14.2	1	4.2	1	4	1	4
Luhya	3	11	3	11	2	8	3	10.7	4	16.7	5	19	4	14
Luo	3	11	3	11	4	16	5	17.8	1	4.2	0	0	2	7
Kalenjin	3	11	3	7.4	3	12	2	7.1	4	17	6	22	5	17
Kamba	2	7.6	2	7.4	2	8	3	10.7	4	16.6	4	14.8	4	14.3
Kisii	2	7.6	2	7.4	1	4	2	7.1	2	8.3	2	7.4	2	7.1
Meru	1	3.8	2	7.4	1	4	1	3.5	2	8.3	1	3.7	1	3.6
Mijikend a	2	7.6	2	7.4	2	8	2	7.1	2	8.3	2	7.4	2	7.1
Other	2	7.6	3	11	5	20	6	21.2	4	16.6	6	22	7	25

Source³⁹⁵

Based on this statistical analysis by Kanyinga, it was revealed that the ethnic identity of Kenyatta and Moi dictated appointments into other important and influential public offices including those of the assistant minister, permanent secretary, provincial commissioner,

³⁹⁵Kanyinga Karuti, (2006: 375)

district commissioner, high court, and chairperson or managing director of a public corporation.³⁹⁶ The impact of this practice on the composition of the civil service remains evident today. A 2012 ethnic diversity and audit of the civil service by the NCIC revealed that Kikuyu and Kalenjin representation in the civil service is disproportionate to their population.

In particular, the Kikuyu dominate all ministries and departments save for the prisons department, national police service, and the office of the prime minister which existed at the time. The Kalenjin are the second largest ethnic group in the civil service. A 2015 evaluation report of the Public Service Commission corroborates the 2012 NCIC findings.³⁹⁷ In fact, the PSC report revealed that the proportion of over-representation of five specific ethnic groups (Kikuyu, Kalenjin, Luo, Kisii and Taita) increased during 2014/2015 rather than decreasing.

2.4.4 Ethnicity and Succession Politics

Kenyatta and Moi governed the country for relatively long periods of time, 15 and 24 years respectively. Many reasons account for the longevity of their presidencies including repression of dissent and consolidation of executive power in the office of the president.³⁹⁸ Based on that, a respondent, Dan Malietso, informed this study that: They also used the ethnic card to shield themselves from real or imagined political threats against their presidencies. Kenyatta's grip on power for 15 years into independence was also sustained

³⁹⁶Kanyinga, Karuti. "Governance institutions and inequality in Kenya." (2006), p.378.

³⁹⁷Akumu, Bonface O. "The Influence of Ethnicity on Presidential Election Competition in Kenya: The Case of 2013 and 2017 General Elections." PhD diss., University of Nairobi, 2020, p.102.

³⁹⁸H. Kwasi Prempeh, "Presidential power in comparative perspective: The puzzling persistence of imperial presidency in post-authoritarian Africa." *Hastings Const. LQ* 35 (2007): 761 – 784, p.768.

by political maneuvers aimed at punting other ethnic groups, especially the Luo and Kalenjin, from having their own as president. These maneuvers focused on which ethnic group should neither get power nor the opportunity to control state resources.³⁹⁹ The study noted that, they may be likened to Mueller's exclusionary ethnicity which refers to a practice in which voters are primarily concerned about who should not ascend to power rather than who should.⁴⁰⁰

The Luo and Kikuyu ethnic groups were political allies in the period before independence. Cracks in their unity begun to develop shortly after independence and mainly as a result of ideological differences between Oginga and Kenyatta.⁴⁰¹ The researcher was informed by Dismus Aluku that:

In 1966, Oginga was forced to resign from KANU and the government after his post as party vice-president was abolished and replaced by eight posts to match with the country's eight provinces. This move was meant to close the door on Oginga's prospects of ever rising to the helm of the party or the country. After resigning from government, Oginga formed KPU. This action led to a bitter political war in which KPU was dismissed as a Luo party while Oginga was cast as a subversive element. A Kikuyu who supported Oginga was seen as a traitor who was engaged in activities aimed at jeopardizing the Kikuyu hold over the state and its resources. With Oginga out of KANU, another Luo in the person of Tom Mboya sought to position himself as a possible successor of Kenyatta. This ambition was quickly stemmed through the same machinations that were used against Oginga. In June 1968, the government enacted a constitutional amendment that shifted the responsibility of selecting a president's successor from parliament to the ruling party.⁴⁰²

³⁹⁹Dan Maliatso, O.I, in Mount Kenya University Center, Eldoret, On, 30/1/2024.

⁴⁰⁰Mueller, Robert S, (2019). *Op. Cit.*, p.102.

⁴⁰¹Bethwell A. Ogot and William Robert Ochieng, eds. *Decolonization & independence in Kenya, 1940-93*. Ohio State University Press, 1995., p.56.

⁴⁰²Dismus Aluku, O.I, in Musokoto, Busia, on, 6/1/2024.

The amendment was followed by concerted efforts by Kikuyu political elites to weaken Mboya's control of KANU and chances of succeeding Kenyatta. It is the assassination of Mboya in July 1969, however, that brought Mboya's presidential ambitions to an ultimate and abrupt end.⁴⁰³

The study, therefore, concluded that, in the 1970s, the focus of exclusionary ethnicity shifted to punting Daniel Arap Moi, the vice-president at the time, from succeeding Kenyatta. Operating under the auspices of GEMA, a group of Kikuyu and allied political elites formed the Change the Constitution Movement whose main purpose was to block Moi from automatically ascending to the presidency in the event of Kenyatta's death. The group never succeeded in its mission primarily because opinion amongst Kikuyu elites was sharply divided. Moi ascended the presidency in August 1978 with a promise to follow in the footsteps of Kenyatta.⁴⁰⁴

2.4.5 Ethnic Politics and Multiparty State

Towards the end of 1991, Moi yielded to local and international pressure to transform the country from a one-party to a multiparty state.⁴⁰⁵ In December 1991, parliament repealed the relevant section of the constitution that declared the country a one-party state. This was reinforced by a respondent, Bramwel Naliakho that:

This paved way for the formation of political parties and holding of multiparty elections. Kenya has held six general elections since transforming to a multiparty state. Four of these, the 1992, 1997,

⁴⁰³Maloba, W. O., and W. O. Maloba. "Defending Kenya: Looking from Within." *The Anatomy of Neo-Colonialism in Kenya: British Imperialism and Kenyatta, 1963–1978* (2017): 149-213, p.162.

⁴⁰⁴Angelo, Anaïs. *Power and the presidency in Kenya: the Jomo Kenyatta years*. Vol. 146. Cambridge University Press, 2020, p.67.

⁴⁰⁵Schmitz, Hans Peter. "Transnational mobilization and domestic regime change." *Africa in* (2006), p.78.

2002 and 2007 elections, were held under the independent Constitution.⁴⁰⁶

The 2013 and 2017 general elections were held under the 2010 Constitution which provides for a devolved system of government in which citizens vote for national as well as county government political leaders.⁴⁰⁷

Many legal and institutional steps have been taken in the last two decades to minimize ethnic politics and address its legacies. Ethnic politics continues to be the default form of political engagement in Kenya. Manifestations and implications of ethnic politics are many and include the following: proliferation of ethnic parties and coalitions; ethnic voting; and ethnic violence.⁴⁰⁸ In addition, patronage, ethnic favoritism and exclusionary ethnicity continue to hold sway. The discussion below focuses on the twin phenomena of ethnic parties and ethnic voting.

2.4.6 Ethnic Parties and Coalitions

One of the clear manifestations of ethnic politics since 1992 has been the formation of ethnic parties. Political parties are often overshadowed by their founding leaders who double up as the perceived political heads of their ethnic communities.⁴⁰⁹ The study acknowledges that; this trend is not entirely new. It has only become more pronounced. The researcher was informed by Patricia Loliso that: During the one-party era, KANU claimed, after merging with KADU, that it was a national party drawing its membership from

⁴⁰⁶Bramuel K Naliakho, O.I, in Sirisia, Bungoma, on 30/1/2024.

⁴⁰⁷Kingsley S. Agomor, Samuel Adams and Joe Taabazuing. "Rethinking Ghana's decentralization: Citizens' views on the question of electing or appointing a district political head." *Journal of Asian and African Studies* 54, no. 1 (2019): 104-117., p.110.

⁴⁰⁸KNA, DC/NN/1/28: North Kavirondo District Annual Report, 1946.

⁴⁰⁹Dominika Koter, "King makers: Local leaders and ethnic politics in Africa." *World Politics* 65, no. 2 (2013): 187-232, p.198.

virtually all ethnic groups in the country. However, analysts have pointed out how KANU gradually transformed into a Kikuyu party, especially after 1966 when some of its members defected to form KPU. In what signifies the malleable and transitory nature of political parties in Kenya, KANU later transformed into a Kalenjin party during Moi's tenure.⁴¹⁰

Therefore, this gives some credence to the observation by Chege that Kenya has never had experience of a single party with a genuinely national following: even in the days of a one-party state (1969–91) it was always clear beneath the surface who constituted the bedrock of ethnic support, who was on the periphery and who was perceived to be in opposition.⁴¹¹

An oral source, Job Oloo, informed the researcher that:

As highlighted, during the short stint of its existence, KPU was labelled as a Luo party as part of KANU's campaign and propaganda to halt its expansion. Amongst KANU supporters, KPU was, in the words of Kuguru, - a Luo party, fighting the Kenyatta, or the Kikuyu government. Pundits have a different view.⁴¹²

This was in tandem with the writing in 2010, where Price Shingai Mutizwa noted that KPU was the first, and so far the only, political party that was formed on the basis of an ideology.⁴¹³ This claim is informed by KPU's embrace of socialism and its strong position on Africanization of the economy and redistribution of land and other state resources. Mueller equally rebuffs the notion that KPU was an ethnic party.⁴¹⁴ According to her, KPU

⁴¹⁰Patricia Loliso, O.I, in Bumala, Busia, On, 27/11/2023.

⁴¹¹A. Njagi Munene, "The colonial legacy in Kenya-British military relations: 1963-2005." Unpublished Theses Kenyatta University (2013)., p.122.

⁴¹²Job Omma Oloo, O.I, in Nambale, Busia, On, 16/11/2023.

⁴¹³Price Shingai Mutizwa-Mangiza, Political party institutionalization: A case study of Kenya. PhD diss., Rhodes University, 2013, p.56.

⁴¹⁴Mueller, Robert S. (2019). *Op. Cit.*, p.95 and KNA, DC/NN/4/1: Political Records: General Ethnology and Administration, 1959.

received the bulk of its support from Nyanza not for being a Luo party but primarily because the restrictions and hurdles directed against it made it difficult for the party to organize and penetrate into other parts of the country. Mueller concludes as follows:

The KPU as a party may have been as catholic in its appeal as KANU; however, the regime's monopoly over the key socio-economic resources and sanctions in the society weakened the opposition party and over time both the Kikuyu and other non-Luo support for the KPU either diminished or became less visible.⁴¹⁵

In the current era of multiparty politics, many argue that it is difficult to find a party or coalition that is founded on ideology. Most political parties, if not all, have a strong ethnic base. In 1992, numerous political parties were quickly formed ahead of the first multiparty general elections that were to be held that same year. Among the first to be registered was the Forum for the Restoration of Democracy. It is said that FORD had —an appeal across the country and across ethnic lines.⁴¹⁶ Unfortunately, FORD did not last long. A respondent, Peter Allan, further added his views to this observation by asserting that:

It splintered along ethnic lines into FORD-Kenya headed by Oginga and perceived to be a Luo party and FORD-Asili headed by Kenneth Matiba and considered to be a Kikuyu/Luhya party. Other major parties that took part in the 1992 elections included Democratic Party which was associated with the Kikuyu and KANU which drew its support mainly from the Kalenjin.⁴¹⁷

In the end, one has to agree with Kanyinga when he asserts that in the 1992 elections, each of the main ethnic groups had at least its own political party and/or was allied to a party formed by another ethnic group.⁴¹⁸ From Kanyinga's view, the study discovered that, this

⁴¹⁵Susanne D. Mueller, "Government and opposition in Kenya, 1966–9." *The Journal of Modern African Studies* 22, no. 3 (1984): 399-427, p.403.

⁴¹⁶Pippa Norris, "Building political parties." A report commissioned by International IDEA (2004)., p.67.

⁴¹⁷Peter Allan Kerre, O.I, in Malakisi, Busia, On, 16/11/2023.

⁴¹⁸Kanyinga, Karuti. "The legacy of the white highlands: Land rights, ethnicity and the post-2007 election violence in Kenya." In *Kenya's Uncertain Democracy*, pp. 66-85. Routledge, 2013., p.69.

trend was replicated in the 1997 general elections. The only slight change was the shift in allegiances. The Luo shifted their support to a new party, the National Development Party, while the Luhya moved to FORD-Kenya. From around 2000, a respondent, Raila Oluoch Okelo informed the researcher that:

Ethno - regional coalitions begun to emerge in Kenya. For example, in March 2002, KANU (representing the Kalenjin) and NDP (representing the Luo) formally merged. The merger collapsed about five months later when Moi named Uhuru Kenyatta as his preferred successor. In the general elections that followed later that year, Kenyatta lost the presidential election to Mwai Kibaki of the National Rainbow Coalition which was an ethno- regional coalition formed just prior to the elections. It was comprised of the National Alliance Party of Kenya (itself composed of 13 different parties) and the Liberal Democratic Party.⁴¹⁹

This led to a new political formation in the country, especially in the Western part of Kenya. It changed the political landscape.⁴²⁰ Another respondent, Wafula Wamunyinyi affirmed this observation by saying that: Like FORD before it, NARC did not hold together for long. It was split in the middle by the politics around the 2005 constitutional referendum in which NAK supported the adoption of the proposed constitution while LDP opposed it. From the ashes of this fallout, at least four new parties emerged: Orange Democratic Movement; ODM-Kenya; NARC-Kenya and Party of National Unity.⁴²¹

Wamunyinyi further informed the researcher that: similarly, the two major coalitions established ahead of the 2013 general elections had strong ethnic inclinations: Coalition of Reform and Democracy brought together the Luo and Kamba while Jubilee Alliance was a

⁴¹⁹Raila Oluoch Okelo, O.I, in Nyalenda, Kisumu, On, 17/11/2023.

⁴²⁰Kingsley S. Agomor, Samuel Adams, and Joe Taabazuig. "Rethinking Ghana's decentralization: Citizens' views on the question of electing or appointing a district political head." *Journal of Asian and African Studies* 54, no. 1 (2019): 104-117., p.109.

⁴²¹Wafula Wamunyinyi, O.I, in Kanduyi, Bungoma, On, 18/1/2024.

union between the Kalenjin and Kikuyu. A third coalition, Amani, was largely associated with the Luhya although in the end CORD received more votes amongst the Luhya compared to Amani. While all the coalitions appealed to their ethnic bases during the campaign period, ethnic polarization was particularly central to Jubilee's eventual win.⁴²²

One possible overall conclusion that may be drawn from the foregoing discussion is that political parties in Kenya are not based on and do not follow any particular ideology. Indeed, this is a frequent claim in the literature. The problem with this claim is that it sees ethnic identity as naturally and diametrically opposed to ideology. Yet, in many cases, ethnic groups coalesce into a political party or seek alliances with other ethnic groups as part of a political struggle to correct what they perceive as historical injustices. In such cases, it could be that mobilization around ethnicity coincides with certain policy interests. It is thus important to look beyond the ethnic identity of a political party's support base; to focus on the political pinterests that they seek to achieve.

The study further established that, in the 2007 general elections during which ODM had a fierce political battle with PNU eventually leading to the 2007/2008 post-election violence, what informed the choice of ethnic groups and voters came down to their stand on the issue of *majimbo* (regionalism or devolution). According to Oscar Nabulindo,

Ethnic groups made policy and political choices on the matter (*majimbo*) based on their historical experiences with the center and their current circumstances. Indeed, a number of political parties have been recently established to mainly serve as vehicles for redressing historical experiences with the center. These include the United Republican Party, Patriotic Party of Kenya, Chama cha Mashinani, and the Frontier Alliance Party. The URP and FAP seek to advance the interests of pastoralists while the PPK's main goal is

⁴²²Wafula Wamunyinyi, O.I, in Kanduyi, Bungoma, On, 18/1/2024.

to foster the interests of the coastal region of the country. The CCM champions for more resources to be allocated to county governments. In a nutshell, ethnic identity alone is too narrow a lens to examine political parties.⁴²³

As Nabulindo argues, to dismiss a political party on the basis that it is ethnically-based, as has been done for decades, is to proceed on the assumption that: Only policies and ideologies are acceptable, or somehow legitimate, in forming political parties. This may be the rhetoric and not necessarily the true story. The story may very well be that behind the personalities and ethnic identities are interests that coincide with other social relations and identities, relations and identities that cannot be pursued without framing them ideologically and pursuing them under certain policies, regardless of how one may disagree with them from a given ideological perspective.⁴²⁴

Nabulindo points to NARC's 2000 manifesto as an example of a party manifesto that somehow embodied an ideological position even though it was an ethno-regional coalition. The manifesto had strong doses of social democratic values that informed the party's championing of universal social health insurance once it ascended to power. For others, that NARC was motivated by social democracy is neither unique nor surprising because nearly all parties in Kenya tend to subscribe to this ideology whether or not they explicitly state so.⁴²⁵ The Social Democratic Party is perhaps the only political party in the country that has explicitly and consistently stated its ideological position. In a recent manifesto, the party states that all its activities are guided by the philosophy and principles

⁴²³Oscar Nabulindo, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁴²⁴Oscar Nabulindo, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁴²⁵Omondi, Harrison O. "The role of non-state actors in building democracy in Africa: a case study of Kenya 1978-2016." PhD diss., University of Nairobi, 2016, p.106.

of Marxism-Leninism which shows to the toiling masses the correct way to the ending of exploitation of person by person, their complete emancipation.

Another popular assumption is that since Kenya's political parties are essentially ethnic parties, their campaigns and strategies solely revolve around the mobilization of their respective ethnic groups. A 2009 empirical study by Horowitz finds that, on the contrary, presidential candidates spend a larger proportion of their time campaigning outside their home turfs in order to court other ethnic groups.⁴²⁶ For instance, most of Kibaki's rallies (79%) during the 2007 presidential election were held out of his home turf (Central). Similarly, Odinga held 95% of his rallies outside his stronghold province (Nyanza).⁴²⁷ Both candidates largely avoided the regions of which they thought their chances of getting a significant number of votes were very slim. Instead, they invested and concentrated on swing regions, that is, those regions without a co-ethnic in the presidential race.

2.4.7 Ethnic Voting

According to a recent observation, by the end of the first decade of multiparty politics, Kenyans had proven their penchant to vote along ethnic lines.⁴²⁸ This is a claim that has been repeated for as long as Kenyans have engaged in electoral politics. On the 1961 elections which marked the very first elections in which relatively nationwide political parties participated, Ndegwa notes that the votes garnered by KANU and KADU roughly approximated the population distribution of the ethnic groups backing each

⁴²⁶Jeremy Horowitz, "Ethnic Groups and Campaign Strategy in Kenya's 2007 Election." Working Group in African Political Economy Working Paper 17 (2009), p.89.

⁴²⁷Ibid., p.87.

⁴²⁸Stephen N. Ndegwa, "Citizenship and ethnicity: an examination of two transition moments in Kenyan politics." *American Political Science Review* 91, no. 3 (1997): 599-616., p.605

party.⁴²⁹ Tabulation of the results of the presidential elections conducted in the 1990s similarly shows that each ethnic region voted for one of their own (Table below), as was the case in the 2007 presidential election.

Table 5: Presidential election results, 1992 and 1997

Region	Moi		Kibaki		Oginga/Odinga		Matiba		Ngilu		Others	
	(Kalenjin)		(Kikuyu)		(Luo)		(Kikuyu)		(Kamba)			
	1992	1997	1992	1997	1992	1997	1992	1997	1992	1997	1992	1997
				7								
	Percentage share of vote											
Nairobi	17	21	19	44	20	17	44	-	-	11	0.5	0.7
Central	2	6	35	90	1	0.7	62	-	-	3	0.7	0.7
Eastern	38	35	50	27	1.6	0.8	11	-	-	37	0.8	0.6
Rift Valley	68	72	8	20	6	1.6	19	-	-	0.7	0.2	0.3
Coast	64	63	11	14	17	8	8	-	-	11	0.8	0.5
Western	40	45	3	1.3	18	2	39	-	-	0.5	0.3	1.2
Nyanza	14	24	6	16	75	55	3.3	-	-	1.7	1.7	1.3
North	78	73	4	19	7	0.3	10	-	-	0.6	1.0	0.2

⁴²⁹Ibid., p.609.

Eastern												
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Source⁴³⁰

Table 6: Presidential election results, 2007

Region	% Kibaki (PNU)	% Raila (ODM)	% Kalonzo (ODM-K)
Nairobi	47.7	44.0	8.1
Central	97.0	1.9	0.7
Eastern	50.4	5.0	43.8
North Eastern	50.3	47.2	2.3
Coast	33.1	59.4	6.5
Rift Valley	33.5	64.6	1.4
Western	32.2	65.9	0.7
Nyanza	16.9	82.4	0.3
Total	46.4	44.1	8.9

Source⁴³¹

Based on the results of the 2007 presidential election, Oloo predicted that overall, in the foreseeable future, ethnicity will remain salient in party mobilization and membership strategies used by political parties in Kenya.⁴³² True to this prediction, the 2013 presidential

⁴³⁰Adams Oloo, (2010: 358)

⁴³¹Adams Oloo, "Party mobilization and membership: Old and new identities in Kenyan politics." *Tensions and Reversals in Democratic Transitions* (2010): 31-61., p.46.

⁴³²Ibid., p.52.

election came down to a typical ethnic census. Jubilee Alliance, received 93.92% and 72.22% in Central and Rift Valley provinces, respectively. The CORD Coalition received 86.83 and 48.8% in Nyanza and Eastern provinces, respectively.⁴³³ The percentage for Eastern province was not as high as that of Nyanza because only the Akamba considered CORD as their coalition while the rest of ethnic groups residing in the province (Aembu, Ameru, etc.) were largely of a different political party persuasion.⁴³⁴

Table 7: The Presidential election results, 2013

Region	Jubilee %	CORD %	Amani %
Central	93.92	4.16	0.21
Coast	19.34	74.9	1.29
Eastern	46.96	48.8	0.71
Nairobi	46.75	49.0	1.56
North Eastern	59.58	33.63	0.28
Nyanza	10.47	86.83	0.88
Rift Valley	72.22	23.35	2.12
Western	5.45	62.22	29.14
Diaspora	40.85	52.58	0.86
Total	50.07	43.31	3.93

Source⁴³⁵

⁴³³Bonface O. Akumu, "The Influence of Ethnicity on Presidential Election Competition in Kenya: the Case of 2013 and 2017 General Elections." PhD diss., University of Nairobi, 2020., p.52.

⁴³⁴Ibid, p.54.

⁴³⁵Adams Oloo, (2015). *Op. Cit.*, p.56

An important question is whether the above statistical display of the results of the presidential elections revealed that ethnic identity is the only factor that influences voting patterns in Kenya. Framed differently, do other factors (e.g. performance and policy or campaign issues) or identities (e.g. gender, youth, and religious identities) influence voting patterns? Contrary to popular opinion, Kenyans consider a variety of issues during elections which may or may not coincide with the interests of their ethnic groups.⁴³⁶

A survey published by Bratton and Kimenyi in March 2008 established that voters consider policy issues in determining whom to vote for.⁴³⁷ The duo predicted that, the probability of voting for Kibaki in the 2007 presidential election was 55% for those who approved his performance. The study discovered that, he received positive performance ratings from a range of ethnic groups. In essence, according to the study, the presence of policy issues in an election campaign dilutes the impact of an ethnic census for almost all voters in Kenya.

In the 2013 presidential election, Ferree *et al* found that despite the absence of a clear incumbent, voters largely treated Kenyatta as the incumbent over Odinga, despite both serving in the sitting government.⁴³⁸ It emerged to the study that, their analysis, based on exit poll data, revealed that voters who rated the government's performance as excellent or good were more likely to vote for Kenyatta (58%) compared to Odinga (42%). Moreover,

⁴³⁶Bonface O. Akumu, *The Influence of Ethnicity on Presidential Election Competition in Kenya: The Case of 2013 and 2017 General Elections*. PhD diss., University of Nairobi, 2020., p.17.

⁴³⁷Michael Bratton and Mwangi S. Kimenyi. "Voting in Kenya: Putting ethnicity in perspective." In *Journal of Eastern African Studies* 2, no. 2 (2008): 272-289., p.284.

⁴³⁸Ferree, Myra Marx, William A. Gamson, Jürgen Gerhards, and Dieter Rucht. "Four models of the public sphere in modern democracies." *Theory and society* 31, no. 3 (2002): 289-324, p.294.

those with positive perceptions of the economy were also more inclined to vote for Kenyatta (60%).⁴³⁹

Further examination by Ferree *et al* unveiled significant correlations between ethnicity, performance evaluations, campaign issues, and voting patterns.⁴⁴⁰ They found that ethnicity strongly predicted vote choice, alongside various performance categories. Additionally, campaign issues were found to correlate with vote choice in substantial ways, mirroring the influences of ethnicity and performance.⁴⁴¹ Performance is also a critical factor in parliamentary and ward elections. According to Noah Lutukia,

In many parts across the country, constituencies and wards are ethnically homogenous. As such, the salience of ethnic identity is fairly weakened at these levels. A closer look at the results of the 2007 parliamentary elections, for instance, reveals that performance, rather than ethnic identity, influenced the voting pattern.⁴⁴²

Therefore, in a piece published in 2010, Njeru compared the results of the 2007 parliamentary elections with the use of Constituency Development Fund (CDF) as a measure of the level of a parliamentarian's performance.⁴⁴³ He found that the majority of parliamentarians who had huge balances of CDF lost in the election. He concludes as follows:

Although some MPs were voted back in 2007 with relatively huge amounts of unspent CDF, voter preference for candidates with a track record of local level development,

⁴³⁹Habermas, Jürgen. "Reflections and hypotheses on a further structural transformation of the political public sphere." *Theory, Culture & Society* 39, no. 4 (2022): 145-171., p.154.

⁴⁴⁰Ferree *et al.*, (2002). p.300

⁴⁴¹Ibid

⁴⁴²Noah Lutukia, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁴⁴³Jeremia Njeru, Defying democratization and environmental protection in Kenya: The case of Karura Forest reserve in Nairobi. *Political Geography* 29, no. 6 (2010): 333-342., p.340.

particularly measured in terms of CDF use, was evident throughout the country. According to this study, it suggests that more and more Kenyans could be shifting from ethnicity and political patronage as determinants of voter choice towards the more rational considerations of local level development.

Additionally, the study found out that, in the 2013 parliamentary elections, some relatively homogenous constituencies went further and turned the notion of ethnic voting on its head by electing individuals of a completely different ethnic or racial group. For instance, a respondent, Ambrose Kulundu added that:

In Nyanza province, Kisumu Town East and Suna East constituencies, elected non-Luos although the two constituencies are dominated by the Luo ethnic group. North Imenti, a constituency largely composed of people of the Meru ethnic group, elected a non-Meru. That Odinga received more votes than Mudavadi in Western province indicates that the voting pattern witnessed in these three specific constituencies may be transposed to a presidential election. But one should not be too quick to make such a bold conclusion. It may be that voters in Western decided to vote for Odinga because he stood a better chance of winning as compared to Mudavadi. In other words, voters (may) prefer a viable non-co-ethnic candidate over a nonviable co-ethnic.⁴⁴⁴

Based on the foregoing, the study notes that, policy or issue-based politics appear to be also taking root in cosmopolitan cities. For example, in Nairobi, certain politicians have won elective seats without necessarily relying on their ethnic base.⁴⁴⁵ Furthermore, a respondent, Peter Maina, reiterated to this by saying that: The story of Mike Sonko, Nairobi's Senator (2013-2017) and Governor from 2017, presents a clear illustration of a politician who has mobilized huge support from a large cross-section of the electorate by mainly delivering,

⁴⁴⁴ Ambrose Kulundu, O.I, in Butere, Kakamega, On, 13/0224.

⁴⁴⁵ Charles Ongadi Nyambuga, The role of the press in political conflicts in Kenya: A case study of the performance of the Nation and the East African Standard newspapers. PhD diss., 2011., p.45.

on personal account, basic goods and services to low- income communities. In particular, Sonko runs a philanthropic outfit, the Sonko Rescue Team, which delivers basic goods, such as water, to Nairobi's urban poor. The works of Sonko Rescue Team has endeared him to thousands of urban poor across the ethnic divide.⁴⁴⁶

Still on policy issues as determinants of voting patterns, it is important to recall that the question of devolution was a critical factor in the 2007 general elections. In these findings analyzed, Bratton and Kimenyi added devolution into the equation. The results are telling: those who were opposed to *majimbo* had an increased probability of voting for Kibaki.⁴⁴⁷

According to an FGD:

This choice was informed by how such voters defined the term *majimbo*. For Kibaki supporters, and especially for Kikuyu voters, *majimbo* was not a code word for re-distributive politics as some would wish them to believe. It simply meant that people living outside their homelands will return to where they came from. It could thus be argued that, more than anything else, their vote in the presidential election of that year reflected exclusionary ethnicity. They voted against Raila (the political face of *majimbo*) and not necessarily for Kibaki (the political face of a centralized government). A similar logic determined, in part, the results of the 2013 presidential election. The Jubilee Alliance mobilized its ethnic bases to vote for Uhuru and against Odinga.⁴⁴⁸

A connected issue that could have influenced the voting behavior in both the 2007 and 2013 presidential elections was the candidates' policy on matters related to land ownership, access and use. Given the prominence attached to land and its linkage to ethnic identity, Hillary, a respondent, observes that any party or coalition that places land reforms as a key

⁴⁴⁶Peter Maina M, O.I, in Mayanja, Bungoma, On, 18/1/2024.

⁴⁴⁷Michael Bratton and S. Mwangi Kimenyi. "Voting in Kenya: Putting ethnicity in perspective." *Journal of Eastern African Studies* 2, no. 2 (2008): 272-289., p.278.

⁴⁴⁸Focus Group Discussion of Tachoni Community Professionals Women League Leaders in Bungoma, on 28/12/2024.

priority issue in its campaign will have a head start in a presidential election.⁴⁴⁹ However, Ferree surprisingly find that although the land question was a campaign issue during the 2013 general elections, it did not predict support for either Kenyatta or Odinga, the top two contenders.⁴⁵⁰ Ferre further added that, like the question of *majimbo*, voters' position on land issues is determined by their subjective interpretations and experiences. For some, land reform means that historical injustices will be (finally) addressed. For others, it means that the land they already possess, either legally or illegally, will be taken away. Such hopes and fears have an influence on voter behavior. According to Clare Omanyen that,

Apart from performance and policy position on critical issues, other factors that have been empirically established to influence voting patterns in Kenya include grievances, economic well-being, and access to public and private goods. The weight attached to these factors is dependent on how a voter self-identifies. In particular, those who place emphasis on their ethnic identity are most likely to vote depending on the extent to which they access public services.⁴⁵¹

Moreover, Gutierrez-Romero interprets this trend to mean that ethnicity is used by voters as a proxy for expected gains such as access to public services.⁴⁵² The weight attached to performance and policy issues is also dependent on whether a voter's co-ethnic is contesting for a presidential seat.⁴⁵³ While affirming this, an FGD informed the researcher that:

⁴⁴⁹Hillary Kiptum Okeyo, O.I, in Farm View, Busia, On, 01/02/2024.

⁴⁵⁰Karen E. Ferree, *Framing the race in South Africa: The political origins of racial census elections*. Cambridge University Press, 2010., p.87.

⁴⁵¹Clare Omanyen, O.I, in Mumias, Kakamega, On, 30/01/2024.

⁴⁵²Gutierrez-Romero, Roxana. "An inquiry into the use of illegal electoral practices and effects of political violence and vote-buying." *Journal of Conflict Resolution* 58, no. 8 (2014): 1500-1527.

⁴⁵³Jeremy Horowitz, "Ethnicity and the swing vote in Africa's emerging democracies: Evidence from Kenya." *British Journal of Political Science* 49, no. 3 (2019): 901-921., p.918.

Voters with a co-ethnic in the race tend to ascribe more weight to the ethnic identity of the candidates while those without consider a wider range of factors including performance and policy positions. Coastal voters have never had a viable co-ethnic candidate in any presidential election. Yet, in the last two elections, they have overwhelmingly voted for Odinga. For the 2007 elections, one may argue that the presence of Najib Balala in ODM's top leadership channeled coastal votes towards Odinga. However, as Asingo notes, this argument holds little water if it is considered that Balala was unable to move with coastal voters when he defected to the Jubilee Alliance during the 2013 elections.⁴⁵⁴

Therefore, the researcher posited to the question that, what extent does an identity other than ethnic identity influence voting behavior in Kenya? Political elites regularly seek to appeal to identities other than ethnic identity, including identities based on gender, age, and religion. Yet, Oloo has consistently argued that ethnic identity triumphs over these other new identities.⁴⁵⁵ He predicts that for the foreseeable future, ethnic identity will continue to trump other identities which are destined to take a long time to acquire the requisite weight to be contenders as drivers of victory.⁴⁵⁶ But it should be borne in mind that in any election, an identity other than ethnic identity may influence the voting choices of at least some of the voters even if in the end the preferred identity fails to be a driver of victory. In other words, that ethnic identity triumphs over other identities should not be construed to mean that these other identities are completely irrelevant.⁴⁵⁷

In Kenya's modern history, the age of presidential candidates first meaningfully featured in the 2002 election in which the contest was between the elderly Kibaki and the youthful

⁴⁵⁴FGD with Community Social Welfare Officials (Health Department) at Bosongo Kisii Town, on 12/11/2023.

⁴⁵⁵Oloo, Adams. "Party mobilization and membership: Old and new identities in Kenyan politics." *Tensions and Reversals in Democratic Transitions* (2010): 31-61, p.42.

⁴⁵⁶Ibid

⁴⁵⁷Ibid., p.48.

Uhuru Kenyatta.⁴⁵⁸ The latter's candidacy, Project Uhuru as it came to be popularly known, was anchored on the idea that desirous of an inter-generational change, voters would prefer a youthful president over an elderly one.⁴⁵⁹ Instead, Project Uhuru appealed to Mungiki, a proscribed ethnic-based Militia group drawing its membership from Kikuyu youths. In the end, the project flopped miserably but not before tearing KANU apart. In the 2007 presidential election, age took a backseat as a relevant determinant of voting behavior because the two main challengers, Kibaki and Odinga, were both of advanced age.⁴⁶⁰ According to one of the respondents, Rhoda Wanyembi:

The issue of age re-emerged more forcefully as a campaign issue in the 2013 elections. Jubilee's Kenyatta, and his running mate (William Ruto) presented themselves as youthful digital candidates while casting their main rival, CORD's Odinga (and Kalonzo Musyoka) as old and analogue. The duo's campaign also relied heavily on information technology in a bid to appeal to the younger generation of voters. Another pair, Peter Kenneth and his running mate, also hoped to sway voters by portraying an image of a youthful team. There is, however, no concrete evidence to suggest that age was a significant determinant of the voting pattern in the 2013 elections.⁴⁶¹

Still, commentators concede that Jubilee's strategy of linking youth and technology was a clever one as it enabled the coalition to frame itself as a team that offered change.⁴⁶² Furthermore, it emerged that, others have gone as far as to suggest that Jubilee's victory could be attributed to amongst other factors the coalition's ability to inspire, mobilize and direct youth imagination towards a possible electoral victory.

⁴⁵⁸L. Anyango Ongoro, *Democracy and Elections in Africa: The Case of Kenya, 2007-2012*. PhD diss., University of Nairobi, 2013., p.45.

⁴⁵⁹*Ibid*, p.46.

⁴⁶⁰*Ibid*, p.48.

⁴⁶¹Rhodha Wanyembi, O.I, in Malakisi, Busia, On, 01/02/2024.

⁴⁶²Nic Cheeseman, Gabrielle Lynch and Justin Willis. "Democracy and its discontents: understanding Kenya's 2013 elections." *Journal of Eastern African Studies* 8, no. 1 (2014): 2-24., p.6.

The question of gender equality in Kenya's political sphere has interested scholars for decades. Rhodha Wanyembi, averred that:

However, studies on the specific issue of gender identity as a determining factor of voter choice are fairly recent and mostly concern the election of women into political offices. In the 1997 general elections, two women, Charity Ngilu and Wangari Maathai, unsuccessfully contested for the presidential seat.⁴⁶³

The results suggest that the few who voted for the two were appealed by their ethnic rather than gender identity. In subsequent elections, party affiliation and ethnic identity have similarly appeared to take precedence over gender identity, a fact that is to blame for the low number of women elected into parliament since independence. Another respondent informed the researcher that:

In the 2007 general elections, the Kalenjin community broke the record by electing six women parliamentarians, the highest number to be ever elected by a single ethnic community. The six were successful in their bid despite the fact that patriarchy is deeply entrenched amongst the Kalenjin.⁴⁶⁴

Remarkably, scholars who have examined the intriguing case of the six do not necessarily attribute their success to their gender identity. Aketch traces their victory to the widening political space in Rift Valley after the decline of Moi's dominance and their good leadership experience, a fairly sound financial base, and familial networks.⁴⁶⁵ Chebet-Choge identifies almost a similar set of determining factors: the candidates' party

⁴⁶³Rhodha Wanyembi, O.I, in Malakisi, Busia, On, 01/02/2024.

⁴⁶⁴Sheila Nasambu, O.I, in Khayega, Kakamega, on, 30/01/2024.

⁴⁶⁵Akoko Akech, "Kitu kichafu sana: Daniel Arap Moi and the dirty business of dismembering Kenya's body politic." MISR working paper; no. 24 (2015)., p.7.

affiliation; their educational qualifications; voter education through mainstream media and mobile phone text message service; and their personalities.⁴⁶⁶

The determining factors identified by Susan Chebet-Choge are not gender-specific and apply equally to men and women. This elation lends credence to a respondent Margaret Situma argument that once women cross the party primaries, their success rate is more or less that of men.⁴⁶⁷ In reaching this conclusion, Kelvin Wambugu analyzed the success rate of men and women in the five multiparty general elections conducted since 1992. She defined success rate to mean the proportion of each gender that is elected against the absolute number of that gender contesting a position.⁴⁶⁸ As Table 8 reveals, apart from 1997 where there was a huge gap between the success rate of men and women, both genders have similar odds of success because in regions where parties enjoy a great degree of popularity, voters tend to choose candidates presented to them in the ballot papers by these parties, the gender of those candidates notwithstanding.

Table 8: Success rate for men and women, 1992-2013

Year	Total candidates	Men	Women	% Women	Elected Men	Elected Women	Success rate (men)	Success rate (women)
1992	854	835	19	2	182	6	22	31
1997	882	829	53	6	206	4	25	8

⁴⁶⁶Susan Chebet-Choge, "Matriarchy rises to leadership among patriarchal Kalenjin: the dynamics and perspectives of the 2007 general elections in Kenya." *Tensions and Reversals in Democratic Transitions: The Kenya* (2007): 621 – 650, p.634.

⁴⁶⁷Margaret Situma, O.I, in Chesamisi, Bungoma, On, 27/01/2024.

⁴⁶⁸Kelvin Wambugu, *The Effects of Evaluative Attitudes on Voter Behavior: a Case Study of the 2017 Party Primaries in Nyeri County in Kenya*. PhD diss., University of Nairobi, 2020., p.98.

2002	1081	1037	44	4	201	9	19	20
2007	2548	2279	269	11	195	15	9	6
2013	2097	1968	129	6	274	16	14	12

Source⁴⁶⁹

In addition to age and gender, political elites increasingly seek to appeal to voters' religious identity during campaigns. The recent past has also seen an increase in the number of clerics seeking political office, including the office of the president.⁴⁷⁰ However, the study acknowledges that, indeed, definitive conclusions are yet to be drawn on the relevance of religious identity in voting patterns. In the 2007 general elections, the two major presidential candidates actively sought to endear themselves to Muslim voters. Indeed, Odinga signed a memorandum of understanding with the National Muslim Leaders Forum (NAMLEF).⁴⁷¹ The split in the number of votes garnered by both candidates in Muslim dominated regions suggests that religious identity was not necessarily a crucial determining factor. A similar situation obtained during the 2013 general elections.

2.4.8 Overcoming Ethnic Politics

Indeed, in the aftermath of the 2007/2008 post-election violence, the law has been robustly deployed to reduce ethnic politics and mitigate its adverse effects and implications. To confirm this, the researcher was informed that: The Constitution of Kenya (2010), the country's supreme law, envisages a society in which ethnic identity is a force for good. It proceeds from the premise that individuals and communities are proud of Kenya's ethnic,

⁴⁶⁹Adams Oloo, (2010). *Op. Cit.*, p. 186.

⁴⁷⁰Adams Oloo, "Party mobilization and membership: Old and new identities in Kenyan politics." *Tensions and Reversals in Democratic Transitions* (2010): 31-61., p.38.

⁴⁷¹Michael G. Mwangi, *The Role of Islam in National Cohesion and Integration in Kenya with Specific Focus on Nairobi and Mombasa Counties*. Phd Diss., Mmust, 2020., p.107.

cultural and religious diversity and are determined to live in peace and unity as one indivisible sovereign nation.

More importantly, the Constitution contains provisions directly addressing the question of ethnic identity in politics and governance. These constitutional provisions are further fleshed out in a string of legislative enactments.⁴⁷² The research, underscored this section by looking into how the law addresses the question of ethnicity in five main areas of politics and governance: electoral system; political parties; public appointments; devolved system of government; and inter-ethnic relations.

2.4.8.1 Electoral System

An electoral system is the mechanism by which votes garnered in an election are converted into seats. Electoral system is beyond the purview of this research. Suffice to note that electoral systems fall under three broad categories: plurality or majority systems; proportional representation systems and mixed systems.⁴⁷³ Depending on context, these systems have the potential to either encourage or discourage the need to resort to ethnic politics. A respondent, who is well conversant with Kenyan politics said that:

Plurality systems, especially its first-past-the- post variation, operates on a majoritarian or winner-take-all basis. In essence, the winner (not necessarily the absolute majority winner) has his way while the loser has no more than his say. A first-past-the- post system heightens the need for politicians and political parties to mobilize numbers through all possible means including ethnic mobilization. In a deeply divided society such as Kenya's, political elites have been forced to establish ethnic parties or enter into

⁴⁷²Margaret Situma, O.I, in Chesamisi, Bungoma, On, 27/01/2024.

⁴⁷³Baldini, Gianfranco, Adriano Pappalardo, and Adriano Pappalardo. *Elections, electoral systems and volatile voters*. Basingstoke: Palgrave Macmillan, 2009, p.82.

ethnic coalitions for the sole purpose of winning elections and securing state power.⁴⁷⁴

In proportional representation systems, seats in the legislature are allocated to political parties in proportion to the votes they garner in a general election. The attractive feature of proportional representation systems is well articulated by Reynolds *et al.* The rationale underpinning all proportional representation systems is to consciously reduce the disparity between a party's share of the national vote and its share of the parliamentary seats.⁴⁷⁵ According to Reynolds, Mixed systems, such as the mixed member proportional system, combine the essential features of both plurality systems and proportional representation systems. To affirm this statement, the researcher interrogated Nabulindo over Reynolds assertions. The researcher was informed that:

Allocation of seats in the legislature is determined using a plurality system as well as a proportional representation system. The need to resort to ethnic politics is relatively low in countries with PR or mixed systems. This is mainly because plurality and mixed systems push politics to revolve around parties rather than ethnic leaders. More importantly, these systems promote inclusivity in the sense that both majorities and minorities have a place and stake in national governance. For ethnically divided societies like Kenya, a proportional representation or mixed system may well be considered as a near-essential condition for democratic consolidation.⁴⁷⁶

Based on Nabulindo's argument, the study established that, Kenya has had a first-past-the-post electoral system since independence, albeit with small and occasional doses of features that attempt to mimic the main characteristics of proportional representation systems. Although, it has long been recognized that it is largely to blame for the entrenchment of

⁴⁷⁴Oscar Nabulindo, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁴⁷⁵Andrew Reynolds, "Debate: PR and Southern Africa: The Case for Proportionality." *Journal of Democracy* 6, no. 4 (1995): 117-124., p.119.

⁴⁷⁶Oscar Nabulindo, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

ethnic politics in the country the first-past-the- post electoral system remains in place to date. Pious proposals to change Kenya's electoral system from first-past-the- post to mixed member proportional have not been taken on board. In fact, it emerged to the study that, the Independent Review Commission on the 2007 General Elections (Kriegler Commission) specifically made the case against the idea of introducing an mixed member proportional system in Kenya.⁴⁷⁷

Furthermore, the 2010 Constitution retains the FPTP system. However, it provides for a two-round-system in the presidential election.⁴⁷⁸ A candidate must receive more than half of all the votes cast in the election as well as at least 25% of the votes cast in each of more than half of the counties in order to be declared the president.⁴⁷⁹ If no candidate meets this threshold, then the two candidates with the greatest number of votes are required to face-it-off in a second round of the presidential election.⁴⁸⁰ Based on the preceding observation, Julian Wakhongola, posited that:

In essence, the Constitution demands that for anyone to be president, he or she must appeal to a wider section of the Kenyan society, and specifically, beyond his or her ethnic group. This requirement is intended to reduce ethnic politics. Instead, it has had the exact opposite effect. It encourages presidential candidates or their political parties to enter into ethno-regional coalitions. As a result, the 2013 presidential election was reduced to a race between the two major ethno-regional coalitions, Jubilee and CORD.⁴⁸¹

⁴⁷⁷Ongoro, Anyango L. "Democracy and Elections in Africa: The Case of Kenya, 2007-2012." PhD diss., University of Nairobi, 2013, p.72.

⁴⁷⁸Joseph Kingsley Adjei, "A Comparative Analysis of Ghana's First-Past-the-Post (FPTP) Electoral System and the Proportional Representation (PR) System."In *Journal of Global Initiatives: Policy, Pedagogy, Perspective* 8, no. 1 (2013): p.2.

⁴⁷⁹Eric Kramon and Daniel N. Posner. Kenya's new constitution. In *J. Democracy* 22 (2011): pp.68 – 102, p.89.

⁴⁸⁰Ibid, p.90.

⁴⁸¹Julian Wakhongola, O.I, in Miluki, Bungoma, On, 18/1/2024.

Therefore, the Constitution also provides for gender quotas and special seats for representatives of special interest groups, mainly persons with disabilities, youth, and workers, in the National Assembly, Senate and County Assemblies.⁴⁸² Representatives of special interest groups are elected on the basis of proportional representation by use of party lists. By providing for party lists and reserved seats for specific groups, Kenya has borrowed inspiration from PR electoral systems. In fact, Chege claims that Kenya has intuitively moved into the realm of mixed member proportional without acknowledging it.⁴⁸³

The experience of the 2013 presidential election has prompted renewed calls for the full and deliberate introduction of a mixed member proportional electoral system in Kenya.⁴⁸⁴ According to Kanyinga, had the 2010 Constitution adopted a mixed member proportional system, the country's democracy would have been strengthened in multiple ways:

Mixed Member Proportional would have weakened ethnicity as a basis for political organizing and representation by ensuring that membership of parties is national and that the parties have a membership that represents the diverse interests and groups that make up Kenya. By allocating seats in Parliament to political parties on the basis of their share of the national vote, the contentions around representation that arise with the delimitation of boundaries for single member districts in a first-past-the-post system would have been addressed. The system would have provided incentives for parties to organize nationally rather than regionally. It would have reduced disparities in the representation of different groups and interests in society.⁴⁸⁵

⁴⁸²Chitere, Emma L. "The Role of the New Constitution in Influencing Women to Vie for the National Assembly Seats: a Case of Women Electorate in Nairobi County." (2013), p.76.

⁴⁸³Chege, Thenya Muchiri. "Influence of transformational leadership on organizational performance of commercial banks in Kenya." PhD diss., COHRED-JKUAT, 2018, p.103.

⁴⁸⁴L. Anyango Ongoro, 2013. *Op. Cit.*, p.126.

⁴⁸⁵Karuti Kanyinga. "Kenya: Democracy and political participation." (2014)., p.120.

Similarly, Oloo and Chege separately make the case for the adoption of a mixed member proportional electoral system in which the current FPTP system will run parallel to a PR system.⁴⁸⁶ They both suggest that Kenya could borrow lessons from countries which allocate certain percentages of legislative seats on the basis of FPTP and PR systems. Furthermore, recommends another suggestion, which is to make the current FPTP system fairer by extending the two-round system to parliamentary elections and/or reserve a certain number of seats for ethnic minorities. There are many proposals regarding the exact form in which a mixed member proportional system should take in Kenya. What is clear, though, is that the current FPTP electoral system deepens ethnic cleavages and is likely to continue doing so unless radical changes are introduced to counter its effects.⁴⁸⁷

2.4.8.2 Political Parties

According to a respondent in Kisii, the study was informed after an in-depth interrogation by the researcher that: A country's electoral system is only as strong as the political parties present within it. Until 2008, political parties in Kenya operated without any meaningful regulation. As they fell under the Societies Act, nothing distinguished political parties from other forms of groupings. In July 2008, a new law for the registration and regulation of political parties came into force. As at 2013, the enforcement of the Political Parties Act, 2007, had the effect of reducing the number of political parties in the country from 200 to 150.⁴⁸⁸

⁴⁸⁶Ahere Oloo and John Chege. "Party Politics in Kenya and South Africa: The Conundrum of Ethnic and Race Relations." OAlib (2020)., p.92.

⁴⁸⁷Brashier, Carliann. "Changing Incentives: How Electoral Reform Can Help Remove an Ethnic Focus in Political Competitions in Kenya." (2011).

⁴⁸⁸Ryan Wetangula Barasa, O.I., in Kisii Town, on, 12/11/2024 and Jimmy J. Kisobo, "The Impact of Coalition Government on Political, Economic and Social Development of Post conflict Societies: case of Kenya, 2008-2012." PhD diss., University of Nairobi, 2013., p.94.

From the above response, the 2010 Constitution seeks to bring to an end the phenomenon of ethnic parties. It categorically bars the formation such parties. It also requires all political parties to possess a national character. The Political Parties Act of 2011 further provides that any political party seeking full registration must demonstrate the following it has more than a thousand registered voters from each of more than half of the 47 counties in the country; its membership reflects, inter alia, regional and ethnic diversity and the composition of its governing body equally reflects, inter alia, regional and ethnic diversity. The Constitution also requires party lists for potential nominated members of parliament to reflect regional and ethnic diversity of the Kenyan people.⁴⁸⁹

Political parties have, mainly on paper, complied with the above statutory requirements for registration. They have complied on paper because, as discussed above, political parties remain strongly associated with certain ethnic groups.⁴⁹⁰ In essence, as discovered by the study, the 2010 Constitution and the 2011 Political Parties Act have not significantly changed the nature and operations of political parties. In other words, political parties of the new constitutional order are not any different from those of the past.⁴⁹¹ To borrow from the first part of the title of one of the many books published in the aftermath of the 2013 general elections, the current state of political parties present a classic case of a new constitution, same old challenges.

⁴⁸⁹Nyabira, Ben Christopher, and Zemelak Ayitenew Ayele. The state of political inclusion of ethnic communities under Kenya's devolved system. *Law, Democracy & Development* 20 (2016): 131-153, p.142.

⁴⁹⁰Dalton J. Russell, David M. Farrell and Ian McAllister. *Political parties and democratic linkage: How parties organize democracy*. Oxford University Press, 2011., p.10.

⁴⁹¹Gary W. Cox, *The efficient secret: The cabinet and the development of political parties in Victorian England*. Cambridge University Press, 2005., p.108.

It can therefore correctly be argued that, the study concludes that, the Office of the Registrar of Political Parties (ORPP) is partly to blame for the continued formation of ethnic parties. The office has largely neglected its regulatory function mainly because of the more than four-year delay in appointing, through a competitive process, a substantive holder of the office. The present holder of the office discharges the duties of the office in an acting capacity. If political parties are to live to the dictates of the law, the ORPP must be more vigorous and independent in its regulatory and enforcement role.⁴⁹²

2.4.8.3 Public Office Appointments

Based on the said discourse, the 2010 Constitution contains relatively bold provisions aimed at tackling patronage and ethnic favoritism in state governance.⁴⁹³ To begin with, a respondent, Patricia Loliso observed that;

All national state organs are required to make their services available to all parts of the country. The Constitution also requires the composition of the national executive to reflect the regional and ethnic diversity of the people of Kenya. Another important constitutional requirement is that members of all ethnic groups should be afforded adequate and equal opportunities for appointment, training and advancement, at all levels of the public service.⁴⁹⁴

In order to ensure that public appointments are merit-based, the Constitution provides for parliamentary or county assembly approval of certain public appointments.

Therefore, in essence, the Constitution clearly singles out ethnic identity as a critical factor in ensuring that the public service reflects the face of Kenya. The 2008 National Cohesion

⁴⁹²Khobe, Walter. The State of Judicial Independence in Kenya-Reflections from the 2017 Presidential Election Petitions. *Reflections on the* (2017), p.102.

⁴⁹³Maria Esteves Matos, The influence of teacher unions on the appointment process of promotional positions at public schools. PhD diss., North-West University (South Africa)., 2022., p.110.

⁴⁹⁴Patricia Loliso, O.I, in Bumala, On, 27/11/2023.

and Integration Act (NCIC Act) further provides that public institutions should not have more than one third of its staff from the same ethnic community. These constitutional and legislative requirements have had little expected impact. Between 2017 – 2022, President Uhuru Kenyatta and his deputy, William Ruto, had been regularly accused of running a tribal government. The then cabinet was dominated by the Kikuyu and Kalenjin who cumulatively account for about 50% of the cabinet. Indeed, the President views appointments to cabinet and other positions as political rewards to ethnic communities.⁴⁹⁵

2.4.8.5 Devolution and Public Resources

One other way that the Constitution tries to deal with the enduring legacies of ethnic politics is through the devolved system of government. In this context, devolution is seen as an institutional mechanism for the political inclusion of ethnic communities.⁴⁹⁶ Article 174 of the Constitution provides that the objectives of devolution include: fostering national unity by recognizing diversity; recognition of the right of communities to manage their own affairs and to further their development and protection and promotion of the interests and rights of minorities and marginalized communities.⁴⁹⁷ The Constitution establishes a total of 47 counties. A county government consists of a county assembly, on the one part, and a county executive committee headed by a governor, on the other.

⁴⁹⁵Nyabira, Ben Christopher, and Zemelak Ayitenew Ayele. "The state of political inclusion of ethnic communities under Kenya's devolved system." *Law, Democracy & Development* 20 (2016): 131-153, p.136.

⁴⁹⁶A. Gargule Achiba and Monica N. Lengoiboni. "Devolution and the politics of communal tenure reform in Kenya." *African Affairs* 119, no. 476 (2020): 338-369., p.348.

⁴⁹⁷Samuel Ngigi and Doreen Nekesa Busolo. "Devolution in Kenya: the good, the bad and the ugly." *Public Policy and Administration Research* 9, no. 6 (2019): 9-21., p.11.

The powers, functions and responsibilities of county governments are outlined in detail in the 2012 County Governments Act.⁴⁹⁸ While having an FGD with discussants over the matter, the study was informed that: County governments are entitled to not less than 15% of the national revenue collected in any budget year. In addition to this share of the national revenue, some counties benefit from the Equalization Fund which is established under Article 204 of the Constitution. The purpose of the fund is restricted to provision of basic services to marginalized areas with a view to bring the quality of such services in those areas to the level generally enjoyed by the rest of the nation. The establishment of county governments in 2013 has generated an economic boom in almost all regions of the country. Moreover, some hitherto excluded communities are now been included in the governance of county affairs through County Assemblies and County Executives.⁴⁹⁹ This was according to an FGD held in Farm View hotel in Busia as shown in plate 3 below;

⁴⁹⁸Ibid., p.

⁴⁹⁹FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.



Plate 3: An FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 2nd Jan, 2024.

The discussants in the FGD further continued their arguments to the study. One of the respondents in the group added that:

On the flipside, devolution has resulted in the emergence of intra-county ethnic minorities. At present, the boundaries of the majority of the counties coincide with the territorial boundaries of regions considered to be the ancestral homes of certain ethnic communities. These communities form the majority in those counties, and as such, smaller ethnic communities have found themselves excluded in county politics and economic governance. This exclusion persists despite the fact that the County Governments Act demands that county executives reflect the community and cultural diversity of the respective counties. In fact, a county assembly is under an obligation not to approve nominations for appointment to the County Executive Committee if such nominations do not take into account inter alia, representation

of the minorities, marginalized groups and communities as well as community and cultural diversity within the county.⁵⁰⁰

The study concludes that, ethnic exclusion at the county level is caused by similar factors that cause it at the national level. Authors have particularly pointed out the adverse effects of the FPTP electoral system which is used to elect county governors as well as the majority of members of county assemblies. Moreover, under the FPTP electoral system observes Bosire it is unlikely that county minorities will secure the governor seat or even, in some cases, county ward seats. Therefore, the challenge posed by the FPTP system is compounded by the fact that demarcation of county wards does not seriously take into account the distribution of ethnic communities in the counties.

In conclusion of this section, it may well be said that devolution has given with one hand and taken with the other. It has decentralized power from the center to the county level, giving communities greater autonomy in the management of their affairs and crafting of their political and socio-economic destiny. The study, further, concludes that, devolution has also brought a vibrant economic life to piously slumbering cities, towns and market places. Infrastructural development can now be seen in traditionally marginalized regions. However, devolution has decentralized ethnic politics in almost the same way it has decentralized state power.⁵⁰¹

The emergence of county majorities and minorities has revealed that ethnic cleavages are as important in county politics as they are in national politics. Perhaps more importantly, devolution has failed to limit the resort to ethnic politics at the national level. As discussed in pious sections, it is clear that, post- 2013 politics and electoral competition in Kenya

⁵⁰⁰FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁵⁰¹Ibid

remains heavily ethnicized. In the words of Nyabira and Ayele, representation in the national government is still viewed as the single most critical factor in terms of evaluating the inclusiveness of the government in Kenya.⁵⁰²

2.4.8.6 Inter-Ethnic Relations

The 2007-2008 post-election violence revealed deep-seated inter-ethnic suspicion and hatred.⁵⁰³ According to the Commission of Inquiry into the Post-Election Violence (Waki Commission), one of the root causes of the post-election violence was the underlying climate of tension and hate amongst the various ethnic groups in Kenya.⁵⁰⁴ In order to tackle this problem, parliament enacted the NCIC Act in December 2008. The NCIC Act prohibits ethnic discrimination at all times and places. This provision is complemented by Article 27(4) and 27(5) of the Constitution both of which prohibit discrimination on the basis of ethnic identity.⁵⁰⁵ An analyst of Kenyan politics, informed the researcher that:

The NCIC Act singles out ethnic discrimination in the field of employment, membership organizations, property ownership, management and disposal, and access to and distribution of public resources. On this last aspect, the Act provides that public resources should be distributed equitably across the country. It makes it unlawful for a public officer to distribute public resources in an ethnically equitable manner. Although the NCIC Act deals extensively with the question of ethnic discrimination, it is popularly known for its prohibition on hate speech.⁵⁰⁶

⁵⁰²Nyabira, Ben Christopher, and Zemelak Ayitenew Ayele. "The state of political inclusion of ethnic communities under Kenya's devolved system." *Law, Democracy & Development* 20 (2016): 131-153, p.146.

⁵⁰³Tomas Zak, "Was the 2007-2008 Kenyan Post-Election Violence Ethnically Caused? The Politicization of Ethnicity in Historical Perspective.", p.82.

⁵⁰⁴Arne Tostensen, "Electoral mismanagement and post-election violence in Kenya—the Kriegler and Waki Commissions of Inquiry." *Nordic Journal of Human Rights* 27, no. 4 (2010): 427-451., p.430.

⁵⁰⁵Peter Nordstrom, "Gender and reconciliation in the new Kenya." *FBA, NCIC, IJR, Policy Brief* 3 (2013), p.20.

⁵⁰⁶Moses Peter Chesaro, O.I, in Lumakanda, Kakamega, On, 31/01/2024.

In relation to institutional arrangement, the NCIC Act establishes the National Cohesion and Integration Commission (NCIC). The primary responsibility of the NCIC is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic and racial communities of Kenya. Since its establishment, the NCIC has conducted numerous audits on the level of inclusivity and ethnic diversity in public institutions. It thus suffices to note that the audits cumulatively show that the public service remains dominated by members of a handful of ethnic communities.⁵⁰⁷

Therefore, Examining the nature, origins, and development of ethnic identity in Kenya eals complex dynamics influenced by Interpretivism and the Instrumental Marxism Theory. Interpretivism emphasizes practical consequences over ideological debates, urging solutions to address ethnic identity politicization. It advocates for electoral system reforms to mitigate winner-takes-all dynamics and promote inclusivity. Furthermore, Interpretivism calls for multi-ethnic political parties and coalitions based on shared values to transcend ethnic divisions and foster national unity. Addressing ethnic favoritism, Interpretivism suggests merit-based policies for equitable resource distribution, aiming to mitigate ethnic tensions and promote stability.

In contrast, the Instrumental Marxism Theory critiques ethnic identity as a tool for elite manipulation. It highlights the instrumental use of ethnicity by ruling elites to consolidate power and perpetuate divisions for personal gain.⁵⁰⁸ The theory underscores how colonial

⁵⁰⁷Turflinger, Bradley T. "Fifty Republics and the National Popular Vote: How the Guarantee Clause Should Protect States Striving for Equal Protection in Presidential Elections." *Val. UL Rev.* 45 (2010): 793.

⁵⁰⁸Di Hu, "Approaches to the archaeology of ethnogenesis: Past and emergent perspectives." *Journal of Archaeological Research* 21 (2013): 371-402, p.378.

legacies entrenched ethnic politics, leading to exclusionary governance structures favoring specific ethnic groups. It advocates for structural reforms to dismantle these systems of privilege, promoting inter-ethnic relations and equitable representation. Ethnic politics in Kenya, whether in a one-party or multiparty state, has deep roots in colonial and post-colonial power dynamics.⁵⁰⁹ Interpretivism urges issue-based politics to address underlying grievances fueling ethnic voting patterns. Meanwhile, the Instrumental Marxism Theory critiques ethnic parties as tools for elite control, advocating for grassroots movements that transcend ethnicity. Devolution of power and resources, according to both perspectives, can empower local communities and reduce competition for centralized resources.

In conclusion, Interpretivism and the Instrumental Marxism Theory offer complementary perspectives on ethnic identity in Kenya. By addressing practical consequences and elite manipulation, Kenya can strive towards a more cohesive and inclusive society, transcending the divisive legacy of ethnic politics.

2.5 Chapter Summary

This chapter has underscored the themes based on the chapter, examining the nature, origins and development of ethnic identity in Kenya. Therefore, ethnic identity in Kenya is a deeply ingrained societal issue that has persisted since the country gained independence. It is characterized by divisions along tribal lines, resulting in political tensions, socio-economic disparities, and inter-group conflicts. The origins of this identity can be traced back to the colonial era, where British colonial policies implemented divisive strategies such as ethnic balkanization and favoritism.

⁵⁰⁹Elizabeth Comack, ed. *Locating Law: "Race/Class/Gender/Sexuality Connections"*. Fernwood Publishing, 2020, p.77.

These policies laid the groundwork for the entrenchment of tribal identities and hierarchies within Kenyan society. Following independence, ethnic identity continued to evolve, fueled by various factors. Politicization of ethnic identity became a prominent feature of Kenyan politics, as political elites capitalized on tribal loyalties to mobilize support and consolidate power. This phenomenon was particularly pronounced during the era of one-party rule, where the ruling party utilized ethnic politics to maintain its grip on power. Ethnic favoritism further exacerbated divisions, as resources and opportunities were disproportionately allocated along ethnic lines, leading to feelings of marginalization among certain groups.

Ethnicity also played a significant role in succession politics, where power struggles often revolved around ethnic alliances and rivalries. The transition to a multiparty state did not alleviate ethnic tensions but instead transformed the political landscape, with the emergence of ethnic parties and coalitions. Ethnic voting patterns became entrenched, with voters aligning themselves based on tribal affiliations rather than ideological or policy considerations. Overcoming ethnic politics in Kenya requires comprehensive reforms across multiple fronts. Electoral system reforms, such as the adoption of proportional representation, could help mitigate winner-takes-all dynamics and promote inclusivity. Building multi-ethnic political parties focused on shared values and ideologies, rather than ethnic identities, could foster national unity and cohesion. Merit-based public office appointments and affirmative action programs are essential to address ethnic imbalances in public institutions and promote inclusivity.

Devolution of power and resources to the county level represents another avenue for addressing ethnic identity, empowering local communities and reducing competition for centralized resources. Furthermore, fostering inter-ethnic relations through dialogue, cultural exchange, and reconciliation initiatives is vital for bridging divides and fostering a sense of national identity. Finally, ethnic identity in Kenya is a complex issue with deep historical roots. By understanding its nature, origins, and development, and implementing targeted reforms aimed at promoting inclusivity and unity, Kenya can overcome the divisive legacy of ethnic politics and build a more cohesive and prosperous society. Therefore, from the preceding discussion, the next chapter delves in the influence of ethnic identity on economic development in Kenya since 1963.

CHAPTER THREE

INFLUENCE OF ETHNIC IDENTITY ON ECONOMIC DEVELOPMENT IN WESTERN KENYA SINCE 1963

3.1 Introduction

The pious chapter underscored examining the nature, origins and development of ethnic identity in Kenya. In this chapter, it is discussed that, since independence in 1963, Kenya has grappled with the ramifications of ethnic identity on its economic development. This chapter explores the multidimensional impact of ethnic divisions, delving into issues of marginalization, inequalities, and disparities. Through the lenses of Interpretivism philosophy and the Relative Deprivation Theory, it assesses government policies aimed at addressing marginalization and Africanization efforts. Additionally, it examines initiatives to mitigate inequalities through education and the constitutional reforms of 2010.

3.2 Marginalisation, Inequalities and Disparities in Kenya

Economic inequalities, regional or ethnic disparities and marginalization in a society depend on a number of factors. This was also witnessed in the works of Brian Cooksey, David Court and Ben Makau, who attribute problems of inequalities to the economic mode of colonial development; the uneven spread of missionary activity; and, the variable intensity of local self-help activity.⁵¹⁰ Cooksey *et al*, however, point out that the seriousness of these disparities as threats to nationhood and social cohesion derived from the fact that

⁵¹⁰Brian Cooksey, David Court and Ben Makau, "Education for self-reliance and Harambee." Beyond Capitalism vs. Socialism in Kenya and Tanzania (1994), p.78.

they tended to coincide with ethnic, linguistic, religious and economic cleavages, which in turn found expression in particularistic loyalties and demands for a greater share of national resources.⁵¹¹ Wafula Wamunyinyi informed the researcher that:

...attributes inequalities in Kenya to such factors as historical, natural resource endowments, political patronage, policy choices, cultural norms, and exogenous factors such as trade and technology, and even bureaucratic excesses. These factors become more pronounced in an environment where taxation and public expenditure policies, budgeting and governance institutions are weak and not impervious to political and bureaucratic manipulations.⁵¹²

In countries where oversight institutions are weak, distortions in public spending are not uncommon the budget is not immune to bureaucratic manipulations; senior civil servants misdirect public spending in favor of certain regions or projects, factors which contribute to misallocation of resources and inequalities.⁵¹³ According to a respondent, Namuma Nanguti,

Ethno-regional disparities in Kenya, economic inequalities and marginalization can be explained from a number of perspectives: The first is a nature based explanation where the origins of regional disparities are seen as the result of the migratory patterns of the various ethnic groups and differences in economic and resource endowment of the various regions that each group settled, as well as, the manner in which each group's cultural practices influenced capitalist penetration in the regions in which it settled. Weather and climatic conditions the settled regions continue to play an important role as well. Each community, therefore, settled in areas suitable to continue their practices.⁵¹⁴

⁵¹¹Ibid., p.201.

⁵¹²Wafula Wamunyinyi, O.I, in Kanduyi Bungoma, On, 18/1/2024.

⁵¹³E. Wayne Nafziger and John C. Yoder. The economics of development. In Mennonites and Post-Colonial African Studies, Routledge, 2021, pp. 114-127, p.117.

⁵¹⁴Namuma Nanguti, O.I, in Amagoro Busia, On, 6/1/2024.

That led a pastoralist life settled in areas with abundant grazing land, where they could raise their animals. Cultivators settled in areas with rich fertile soils for their crops. Some communities settled in arid and semi-arid areas while others settled in more fertile areas.⁵¹⁵ Fish eaters settled alongside rivers or near lakes. Similarly, while some communities settled in resource rich regions, others settled in resource scarcity regions. Therefore, much of the marginalization and inequalities seen in Kenya have their roots in the migratory and settlement patterns of the various communities.⁵¹⁶

The second is a class-based explanation. Marginalization inequalities and other aspects of disparities have a class dimension as well. For example, according to Ogot, the distribution of the 1.2 million acres of land taken from the departing settlers with financing from the British government, the World Bank and the Colonial Development Fund and meant to settle families in the 1960s ended up being transferred to wealthy Africans organized in partnerships or limited liability companies, giving rise to a new land policy in Kenya that was based on class rather than race.⁵¹⁷ The third explanation is in terms of access to public services such as education and health care provided by the government.

Indeed, access to education is particularly important to understanding the perpetration of inequalities since independence. While ascertaining this fact, a respondent, Asbon Matasi, affirmed that: Education has been universally accepted as the basis for material advancement and for enhancing one's prospects in employment, job advancement, salary

⁵¹⁵T. B., H. A. Snyman, Solomon and G. N. Smit. "Cattle-rangeland management practices and perceptions of pastoralists towards rangeland degradation in the Borana zone of southern Ethiopia." *Journal of environmental management* 82, no. 4 (2007): 481-494., p.490.

⁵¹⁶Robin S. Reid, Kathleen A. Galvin and Russell S. Kruska. "Global significance of extensive grazing lands and pastoral societies: an introduction." In *Fragmentation in semi-arid and arid landscapes: Consequences for human and natural systems*, pp. 1-24. Dordrecht: Springer Netherlands, 2008., p.8.

⁵¹⁷Oginga Odinga, *Not yet uhuru*. Vol. 38. East African Publishers, 1995, p.64.

and even status. Therefore, those communities that had access to schools, and those students who had access to high-cost schools, had an advantage over the rest. In this regard, the education system reproduced, not altered, the economic, social and political structures inherited at independence.

During the colonial period, education was used as an important instrument of discrimination and exclusion. Furthermore, education in Kenya was characterized by both segregated schools as well inequality in terms of quality, content, curriculum and infrastructure. European schools were better equipped, had better infrastructure, better teachers, more books and greater government spending than African ones. Although these formerly European schools were opened up to Africans, they were nevertheless made high cost, meaning that only the children of the emerging African elites could access them. These schools were also found in or near Nairobi and, therefore, only a few students knew of their existence.⁵¹⁸

Furthermore, the explanation of ethno-regional disparities, marginalization and other inequalities in Kenya are related to the state, the struggles to control the state and other institutions of the state as well as the state's discriminatory and exclusionary policies that were meant to either provide advantages to certain communities and regions or to discriminate against others.⁵¹⁹ This observation was ascertained by another respondent, Simiyu Sharon, that:

This has taken a number of forms: First, political patronage and other policies pursued by successive governments in Kenya

⁵¹⁸Asbon Matasi, O.I, in Ugunja, Siaya, On, 18/11/2024.

⁵¹⁹Jasper Edward Nyaura, "Devolved ethnicity in the Kenya: Social, economic and political perspective." *European Review of Applied Sociology* 11, no. 16 (2018): 17-26, p.20.

(including the colonial state) tended to provide state resources in such a skewed manner that they benefited mostly those that controlled the state and/ or certain regions. Second, the appointment and recruitment of state officers, which had favored certain regions and ethnic groups since independence, gave regional disparities an ethnic basis. Third, disparities have been perpetuated by the unfair system of representation, which has seen certain areas being over-represented while others are grossly under-represented. This is because the creation of areas or units of parliamentary representation (constituencies as they are known in Kenya) was not based on population size or the size of territory but had, since independence, depended on the arbitrariness of the president.⁵²⁰

Marginalization, inequalities and other forms of disparities have also been the result of ethnicity and ethnic-based politics, which have since colonialism been a central basis of discrimination. Ethno-regional disparities and marginalization have been exacerbated by the discriminatory nature in which: the cabinet membership and other senior positions in government, the public sector and parastatal bodies have been allocated the discriminatory nature of public spending, especially the manner in which the government financed infrastructural development and other big contracts were awarded; national resource endowments; political patronage and corruption, bureaucratic discretion and elite excesses.⁵²¹

Furthermore, the study established that, the latter reasons have influenced the manner in which public resources have been disproportionally used to provide public services such as education and health, which have exacerbated inequalities and marginalization.⁵²²

Moreover, marginalization and economic inequalities were (and still are) rife in different regions. Another respondent, David Obiri, posited that:

⁵²⁰Sharon N. Simiyu, O.I, in Kisumu City, On, 17/11/2023.

⁵²¹Yusuf Bangura, "Ethnicity, inequality and the public sector: a comparative study." United Nations Research Institute for Social Development, Geneva. <http://unpan1.un.org/intrados/groups/public/documents/UNTC/UNPAN018646.pdf> (2005)., p.45.

⁵²²Ibid, p.46.

Indeed, in almost every region in Kenya, besides the broader regional cleavages, there have been local social, economic and political divisions, which provided the basis for fractionalization, marginalization and inequalities even within regions and ethnic groups. Even in Central Province, the better-off region in Kenya, landlessness has remained a common feature of life in many parts.⁵²³

It was noted, Kenya's political economy was molded by colonialism in which most of what was produced in Kenya was exported to Europe but the proceeds never returned to develop the country's economy or its people.⁵²⁴ Based on the preceding finding, a respondent, Jackson Kepue, informed the researcher that, colonialism also created a dual state in Kenya in which European settlers were provided with large fertile tracts of land while Africans were confined to reserves to be sources of cheap labor. In the segregated system, settlers were provided with the means and opportunities for accumulation, while Africans were denied the same. Segregation in the White Highlands did not just separate Europeans and Africans; Africans in the reserves were also segregated from one another, where they were treated differently, depending on their perceived level of cooperation. Those communities that cooperated with the colonial administration were treated better than those that resisted. The colonial state was also an "exclusionary" and "segregationist" one.⁵²⁵

This report from Kepue, informed the research that, State sanctioned segregation and exclusion, or what Mamdani calls the 'bifurcated state', was replicated in the major towns where racial segregation went hand in hand with the ethnicization of African settlements and reserves.⁵²⁶

⁵²³David Butati Obiri, O.I, in Kisumu City, On, 17/11/2023.

⁵²⁴William Robert Ochieng, *Decolonization & [and] Independence in Kenya: 1940-93*. East African Publishers, 1995, p.68.

⁵²⁵Jackson Ole Kepue, O.I, in Kisumu City, On, 17/1/2024.

⁵²⁶Mahmood Mamdani, "Indirect rule, civil society, and ethnicity: The African dilemma." *Social Justice* 23, no. 1/2 (63-64 (1996): 145-150, p.148.

The imposition of colonial rule in Kenya entailed a process of Westernization and capitalist penetration of the African economy, which saw the replacement of the African mode of production by a capitalist one and the integration of African economies into the Western capitalist system but in an exploitative and segregated manner that disadvantaged the former.⁵²⁷ From the duo, an FGD informed the researcher that:

Those areas of Kenya such as Central region and Nyanza region, which were penetrated earlier by capitalism and Western influences developed much earlier than those places where colonization and Westernization did not penetrate. Inequalities and marginalization in Kenya, therefore, came into being as a result of the uneven penetration of capitalism and Western influence in the country with the onslaught of colonialism.⁵²⁸ The colonial government concentrated development only in a number of selected regions such as Central Kenya (Kiambu, Nyeri and Murang'a), Eastern (Machakos and Meru); Western (Kakamega and Bungoma); Nyanza (Kisumu and Kisii); and a few urban areas, namely, Nairobi, Mombasa, Kisumu and Nakuru. This left vast areas in the Rift Valley, Coast and North Eastern provinces undeveloped. These areas lagged behind in education, infrastructure and agricultural development, despite many of them being ideal for agriculture.⁵²⁹

Thus, at independence, some parts of Kenya were “highly economically developed and modern, while others were still using indigenous modes of production”.⁵³⁰ According to Ogot: The uneven development under colonialism corresponded to and had been intersected by regional, ethnic and class factors. Due to their early and more intense penetration by capitalism, Central Province and parts of Nyanza developed much faster

⁵²⁷Mwaura Ndirangu. *Kenya today: Breaking the yoke of colonialism in Africa*. Algora Publishing, 2005, p.64.

⁵²⁸Lucianna Thuo and Caroline Kioko, "Marginalization in Kenya in historical perspective (1963-2021): The starts, false starts and the last promise." Kabarak University, 2023, p.49.

⁵²⁹FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁵³⁰William Ochieng, (1995). *Op. Cit.*, p.89.

than the rest of Kenya. When the State of Emergency was declared and the development of Kikuyu regions slowed down, the Luo petty bourgeoisie and political elite took over the leadership of the nationalist movement, which also entrenched the Luo politically by the time of independence.⁵³¹

However, it was further noted that, owing to the disagreements between Jaramogi Oginga Odinga and Kenyatta, which ended in the former leaving KANU and founding the Kenya Peoples' Union, the Luo were subsequently marginalized politically and were, therefore, unable to control important institutions of the state. This explains their political marginalization, especially in the post-1970 period.⁵³² A respondent confirmed this stand by pointing out that:

In the Rift Valley and Coast regions, capitalism and colonialism were less developed and the petty-bourgeois classes much smaller and more vulnerable than their Central Province counterparts. Unlike the Luo, the Kalenjin of the Rift Valley lived in close proximity to the White Highlands and feared the possibility of the Kikuyu claiming the White Highlands or even "colonizing" them once independence was gained.⁵³³

Therefore, according to Ogot, this fear was fueled by the tens of thousands of landless Kikuyu agitating for land in the area, as well as ongoing inflammatory speeches by radical Kikuyu leaders. Similar fears faced the coastal peoples who were afraid of being dominated by upcountry peoples, who already formed the bulk of the labor force in the region. The study discovered that, according to Ogot, the coastal peoples, who had piously been

⁵³¹Ibid, p.66.

⁵³²Albert Gordon Otieno Omulo, "Ethnicity, governance and socio-economic development in Africa: A case study of Kenya and its Luo community, 1963-2013." (2017)., p.75.

⁵³³Irene Kones, O.I, in Lumakanda, Kakamega, On, 31/01/2024.

dominated by the Arabs, were especially afraid of being dominated by the upcountry people as well.⁵³⁴ Based on the preceding argument, it was discovered that:

This fear, to a large extent, was the reason the nomadic peoples of the Rift Valley, together with other minority groups, formed the Kenya African Democratic Union to compete with the Kenya African National Union that represented the interests of the more dominant ethnic groups. Colonial segregation created a racially tiered society in which Europeans and other colonial administrators were at the top of the pyramid, Asians (Indians, Pakistanis and Goans) and Arabs occupied the second tier, while Africans occupied the bottom level. While Europeans had all the privileges, Africans had none and were forced to work with little or no pay for the Europeans. Though Asians and Arabs did not have many privileges, they were nevertheless allowed to freely trade and engage in small businesses.⁵³⁵

Therefore, Africans also had the privileged among them including teachers, clerks, lawyers, skilled workers, nurses and domestic workers. It was this group of Africans that was to later lead the nationalist movement. Additionally, another respondent reiterated that: At independence, these groups of petty bourgeoisies, in collaboration with the ruling elites, would use the state as an instrument for further accumulation. Further marginalization of Africans occurred when they were denied access and participation in the profitable cash and export crop production as a way of forcing them to work for the settlers. The colonial administration also denied Africans commercial credits and alienated their land, which greatly limited African agricultural production and access to fresh land.⁵³⁶ Further marginalization of Africans was ensured through the introduction of Hut and Poll taxes which impoverished many and forced many young productive Africans to work in the settlers for little or no pay.

⁵³⁴Bethwell Ogot, (1995). *Op. Cit.*, p. 66.

⁵³⁵Kelvin Ochola Omanyoo, O.I, in Farm View, Busia, On, 01/02/2024.

⁵³⁶Samison Kunani, O.I, in Chwele, Bungoma, On, 27/01/2024.

In the article, *Governance Institutions and Inequality in Kenya*, Karuti Kanyinga, points to the existence of a relationship between ethnicity and resource distribution and therefore, between ethno-regional imbalances and development in Kenya.⁵³⁷ Kanyinga shows the disparity in terms of development between and among the eight former provinces of Kenya and since some of the regions are home to a numerically large group, he concludes that there is ethno-regional disparity in development in Kenya. This means that some regions and ethnic groups are collectively poorer than others in that they have fewer opportunities to improve their wellbeing and enjoy fewer services while others are generally better off and have more opportunities.⁵³⁸ Looked at from a national perspective, the study discovered that:

Central region is on the whole better off than the other provinces in terms of wealth and opportunities, while North Eastern and Coast region seem to have the least opportunities and are the poorest. The two provinces have the least opportunities and the lowest access to basic services for their people.⁵³⁹

Kanyinga has presented data to show that marginalization, inequalities and other disparities in Kenya can be explained in terms of a region's access or proximity to power and institutions of power.

⁵³⁷Karuti Kanyinga, "Governance Institutions and Inequality in Kenya." *Readings on Inequality in Kenya: Sectoral Dynamics and Perspectives* (2007), p.56.

⁵³⁸*Ibid*, p.63.

⁵³⁹Samuel Odindo, O.I, in Ukwala, Siaya, On, 18/11/2023.

With data from four institutions, namely: Parliament, the Cabinet, the Judiciary and the public sector (Permanent Secretaries, the provincial administration, public corporations and parastatals), Kanyinga demonstrates a pattern of appointments to these positions in which regions where the powerful in government come from have benefitted more.⁵⁴⁰ In fact, Kanyinga points out that the four regimes that have governed Kenya the colonial government, the Kenyatta, Moi and the Kibaki regimes, deliberately favored certain regions in appointments to key government positions. Kanyinga argues that inequalities in governance institutions have been an integral part of Kenya's social-political life.⁵⁴¹ It was noted that:

First, inequalities in the composition and staffing of Kenya governance positions are the result of ethnicity and attempts by the governing elite to consolidate power by locking out members from other ethnic groups. Second, parliamentary seats are inequitably distributed among the main ethnic groups and that population size is not the main factor determining the number of seats a region or community will have.⁵⁴²

From Kanyinga's work, the manner in which the distribution of seats has been done was deliberately constructed to over-represent those regions or communities from where the incumbent President comes.⁵⁴³ Since Moi came to power, the numerically smaller communities (Maasai, Turkana, Samburu and Somali) have also been over-represented in terms of parliamentary seats. Thus, appointments did not necessarily favor any one particular ethnic group or region to the total exclusion of others.

⁵⁴⁰Karuti Kanyinga, (2007) *Op. Cit.*, p.46.

⁵⁴¹*Ibid.*, p.46.

⁵⁴²*Ibid.*, p.66.

⁵⁴³Irene Katunge Nyamu, "Child Protection Responses and Transformative Social Protection in Kenya and South Africa: Can social grants improve the wellbeing of children affected by violence and neglect?" (2023), p.35.

Kanyinga's data reveal a number of interesting observations and paradoxes in the people and regions advantaged by incumbency. In service provision, Nairobi and Central provinces have a higher roads density than other areas while in terms of access to water, Nairobi, Central and Coast provinces had more people connected to piped water by 1989 than any other province.⁵⁴⁴ A similar phenomenon is observed in enrolments into primary school. Although Central Province has had some of the highest enrolment, its numbers are declining.

Nairobi, Eastern and Western provinces had the highest growth rate between 1979 and 2001, while Central Province had the lowest during the period. Therefore, as per this study, an important paradox in Kanyinga's findings is that minorities are not seriously marginalized in governance institutions. In Parliament, there is evidence that minorities are in fact more represented than the numerically large groups. This is because, during the Moi regime, conditions were created in which the minorities were put in relatively more senior positions in proportions that were higher than their share of the country's population. Kanyinga's findings clearly show that it is the large ethnic groups that were marginalized, especially if the number of positions they controlled was compared to the share of the incumbent.⁵⁴⁵

Therefore, the findings above are in tandem with Interpretivism and The Relative Deprivation Theory. It was established that Interpretivism philosophy emphasizes practical consequences and real-world outcomes in decision-making and problem-solving. In the context of Kenya's challenges, a pragmatic approach calls for solutions that address the

⁵⁴⁴Matlosa Khabele, "Pouring salt into the Wound: The Crisis of International Election Observation and COVID-19 in Africa." *Journal of Asian and African Studies* 56, no. 8 (2021): 1967-1981, p.1972.

⁵⁴⁵Karuti Kanyinga, (2014), *Op. Cit.*, p.23.

immediate needs of marginalized communities while also considering the long-term implications.⁵⁴⁶ This philosophy encourages policymakers to prioritize tangible actions that deliver measurable results, such as investing in infrastructure and education in underserved regions, rather than solely focusing on ideological or theoretical debates.

The Relative Deprivation Theory provides valuable insights into the social dynamics underlying inequalities and disparities. According to this theory, feelings of deprivation arise when individuals perceive a gap between their expectations and their actual circumstances relative to others.⁵⁴⁷ In Kenya, where stark economic disparities exist between different ethnic groups and regions, the Relative Deprivation Theory helps explain why marginalized communities may feel disenfranchised despite national efforts at development. It underscores the importance of not only addressing material inequalities but also addressing the subjective experiences of injustice and exclusion.⁵⁴⁸

Together, Interpretivism philosophy and the Relative Deprivation Theory offer a nuanced understanding of the complexities surrounding marginalization, inequalities, and disparities in Kenya. By embracing a pragmatic approach that acknowledges the subjective experiences of deprivation among marginalized groups, policymakers can develop more effective strategies to promote social inclusion, economic empowerment, and sustainable development. This requires not only addressing immediate needs but also fostering a sense

⁵⁴⁶Karuti Kanyinga, "Ethnicity, Patronage and Class in a Local Arena: "High "and "Low "politics in Kiambu, Kenya, 1982–92." *The New Local Level Politics in East Africa* 66 (1994), p.13.

⁵⁴⁷Robin M. Williams, "Relative deprivation." In *The idea of social structure*, Routledge, 2017, pp. 355-378, p.362.

⁵⁴⁸Ellen Johanna Helsper, "The social relativity of digital exclusion: Applying relative deprivation theory to digital inequalities." *Communication Theory* 27, no. 3 (2017): 223-242, p.226.

of fairness and equity in society, ultimately laying the foundation for a more prosperous and harmonious Kenya.

3.3 Government Policies to Deal with Marginalisation

At independence, Kenya inherited a system with unequal distribution of services skewed in favor of prosperous areas.⁵⁴⁹ It was further noted by the researcher that, Europeans dominated virtually all positions in the civil service and were also the dominant class in industry, professions and commerce, although in the latter sector there was a number of Asian and Arab competitors. Rural and urban inequalities in resource allocation and development were also noticeable, as were gender inequalities. Successive regimes have attempted to address these inequalities with mixed results.

The study was further informed by a focus group discussion in Bosongo - Kisii that, indeed: Since independence, Kenya's development strategy has been anchored on Sessional Paper No. 10 of 1965 on "African Socialism and its Application to Planning in Kenya", and which has served as Kenya's development bible for decades. Sessional Paper No. 10 aimed to remove the inequalities inherited from the colonial period. It stated as follows: "The state has an obligation to ensure equal opportunity to all its citizens, eliminate exploitation and discrimination and (will) provide the needed social services such as education, medical care and social security".

In African Socialism, the government committed itself to guaranteeing every citizen, poor or rich, full and equal political and economic rights to ensure the participation of every

⁵⁴⁹Godfrey Mulongo, "Inequality in accessing higher education in Kenya; Implications for economic development and well-being," *International journal of humanities and social science* 3, no. 16 (2013): 49-61, p.49.

person in the running of the country, and that Kenya's resources would be used to benefit all Africans. The government also committed itself to train, educate and to mobilize all Kenyans to fully participate in the country's development. To develop the country, the government committed itself to improve key strategic and essential infrastructure and services, such as harbors, principal roads, railways, airways, broadcasting and telecommunications.⁵⁵⁰

However, the manner in which these services were provided was not equitable and favored certain areas, while other areas were opened up for more exploitation and investments.⁵⁵¹

During Kenyatta's rule, infrastructure development targeted tea and coffee growing areas in his Central Province while neglecting most other areas, particularly North Eastern Province. His successor, Daniel Arap Moi, pursued policies that targeted grain growers in his native Rift Valley. Kenyan policy makers adopted a laissez-faire development approach that did not concern itself with alleviating regional disparities in development, including education.⁵⁵² Based on the preceding findings, a respondent, Peace Chepchumba stated that:

Since parents contributed significantly to the cost of education, it meant that certain communities had more access to education than others, thus increasing the marginalization of those without adequate schools. This shifted the burden of meeting the cost of schooling to parents, which meant that education was increasingly becoming a preserve of the rich. With the help of donor funding, a number of boarding schools were constructed in marginalized areas.⁵⁵³

⁵⁵⁰FGD with Community Social Welfare Officials (Health Department) in Bosongo Kisii Town, on 12/11/2023.

⁵⁵¹Biniam E. Bedasso, "For richer, for poorer: why ethnicity often trumps economic cleavages in Kenya." *Review of African Political Economy* 44, no. 151 (2017): 10-29, p.15.

⁵⁵²Cooksey *et al*, (1994), *Op. Cit.*, p. 211.

⁵⁵³Peace Chepchumba, O.I, in Bungoma Town, On, 27/01/2024.

In 1983, a quota system of admission was introduced at the district level to ensure local students had access to district schools. However, by the 1990s, disparities in the education system continued, especially in the arid and semi-arid areas.⁵⁵⁴ The Kenyatta government was more interested in growth and economic development in general than it was in redistribution. Hence, although at independence the Kenyan economy grew at a fairly steady pace, the benefits of this growth were enjoyed by a small number of elites and communities. In the 1980s, however, the Kenyan economy stagnated and Moi's conflicts with the donor community denied his government foreign aid.

In conclusion, as part of the Structural Adjustment Programs, the government had to reduce public spending, forcing Moi to rely on domestic resources. The government introduced cost-sharing in the provision of public services, which disadvantaged the same marginalized people that were being protected.⁵⁵⁵ This was made worse by natural calamities that affected the country in 1983-5, especially, drought and famine that reduced maize, wheat and dairy production. The drought caused severe shortages, forcing the government to spend more on importation of essential goods, which took away resources that could have been used in marginalized areas.⁵⁵⁶

In the realm of government policies aimed at addressing marginalization, Interpretivism philosophy and the Relative Deprivation Theory offer valuable perspectives to inform effective strategies.⁵⁵⁷ Interpretivism philosophy emphasizes the importance of practical

⁵⁵⁴Teboho Moja, "Nigeria education sector analysis: An analytical synthesis of performance and main issues." *World Bank Report* 3 (2000): 46-56, p.52.

⁵⁵⁵Rono, Joseph Kipkemboi. "The impact of the structural adjustment programs on Kenyan society." *Journal of social development in Africa* 17, no. 1 (2002): 81-98, p.86.

⁵⁵⁶*Ibid.*, p.87.

⁵⁵⁷Ross Gillard, Carolyn Snell and Mark Bevan. "Advancing an energy justice perspective of fuel poverty: Household vulnerability and domestic retrofit policy in the United Kingdom." *Energy Research & Social Science* 29 (2017): 53-61., p.58.

consequences and real-world outcomes in decision-making. Applied to government policies, this philosophy calls for approaches that prioritize tangible improvements in the lives of marginalized communities. Rather than adhering rigidly to ideological principles, policymakers should adopt measures that have a measurable impact on reducing disparities and enhancing social inclusion.⁵⁵⁸ For instance, instead of focusing solely on broad-based economic reforms, Interpretivism suggests targeted interventions such as affirmative action programs or community development projects that directly benefit marginalized groups.⁵⁵⁹

Meanwhile, the Relative Deprivation Theory sheds light on the subjective experiences of marginalization and inequality. According to this theory, individuals feel deprived when they perceive a gap between their expectations and their actual circumstances relative to others. In the context of government policies, understanding the subjective nature of deprivation is crucial for designing interventions that address not only material needs but also the underlying sense of injustice and exclusion. Policies that incorporate participatory approaches, community engagement, and feedback mechanisms can help ensure that the voices and experiences of marginalized groups are taken into account.

By integrating Interpretivism philosophy and the Relative Deprivation Theory into government policies, policymakers can develop more effective strategies to deal with marginalization. This involves adopting practical measures that deliver concrete improvements in the lives of marginalized communities while also addressing the subjective dimensions of deprivation and inequality. Ultimately, by embracing these

⁵⁵⁸Barry Bozeman, *Public values and public interest: Counterbalancing economic individualism*. Georgetown University Press, 2007, p.72.

⁵⁵⁹Donna M. Mertens and T. Wilson Amy, *Program evaluation theory and practice*. Guilford Publications, 2018., p.32.

frameworks, governments can foster greater social cohesion, promote inclusive development, and advance towards a more equitable society.

3.4 Africanisation and Inequalities in Kenya

The first important undertaking of the government was to ensure that the Kenyan economy and civil service, which had hitherto been dominated by European settlers and administrators, came under the control of Africans.⁵⁶⁰ A respondent, Benard Juma retorted that: This was done through legislation, licensing, the establishment of state corporations to provide finances as well as appointments to key positions in government and industry. Specialized government corporations (parastatals) were established to provide Africans with the necessary resources to fully participate in economic development. The Kenya National Trading Corporation handled import and export trade, the Agricultural Finance Corporation provided credit to Africans to buy and rehabilitate large scale farms, and the Industrial and Commercial Development Corporation provided industrial credit and other loans for development.⁵⁶¹

The Industrial and Commercial Development Corporation was to be the main vehicle for the government's participation in industry. Although these corporations enabled Africans to get a firm grip on the economy, the people controlling them and those that benefitted from their funding were disproportionately drawn from a select pool of elites or regions closely identified with the regime in power. As discovered by Ochieng, it is clear that:

The credit from the Industrial and Commercial Development Corporation and AFC was skewed to benefit entrepreneurs from the

⁵⁶⁰David Himbara, *Kenyan capitalists, the state, and development*. East African Publishers, 1994, p.43.

⁵⁶¹Benard Juma, O.I, in Kimilili, Bungoma, On, 27/01/2024.

political elite that controlled the state. As a result, the Africanization of the Kenyan economy and civil service ended up benefiting President Kenyatta's close associates and kinsmen. As the International Labor Organization (1972) and World Bank (1975) reports point out, Africanization of jobs in the public sector and the transfer of farms and businesses to the Kenyan petty bourgeoisie and peasants in the first decade of independence "had only amounted to the replacement of a few Europeans, but this did not fundamentally alter the structure of the former colonial economy".⁵⁶²

By the end of the Kenyatta era, "significant portions of the Kenya population still remained on the fringes of society". They felt deprived of a place of dignity in national life by barriers of class, ethnicity, gender or even geography. On the other hand, many Kenyans who were already enjoying the fruits of independence were reluctant or even opposed to sharing their fortunes with the disadvantaged groups.⁵⁶³ When Moi came to power, his first priority was to try to correct this. In the first decade of his administration, President Moi "designed, and implemented social, economic and political programs aimed at incorporating those who were rapidly becoming alienated from the mainstream of national development." This included North Eastern Province, whose inhabitants did not feel they belonged to Kenya. Moi also mainstreamed other groups such as women, *jua kali* workers and the disabled into the national social and economic system.⁵⁶⁴ Archival data reveals that:

Moi adopted distributive policies that targeted the marginalized and minority communities as well those in rural areas. Harking back to the KADU policies of a devolved system of government (*Majimbo*) which Moi had pushed for as party leader at independence, as President, he introduced the District Focus for Rural Development to empower local communities at the beginning of the 1983 financial year. Under the District Focus strategy, planning for rural areas shifted from Nairobi to the districts. This was also meant to

⁵⁶²William Ochieng', (1995), *Op. Cit.*, p. 90.

⁵⁶³Bethwell Ogot, (1995). *Op. Cit.*, p.208-9.

⁵⁶⁴*Ibid.*, p. 209.

“broaden the base of rural development and encourage local initiatives in order to improve problem identification, resource mobilization and project implementation”.⁵⁶⁵

Moi also created new areas of representation as well as new administrative units in an attempt to “bring government closer to the people” and reduce the historical marginalization in the country. Moi also reached out to communities that had *hitherto* been marginalized. Referring to Moi’s policies, Abel John Owuor stated:

His agricultural policies also shifted away from Kenyatta’s, which had aimed at benefiting tea and coffee farmers in Central Province, to grain and cereal growers in the Rift Valley. In addition to providing the necessary infrastructure in the region, the Moi government placed Rift Valley elites in charge of the agricultural sector to facilitate the importation of cheaper inputs to the agriculture sector for distribution to farmers. Moi’s redistributive policies switched resources from the cash/export crop growers (tea and coffee) in Central Province to grain growers (wheat, maize and beans) in the Rift Valley. Moi also tried to open up hitherto marginalized areas to cash crops to spur faster development. For example, Moi started tea plantations in Rift Valley and Western provinces, which were not traditionally tea growing regions. Moi also saw the expansion of university education and the construction of public and private universities among marginalized communities and regions.⁵⁶⁶

Further, Moi introduced the District Focus for Rural Development, which was meant to not only decentralize development but also to make the district the center of resource allocation.⁵⁶⁷ Additionally, Moi also tried to open up many of the marginalized areas through the construction of roads, telecommunications network and health facilities.

The construction of the Eldoret International Airport and the tarmacking of a number of road networks in Rift Valley Province stood out in this regard. This was, however,

⁵⁶⁵Republic of Kenya, 1984:1.

⁵⁶⁶Abel John Owuor, O.I, in Ahero, Kisumu, On, 17/11/2023.

⁵⁶⁷Peter Juma, "The role of community participation in the district focus for rural development planning strategy: A case study of Busia district Kenya." PhD diss., 2005., p.87.

overdone - with Rift Valley Province receiving the lion's share of funds for roads and health centers. However, even with this, a number of other areas remained marginalized. In fact, questions have been asked as to whether Moi acted as he did to ensure a more equitable distribution of public resources or for political reasons to favor his community. This is because, as we have seen, Moi tended to concentrate development in the Rift Valley, although he also tried to open up other hitherto marginalized regions.⁵⁶⁸ Secondly, by establishing universities outside Nairobi and Central Province, Moi ensured that even marginalized communities and regions had access to an important resource- university motivated small economies of consumption.

In grappling with the complex dynamics of Africanization and inequalities in Kenya, the philosophical frameworks of Interpretivism and the Relative Deprivation Theory offer insightful lenses through which to understand and address these issues.⁵⁶⁹ Interpretivism philosophy, with its emphasis on practical consequences and real-world outcomes, provides a pragmatic approach to tackling inequalities within the context of Africanization. In the pursuit of Africanization policies, such as promoting indigenous leadership and ownership of the economy, Interpretivism suggests prioritizing measures that yield tangible improvements in the lives of all Kenyans, regardless of ethnicity.⁵⁷⁰ This could involve initiatives aimed at enhancing access to education, healthcare, and economic opportunities for historically marginalized communities. By focusing on concrete actions that deliver

⁵⁶⁸Francis Kipyegon Arap Sigei. "The District Focus for Development Strategy in Kenya: A case of Decentralization and the Changing Role of the Generalist Field Administration." PhD diss., 2015., p.92.

⁵⁶⁹Jonathan O. Chimakonam, *Ezumezu: A system of logic for African philosophy and studies*. Springer, 2019, p.46.

⁵⁷⁰Hester Du Plessis, Jeffrey Sehume and Leonard Martin, *Concept and application of trans disciplinarity in intellectual discourse and research*. Real African Publishers, 2014, p.41.

meaningful results, policymakers can ensure that Africanization efforts translate into tangible benefits for all citizens, thereby reducing inequalities.

The Relative Deprivation Theory offers additional insights into the underlying dynamics of inequalities within the framework of Africanization. According to this theory, individuals experience feelings of deprivation when they perceive a gap between their expectations and their actual circumstances relative to others. In the context of Africanization, disparities in access to resources, opportunities, and political power can exacerbate feelings of relative deprivation among marginalized communities.⁵⁷¹ Recognizing and addressing these subjective experiences of injustice and exclusion is crucial for promoting social cohesion and inclusive development.

By integrating Interpretivism philosophy and the Relative Deprivation Theory into efforts to address Africanization and inequalities in Kenya, policymakers can develop more effective strategies that prioritize practical outcomes and address the subjective experiences of deprivation. This involves implementing policies that not only promote indigenous leadership and ownership but also ensure equitable access to resources and opportunities for all Kenyans. Through such holistic approaches, Kenya can move towards a more inclusive and equitable society where Africanization contributes to shared prosperity and social cohesion.

⁵⁷¹Obed Mfum-Mensah, *Education marginalization in sub-Saharan Africa: Policies, politics, and marginality*. Rowman & Littlefield, 2018, p.51.

3.5 Addressing Inequalities through Education

The Ominde Commission was set up in April 1964 to look into the education sector and make recommendations on how it could be made more relevant for the country.⁵⁷² One of the major recommendations was on the need for universal education in the country and, therefore, the Commission endorsed free primary education as the future of the education system in Kenya.⁵⁷³ The Ominde Commission also recommended that more resources be put in areas that had been marginalized education-wise, that is, in areas whose enrolments were below the national average. To meet the manpower requirements for the country, the Ominde Commission recommended that at the beginning, more resources be directed towards secondary and college education than to primary schools.⁵⁷⁴ Therefore, based on the preceding secondary findings, a respondent averred that:

To address the inherited problems of social inequality and regional disparities in access to education, Kenya allowed social demand to run it, which resulted in a significant enrolment for secondary schools. The government was more driven by market forces as well as the idea that a merit-based equality of opportunity, determined by national examinations, was more important.⁵⁷⁵

Additionally, a 1966 Teachers Service Commission Act made all teachers state employees, thus providing the government with the power to post teachers anywhere in the Republic. A 1980 law established the Kenya National Examinations Council as the sole body for conducting examinations outside the university.⁵⁷⁶ However, it was established by the study

⁵⁷²David Ackah, "Education Policies and its Impact on Education Implementation." Volume 1 (2019): 13-24., p.15.

⁵⁷³Ibid

⁵⁷⁴Cooksey, *et. al.*, (1994). *Op. Cit.*, p.202.

⁵⁷⁵Robert Ekam, O.I, in Changara, Busia, On, 27/11/2023.

⁵⁷⁶Furlong, John, Marilyn Cochran-Smith, and Marie Brennan. "Policy and politics in teacher education." *International Perspectives*. London: Routledge (2009), p.73.

through the works of Cooksey, that: Policy in the education sector continued being run under political fiat, where the government, through the Ministry of Education, emasculated the other institutions charged with responsibilities in education. With time, however, policy-making in education was increasingly separated from planners and professionals and often negated their advice, instead following the dictates of the political leadership.⁵⁷⁷

Through the works of Court and Ghai, which, with the expansion of education, certain regions, particularly Central Province, were advantaged. There was a widespread perception that the role of education was to prepare its beneficiaries for white-collar jobs and hence these advantages in access to education also translated into other economic benefits for those who had education.⁵⁷⁸ Indeed, Janipher Walela submitted that:

By the 1980s, the education system still reflected the dominant economic, political and social structures and norms of the independence period. This, however, changed significantly when Kenyatta was replaced by President Moi, whose redistributive policies saw the establishment of academies and schools comparable to national ones in different regions of the country. Secondly, Moi oversaw the expansion of the school system by increasing enrolments especially university admissions to levels that would not have been thought possible only a few years earlier.⁵⁷⁹

Therefore, expansion of the education system also reduced the elitist nature of the education system in the country. This, however, came with accusations of a watered-down education. Moi's expansion of the education sector was so rapid that it plunged the entire system into chaos since it was undertaken at a time that Kenya's economy was in a crisis and hence unable to fund the education system. This was followed by the scrapping of the

⁵⁷⁷Cooksey *et al*, (1994). *Op. Cit.*, p. 207.

⁵⁷⁸Dharam P. Ghai, *Education, Society, and Development: New Perspectives from Kenya*. Nairobi: Oxford University Press, 1974 [ie 1975], 1975., p.67.

⁵⁷⁹Janepher Walela, O.I, in Kisumu City, On, 17/11/2023.

two-year pre-university advanced level course, which also expanded university education. On coming to power, Mwai Kibaki's government introduced universal primary education, which has greatly lifted the standards of even the piously marginalized.⁵⁸⁰

In the pursuit of addressing inequalities through education in Kenya, the philosophical frameworks of Interpretivism philosophy and the Relative Deprivation Theory offer valuable acumens and guidance. Interpretivism philosophy, with its focus on practical consequences and real-world outcomes, provides a pragmatic approach to tackling educational inequalities. It emphasizes the importance of implementing policies and initiatives that deliver tangible improvements in educational access, quality, and outcomes for marginalized communities. This could involve measures such as investing in infrastructure, providing scholarships or financial aid programs, and improving teacher training and support in underserved areas.⁵⁸¹

By prioritizing practical actions that directly impact educational disparities, policymakers can ensure that efforts to address inequalities through education translate into meaningful improvements in the lives of students and communities. The Relative Deprivation Theory complements Interpretivism philosophy by highlighting the subjective experiences of inequality within the education system. According to this theory, individuals experience feelings of deprivation when they perceive a gap between their expectations and their actual circumstances relative to others.⁵⁸² In the context of education, disparities in access to resources, quality of instruction, and opportunities for advancement can exacerbate feelings

⁵⁸⁰Thuo, Lucianna, and Caroline Kioko. "Marginalization in Kenya in historical perspective (1963-2021): The starts, false starts and the last promise." Kabarak University, 2023, p.76.

⁵⁸¹KNA, DC/NN/1/26: North Kavirondo District Annual Report, 1944

⁵⁸²Samuel Maia, "A New Look into Peter Townsend's Holy Grail: The Theory and Measure of Poverty as Relative Deprivation." (2024)., p.63.

of relative deprivation among marginalized students. Recognizing and addressing these subjective experiences of injustice and exclusion is crucial for promoting equity and social cohesion within the education system.

By integrating Interpretivism philosophy and the Relative Deprivation Theory into efforts to address educational inequalities in Kenya, policymakers can develop more effective strategies that prioritize practical outcomes and address the subjective experiences of deprivation.⁵⁸³ This involves implementing policies that not only expand access to education but also ensure equitable distribution of resources and opportunities for all students, regardless of background. Through such comprehensive approaches, Kenya can work towards a more inclusive and equitable education system that empowers all learners to reach their full potential and contribute to national development.

3.6 The Constitution of Kenya (2010) as a Solution to Inequalities

The importance of the Constitution of Kenya (2010) in fighting or eliminating inequalities in Kenya cannot be over-emphasized. This is because institutions, political or otherwise, are critical determinants of economic performance.⁵⁸⁴ Institutions not only provide the formal rules, laws and constitutions that govern the budget process, but combine with the informal norms, behavior and conduct, and the enforcement and oversight mechanisms to influence the outcomes in the economy.⁵⁸⁵ Based on the two scholars' arguments, the study established that, by strengthening the institutional basis of policy-making, the Constitution

⁵⁸³Tom R. Tyler and J. Smith Heather, "Social justice and social movements." (1995), p.32.

⁵⁸⁴Douglass C. North, "Economic performance through time." *The American economic review* 84, no. 3 (1994): 359-368., p.362.

⁵⁸⁵Smith Stewart, "Recent developments in planning legislation." (2006), p.12.

of Kenya (2010) laid a sound foundation from which economic inequalities, regional disparities and marginalization can be addressed.

Commenting about inequalities and disparities in Kenya, Karingai points out that Kenya's weak institutions were mainly to blame. This is because weak institutions give room to bureaucratic manipulation, and corruption to influence how resources are allocated. Weak institutions create room for distorted planning priorities, and end up with unfair construction and distribution of schools, health facilities and other important amenities needed for development.⁵⁸⁶

Based on the foregoing, it was established through an interrogation with a respondent as shown in plate 4, that:

Although corruption leads to wastefulness, theft or looting of public resources, misallocation of public funds and construction of “white elephants”, the opportunities for rent seeking or even for corruption are not evenly spread across regions. The more politically connected, therefore, ended up benefitting more from government wastefulness. Corruption related resources, looted funds and other misappropriated public funds end up being invested somewhere, thus increasing job opportunities and the resources in that area. The Constitution of Kenya, 2010, provides a solid legal and institutional framework for the recognition and protection of the rights of minorities and those of marginalized groups. It does this through its rights-based approach to development, where everyone is entitled to development as a right.⁵⁸⁷

However, Chapter IV on the Bill of Rights provides a framework for affirmative action that ensures that minorities and the marginalized are brought up to speed in social, economic and cultural development.

⁵⁸⁶KNA, DC/EN/2/4: Political Records; Ethnology, 1959.

⁵⁸⁷Peter Kemei, Kakamega County in the County Commissioner's Office in Kakamega Town on 12/11/2023.



Plate 4: Oral interview with Peter Kemei, AO1 Kakamega County in the County Commissioner's Office in Kakamega Town on 12/11/2023

Second, it emerged to the study that, the Constitution has addressed the issue of inequalities through the budgeting process. It also emerged to the study that, the allocation of public funds among and between regions through the budget is the main policy tool that could be used to address regional inequalities.⁵⁸⁸

In most developed economies, the redistribution policy is designed in such a way that low-income regions enjoy a higher inflow of public resources, while high income generating regions provide the surplus resources needed.⁵⁸⁹ Based that fact, the study further noted that, the Constitution has adopted a similar mechanism through the establishment of the Equalization Fund (Article 204), which will see at least 0.5 per cent of Kenya's annual

⁵⁸⁸ Brian Preston, "Administrative Law in an Environmental Context: An Update." (2007)., p.16.

⁵⁸⁹ Andrea Giovanni Cornia, Policy reform and income distribution. UN, 2005., p.21.

revenue distributed to the poorer regions of the country for a period of 20 years to assist in the provision of basic services (water, roads, health services) to marginalized areas so as to bring the quality of services in those areas to the level generally enjoyed by the rest of the nation.⁵⁹⁰ This is meant to ensure that the not-so-developed counties are able to catch up with the rest of Kenya. This is in addition to getting an equal share of the 15 per cent of the country's revenue that will be devolved to the counties. The distribution of the 15 per cent of revenue will also factor in the level of development in each county and, therefore, *ceteris paribus*, counties that are considered less developed will get a proportionally higher amount than those that are more endowed with resources.⁵⁹¹

According to Article 201(b) (iii), one of the principles of public finance is to promote an equitable society ensuring that public "expenditure shall promote the equitable development of the country including by making special provision for marginalized groups and areas."⁵⁹² It was further established that:

Article 202 puts the criteria for determining the equitable sharing of national revenue as consideration of a) economic disparities within and among counties and the need to remedy them; b) the need for affirmative action in respect of disadvantaged areas and groups (Article 203 (1) (g-h)). Prior to the promulgation of the Constitution, there was no formal system of determining the manner in which public funds were to be allocated. Planning, budgeting and spending of government finances was mainly the preserve of the Ministry of Finance, Ministry of Planning and National Development, and a few stakeholder institutions.⁵⁹³

⁵⁹⁰Francis N. Kaburu, "Fiscal Decentralization in Kenya and South Africa: a Comparative Analysis'." (2013), p.14.

⁵⁹¹Ibid, p.16

⁵⁹²Angella T.E. Ewang, "Reforming Public Finance Management in Kenya: Implementational Challenges on the Principle of Openness and Accountability in Public Finance Management." PhD diss., University of Nairobi, 2019., p.78.

⁵⁹³Bo Rothstein and Eric M. Uslaner. "All for all: Equality, corruption, and social trust." *World politics* 58, no. 1 (2005): 41-72., p.46.

Due to the centrality of the executive arm of the government in the formulation, planning, implementation and the auditing of public expenditures, members of the cabinet and senior government officers have had a lot of discretion that they have (mis) used to unfairly benefit certain areas.⁵⁹⁴

Bureaucratic excesses in the allocation of public finances have been exacerbated by the absence of a criterion for such allocations and resulted in many governments' funded projects tending to go to regions represented by powerful politicians, leaving other regions quite marginalized. One of the respondents asserted that: Public allocations for districts have also been left to the discretion of the respective ministries and, therefore, it has not been possible to establish whether there was any deliberate attempt towards equitable distribution. Available evidence shows that district allocations are also skewed, but in favor of wealthier districts. Allocations to the various districts were also done from the center in a process that was mainly top bottom.

Unlike at the national level where bureaucratic discretion determined allocation of public resources, there are a number of local funds whose allocation to the districts and local authorities is formalized. These funds include the Constituencies Development Fund, the Local Authorities Transfer Fund, Roads Maintenance Levy Fund, Youth Enterprise Development Fund and Women Development Fund. These, together with the recently established Ministry for Development of Northern Kenya, have helped to improve the hitherto marginalized areas and groups. It is, however, doubtful whether much would be

⁵⁹⁴Ibid

achieved through this, owing to corruption and the limited resources that these funds have.⁵⁹⁵

The developments of Northern Kenya are so grossly underfunded that it can hardly do anything to reverse the years of marginalization in the northeastern regions of Kenya.⁵⁹⁶ It is, however, hoped that the establishment of the devolved system of governance, the Commission for Revenue Allocation as well as the Equalization Fund will allocate adequate resources in these marginalized regions for their development.⁵⁹⁷

The Constitution assumes that for public expenditure to be an effective tool for reducing inequality, it should be skewed in favor of districts that have high levels of poverty. That is, there should be a form of equalization or affirmative action directed at the regions and groups that are less resource-endowed to hasten development.⁵⁹⁸ This, however, raises a fundamental question about equity, distribution and efficiency, that is, how will the government resolve the conflict between fair distribution of resources and a need for efficient production. The Constitution has other provisions, specifically addressing issues of minorities and marginalized groups (Persons with Disabilities, the elderly and gender). It emerged that:

In Chapter 4 on the Bill of Rights, the Constitution provides specific rights for minorities, marginalized groups and communities (such as the youth, women and the elderly). The following section discusses the provisions of the Constitution regarding minorities,

⁵⁹⁵Everlyn Kerubo, O.I, in Kisii Town, On, 12/11/2023.

⁵⁹⁶Judith Tyson, Vidya Diwakar, Morakinyo O. Adetutu and James Bishop. Inclusive economic growth in Kenya: The spatial dynamics of poverty. ODI Report, 2020., p.6.

⁵⁹⁷Bo Rothstein and Eric M. Uslaner. (2005). *Op. Cit.*, p.48.

⁵⁹⁸Ibid

marginalized groups and communities (such as the youth, women and the elderly).⁵⁹⁹

The Constitution addresses two types of marginalization: a marginalized community and a marginalized group. The Constitution defines a marginalized community as: A community that, because of its relatively small population or for any other reason, has been unable to fully participate in the integrated social and economic life of Kenya as a whole; a traditional community that, out of a need or desire to preserve its unique culture and identity from assimilation, has remained outside the integrated social and economic life of Kenya as a whole; an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on hunter or gatherer economy; or pastoral persons and communities, whether they are: nomadic; or a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole.⁶⁰⁰

It has been affirmed that the Constitution also defines a marginalized group as a collective of people who, because of laws or practices before, on or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27(4). The Article gives these grounds as race, sex, pregnancy, marital status, health, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth.⁶⁰¹

A respondent, who is well conversant with the constitution of Kenya, averred that:

⁵⁹⁹John Ambani and Morris Kiwinda Mbondenyei. "A New Era in Human Rights Promotion and Protection in Kenya? An Analysis of the Salient Features of the 2010 Constitution's Bill of Rights." *An Analysis of the Salient Features of the 2010 Constitution's Bill of Rights* (January 5, 2015) (2015)., p.20.

⁶⁰⁰Russell Hardin, "Why a constitution." *Social and political foundations of constitutions* (2013): 51-72., p.57.

⁶⁰¹Cole, Mike, ed. *Education, equality and human rights: issues of gender, 'race', sexuality, disability and social class*. Taylor & Francis, 2022, p.72.

The Constitution provides that the state shall put in place affirmative action programs designed to ensure that minorities and marginalized groups: participate and are presented in governance and other spheres of life; are accorded special opportunities in education and economic fields; are provided special opportunities for access to employment; develop their cultural values, languages and practices; and, have reasonable access to water, health services and infrastructure. The Constitution further asserts that minorities and the marginalized cannot be discriminated against either by the state or by individuals. Article 197(2), Parliament shall enact legislation to ensure that the community and cultural diversity of a county is reflected in its assembly and county executive committee, and prescribe mechanisms to protect minorities within counties. One of the ways communities have been marginalized is when their land is taken away or targeted by the state or powerful individuals. The Constitution has addressed this by creating community land, which is protected for that community.⁶⁰²

The foregoing observation raises an important issue about the nature of marginalization, inequalities and disparities in Kenya. It is correct to reason that a commonality of interests on a regional and/or ethnic basis and assumes that when certain members of any community or region benefits, the entire community or region benefits. Therefore, when one is elected or appointed to a key position in government, it is generally assumed that such an appointment is a benefit to the entire community or region from where the appointee comes. Inequalities, marginalization and other disparities are assumed to occur across ethnic groups or regions. As a result, intra-regional and intra-ethnic marginalization, inequalities and disparities have not been analyzed.⁶⁰³

The reality, however, is that when the President appoints people from his region or ethnic group, these appointments are not representative of the community or the region as a whole. That is, not every part of the region or ethnic group is included. For Kenyatta, even

⁶⁰²Kennedy Baraza, O.I, in Ugunja, Siaya, On, 27/11/2023.

⁶⁰³Kennedy Gitu Wagura, "Policies for Addressing Intra-Country Marginalization and Economic Disparities for Socio-Economic Development in Kenya." Public Policy Transformations in Africa 291 (2016)., p.24.

though the Kikuyu and Central Province in general had the majority of those in his cabinet, they were all predominantly from Kiambu, and even in Kiambu, the coverage area never went beyond River Chania. Other areas of Central Province were marginalized. With the country moving away from the centralized unitary system to a county-regional governance system, there is need to shift and broaden the focus to also include intra-regional and intra-ethnic inequalities, disparities and marginalization with a view to seeking ways of mediating them.⁶⁰⁴ On cabinet appointments, as well as appointments to other government positions, two observations need to be made.

That, all regimes have attempted to reflect the “face of Kenya” in their appointments—that is, many of those appointed by any president come from different parts of the country. In fact, even when the president’s region or ethnic group is favored, the majority of all appointments come from outside the president’s region or ethnic group. Kenyatta’s cabinet reflected this and although he had a sizeable number from the Kikuyu community, the majority was drawn from the rest of Kenya. Similarly, during the Moi era, although the center of power shifted from Central to the Rift Valley Province, not every community or sub-region of the vast Rift Valley benefited. Moi’s appointments seemed to have been confined to a few districts within the Rift Valley, especially from the Tugen community.⁶⁰⁵ There were communities in the Rift Valley and regions of the province that were as marginalized as the rest of the country.

⁶⁰⁴Israel Nyadera Nyaburi, "Development & strategic planning; a comparative study of Kenya, South Korea and Turkey." Master's thesis, Sosyal Bilimler Enstitüsü, 2017., p.89.

⁶⁰⁵Joseph Agutu Omolo. "Defining the Face of Kenya: The Dynamics under the 2010 Constitution for Diversity." (2017)., p.51.

A similar scenario has emerged during the Kibaki era. A respondent who was well conversant with political landscape of the country, further reiterated that: Although Central Province (and the wider Gikuyu, Embu and Meru Association communities) seems to have benefited more, Kibaki's appointments seem to be influenced more by class and his "old school and golf buddies club" than by pure regionalism or ethnicity. Many of his appointees, especially in his first term, were the so-called "old golf buddies" of Muthaiga Club, especially from the Mount Kenya region. Others, especially within the Meru community seem to come from only one part of the wider Meru. The rest of the Meru community claims marginalization like any other community in the country.

The second important aspect of these appointments is the nature of elites that successive regimes have relied on. While Kenyatta relied on ethnic groups that were large, mobile, and endowed with resources, the Moi regime relied much on appointees from the small ethnic communities and the marginalized pastoralist communities. In fact, prior to the reintroduction of the multiparty system, and throughout Moi's two last terms as president, two of Kenya's largest ethnic groups (the Kikuyu and the Luo) were virtually absent from his administration. In a sense, Moi marginalized two of Kenya's largest communities.⁶⁰⁶ Therefore, the question is whether Moi's exclusion of the Kikuyu and the Luo from his cabinet and other key positions in his government amounted to the marginalization of the two communities.

It is important to recognize that what has been happening in Kenya since independence might not have been a deliberate effort to disadvantage certain areas or communities. This was reinforced by a respondent who observed that:

⁶⁰⁶ Okoth Owino, O.I, in Awasi, Kisumu, On, 24/1/2024.

It might have been influenced by a genuine desire to maximize on meager resources. This is because channeling resources into areas with minimal production potential, for example, was not considered by the Kenyatta government an optimal way to use them. The government, nevertheless, did not make attempts to channel higher resources to disadvantaged areas to reduce inequalities. North Eastern Province was, for most of Kenyatta's regime, under a State of Emergency. The Maasai, who were one of the most marginalized communities in Kenya, saw their lands targeted by elites from outside their community, thanks to Kenyatta's policy of every Kenyan being allowed to buy land and settle anywhere in the country.⁶⁰⁷

It was further established that, Nubians' attempts to acquire Kenyan citizenship have not borne fruits despite almost a century of existence in Kenya.

Therefore, it is concluded foregoing analysis calls for a new way of looking at inequalities and marginalization in Kenya. Presentations that look at inequalities and marginalization from national or provincial levels miss important aspects regionalization and the localization of inequalities and marginalization.⁶⁰⁸ To fully understand marginalization and inequalities, there is need to look at the persons recruited and analyze them within a more localized perspective. Secondly, there is need to rethink the advantages/disadvantages that communities have had from "their leaders" in relation with other factors. For example, while it has been shown how the Kikuyu and Central Province is advantaged in terms of services, even during the Moi period, a look at the number of Kikuyu in the provincial administration reveals a different scenario. In 1976, the Kikuyu comprised of 38 per cent of the total number of District Commissioners. When Moi took power, this number reduced to 30 per cent by 1980 and to 6.2 per cent in 1998.⁶⁰⁹ Therefore, if one was looking at these

⁶⁰⁷Kennedy Cheruiyot, O.I, in Ahero, Kisumu, On, 24/1/2024.

⁶⁰⁸KNA, DC/NN/1/23: North Kavirondo District Annual Reports, 1941.

⁶⁰⁹Nicholas Dlamini Siphetho, "Kenya's power-sharing agreement, 2008: a consociationalism formula?." PhD diss., 2010., p.106.

numbers in isolation, one would conclude that the Kikuyu were marginalized during Moi's time. The opposite is also true for other communities.

In exploring the role of the Constitution of Kenya (2010) as a solution to inequalities, the philosophical frameworks of Interpretivism philosophy and the Relative Deprivation Theory offer valuable perspectives and insights.⁶¹⁰ Interpretivism philosophy, with its emphasis on practical consequences and real-world outcomes, provides a pragmatic approach to leveraging the Constitution as a solution to inequalities. This philosophy suggests that policymakers should prioritize concrete actions and reforms that address systemic disparities and promote social justice. The Constitution, with its provisions for devolution of power and resources to the county level, presents an opportunity to decentralize governance and empower marginalized communities. By implementing devolution effectively and ensuring equitable distribution of resources, policymakers can translate the principles of the Constitution into tangible improvements in the lives of all Kenyans, thereby reducing inequalities.⁶¹¹

The Relative Deprivation Theory complements Interpretivism philosophy by highlighting the subjective experiences of inequality within the context of constitutional reforms. According to this theory, individuals experience feelings of deprivation when they perceive a gap between their expectations and their actual circumstances relative to others. In the case of constitutional reforms, disparities in access to justice, representation, and socioeconomic opportunities can exacerbate feelings of relative deprivation among

⁶¹⁰Oliver E. Lowoton, "The Place of Atheists in Kenyan Society: Legal and Christian Perspectives." PhD diss., University of Nairobi, 2018., p.110.

⁶¹¹Severine Deneulin and Shahani Lila eds. *An introduction to the human development and capability approach: Freedom and agency*. IDRC, 2009., p.58.

marginalized groups. Recognizing and addressing these subjective experiences of injustice and exclusion is essential for fostering social cohesion and inclusive governance under the Constitution.

By integrating Interpretivism philosophy and the Relative Deprivation Theory into efforts to leverage the Constitution as a solution to inequalities in Kenya, policymakers can develop more effective strategies that prioritize practical outcomes and address the subjective experiences of deprivation.⁶¹² This involves implementing constitutional provisions in a manner that promotes transparency, accountability, and inclusivity, thereby ensuring that all Kenyans benefit from the promise of a more equitable and just society outlined in the Constitution. Through such comprehensive approaches, Kenya can realize the transformative potential of its Constitution in addressing longstanding inequalities and fostering sustainable development and prosperity for all citizens.

3.7 Managing Marginalisation

Struggles against inequalities and injustice have been at the core of political and social conflicts in Kenya from the colonial period.⁶¹³ Inequalities that arose during colonial state formation deepened social stratification and at the same time created conditions for struggles against the colonial state.⁶¹⁴ Based on the preceding argument, the study was informed by archival sources that: The rise of the peasantry against the colonial mode of rule in the 1950s had its origins in the need to address inequalities at the level of the

⁶¹²P. A. U. L. Korir, "A critique of approaches to educational reform in Kenya with special reference to Richard Paul's theory of knowledge, learning and literacy." (2016)., p.53.

⁶¹³Catherine Boone, "Land conflict and distributive politics in Kenya." *African Studies Review* 55, no. 1 (2012): 75-103., p.77.

⁶¹⁴*Ibid*, p.78.

economy and politics, as well as the need to address injustices in the distribution of social and economic power. At independence, Kenya had a *majimbo* (Kiswahili word for federalist) form of government and two main political parties, the Kenya African National Union and the Kenya African Democratic Union. KANU had membership consisting of the Kikuyu and Luo communities while KADU was made up of relatively smaller ethnic groups in the Rift Valley and the coast, such as the Kalenjin, Maasai, Turkana, and Samburu. They joined KADU out of fear of domination by the numerically superior ethnic groups in KANU.⁶¹⁵ This was corroborated by Joseleen Langweni to the effect that:

KANU won the elections in 1963 and upon assuming power, sought to transform the federalist state to the centralized system of governance. KADU dissolved in 1964 and its leaders joined KANU. Factions made up of moderates and radicals emerged within KANU. The radicals, led by the Vice-President Jaramogi Oginga Odinga, a Luo, resigned from government and formed the Kenya Peoples Union in 1966. The government, headed by Jomo Kenyatta, a Kikuyu, proscribed the party in 1969. Mistrust between the Kikuyu and Luo ethnic groups continued to shape most of the political events in Kenya. Daniel Arap Moi, a Kalenjin, took power in 1978 and proscribed the main ethno-regional associations, including the ones for the Luo, the Abaluhya and the Gikuyu Embu and Meru Association. He targeted the GEMA and its economic outfit, GEMA Holdings to undercut the socio-political influence of the Kikuyu, thus sounding a warning that he would henceforth mobilize loyalty through other ethnic groups.⁶¹⁶

Moi constituted a new group of loyalists, ironically, including the Kikuyu senior politicians who had not been influential during Kenyatta's period but who did not enjoy wide support within their ethnic group. To affirm this, another respondent, Chris Simiyu, posted that: Moi brought the Luo and Luhya ethnic groups into his political fold, often playing one ethnic group against the other. Poor governance and ethnicization emerged as the dominant

⁶¹⁵KNA, DC/NN/2/5: North Nyanza Handing over Reports, 1955.

⁶¹⁶Joseleen Langweni, O.I, in Mumias Kakamega, On, 1/12/2023.

feature of his regime. His deliberate strategy of creating disparities in the distribution of public positions gave rise to the mobilization of dissent. Dissent was not confined to any ethnic group, although the Kikuyu were more vocal about marginalization than other groups.

In 1991, bowing to international and local pressure, the government reintroduced multiparty democracy. This transition had its own costs. The Kalenjin elite interpreted this to mean a strategy to hound Moi and the Kalenjin out of power. Consequently, they advocated the creation of federal states (*majimbo*) whose boundaries would be defined by territorial claims existing before colonial rule. This resulted in ethnic land clashes in which large groups of Kikuyu families were evicted from Rift Valley Province. Many political parties were formed in 1992 and 1997 to contest the elections.⁶¹⁷ Additionally, each of the main ethnic groups was represented in the elections. Furthermore, Kanyinga added that:

In 1992, the Kikuyu were represented in the Democratic Party of Kenya led by Mwai Kibaki, and Kenneth Matiba's FORD Asili; the Luo had FORD-Kenya, while the Kalenjin were in KANU. The Luhya were represented in both KANU and FORD Asili. In the 1997 General Election, the Kikuyu again were the majority in DP, while the Luo were the majority in the new National Development Party, the Luhya were in FORD-Kenya as the Kalenjin again followed Kenya African National Union. Both elections produced results that reflected the ethnic composition of the electorate in the different regions of the country. Each ethnic group voted overwhelmingly for the party whose leader came from that region.⁶¹⁸

Based on the preceding findings, indeed, equity and equality in resource allocation has been a serious challenge for succeeding regimes in Kenya. This is due to the self-interest of the

⁶¹⁷Chris Simiyu, O.I, in Eldoret Maili Nne, On, 30/1/2024.

⁶¹⁸Atsango Chesoni, Salome Muigai, and Karuti Kanyinga. *Promoting Women's Human Rights and Enhancing Gender Equality in Kenya*. Swedish International Development Cooperation Agency, Sida., 2006., p.19.

leadership to tackle poverty and underdevelopment. According to the research, this is because, the political elite has used this to its advantage, ensuring it secures its position in power and only relegates individuals representing these groups to the level of patronage and sometimes excludes them completely in the sharing of the national cake.

Moreover, while the new constitution is ambitious and people-centered, the leadership viewed historically is not known to act in the public interest. To ascertain this view, it was stated that:

This calls for an aggressive approach in ensuring the full implementation of the new constitution in spirit and in the letter. The first step towards catering for the marginalized should be addressing the inequalities in all sectors of the economy at national and county levels. Safeguarding the interests of the marginalized groups is a critical benchmark in the implementation of the new constitution. While the constitution seeks to establish equity and equality in all spheres of government at the county and national levels, achieving them will likely remain a challenge.⁶¹⁹

Therefore, this begs the question: how can the interests and rights of individuals be safeguarded against potential marginalization? Indeed, civil society organizations and lobby groups are required to take a leading role in ensuring marginalized groups are protected in the new framework.

In its findings after an in-depth analysis, it was established by the research that, in a country where awareness and literacy levels are still low, a huge investment in human rights and education is critical; lobby groups and professional bodies can play a key role in protecting the marginalized and minority in the society.⁶²⁰ Moreover the public is required to take an

⁶¹⁹Robert Kimosop, O.I, in Kakamega, On, 12/11/2023.

⁶²⁰Nicola Swainson, "Knowledge and power: the design and implementation of gender policies in education in Malawi, Tanzania and Zimbabwe." *International Journal of Educational Development* 20, no. 1 (2000): 49-64., p.52.

active role in the process to ensure this does not turn out to be a missed opportunity.⁶²¹ This observation was proved by a respondent, David Obiri, who posted that:

Minority representation in the new constitution was another issue of concern. Women, youth, and persons with disabilities have been marginalized and excluded from many activities of the state for a long time. The cardinal tenet of democracy is the prospect it offers for individual and group rights. This can only occur where democracy is not characterized by negative influences such as conflict. Neither can it be achieved where largely primordial ethnic sentiments are placed above the ideals of democracy. Such situations inhibit the creation of a democracy and the furtherance of societal development.⁶²²

Therefore, democracy, in the opinion of Schumpeter, connotes the institutional arrangement for arriving at political decisions in which individuals acquire the power to decide, by means of a competitive struggle for the people's vote.⁶²³ This definition emphasizes one salient feature of democracy: competition.

In this type of competition, individuals can exploit whatever loopholes they perceive in their opponents' political strategy and thereby rise to power. Kanyinga asserts that: Equality is a highly contested concept and that because of its positive meaning, it is a suitable political slogan everywhere. It has certain social and political ideals, which make it an attractive concept for organizing against regimes as well as for organizing structures for distributive justice. Secondly, equality is a constitutive of social justice and, therefore, good governance. It is an integral part of social justice and a principle constituting the core of egalitarianism. Because of its political and moral importance throughout history, people

⁶²¹Mark H. Salisbury, *et. al.*, "Going global: Understanding the choice process of the intent to study abroad." *Research in higher education* 50 (2009): 119-143., p.122.

⁶²²David Butati Obiri, O.I, in Kisumu, On, 17/11/2023.

⁶²³A Schumpeter, Joseph. "Capitalism, socialism and democracy." (2021), p.89.

have used the language of equality to mobilize against regimes that are antithetical to change.

Evolving forms of political and economic domination against different groups make equality even more important today. Equality is an important feature of good governance, particularly if good governance is defined as the management of public affairs in a manner responsive to the needs of the society, and exercise of just relations between the state institutions and the people. On this basis, accountability of state institutions implies the exercise of legitimate authority and pursuance of policies that seek to remove different forms of societal disparities. Equal access to opportunities and distribution of public resources thus become important attributes of good governance.⁶²⁴

Social institutions and political structures have a role in providing distributive justice and opportunities through which various groups can access justice. Where such institutions and political structures are themselves the basis for injustices and for pending social justice, societal conflicts and cleavages tend to deepen. A respondent in an FGD retorted that:

They become a threat to social harmony and distributive justice. They also become the basis of contest and protracted conflicts in which protagonists are defined by how well they create opportunities to marginalize and exclude other communities. They become the basis for formation of group identity, which defines a group against the other. The Constitution of Kenya, 2010, provides that public finance expenditure “shall promote the equitable development of the country, including by making special provisions for marginalized groups and areas”.⁶²⁵

⁶²⁴Atsango Chesoni, Salome Muigai, and Karuti Kanyinga. (2006). *Op. Cit.*, p.78.

⁶²⁵FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

This was affirmed by establishing that, the new constitution further sets out an equalization fund under Article 204 that will help improve infrastructure in the marginalized and poor areas of the country in order to improve them to the level of other counties in the country.⁶²⁶

The Constitution declares clearly that it safeguards the interests of the marginalized groups. Section 3 (g-h) of the County Governments Act provides that the county government shall seek to ensure cultural and community diversity of a county is reflected within its assembly and executive committees as well as prescribe mechanisms to ensure the promotion and protection of the interests of the minorities within counties.⁶²⁷ This was to ensure that marginalized groups and the minorities are protected both at national and county levels.

While ascertaining the same, the researcher was informed by Emmanuel Mayeku that:

It further dictates that it shall ensure equitable distribution of resources within the county. Although it has been widely noted that county boundaries were created on ethnic lines influenced by the former district boundaries at independence, a close examination reveals otherwise. The boundaries have not achieved an ethnically pure demarcation. This is because many ethnic groups have been split into different counties while other groups have been joined under one county.⁶²⁸

Based on the above findings, transcending ethnic borders have also led to mixed ethnic settlement, making pure geographical delineation impossible. Further, boundary review procedures privilege non-ethnic factors such as population density and demographic trends, the cost of administration and views of the communities affected.

⁶²⁶Veronica M. Ngundo and Preston O. Chitere. "Devolution as a Means for Self-Governance: Its Potential for Poverty reduction in Kenya." (2015)., p.65.

⁶²⁷Donald Rothchild. "Ethnic inequalities in Kenya"; In *The Journal of Modern African Studies* 7, no. 4 (1969): 689-711, p.692.

⁶²⁸Emmanuel Mayeku, O.I, in Kisumu City, On, 17/1/2024.

The Constitution creates a senate or upper house, whose primary duty is to safeguard county governments at the national level and also provides for a rigid procedure to amend the structure and functions of the county government. Further, as per a respondent interviewed by the study, it was affirmed that: The Constitution provides for the independence of vital public institution, a lack of which led to the political interference that roused serious ethnic tensions in the past. County governments will then reduce presidential influence by diffusing political attention at the center. This is because political competition will be diverted from the center to the county government. County government will exercise political power and some level of autonomy, unlike decentralised units under the former constitution, where all political power was concentrated at the centre.

The result is that some ethnic based claims expressed politically will be heard in county governments as opposed to the presidency. The new Constitution does create some general safeguards against local autocracy. First, there is separation of functions of the different organs of the county government. Secondly there is a term limit for county governors who can only serve for two terms of five years each, and there are provisions for county governments to check each other. Thirdly, there is an independent procedure through which a county government can be suspended.⁶²⁹

All these measures are meant to ensure that county governments do not entrench autocracy and defeat the objectives of having effective local democracy. It emerged that:

Section 102 (c) of the County Governments Act further prescribes the protection and integration of the rights and interests of minorities and marginalized individuals and groups within the county planning and development programs. In addition, section

⁶²⁹Arnold Mbita Omondi, O.I, in Ugunja, Siaya, On, 18/11/2023.

104(f) of this law further seeks to provide the preconditions for integrating underdeveloped and marginalized areas to bring them to the level generally enjoyed by the rest of the county. In order to address the issue of economic inequalities and access to resources, county governments need resources and should utilize the resources available for equitable development.⁶³⁰

It was also found out that Chapter 12 of the Constitution deals with public finance.⁶³¹ It provides that the principles of public finance shall include equitable sharing of revenue among the national and county governments. It also lists factors that need to be considered in sharing national revenue, which include developmental and other needs of the counties, economic disparities within the counties and the need to remedy such disparities and affirmative action in respect of piously disadvantaged areas and groups, among other factors.⁶³² It was revealed that:

Transitional justice is a key to ensuring that historical and potential regional disparities are addressed, especially on land issues. The presence of a commission on transitional justice, i.e., the Truth Justice and Reconciliation Commission, will play an important role in addressing the perennial historical injustices that have arisen due to marginalization and conflicts. The fact that this is already in process should encourage stakeholders and role players to support the commission in the discharge of its functions. There is perhaps the need to learn from success stories around the world in places such as South Africa where similar efforts have succeeded. The success of such programs is highly dependent on the goodwill of the political elite playing a supportive role rather than being saboteurs, which could fan more conflicts. Unlike pious commissions, the TJRC's report must be implemented fully as a way of addressing marginalization.⁶³³

⁶³⁰Hilary M. Muthui, Kenya's Bill of Rights and Its Implications on Kenya's Ability to Apply the International Bill of Rights. PhD diss., University of Nairobi, 2013, p.81.

⁶³¹Ibid, p.89.

⁶³²Ibid, p.92.

⁶³³Mary Omondi, O.I, in Awasi, Kisumu, On, 24/1/2024.

Based on the foregoing findings, the land policy document released in 2009 should be adopted as this is the major area that has led to the marginalization of other communities and ethnic groups in the country.⁶³⁴ There is no doubt that marginalization and land conflicts share the same platform or reinforce each other whenever one is mentioned. This calls for the implementation of land reforms in line with the new constitution and the various new laws related to this.

In the context of managing marginalization, the philosophical frameworks of Interpretivism philosophy and the Relative Deprivation Theory offer valuable perspectives and approaches. Interpretivism philosophy, which prioritizes practical consequences and real-world outcomes, provides a pragmatic approach to managing marginalization.⁶³⁵ This philosophy suggests that policymakers should focus on implementing practical measures that directly address the root causes of marginalization and deliver tangible improvements in the lives of marginalized communities. Rather than getting bogged down in ideological debates or abstract theories, Interpretivism calls for action-oriented strategies that produce measurable results. This could involve initiatives such as targeted economic development programs, social welfare schemes, or community empowerment projects aimed at addressing the specific needs of marginalized groups. By adopting a pragmatic approach, policymakers can effectively manage marginalization and promote inclusive development.⁶³⁶

⁶³⁴Kyriaki Messiou, "Research in the field of inclusive education: time for a rethink?" *International journal of inclusive education* 21, no. 2 (2017): 146-159., p.156.

⁶³⁵Philippe Lorino, *Interpretivism and organization studies*. Oxford University Press, 2018, p.13.

⁶³⁶Cary Wolfe, *Critical Environments: Postmodern Theory and the Pragmatics of the "outside"*. Vol. 13. U of Minnesota Press, 1998, p.68.

The Relative Deprivation Theory complements Interpretivism philosophy by highlighting the subjective experiences of marginalization. According to this theory, individuals experience feelings of deprivation when they perceive a gap between their expectations and their actual circumstances relative to others.⁶³⁷ In the context of managing marginalization, understanding and addressing these subjective experiences of injustice and exclusion are crucial. This involves not only implementing material interventions but also fostering a sense of belonging, dignity, and empowerment among marginalized communities. By recognizing and validating the experiences of marginalization, policymakers can build trust, solidarity, and social cohesion, which are essential for managing marginalization effectively.

By integrating Interpretivism philosophy and the Relative Deprivation Theory into efforts to manage marginalization, policymakers can develop more effective strategies that prioritize practical outcomes and address the subjective experiences of deprivation. This involves implementing policies and programs that deliver tangible improvements in the lives of marginalized communities while also fostering a sense of belonging and empowerment. Through such comprehensive approaches, Kenya can work towards a more inclusive and equitable society where all citizens have the opportunity to thrive and contribute to national development.

3.8 Chapter Summary

Since gaining independence in 1963, Kenya has grappled with the profound influence of ethnic identity on its economic development. This chapter has examined various

⁶³⁷Rudra Sil and Peter J. Katzenstein. *Beyond paradigms: Analytic eclecticism in the study of world politics*. Bloomsbury Publishing, 2010, p.72.

dimensions of this influence, including marginalization, inequalities, and disparities, and explored government policies and initiatives aimed at addressing these challenges. Marginalization in Kenya has been a persistent issue, with certain ethnic groups facing systematic exclusion from political power, economic opportunities, and social services. Despite efforts by the government to implement affirmative action programs and promote equal representation, progress in addressing marginalization has been slow and uneven.

Government policies to deal with marginalization have included affirmative action programs and initiatives aimed at promoting equal representation in government and public institutions. However, these policies have often been undermined by corruption and political patronage, hindering their effectiveness in addressing systemic inequalities. Africanization, which sought to promote indigenous leadership and ownership of the economy, has had mixed results in addressing inequalities in Kenya. While it aimed to empower Kenyans of all ethnicities, it has sometimes reinforced ethnic divisions and favouritism, particularly in the allocation of land and resources.

Addressing inequalities through education has emerged as a critical strategy in Kenya, offering marginalized communities a pathway to social mobility and economic empowerment. Efforts to expand access to education, particularly in rural and underserved areas, have helped narrow the gap in educational attainment between different ethnic groups. The Constitution of Kenya (2010) represents a significant step forward in addressing inequalities by devolving power and resources to the county level. By promoting local governance and decentralization, the constitution aims to empower marginalized communities and promote equitable development across the country.

Managing marginalization in Kenya requires a comprehensive approach that addresses the root causes of ethnic tensions and disparities. This includes fostering interethnic dialogue, promoting inclusive governance, and ensuring equitable distribution of resources. Finally, while ethnic identity continues to pose challenges to Kenya's economic development, there are opportunities for progress through effective governance, inclusive policies, and investment in education and infrastructure. By addressing the underlying causes of marginalization and inequalities, Kenya can unlock the full potential of its diverse population and achieve sustainable and inclusive economic growth. Therefore, the next chapter underscored the legal policies and institutional framework in addressing effects of ethnic identity in Kenya.

CHAPTER FOUR

LEGAL POLICIES AND INSTITUTIONAL FRAMEWORK IN ADDRESSING EFFECTS OF ETHNIC IDENTITY IN KENYA SINCE 1963

4.1 Introduction

The previous chapter unraveled the influence of ethnic identity on economic development in Kenya since 1963. Therefore, this chapter delves into the intricate web of international law, analyzing its relevance and impact on fostering equality and mitigating ethnic divides. At the forefront of this discussion are the Core United Nations Human Rights Treaties Related to Equality, representing a cornerstone in the global endeavor to uphold fundamental rights and ensure non-discrimination. These treaties provide a framework for states to adhere to in combating inequality on various fronts, ranging from race and gender to ethnicity and religion.

Furthermore, this chapter navigates through a myriad of other treaties related to equality, both within the United Nations framework and under the African Union. These treaties underscore the collective commitment towards fostering inclusive societies and combating discrimination in all its forms. Moreover, the analysis extends to examining the status of these treaties in national law, shedding light on the mechanisms through which international legal norms are incorporated into domestic legislation and practice.

Transitioning from the realm of international law to the national landscape, this chapter scrutinizes the legal framework within Kenya, starting with the bedrock of the nation's governance - The Constitution of Kenya. This foundational document lays the groundwork

for promoting equality, safeguarding rights, and fostering national cohesion. Additionally, it delves into specific legal instruments such as anti-discrimination laws, family law, employment law, and political participation regulations. Each subtheme within the national law context serves as a critical component in the broader effort to address the effects of ethnic identity and promote a more inclusive society.

Moreover, the analysis extends to encompass national policies, including the Vision 2030 development blueprint, the National Policy on Gender and Development, and the Kenya National Youth Policy, illustrating the comprehensive approach adopted by the Kenyan government in tackling societal challenges and fostering sustainable development. Through a holistic examination of both international and national legal frameworks, this chapter seeks to provide a robust understanding of the legal policies and institutional mechanisms aimed at navigating the complexities of ethnic identity in Kenya. The entire discussion was centered on Interpretivism philosophy and the instrumental Marxism theory.

4.2 International Law

In examining the legal frameworks addressing the effects of ethnic identity, this subsection delves into international law, focusing on various treaties and agreements aimed at promoting equality and combating discrimination. Specifically, it explores Core United Nations Human Rights Treaties Related to Equality, along with other treaties within the United Nations and the African Union frameworks.⁶³⁸ Additionally, the analysis extends to understanding the status of these treaties in national law, highlighting the mechanisms

⁶³⁸Eva Brems and Saila Ouald-Chaib, eds. *Fragmentation and Integration in Human Rights Law: Users' Perspectives*. Edward Elgar Publishing, 2018., p.58.

through which international legal norms are integrated into domestic legislation and practice.

4.2.1 Core United Nations Human Rights Treaties Related to Equality

Oral interviews were carried out in the Homabay County in Kenya with the purpose of gaining a better understanding of the legal policies and institutional framework that are in place to address the effects of ethnic identity in Kenya. As per this study, the purpose of these interviews was to gain a better understanding of the perspectives and experiences of individuals with regard to fundamental human rights treaties of the United Nations that are associated with equality.⁶³⁹ While conducting an FGD, participants in the interviews displayed a range of levels of familiarity with the fundamental human rights treaties that have been established by the United Nations, with the Universal Declaration of Human Rights being the most widely known of these treatises. The FGD posited that:

The Universal Declaration of Human Rights was widely recognized as a foundational document that embodied principles of non-discrimination and equality. However, there is a lower level of familiarity with particular treaties, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.⁶⁴⁰

It was unanimously acknowledged that these treaties are extremely important in advancing equal rights and opportunities for all individuals, regardless of their ethnicity, despite the fact that there was a variation in awareness regarding their significance. The participants emphasized the significance of equality in a variety of aspects of life, such as access to education and healthcare, employment opportunities, and participation in

⁶³⁹Christof Heyns and Frans Viljoen, eds. *The impact of the United Nations human rights treaties on the domestic level*. Brill, 2021., p.63.

⁶⁴⁰FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

decision-making processes.⁶⁴¹ They highlighted specific instances in which ethnic identity had impeded progress towards achieving equality, particularly with regard to the equitable distribution of resources and the representation of voices in political representation.

In the course of discussions concerning the institutional framework for addressing ethnic identity and promoting equality, a tremendous number of difficulties were brought to light. A respondent, Irine Mutoto reiterated that:

The problem of corruption, the absence of accountability, and the ineffective enforcement of laws and policies that are intended to protect human rights have emerged as the most prominent issues. Despite this, the possibility of legal reforms and institutional strengthening in order to address the fundamental problems of discrimination and inequality should be prioritized.⁶⁴²

In addition, another participant emphasized the crucial part that community-based organizations and civil society groups play in advocating for the rights of communities that are marginalized. He posited that: Some people believed that these grassroots initiatives were extremely important in terms of fostering social cohesion across ethnic divides and increasing awareness about issues pertaining to human rights. In addition to this, the significance of holding governmental institutions accountable and making certain that all segments of society are given meaningful opportunities to participate in the decision-making process should be reinforced.⁶⁴³

In conclusion, the oral interviews that were carried out provided valuable insights into the perceptions and experiences of individuals with regard to fundamental United Nations

⁶⁴¹Monisha Bajaj. "Human rights education: Ideology, location, and approaches." *Human Rights Quarterly* (2011): 481-508, p.486.

⁶⁴²Irene Mutoto Onyamasi, (49 Years), O.I, in Mbita Stadium, On, 14/11/2023.

⁶⁴³Titus Kariuki, O.I, in Kimilili, Bungoma, On, 27/01/2024.

human rights treaties that are associated with equality. The study further discovered that, there is a shared commitment to upholding the principles of equality and non-discrimination that are enshrined in these treaties, despite the fact that challenges continue to manifest themselves. In order to move forward, it is necessary to make concerted efforts in order to translate this commitment into tangible actions. It emerged to the research that, these actions may include legal reforms, institutional strengthening, and initiatives driven by the population. Through the promotion of equality and the addressing of the underlying causes of ethnic identity, Kenya has the potential to pave the way for a future that is more inclusive and prosperous for all of its citizens.⁶⁴⁴

It is was, therefore, established by the study that, based on the above findings, Interpretivism philosophy and instrumental Marxism theory offer astute perspectives on the discussions surrounding United Nations human rights treaties related to equality in Kenya. Interpretivism emphasizes the practical significance of these treaties, as evidenced by participants' varying levels of familiarity with them. The Universal Declaration of Human Rights is widely acknowledged for embodying principles of non-discrimination and equality, aligning with Interpretivism's focus on tangible outcomes.

However, instrumental Marxism sheds light on systemic barriers hindering treaty implementation, such as corruption and ineffective enforcement of laws, echoing concerns raised during discussions. Both philosophies underscore the importance of legal reforms, institutional strengthening, and grassroots initiatives to address discrimination and inequality effectively. By translating commitment into action, Kenya can overcome ethnic identity and foster a more inclusive and prosperous future for all its citizens.

⁶⁴⁴KNA, DC/NN/2/16: North Nyanza Handing over reports, 1965.

Interpretivism's focus on practical outcomes complements Marxism's emphasis on systemic change, providing a comprehensive approach to tackling the complexities of promoting equality in Kenya's diverse socio-political landscape.

4.2.2 Other Treaties Related to Equality

During the study interviews, the primary objective was to investigate the perspectives and experiences of individuals with regard to other treaties related to equality that go beyond the fundamental human rights treaties of the United Nations.⁶⁴⁵ The individuals who took part in the interviews displayed varying degrees of awareness and familiarity with treaties that went beyond the fundamental human rights instruments made by the United Nations.

While engaging a respondent in Siaya County, Catherine Saizi retorted that:

Although there are people who are familiar with regional treaties, such as the African Charter on Human and Peoples' Rights, there are also those who have limited knowledge of these legal instruments. Additionally, recognition of the significance of these treaties in terms of upholding the principles of non-discrimination and equality is widely recognized.⁶⁴⁶

It emerged to the researcher that, there are a variety of obstacles that have been brought to light through discussions concerning the implementation and enforcement of these treaties.⁶⁴⁷ While investigating this view, Michael Mubhia asserted that:

Corruption, a lack of accountability, and ineffective legal mechanisms were some of the systemic issues that are obstacles to the achievement of equality. In addition, the disconnect between legal frameworks and the realities of grassroots communities,

⁶⁴⁵Anna Bruce *et. al.*, *Human rights and disability: The current use and future potential of United Nations human rights instruments in the context of disability*. United Nations Press, 2002., p.72.

⁶⁴⁶Catherine Saizi, O.I, in Siaya Town, On, 15/11/2023.

⁶⁴⁷Rosemary Kayess and Phillip French. "Out of darkness into light? Introducing the Convention on the Rights of Persons with Disabilities." *Human rights law review* 8, no. 1 (2008): 1-34., p.10.

particularly in marginalized communities where access to justice continues to be a challenge.⁶⁴⁸

Therefore, other participants expressed optimism about the potential for legal reforms and institutional strengthening to address underlying issues of inequality, despite the challenges that were presented to them. For example, Patrick Onsando, observed that:

With regard to the necessity of more inclusive and participatory approaches to policy-making and governance, there is need for more education. In addition, the significance of community-driven initiatives and the involvement of civil society in the process of advancing equality agendas at the local level should be reinforced.⁶⁴⁹

The intersectionality of identities, which includes demographics such as gender, age, and disability, in addition to ethnicity, was a topic that was brought up repeatedly in the interviews. On the preceding finding, a respondent, Ochieng Onyango, brought attention to the necessity of adopting a holistic approach to equality, which takes into account the distinct experiences and vulnerabilities of various groups within society. Specifically, Ochieng Onyango emphasized the significance of incorporating gender and other intersectional considerations into legal frameworks and policy interventions.⁶⁵⁰

As an additional point of interest, participants in an FGD carried out in Busia, emphasized the significance of education and awareness-raising in the fight against discrimination and the promotion of equality.⁶⁵¹ They placed a strong emphasis on the necessity of comprehensive civic education programs that offer citizens the ability to comprehend their rights and hold those who are responsible for them accountable. In addition, there was a

⁶⁴⁸Michael Mubhia, O.I, in Changara, Busia, On, 9/01/2024.

⁶⁴⁹Patrick Onsando, O.I, in Suneka, Kisii, On, 12/11/2023.

⁶⁵⁰Ochieng Onyango, O.I, in Muhoroni, Kisumu, On, 24/1/2024.

⁶⁵¹FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

call for increased efforts to combat prejudices and stereotypes that contribute to the perpetuation of marginalization and inequality.⁶⁵²

In sum, the analysis shed light on the perceptions and experiences regarding other treaties related to equality that go beyond the core human rights instruments that are enacted by the United Nations. Despite the fact that difficulties continue to exist, there is a consistent dedication to advancing equality agendas and addressing the fundamental factors that contribute to ethnic identity.⁶⁵³ It is absolutely necessary to give priority to the implementation of legal reforms, the strengthening of institutions, and community-driven initiatives that promote social cohesion and inclusivity. Kenya has the ability to pave the way towards a society that is more just and equitable for all of its citizens if it is able to harness the potential of legal frameworks and grassroots activism.

Based on the above discussion, Interpretivism philosophy and instrumental Marxism theory offer valuable insights into the discussions surrounding treaties related to equality beyond the United Nations' fundamental human rights instruments.⁶⁵⁴ Interpretivism underscores the practical significance of these treaties, acknowledging participants' varying awareness levels and emphasizing tangible outcomes. For instance, while some are familiar with regional treaties like the African Charter on Human and Peoples' Rights, others exhibit limited knowledge. This aligns with Interpretivism's focus on understanding the real-world implications of legal frameworks.⁶⁵⁵ Conversely, instrumental Marxism

⁶⁵²FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁶⁵³Andrew Byrnes, "Women, Feminism and International Human Rights Law-Methodological Myopia, Fundamental Flaws or Meaningful Marginalization? Some Current Issues." *Aust. YBIL* 12 (1988): 205 – 226, p.209.

⁶⁵⁴Eva Erman, *Human rights and democracy: discourse theory and global rights institutions*. Routledge, 2016., p.18.

⁶⁵⁵Dianne Otto, "Rethinking universals: opening transformative possibilities in international human rights law." In *The Australian Year Book of International Law Online* 18, no. 1 (1998): 1-36., p.26.

sheds light on systemic barriers hindering treaty implementation, such as corruption and ineffective legal mechanisms, as emphasized by participants like Michael Mubhia.

Both perspectives advocate for legal reforms, institutional strengthening, and community-driven initiatives to address inequality effectively. Moreover, they highlight the importance of incorporating intersectional considerations, such as gender and age, into policy interventions, as emphasized by participants like Ochieng Onyango. By translating commitment into action through pragmatic strategies and addressing systemic issues identified by instrumental Marxism, Kenya can progress towards a more just and equitable society for all its citizens.

4.2.3 African Union Treaties

The study carried out interviews with the primary purpose of investigating the perspectives and experiences of individuals with regard to the African Union treaties that are associated with equality. In the course of these interviews, a number of insightful realizations concerning the difficulties and possibilities associated with advancing equality within the framework of ethnic diversity were developed.⁶⁵⁶

The respondents who were engaged in the interviews displayed varying degrees of awareness and familiarity with the treaties that are governed by the African Union. Isaac Matumbufu displayed a strong understanding of African Union instruments, such as the African Charter on Human and Peoples' Rights and the Protocol to the African Charter on

⁶⁵⁶Paul Cobb and Lynn Liao Hodge. "A relational perspective on issues of cultural diversity and equity as they play out in the mathematics classroom." *Mathematical thinking and learning* 4, no. 2-3 (2002): 249-284., p.258.

Human and Peoples' Rights on the Rights of Women in Africa.⁶⁵⁷ However, there were also participants who displayed a limited knowledge of these legal instruments. For example, Kellas Wafula affirmed to the research that he is not well aware of these legal instruments.⁶⁵⁸ Despite this, there was a widespread agreement among the participants that these treaties are extremely important in ensuring that the principles of equality and non-discrimination are upheld across the continent.

A wide variety of difficulties were brought to light during discussions concerning the implementation and enforcement of African Union treaties. Isaac Matumbufu posited that:

There are Systemic issues such as corruption, a lack of accountability, and inadequate resources as significant barriers to the realization of the objectives that were outlined in these treaties. Furthermore, there are concerns regarding the gap between legal frameworks and the realities of grassroots society, particularly in communities that are marginalized and where access to justice continues to be difficult to obtain.⁶⁵⁹

Participants expressed optimism about the potential for legal reforms and institutional strengthening to address underlying issues of inequality, despite the challenges that were presented to them. Another respondent informed the researcher that:

One of the most common beliefs is that the African Union's treaties offer a valuable framework for advancing social justice and equality in Kenya and beyond. In addition, the significance of community-driven initiatives and the involvement of civil society in the process of advancing equality agendas at the local level should be checked keenly.⁶⁶⁰

⁶⁵⁷ Isaac Matumbufu, O.I, in Farm View, Busia, On, 01/02/2024.

⁶⁵⁸ Kellas Wafula Wanyama, O.I, in Khayega, Kakamega, On, 30/01/2024.

⁶⁵⁹ Isaac Matumbufu, O.I, in Farm View, Busia, On, 01/02/2024.

⁶⁶⁰ Mercline Simiyu Tonisio, O.I, in Kimilili, Bungoma, On, 27/01/2024.

One of the recurring themes that emerged from the interviews was the necessity of intersectional approaches to equality, which are approaches that take into account the various identities and experiences that individuals have contained within society.⁶⁶¹ A number of participants emphasized how important it is to incorporate gender and other intersectional considerations into legal frameworks and policy interventions. Furthermore, there was a call for increased efforts to address cultural norms and practices that perpetuate inequality and marginalization, particularly for vulnerable groups such as women, children, and people with disabilities. This call was made in response to the fact that there was a call for action.⁶⁶²

As an additional point of interest, one of the participants to the study emphasized the significance of education and awareness-raising in the fight against discrimination and the promotion of equality. Dennis Wafula posited that:

There is a necessity of comprehensive civic education programs that offer citizens the ability to comprehend their rights and hold those who are responsible for them accountable. At the same time, there should be increased efforts to leverage traditional and community-based mechanisms for the purpose of conflict resolution and reconciliation, particularly in regions that are affected by ethnic identity.⁶⁶³

The foregoing submission provides valuable insights into the perceptions and experiences of individuals with regard to the African Union treaties that are associated with equality. Despite the fact that difficulties continue to exist, there is a consistent dedication to

⁶⁶¹Mary Ellsberg, Lori Heise and World Health Organization. "Researching violence against women: A practical guide for researchers and activists." (2005)., p.14.

⁶⁶²Julie Arostegui, "Gender, conflict, and peace-building: how conflict can catalyze positive change for women." *Gender & Development* 21, no. 3 (2013): 533-549., p.538.

⁶⁶³Dennis Juma Wafula, O.I, in Mbita Stadium, On, 14/11/2023.

advancing equality agendas and addressing the fundamental factors that contribute to ethnic identity.

Based on the established findings, it is absolutely necessary to give priority to the implementation of legal reforms, the strengthening of institutions, and community-driven initiatives that promote social cohesion and inclusivity. This is because, Kenya has the ability to transform its society into one that is more just and equitable for all of its citizens if it takes advantage of the potential offered by African Union treaties and grassroots activism.⁶⁶⁴

Therefore, Interpretivism philosophy and instrumental Marxism theory offered valued discernments into the discussions surrounding African Union treaties related to equality.⁶⁶⁵ Interpretivism emphasizes understanding the practical implications of these treaties, acknowledging participants' varying awareness levels.⁶⁶⁶ Isaac Matumbufu, for instance, demonstrated a strong understanding of African Union instruments, highlighting their importance in upholding equality principles. Conversely, instrumental Marxism sheds light on systemic barriers hindering treaty implementation, such as corruption and inadequate resources, as noted by Matumbufu. Both perspectives advocate for legal reforms, institutional strengthening, and community-driven initiatives to address inequality effectively.

⁶⁶⁴KNA, DC/NN/1/25: North Kavirondo District Annual Report, 1943.

⁶⁶⁵Benedict Coleridge, "Pursuing the universal: formalism, Interpretivism and the project of modernity in contemporary critical democratic theory." PhD diss., University of Oxford, 2020., p.105.

⁶⁶⁶Douglas Belshaw, "What is' digital literacy'? A Pragmatic investigation." PhD diss., Durham University, 2012., p.104.

Moreover, they underscore the importance of intersectional approaches to equality, incorporating gender and other considerations into policy interventions. Participants emphasized the need to address cultural norms perpetuating inequality, especially for vulnerable groups. Dennis Wafula highlighted education and awareness-raising as essential tools in fighting discrimination and promoting equality. In a nutshell, the study underscores the dedication to advancing equality agendas despite existing challenges. By prioritizing legal reforms, institutional strengthening, and community-driven initiatives, Kenya can harness the potential of African Union treaties and grassroots activism to create a more just and equitable society for all its citizens.

4.2.4 Status of Treaties in National Law

In order to accomplish the overarching goal of this objective, which was to investigate the legal policies and institutional framework in Kenya that address the effects of ethnic identity, oral interviews were carried out. The primary objective was to investigate the perspectives and experiences of individuals concerning the position of treaties in national law.

Interviews displayed varying degrees of awareness and comprehension with regard to the position of treaties in national law. While some of the participants displayed a fundamental comprehension of the procedure of ratifying a treaty and incorporating it into domestic legislation, others demonstrated a limited understanding of these legal mechanisms. The participants, on the other hand, reached a general consensus regarding the significance of bringing national laws into alignment with international human rights standards and obligations.

During the course of the discussions that surrounded the implementation and enforcement of treaties in national law, a variety of difficulties were raised. A participant, Elias Opondo pointed out that:

Significant obstacles to the successful incorporation of treaties into domestic legal frameworks include systemic issues such as a lack of awareness, capacity constraints, and delays caused by bureaucratic procedures. Furthermore, there are worries regarding the disparity between the commitments made at the international level and the actual implementation that took place at the local level, particularly in communities that were marginalized.⁶⁶⁷

An FGD further expressed optimism about the potential for legal reforms and institutional strengthening to improve the status of treaties in national law, despite the challenges that were presented to them. According to the FGD,

The domestication of international treaties is necessary in order to guarantee the protection and advancement of human rights in Kenya. Also, there is significance of public participation and the engagement of civil society in the process of ratifying the treaty in order to improve transparency and accountability.⁶⁶⁸

One of the recurring themes that emerged from the interviews was the necessity of capacity-building initiatives to improve the level of understanding and implementation of international treaties at the national level. In order to strengthen their capacity to effectively engage with treaty obligations, participants emphasized the significance of training programs for government officials, legal practitioners, and organization's that are part of civil society.⁶⁶⁹ In addition to this, there was a call for increased efforts to be made

⁶⁶⁷Elias Opondo Omamo, O.I, in Ukwala, Siaya, On, 18/11/2023.

⁶⁶⁸Focus Group Discussion of Tachoni Community Professionals Women League Leaders in Bungoma, on 28/12/2024.

⁶⁶⁹Patrizia Nanz and Steffek Jens, "Global governance, participation and the public sphere." *Government and opposition* 39, no. 2 (2004): 314-335, p.319.

in order to promote awareness among the general public regarding their rights and responsibilities in accordance with international law.

In addition, a participant, emphasized the significance of judicial activism in the process of enforcing the provisions of treaties and holding the government accountable for violations of treaties. According to her,

The importance of having a judiciary that is both independent and impartial, and that is able to adjudicate cases that involve violations of human rights and ensure that international obligations are met. In addition, a call for increased collaboration between government agencies, organisations of civil society, and international partners in order to improve the method by which treaties are implemented in national law is necessary.⁶⁷⁰

Therefore, it emerged that the legal status of treaties within the framework of Kenyan national constitutional law. It emerged to the study that, there is a shared commitment to improving the integration of international human rights standards into domestic legal systems, despite the fact that challenges continue to exist.⁶⁷¹

Based on these findings, it is of the utmost importance to prioritize legal reforms, initiatives aimed at capacity building, and public awareness campaigns in order to strengthen the status of treaties in national law and to promote the protection and promotion of human rights in Kenya. Kenya has the ability to pave the way towards a society that is more just and equitable for all of its citizens if it is able to harness the potential of international treaties and domestic legal mechanisms.

⁶⁷⁰Juliet Nyabonyi, O.I, in Suneka, Kisii, On, 12/11/2023.

⁶⁷¹Lisa Blomgren Bingham, Tina Nabatchi and Rosemary O'Leary, "The new governance: Practices and processes for stakeholder and citizen participation in the work of government." *Public administration review* 65, no. 5 (2005): 547-558, p.552.

This discussion was centered on Interpretivism philosophy and instrumental Marxism theory which provided valuable lenses through which to analyze the status of treaties in national law, particularly in the context of addressing ethnic identity in Kenya.⁶⁷² Interpretivism emphasizes understanding the practical implications of treaty incorporation into domestic legislation, acknowledging participants' varying levels of comprehension. Elias Opondo highlighted systemic barriers to successful treaty implementation, aligning with the instrumental Marxist view of bureaucratic obstacles and capacity constraints. Both perspectives advocate for legal reforms and institutional strengthening to bridge the gap between international commitments and local implementation. An FGD emphasized the necessity of public participation and civil society engagement in the treaty ratification process to enhance transparency and accountability, echoing pragmatist ideals of inclusive governance.⁶⁷³

Additionally, participants underscored the importance of capacity-building initiatives to improve understanding and implementation of international treaties at the national level, aligning with instrumental Marxism's emphasis on empowering marginalized communities.⁶⁷⁴ Juliet Nyabonyi highlighted the role of judicial activism in enforcing treaty provisions and holding the government accountable for violations, reflecting both pragmatic approaches to legal enforcement and instrumental Marxism's call for an impartial judiciary. Overall, the study emphasizes a shared commitment to integrating international human rights standards into domestic legal systems, recommending legal

⁶⁷²Gavin R. Castro, *A Critical Assessment of Kenya's Poverty Alleviation Approaches-Towards an African Jurisprudential Perspective*. PhD diss., University of Nairobi, 2021., p.92.

⁶⁷³Maxwel Miyawa, "African Approaches to International Law: A Communitarian Ethic as a Cultural Critique of the Western Understanding of the Human Rights Corpus." *Available at SSRN 3361146* (2019)., p.13.

⁶⁷⁴Georg Sorensen, Jørgen Moller and Robert H. Jackson, *Introduction to international relations: theories and approaches*. Oxford university press, 2022, p.16.

reforms, capacity-building initiatives, and public awareness campaigns to promote human rights protection and advancement in Kenya. Through harnessing the potential of international treaties and domestic legal mechanisms, Kenya can pave the way towards a more just and equitable society for all its citizens.

4.3 National Law

This subsection delves into the intricate legal landscape of Kenya, focusing on national laws and policies aimed at addressing ethnic identity. It explores key components such as The Constitution of Kenya, Specific Anti-Discrimination Laws, Family Law, Employment Law, and Political Participation regulations. Additionally, it examines significant national policies including Vision 2030, the National Policy on Gender and Development, and the Kenya National Youth Policy. Through this probe, the subsection seeks to unravel the legal mechanisms employed within the country to promote equality, social cohesion, and sustainable development, ultimately contributing to the broader understanding of Kenya's institutional framework.

4.3.1 The Constitution of Kenya

A series of oral interviews were carried out in the Western region of Kenya as part of the comprehensive research endeavor that was undertaken to investigate the legal policies and institutional framework in Kenya that address the effects of ethnic identity. Generally, there was a wide range of familiarity and comprehension regarding the Constitution of Kenya among the individuals who participated in the interviews.⁶⁷⁵ It also emerged to that,

⁶⁷⁵Leonard Muaka, "Language perceptions and identity among Kenyan speakers." In *Proceedings of the 40th Annual Conference on African Linguistics*, 2011., pp. 217-230. p.219.

although there were some people who demonstrated a comprehensive understanding of its provisions and implications, there were also others who demonstrated a limited knowledge of its aspects. In spite of this, there was complete agreement among the participants that the Constitution is of the utmost significance because it is the highest law in the land and it is responsible for establishing the basis for governance, rights, and societal harmony. For instance, Amos Wekesa informed the researcher that:

The implementation and enforcement of the Constitution brought to light a number of challenges, which were brought to light by subsequent discussions. A number of issues, including insufficient resources, corruption, and political interference are the significant obstacles to the successful implementation of constitutional principles. Furthermore, there are concerns arising regarding the uneven application of constitutional provisions across various regions and communities, which exacerbated feelings of marginalization and exclusion between the various groups.⁶⁷⁶

Furthermore, participants in an FGD expressed optimism about the transformative potential of the Constitution in fostering national unity and addressing the root causes of ethnic identity, despite the challenges that were presented to them. According to the FGD, it was noted that:

One of the most common beliefs among those who participated in the survey was that the Constitution of Kenya offers a solid structure for advancing inclusiveness, equity, and social justice in the country. Moreover, the significance of civic education and public awareness campaigns as a means of empowering citizens to assert their rights and hold duty-bearers accountable for their actions is equally significant.⁶⁷⁷

Throughout the course of the interviews, one of the topics that kept coming up was the function of devolution in fostering community participation and local governance. One of

⁶⁷⁶Amos Wekesa, O.I, in Kisii Town, On, 12/1/2024.

⁶⁷⁷Focus Group Discussion of Tachoni Community Professionals Women League Leaders in Bungoma, on 28/12/2024.

the respondents, Alphas Kisa Minayo, posted to the study that; as a means of addressing historical inequalities and fostering inter-ethnic cooperation, the significance of devolved structures in the process of decentralizing power, resources, and decision-making processes is key. In addition to this, efforts should be increased to strengthen devolution by means of enhanced fiscal decentralization and initiatives to build capacity at the county level.⁶⁷⁸

In addition, having a judiciary that is independent in order to maintain the rule of law and protect constitutional principles.⁶⁷⁹ They placed a strong emphasis on the importance of judicial integrity, impartiality, and effectiveness in the process of resolving disputes and ensuring accountability within the government. Based on the foregoing argument, the study found out that there was a call for increased collaboration between state institutions, organizations represented by civil society, and international partners in order to advance constitutionalism and democratic governance in Kenya.

In conclusion, the analysis of the findings above provides extremely valuable acumens into the perspectives and experiences that people have regarding the Constitution of Kenya. It emerged to the study that, there is a collective determination to harness the transformative potential of the Constitution in order to address ethnic identity and promote national cohesion, despite the fact that challenges continue to exist. For the purpose of ensuring that constitutional principles are effectively implemented across all aspects of society, it is imperative that initiatives to strengthen institutions, civic education programs, and legal reforms be prioritized moving forward. It also emerged that, Kenya

⁶⁷⁸Alphas Kisa Minayo, O.I, in Matungu, Kakamega, On, 30/01/2024.

⁶⁷⁹Teresa Bitengo Mwoma, "Preschool attendance and children's reading ability: A case of Narok County Kenya." *International Education Journal: Comparative Perspectives* 17, no. 4 (2018): 83-96, p.86.

has the ability to pave the way for a future that is more equitable, peaceful, and prosperous for all of its citizens if it continues to uphold the values of inclusivity, equality, and respect for diversity that are enshrined in the Constitution.⁶⁸⁰

It is significant to record that, Interpretivism philosophy emphasizes the practical consequences and effectiveness of legal frameworks like the Constitution.⁶⁸¹ It acknowledges the varying levels of familiarity and comprehension among individuals regarding constitutional provisions. Despite these differences, there is a shared recognition of the Constitution's significance as the highest law in the land, establishing governance, rights, and societal harmony. Interpretivism highlights challenges in implementation, such as insufficient resources and corruption, and stresses the importance of civic education to empower citizens in holding duty-bearers accountable.⁶⁸²

Similarly, instrumental Marxism theory sheds light on systemic barriers to implementing constitutional principles, such as political interference and uneven application across regions. It underscores the role of devolution in addressing historical inequalities and promoting inter-ethnic cooperation. Additionally, the theory emphasizes the importance of an independent judiciary in upholding the rule of law and protecting constitutional principles.

Both perspectives converge on the transformative potential of the Constitution in fostering inclusiveness, equity, and social justice. They advocate for initiatives to strengthen

⁶⁸⁰Brian Z. Tamanaha, *Realistic socio-legal theory: Interpretivism and a social theory of law*. Oxford university press, 1997., p.18.

⁶⁸¹Edward Wilfrid Thomas, *The judicial process: realism, Interpretivism, practical reasoning and principles*. Cambridge University Press, 2005, p.26.

⁶⁸²Morgan Cloud, "Interpretivism, Positivism, and Principles in Fourth Amendment Theory." *UCLA L. Rev.* 41 (1993): 199 – 208, p.203.

institutions, enhance civic education, and promote collaboration between state institutions, civil society, and international partners. Despite existing challenges, there is a collective determination to uphold constitutional values and pave the way for a more equitable, peaceful, and prosperous future for all Kenyan citizens.

4.3.2 Specific Anti-Discrimination Laws

The study carried out a series of interviews with the primary purpose of gaining knowledge into the perceptions and experiences of individuals in Kenya with regard to particular anti-discrimination laws.⁶⁸³ Some of the respondents who took part in the interviews displayed varying degrees of awareness and comprehension with regard to particular anti-discrimination laws in Kenya. It also emerged that, at the same time some individuals displayed a high level of familiarity with important pieces of legislation, such as the Equal Opportunities Act and the Employment Act, others demonstrated a low level of familiarity with these legal provisions.⁶⁸⁴ Based on the above observation, one of the respondents was unanimous in his acknowledgment of the significance of anti-discrimination laws in terms of guaranteeing equality and safeguarding the rights of underrepresented groups.⁶⁸⁵ With Bramuel Naliakho assertion, during the course of the discussions that surrounded the implementation and enforcement of anti-discrimination laws, a variety of difficulties were brought to light. According to him:

⁶⁸³Shirley Genga and Meryl du Plessis, "A Critical Analysis of the Duty to Provide Reasonable Accommodation for Employees with Psychosocial Conditions as an Employment Anti-Discrimination Obligation: A Case Study of Kenya's Legal Framework." *Afr. Disability Rts. YB* 10 (2022): 17 – 38, p.22.

⁶⁸⁴Carol S. Camlin *et al.*, "Pathways for reduction of HIV-related stigma: a model derived from longitudinal qualitative research in Kenya and Uganda." *Journal of the International AIDS Society* 23, no. 12 (2020): e25647.

⁶⁸⁵Bramuel K Naliakho, O.I, in Sirisia Bungoma, On, 30/1/2024.

There are systemic issues as significant impediments to the effective realization of legal protections against discrimination. These issues include weak enforcement mechanisms, a lack of awareness, and cultural barriers. Moreover, there are concerns regarding the parlance of discriminatory practices in various sectors, including employment, education, and access to public services. Therefore, there is potential for legal reforms and institutional strengthening to address discrimination in Kenya, despite the challenges that were presented.⁶⁸⁶

It, thus, emerged that, Bramuel was of the opinion that strong anti-discrimination laws are necessary for fostering social cohesion and addressing the underlying causes of ethnic identity. This was a belief that was consistently held by respondents. In addition, the respondent emphasized the significance of public education and awareness campaigns in order to foster a culture that is characterized by tolerance, respect, and inclusiveness.⁶⁸⁷

The need for comprehensive legislation that addresses multiple forms of discrimination, including those based on ethnicity, gender, religion, disability, and sexual orientation, was a recurrent theme that emerged several times throughout the interviews. In their discussion, the participants of an FGD emphasized the significance of intersectional approaches to anti-discrimination laws, which acknowledge the intersecting identities and vulnerabilities of individuals within society.⁶⁸⁸ In addition to this, there was a call for increased efforts to incorporate gender considerations into all aspects of legal and policy interventions, as well as to promote the rights of women and girls.

Furthermore, participants emphasized the role that community-based initiatives and organizations that are part of civil society play in advocating for the rights of marginalized

⁶⁸⁶Bramuel K Naliakho, O.I, in Sirisia Bungoma, On, 30/1/2024.

⁶⁸⁷Andrea L. Wirtz *et. al.*, "A qualitative assessment of health seeking practices among and provision practices for men who have sex with men in Malawi." *BMC international health and human rights* 14 (2014): 1-11., p.8.

⁶⁸⁸FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

groups and holding duty-bearers accountable for their actions. A respondent informed the researcher that:

The significance of community engagement and grassroots mobilization in the process of monitoring the implementation of anti-discrimination laws and promoting access to justice for all individuals is of great consideration. Moreover, increased collaboration between state institutions, organizations of civil society, and international partners in order to strengthen legal protections against discrimination and ensure that human rights are fully acknowledged and realized in Kenya is pertinent.⁶⁸⁹

To conclude the above findings, the analysis of the study yielded significant perspectives and experiences of individuals with regard to particular anti-discrimination laws. Despite the fact that difficulties continue to exist, there is a collective commitment to advancing equality and combating discrimination within the framework of the legal system.⁶⁹⁰ It is imperative that, moving forward, legal reforms, public education campaigns, and community-driven initiatives be prioritized in order to strengthen anti-discrimination laws and promote a society that is more inclusive and equitable for all of its citizens. The study further concluded that, Kenya is able to overcome the effects of ethnic identity and build a brighter future for generations to come if it continues to uphold the principles of equality and non-discrimination.

From the above findings, it emerged that, Interpretivism philosophy emphasizes the practical consequences of these laws, acknowledging varying levels of awareness among individuals.⁶⁹¹ It highlights the significance of anti-discrimination laws in guaranteeing equality and safeguarding the rights of underrepresented groups. However, it also

⁶⁸⁹Wenslaus Oruko, O.I, in Mumias, Kakamega, On, 30/01/2024.

⁶⁹⁰KNA, DC/NN/2/3: North Nyanza Handing Over Reports, 1952.

⁶⁹¹Vibha Kaushik and Christine A. Walsh. "Interpretivism as a research paradigm and its implications for social work research." *Social sciences* 8, no. 9 (2019): 255 – 278, p.262.

identifies systemic issues such as weak enforcement mechanisms and cultural barriers that hinder their effective realization. Interpretivism advocates for legal reforms and public education campaigns to address discrimination.

Instrumental Marxism theory similarly identifies systemic barriers to effective anti-discrimination laws, such as weak enforcement and discriminatory practices in various sectors.⁶⁹² It emphasizes the necessity of strong legal protections to foster social cohesion and address ethnic identity. Additionally, it stresses the importance of intersectional approaches and community-based initiatives in advocating for the rights of marginalized groups. Important to note is that, both perspectives underscore the importance of legal reforms and community-driven initiatives to strengthen anti-discrimination laws and promote inclusivity in Kenya.⁶⁹³

4.3.3 The National Cohesion and Integration Act

In order to gain a better understanding of the legal policies and institutional framework in Kenya that are addressing the effects of ethnic identity, various sources were interrogated by the research. These interviews were conducted with the primary purpose of gaining a deeper understanding of the perspectives and experiences that individuals have regarding the National Cohesion and Integration Act. One of the respondents reported that:

⁶⁹²Brian Z. Tamanaha, *Realistic socio-legal theory: Interpretivism and a social theory of law*. Oxford university press, 1997, p.82.

⁶⁹³Stanley Fish, *et. al.*, *The revival of Interpretivism: New essays on social thought, law, and culture*. Duke University Press, 1998, p.34.

There was a wide range of awareness and comprehension regarding the National Cohesion and Integration Act among the individuals in the region. Despite the fact there are some individuals who display a comprehensive understanding of the provisions and objectives of the law, there are also others who display a limited knowledge of the complexities of the law in the region.⁶⁹⁴

Additionally, the participants in the FGD on the other hand, were unanimous in their acknowledgment of the significance of the Act in terms of its role in promoting unity, tolerance, and peaceful coexistence among Kenya's numerous ethnic communities.⁶⁹⁵

It became clear to the study that there are a variety of obstacles to overcome during the discussions that surrounded the implementation and enforcement of the National Cohesion and Integration Act. Systemic issues, such as insufficient resources, ineffective enforcement mechanisms, and political interference, were identified by the participants as significant obstacles to the effective realization of the Act's objectives. To add insult to injury, there were concerns raised about the continued existence of hate speech, ethnic polarization, and tensions between communities, particularly during election periods.⁶⁹⁶

As established by the study, participants expressed optimism about the potential for legal reforms and institutional strengthening to enhance the effectiveness of The National

⁶⁹⁴Mercyline Nanjira K, O.I, in Khayega, Kakamega, On, 30/01/2024.

⁶⁹⁵FGD with Community Social Welfare Officials (Health Department) at Bosongo Kisii Town, on 12/11/2023.

⁶⁹⁶Ezeibe, Christian. "Hate speech and election violence in Nigeria." *Journal of Asian and African Studies* 56, no. 4 (2021): 919-935.

Cohesion and Integration Act, despite the challenges that were presented to them.⁶⁹⁷ It was a widely held belief among those who participated in the survey that strong legal frameworks for the purpose of fostering national cohesion are necessary in order to address the fundamental factors that contribute to ethnic identity and to foster social harmony. Important to note is that, the significance of civic education and community engagement in the process of cultivating a culture that is characterized by tolerance, respect and overall inclusivity.

When it comes to fostering national cohesion, a respondent informed the researcher that:

There is a necessity of comprehensive strategies that go beyond legislative measures. Also, the significance of grassroots initiatives, inter-community dialogue forums, and peace-building programs in the process of fostering mutual understanding and reconciliation among various ethnic groups should be prioritized.⁶⁹⁸

Furthermore, there was a call for increased efforts to address socio-economic disparities and historical injustices that fuel ethnic tensions and divisions. This call was made in response to various issues as discussed above.

In addition, participants emphasized the significance of the role that state institutions, civil society organizations, and religious leaders play in the process of fostering national

⁶⁹⁷Thomas C. Grey, "Holmes and legal Interpretivism." *Stan. L. Rev.* 41 (1988): 787 – 799, p.789.

⁶⁹⁸Job Omino Okoth, O.I, in Nyakach, Kisumu, On, 17/11/2023.

cohesion, combating hate speech, and punting incitement to violence.⁶⁹⁹ The importance of collaborative efforts between government agencies, community leaders, and other stakeholders in the process of promoting peace and reconciliation at the local level was emphasized by them. In this case, the researcher recommends that a call for increased accountability and transparency in the implementation of the National Cohesion and Integration Act in order to guarantee that it is effective in addressing the issue of ethnic identity is paramount.⁷⁰⁰

In conclusion, the interviews conducted provided valuable findings into the perceptions and experiences that people have regarding the National Cohesion and Integration Act. It emerged that, there is a collective commitment to maximizing the potential of legal frameworks for the purpose of promoting national cohesion and addressing ethnic identity, despite the fact that challenges continue to exist. It is imperative that, moving forward, legal reforms, community-driven initiatives, and inter-community dialogue forums be prioritized in order to strengthen social cohesion and build a society that is more inclusive and peaceful for all of its citizens.⁷⁰¹ Additionally, Kenya is able to

⁶⁹⁹Volker Grimm, "Ten years of individual-based modelling in ecology: what have we learned and what could we learn in the future?" *Ecological modelling* 115, no. 2-3 (1999): 129-148, p.133.

⁷⁰⁰Makasa, Martin Musyoki. "Contribution of the devolved governance on social integration in the society: A case study of Mathare sub-County, Nairobi County." PhD diss., Africa Nazarene University, 2020.

⁷⁰¹David L. Morgan, Interpretivism as a paradigm for social research. *Qualitative inquiry* 20, no. 8 (2014): 1045-1053., p.1049.

overcome the effects of ethnic identity and realize its aspirations for a brighter future if it continues to uphold the principles of unity, tolerance, and respect for diversity that are enshrined in The National Cohesion and Integration Act.

Finally, both Interpretivism philosophy and instrumental Marxism theory shed light on the discussion surrounding the National Cohesion and Integration Act in Kenya. Interpretivism philosophy underscores the importance of assessing the practical impact of the Act, acknowledging varying levels of awareness among individuals. It highlights the significance of the Act in promoting unity, tolerance, and peaceful coexistence among Kenya's diverse ethnic communities. However, it also identifies systemic barriers such as insufficient resources and ineffective enforcement mechanisms that hinder its effectiveness. Interpretivism advocates for legal reforms and community engagement to enhance the Act's implementation.

Instrumental Marxism theory similarly identifies systemic obstacles to the Act's effectiveness, such as political interference and socio-economic disparities.⁷⁰² It emphasizes the necessity of strong legal frameworks to address ethnic identity and foster social harmony.⁷⁰³ Additionally, it stresses the importance of grassroots initiatives and inter-community dialogue forums in promoting mutual understanding and reconciliation among ethnic groups. Therefore, it emerged to the research that, both perspectives emphasize the importance of collaborative efforts between state institutions, civil society

⁷⁰²Alan Hunt, "The ideology of law: advances and problems in recent applications of the concept of ideology to the analysis of law." *Law & Soc'y Rev.* 19 (1985): 11 – 35, p.23.

⁷⁰³Joanne Conaghan, "Intersectionality and the feminist project in law." In *Intersectionality and beyond*, Routledge-Cavendish, 2008., pp. 37-64, p.42.

organizations, and community leaders to strengthen the Act's implementation and promote national cohesion in Kenya.

4.3.4 Family Law

A series of oral interviews were carried out in the Western region of Kenya as part of the comprehensive research endeavor that was undertaken with the intention of investigating the legal policies and institutional framework in Kenya that address the effects of ethnic identity. According to a respondent from Busia, the oral interview revealed a diverse range of awareness and comprehension levels regarding Kenyan family law.⁷⁰⁴

During the course of the discussions that surrounded the implementation and enforcement of family law, a variety of difficulties brought to light.⁷⁰⁵ Moses Mulati, asserted that:

There are significant barriers to the effective realization of rights within families, particularly for women and children. These barriers included patriarchal norms, cultural practices, and inadequate legal support services. Specifically, the participants identified these issues as significant barriers. Furthermore, he raised concerns regarding the continued existence of gender-based violence, child marriage, and other harmful practices that contribute to the perpetuation of inequality and undermine the cohesiveness of families.⁷⁰⁶

The respondent expressed optimism about the potential for legal reforms and institutional strengthening to enhance the protection of rights within families, despite the challenges that were presented to them. On the other hand, another respondent was of the opinion that:

⁷⁰⁴ Moses Mulati Onsongo, O.I, in Nyakach, Kisumu, On, 17/11/2023.

⁷⁰⁵ John Eekelaar, *Family law and personal life*. Oxford University Press, 2017., p.62.

⁷⁰⁶ Moses Mulati Onsongo, O.I, in Nyakach, Kisumu, On, 17/11/2023.

Family law reforms are necessary in order to advance gender equality, protect the rights of women and children, and cultivate healthy family dynamics. This was a belief that was frequently expressed by the respondents. Moreover, the significance of community-based initiatives and awareness-raising campaigns in the context of challenging harmful cultural norms and promoting respect for human rights within families should be observed.

It emerged to the study that, one of the repetitive themes that emerged from the interviews was the necessity of comprehensive legal frameworks that address the inter-sectionalism of factors that influence family dynamics.⁷⁰⁷ These factors include gender, socioeconomic status, and ethnicity.

The study discovered that the significance of education and community involvement in the process of raising awareness of rights and responsibilities within the context of marriage and family. It emerged that, providing individuals, particularly women and children, with the ability to assert their rights and gain access to legal remedies in situations where there are disagreements or violations pertaining to the family are pertinent. Furthermore, increased collaboration between state institutions, civil society organizations, and traditional leaders in order to accomplish the goals of fostering family cohesion and addressing the underlying causes of ethnic identity within communities needs to be addressed.⁷⁰⁸

In conclusion, a collective commitment has been made to harnessing the potential of legal frameworks for the purpose of promoting gender equality, protecting the rights of women and children, and fostering healthy family dynamics. This commitment exists despite the fact that challenges continue to exist. In this basis, the study recommends that, it is

⁷⁰⁷Lorena Sosa, *Intersectionality in the human rights legal framework on violence against women: at the center or the margins?*. Cambridge University Press, 2017., p.48.

⁷⁰⁸Linda L. Lindsey, *Gender: Sociological Perspectives*. Routledge, 2020, p.83.

absolutely necessary to give priority to legal reforms, community-driven initiatives, and awareness-raising campaigns in order to strengthen family cohesion and address the underlying causes of ethnic identity within families. Through the promotion of respect for human rights and equality within families, Kenya has the potential to construct a society that is more inclusive and cohesive for all of its citizens.⁷⁰⁹

It was significantly acknowledged by the study that, both Interpretivism philosophy and instrumental Marxism theory offer valuable acumens into the discussion surrounding family law in Kenya.⁷¹⁰ This is because, Interpretivism philosophy acknowledges the diverse awareness levels regarding family law and underscores the importance of assessing practical barriers to its implementation. It identifies patriarchal norms, cultural practices, and inadequate legal support services as significant obstacles to realizing rights within families, particularly for women and children. Interpretivism advocates for legal reforms and community-based initiatives to address these barriers and promote healthy family dynamics.

Instrumental Marxism theory similarly recognizes the systemic issues affecting family law, such as gender inequality and harmful cultural norms. It emphasizes the need for comprehensive legal frameworks to address these intersecting factors and protect the rights of vulnerable groups within families. Additionally, instrumental Marxism theory highlights the importance of community involvement and awareness-raising campaigns in

⁷⁰⁹Kimani Njogu, ed. *Citizen participation in decision making: towards inclusive development in Kenya*. Twaweza Communications, 2014, p.46.

⁷¹⁰Justine M. Maira, "A Critique of education for liberation towards the achievement of Kenyan Vision 2030." PhD diss., University of Nairobi, 2017, p.104.

challenging harmful cultural norms and promoting respect for human rights within families.

Therefore, both perspectives stress the significance of collaboration between state institutions, civil society organizations, and traditional leaders to strengthen family cohesion and address the underlying causes of ethnic identity within communities. They advocate for prioritizing legal reforms and community-driven initiatives to foster a more inclusive and cohesive society in Kenya.

4.3.5 Employment Law

A wide range of levels of awareness and comprehension regarding employment law in Kenya were displayed by the individuals who participated in the interviews. One of the respondents, Porus Makori displayed a high level of familiarity with key aspects of employment legislation, such as labor rights, workplace discrimination, and employment contracts.⁷¹¹ Makori pointed out that: There are several difficulties that surrounds the process of putting employment law into effect and enforcement. There are significant barriers to accessing employment opportunities, particularly for marginalized groups, such as wage disparities, job insecurity, and discriminatory hiring practices. Furthermore, there are issues regarding the continued practice of nepotism and ethnic favoritism in the recruitment process, which has the effect of exacerbating feelings of exclusion and marginalization among certain ethnic communities.⁷¹²

⁷¹¹Porus Makori Magori, O.I, in Bonchari, Kisii, On, 13/11/2023.

⁷¹²Porus Makori Magori, O.I, in Bonchari, Kisii, On, 13/11/2023.

Additionally, an FGD expressed optimism about the potential for legal reforms and institutional strengthening to enhance the protection of workers' rights and promote equal employment opportunities. They informed the researcher that:

Strong employment laws are necessary for promoting social inclusion, lowering economic disparities, and addressing the fundamental factors that contribute to ethnic identity in the labor market. Furthermore, fostering diversity and inclusivity in the workplace in order to establish environments that are conducive to all individuals, regardless of their ethnicity is key.⁷¹³

Throughout, it commonly emerged that there is a necessity of taking comprehensive measures to combat discrimination and to promote diversity in the workplace. This is because, during the study period, participants emphasized the significance of anti-discrimination laws, affirmative action policies, and diversity training programs in the context of combating stereotypes, biases, and prejudices that contribute to the perpetuation of ethnic identity within the labor force.⁷¹⁴ Based on the foregoing argument, the study suggests that efforts to enforce the labor laws that are already in place and to hold employers accountable for discriminatory practices, including discrimination based on ethnicity should be reinforced and adhered to.

In addition, one of the respondents emphasized the significance of education and the development of skills in terms of enhancing employment opportunities and promoting social mobility, particularly for young people who come from communities that are marginalized.⁷¹⁵ He further pointed out that:

⁷¹³FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁷¹⁴Vareta Nyamupachari. "Workplace inequality and discrimination on individual development and organizational performance, in selected hotels in Durban Metropolitan city, South Africa." PhD diss., 2022, p.109.

⁷¹⁵Dan Odhiambo Oyoo, O.I, in Nyakach, Kisumu, On, 17/11/2023.

As a means of enabling individuals to gain access to meaningful employment and economic opportunities, they emphasized the significance of investing in vocational training programs, job placement services, and entrepreneurial initiatives. In addition, increased collaboration between government agencies, employers, and organizations that are part of civil society in order to address the structural barriers that pent all individuals from having equal access to employment opportunities should be considered.⁷¹⁶

In conclusion, there is a collective commitment to maximizing the potential of legal frameworks for the purpose of promoting fairness, equality, and social inclusion in the labor market, despite the fact that challenges continue to exist. Based on the established findings, the study recommends that, in order to create an employment environment that is inclusive and equitable for all individuals, regardless of their ethnicity, it is imperative that legal reforms, anti-discrimination measures, and skill development initiatives be prioritized moving forward. Additionally, it is essential to ensure that these initiatives are implemented. It is also clear from the study that, Kenya has the ability to mitigate the effects of ethnic identity and build a society that is more cohesive and prosperous for all of its citizens if it promotes equal opportunities and protects the rights of workers.⁷¹⁷

Therefore, Interpretivism philosophy acknowledges the varying levels of awareness regarding employment law and emphasizes the need to assess practical barriers to its implementation. It identifies issues such as discriminatory hiring practices, wage disparities, and job insecurity as significant obstacles to accessing employment opportunities, particularly for marginalized groups. Interpretivism advocates for legal

⁷¹⁶Dan Odhiambo Oyoo, O.I, in Nyakach, Kisumu, On, 17/11/2023.

⁷¹⁷Brian Z.Tamanaha, *Realistic socio-legal theory: Interpretivism and a social theory of law*. Oxford university press, 1997, p.94.

reforms and affirmative action policies to address these barriers and promote equal employment opportunities.

Instrumental Marxism theory similarly recognizes the systemic issues affecting employment law, such as nepotism and ethnic favoritism in the recruitment process. It emphasizes the importance of strong employment laws to promote social inclusion and address economic disparities in the labor market.⁷¹⁸ Additionally, instrumental Marxism theory highlights the significance of education and skills development initiatives to enhance employment opportunities, particularly for marginalized communities.

It thus emerged that, both perspectives stress the necessity of comprehensive measures to combat discrimination and promote diversity in the workplace. They advocate for increased collaboration between government agencies, employers, and civil society organizations to address structural barriers and ensure equal access to employment opportunities for all individuals, regardless of ethnicity. Ultimately, they suggest that Kenya can foster a more inclusive and prosperous society by prioritizing legal reforms and initiatives that protect the rights of workers and promote equal opportunities.

4.3.6 Political Participation

The legal policies and institutional framework that are addressing the effects of ethnic identity in the country, shed light on the perceptions and experiences regarding political participation. A variety of difficulties that are experienced by individuals and

⁷¹⁸Clark Freshman, "Beyond Atomized Discrimination: Use of Acts of Discrimination against Other Minorities to Prove Discriminatory Motivation under Federal Employment Law." *Stan. L. Rev.* 43 (1990): 241–278, p.258.

communities in the Western region were brought to light by a respondent interrogated by the study.⁷¹⁹ She posited that:

A number of systemic issues, including political exclusion, the marginalization of certain ethnic groups, and electoral violence, were identified by the participants as significant barriers to meaningful political engagement. Furthermore, issues regarding the manipulation of ethnic identities for the purpose of gaining political advantage, which has the potential to exacerbate divisions and undermine trust in the democratic process, are within.⁷²⁰

Furthermore, she expressed a strong desire to actively participate in the political process and contribute to decision-making at all levels of governance, despite the challenges that they have encountered. According to Damaris, who reinforced Beryl Atieno's sentiments,

One of the most common beliefs among those who participated in the survey was that political institutions that are both transparent and inclusive are essential for fostering social cohesion and addressing the underlying factors that contribute to ethnic identity. In addition, the significance of civic education and voter mobilization in terms of providing citizens with the ability to effectively exercise their democratic rights should be strengthened.⁷²¹

The necessity of electoral reforms that promote fairness, transparency, and accountability in the electoral process was a topic that came up repeatedly in the discussion. To ascertain this, an FGD averred that:

The significance of electoral reforms in terms of enhancing the credibility of elections, lowering the level of ethnic tensions, and promoting peaceful political competition is right-forth. Furthermore, increased efforts to strengthen political parties and promote intra-party democracy in order to guarantee the

⁷¹⁹Geraint Parry, George Moyser and Neil Day, *Political participation and democracy in Britain*. Cambridge University Press, 1992, p.89.

⁷²⁰Beryl Atieno Otieno, O.I, in Ugunja, Siaya, On, 18/11/2023.

⁷²¹Beryl Atieno Otieno, O.I, in Ugunja, Siaya, On, 18/11/2023.

representation of a wide variety of voices within the political arena is very crucial.⁷²²

In addition, the FGD emphasized the significance of the role that civil society organizations, community leaders, and the media play in encouraging political participation and holding political actors accountable for their actions. A secondary source posited to the study that, when it comes to fostering an informed citizenry and promoting dialogue across ethnic lines, they emphasized the significance of civic engagement initiatives, public forums, and debates.⁷²³ However, there was a call for increased collaboration between institutions of the government, organizations of civil society, and international partners in order to establish trust in the political process and to promote democratic governance.

In conclusion, there is a collective commitment to maximizing the potential of political engagement for the purpose of fostering social cohesion and addressing ethnic identity, despite the fact that challenges continue to exist. Therefore, the study recommends that it is absolutely necessary to give electoral reforms, civic education programs, and community-driven initiatives the highest priority in order to strengthen democratic governance and guarantee the representation of diverse voices within the political arena.⁷²⁴ This is because, through the promotion of political institutions that are both inclusive and transparent, Kenya has the potential to construct a democracy that is more cohesive and resilient for all of its citizens.

⁷²²FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

⁷²³Martha L., McCoy and Patrick L. Scully, "Deliberative dialogue to expand civic engagement: What kind of talk does democracy need?." *Nat'l Civic Rev.* 91 (2002): 117 – 140., p.128.

⁷²⁴*Ibid*

From the foregoing discussion, the study found out that, Interpretivism philosophy highlights the practical barriers individuals and communities face in engaging meaningfully in politics.⁷²⁵ It identifies issues such as political exclusion, ethnic marginalization, and electoral violence as significant obstacles to political engagement.⁷²⁶ Interpretivism advocates for electoral reforms and civic education programs to address these challenges and promote a transparent and inclusive political process.

Instrumental Marxism theory emphasizes the systemic issues underlying political participation, such as the manipulation of ethnic identities for political gain. It underscores the importance of electoral reforms to enhance the credibility of elections and reduce ethnic tensions. Additionally, instrumental Marxism theory highlights the role of civil society organizations and the media in encouraging political participation and holding political actors accountable.

Therefore, to this study, both perspectives stress the need for increased collaboration between government institutions, civil society organizations, and international partners to establish trust in the political process and promote democratic governance. Ultimately, they suggest that Kenya can build a more cohesive and resilient democracy by prioritizing electoral reforms and civic engagement initiatives.

⁷²⁵Karen G. Evans, "Reclaiming John Dewey: Democracy, inquiry, Interpretivism, and public management." *Administration & Society* 32, no. 3 (2000): 308-328., p.315.

⁷²⁶Farzana Bari, "Women's political participation: Issues and Challenges." In *United Nations Division for the Advancement of Women Expert Group Meeting: Enhancing Participation of Women in Development through an Enabling Environment for Achieving Gender Equality and the Advancement of Women*. Bangkok, vol. 393. 2005., p.67.

4.3.7 National Policies

There was a wide range of understanding among the participants regarding the implications of national policies regarding ethnic identity. It was also discovered by the study that, despite the fact that some people demonstrated a comprehensive understanding of the policies that are currently in place, others demonstrated a limited awareness of the specific measures that are in place.⁷²⁷ On the other hand, there was a shared recognition regarding the significance of these policies in terms of fostering social cohesion and addressing the challenges that are posed by ethnic divisions. For instance, while having a deep discussion with, Amolo, in a conversation that took place regarding national policies revealed a wide variety of viewpoints and kinds of experiences, the research was informed that: There are a number of important policies and initiatives that are aimed at addressing ethnic identity and promoting national unity. Activities such as affirmative action programs, policies regarding devolution, initiatives for peacebuilding, and efforts to integrate cultural practices were included. Moreover, the effectiveness of these policies and their implementation, particularly in marginalized regions where ethnic tensions are more pronounced in some parts of Kenya.⁷²⁸

The significance of affirmative action programs in terms of their role in fostering inclusivity and representation for ethnic groups that are excluded from mainstream society. However, according to Samuel Odiwour,

There are concerns regarding the equitable distribution of resources and opportunities. He expressed his frustration over what he

⁷²⁷Miri Song, "Is there 'a' mixed race group in Britain? The diversity of multiracial identification and experience." *Critical Social Policy* 30, no. 3 (2010): 337-358., p.350.

⁷²⁸Amolo Omolo Oloo, O.I, in Awasi, Kisumu, On, 24/1/2024.

perceived to be inequalities in terms of access to employment opportunities, healthcare, and educational opportunities.⁷²⁹

Apart from the respondents interrogated, the researcher was further informed by the discussants in an FGD that:

There is a positive impact that devolved governance structures have in promoting local development and community participation. Devolution policies were also extensively discussed during this meeting. According to the discussants, there were concerns raised regarding the uneven implementation of devolution, particularly in some regions where infrastructure and service delivery continue to be inadequate.⁷³⁰

The promotion of cultural integration and peace-building initiatives were regarded as being of utmost importance in order to facilitate the development of understanding and reconciliation among various ethnic communities. A respondent informed the researcher that: The significance of dialogue, tolerance, and mutual respect in the process of promoting national unity and bridging the gap between different ethnic groups should be in the forefront. Despite this, the continued existence of prejudices and stereotypes based on ethnicity, which impede the progress of efforts to achieve genuine reconciliation and integration needs to be considered.⁷³¹

All things considered, it emerged to the research that, the participants voiced their desire for national policies that are more all-encompassing and efficient, with the goal of addressing the underlying causes of ethnic identity and fostering social cohesion.⁷³² It was also discovered by the research that, they advocated for increased accountability,

⁷²⁹Samuel Odiwour, O.I, in Muhoroni, Kisumu, On, 24/1/2024.

⁷³⁰FGD with Community Social Welfare Officials (Health Department) in Bosongo Kisii Town, on 12/11/2023.

⁷³¹Suzzane Mukoya Otieno, O.I, in Mbita Stadium, On, 14/11/2023.

⁷³²Taro Komatsu, "Education and Social Cohesion in a Post-conflict and Divided Nation." p.75.

transparency, and inclusivity in the process of formulating and enforcing these policies so that they could be more effective. In addition, from these findings, there was a general agreement among the participants that there should be a greater involvement of the community and participation from the grassroots level in the decision-making processes. This is necessary in order to guarantee that policies are reflective of the requirements and goals of every citizen of Kenya.⁷³³

In conclusion, in spite of the fact that there are already policies and initiatives in place, there is a requirement for increased efficiency, inclusiveness, and accountability in the implementation of these policies and initiatives. Thus, it is of the utmost importance to give priority to policies that promote equity, justice, and social cohesion, and to make certain that these policies are implemented in a manner that is beneficial to all Kenyan citizens, regardless of their ethnic background.⁷³⁴ Kenya is able to overcome the effects of ethnic identity and build a society that is more inclusive and prosperous for all of its citizens if it cultivates genuine reconciliation, understanding, and unity.

It was noted by the study that, indeed, Interpretivism philosophy and instrumental Marxism theory offered insightful perspectives on national policies aimed at addressing ethnic identity in Kenya.⁷³⁵ It emerged that, Interpretivism philosophy emphasizes the practical implications of national policies, focusing on their effectiveness in fostering social cohesion. It acknowledges the diverse understanding among individuals regarding these policies and advocates for increased accountability and transparency in their

⁷³³Caroline Beauvais and Jane Jenson, *Social cohesion: Updating the state of the research*. Vol. 62. Ottawa: CPRN, 2002., p.76.

⁷³⁴Ibid

⁷³⁵Ettah A. Muango, "Cultural pluralism as a source of political instability in Kenya: a critical analysis." PhD diss., University of Nairobi, 2013., p.130.

implementation. Interpretivism underscores the importance of policies such as affirmative action programs and devolution initiatives in promoting inclusivity and representation for marginalized ethnic groups.

Instrumental Marxism theory delves into the systemic issues underlying national policies, particularly regarding resource distribution and opportunities. It highlights concerns over inequalities and uneven implementation of policies, emphasizing the need for equitable access to employment, healthcare, and education.⁷³⁶ Instrumental Marxism theory also underscores the significance of cultural integration and peace-building initiatives in bridging ethnic divides and promoting national unity.

Both perspectives converge on the importance of inclusive and efficient national policies, coupled with increased community involvement and grassroots participation in decision-making processes. They suggest that Kenya can overcome ethnic identity and build a more inclusive society by prioritizing policies that promote equity, justice, and social cohesion, implemented in a transparent and accountable manner.

4.3.8 Vision 2030

The study conducted interviews within the context of an investigation into the legal policies and institutional framework that address the effects of ethnic identity in the country. From the respondents interviewed, there was a wide range of awareness and comprehension among the participants with regard to Vision 2030, which is Kenya's long-term development blueprint with the objective of transforming the country into a newly

⁷³⁶Gavin R. Castro, "A Critical Assessment of Kenya's Poverty Alleviation Approaches-Towards an African Jurisprudential Perspective." PhD diss., University of Nairobi, 2021., p.142.

industrializing, middle-income nation by the year 2030. One of the respondents informed the researcher that:

Although there are some individuals who are aware of the goals and pillars of Vision 2030, there are others who have limited knowledge of its particulars. Despite this issue, indeed, Vision 2030 is an essential tool for fostering national development and addressing socioeconomic disparities through its implementation.⁷³⁷

Another participant, Porus Walela, acknowledged the lofty objectives that were outlined in the vision, which included the reduction of poverty, the development of infrastructure, the creation of jobs, and the expansion of the economy.⁷³⁸ Despite the foregoing argument, he added that:

On the other hand, there are concerns regarding the uneven progress of Vision 2030 implementation across various regions and communities. He expressed frustration over what he perceived to be disparities in the outcomes of development.⁷³⁹

From the above participants, it emerged to the study that, they emphasized the significance of Vision 2030 in terms of fostering inclusivity and addressing ethnic identity through the creation of opportunities for all citizens of Kenya, irrespective of their ethnic background. An FGD added a voice to the findings by retorting that:

The importance of targeted interventions in order to address socio-economic disparities and make certain that the benefits of development are distributed in an equitable manner across all segments of society is necessary. In addition, the significance of community involvement and grassroots participation in the implementation of Vision 2030 should be reinforced. This should

⁷³⁷Chris Simiyu, O.I, in Maili Nne, Eldoret, On, 30/1/2024.

⁷³⁸Barbara Ann Cole, "Mission impossible? Special educational needs, inclusion and the re-conceptualization of the role of the SENCO in England and Wales." *European Journal of Special Needs Education* 20, no. 3 (2005): 287-307., p.296.

⁷³⁹Porus Walela, O.I, in Komora Centre, Eldoret, On 30/1/2024.

be done to guarantee that development initiatives are tailored to the particular requirements and priorities of local communities.⁷⁴⁰

In addition to the preceding discussion, another participant emphasized the significance of Vision 2030 in fostering peace and stability by addressing the fundamental factors that contribute to ethnic tensions, such as poverty, unemployment, and a dearth of opportunities.⁷⁴¹ She averred that:

The significance of economic empowerment, education, and the development of skills in the process of fostering social cohesion and promoting understanding among various ethnic groups should be a priority. Moreover, the importance of increased collaboration between the government, organizations of civil society, and the private sector in order to propel the implementation of Vision 2030 and accomplish its goals should be revisited.⁷⁴²

From the preceding sentiments, the study concludes that, there is a requirement for increased inclusivity, equity, and accountability in the implementation of the vision, despite the fact that there is widespread support for the goals and objectives of the vision.⁷⁴³ It is imperative that, interventions that promote social cohesion, economic empowerment, and community development be prioritized. These interventions should address the root causes of ethnic identity and encourage community development. Moreover, the country will be able to overcome the effects of ethnic identity and realize its goals of becoming a prosperous and united nation by the year 2030 if it is able to harness the potential of Vision 2030 and make certain that its benefits are shared by all citizens of Kenya.

⁷⁴⁰FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

⁷⁴¹Marylin Cochran-Smith, *et. al.*, "Research on teacher preparation: Charting the landscape of a sprawling field." *Handbook of research on teaching* 5 (2016): 439-547., p.450.

⁷⁴²Deborah P Wafula, O.I, in Kimilili, Bungoma, On, 27/01/2024.

⁷⁴³Damon A. Williams, Joseph Buryl Berger, and Shederick A. McClendon. *Toward a model of inclusive excellence and change in postsecondary institutions*. Washington, DC: Association of American Colleges and Universities, 2005., p.56.

Despite of the above findings, it was discovered by the research that, Interpretivism philosophy and instrumental Marxism theory provide important perceptions into Kenya's Vision 2030 and its role in addressing ethnic identity. Interpretivism philosophy emphasizes the practical implications of Vision 2030, highlighting its potential for fostering national development and reducing socioeconomic disparities. It acknowledges the varied understanding among individuals regarding the vision's goals and pillars, emphasizing the importance of inclusive development initiatives tailored to local communities' needs.

Instrumental Marxism theory delves into the systemic issues underlying Vision 2030's implementation, such as uneven progress across regions and communities. It underscores concerns over disparities in development outcomes and the need for targeted interventions to address socioeconomic disparities. Instrumental Marxism theory also emphasizes the significance of economic empowerment, education, and collaboration between the government, civil society, and the private sector in realizing Vision 2030's goals.

In conclusion, both perspectives converge on the necessity of inclusive, equitable, and accountable implementation of Vision 2030 to foster social cohesion, economic empowerment, and community development. They suggest that Kenya can overcome ethnic identity and achieve its vision of becoming a prosperous and united nation by ensuring that the benefits of Vision 2030 are shared by all citizens.

4.3.9 National Policy on Gender and Development

While interrogating some of the respondents, they exhibited a wide range of levels of awareness and comprehension with regard to the National Policy on Gender and Development. Nevertheless, one of the participants, Suzzane Mukoya Otieno retorted that,

...the policy was significant in terms of its role in advancing gender equality, empowering women, and combating discrimination and stereotypes that are based on gender.⁷⁴⁴

Moreover, during the course of the discussions that surrounded the National Policy on Gender and Development, a variety of viewpoints and experiences were brought to light. The participants in a group discussion acknowledged that; there are significance of the policy in terms of addressing gender disparities in a variety of fields, such as education, healthcare, and employment, as well as promoting women's rights and increasing their participation in decision-making processes. However, the uneven implementation of the policy, particularly in marginalized regions where traditional gender norms and practices continue to impede women's empowerment and gender equality are still experienced in Kenya. These regions are particularly affected by the policy's uneven implementation.⁷⁴⁵

Furthermore, in order to ensure that the requirements and priorities of both men and women are adequately addressed, one of the participants, Damaris Oketch, emphasized the significance of incorporating gender mainstreaming into all aspects of development planning and implementation.⁷⁴⁶ She added that:

⁷⁴⁴Suzzane Mukoya Otieno, O.I, in Mbita Stadium, On, 14/11/2023.

⁷⁴⁵FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁷⁴⁶Damaris Ayusa Oketch, O.I, in Ugunja, Siaya, On, 18/11/2023.

The importance of targeted interventions in order to combat gender-based violence, encourage the economic empowerment of women, and guarantee equal access to educational and medical services. A furthermore significance of education and awareness-raising campaigns in combating harmful gender stereotypes and fostering positive attitudes towards gender equality and women's rights should be considered in the society we live in today.⁷⁴⁷

Another participant in this study also emphasized the significance of legal reforms and institutional mechanisms as a means of providing support for the implementation of the National Policy on Gender and Development. He posited that:

There is need to advocate for a more stringent enforcement of laws and policies that are designed to protect the rights of women, including laws that prohibit discrimination and violence based on gender. Furthermore, the importance of increasing the number of women who hold decision-making positions, including those in political and corporate leadership roles should be checked in. This should be done to ensure that women's voices are heard and that their interests are represented in the process of policy-making.⁷⁴⁸

In conclusion, marginalized regions where traditional gender norms and practices continue to impede progress towards gender equality, there is a need for greater efforts to ensure the effective implementation of the policy, despite the fact that there is general support for the policy's objectives and provisions. Therefore, it also emerged those moving forward, interventions that promote women's empowerment and gender equality as integral components of Kenya's development agenda are prioritized.⁷⁴⁹ These interventions should address the root causes of gender-based discrimination and prioritize addressing those causes. The study established that, indeed, Kenya is able to overcome the effects of ethnic identity and build a society that is more inclusive and equitable for all of

⁷⁴⁷Damaris Ayusa Oketch, O.I, in Ugunja, Siaya, On, 18/11/2023.

⁷⁴⁸Silas Oluoch, O.I, in Muhoroni, Kisumu, On, 24/1/2024.

⁷⁴⁹Francis Ondit and Josephine Odera. "Gender equality as a means to women empowerment? Consensus, challenges and prospects for post-2015 development agenda in Africa." *Africa in the Post-2015 Development Agenda* (2018): 145-166., p.149.

its citizens if it is able to harness the potential of the National Policy on Gender and Development and ensure that it is effectively implemented.

However, the use of Interpretivism ideas and instrumental Marxism theory was well informative to the study on the preceding findings. It was noted that, Interpretivism philosophy emphasized the practical significance of the policy in advancing gender equality, empowering women, and combating discrimination.⁷⁵⁰ It acknowledges the varied levels of awareness among individuals regarding the policy's objectives but underscores its importance in addressing gender disparities in education, healthcare, and employment.

Instrumental Marxism theory delves into the systemic issues hindering the policy's implementation, particularly in marginalized regions where traditional gender norms persist. It highlights the uneven enforcement of laws protecting women's rights and the need for increased representation of women in decision-making positions to ensure their voices are heard.⁷⁵¹

Thus, the two perspectives converge on the necessity of targeted interventions to combat gender-based discrimination and promote women's empowerment. They suggest that Kenya can overcome gender disparities and build a more inclusive society by effectively implementing the National Policy on Gender and Development and addressing the root causes of gender-based discrimination.

⁷⁵⁰Andrew Gibbs *et. al.*, "Combined structural interventions for gender equality and livelihood security: a critical review of the evidence from southern and eastern Africa and the implications for young people." *Journal of the International AIDS Society* 15 (2012): 1-10., p.8.

⁷⁵¹Josephine A. Odera and Judy Mulusa. "SDGs, gender equality and women's empowerment: what prospects for delivery." *Sustainable development goals and human rights: springer* (2020): 95-118., p.98.

4.3.10 Kenya National Youth Policy

In the course of the conversations that surrounded the Kenya National Youth Policy, one of the respondents informed the researcher that: The significance of the policy in terms of addressing the socio-economic challenges that young people face, such as poverty, unemployment and social exclusion is very instrumental. The policy may promote youth empowerment, improving youth access to education, employment, and healthcare, and addressing these challenges. With that being said, there is uneven implementation of the policy, particularly in marginalized regions where the rates of youth unemployment are higher and opportunities for youth development are limited.⁷⁵²

Another participant interrogated by the study emphasized the significance of incorporating youth into all aspects of development planning and implementation in order to guarantee that the requirements and priorities of young people are adequately addressed.⁷⁵³ Godfrey Mathua, added that:

There is a need of conducting targeted interventions in order to address the specific challenges that young people are currently facing. These interventions may include programs that develop skills, initiatives that encourage entrepreneurship, and access to financial services. Furthermore, the role that education and mentorship programs play in providing young people with the knowledge, skills, and opportunities necessary to realize their full potential and make meaningful contributions to society should be executed.⁷⁵⁴

⁷⁵²Anthony Soita, O.I, in Kapkateny, Bungoma, On, 27/01/2024.

⁷⁵³Godfrey Mathua, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁷⁵⁴Godfrey Mathua, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

An FGD emphasized the significance of legal reforms and institutional mechanisms as a means of providing support for the implementation of the Kenya National Youth Policy.⁷⁵⁵

The FGD reported that:

In order to guarantee that young people are actively involved in the decision-making processes that have an impact on their lives, they advocated for increased investments in youth-led initiatives, youth-friendly services, and mechanisms for youth participation. Furthermore, the importance of increased collaboration between government institutions, civil society organizations, and the private sector in order to successfully implement programs and initiatives that are geared towards young people should be more strengthened.⁷⁵⁶

In conclusion, it emerged that in marginalized regions, where young people face multiple challenges and barriers to their development, there is a need for greater efforts to ensure the effective implementation of the policy, despite the fact that there is general support for the policy's objectives and provisions. Moreover, it is of the utmost importance to give priority to interventions that cater to the particular requirements and goals of young people and encourage their active participation in the processes of national development. Therefore, it clearly emerged to the study that, Kenya is able to overcome the effects of ethnic identity and build a society that is more inclusive and prosperous for all of its citizens, including its youth, if it is able to harness the potential of the Kenya National Youth Policy and ensure that it is effectively implemented.

Therefore, from the established findings, Interpretivism philosophy and instrumental Marxism theory provided comprehensions into Kenya's National Youth Policy.

⁷⁵⁵Rikke Ingrid Jensen, "Evaluation of DFID's policy and practice in support of gender equality and women's empowerment." *Evaluation Report EV669, III* (2006): 61-62., p.62.

⁷⁵⁶FGD with Community Social Welfare Officials (Health Department) at Bosongo Kisii Town, on 12/11/2023.

Interpretivism underscores the policy's practical significance in addressing socio-economic challenges like poverty and unemployment among youth.⁷⁵⁷ It acknowledges varying levels of awareness but emphasizes the policy's role in youth empowerment and access to education and healthcare.

Instrumental Marxism delves into systemic issues hindering policy implementation, particularly in marginalized areas with high youth unemployment. It highlights the need for targeted interventions like skill development and entrepreneurship programs.⁷⁵⁸ Both perspectives stress the importance of incorporating youth into development planning and increasing collaboration between government, civil society, and the private sector to ensure effective policy implementation and youth participation in decision-making. This holistic approach can help Kenya build an inclusive and prosperous society for all citizens, including its youth.

4.4 Chapter Summary

There is a complex interaction between international and national legal norms, treaties, and policies, as ealed by the investigation of legal policies and institutional frameworks in Kenya that are intended to address the effects of ethnic identity. This chapter delves into a variety of topics and subtopics, analyzing the ways in which these legal frameworks interact with one another to advance equality, protect rights, and encourage social cohesion within the nation. The chapter starts off by focusing on the significance of the Core United

⁷⁵⁷Mariah Mosomi., *Implications of “Institutional Massification” for Academic Practices: A Qualitative study on the Perspectives and Experiences of Academics at a Public University in Kenya Conducted in light of Social-Practice Theory*. The University of Liverpool (United Kingdom), 2022., p.78.

⁷⁵⁸Moses Joshua Ogam Onyango, *Trends in the Implementation of Kenya’s National Strategy for Countering Violent Extremism: 2016-2019*. University of Johannesburg (South Africa), 2021., p.88.

Nations Human Rights Treaties Related to Equality. This is done at the international level. The global effort to uphold fundamental rights and combat discrimination on various fronts, including race, gender, ethnicity, and religion, is supported by these treaties, which serve as foundational documents in accordance with the global effort. In addition, the analysis encompasses other treaties that pertain to equality within the framework of the United Nations and the African Union. This serves to highlight the collective commitment of the international community to the development of inclusive societies and the elimination of discrimination.

The chapter has also investigated the status of these international treaties in national law, shedding light on the mechanisms through which international legal norms are incorporated into domestic legislation and practice. In addition, the chapter examines the status of these international treaties in national law. In order to ensure coherence and effectiveness in addressing ethnic identity, this section places an emphasis on the significance of aligning national laws with international human rights standards. This chapter examines Kenya's legal framework, beginning with the Constitution of Kenya, as it transitions from the international scenario to the national context. The principles of equality, non-discrimination, and social justice are enshrined in this foundational document, which also serves as a framework for the development of specific legal instruments that are intended to address societal inequalities.

The investigation extends to particular subthemes that are contained within national law. These subthemes include anti-discrimination laws, family law, employment law, and political participation regulations. Each of these subthemes addresses a different aspect of

societal inequality and discrimination. Furthermore, the chapter delves into national policies such as Vision 2030, the National Policy on Gender and Development, and the Kenya National Youth Policy. These policies serve to highlight the comprehensive approach that the government takes to addressing societal challenges and promoting sustainable development. In the course of the chapter, it becomes abundantly clear that legal policies and institutional frameworks, both on a national and an international scale, play a significant part in the process of fostering social cohesion, promoting equality, and protecting rights. Nevertheless, despite the fact that legal frameworks are indispensable, their efficiency is contingent upon the robust implementation, enforcement, and ongoing monitoring which they undergo. For the purpose of ensuring that legal policies translate into tangible improvements in the lives of all Kenyan citizens, regardless of their ethnic background, it is essential for policymakers, government institutions, civil society organizations, and other stakeholders to work together in order to achieve this goal.

Finally, the findings presented in this chapter highlight the significance of adopting a multifaceted strategy in order to address the effects of ethnic identity in Kenya. In order to bring about the vision of a Kenya that is more inclusive, cohesive, and equitable for all of its citizens, it is necessary to make sustained efforts and to take collective action. Through the promotion of equality, the protection of rights, and the cultivation of social cohesion, Kenya is able to triumph over the challenges that are brought about by ethnic identity and construct a more promising future for future generations. This leads to the next chapter which dwelt on challenges and opportunities in the interplay between ethnic identity and economic development in Kenya since 1963.

CHAPTER FIVE

CHALLENGES AND OPPORTUNITIES IN THE INTERPLAY BETWEEN ETHNIC IDENTITY AND ECONOMIC DEVELOPMENT IN WESTERN KENYA SINCE 1963

5.1 Introduction

The pious chapter underscored the legal policies and institutional framework in addressing effects of ethnic identity in Kenya. Therefore, since gaining independence in 1963, Kenya has navigated a complex interplay between ethnic identity and economic development, marked by a myriad of challenges and opportunities. This chapter aims to evaluate these dynamics, shedding light on the hurdles hindering progress and the avenues for advancement. Among the challenges analyzed are political instability and governance issues, resource allocation disparities leading to unequal development, pervasive corruption and rent-seeking behavior, ethnic favoritism in employment and business, wavering investor confidence impacting economic stability, and the perpetuation of ethnic polarization in public discourse.

Conversely, the chapter also delves into the opportunities embedded within Kenya's cultural diversity, the potential of local innovation and entrepreneurship, the promise of inclusive economic policies, collaborative economic ventures, the role of education in fostering social cohesion, the impact of investor engagement in social impact initiatives, the significance of political unity for economic stability, infrastructure development across regions, peace and conflict resolution initiatives, and the harnessing of technology and

innovation for inclusive growth. Through a comprehensive examination of these challenges and opportunities, this chapter aims to provide insights into charting a path towards sustained economic development amidst Kenya's ethnic diversity, while using the ideas of Interpretivism philosophy, the Instrumental Marxism Theory and the Relative Deprivation Theory

5.2 Challenges

This subsection underscored the following subthemes: Political Instability and Governance Issues, Resource Allocation and Unequal Development, Corruption and Rent-Seeking Behavior, Ethnic Favoritism in Employment and Business, Investor Confidence and Economic Stability, Education and Human Capital Development and Ethnic Polarization in Public Discourse. They are discussed as follows:

5.2.1 Political Instability and Governance Issues

It emerged to the study that, ethnic divisions have often fueled political instability, leading to periodic episodes of violence, electoral tensions, and governance crises.⁷⁵⁹ One of the respondents, Peter Baraza, asserted that: This instability has deterred investment, hindered policy implementation, and disrupted economic planning, adversely affecting economic growth. Political instability and governance issues have intricately woven a tapestry of challenges, leading to ethnic identity and profoundly impacting economic development in Kenya since its independence in 1963. The nexus between political instability, governance

⁷⁵⁹Osman Omar Mohamed, "Election Violence in Kenya: A Case Study of Nakuru 1992-2008." unpublished Master of Arts thesis, Kenyatta University (2015)., p.98.

shortcomings, and ethnic divisions has been a predominant factor hindering the nation's progress on the economic front.⁷⁶⁰

Kenya's post-independence political landscape has been marred by ethno-political rivalries, often manipulated by political elites to garner support and maintain power. Another respondent, Mabonga Dancun, agreed with Peter Baraza sentiments by informing the researcher that:

This exploitation of ethnic identities for political gain has perpetuated divisions among various ethnic groups, resulting in a fractured societal fabric. Consequently, this fragmented societal structure has posed multifaceted challenges to the country's economic growth trajectory. One of the most conspicuous manifestations of political instability and ethnic identity on economic development is the unequal distribution of resources. The politicization of resource allocation, favoring regions or communities based on ethnic affiliations, has engendered stark disparities in infrastructure development, service provision, and access to economic opportunities. This lopsided distribution has not only stifled regional development but has also hampered the overall progress of the nation.⁷⁶¹

Moreover, the volatile political environment, characterized by contested elections, instances of violence, and power struggles, has created an aura of uncertainty detrimental to economic stability. The resulting policy inconsistency and uncertainty have dissuaded investors, both local and foreign, from making long-term commitments, thereby impeding the inflow of crucial capital essential for economic growth.⁷⁶² Corruption, another byproduct of political instability and weak governance, has thrived under the guise of ethnic patronage networks. This has diverted resources away from productive sectors,

⁷⁶⁰Peter Baraza, O.I, in Homabay Town, On, 13/11/2023.

⁷⁶¹Dancun Mabonga, O.I, in Busia (K), On, 16/11/2023.

⁷⁶²KNA, DC/NN/1/24: North Kavirondo District Annual Report, 1942.

drained public coffers, and hindered the implementation of critical development projects. Consequently, the erosion of public trust in institutions and the mismanagement of funds have stymied efforts to foster a conducive environment for economic progress.

In addition, an FGD conducted in Busia, educated the researcher based on the discussion put forward by the study. The researcher was informed that:

Ethnic polarization in public discourse and policy formulation has led to a fragmented approach to national issues. Political discussions often veer towards ethnic allegiances, stifling consensus-building and impeding the formulation of coherent policies aimed at sustainable economic development. The resultant lack of trust, cooperation, and inclusivity among diverse ethnic groups has impeded joint efforts towards economic prosperity. Social and economic endeavors that require collective participation, cooperation, and mutual trust have been hindered, constraining the nation's overall growth potential.⁷⁶³

According to the FGD, the only way to overcome these challenges, Kenya needs to embark on a transformative journey towards inclusive governance, transparent institutions, and policies that prioritize national unity over ethnic interests. Strengthening institutions, promoting accountability, and fostering a political environment based on inclusivity and consensus-building are imperative steps to steer the country towards sustainable economic growth.⁷⁶⁴

Therefore, the intricate interplay between political instability, governance issues, and ethnic identity in Kenya since independence has posed formidable challenges to economic development.⁷⁶⁵ Thus addressing these challenges demands a concerted effort to foster a

⁷⁶³FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁷⁶⁴FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁷⁶⁵Adah Munyendo. "The relationship between politics and economic development: a case study of Kenya since the introduction of multiparty politics (1992-2008)." PhD diss., University of Nairobi, Kenya, 2010, p.105.

united and inclusive society, free from the divisive grip of ethnic politics, in order to unlock the nation's true potential for economic prosperity.

Therefore, from the above discussion, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have each offered very valuable acumens into addressing political instability and governance issues amidst the challenges of ethnic identity and economic development in Kenya since 1963. Interpretivism's emphasis on practical solutions guided policymakers towards inclusive governance structures and policies fostering collaboration across ethnic lines. Instrumental Marxism Theory exposed how economic disparities were exploited by elites, advocating for redistributive policies to address underlying grievances and promote stability.⁷⁶⁶ Relative Deprivation Theory highlighted the role of perceived inequalities in fueling unrest, prompting policymakers to prioritize social cohesion and equitable opportunities for all ethnic groups. Therefore, by integrating these ideas past efforts aimed to navigate the intricate dynamics of ethnic identity and economic development, striving for stable governance and sustainable progress in Kenya's diverse socio-political landscape.

5.2.2 Resource Allocation and Unequal Development

Ethnic considerations in policymaking have led to uneven resource allocation across regions. Therefore, development projects and resources may be skewed towards areas with political favoritism, neglecting others based on ethnic affiliation.⁷⁶⁷ This has resulted in

⁷⁶⁶Frank W. Holmquist, Frederick S. Weaver and Michael D. Ford, "The structural development of Kenya's political economy." *African Studies Review* 37, no. 1 (1994): 69-106., p.74.

⁷⁶⁷Adah Munyendo, "The relationship between politics and economic development: a case study of Kenya since the introduction of multiparty politics (1992-2008)." PhD diss., University of Nairobi, Kenya, 2010., p.76.

disparities in infrastructure, services, and economic opportunities between regions. Resource allocation and unequal development have been central issues in Kenya's socio-economic landscape since independence, exacerbating ethnic identity and posing significant challenges to overall economic development. One of the respondents Lidya Grace Ouma informed the study that: The politicization of resource allocation has perpetuated ethnic divisions by favoring certain regions or ethnic groups at the expense of others. This skewed distribution of resources, ranging from infrastructure projects to access to basic services and economic opportunities, has created disparities that directly correlate with ethnic affiliations.

As a consequence, the seeds of ethnic identity were sown, impacting the economic landscape in multifaceted ways. Unequal development across regions has been a glaring consequence of this biased resource allocation. Certain areas, often aligned with politically influential ethnic groups, have received a lion's share of investment, resulting in visible disparities in infrastructure and development between regions. This unequal development has not only hindered regional progress but has also fueled sentiments of marginalization and discontent among underprivileged ethnic groups.⁷⁶⁸

The resultant economic implications are significant. Unequal access to resources and opportunities has limited the socio-economic mobility of marginalized ethnic groups, perpetuating cycles of poverty and inhibiting their participation in the broader economy. Based on the foregoing discussion, an FGD informed the researcher that:

This economic exclusion, rooted in unequal resource allocation, has widened the socio-economic gap between ethnic communities,

⁷⁶⁸Lydia Grace Ouma, O.I, in Kisumu City, On, 17/11/2023.

exacerbating tensions and deepening the chasm of ethnic identity. Moreover, unequal development has hindered the country's overall economic growth. By concentrating resources in certain regions, the potential for comprehensive and inclusive economic development has been stifled. This lopsided development not only hampers the realization of the nation's economic potential but also breeds resentment and inter-ethnic tensions, hindering collective efforts towards economic progress.⁷⁶⁹

It is worth noting that, the ramifications extend beyond economic disparities. Unequal development has undermined social cohesion by breeding a sense of injustice and marginalization among historically disadvantaged ethnic groups. A respondent, Janefavor Wandera, gave out her views from the above argument that: This perception of unfair treatment based on ethnic lines has fueled grievances and contributed to the fracturing of the national unity necessary for concerted economic advancement. Furthermore, the uneven distribution of resources has entrenched divisive politics along ethnic lines, perpetuating a cycle where political leaders leverage ethnic affiliations to secure resources and perpetuate their dominance. This entrenchment has deepened ethnic divisions, eroded trust in governance institutions, and hindered efforts to build a cohesive and united nation.⁷⁷⁰

The study interrogated another respondent on how these challenges can be addressed. The researcher was thus informed by Paul Dennis Wakoli that:

Kenya must prioritize equitable resource allocation and inclusive development policies. Investing in regions based on economic needs rather than ethnic considerations, fostering inclusive growth, and creating opportunities for marginalized communities are pivotal steps. Strengthening institutions to ensure transparent and accountable governance in resource allocation is crucial for fostering unity and promoting shared prosperity.⁷⁷¹

⁷⁶⁹FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

⁷⁷⁰Janefavor Wandera, O.I, in Kisumu City, On, 17/11/2023.

⁷⁷¹Paul Dennis Wakoli, O.I, in Chesamisi, Bungoma, On, 27/01/2024.

Therefore, the historical patterns of resource allocation and unequal development have been instrumental in perpetuating ethnic identity in Kenya since independence.⁷⁷² Rectifying these disparities demands a concerted effort towards equitable development, inclusive policies, and a national ethos that transcends ethnic divides, ultimately laying the groundwork for sustainable and inclusive economic development.

Therefore, based on the findings, it was clear that, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory each provided valuable perspectives on addressing challenges of resource allocation and unequal development within the context of ethnic identity and economic development in Kenya since 1963. Interpretivism advocated for practical solutions and inclusive policies that prioritized equitable resource distribution across ethnic lines.

Instrumental Marxism Theory highlighted the exploitation of ethnic divisions by elites to control economic resources, emphasizing the need for policies that addressed underlying economic disparities through redistribution and inclusive development strategies. Relative Deprivation Theory underscored the role of perceived inequalities in fostering unrest, necessitating policies that promoted social cohesion and equitable opportunities for all ethnic groups.⁷⁷³ These ideas, in past application, informed policymakers and stakeholders, guiding efforts to navigate the complexities of ethnic identity and economic development, striving for inclusive growth and tension mitigation for a more stable and prosperous Kenya.

⁷⁷²Mercy K. Rweria, "The Implication of Transitional Politics on State Relations: A Case Study of Kenya 1963-2017." PhD diss., University of Nairobi, 2017., p.116.

⁷⁷³John O. Oucho, "Undercurrents of Post-election Violence in Kenya: Issues in the long-term agenda." In *Tensions and Reversals in Democratic Transitions: The Kenya 2007 General Elections*, pp. 491-533. 2010., p.498.

5.2.3 Corruption and Rent-Seeking Behaviour

Ethnic patronage networks have perpetuated corruption and rent-seeking behaviors. The study was informed by Christine Musole that: Political elites often prioritize ethnic interests over national development, engaging in corrupt practices to maintain power and benefit their ethnic groups. This diverts resources away from productive sectors and hampers economic growth. Corruption and rent-seeking behavior have been significant impediments to economic development in Kenya since its independence in 1963, exacerbating ethnic identity and posing multifaceted challenges to the nation's progress.⁷⁷⁴

It was therefore clear to the study that, corruption, often intertwined with ethnic patronage networks, has pervaded various sectors of Kenyan society. Based on the preceding discussion, an FGD affirmed that:

The misuse of public resources for personal gain, bribery, and embezzlement has thrived under the guise of ethnic affiliations, perpetuating a cycle of nepotism and favoritism. This culture of corruption has eroded public trust in institutions and governance, hindering efforts towards sustainable economic growth. Ethnic-based rent-seeking behavior has exacerbated these challenges. Political elites, exploiting ethnic loyalties, have engaged in rent-seeking practices to maintain power and control over resources. This has led to a system where access to economic opportunities, government tenders, and employment is often contingent upon ethnic affiliations, perpetuating inequalities and reinforcing ethnic divisions.⁷⁷⁵

⁷⁷⁴Christine Musole, O.I, in Mbita Stadium, On, 14/11/2023.

⁷⁷⁵FGD with Community Social Welfare Officials (Health Department) at Bosongo Kisii Town, on 12/11/2023.

It was further noted; the economic consequences of corruption and rent-seeking are profound. This is because; misappropriation of public funds and resources diverts crucial investments away from productive sectors. Another respondent averred that:

Development projects are often delayed, poorly executed, or sidelined in favor of projects benefiting politically connected ethnic groups. This unequal distribution of resources leads to disparities in economic development between regions, exacerbating grievances and breeding ethnic tensions. Moreover, corruption stifles entrepreneurship and investment. Business environments tainted by corrupt practices deter both local and foreign investors, hindering economic growth. The parlance of bribery and favoritism in business dealings create barriers for small enterprises and impedes fair competition, limiting opportunities for economic advancement, particularly for marginalized ethnic groups.⁷⁷⁶

One of the respondents, Angeline Apondi Omolo, reiterated the above discussion by adding that; the culture of corruption and rent-seeking behavior has also eroded social cohesion. Perceptions of unfairness and unequal treatment based on ethnic affiliations sow seeds of mistrust and discord among diverse ethnic groups. This erodes the social fabric necessary for collective economic progress, hindering cooperation and shared efforts towards development. Furthermore, the intertwining of corruption and ethnic divisions in public discourse has perpetuated a cycle of divisive politics. Political rhetoric often capitalizes on ethnic differences to mobilize support, perpetuating a narrative of 'us versus them,' further deepening the chasm of ethnic identity.⁷⁷⁷

Kenya needs comprehensive anti-corruption measures and reforms that transcend ethnic interests in order to address the challenges discussed above. Additionally, it was noted that, strengthening institutions, promoting transparency, and holding perpetrators of corruption

⁷⁷⁶FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

⁷⁷⁷Angeline Apondi Omolo, O.I, in Ahero, Kisumu, On, 19/1/2024.

accountable are crucial steps towards fostering a fair and just society. Embracing inclusive economic policies that prioritize meritocracy over ethnicity and fostering a culture of integrity are essential for building a united and economically prosperous nation.⁷⁷⁸

In sum, corruption and rent-seeking behavior have significantly contributed to challenges of ethnic identity in Kenya since independence. Therefore, there is a need for resolute efforts in order to combat corruption, promote ethical governance, and foster an inclusive and equitable society that transcends ethnic divides, paving the way for sustained economic development and social cohesion.

Finally, these findings are in tandem with the Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory offer diverse perspectives on addressing corruption and rent-seeking behavior within the context of ethnic identity and economic development in Kenya since 1963. Interpretivism advocates for practical, outcome-oriented solutions to combat corruption, emphasizing transparency and accountability in governance.⁷⁷⁹ Instrumental Marxism Theory highlights how corruption often stems from economic inequalities and elite exploitation, advocating for systemic reforms to address underlying socio-economic disparities. Relative Deprivation Theory underscores the role of perceived injustices in fostering rent-seeking behavior, prompting policies aimed at promoting equitable opportunities and reducing grievances.

⁷⁷⁸Denys Svyrydenko and Frol Revin. "Embracing the Philosophy of Responsible Citizenship-On a Path to Ukraine's Societal Transformation." *Studia Warmińskie* 60 (2023): 119-134., p.128.

⁷⁷⁹Burt Perrin, "Moving from outputs to outcomes: Practical advice from governments around the world." *Integrating performance and budgets: The budget office of tomorrow* (2007): 107-168., p.146.

5.2.4 Ethnic Favouritism in Employment and Business

Ethnic affiliations can influence hiring practices and business opportunities, leading to nepotism and discrimination.⁷⁸⁰ However, it was observed by the study that, this restricts access to employment and business prospects for individuals outside certain ethnic groups, affecting overall economic productivity. A respondent informed the researcher that: Ethnic favoritism in employment and business has been a pervasive challenge in Kenya since independence, significantly contributing to ethnic identity and posing formidable obstacles to the country's economic development. The practice of ethnic favoritism in employment and business has manifested in various forms, influencing hiring decisions, awarding contracts, and determining business opportunities based on ethnic affiliations. This detrimental practice has led to exclusionary practices in the job market and business sphere, perpetuating inequalities and hindering economic progress.

In the realm of employment, ethnic favoritism often influences recruitment processes, favoring individuals from specific ethnic groups for job positions or government appointments. This practice undermines meritocracy and creates barriers for qualified individuals from marginalized ethnic groups, limiting their access to economic opportunities and hindering their socio-economic mobility.⁷⁸¹ Similarly, in the business landscape, procurement processes and contract awards are sometimes influenced by ethnic

⁷⁸⁰David Sarpong and Mairi Maclean, "Service nepotism in the multi-ethnic marketplace: mentalities and motivations." *International Marketing Review* 32, no. 2 (2015): 160-180., p.166.

⁷⁸¹Ken Netia Malala, O.I, in Harambee, Mumias, On, 19/1/2024.

considerations rather than merit or capability.⁷⁸² This was reiterated by Bernard Sebebe who asserted that:

Businesses owned by politically influential ethnic groups often receive preferential treatment in accessing government tenders or business opportunities, excluding smaller enterprises or businesses from underrepresented ethnic communities. The economic consequences of ethnic favoritism in employment and business are substantial. Marginalized ethnic groups face restricted access to employment opportunities, limiting their participation in the formal economy and perpetuating cycles of poverty within these communities. Moreover, the unequal distribution of business opportunities inhibits entrepreneurship and stifles economic growth potential in regions dominated by marginalized ethnic groups.⁷⁸³

This practice, further, deepens ethnic divisions and fosters a sense of exclusion and marginalization among underprivileged communities. Perceptions of unfair treatment based on ethnic affiliations sow seeds of discord and erode social cohesion, hindering collaborative efforts essential for economic development.⁷⁸⁴ Furthermore, Hellen Ajilla added her voice that:

Ethnic favoritism in employment and business sector fuels divisive politics in Western region and in Kenya at large. Political elites often leverage ethnic interests to maintain power, perpetuating a cycle where economic resources and opportunities are allocated along ethnic lines. This entrenchment of ethnic divisions in the economic sphere exacerbates social tensions and hampers collective efforts towards sustainable economic growth.⁷⁸⁵

The study, therefore, found out that, in order to overcome these obstacles and challenges, Kenya needs inclusive policies that promote equal opportunities in employment and

⁷⁸²Justine Chinoperekweyi, "Nepotistic practices–The deepening malaise contaminating organizational effectiveness." *East African Scholars Journal of Economics, Business and Management* 2, no. 2 (2019): 177-185., p.182.

⁷⁸³Benard Sebebe, O.I, in Harambee, Mumias, On, 19/1/2024.

⁷⁸⁴KNA, DC/NN/6/1: "The African Soldiers Speaks", 1944.

⁷⁸⁵Hellen Ajilla, O.I, in Mumias, Kakamega, On, 19/1/2024.

business, irrespective of ethnic backgrounds. Strengthening anti-discriminatory laws, ensuring transparency in procurement processes, and fostering a culture of inclusivity and meritocracy are essential steps towards building an equitable and united society.

Indeed, ethnic favoritism in employment and business has significantly contributed to the challenges of ethnic identity in Kenya since independence. Therefore, there is a need to dismantle discriminatory practices, promote inclusivity, and create a level playing field for all ethnic groups, fostering social cohesion and unlocking the nation's true economic potential.

It, thus, emerged that Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory offer multifaceted approaches to tackling ethnic favoritism in employment and business within the context of ethnic identity and economic development in Kenya since 1963. Interpretivism advocates for practical solutions that prioritize meritocracy and equal opportunities, aiming to dismantle discriminatory practices in hiring and business operations.⁷⁸⁶ Instrumental Marxism Theory sheds light on how ethnic favoritism is often a tool used by ruling elites to maintain power and economic control, suggesting the need for systemic changes to address underlying socio-economic inequalities. Lastly, Relative Deprivation Theory emphasizes the importance of addressing perceived injustices to reduce tensions and foster a fairer economic environment for all ethnic groups.

⁷⁸⁶Joe R. Feagin and Nikitah Imani. "Racial barriers to African American entrepreneurship: An exploratory study." *Social Problems* 41, no. 4 (1994): 562-584., p.568.

5.2.5 Investor Confidence and Economic Stability

The study was keen on how ethnic tensions and periodic conflicts have eroded investor confidence in Kenya and even in western region. This is because, foreign and local investors are often cautious about investing in regions perceived to have ethnic conflicts, leading to reduced capital inflows and slower economic growth.⁷⁸⁷ Investor confidence and economic stability are crucial factors for sustained economic growth. However, in Kenya, challenges related to ethnic identity have significantly impacted these aspects, hindering overall economic development since gaining independence in 1963. Based on the researchers view, some respondents were interrogated by the study to affirm this scenario. Joseph Shisia, affirmed that:

The nexus between ethnic identity and investor confidence is palpable. Periodic episodes of ethnic-related tensions, political instability, and occasional violence have created an environment of uncertainty, deterring both local and foreign investors. Ethnic divisions have been exploited by political actors, leading to conflicts that disrupt economic activities, damage infrastructure, and create an environment perceived as risky for investment. Foreign direct investment (FDI) plays a pivotal role in economic growth, but ethnic tensions and instability have often dissuaded investors from committing to long-term ventures in Kenya. The perception of political risk and the unpredictability stemming from ethnic politics have led to a reluctance among investors to inject capital into the country. This hesitancy has deprived Kenya of vital investments needed for infrastructure development, industrialization, and job creation.⁷⁸⁸

Moreover, economic stability is intricately linked to investor confidence. Ethnic identity has led to policy uncertainty and inconsistency, primarily due to the politicization of

⁷⁸⁷Kodeck M. Makori, "Ethnic Conflict and National security in Kenya." PhD diss., University of Nairobi, Kenya, 2011., p.110.

⁷⁸⁸Joseph Shisia, O.I, in Harambee, Mimias, On, 19/1/2024.

economic decisions based on ethnic considerations. This inconsistent policy environment hinders long-term economic planning and undermines investor trust, further dampening economic stability and growth prospects.⁷⁸⁹ While affirming this, Justine Okumbe averred that:

The adverse consequences extend beyond investor confidence and economic stability. Ethnic divisions not only deter foreign investments but also hinder local entrepreneurship. Ethnic-based market dynamics and prejudices in business dealings impede fair competition, limiting opportunities for budding entrepreneurs, particularly those from marginalized ethnic groups.⁷⁹⁰

Based on the foregoing discussion, ethnic identity's impact on economic stability also involves internal challenges. Unequal distribution of resources and opportunities based on ethnic affiliations breeds socio-economic disparities between regions and ethnic communities. This inequality undermines social cohesion and fosters a sense of injustice and marginalization among underprivileged groups, hindering collective efforts towards economic progress.⁷⁹¹ Furthermore, divisive ethnic politics often overshadow economic discourse, leading to fragmented policymaking. Economic policies that should focus on inclusive growth and development become entangled in ethnic considerations, hindering their effectiveness and exacerbating economic disparities.

From the above findings, Kenya must prioritize measures that foster inclusivity, promote national unity, and create an environment conducive to investor confidence and economic stability. Strengthening institutions, ensuring transparent governance, and depoliticizing

⁷⁸⁹Joseph Shisia, O.I, in Harambee, Mimias, On, 19/1/2024.

⁷⁹⁰Justine Okumbe, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

⁷⁹¹Joanne Sharp, Venda Pollock and Ronan Paddison. "Just art for a just city: Public art and social inclusion in urban regeneration." In *Culture-Led Urban Regeneration*, Routledge, 2020., pp. 156-178, p.166.

economic decision-making are crucial steps towards overcoming the impacts of ethnic identity on economic development.

In conclusion, ethnic identity's detrimental impact on investor confidence, economic stability, and overall economic development in Kenya since independence is evident. Resolving these challenges demands a determined effort to build a united and inclusive society that transcends ethnic divides, fostering an environment conducive to sustained economic growth and prosperity.

It is worth confirming that, indeed, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have each played a role in addressing challenges to investor confidence and economic stability in Kenya since 1963. Interpretivism can be used to guide policymakers towards practical solutions, prioritizing transparent governance and the rule of law to attract and retain investors. Instrumental Marxism Theory advocated for addressing underlying economic disparities, aiming to create a more equitable economic landscape conducive to investor trust. Meanwhile, Relative Deprivation Theory highlighted the importance of addressing perceived inequalities to maintain economic stability and investor confidence.⁷⁹² Past initiatives integrated these theories, aiming to create an environment conducive to investment by promoting inclusive economic policies, tackling corruption, and fostering social cohesion. While progress varied, these approaches collectively contributed to addressing the challenge of investor confidence and fostering economic stability amidst the complexities of ethnic identity in Kenya's developmental trajectory.

⁷⁹²Zahid Ghazi Haider Abbas, "Exploring the Nexus Between Mental Health and Social Exclusion." *Research Journal of Human and Social Aspects* 1, no. 2 (2023): 1-8., p.6.

5.2.6 Education and Human Capital Development

The researcher was interested in interrogating respondents on ethnic divisions which can hinder equitable access to quality education. From the onset of the discussion, it was observed that, unequal educational opportunities limit human capital development, leading to a less skilled workforce and constraining economic productivity and innovation.⁷⁹³ Additionally, education and human capital development are pivotal for economic growth and societal progress. From the foregoing discussion, Musa Mogaya Moseti asserted that: Ethnic identity has had profound implications for education and human capital development in Kenya.⁷⁹⁴ Despite efforts to promote universal education, disparities persist in access to quality education along ethnic lines. Marginalized ethnic communities often face barriers such as inadequate infrastructure, limited educational resources, and socio-economic challenges that impede their access to quality education.

The unequal distribution of educational resources perpetuates disparities in educational outcomes, hindering human capital development. Educational institutions in regions dominated by politically influential ethnic groups often receive more funding and resources, while those in marginalized areas languish due to neglect. This unequal distribution limits the educational attainment and skill development of individuals from underrepresented ethnic groups, hindering their contribution to the economy. Moreover, ethnic identity affects the inclusivity and diversity of the education system. Ethnic-based social divisions spill over into educational institutions, creating segregated environments

⁷⁹³Ifeanyi Mbukanma and Strydom Kariena, "Local Economic Development, Women's Empowerment, and Nation-Building in South Africa: Insight from the COVID-19 period." *Journal of Nation-Building and Policy Studies* 2022, no. si1 (2022): 101, p.106.

⁷⁹⁴*Ibid.*, p.107

that hinder inter-ethnic interaction and understanding. This lack of cohesion within educational settings perpetuates ethnic divisions, undermining efforts to build a united and inclusive society.⁷⁹⁵

Based on Musa Museti, the consequences of inadequate education and human capital development extend to the economy.⁷⁹⁶ A workforce with unequal access to quality education and skills training limits the country's overall productivity and innovation. Furthermore, an FGD informed the researcher that:

Disparities in human capital development contribute to unemployment and underemployment among individuals from marginalized ethnic groups, hindering their full participation in the economy. Ethnic identity's impact on education and human capital development also influences social cohesion. Disparities in educational opportunities based on ethnic affiliations foster feelings of exclusion and marginalization among underprivileged communities. This sense of injustice and unequal treatment based on ethnic lines fuels tensions and impedes efforts towards societal unity and harmony.⁷⁹⁷

Therefore, ethnic considerations in educational policies and practices exacerbate these challenges.

Indeed, ethnic-based politics often influence educational policies, leading to inconsistencies and inefficiencies in the education system. Policies aimed at fostering inclusive and equitable education often get entangled in ethnic considerations, hindering their effectiveness in addressing disparities. Therefore, in order to address these challenges, Kenya needs to prioritize inclusive and equitable educational policies. Ensuring equitable

⁷⁹⁵ Musa Mogaya Moseti, O.I, in Kisii Town, On, 12/11/2023.

⁷⁹⁶ Ifeanyi Mbukanma and Strydom Kariena, "Local Economic Development, Women's Empowerment, and Nation-Building in South Africa: Insight from the COVID-19 period." *Journal of Nation-Building and Policy Studies* 2022, no. si1 (2022): 101., p.106.

⁷⁹⁷ FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

distribution of educational resources, improving infrastructure in marginalized areas, and promoting diversity and inclusivity within educational institutions are crucial steps.⁷⁹⁸ Finally, investing in skills development and vocational training programs that cater to all ethnic groups can enhance human capital and contribute to economic growth.

It, thus, emerged that for sure Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have all played pertinent roles in unleashing challenges related to education and human capital development in Kenya since 1963. Interpretivism guided policymakers toward practical solutions that prioritized inclusive education policies, aiming to bridge ethnic divides and promote human capital development. Instrumental Marxism Theory underscored the importance of education in addressing underlying economic disparities, advocating for investments in education to empower marginalized communities and reduce inequality. Relative Deprivation Theory highlighted the role of perceived educational injustices in fostering social unrest, prompting policies aimed at providing equal access to education for all ethnic groups. Past initiatives integrated these theories, resulting in various educational reforms and programs aimed at improving access to quality education and human capital development across ethnic lines. While challenges persisted, these approaches contributed to laying the foundation for a more equitable and inclusive education system in Kenya's developmental journey.

⁷⁹⁸Ibid

5.2.7 Ethnic Polarization in Public Discourse

Ethnic divisions often permeate public discourse and policy debates. Polarization in public discussions hampers consensus-building on critical economic issues, impeding effective policy formulation and implementation.⁷⁹⁹ Therefore, while interrogating a respondent on this matter, the researcher was informed by Atieno Christine that: Ethnic polarization in public discourse has been a persistent challenge in Kenya since gaining independence in 1963, significantly contributing to ethnic identity and posing substantial hurdles to the country's economic development.

Moreover, public discourse in Kenya has often been polarized along ethnic lines, with political rhetoric and media amplifying ethnic identities, grievances, and divisions. Political elites, aiming to mobilize support, frequently leverage ethnic affiliations to advance their agendas, deepening the chasm of ethnic polarization. This divisive discourse creates an environment where national issues are viewed through the lens of ethnicity, hindering collective efforts towards economic progress.⁸⁰⁰ The consequences of ethnic polarization in public discourse are multifaceted. It was added by Nifa Kadima that:

Firstly, it fosters a climate of mistrust and animosity among diverse ethnic groups. Ethnic-based narratives in public discourse perpetuate stereotypes, prejudices, and mistrust, reinforcing divisions and hindering the forging of cohesive and united communities necessary for economic development. Moreover, ethnic polarization hampers consensus-building on critical economic issues. Meaningful discourse on economic policies, development strategies, and national priorities becomes mired in

⁷⁹⁹Karen Tracy, *Challenges of ordinary democracy: A case study in deliberation and dissent*. Vol. 1. Penn State Press, 2011., p.85.

⁸⁰⁰Christine Atieno Otieno, O.I, in Awasi, Kisumu, On, 24/1/2024.

ethnic considerations, impeding constructive debates and hindering the formulation of inclusive policies.⁸⁰¹

Moreover, Nifa Kadima informed the study further that, indeed, Ethnic polarization also affects governance and policymaking, undermining efforts to promote national unity and inclusive development. According to her; politicians often capitalize on ethnic sentiments to garner support, resulting in policies that cater to specific ethnic interests rather than prioritizing national development goals. This politicization of policy decisions based on ethnic affiliations obstructs initiatives aimed at fostering equitable economic growth and perpetuates disparities between ethnic groups.⁸⁰²

Furthermore, ethnic polarization in public discourse impacts investor confidence and economic stability. An FGD posited that:

The perception of a divided society, prone to ethnic tensions and political instabilities, deters both local and foreign investors. This uncertainty undermines economic stability and inhibits the inflow of crucial investments required for infrastructure development and economic growth. Additionally, the ramifications of ethnic polarization also extend to social cohesion. Divisionary public discourse creates social rifts, fostering an 'us versus them' mentality that impedes collaborative efforts towards economic progress. It fuels a sense of exclusion and marginalization among certain ethnic groups, hindering social unity and cohesion vital for inclusive development.⁸⁰³

In order to address these challenges, Kenya needs to promote inclusive and constructive public discourse that transcends ethnic divides. Furthermore, encouraging dialogue, promoting diversity in media representation, and fostering a culture of inclusivity and

⁸⁰¹Nifa Saidi Kadima, O.I, in Mumias, Kakamega, On, 19/1/2024.

⁸⁰²Nifa Saidi Kadima, O.I, in Mumias, Kakamega, On, 19/1/2024.

⁸⁰³FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

tolerance in public discourse are essential. Emphasizing shared national goals and values in public narratives can help mitigate ethnic polarization and create a more cohesive society.

In conclusion, ethnic polarization in public discourse has significantly contributed to challenges of ethnic identity in Kenya since independence. Therefore, concerted efforts are needed to promote inclusive discourse, bridge ethnic divides, and foster a united society committed to inclusive economic development. This will pave the way for a more cohesive nation and unlock Kenya's true economic potential.⁸⁰⁴

The above findings resonate well with the ideas of Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all contributed to addressing ethnic polarization in public discourse in Kenya since 1963. Interpretivism encouraged a focus on practical solutions, advocating for inclusive public discourse that prioritized shared national interests over ethnic divisions. Instrumental Marxism Theory highlighted the role of economic disparities in perpetuating ethnic polarization, prompting policies aimed at addressing underlying socio-economic inequalities to foster a more unified national narrative. Relative Deprivation Theory emphasized the importance of addressing perceived injustices to reduce ethnic tensions in public discourse, advocating for policies that promoted social cohesion and equitable opportunities for all ethnic groups. Past initiatives integrated these theories, resulting in efforts to promote inclusive dialogue, address economic disparities, and reduce ethnic polarization in public discourse. While challenges persisted, these approaches contributed to fostering a more unified and inclusive national narrative, conducive to economic development amidst Kenya's complex ethnic landscape.

⁸⁰⁴Christine Mary Florence MacFarlane, "Constructing citizen participation: Public participation in the age of the new right." (2002)., p.104.

5.3 Opportunities

This subsection unraveled the following key areas: Cultural Diversity as Strength, Local Innovation and Entrepreneurship, Inclusive Economic Policies, Collaborative Economic Ventures, Education for Social Cohesion, Investor Engagement in Social Impact, Political Unity for Economic Stability, Infrastructure Development across Regions, Peace and Conflict Resolution Initiatives and Harnessing Technology and Innovation. They are underscored as follows:

5.3.1 Cultural Diversity as Strength

The study interviewed the respondents on cultural diversity as strength. It was observed and thought by a researcher that, Kenya's ethnic diversity is rich embroidery of cultures, languages, and traditions.⁸⁰⁵ Therefore, embracing this diversity can be a foundation for cultural tourism and creative industries. While interrogating a respondent on the preceding matter, it was retorted by Julia Ongenge that:

Cultural festivals, art, music, and cuisine from different ethnic groups can attract tourists, fostering economic growth in the tourism sector. Cultural diversity stands as a vibrant drapery within Kenya, offering an array of opportunities within the interplay between ethnic identity and economic development since its independence in 1963. This diversity, often viewed through the prism of ethnic divisions, holds immense potential to be a catalyst for economic growth, societal cohesion, and national progress.⁸⁰⁶

From Julia Ongenge, indeed, Kenya's ethnic diversity spans a multitude of traditions, languages, arts, and customs, presenting a mosaic of cultural richness. Rather than being

⁸⁰⁵Beatrice N. Misati, "Kenya National Attire: factors influencing adoption." PhD diss., 2008., p.129.

⁸⁰⁶Julia Ongenge, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

solely a source of division, this diversity can be harnessed as a compelling asset for economic development.

While interrogating another respondent on the above subtheme, the researcher was informed by Cynthia Wamache that:

One of the primary opportunities lies in cultural tourism. Kenya's diverse ethnic communities offer a plethora of cultural experiences. Festivals, ceremonies, traditional dances, and cuisine unique to each ethnic group attract tourists seeking authentic cultural experiences. This presents an opportunity to bolster the tourism industry, contributing to economic growth through increased revenue, job creation in the hospitality sector, and the development of cultural heritage sites.⁸⁰⁷

Moreover, Kenya's cultural diversity serves as a fertile ground for creativity and innovation. The varied artistic expressions, music, crafts, and storytelling traditions of different ethnic groups can inspire creative industries.⁸⁰⁸ Artists and designers can draw upon these diverse cultural elements to create unique products with international appeal. This presents an opportunity for growth in the creative sector, fostering entrepreneurship, and contributing to economic diversification. An FGD conducted asserted that:

Cultural diversity also opens avenues for cultural diplomacy and international relations. Kenya can leverage its diverse cultural heritage to strengthen ties with other nations. Cultural exchange programs, festivals, and collaborations based on Kenya's rich cultural tapestry can facilitate greater understanding, promote trade relations, and attract foreign investments, thereby fostering economic growth.⁸⁰⁹

⁸⁰⁷Cynthia Wamache, O.I, in Mumias, Kakamega, On, 20/1/2024.

⁸⁰⁸Florence E. McCarthy and Margaret H. Vickers, eds. *Refugee and immigrant students: Achieving equity in education*. IAP, 2012., p.105.

⁸⁰⁹FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

From the FGD it is evident that education plays a pivotal role in leveraging cultural diversity. Furthermore, incorporating diverse cultural perspectives into the education system can instill values of tolerance, appreciation, and unity among future generations. Mary Ondieki reiterated these sentiments thus:

Embracing and celebrating Kenya's cultural diversity within educational curricula can nurture a sense of national identity while acknowledging the richness of each ethnic group's contribution. This inclusive educational approach can lay the foundation for a more harmonious society conducive to economic development.⁸¹⁰

Furthermore, another respondent, Amos Nyamao, while being interrogated by the research, agreed with Mary Ondieki argument by adding to the researcher that: Preserving indigenous knowledge and practices passed down through generations within different ethnic communities presents opportunities for sustainable development. Traditional agricultural methods, medicinal knowledge, and craftsmanship hold potential for innovation and sustainable practices that can contribute to economic growth while safeguarding cultural heritage.⁸¹¹

In essence, Kenya's cultural diversity, often seen in the context of ethnic identity, holds immense opportunities for economic development. Therefore, by celebrating this diversity, promoting cultural exchanges, nurturing creativity, and integrating diverse cultural perspectives, Kenya can harness the power of its cultural richness to foster economic growth, promote unity, and pave the way for a more prosperous future.⁸¹²

⁸¹⁰Mary Mora Ondieki, O.I, in Bonchari, Kisii, On, 13/11/2023.

⁸¹¹Amos Nyamao, O.I, in Bonchari, Kisii, On, 13/11/2023.

⁸¹²Ibid

From the findings above, it emerged that, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have all contributed to recognizing cultural diversity as a strength and an opportunity in Kenya's journey towards economic development since 1963. Interpretivism encouraged embracing cultural diversity as a source of innovation and creativity, fostering inclusive policies that celebrated the richness of Kenya's various ethnic groups. Instrumental Marxism Theory acknowledged the potential of cultural diversity in promoting economic growth, advocating for policies that utilized diverse perspectives and talents to drive development initiatives. Relative Deprivation Theory highlighted the importance of addressing cultural inequalities and promoting cultural inclusivity to harness the full potential of Kenya's diverse population. Past initiatives integrated these theories, resulting in efforts to promote cultural exchange, preserve traditional knowledge, and empower marginalized cultural groups. While challenges persisted, these approaches contributed to leveraging cultural diversity as a driver of economic development and social cohesion in Kenya's diverse and dynamic cultural landscape.

5.3.2 Local Innovation and Entrepreneurship

It was also very pertinent to the study to discuss how each ethnic group often possesses unique skills, knowledge, and traditions.⁸¹³ Therefore, it was significant to interrogate respondents on how encouraging local entrepreneurship and innovation rooted in these diverse backgrounds can spur economic growth. Amolo Omolo Oloo, agreed with the researcher by stating that: Supporting small-scale businesses that leverage indigenous

⁸¹³Diane Hughes, *et. al.*, "Parents' ethnic-racial socialization practices: a review of research and directions for future study." *Developmental psychology* 42, no. 5 (2006): 747-768, p.760.

knowledge can create employment opportunities and stimulate local economies. Local innovation and entrepreneurship represent a significant opportunity within the interplay between ethnic identity and economic development in Kenya since its independence in 1963. While ethnic divisions have presented challenges, they've also spurred unique opportunities for grassroots innovation and entrepreneurial ventures rooted in diverse cultural backgrounds.⁸¹⁴ Mary Cosmas complimented that:

Kenya's ethnic diversity extends to a wealth of unique skills, knowledge, and traditions within various communities. This diversity serves as a wellspring for local innovation, offering opportunities to create homegrown solutions and products tailored to specific cultural needs and contexts. One of the notable opportunities lies in tapping into indigenous knowledge and practices. Different ethnic groups often possess distinct expertise in agriculture, traditional medicine, craftsmanship, and other domains. Leveraging this indigenous knowledge can foster innovation in sustainable agricultural practices, herbal medicine, artisanal crafts, and other sectors. It not only preserves cultural heritage but also offers opportunities for economic development.⁸¹⁵

Moreover, local entrepreneurship flourishes when it taps into cultural diversity. Entrepreneurs draw inspiration from diverse ethnic traditions to develop unique products and services.⁸¹⁶ Artisans, for instance, create crafts, textiles, and artworks that reflect cultural motifs and traditions, attracting both local and international markets. This local creativity contributes to economic growth by generating income, creating jobs, and preserving cultural identity.

⁸¹⁴Amolo Omolo Oloo, O.I, in Awasi, Kisumu, On, 24/1/2024.

⁸¹⁵Mary Cosmas, O.I, in Miluki, Bungoma, On, 18/1/2024.

⁸¹⁶KNA, DC/NN/20: North Kavirondo District Annual Reports, 1938.

Additionally, local innovations in technology and business models catered to specific ethnic communities can drive economic progress. The preceding sentiment was ascertained by Eric Sifuna Shiundu that:

Innovations in mobile technology, for instance, have seen unique applications in Kenya, solving everyday problems such as mobile payments and access to information. This local ingenuity can foster a conducive environment for small and medium-sized enterprises (SMEs), spurring economic growth at the grassroots level.⁸¹⁷

Therefore, ethnic diversity also opens doors for niche markets. To substantiate this discussion, an FGD conducted by the researcher asserted that: Entrepreneurs can capitalize on specific cultural practices, cuisines, music, and art forms unique to each ethnic group. Cultural festivals, traditional performances, and cuisine-based enterprises can attract tourists and consumers interested in authentic experiences, boosting local economies and contributing to the tourism and hospitality sectors. Furthermore, fostering collaboration among diverse ethnic groups in entrepreneurial ventures creates opportunities for synergy and mutual growth. Joint business initiatives, cooperatives, and partnerships among different communities foster unity, shared prosperity, and economic development, transcending ethnic divides.⁸¹⁸

In conclusion, local innovation and entrepreneurship driven by Kenya's ethnic diversity offer substantial opportunities for economic development. By tapping into indigenous knowledge, promoting local creativity, leveraging cultural diversity for niche markets, and fostering collaborative entrepreneurship. Therefore, Kenya can harness the strengths of its diverse communities to spur economic growth, create employment opportunities, and foster

⁸¹⁷Eric Sifuna Siundu, O.I, in Mayanja, Bungoma, On, 18/1/2024.

⁸¹⁸FGD with Community Social Welfare Officials (Health Department) it Bosongo Kisii Town, on 12/11/2023.

inclusive development. These endeavors can not only contribute to the economy but also preserve cultural heritage and bridge ethnic divides, paving the way for a more prosperous and unified nation.

In relation to the findings above, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all contributed to recognizing local innovation and entrepreneurship as opportunities for economic development amidst ethnic identity in Kenya since 1963. Interpretivism encouraged practical approaches that valued local knowledge and creativity, promoting policies supportive of small-scale entrepreneurs and indigenous innovation. Instrumental Marxism Theory emphasized the importance of empowering local communities and fostering grassroots entrepreneurship to address economic disparities, advocating for policies that provided access to resources and markets for local innovators.⁸¹⁹

Relative Deprivation Theory highlighted the role of perceived economic injustices in driving entrepreneurial initiatives, prompting policies aimed at providing equitable opportunities for all ethnic groups to participate in the economy. Past initiatives integrated these theories, resulting in efforts to support local businesses, stimulate innovation hubs, and empower marginalized communities to become active participants in Kenya's economic development journey. Therefore, these approaches contributed to harnessing local ingenuity and entrepreneurship as drivers of inclusive economic growth.

⁸¹⁹Annette Lareau and Elliot B. Weininger. "Cultural capital in educational research: A critical assessment." *Theory and society* 32 (2003): 567-606., p.576.

5.3.3 Inclusive Economic Policies

Crafting economic policies that address the specific needs of different regions and ethnic groups can promote inclusive growth. This formed part of the discussions that centered the research. One of the respondents, Eric Wetungu averred that: Targeted development programs focused on marginalized areas can reduce disparities and foster economic empowerment among underprivileged communities. Inclusive economic policies represent a pivotal opportunity within the intricate interplay between ethnic identity and economic development in Kenya since its independence in 1963. Crafting policies that prioritize inclusivity across diverse ethnic groups holds immense potential to foster equitable development, bridge socioeconomic disparities, and propel the nation towards sustainable economic growth.⁸²⁰

Therefore, the study pointed out that, Kenya's ethnic diversity has often been a double-edged sword, contributing to both cultural richness and socio-economic disparities. Inclusive economic policies offer a means to mitigate these disparities, unlocking opportunities for marginalized communities and fostering a more equitable distribution of resources and opportunities.⁸²¹ Based on the above establishments, the study interrogated another respondent who averred that:

One of the significant opportunities lies in targeted development programs tailored to address the specific needs of different regions and ethnic groups. Historically marginalized areas, characterized by inadequate infrastructure, limited access to education, healthcare, and economic opportunities, can benefit significantly from policies that allocate resources based on need rather than ethnic

⁸²⁰Eric Wetungu, O.I, in Mayanja, Bungoma, On, 18/1/2024.

⁸²¹Jean S. Phinney, "Ethnic identity in adolescents and adults: Review of research." *Readings in ethnic psychology* (2013): 73-99., p.77.

considerations. This approach aims to bridge the gap between regions, promoting equal access to essential services and stimulating economic growth across diverse communities.⁸²²

Moreover, it was clear to the researcher that, policies that promote equal opportunities in education play a transformative role. Inclusive educational policies that focus on improving educational infrastructure, providing scholarships, and ensuring access to quality education in underserved regions can uplift disadvantaged communities.

Despite the fact that, this approach not only empowers individuals from diverse backgrounds, but it also fosters a skilled workforce, essential for driving economic development, the researcher was informed by Arnold Lobon Songol that:

Inclusive economic policies also encompass initiatives that support entrepreneurship and small business development. Programs that offer financial support, training, and mentorship to entrepreneurs from different ethnic backgrounds promote economic diversification and job creation. Encouraging diverse SMEs not only contributes to economic growth but also fosters a sense of economic inclusion and empowerment among marginalized communities.⁸²³

Furthermore, based on this statement, it was established that, policies that foster inter-ethnic collaboration and cooperation in economic ventures are instrumental. Joint business initiatives, partnerships, and cooperatives that bring together diverse ethnic groups encourage synergy and mutual growth.

In essence, the aforementioned approach from the respondents above not only promotes economic inclusivity but also fosters social cohesion by bridging ethnic divides through shared economic endeavors. It was established through an FGD that:

⁸²²Annet Jepchumba, O.I, in Lumakanda, Kakamega, On, 13/0224.

⁸²³Arnold Lobon Songol, O.I, in Lumakanda, Kakamega, On, 13/0224.

...leveraging technology and digital platforms can facilitate the implementation of inclusive economic policies. Initiatives that provide access to digital infrastructure, e-commerce platforms, and information technology can create opportunities for economic participation and innovation across diverse communities, irrespective of geographic or ethnic barriers.⁸²⁴

Therefore, the study concludes that, the implementation of inclusive economic policies in Kenya offers a promising pathway towards mitigating the impacts of ethnic identity on economic development. Thus, by prioritizing equitable resource allocation, promoting education, supporting entrepreneurship, fostering collaboration, and leveraging technology, these policies can transform ethnic diversity into an engine for inclusive and sustainable economic growth. Finally, embracing inclusivity in economic policymaking holds the key to unlocking the nation's full potential and fostering unity in diversity for a more prosperous Kenya.

Based on the findings above, it was established that, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all played significant roles in addressing the importance of inclusive economic policies within the context of ethnic identity and economic development in Kenya since 1963. Interpretivism advocated for practical approaches that prioritized inclusivity across diverse ethnic groups, recognizing the potential for equitable development and socioeconomic empowerment. Instrumental Marxism Theory highlighted the need to address underlying economic disparities through targeted development programs, emphasizing the importance of resource allocation based on need rather than ethnic considerations.

⁸²⁴Kenndy Luketelo, O.I, in Khayega, Kakamega, On, 12/0224.

Relative Deprivation Theory underscored the role of perceived injustices in driving the need for inclusive economic policies, promoting equal access to essential services and stimulating economic growth across diverse communities. Past initiatives integrated these theories, resulting in efforts to craft policies that fostered inter-ethnic collaboration, supported entrepreneurship, and leveraged technology to facilitate economic participation and innovation. Despite challenges, these approaches contributed to transforming ethnic diversity into a catalyst for inclusive and sustainable economic growth, fostering unity and prosperity in Kenya's diverse socio-economic landscape.

5.3.4 Collaborative Economic Ventures

Encouraging collaborative economic ventures among diverse ethnic groups can promote unity and collective progress. This was perceived by the researcher to be true. Therefore, to ascertain this, the researcher interrogated some respondents. One of them, Ainea Marachi, informed the researcher that: Joint business initiatives, cooperatives, and partnerships that bring together different communities can create synergy and contribute to economic development. Collaborative economic ventures stand as a transformative opportunity within the intricate relationship between ethnic identity and economic development in Kenya since its independence in 1963. By fostering collaboration among diverse ethnic groups, these ventures have the potential to mitigate divisions, stimulate economic growth, and build a more unified and prosperous nation.⁸²⁵

Therefore, based on this, it emerged that, Kenya's ethnic diversity, while a source of cultural richness, has at times been a factor in social divisions. Collaborative economic

⁸²⁵Ainea Marachi, O.I, in Khayega, Kakamega, On, 12/0224.

ventures present an avenue to bridge these divides by encouraging cooperation, shared initiatives, and mutual growth.⁸²⁶ To ascertain these issues, Achiyenza Shikuunzi, reiterated that:

One of the significant opportunities lies in joint business initiatives and partnerships. By bringing together individuals from different ethnic backgrounds, these ventures harness diverse skills, perspectives, and resources. Collaborative entrepreneurship can result in innovative business models, product diversification, and increased market access, contributing to economic growth and job creation.⁸²⁷

It was also discovered by the research that; Cooperatives also play a pivotal role in fostering collaboration. This was reinforced by Joseph Kisombe, who averred that: Shared enterprises, such as farming cooperatives, artisan groups, or community-based organizations, enable diverse ethnic communities to pool resources, share knowledge, and collectively address common economic challenges. This approach not only enhances productivity but also promotes economic inclusivity by providing opportunities for marginalized communities. Furthermore, partnerships in various sectors, including agriculture, manufacturing, tourism, and technology, have the potential to drive regional development. Collaborative ventures that leverage the strengths of different ethnic groups in specific regions can lead to localized economic growth and infrastructural development, benefiting entire communities.⁸²⁸

⁸²⁶Dorothy Leonard Barton, "Core capabilities and core rigidities: A paradox in managing new product development." *Strategic management journal* 13, no. S1 (1992): 111-125., p.118.

⁸²⁷Achiyenza Shikuunzi, O.I, in Khayega, Kakamega, On, 12/0224.

⁸²⁸Joseph Kisombe, O.I, in Malava, Kakamega, On, 12/0224.

From the preceding finding, it further emerged to the research that, collaboration also extends to community-based projects and social enterprises. A respondent, Aggrey Wafula asserted that:

Initiatives that address societal challenges, such as healthcare, education, and environmental conservation, through joint efforts among diverse ethnic groups, contribute to social cohesion while stimulating economic development. These ventures enhance community resilience and well-being, fostering a sense of unity and shared purpose.⁸²⁹

Additionally, it was established by the study that, public-private partnerships that transcend ethnic lines play a significant role in infrastructural development. Collaborations between government bodies, private investors, and local communities in infrastructure projects like roads, utilities, and healthcare facilities create opportunities for economic advancement and improved living standards for all.

Based on the preceding findings, the study concludes that, by promoting collaborative economic ventures, Kenya can harness the strengths of its diverse ethnic communities. These ventures not only drive economic growth but also foster a sense of shared purpose, unity, and mutual understanding. Additionally, the study concludes that transcending ethnic divides, collaborative initiatives lay the groundwork for a more cohesive society and pave the way for sustained and inclusive economic development.⁸³⁰ Ultimately, they represent a powerful opportunity to transform diversity into a catalyst for prosperity and unity in Kenya.

⁸²⁹Aggrey Wafula, O.I, in Kibabii, Bungoma, On, 28/01/2024.

⁸³⁰Jean S. Phinney and Anthony D. Ong. "Conceptualization and measurement of ethnic identity: Current status and future directions." *Journal of counseling Psychology* 54, no. 3 (2007): 271-300, p.293.

From these findings, it became clear that, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have all contributed to recognizing the importance of collaborative economic ventures among diverse ethnic groups as a means to foster unity and collective progress in Kenya since 1963. Interpretivism advocated for practical approaches that prioritized cooperation and shared initiatives to bridge ethnic divides and stimulate economic growth. Instrumental Marxism Theory emphasized the transformative potential of joint business initiatives and partnerships in harnessing diverse skills and resources for innovation and market access, contributing to economic development and job creation. Relative Deprivation Theory highlighted the role of collaborative ventures, such as cooperatives and community-based projects, in addressing common economic challenges and promoting inclusivity among marginalized communities. Therefore, integrating these theories, results in efforts to promote collaboration and mutual growth, laying the groundwork for a more cohesive and prosperous society. In essence, transcending ethnic divides, collaborative economic ventures offer a promising opportunity to harness the strengths of Kenya's diverse communities for sustained and inclusive economic development, fostering unity and prosperity across the nation.

5.3.5 Education for Social Cohesion

The researcher discovered that, education plays a crucial role in fostering social cohesion. That's why the study was interested in interrogating the respondents on this theme. This was orchestrated by the fact that, implementing educational programs that promote inter-ethnic understanding, tolerance, and appreciation of diversity can lay the foundation for a

more unified society, contributing to stability and economic growth.⁸³¹ The researcher was further informed that:

Education for social cohesion presents a compelling opportunity within the intricate interplay between ethnic identity and economic development in Kenya since its independence in 1963. The transformative power of education holds the potential to bridge ethnic divides, foster unity, and pave the way for inclusive economic growth. Kenya's ethnic diversity, while a source of cultural richness, has sometimes been a factor in societal divisions. Education serves as a powerful tool to promote understanding, tolerance, and unity among diverse ethnic groups, ultimately contributing to social cohesion and economic development.⁸³²

Based on this elation, it emerged that, one of the fundamental opportunities lies in inclusive education policies. By incorporating diverse cultural perspectives, histories, and languages into the curriculum, educational institutions can foster appreciation for the richness of Kenya's cultural heritage. This inclusive approach helps students understand and respect different ethnic backgrounds, nurturing a sense of national identity while celebrating diversity.

Moreover, it was further discovered by the research that, indeed, promoting inter-ethnic interaction within educational settings is crucial. According to an FGD,

Schools and universities serve as platforms for students from diverse ethnic backgrounds to interact, collaborate, and learn together. Thus, encouraging teamwork, cultural exchange programs, and extracurricular activities that promote diversity foster relationships and understanding among students, laying the foundation for social cohesion.⁸³³

⁸³¹Eileen Trauth, "A research agenda for social inclusion in information systems." *ACM SIGMIS Database: The Database for Advances in Information Systems* 48, no. 2 (2017): 9-20., p.17.

⁸³²Teresia Mutende, O.I, in Malava, Kakamega, On, 12/0224.

⁸³³FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

For example, it emerged that by encouraging teacher training programs that emphasize multicultural education and conflict resolution skills equip educators to create inclusive learning environments. Teachers play a pivotal role in shaping attitudes and perceptions among students. Training them to handle ethnic diversity sensitively and promote inclusivity contributes significantly to fostering social cohesion from an early age. This was reinforced by Geoffrey Khisa, who pointed out that:

Education for peace-building and conflict resolution is paramount. Introducing peace education programs that teach conflict resolution, mediation, and dialogue skills instills values of tolerance and cooperation among students. These skills are essential in addressing ethnic tensions and promoting peaceful coexistence, thereby creating an environment conducive to economic development.⁸³⁴

Furthermore, it emerged that higher education institutions play a significant role in promoting social cohesion. Universities can facilitate research, dialogues, and initiatives that address ethnic divisions, fostering understanding and promoting unity. Academic collaboration among diverse scholars can generate knowledge that contributes to national unity and socio-economic progress.⁸³⁵ To reiterate the preceding discussion, the study was informed by Mason Buyiengo that: By leveraging education as a tool for social cohesion, Kenya has an opportunity to harness its diversity for economic development. A society that values inclusivity and embraces diversity is better equipped to foster innovation, creativity, and collaboration, key drivers of economic growth. Education acts as a catalyst for nurturing a generation that values unity, contributing to a harmonious society and laying the groundwork for sustainable economic development.⁸³⁶

⁸³⁴Geoffrey Khisa, O.I, in Malava, Kakamega, On, 12/0224.

⁸³⁵David Meir and Thomas Fletcher. "The transformative potential of using participatory community sport initiatives to promote social cohesion in divided community contexts." *International Review for the Sociology of Sport* 54, no. 2 (2019): 218-238., p.223.

⁸³⁶Mason Buyiengo, O.I, in Koyonzo, Kakamega, On, 20/1/2024.

It was, therefore, established that, education for social cohesion stands as a powerful opportunity in Kenya's journey towards unity and economic prosperity. Moreover, by promoting inclusive education policies, fostering inter-ethnic interaction, empowering educators, and emphasizing peace-building initiatives, Kenya can pave the way for a more cohesive society that transcends ethnic divides, unlocking the full potential for inclusive economic development and national progress.

It emerged that Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all underscore the crucial role of education in fostering social cohesion, which is vital for stability and economic growth in Kenya since 1963. Interpretivism emphasizes practical solutions, advocating for educational programs that promote inter-ethnic understanding and appreciation of diversity to unify society. Instrumental Marxism Theory highlights education as a transformative tool to bridge ethnic divides and pave the way for inclusive economic growth.

Relative Deprivation Theory recognizes education's potential to promote tolerance and unity among diverse ethnic groups, contributing to social cohesion and economic development.⁸³⁷ Respondents emphasized the importance of inclusive education policies, inter-ethnic interaction within educational settings, and teacher training programs focused on multicultural education and conflict resolution. By leveraging education for social cohesion, Kenya can harness its diversity for economic development, fostering innovation and collaboration. Ultimately, education stands as a powerful opportunity to transcend

⁸³⁷Harry Torrance, "Triangulation, respondent validation, and democratic participation in mixed methods research." *Journal of mixed methods research* 6, no. 2 (2012): 111-123., p.119.

ethnic divides, promoting unity and unlocking the nation's full potential for inclusive economic development and national progress.

5.3.6 Investor Engagement in Social Impact

The study discovered that, investors can play a pivotal role in promoting social impact initiatives that bridge ethnic divides.⁸³⁸ Moreover, supporting projects focused on social cohesion, education, and economic empowerment across diverse communities can contribute to sustainable development. One of the respondents, Cornelius Langweni asserted that: Investor engagement in social impact presents a significant opportunity within the complex interplay between ethnic identity and economic development in Kenya since its independence in 1963. By aligning investments with social impact initiatives that transcend ethnic boundaries, investors can catalyze positive change, promote inclusivity, and drive sustainable economic development. Kenya's diverse ethnic landscape has, at times, posed challenges to cohesive development. However, investor engagement in social impact initiatives can serve as a unifying force, addressing societal challenges while creating opportunities for shared prosperity.⁸³⁹ The researcher was further informed by another respondent who opined that:

Investors, driven by social and environmental objectives alongside financial returns, can allocate capital to initiatives that address societal issues cutting across ethnic lines. These investments can fund projects in sectors such as healthcare, education, renewable energy, and infrastructure, benefiting diverse communities and fostering socio-economic development.⁸⁴⁰

⁸³⁸Sanjeev Dewan and Frederick J. Riggins, "The digital divide: Current and future research directions." *Journal of the Association for information systems* 6, no. 12 (2005): 298-337., p.301.

⁸³⁹Cornelius Langweni, O.I, in Butere, Kakamega, On, 13/0224.

⁸⁴⁰Gentrix Kwema, O.I, in Butere, Kakamega, On, 13/2024.

Based on the preceding findings, it was clear to the study that, social impact investors can prioritize ventures that promote inclusivity and empowerment among marginalized ethnic groups. This was affirmed by Wangila Wabomba who opined that: Projects focused on providing access to healthcare facilities, education, vocational training, and economic opportunities in underserved regions can bridge the gap in socio-economic disparities, fostering unity and shared prosperity. Furthermore, fostering collaboration between investors and local communities is crucial. Engaging with community leaders and stakeholders from diverse ethnic backgrounds in the design and implementation of social impact projects ensures relevance and acceptance. This participatory approach promotes community ownership, fosters trust, and strengthens social cohesion.⁸⁴¹

Additionally, it was established by the study that, impact-driven partnerships between investors, non-profit organizations, and government entities can amplify the reach and effectiveness of social impact initiatives. An FGD interrogated by the study asserted that:

Collaborative efforts can address pressing societal challenges, including poverty, inequality, and access to basic services, leading to tangible improvements in the quality of life for all citizens. Moreover, investors can support initiatives that promote inter-ethnic dialogue, cultural exchange, and diversity appreciation. Programs that facilitate understanding and respect for different ethnic backgrounds, such as cultural festivals, arts initiatives, and educational campaigns, contribute to building bridges and fostering unity within society.⁸⁴²

In essence, the study found out that, investor engagement in social impact initiatives represents an opportunity to leverage resources for holistic development while transcending ethnic divides. By prioritizing investments that promote inclusivity, address societal

⁸⁴¹Wangila Wabomba, O.I, in Malava, Kakamega, On, 12/2/2024.

⁸⁴²FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

challenges, and empower diverse communities, investors can contribute significantly to sustainable economic development in Kenya.

In conclusion, it emerged to the study that, the collaboration between investors and social impact initiatives can serve as a catalyst for unity and progress. Therefore, by directing resources towards projects that prioritize social cohesion, promote inclusivity, and empower marginalized communities, investors play a crucial role in fostering an environment of shared prosperity and sustainable economic growth, transcending ethnic identity for the collective advancement of Kenya.⁸⁴³

In this case, the findings resonated well with Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory, whereby all recognize the significant role of investor engagement in promoting social impact initiatives that bridge ethnic divides in Kenya since 1963. Interpretivism emphasizes practical solutions, advocating for investments that catalyze positive change and drive sustainable economic development while promoting inclusivity. Instrumental Marxism Theory highlights the potential for impact investing to address societal issues across ethnic lines, driving socio-economic development in diverse communities.

Relative Deprivation Theory underscores the importance of projects that provide access to essential services and economic opportunities, fostering unity and shared prosperity among marginalized ethnic groups.⁸⁴⁴ Respondents emphasized the need for investors to prioritize ventures that promote inclusivity, empowerment, and collaboration with local communities.

⁸⁴³Deepa Narayan, *Bonds and bridges: Social capital and poverty*. Vol. 2167. Washington, DC: World Bank, 1999., p.56.

⁸⁴⁴Peter S. Li, "Social capital and economic outcomes for immigrants and ethnic minorities." *Journal of International Migration and Integration/Revue de l'integration et de la migration internationale* 5 (2004): 171-190., p.179.

Collaborative efforts between investors, non-profit organizations, and government entities amplify the effectiveness of social impact initiatives, addressing pressing societal challenges and fostering unity within society. In sum, investor engagement in social impact initiatives presents an opportunity to transcend ethnic divides, fostering an environment of shared prosperity and sustainable economic growth for the advancement of Kenya as a whole.

5.3.7 Political Unity for Economic Stability

Creating a political environment focused on national unity rather than ethnic divisions is crucial. As one of the fundamental issues in the study, the researcher found it worth discussion. Therefore, a number of respondents were interrogated by the study. One of the respondents, Angeline Abuwaswa, asserted that: Political leaders advocating for policies that prioritize national interests over ethnic affiliations can foster a conducive atmosphere for economic stability and growth. Political unity for economic stability stands as a crucial opportunity within the intricate interplay between ethnic identity and economic development in Kenya since its independence in 1963.

By fostering a cohesive and unified political landscape, Kenya has the potential to unlock sustained economic growth, mitigate ethnic divisions, and create an environment conducive to prosperity. Additionally, Kenya's diverse ethnic composition, while a source of cultural richness, has sometimes posed challenges to political unity. However, when political leaders prioritize a common national agenda over ethnic considerations, the result is stability, which is foundational for economic progress.⁸⁴⁵

⁸⁴⁵ Angeline Abuwaswa, O.I, in Malava, Kakamega, On, 12/2024.

Based on the above discussion, it emerged that, one of the key opportunities lies in the formulation and implementation of inclusive and equitable policies.⁸⁴⁶ Therefore, when political leaders from different ethnic backgrounds collaborate to create policies that address the needs of the entire nation, it paves the way for balanced development. This observation was affirmed by Peter Olokol, who said that:

This inclusivity ensures that resources, infrastructure, and opportunities are distributed fairly across regions, mitigating economic disparities and fostering unity. Moreover, political unity contributes to a stable investment climate. When political leaders work together towards common economic goals, it sends a positive signal to investors both domestic and international. A stable political environment is conducive to long-term investments, job creation, and the development of a robust private sector, all of which are essential for economic growth.⁸⁴⁷

Furthermore, it emerged to the study that, a united political front facilitates the efficient implementation of development projects. Political leaders, when working cohesively, can streamline bureaucratic processes, reduce corruption, and ensure that initiatives are executed effectively. This results in the timely completion of infrastructure projects, which is vital for economic development. One of the respondents also posited that:

Political unity is also instrumental in navigating global challenges. When leaders present a united front on the international stage, it enhances Kenya's diplomatic standing and opens doors for international collaborations, trade agreements, and foreign investments. These external factors contribute significantly to the stability and growth of the national economy.⁸⁴⁸

Additionally, the study found out that, indeed, a politically unified nation can effectively address issues of corruption and mismanagement. This can be achieved through fostering a

⁸⁴⁶Deepa Narayan, "Bonds and bridges: social capital and poverty." *Social capital and economic development: well-being in developing countries*. Northampton, MA: Edward Elgar (2002): 58-81., p.65.

⁸⁴⁷Peter Ilukol Olokol, O.I, in Lumakanda, Kakamega, On, 13/2024.

⁸⁴⁸Ruth Tenge Buiyo, O.I, in Kapsokwony, Bungoma, On, 17/01/2024.

culture of accountability and transparency; political leaders can create an environment that attracts responsible governance. Another respondent affirmed this view by asserting that:

...this, in turn, builds trust among citizens and investors, contributing to economic stability. However, achieving political unity requires a commitment to national interests over ethnic affiliations. Leaders must prioritize the common good, emphasizing the importance of shared national goals and aspirations. Political dialogue, inclusive governance structures, and collaborative decision-making processes are crucial in building and maintaining political unity.⁸⁴⁹

The study therefore, established that, for sure, political unity for economic stability represents a vital opportunity for Kenya's progress. For example, when political leaders transcend ethnic considerations to work cohesively towards national development, the result is a stable and conducive environment for economic growth. Therefore, by embracing this opportunity, Kenya can overcome the challenges posed by ethnic identity, fostering a unified nation that thrives economically for the benefit of all its citizens.

From the discussion above, it emerged to the study that, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory have all addressed the importance of political unity for economic stability within the context of Kenya's development since 1963. Interpretivism advocated for practical approaches, urging political leaders to prioritize national interests over ethnic affiliations to foster a conducive environment for economic growth. Instrumental Marxism Theory highlighted the significance of political unity in creating a stable investment climate and attracting domestic and international investors.

⁸⁴⁹Angeline Abuwasa, O.I, in Malava, Kakamega, On, 12/2024.

Relative Deprivation Theory emphasized the role of inclusive and equitable policies formulated through collaboration among leaders from different ethnic backgrounds to mitigate economic disparities and promote unity. These theories emphasized the need for political leaders to work together towards common economic goals, streamline bureaucratic processes, and foster accountability and transparency to address issues like corruption. By prioritizing political unity, Kenya had the potential to overcome the challenges posed by ethnic identity and create a stable environment for sustained economic growth, benefiting all citizens.

5.3.8 Infrastructure Development across Regions

It was the opinion of the researcher that, by investing in infrastructure development across all regions, regardless of ethnic composition, can create equal opportunities for economic growth. To achieve this, a respondent, Kundu Sostine opined that: Building roads, schools, hospitals, and utilities in marginalized areas can stimulate economic activities and reduce disparities. Infrastructure development across regions stands as a pivotal opportunity within the complex interplay between ethnic identity and economic development in Kenya since gaining independence in 1963. Moreover, by investing in infrastructure projects that transcend ethnic divides and cater to the needs of diverse regions, Kenya has the potential to foster unity, stimulate economic growth, and bridge socio-economic disparities. Kenya's diverse ethnic landscape has often been accompanied by regional disparities in infrastructure development. However, by strategically investing in infrastructure projects

that benefit all regions, the nation can overcome ethnic divisions and propel economic progress.⁸⁵⁰

So, it emerged that one of the fundamental opportunities lies in the development of transportation networks. Constructing roads, highways, railways, and ports that connect different regions facilitates the movement of goods, services, and people, fostering trade and economic integration. Furthermore, it emerged that improved connectivity not only enhances accessibility but also promotes equal opportunities for economic development across diverse regions. Therefore, based on the preceding discussion, the study was informed, by Juliet Ilado that:

Investing in energy infrastructure, such as electricity generation and distribution networks, is essential for equitable development. Access to reliable and affordable energy stimulates economic activities, supports industries, and improves living standards across diverse communities. Renewable energy projects, when implemented across regions, mitigate disparities in energy access and contribute to sustainable development.⁸⁵¹

The study therefore, found out that, investments in healthcare infrastructure also present an opportunity to address disparities and promote inclusivity. For example, building hospitals, clinics, and healthcare centers in underserved regions ensures access to quality healthcare for all citizens, irrespective of ethnic backgrounds.⁸⁵² It emerged that, this not only improves health outcomes but also contributes to a healthier and more productive workforce, driving economic growth. Moreover, one of the respondents in a focus group discussion that, indeed:

⁸⁵⁰ Sostine Kundu B., O.I, in Kapsokwony, Bungoma, On, 17/01/2024.

⁸⁵¹ Juliet Ilado, O.I, in Kolanya, Busia, On, 10/01/2024.

⁸⁵² Viswanath Venkatesh, and Ann Sykes Tracy, "Digital divide initiative success in developing countries: A longitudinal field study in a village in India." *Information Systems Research* 24, no. 2 (2013): 239-260., p.248.

Educational infrastructure plays a crucial role in promoting equality and unity. Constructing schools, vocational training centers, and universities across regions enhances access to education. Equitable access to quality education empowers individuals from diverse ethnic backgrounds, fostering a skilled workforce essential for economic development. Additionally, investing in water and sanitation infrastructure is vital for improving living standards and reducing disparities. Access to clean water and proper sanitation facilities across all regions ensures a healthier populace and creates a conducive environment for economic growth. By prioritizing infrastructure development that benefits all regions, Kenya can foster social cohesion and unity.⁸⁵³

Therefore, it was established that this inclusive approach ensures that no community is left behind, thereby reducing economic disparities and promoting a more equitable distribution of resources and opportunities.

In sum, it emerged that infrastructure development across regions represents a significant opportunity in Kenya's pursuit of economic development amidst ethnic diversity. Therefore, by investing in inclusive infrastructure projects that address regional disparities, Kenya can bridge ethnic divides, stimulate economic growth, and create a more unified nation that thrives economically for the collective benefit of all its citizens.

The findings are in line with Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory, where all addressed the importance of infrastructure development across regions in Kenya's economic growth, looking back since 1963. Interpretivism advocated for practical approaches, emphasizing the need to invest in infrastructure regardless of ethnic composition to stimulate economic activities and reduce disparities.⁸⁵⁴ Instrumental Marxism Theory highlighted infrastructure development as

⁸⁵³Elijah Mwasame, O.I, in Kolanya, Busia, On, 10/01/2024.

⁸⁵⁴Robert Hunter Wade, "Bridging the digital divide: new route to development or new form of dependency." *Global governance* 8 (2002): 443-467, p.449.

crucial for economic integration and equal opportunities, transcending ethnic divides. Relative Deprivation Theory underscored the significance of infrastructure projects in addressing regional disparities and fostering unity among diverse communities.

Respondents emphasized the importance of transportation networks, energy infrastructure, healthcare facilities, educational institutions, and water and sanitation systems in promoting equality and unity. By investing in inclusive infrastructure projects, Kenya had the potential to bridge ethnic divides, reduce economic disparities, and create a more unified nation. Therefore, infrastructure development across regions emerged as a significant opportunity for Kenya's economic development, promoting social cohesion and equitable distribution of resources and opportunities.

5.3.9 Peace and Conflict Resolution Initiatives

Addressing ethnic tensions and promoting peace-building initiatives is fundamental. This was another theme that was very significant to the research. It was clear that, efforts towards conflict resolution and promoting dialogue among different ethnic groups can create a conducive environment for economic development.⁸⁵⁵ To ascertain this situation, the study interrogated some respondents. One of the interviewees, Charlse Awuor, retorted that: Peace and conflict resolution initiatives stand as a profound opportunity within the intricate interplay between ethnic identity and economic development in Kenya since its independence in 1963. Moreover, prioritizing peace-building efforts that transcend ethnic divides, Kenya can foster social cohesion, mitigate conflicts, and create a conducive environment for sustained economic growth. Ethnic diversity in Kenya has, at times, led to

⁸⁵⁵Simonsen Sven Gunnar, "Addressing ethnic divisions in post-conflict institution-building: Lessons from recent cases." *Security Dialogue* 36, no. 3 (2005): 297-318., p.299.

tensions and conflicts. However, initiatives focused on peace and conflict resolution have the potential to bridge divides and create an atmosphere conducive to economic progress.⁸⁵⁶

Therefore, it was clear that, one of the fundamental opportunities lies in fostering inter-ethnic dialogue and understanding. This observation was affirmed by Agatha Naibei, who posited that:

Initiatives that facilitate open discussions, forums, and reconciliation efforts among diverse ethnic groups create avenues for mutual understanding, trust-building, and conflict resolution. These platforms promote empathy, dispel stereotypes, and lay the groundwork for peaceful coexistence. Moreover, investing in peace education and conflict resolution training is pivotal. Integrating peace-building principles into educational curricula equips future generations with skills in conflict resolution, mediation, and tolerance. Educating youth on the importance of peaceful coexistence fosters a culture of understanding and acceptance, essential for societal harmony.⁸⁵⁷

However, it was discovered that, indeed, peace-building efforts can also focus on addressing root causes of conflicts, including socio-economic disparities and resource allocation. The study found out that, implementing inclusive policies that address inequalities and promote equitable distribution of resources across diverse regions mitigates tensions arising from perceived marginalization and fosters a sense of belonging among all ethnic groups.⁸⁵⁸ Furthermore, this view was affirmed by Peter Kinyanjui, who stated that:

Promoting inter-ethnic cooperation through economic ventures and community development initiatives fosters unity and reduces conflicts. Collaborative projects that bring together individuals from diverse backgrounds to address common challenges, such as poverty alleviation, healthcare access, and infrastructure

⁸⁵⁶Charlse Awuor, O.I, in Buyofu, Busia, On, 10/01/2024.

⁸⁵⁷Agatha Naibei, O.I, in Kapsokwony, Bungoma, On, 17/01/2024.

⁸⁵⁸Jeffrey Haynes, "Conflict, conflict resolution and peace-building: The role of religion in Mozambique, Nigeria and Cambodia." *Commonwealth & Comparative Politics* 47, no. 1 (2009): 52-75., p.73.

development, create a sense of shared purpose and mutual benefit.⁸⁵⁹

Kinyanjui's sentiments were enriched by the opinions posited by discussants in an FGD whereby one of them retorted that:

Investing in conflict resolution mechanisms and reconciliation processes is crucial. Establishing frameworks for peaceful resolution of disputes, mediation mechanisms, and truth and reconciliation processes helps in healing historical wounds and building a foundation for a more harmonious society. Additionally, leadership committed to fostering peace and inclusivity plays a vital role. Political and community leaders who prioritize unity and engage in dialogue across ethnic lines set the tone for peaceful coexistence. Their efforts in promoting inclusivity and embracing diversity contribute significantly to societal stability.⁸⁶⁰

In sum, therefore, the study found out that, peace and conflict resolution initiatives present a critical opportunity in Kenya's quest for economic development amidst ethnic diversity. Moreover, by investing in peace-building efforts, fostering understanding, addressing inequalities, and promoting inter-ethnic cooperation, Kenya can create an environment conducive to sustainable economic growth.⁸⁶¹ Moreover, a peaceful and unified society is better equipped to harness its diverse strengths for collective progress, ultimately paving the way for a more prosperous and inclusive nation.

It emerged from the findings of the study that, indeed, Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all addressed the significance of peace and conflict resolution initiatives within the context of Kenya's economic development, reflecting on the period since 1963. Interpretivism emphasized

⁸⁵⁹Peter Kinyanjui, O.I, in Likuyani, Kakamega, On, 30/01/2024.

⁸⁶⁰FGD with Community Self Help Group Leaders on Development Held in Mbita Studium, on 13/11/2023.

⁸⁶¹Abdi Afyare Elmi and Abdullahi Barise. "The Somali Conflict: Root causes, obstacles, and peace-building strategies." *African Security Studies* 15, no. 1 (2006): 32-54., p.38.

practical approaches, advocating for efforts towards conflict resolution and dialogue among ethnic groups to create a conducive environment for economic progress. Instrumental Marxism Theory highlighted peace-building as crucial for fostering social cohesion and mitigating conflicts, thereby promoting economic stability. Relative Deprivation Theory underscored the importance of addressing root causes of tensions, such as socio-economic disparities, through inclusive policies and equitable resource allocation to foster unity. Respondents emphasized the need for fostering inter-ethnic dialogue, investing in peace education, and promoting inter-ethnic cooperation through economic ventures and community development initiatives. By prioritizing peace and conflict resolution efforts, Kenya could create a peaceful and unified society conducive to sustainable economic growth, leveraging its diverse strengths for collective progress and prosperity.

5.3.10 Harnessing Technology and Innovation

It emerged that technology can serve as a unifying factor. Therefore, this significance was worth discussing as a subtheme and an opportunity to the study. An FGD that was involved to underscore this opportunity affirmed to the study that: Leveraging digital platforms and technology-driven initiatives to bridge ethnic divides, promote communication, and facilitate economic activities can create opportunities for growth. Harnessing technology and innovation stand as a transformative opportunity within the intricate interplay between ethnic identity and economic development in Kenya since its independence in 1963.

By leveraging technology and fostering innovation that transcends ethnic boundaries, Kenya has the potential to bridge divides, drive economic growth, and create opportunities for inclusive development. Therefore, Kenya's diverse ethnic landscape, while a source of

cultural richness, has often posed challenges to cohesive development. However, technological advancements and innovation present an avenue to transcend these barriers and unlock significant opportunities for progress. Moreover, leveraging technology for inclusive access to information and communication is very important.

The widespread adoption of mobile technology, particularly in remote and marginalized regions, has facilitated access to information, financial services, and market opportunities. Initiatives such as mobile banking and digital platforms empower individuals from diverse ethnic backgrounds, promoting financial inclusion and economic participation.⁸⁶² Moreover, it emerged to the study that, indeed, innovation-driven entrepreneurship holds immense potential. Encouraging tech startups and fostering an innovation ecosystem that caters to diverse needs can spur economic growth.

While interrogating another respondent on the preceding discussion, the researcher was informed by Kilikinji Wekhanya, that; initiatives supporting diverse entrepreneurs, especially from underrepresented ethnic groups, foster creativity and problem-solving, leading to the development of products and services that address societal challenges across all communities. Investments in digital infrastructure, such as broadband connectivity and technological hubs, promote digital literacy and skill development.

Equipping individuals with technological skills enhances employability and entrepreneurial opportunities, leading to economic empowerment across diverse communities. Furthermore, utilizing technology for agriculture and rural development is crucial. Innovations in Agri-tech, such as precision farming, mobile-based agricultural advisory

⁸⁶²FGD with WAA CBO Leaders in Farm View Hotel - Busia (K), on 10/1/2024.

services, and market linkages, benefit farmers from various ethnic backgrounds. These advancements improve productivity, increase income, and contribute to food security, thereby positively, impacting the livelihoods of diverse communities. Additionally, e-learning platforms and digital education initiatives enhance access to quality education across regions.⁸⁶³

Based on the preceding findings, it was discovered that, leveraging technology in education transcends geographical barriers, providing equal opportunities for learning to students from diverse ethnic backgrounds, ultimately fostering a skilled and knowledgeable workforce.⁸⁶⁴ These findings were reinforced by another respondent, who affirmed that:

...Innovation in healthcare technology also contributes to inclusive development. Telemedicine and health tech solutions improve access to healthcare services, particularly in underserved regions, benefiting all ethnic groups. These advancements contribute to better health outcomes and overall well-being across diverse communities.⁸⁶⁵

The study, therefore, established that, harnessing technology and innovation represents a significant opportunity in Kenya's pursuit of economic development amidst ethnic diversity. Therefore, by embracing technological advancements and fostering innovation that caters to diverse needs, Kenya can bridge ethnic divides, empower communities, and drive inclusive economic growth. In essence, leveraging these opportunities enables the nation to harness the power of technology to create a more connected, prosperous, and unified society, ultimately benefiting all its citizens.

⁸⁶³Kilikinji Wekhanya, O.I, in Miluki, Bungoma, On, 12/1/2024.

⁸⁶⁴Angelia K. Swinton and Ashley Williams Lauren, "Urban Education Technological Disparities: The Debilitating Impact on Our Students for Twenty-First Century Employment." In *Computer-Mediated Learning for Workforce Development*, IGI Global, 2018., pp. 41-67, p.48.

⁸⁶⁵Peter Kinyanjui, O.I, in Likuyani, Kakamega, On, 30/01/2024.

Interpretivism philosophy, Instrumental Marxism Theory, and Relative Deprivation Theory all acknowledged the transformative potential of technology and innovation in bridging ethnic divides and driving economic development in Kenya since 1963. Interpretivism emphasized the practical utilization of technology to promote communication and economic activities across diverse communities. Instrumental Marxism highlighted the role of technology in fostering inclusive growth and empowering underrepresented ethnic groups through innovation-driven entrepreneurship. Relative Deprivation Theory underscored the importance of leveraging technology to address societal challenges and promote economic empowerment across all ethnic backgrounds. Respondents emphasized the significance of digital platforms, mobile technology, and innovation ecosystems in facilitating access to information, financial services, and market opportunities for marginalized communities.⁸⁶⁶ Furthermore, they stressed the importance of technology in agriculture, education, healthcare, and rural development to enhance productivity, improve livelihoods, and foster a skilled workforce.

5.4 Chapter Summary

The interplay between ethnic identity and economic development in Kenya since 1963 has been a complex and multifaceted phenomenon, marked by a myriad of challenges and opportunities. In this chapter, the study evaluated the convolutions of this relationship, drawing upon insights from Interpretivism philosophy, the Instrumental Marxism Theory, and the Relative Deprivation Theory to provide a comprehensive analysis.

⁸⁶⁶Monica Eliza Motorga, "Digital transformation in adult education: empowering global understanding and sustainable development." *Journal of Educational Sciences* 48, no. 2 (2023): 46-63., p.60.

Firstly, the chapter has discussed the challenges that have impeded Kenya's economic progress. Political instability and governance issues have hindered effective policymaking and governance, contributing to uncertainty and volatility in the business environment. Resource allocation and unequal development have perpetuated socio-economic disparities, leaving certain ethnic groups marginalized and excluded from the benefits of economic growth. Corruption and rent-seeking behavior have eroded public trust and distorted resource allocation, further exacerbating inequalities. Ethnic favoritism in employment and business has entrenched divisions and hindered social mobility, perpetuating cycles of exclusion and discrimination. Fluctuating levels of investor confidence, influenced by ethnic politics, have undermined economic stability and deterred foreign investment. Additionally, ethnic polarization in public discourse has fueled divisiveness, hindering efforts towards national cohesion and collective progress.

Despite these challenges, there are significant opportunities for Kenya to overcome ethnic identity and foster inclusive economic development. Cultural diversity can be embraced as a strength, fostering innovation, creativity, and resilience. Local innovation and entrepreneurship hold the potential to drive economic growth and empower communities, especially when supported by inclusive policies and infrastructure. Inclusive economic policies guided by principles of fairness and equity can bridge ethnic divides and promote shared prosperity. Collaborative economic ventures among diverse ethnic groups can generate synergy and contribute to collective progress. Education emerged as a vital tool for social cohesion, promoting understanding, tolerance, and unity among diverse ethnic groups. Moreover, investor engagement in social impact initiatives and political unity for

economic stability can catalyze positive change, creating an environment conducive to sustained growth.

Moreover, the study discussed investments in infrastructure development across regions, alongside peace and conflict resolution initiatives, are critical for fostering inclusive development and addressing socio-economic disparities. Furthermore, harnessing technology and innovation presents opportunities for economic empowerment and connectivity across ethnic boundaries. The next chapter addresses the summary, conclusions and recommendations.

CHAPTER SIX

SUMMARY, CONCLUSION AND RECOMMENDATIONS

6.1 Introduction

The pious chapter dwelt on challenges and opportunities in the interplay between ethnic identity and economic development in Kenya since 1963. This chapter presented Summary of Key Findings, of the following objectives; to examine the Origins, Nature, and Development of Ethnic Identity in Kenya, to assess the Influence of Ethnic Identity on Economic Development in Kenya Since 1963, to Investigate the Legal Policies and Institutional Framework in addressing Effects of Ethnic Identity in Kenya, and finally to Evaluate the Challenges and Opportunities in the Interplay between Ethnic Identity and Economic Development in Kenya Since 1963. The chapter has also provided the conclusions of each specific objective, outlined recommendations of each specific objective and finally given suggestion for Further Research.

6.2 Summary of Key Findings

The key findings are presented as per the following objectives; to examine the Nature, Origins and Development of Ethnic Identity in Kenya, to assess the Influence of Ethnic Identity on Economic Development in Kenya Since 1963, to Investigate the Legal Policies and Institutional Framework in addressing Effects of Ethnic Identity in Kenya, and finally to Evaluate the Challenges and Opportunities in the Interplay between Ethnic Identity and Economic Development in Kenya Since 1963. They are presented as follows:

According to the first specific objective, as Lynch correctly points out, an ethnic group should not be confused with an ordinary interest group. Over and above shared interests, there must be ties that bind together an ethnic group such as language and culture. Other ties include an idea of blood ties and a shared past, of common descent and a history of union.

The emergence of distinct ethnic identities, such as the Kalenjin and Luhya, illustrates how social relationships and historical contexts contribute to identity formation. However, the autonomy of individuals to choose their ethnic identity, as observed by the High Court, raises concerns about the potential manipulation of ethnicity for personal gain, undermining constitutional objectives of regional and ethnic balance.

Since Kenya's independence in 1963, Kenyan politics has been bedeviled by ethnic politics as a result of ethnic polarization and sentimental coloration of all national issues. This problem has been one of the major factors inhibiting national cohesion and integration and overall national development in Kenya. Kenyan politics is tainted with ethnic sentiments and politically induced disharmony. Ethnic politics has been one of the factors responsible for poor socio-economic development.

From the works of Throup and Hornsby, the study noted that, by the early 1990s, the clamor gained momentum and transmogrified into open rebellion, and an ethnicized brand of politics due to the marginalization of some ethnic groups in Kenya.

The main feature of issue-based politics is the focus on values, principles, ideologies, policies, and issues of the day, rather than on personalities and their ethnic identities. If Kenya were to fully embrace issue-based politics, as opposed to ethnic politics, some of the

major issues that elections would probably revolve around the provision of basic needs, infrastructural development, unemployment, corruption, and leadership qualities as articulated in Chapter Six of the 2010 Constitution of Kenya.

Colonial policies, rules and practices significantly altered African conceptions of ethnic identities and power. On its establishment, the colonial state began to define and regulate almost all aspects of people's lives, including their ethnic identity, occupation, movement, and access to resources. With time, the encounter between the state and African societies resulted in the birth of ethnic politics.

Based on the statistical analysis by Kanyinga, it was revealed that the ethnic identity of Kenyatta and Moi dictated appointments into other important and influential public offices including those of the assistant minister, permanent secretary, provincial commissioner, district commissioner, high court, and chairperson or managing director of a public corporation. The impact of this practice on the composition of the civil service remains evident today.

It was also acknowledged by the study that; the Luo and Kikuyu ethnic groups were political allies in the period before independence. Cracks in their unity began to develop shortly after independence and mainly as a result of ideological differences between Oginga and Kenyatta.

The study, further, established that, in the 2007 general elections during which ODM had a fierce political battle with PNU eventually leading to the 2007/2008 post-election violence, what informed the choice of ethnic groups and voters came down to their stand on the issue of *majimbo* (regionalism or devolution).

In the 2013 presidential election, Ferree *et al.*, found out that despite the absence of a clear incumbent, voters largely treated Kenyatta as the incumbent over Odinga, despite both serving in the sitting government. It emerged that, their analysis, based on exit poll data, revealed that voters who rated the government's performance as excellent or good were more likely to vote for Kenyatta (58%) compared to Odinga (42%).

Based on Nabulindo's argument, the study established that, Kenya has had an FPTP electoral system since independence, albeit with small and occasional doses of features that attempt to mimic the main characteristics of PR systems. Although it has long been recognized that it is largely to blame for the entrenchment of ethnic politics in the country, the FPTP electoral system remains in place to date.

According to the second specific objective, it emerged that, in countries where oversight institutions are weak, distortions in public spending are not uncommon the budget is not immune to bureaucratic manipulations; senior civil servants misdirect public spending in favor of certain regions or projects, factors which contribute to misallocation of resources and inequalities.

Marginalization, inequalities and other forms of disparities have also been the result of ethnicity and ethnic-based politics, which have since colonialism been a central basis of discrimination. Ethno-regional disparities and marginalization have been exacerbated by the discriminatory nature in which: the cabinet membership and other senior positions in government, the public sector and parastatal bodies have been allocated; the discriminatory nature of public spending, especially the manner in which the government financed

infrastructural development and other big contracts were awarded; national resource endowments; political patronage; and corruption, bureaucratic discretion and elite excesses.

Kenya's political economy was molded by colonialism in which most of what was produced in Kenya was exported to Europe but the proceeds never returned to develop the country's economy or its people.

It was, therefore, established that, in 1983, a quota system of admission was introduced at the district level to ensure local students had access to district schools. However, by the 1990s, disparities in the education system continued, especially in the arid and semi-arid areas. The Kenyatta government was more interested in growth and economic development in general than it was in redistribution.

The study established that, the ICDC was to be the main vehicle for the government's participation in industry. Although these corporations enabled Africans to get a firm grip on the economy, the people controlling them and those that benefitted from their funding were disproportionately drawn from a select pool of elites or regions closely identified with the regime in power.

The study established, further, that, Moi also created new areas of representation as well as new administrative units in an attempt to "bring government closer to the people" and reduce the historical marginalization in the country. The study also acknowledged that, Moi also reached out to communities that had hitherto been marginalized.

Through the works of Court and Ghai, it emerged that, with the expansion of education, certain regions, particularly Central Province, were advantaged. There was a widespread

perception that the role of education was to prepare its beneficiaries for white-collar jobs and hence these advantages in access to education also translated to other economic benefits for those who had education.

The Bill of Rights provides a framework for affirmative action that ensures that minorities and the marginalized are brought up to speed in social, economic and cultural development. Additionally, it emerged to the study that, the Constitution has addressed the issue of inequalities through the budgeting process.

Lastly, the study established that, Moi constituted a new group of loyalists, ironically, including the Kikuyu senior politicians who had not been influential during Kenyatta's period but who did not enjoy wide support within their ethnic group.

According to the third specific objective, through the promotion of equality and the addressing of the underlying causes of ethnic identity, Kenya has the potential to pave the way for a future that is more inclusive and prosperous for all of its citizens.

With regard to the necessity of more inclusive and participatory approaches to policy-making and governance, there is need for more education. In addition, the significance of community-driven initiatives and the involvement of civil society in the process of advancing equality agendas at the local level should be reinforced.

It is absolutely necessary to give priority to the implementation of legal reforms, the strengthening of institutions, and community-driven initiatives that promote social cohesion and inclusivity. Kenya has the ability to pave the way towards a society that is more just

and equitable for all of its citizens if it is able to harness the potential of legal frameworks and grassroots activism.

There is a necessity of comprehensive civic education programs that offer citizens the ability to comprehend their rights and hold those who are responsible for them accountable. At the same time, there should be increased efforts to leverage traditional and community-based mechanisms for the purpose of conflict resolution and reconciliation, particularly in regions that are affected by ethnic identity

Significant obstacles to the successful incorporation of treaties into domestic legal frameworks include systemic issues such as a lack of awareness, capacity constraints, and delays caused by bureaucratic procedures. Furthermore, there are worries regarding the disparity between the commitments made at the international level and the actual implementation that took place at the local level, particularly in communities that were marginalized.

The implementation and enforcement of the Constitution brought to light a number of challenges, including insufficient resources, corruption, and political interference are the significant obstacles to the successful implementation of constitutional principles. Furthermore, there are concerns arising regarding the uneven application of constitutional provisions across various regions and communities, which exacerbated feelings of marginalization and exclusion between the various groups.

There are systemic issues as significant impediments to the effective realization of legal protections against discrimination. These issues include weak enforcement mechanisms, a lack of awareness, and cultural barriers. Moreover, there are concerns regarding the

prevalence of discriminatory practices in various sectors, including employment, education, and access to public services. Therefore, there is potential for legal reforms and institutional strengthening to address discrimination in Kenya, despite the challenges that were presented.

There was a wide range of awareness and comprehension regarding the National Cohesion and Integration Act among the individuals in the region. Despite the fact there are some individuals who display a comprehensive understanding of the provisions and objectives of the law, there are also others who display a limited knowledge of the complexities of the law in the region.

There are significance of education and community involvement in the process of raising awareness of rights and responsibilities within the context of marriage and family. It emerged that, providing individuals, particularly women and children, with the ability to assert their rights and gain access to legal remedies in situations where there are disagreements or violations pertaining to the family are pertinent.

There are significant barriers to accessing employment opportunities, particularly for marginalized groups, such as wage disparities, job insecurity, and discriminatory hiring practices. Furthermore, there are issues regarding the continued practice of nepotism and ethnic favoritism in the recruitment process, which has the effect of exacerbating feelings of exclusion and marginalization among certain ethnic communities.

There is a collective commitment to maximizing the potential of political engagement for the purpose of fostering social cohesion and addressing ethnic identity, despite the fact that challenges continue to exist.

There is a positive impact that devolved governance structures have in promoting local development and community participation. However, there were concerns raised regarding the uneven implementation of devolution, particularly in some regions where infrastructure and service delivery continue to be inadequate.

Lastly in terms of addressing gender disparities in a variety of fields, such as education, healthcare, and employment, as well as promoting women's rights and increasing their participation in decision-making processes. However, the uneven implementation of the policy, particularly in marginalized regions where traditional gender norms and practices continue to impede women's empowerment and gender equality are still experienced in Kenya. These regions are particularly affected by the policy's uneven implementation.

According to the fourth specific objective, the politicization of resource allocation, favoring regions or communities based on ethnic affiliations, has engendered stark disparities in infrastructure development, service provision, and access to economic opportunities. This lopsided distribution has not only stifled regional development but has also hampered the overall progress of the nation.

The politicization of resource allocation has perpetuated ethnic divisions by favoring certain regions or ethnic groups at the expense of others. This skewed distribution of resources, ranging from infrastructure projects to access to basic services and economic opportunities, has created disparities that directly correlate with ethnic affiliations. As a

consequence, the seeds of ethnic identity were sown, impacting the economic landscape in multifaceted ways. Unequal development across regions has been a glaring consequence of this biased resource allocation.

The historical patterns of resource allocation and unequal development have been instrumental in perpetuating ethnic identity in Kenya since independence. Rectifying these disparities demands a concerted effort towards equitable development, inclusive policies, and a national ethos that transcends ethnic divides, ultimately laying the groundwork for sustainable and inclusive economic development.

Political elites often prioritize ethnic interests over national development, engaging in corrupt practices to maintain power and benefit their ethnic groups. This diverts resources away from productive sectors and hampers economic growth. Corruption and rent-seeking behavior have been significant impediments to economic development in Kenya since its independence in 1963, exacerbating ethnic identity and posing multifaceted challenges to the nation's progress.

Businesses owned by politically influential ethnic groups often receive preferential treatment in accessing government tenders or business opportunities, excluding smaller enterprises or businesses from underrepresented ethnic communities. The economic consequences of ethnic favoritism in employment and business are substantial. Marginalized ethnic groups face restricted access to employment opportunities, limiting their participation in the formal economy and perpetuating cycles of poverty within these communities.

The nexus between ethnic identity and investor confidence is palpable. Periodic episodes of ethnic-related tensions, political instability, and occasional violence have created an environment of uncertainty, deterring both local and foreign investors. Ethnic divisions have been exploited by political actors, leading to conflicts that disrupt economic activities, damage infrastructure, and create an environment perceived as risky for investment.

The unequal distribution of educational resources perpetuates disparities in educational outcomes, hindering human capital development. Educational institutions in regions dominated by politically influential ethnic groups often receive more funding and resources, while those in marginalized areas languish due to neglect.

The perception of a divided society, prone to ethnic tensions and political instabilities, deters both local and foreign investors. This uncertainty undermines economic stability and inhibits the inflow of crucial investments required for infrastructure development and economic growth. Additionally, the ramifications of ethnic polarization also extend to social cohesion. Divisionary public discourse creates social rifts, fostering an 'us versus them' mentality that impedes collaborative efforts towards economic progress. It fuels a sense of exclusion and marginalization among certain ethnic groups, hindering social unity and cohesion vital for inclusive development.

Cultural diversity also opens avenues for cultural diplomacy and international relations. Kenya can leverage its diverse cultural heritage to strengthen ties with other nations. Cultural exchange programs, festivals, and collaborations based on Kenya's rich cultural tapestry can facilitate greater understanding, promote trade relations, and attract foreign investments, thereby fostering economic growth.

Supporting small-scale businesses that leverage indigenous knowledge can create employment opportunities and stimulate local economies. Local innovation and entrepreneurship represent a significant opportunity within the interplay between ethnic identity and economic development in Kenya since its independence in 1963.

Inclusive economic policies also encompass initiatives that support entrepreneurship and small business development. Programs that offer financial support, training, and mentorship to entrepreneurs from different ethnic backgrounds promote economic diversification and job creation. Encouraging diverse SMEs not only contributes to economic growth but also fosters a sense of economic inclusion and empowerment among marginalized communities.

Joint business initiatives, cooperatives, and partnerships that bring together different communities can create synergy and contribute to economic development. Collaborative economic ventures stand as a transformative opportunity within the intricate relationship between ethnic identity and economic development in Kenya since its independence in 1963.

Incorporating diverse cultural perspectives, histories, and languages into the curriculum, educational institutions can foster appreciation for the richness of Kenya's cultural heritage. This inclusive approach helps students understand and respect different ethnic backgrounds, nurturing a sense of national identity while celebrating diversity.

Projects focused on providing access to healthcare facilities, education, vocational training, and economic opportunities in underserved regions can bridge the gap in socio-economic disparities, fostering unity and shared prosperity.

Political leaders advocating for policies that prioritize national interests over ethnic affiliations can foster a conducive atmosphere for economic stability and growth.

Constructing roads, highways, railways, and ports that connect different regions facilitates the movement of goods, services, and people, fostering trade and economic integration.

Initiatives that facilitate open discussions, forums, and reconciliation efforts among diverse ethnic groups create avenues for mutual understanding, trust-building, and conflict resolution. These platforms promote empathy, dispel stereotypes, and lay the groundwork for peaceful coexistence.

The widespread adoption of mobile technology, particularly in remote and marginalized regions, has facilitated access to information, financial services, and market opportunities. Initiatives such as mobile banking and digital platforms empower individuals from diverse ethnic backgrounds, promoting financial inclusion and economic participation.

6.3 Conclusions

Based on the first specific objective, the study concludes that, it is evident that the country's socio-political landscape is deeply influenced by ethnic divisions. These divisions have historical roots dating back to the colonial era, where divisive policies sowed the seeds of ethnicity and favoritism. Post-independence, ethnic politics became entrenched, perpetuating disparities in resource allocation and political representation. Moreover, the evolution of multiparty politics, further, exacerbated tensions, leading to the entrenchment of ethnic parties and voting blocs. Succession politics became intertwined with ethnicity, deepening divisions and fueling power struggles.

Based on the second specific objective, the study concludes that, ethnic divisions have hindered progress by perpetuating inequalities in resource allocation and fostering a climate of favoritism. These factors have undermined investor confidence and hindered the implementation of inclusive economic policies. Moreover, ethnic polarization in public discourse has further exacerbated tensions, leading to political instability and governance issues.

Based on the third specific objective, the study concludes that, existing policies often fail to adequately address the root causes of ethnic tensions and disparities in Kenya. Despite efforts to promote inclusivity, ethnic favoritism persists in employment and business, exacerbating divisions. Additionally, corruption and governance issues undermine the effectiveness of legal frameworks in fostering social cohesion.

Based on the fourth specific objective, the study concludes that, by implementing comprehensive reforms and inclusive policies that transcend ethnic boundaries, Kenya can overcome divisive forces and harness its cultural diversity as a driver of sustainable economic development.

The overall conclusion of the study is that the interplay between ethnic identity and economic development in Kenya presents not only challenges but also opportunities for transformative change. By effectively managing cultural diversity through inclusive policies and governance reforms, Kenya can turn her historical divisions into strengths, emphasizing the need for a paradigm shift in policy-making that fosters unity and collaboration among diverse ethnic groups as essential for sustainable economic progress.

Nevertheless, the study departs from previous studies in the sense that; the study is distinct in its critique of pragmatic solutions to ethnic identity and economic development in Kenya. Unlike other research, it highlights the persistent barriers of ethnic divisions despite pragmatic approaches. By emphasizing the complex interplay between historical, cultural, and institutional factors, it advocates for tailored, comprehensive strategies beyond simplistic remedies, hence its originality and, therefore, its contribution towards knowledge production in the domain of economic history generally and economic history of Kenya in particular. Therefore, the dual focus on both socio-political landscape and practical economic policy implications distinguishes this study from earlier works.

6.4 Recommendations

Based on the first specific objective, the study recommends that: the implementation of comprehensive civic education programs is necessary. These programs should be spearheaded by governmental bodies, educational institutions, and civil society organizations. Implementation can be achieved through the development of tailored curriculum modules focused on promoting national unity, inter-ethnic understanding, and conflict resolution skills. Additionally, the use of media platforms and community outreach initiatives can disseminate information effectively.

Based on the second specific objective, the study recommends that; there is need for the establishment of inclusive economic policies in Kenya. These policies should prioritize equitable resource allocation and opportunities for all ethnic groups. Implementation requires collaboration between government institutions, private sector stakeholders, and civil society organizations. It involves conducting comprehensive assessments of existing

economic policies to identify areas of bias or exclusion based on ethnicity. Subsequently, policymakers must formulate and enact new policies that promote inclusivity, fair competition, and equal access to economic resources and opportunities. Additionally, mechanisms for monitoring and evaluating the implementation of these policies should be put in place to ensure accountability and effectiveness. Through inclusive economic policies, Kenya can harness the full potential of its diverse population to drive sustainable economic development.

Based on the third specific objective, the study recommends that, there is need to reform the legal system to promote equality and non-discrimination in Kenya. This entails amending existing laws and regulations to eliminate discriminatory practices based on ethnicity and ensure equal protection under the law for all citizens. Implementation requires collaboration between legislative bodies, government agencies, judiciary institutions, and civil society organizations. Stakeholders should conduct thorough reviews of existing legal frameworks to identify discriminatory provisions and propose amendments or new legislation that upholds principles of equality and non-discrimination. Additionally, public awareness campaigns can be implemented to educate the population about their rights and the importance of non-discriminatory legal policies. It is important to note that, by reforming the legal system, Kenya can create a more inclusive and equitable society that addresses the effects of ethnic identity effectively.

Based on the last specific objective, the study recommends that, there is a need to implement inclusive economic policies that prioritize equitable resource distribution and promote the participation of all ethnic groups in economic activities. This can be

implemented by the Kenyan government in collaboration with relevant stakeholders, including policymakers, community leaders, and civil society organizations. To achieve this, the government can establish programs aimed at providing financial support, technical assistance, and capacity-building initiatives for entrepreneurs and businesses in marginalized ethnic communities.

6.5 Suggestions for Further Research

Based on the first specific objective, the study suggests that there is need to analyze the impact of colonial-era land policies on ethnic identity in Kenya. This is crucial as land ownership and distribution have historically been significant factors contributing to ethnic tensions and divisions in the country.

Based on the second specific objective, the study suggests that; there is need to explore the relationship between ethnic identity and foreign direct investment (FDI) in Kenya since 1963. Investigating how ethnic divisions influence investor confidence and the flow of foreign capital into the country can shed light on the economic implications of ethnic identity on Kenya's development trajectory.

Based on the third specific objective, the study suggests that, future research should be carried out to assess the effectiveness of constitutional reforms in addressing ethnic identity in Kenya. This is important as legal policies and institutional frameworks, particularly those enshrined in the constitution, play a crucial role in managing ethnic diversity and promoting national unity.

Based on the last specific objective, the study suggests that, research should be carried out on evaluating the role of civil society organizations in mitigating ethnic identity and promoting economic development in Kenya since 1963. This is because; civil society plays a vital role in advocating for social cohesion, good governance, and inclusive policies. Investigating the contributions of civil society in addressing ethnic challenges and harnessing opportunities for development can offer valuable lessons for policymakers and stakeholders.

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ORAL SOURCES

S/No	Name	Age in Years	Place Of Interview	Date
1	Abel John Owuor (KII)	50	Ahero, Kisumu	17/11/2023
2	Achiyenza Shikuunzi	54	Khayenga, Kakamega	24/12/2024
3	Agatha Naibei	46	Kapsokwony, Bungoma	17/01/2024
4	Aggrey Wafula	60	Kibabii, Bungoma	28/01/2024
5	Ainea Marachi	59	Khayenga, Kakamega	24/12/2023
6	Ainea Muguni	43	Kapsokwony, Bungoma	17/01/2024
7	Albert Mauti (KII)	67	Suneka Town	12/11/2023
8	Alice Kwamboka	67	Suneka Town	12/11/2023
9	Alice Nyanchoka (KII)	72	Basongo, Kisii Town	12/11/2023
10	Alloys Achieng	46	Siaya Town	14/11/2023
11	Alphas Kisa Minayo	53	Matungu, Kakamega	30/01/2024
12	Ambaka Ouma Ligenga	54	Chemasiri, Busia	16/11/2023
13	Ambrose Kulundu	53	Butere, Kakamega	13/01/2024
14	Amolo Omolo Oloo	50	Awasi, Kisumu	24/01/2024
15	Amos Nyamao	40	Bonchari, Kisii	13/11/2023
16	Amos Wekesa	40	Kisii Town	12/01/2024
17	Angeline Abuwaswa	54	Malava, Kakamega	24/12/2023
18	Angeline Apondi Omolo	71	Ahero, Kisumu	19/01/2024
19	Ann Wepukhulu	40	Kakamega Town	12/11/2024
20	Annet Jepchumba	38	Lumakanda, Kakamega	13/2024
21	Anthony Soita	51	Kapkateny, Bungoma	27/01/2024
22	Arnold Lobon Songol	44	Lumakanda, Kakamega	13/2024
23	Arnold Mbita Omondi	51	Ugunja, Siaya	18/11/2023
24	Asbon Matasi	50	Ugunja, Siaya	18/11/2024
25	Atieno Otieno Christine	70	Awasi, Kisumu	24/01/2024
26	Augustine Wanyama	40	Homa Bay Town	10/01/2024
27	Benard Juma	62	Kimilili, Bungoma	27/01/2024
28	Benard Sebebe	49	Harambee, Mumias	19/01/2024
29	Beryl Atieno Otieno	52	Ugunja, Siaya	18/11/2023
30	Bramuel K Naliakho	50	Sirisia Bungoma	30/01/2024
31	Catherine Saizi	58	Siaya Town	15/11/2023
32	Catherine Wamema	62	Kibabii, Bungoma	28/01/2024

33	Charlse Awuor	49	Buyofu, Busia	10/01/2024
34	Charlse Omboko Okelo	57	Homabay Town Garden	14/11/2023
35	Chris Simiyu	55	Mali Nne, Eldoret	30/01/2024
36	Christine Musole	43	Mbita Stadium	14/11/2023
37	Clare Omanyen	52	Mumias, Kakamega	30/01/2024
38	Cornelius Langweni	54	Butere, Kakamega	13/12/2023
39	Cynthia Wamache		Mumias, Kakamega	20/01/2024
40	Damaris Ayusa Oketch	54	Ugunja, Siaya	18/11/2023
41	Dan Imwana Etyang	49	Kolanya, Busia	10/01/2024
42	Dan Maliatso	40	Mku Center, Eldoret	30/01/2024
43	Dan Odhiambo Oyoo	39	Nyakach, Kisumu	17/11/2023
44	David Butati Obiri	50	Kisumu City	17/11/2023
45	Debora P Wafula	49	Kimilili, Bungoma	27/01/2024
46	Dennis Juma Wafula	43	Mbita Stadium	14/11/2023
47	Diana Achieng Ochieng	49	Musokoto, Busia	16/11/2023
48	Dismus Aluku	60	Musokoto, Busia	06/01/2024
49	Eddah Nyatichi Wasike	63	Kisii Stadium, Kisii	12/11/2023
50	Elias Nyachuti	45	Kenya, Kisii	13/11/2023
51	Elias Opondo Omamo	54	Ukwala, Siaya	18/11/2023
52	Elijah Mwasame	44	Kolanya, Busia	10/01/2024
53	Emmanuel Mayeku	70	Kisumu City	17/01/2024
54	Eric Sifuna Siundu	47	Mayanja, Bungoma	18/01/2024
55	Eric Wasike	45	Chwele, Bungoma	19/01/2023
56	Eric Wetungu	42	Mayanja, Bungoma	18/01/2024
57	Erick Mugaya	63	Suneka Town	12/11/2023
58	Esther Otieno Atieno	57	Kisumu City	17/11/2023
59	Everlyn Kerubo	49	Kisii Town	12/11/2023
60	Fred N. Wonders	40	Changara, Busia	20/12/2023
61	Gentrix Kwema	53	Butere, Kakamega	13/01/2024
62	Geoffrey Khisa	51	Malava, Kakamega	12/01/2024
63	Geoffrey Nimo Naibei	51	Kapsokwony, Bungoma	17/01/2024
64	George Barasa	48	Kendubay Lake Side	13/11/2023
65	Gladys Moraa	72	Basongo, Kisii Town	12/11/2023
66	Godfrey Mathua	54	Koyonzo, Kakamega	20/01/2024
67	Grace Bosobori	70	Suneka Town	12/11/2023
68	Grace Okoth Ochieng	51	Oyugis Peoples Park	13/11/2023
69	Hellen Ajilla	52	Mumias, Kakamega	19/01/2024
70	Hezekia Ochieng	52	Oyugis Peoples Park	13/11/2023
71	Hillary Kiptum Okeyo	47	Farm View, Busia	01/02/2024
72	Ignatious Odindo	35	Ukwala, Siaya	18/11/2023
73	Innocent Ondieki John	62	Kisii Stadium, Kisii	12/11/2023

74	Irene Kones	52	Lumakanda, Kakamega	31/01/2024
75	Irene Kupa Kemei (KII)	45	Kimaeti	19/01/2024
76	Irene Mutoto Onyamasi	49	Mbita Stadium	14/11/2023
77	Isaac Matumbufu	48	Farm View, Busia	01/02/2024
78	Isaac Nyabayo	70	Kisii Town	12/11/2023
79	Jackson Ole Kepue	45	Kisumu City	17/01/2024
80	Jacob Jaber Boiyo	44	Siaya Town	14/11/2023
81	Jacob Kirui	55	Kapsokwony, Bungoma	17/01/2024
82	Jane Collins Khaira	47	Harambee, Mumias	12/11/2023
83	Jane Knight	35	Karen Nairobi	13/11/2023
84	Jane Ochieng Auma	56	Homabay Town Garden	14/11/2023
85	Janefavor Wandera	46	Kisumu City	17/11/2023
86	Janepher Walela	47	Kisumu City	17/11/2023
87	Job Omino Okoth	39	Nyakach, Kisumu	17/11/2023
88	Job Omma Oloo	62	Nambale, Busia	16/11/2023
89	John Kamau Kuria	39	Likuyani, Kakamega	30/01/2024
90	John Oloo Aringo	70	Mbita Town, Homa Bay	13/11/2023
91	John Ouma Ambaka	49	Chemasiri, Busia	16/11/2023
92	Joseleen Langweni (KII)	55	Mumias Kakamega	01/12/2023
93	Joseph Kisombe	54	Malava, Kakamega	24/01/2024
94	Joseph Shisia	45	Harambee, Mimias	19/01/2024
95	Julia Ongenge	46	Koyonzo, Kakamega	20/01/2024
96	Julian Wakhongola (KII)	69	Miluki, Bungoma	18/01/2024
97	Juliet Ilado	45	Kolanya, Busia	10/01/2024
98	Juliet Nyabonyi	44	Suneka, Kisii	12/11/2023
99	Julius Nyabuti	43	Basongo, Kisii Town	13/11/2023
100	Justine Okumbe	47	Koyonzo, Kakamega	20/01/2024
101	Kefa Nyende	54	Kibabii, Bungoma	28/01/2024
102	Kellas Wafula Wanyama	48	Khayega, Kakamega	30/01/2024
103	Kelvin Ochola Omanyoo	55	Farm View, Busia	01/02/2024
104	Ken Nandasaba	68	Mbita Town, Homa Bay	13/11/2023
105	Ken Netia Malala	48	Harambee, Mumias	19/01/2024
106	Kenndy Luketelo (KII)	59	Khayenga, Kakamega	24/12/2023
107	Kennedy Baraza	62	Ugunja, Siaya	27/11/2023
108	Kennedy Cheruiyot	67	Ahero, Kisumu	24/01/2024
109	Kilikinji Wekhanya	74	Miluki Bungoma	12/01/2024

	(KII)			
110	Kundu Sostine B	55	Kapsokwony, Bungoma	17/01/2024
111	Lazarus Okoth	47	Kendubay Lake Side	13/11/2023
112	Lidya Grace Ouma	46	Kisumu City	17/11/2023
113	Lucas Ochieno	45	Matayos Busia	06/01/2024
114	Mabonga Dancun	30	Busia (K)	16/11/2023
115	Margaret Situma	60	Chesamisi, Bungoma	27/01/2024
116	Mary Cosmas (KII)	67	Miluki, Bungoma	18/01/2024
117	Mary Mora Ondieki	46	Bonchari, Kisii	13/11/2023
118	Mary Nachesa Maina	58	Nambale, Busia	16/11/2023
119	Mary Nakhumicha	50	Kitengela Kajiado	09/11/2023
120	Mary Omondi	61	Awasi, Kisumu	24/01/2024
121	Mary Onyango	55	Homa Bay Town Garden	14/11/2023
122	Mason Buyiengo	51	Koyonzo, Kakamega	20/01/2024
123	Matthews Otakamong	51	Kolanya, Busia	10/01/2024
124	Maurice Makhanu	75	Bumula, Bungoma	12/01/2024
125	Mercline Simiyu Tonisio	49	Kimilili, Bungoma	27/01/2024
126	Mercy Nyakerario	70	Mbita Town, Homa Bay	13/11/2023
127	Mercyline Nanjira K	47	Khayega, Kakamega	30/01/2024
128	Metrine Juma Oyoo	47	Musokoto, Busia	16/11/2023
129	Michael Mubhia	43	Changara, Busia	09/01/2024
130	Moses Mulati Onsongo	42	Nyakach, Kisumu	17/11/2023
131	Moses Peter Chesaro (KII)	51	Lumakanda, Kakamega	31/01/2024
132	Mugaka Nyang'au Opiyo	70	Mbita Town, Homa Bay	13/11/2023
133	Musa Mogaya Moseti	40	Kisii Town	12/11/2023
134	Namuma Nanguti (KII)	50	Amagoro, Busia	06/01/2024
135	Nicholas Aswani (KII)	60	Nambale, Busia	27/11/2023
136	Nickson Sakwa	50	Sakwa, Siaya	27/11/2023
137	Nifa Saidi Kadima	45	Mumias, Kakamega	19/01/2024
138	Noah Lutukai	50	Koyonzo, Kakamega	20/01/2024
139	Nyambane Nyabuto Peter	42	Kenyena, Kisii	13/11/2023
140	Ochieng Onyango	39	Muhoroni, Kisumu	24/01/2024
141	Okoth Owino	72	Awasi, Kisumu	24/01/2024
142	Okumbe Owuor Ken	55	Oyugis Peoples Park	13/11/2023
143	Oscar Nabulindo (KII)		Koyonzo, Kakamega	20/01/2024
144	Otieno Jack Oyoo	45	Malakisi, Busia	16/11/2023
145	Patricia Loliso (KII)	40	Bumala, Busia	27/11/2023
146	Patrick Onsando	46	Suneka, Kisii	12/11/2023

147	Paul Dennis Wakoli	62	Chesamisi, Bungoma	27/01/2024
148	Peace Chepchumba	47	Bungoma Town	27/01/2024
149	Peter Allan Kerre	47	Malakisi, Busia	16/11/2023
150	Peter Baraza (KII)	40	Homabay Town	13/11/2023
151	Peter Ilukol Olokol	41	Lumakanda, Kakamega	13/2024
152	Peter Kemei (KII)	50	Kakamega Town	12/11/2023
153	Peter Kinyanjui	39	Likuyani, Kakamega	30/01/2024
154	Peter Maina M	63	Mayanja, Bungoma	18/01/2024
155	Peter Mc Oyoo	49	Kendubay Lake Side	13/11/2023
156	Peter Mogaka	58	Kisii Stadium, Kisii	17/11/2023
157	Philis Onyango Anyango	68	Kendubay Lake Side	13/11/2023
158	Pionia Peter Odhiambo	58	Mbita Stadium	14/11/2023
159	Porus Makori Magori	44	Bonchari, Kisii	13/11/2023
160	Porus Walela (KII)	35	Komora Centre, Eldoret	30/01/2024
161	Preston Wasike	30	Homa Bay	13/11/2023
162	Raila Oucho Okelo	57	Nyalenda, Kisumu	17/11/2023
163	Rhodha Wanyembi	50	Malakisi, Busia	01/02/2024
164	Robert Ekam	51	Changara, Busia	27/11/2023
165	Robert Kimosop (KII)	50	Kakamega	12/11/2023
166	Robert Kioko	40	Nairobi	08/11/2023
167	Rose Omamo	60	Nyalenda, Kisumu	17/11/2023
168	Ruth Tenge Buiyo	51	Kapsokwony, Bungoma	17/01/2024
169	Samison Kunani	60	Chwele, Bungoma	27/01/2024
170	Samson Ouma (KII)	64	Ukwala Town, Siaya	14/11/2023
171	Samuel Odindo	54	Ukwala, Siaya	18/11/2023
172	Samuel Odiwour	47	Muhoroni, Kisumu	24/01/2024
173	Shadrack Oruko	60	Koyonzo, Kakamega	01/12/2023
174	Sheila Nasambu	45	Khayega, Kakamega	30/01/2024
175	Silas Oluoch	48	Muhoroni, Kisumu	24/01/2024
176	Simiyu N. Sharon	28	Kisumu City	17/11/2023
177	Suzzane Mukoya Otieno	46	Mbita Stadium	14/11/2023
178	Taabu Mafimbo	50	Busia Town	15/11/2023
179	Teresia Mutende	52	Malava, Kakamega	22/12/2024
180	Tiberious Donicious Ouko	30	Siaya Town	15/11/2023
181	Titus Kariuki	60	Kimilili, Bungoma	27/01/2024
182	Tom Ondiek Oketch	62	Ukwala Town, Siaya	14/11/2023
183	Vincent Imai Oloo	66	Ukwala Town, Siaya	14/11/2023
184	Wafula Wamunyinyi	55	Kanduyi Bungoma	18/01/2024
185	Wangila Wabomba	53	Malava, Kakamega	10/12/2024

186	Wanyonyi Wamamili	56	Webuye, Bungoma	30/01/2024
187	Wenslaus Oruko	49	Mumias, Kakamega	30/01/2024
188	Wetangula Ryan Barasa	35	Kisii Town	12/11/2024

**FGD with WAA CBO Leaders on 10/1/2024 at Farm View Hotel, Busia (K) on 21st
Jan, 2024**

S/N	NAME	GENDER	AGE	OCCUPATION
1	Charlse Awuor	M		TEACHER
2	Dan Imwana Etyang	M	49	POLITICIAN
3	Elijah Mwasame	M	44	POLITICIAN
4	Matthews Otakamong	M	51	TEACHER
5	Juliet Ilado	F	45	POLITICIAN
5	Erick Sifuna Siundu	M	47	ENGINEER
7	Eric Wetungu	M	42	COMMUNITY SUPPORT
8	Michael Mubhia	M	43	COMMUNITY SUPPORT

Focus Group Discussion of Tachoni Community Professionals Women League

Leaders on 28/12/2024

S/NO	NAME	GENDER	AGE	OCCUPATION
1	Lilian Wamalwa	F	55	Nurse
2	Joseleen Wekesa	F	50	Politician
3	Esther Waluya	F	30	Teacher
4	Lilian Mukhongo	F	40	Business
5	Beldine Chema	F	50	Business
6	Catherine Leba	F	55	Politician
7	Susanne Watta	F	45	Journalist
8	Martin Wetaya	M	30	Teacher
9	Simon Musungu	M	35	Business

FGD with Community Social Welfare Officials (Health Department) at Bosongo Kisii

Town on 12/11/2023

S/N	NAME	GENDER	AGE
1	Everlyn Kerubo	F	42
2	Musa Mogaya Museti	M	40
3	Wetangula Ryan Barasa	M	35
4	Peter Mogaka	M	58
5	Innocent Ondieki John	M	62
5	Eddah Nyatichi Wasike	F	63
7	Isaac Nyabayo Omondi	M	60
8	Julius Nyabuti	M	43

FGD with Community Self Help Group Leaders on Development Held on 13/11/2023
at Mbita Studium

S/N	NAME	GENDER	AGE
1	Pionia Peter Odhiambo	M	58
2	Tom Ondiek Oketch	M	62
3	Samson Ouma	M	46
4	Vincent Imai Oloo	M	66
5	Prestone Wasike	M	35
5	Augustine Wanyama	F	40
7	Peter Baraza	M	40
8	George Barasa	M	48

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APPENDICES

Appendix I: Permit from the Directorate of Post Graduate Studies



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY (MMUST)

Tel: 056-30870
Fax: 056-30153
E-mail: directordps@mmust.ac.ke
Website: www.mmust.ac.ke

P.O Box 190
Kakamega – 50100
Kenya

Directorate of Postgraduate Studies

Ref: MMU/COR: 509099 Date: 6th September 2023

Samuel W. Mukanda
HIS/H/01-70233/2021
P.O. Box 190-50100
KAKAMEGA

Dear Mr. Mukanda

RE: APPROVAL OF PROPOSAL

I am pleased to inform you that the Directorate of Postgraduate Studies has considered and approved your PhD. Proposal entitled: *'Interplay Between Ethnic Fragmentation and Economic Development in Kenya Since 1963.'* and appointed the following as supervisors:

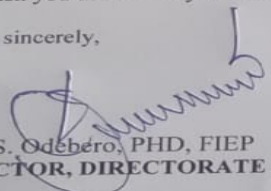
1. Prof. Pontian Godfrey Okoth - MMUST
2. Fr. Dr. Kizito Muchanf Lusambili - KAFUCO

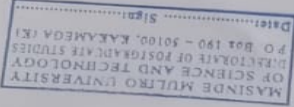
You are required to submit through your supervisor(s) progress reports every three months to the Director of Postgraduate Studies. Such reports should be copied to the following: Chairman, School of Social Arts and Social Sciences Graduate Studies Committee and Chairman, Department of History. Kindly adhere to research ethics consideration in conducting research.

It is the policy and regulations of the University that you observe a deadline of three years from the date of registration to complete your PhD thesis. Do not hesitate to consult this office in case of any problem encountered in the course of your work.

We wish you the best in your research and hope the study will make original contribution to knowledge.

Yours sincerely,


Prof. S. Odebero, PHD, FIEP
DIRECTOR, DIRECTORATE OF POSTGRADUATE STUDIES



Appendix II: Letter of Introduction

Dear Respondent,

My name is Samuel Wafula Mukanda, a student at Masinde Muliro University of Science and Technology (MMUST), Kakamega. Am currently pursuing Doctor of philosophy studies in history. As part of the course requirements, I am doing research on the study topic; **“The Interplay between Ethnic Identity and Economic Freedom in Kenya Since 1963.”** You have been selected to form part of the study. I kindly request that you accept to participate in this study. The information you give will be treated with confidentiality and will be used purely for academic purposes.

Thank you for your cooperation.

Yours faithfully,

Samuel Wafula Mukanda

Masinde Muliro University of Science and Technology.

Appendix III: Consent from the Respondents

Consent form to allow the use of photographs and verbatim from the respondents

I am requesting for your permission to use your photos and verbatims in this study.

If Yes

I.....(Respondents name) allow the use of my
photographs and verbatim in this research/study on this day(Day
and Date).

If No

I.....(Respondents name) do not allow the use of my
photographs and verbatim in this research/study on this day(Day
and Date).

Signature of the Respondent.....

Appendix IV: Interview Question Guide

You have been randomly identified to participate in the study due critical information you have on study under investigation that aims at establishing the extent to which you co-exist as communal members has influenced the level of development in this region. You are kindly requested to answer the following questions as honestly as possible to the best of your knowledge. Do not write your name anywhere and remember there no wrong or correct answer. The answers given will only be used for academic purposes and will be treated with utmost confidentiality. Tick the most appropriate

A: Background Information (Tick against the most appropriate)

- (i) What is your gender? Male() Female()
- (ii) What is your age bracket? Below 25 years (), 25 -50 years (), Above 50 years ()
- (iii) What is your residential status? By birth() Settlement() Professional duties ()
- (iv) For how long have you stayed in this region? (i) 0-5 years () (ii) 6-10 years() 11-15 years() 16-20 year() over 20 years()

SECTION B: EXAMINING THE NATURE, ORIGINS AND DEVELOPMENT OF ETHNIC IDENTITY

1. What factors have contributed to ethnic identity in Kenya since 1963?
2. How has the political system in Kenya influenced ethnic identity?

3. What role has historical ethnic rivalry played in the development of ethnic identity in Kenya?
4. How have economic disparities and resource allocation contributed to ethnic identity in Kenya?
5. What impact did the introduction of multi-party democracy in the 1990s have on ethnic identity in Kenya?

SECTION C: INFLUENCE OF ETHNIC IDENTITY ON ECONOMIC DEVELOPMENT

6. How has ethnic identity impacted economic development in Kenya since gaining independence in 1963?
7. What role has ethnicity played in shaping economic policies and resource allocation in Kenya?
8. How have ethnic divisions affected the distribution of wealth, resources, and opportunities in Kenya?
9. Have there been disparities in economic development and growth across different ethnic groups in Kenya?
10. How has ethnic politics influenced economic decision-making and the formulation of economic policies in Kenya?

SECTION D: THE LEGAL POLICIES AND INSTITUTIONAL

FRAMEWORK IN ADDRESSING EFFECTS OF ETHNIC IDENTITY

11. What legal policies have been implemented in Kenya to address the effects of ethnic identity since 1963?

12. How has the institutional framework in Kenya evolved to address the effects of ethnic identity?
13. What role does the constitution play in addressing the effects of ethnic identity in Kenya?
14. What measures have been taken to promote ethnic inclusivity and equality in Kenya's legal policies?

**SECTION E: THE CHALLENGES AND OPPORTUNITIES IN THE
INTERPLAY BETWEEN ETHNIC IDENTITY AND
ECONOMIC DEVELOPMENT**

15. How has ethnic identity affected economic development in Kenya since 1963?
16. What are the main challenges posed by ethnic identity to achieving sustainable economic growth in Kenya?
17. What role has corruption played in exacerbating the interplay between ethnic identity and economic development in Kenya?
18. How have ethnic disparities in access to resources and economic opportunities hindered inclusive economic development in Kenya?
19. What opportunities have emerged from leveraging ethnic diversity for economic development in Kenya?
20. How has ethnic identity affected infrastructure development and regional economic integration in Kenya?

Appendix V: Permit from NACOSTI

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
Ref No: 498128	Date of Issue: 22/September/2023
RESEARCH LICENSE	
	
This is to Certify that Mr. SAMUEL WAFULA MUKANDA of Masinde Muliro University of Science and Technology, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Bungoma, Busia, Homabay, Kakamega, Kisii, Kisumu, Siaya on the topic: INTERPLAY BETWEEN ETHNIC FRAGMENTATION AND ECONOMIC DEVELOPMENT IN KENYA SINCE 1963 for the period ending : 22/September/2024.	
License No: NACOSTI/P/23/29631	
Applicant Identification Number 498128	Director General NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
NOTE: This is a computer generated License. To verify the authenticity of this document, Scan the QR Code using QR scanner application.	
See overleaf for conditions	
	

Appendix VI: Research Authorization by Governor Homa Bay County



REPUBLIC OF KENYA

OFFICE OF THE GOVERNOR



HOMA BAY COUNTY

Our Ref: HB/CTY/CS/ADMIN/VOL I (62)

P.O Box 469-40300

HOMA BAY

DATE: 9th November, 2023

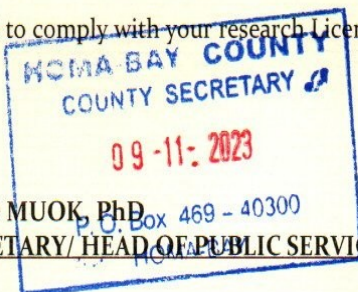
SAMWEL W. MUKANDA,
P.O BOX 1190-50100
KAKAMEGA

RE: PERMISSION TO CONDUCT RESEARCH IN HOMA BAY COUNTY

Reference is hereby made to your letter dated 9th November, 2023 on the above subject matter.

This is to inform you that your request has been approved to conduct research on the **Interplay Between Ethnic Fragmentation and Economic Development in Kenya since 1963** within Homa Bay County, Kenya.

You are expected to comply with your research License conditions.



PROF. BENARD MUOK, PhD
COUNTY SECRETARY/ HEAD OF PUBLIC SERVICE

BM/vo

Appendix VII: Research Authorization by CDE Homabay



REPUBLIC OF KENYA
MINISTRY OF EDUCATION
State Department for Basic Education

Telegrams: "SCHOOLING" Homa Bay
Telephone
When replying please quote
cdehomabay@gmail.com

COUNTY DIRECTOR OF EDUCATION
HOMA BAY COUNTY
P.O BOX 710 - 40300
HOMA BAY

REF: MOE/HBC/CDE/HBC/ADM/11/VOL.III/93

DATE: 9TH NOVEMBER, 2023

MR. SAMUEL WAFULA MUKANDA
NACOSTI /P/23/29631

RE: RESEARCH AUTHORIZATION.

Following your application for authority to carry out research on "**INTERPLAY BETWEEN ETHNIC FRAGMENTATION AND ECONOMIC DEVELOPMENT IN KENYA SINCE 1963**" I am pleased to inform you that you have been authorized to undertake research in Homa Bay County for the period ending **22nd September, 2024.**

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit a copy of the final research report to the County Director of Education Office after completion both the soft copy and hard copy.

Thank you in advance.

W. O. OWITI
FOR: COUNTY DIRECTOR OF EDUCATION
Cc.

COUNTY COMMISSIONER
HOMA BAY COUNTY.

FOR COUNTY DIRECTOR OF EDUCATION
HOMA BAY COUNTY
P.O.BOX 710 - 40300, HOMA BAY.
Email: cdei.omabay@gmail.com



Appendix VIII: Research Authorization by CC Homabay County



**OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
STATE DEPARTMENT FOR INTERNAL SECURITY AND NATIONAL ADMINISTRATION**

Telephone: 22104 or 22105
Email: cc_homabay@yahoo.com
When replying, please quote

COUNTY COMMISSIONER
HOMA-BAY COUNTY
P.O BOX 1 – 40300
HOMABAY

Ref No. EDUC.12/1 VOL VII/171

9th November 2023.

Deputy County Commissioners
HOMA-BAY COUNTY

RE: RESEARCH AUTHORIZATION – MR. SAMWEL WAFULA MUKANDA

The above mentioned person has been authorized to carry out research on **"Interplay between Ethnic fragmentation and economic development in Kenya since 1963"**, in Homa-Bay County, for the period ending **22nd September 2024**.

Kindly accord him the necessary support.


COUNTY COMMISSIONER
P. O. Box 1 – 40300
MOSES K. LIDAN, DGW
COUNTY COMMISSIONER
HOMA-BAY COUNTY

Please note our email address: cc.homabay@interior.go.ke / cc_homabay@yahoo.com

Appendix XIV: Research Authorization by Governor Busia County



REPUBLIC OF KENYA
COUNTY GOVERNMENT OF BUSIA
OFFICE OF THE COUNTY SECRETARY AND HEAD
OF THE COUNTY PUBLIC SERVICE
P.O. PRIVATE BAG – 50400
BUSIA, KENYA



Ref: CG/BSA/CS/CORR.1(57)

Date: 15th November, 2023

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION
MR. SAMUEL WAFULA MUKANDA

Mr. Samuel Wafula Mukanda of ID No. 21088187 is a student at Masinde Muliro University of Science and Technology (MMUST), Kakamega, undertaking post graduate studies.

He has been cleared by the National Commission for Science, Technology and Innovation to conduct the research in partial fulfilment for the award of PhD.

He intends to carry out a post graduate research on the interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963 in Busia County.

The scope of the research will be across all wards in the County.

Kindly accord him the necessary support.

Ahmed Hefow,
Ag. County Secretary,
COUNTY GOVERNMENT OF BUSIA.

Appendix IX: Research Authorization by CC Busia County

Appendix X: Research Authorization by CDE Busia County

REPUBLIC OF KENYA



**OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
State Department for Internal Security and National Administration**

Email: ccbusia@gmail.com

**COUNTY COMMISSIONER'S OFFICE
BUSIA COUNTY
P.O. BOX 14
BUSIA (K)**

When replying please quote

Ref No. ADM 15/27 VOL.I/85

15th November, 2023

All Deputy County Commissioner
BUSIA COUNTY

RE: RESEARCH AUTHORIZATION.

Following research authorization vide Director General National Commission for Science Technology & Innovation (NACOSTI) letter, Ref.No.498128 dated 22nd September, 2023 authorizing research on **"Interplay Between Ethnic Fragmentation and Economic Development in Kenya since 1963"**.

This is to inform you that **Mr. Samuel Wafula Mukanda** has been authorized to carry out research in Busia County for the period ending 22nd September, 2024.

Taabu .O. Mafimbo
For: County Commissioner
BUSIA COUNTY



Copy to:

Mr. Samuel Wafula Mukanda
MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY

Appendix XI: Research Authorization by CC Kakamega

REPUBLIC OF KENYA



**OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
STATE DEPARTMENT FOR INTERNAL SECURITY AND NATIONAL ADMINISTRATION**

Telephone: 056 -31131

Email: cckakamega12@yahoo.com
When replying please quote:

Ref: ED.12/1/VOL.VII/12

County Commissioner
Kakamega County
P O BOX 43 - 50100
KAKAMEGA

Date: 17th October, 2023

Mr. Samuel Wafula Mukanda
Masinde Muliro University of
Science and Technology
P.O Box 190 - 50100
KAKAMEGA

RESEARCH AUTHORIZATION

Following your authorization vide License **Ref: No. NACOSTI/P/23/29631** dated 22nd September, 2023 by **NACOSTI** to undertake research on "*Interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963*" for the period ending 22nd September, 2024. I am pleased to inform you that you have been authorized to carry out the research on the same in this county.

A handwritten signature in blue ink, appearing to read 'P.K. Kemei', with a stylized flourish.

**P.K. KEMEI
FOR: COUNTY COMMISSIONER
KAKAMEGA COUNTY**

cc: All Deputy County Commissioners
KAKAMEGA COUNTY

Appendix XII: Research Authorization by County Government Of Kakamega

REPUBLIC OF KENYA
COUNTY GOVERNMENT OF KAKAMEGA



OFFICE OF THE GOVERNOR
COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE

Telephone: 056-31850/31852/31853
Website: www.kakamega.go.ke
E-mail: countysecretary@kakamega.go.ke

County Government of Kakamega
P.O. Box 36-50100
KAKAMEGA

When replying please Quote
Ref No: CGK/OCS/GEN.CRR./04/VOL.3/113
Date: 17th October, 2023

Samuel W. Mukanda
Masinde Muliro University of Science & Technology
P. O. Box 190-50100
KAKAMEGA

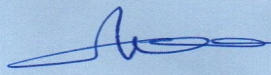
RE: RESEARCH AUTHORIZATION

The above subject matter refers.

Following your authorization letter Ref. No.NACOSTI/P/23/29631 dated 22nd September, 2023 by NACOSTI to undertake research on **"Interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963"** for the period ending 22nd September, 2024, I am pleased to inform you that you have been authorized to carry out the research on the same in Kakamega County.

It is therefore expected that you shall forward a copy of the thesis to this office.

Thank you.

Dr. Lawrence Omuhaka, CBS
County Secretary and Head of Public Service

Copy to: H.E. the Governor

Appendix XIII: Research Authorization by CDE Kakamega County

REPUBLIC OF KENYA



MINISTRY OF EDUCATION
STATE DEPARTMENT FOR BASIC EDUCATION

Telephone:
Fax:
E-mail: wespropde@yahoo.com
When replying please quote our Ref.

County Director of Education
Kakamega County
P. O. BOX 137 - 50100
KAKAMEGA

REF: KAKA/C/GA/29/17/VOL.VI/250

16th October, 2023

MR. SAMUEL WAFULA MUKANDA
MASINDE MULIRO UNIVERSITY
OF SCIENCE & TECHNOLOGY

RE: RESEARCH AUTHORIZATION

Reference is made to a letter from NACOSTI Ref No: NACOSTI/P/23/29631 dated 22nd September, 2023 concerning subject matter.

This is to inform you that you have been authorized to carry out research on **'Interplay between ethnic fragmentation and economic development in Kenya since 1063, Kakamega County'**, for the period ending 22nd September, 2024.

Please accord him/her any necessary assistance he/she may require.

P.P. 
**FOR
COUNTY DIRECTOR OF EDUCATION
KAKAMEGA COUNTY**
HELLEN NYANGAU
COUNTY DIRECTOR OF EDUCATION
KAKAMEGA COUNTY

Copy to:

The Regional Director of Education
WESTERN REGION

Appendix XIV: Research Authorization by Governor Bungoma

COUNTY GOVERNMENT OF BUNGOMA



OFFICE OF THE COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE

Telephone: 0725 393939
E-mail: countysecretary@bungoma.go.ke

Municipal Building
P.O Box 437- 50200
BUNGOMA

Our Ref: CG/BGM/GEN/CS/VOL.II (43)

DATE: 19th October, 2023

Samuel W. Mukanda

RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN THE COUNTY

This is in reference to your letter dated on 18th October, 2023 requesting to carry out a research undertaking, as a PhD student from Masinde Muliro University of Science and Technology.

The research is on "Interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963" for the period ending 22nd September, 2024.

You are hereby granted authority to carry out the research in Bungoma County and the information given should be used for the purpose of this research and not any other business.



Monica S. Fedha

Ag. COUNTY SECRETARY & HEAD OF PUBLIC SERVICE

Appendix XV: Research Authorization by CC Bungoma County

REPUBLIC OF KENYA



THE PRESIDENCY

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

Telephone: 055-30326.

Fax: 055-30326.

E-mail: ccbungoma@yahoo.com

When replying please quote

Ref: ADM.15/13/VOL.IV/70

Office of the County Commissioner

P.O Box 550-50200

BUNGOMA

17th October, 2023

TO ALL DEPUTY COUNTY COMMISSIONERS

BUNGOMA COUNTY

RE: RESEARCH AUTHORIZATION – MR. SAMUEL WAFULA MUKANDA

The bearer of this letter Mr. Samuel Wafula Mukanda of Masinde Muliro University of Science and Technology, has sought authority to carry out research on "**Interplay between ethnic fragmentation and economic development in Kenya since 1963**" for a period ending 22nd September, 2024.

Authority is hereby granted for the specific period and any assistance accorded to him in this pursuit would be highly appreciated.




Christine Wafula
For: County Commissioner
BUNGOMA COUNTY

Appendix XVI: Research Authorization by CDE Bungoma County



REPUBLIC OF KENYA

MINISTRY OF EDUCATION
STATE DEPARTMENT FOR BASIC EDUCATION

When Replying please quote
e-mail: bungomacde@gmail.com

County Director of Education
P.O. Box 1620-50200
BUNGOMA

Ref No: BCE/DE/19/VOL.III/56

Date: 17th October, 2023

TO WHOM IT MAY CONCERN

RE: AUTHORITY TO CARRY OUT RESEARCH

NACOSTI/P/23/29631

This is to confirm that **Samuel Wafula Mukanda** of **Masinde Muliro University of Science and Technology** has been authorized to conduct research on "Interplay between Ethnic Fragmentation and Economic Development in Bungoma County – Kenya since 1963 for the period ending 22nd September 2024.

Kindly accord him the necessary assistance

CHRISTINE OWINO
FOR: COUNTY DIRECTOR OF EDUCATION
BUNGOMA COUNTY

COUNTY DIRECTOR OF EDUCATION
BUNGOMA
P.O. Box 1620,
BUNGOMA - 50200



Appendix XVII: Research Authorization by CDE Kisumu



REPUBLIC OF KENYA

MINISTRY OF EDUCATION State Department for Basic Education

Telegrams: "schooling", Kisumu
Telephone: Kisumu 057 - 2024599
Email: countyeducation.kisumu@gmail.com

COUNTY DIRECTOR OF EDUCATION
KISUMU COUNTY
PROVINCIAL HEADQUARTERS NYANZA
3RD FLOOR
P.O. BOX 575 - 40100
KISUMU

When replying please quote

REF: CDE/KSM/GA/3/24/ VOL.V/153

10th November, 2023

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION - NACOSTI/P/23/29631

This is to confirm that Mr. Samuel Wafula Mukanda of Masinde Muliro University of Science and Technology has been granted authority by NACOSTI under license No. NACOSTI/P/23/29631 to carry out research in Kisumu County, Kenya on the topic *"Interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963"* for the period ending 22nd September, 2024.

Any assistance accorded to him to accomplish the assignment will be highly appreciated.

Thank you.

EVANS O. MOSE
For: COUNTY DIRECTOR OF EDUCATION
KISUMU COUNTY

Appendix XVIII: Research Authorization by CC Kisumu County



OFFICE OF THE PRESIDENT

MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
STATE DEPARTMENT FOR INTERNAL SECURITY AND NATIONAL ADMINISTRATION

Telephone: Kisumu 2022219/Fax: 2022219
Email: ckisumucounty@gmail.com

COUNTY COMMISSIONER
KISUMU COUNTY
P.O. BOX 1912-40100
KISUMU

CC/KC/RES/1/3/VOL.V/93

10th November, 2023

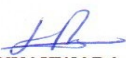
ALL DEPUTY COUNTY COMMISSIONERS
KISUMU COUNTY

RE: RESEARCH AUTHORIZATION – MR. SAMUEL WAFULA MUKANDA

Reference is made to a letter from the National Commission for Science, Technology and Innovation Ref. No. NACOSTI/P/23/29631 dated 22nd September, 2023 on the above subject matter.

The above named is from Masinde Muliro University of Science and Technology. He has been authorized to undertake a research on "*Interplay between Ethnic Fragmentation and Economic Development in Kenya Since 1963*". The research period ends on 22nd November, 2024.

Kindly accord him any assistance that he may need.


R. NYAKWARA
FOR: COUNTY COMMISSIONER
KISUMU COUNTY

Copy: Mr. Samuel Wafula Mukanda
Masinde Muliro University

Appendix XIX: Research Authorization by CC-Siaya

REPUBLIC OF KENYA



THE PRESIDENT MINISTRY OF INTERIOR & NATIONAL ADMINISTRATION

E-Mail cc.siaya@interior.go.ke
When replying please quote ref. & date

COUNTY COMMISSIONER
SIAYA COUNTY
P O Box 83-40600
SIAYA

CC/SC/A.31 VOL.IV/231

15th November, 2023

All Deputy County Commissioners

SIAYA COUNTY

RE: RESEARCH AUTHORIZATION
MR. SAMUEL WAFULA MUKANDA

The person referred to above from Masinde Muliro University of Science and Technology has been authorized by the Director General, National Commission for Science, Technology and Innovation vide letter Ref. no NACOSTI/P/23/29631/498128 dated 22nd September, 2023 to carry out research on "INTERPLAY BETWEEN ETHNIC FRAGMENTATION AND ECONOMIC DEVELOPMENT IN KENYA SINCE 1963.", for the period ending 22nd September, 2024.

The purpose of this letter therefore is to ask that you accord him the necessary support as he carries out research in your Sub County.

KOYIET KALEKE
For: COUNTY COMMISSIONER
SIAYA COUNTY

Copy to: County Director of Education
SIAYA COUNTY

Samuel Wafula Mukanda
MASINDE MULIRO UNIVERSITY

Appendix XX: Research Authorization by Governor Siaya County

COUNTY GOVERNMENT OF SIAYA



OFFICE OF THE COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE

All Correspondence should be addressed to:
The County Secretary
Email: cs@siaya.go.ke
In reply please quote:

Executive Department
P.O. Box 803 - 40600
SIAYA

REF: CGS/OCS/RESEARCH/138/VOL.I (21)

16th November 2023

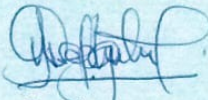
Mr. Samuel Wafula. Mukanda
C/o MMUST – Kakamega
P.O Box 190 -50100
KAKAMEGA

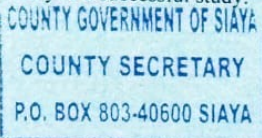
RESEARCH AUTHORISATION

Your letter dated 15th November 2023 on the above subject refers.

This is to inform you that your request to carry out research on “Interplay between Ethnic Fragmentation and Economic Development in Kenya since 1963” in Siaya County has been accepted.

I take this opportunity to wish you a successful study.


Joseph Ogutu
COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE


COUNTY GOVERNMENT OF SIAYA
COUNTY SECRETARY
P.O. BOX 803-40600 SIAYA

Cc:

The Governor

Appendix XXI: Authorization by County Director Education, Siaya



REPUBLIC OF KENYA
MINISTRY OF EDUCATION
State Department for Basic Education

COUNTY DIRECTOR OF EDUCATION
SIAYA COUNTY
P.O. BOX 564

E-mail: cdesiaya2016@gmail.com

MOE/SYA/CDE/URA/I/10/VOL.II/117

SIAYA

Thursday, November 16, 2023

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION:
MR. SAMUEL WAFULA MUKANDA

Reference is made on the above subject.

Authority is granted to research License No. **NACOSTI/P/23/29631** dated 22nd September, 2023 to be used in conducting research in this County for the period ending 22nd September, 2024.

The research title is "*Interplay between Ethnic Fragmentation and Economic Development in Kenya Since 1963.*"

Please accord him
the necessary assistance she may require.

M. Kabaki

LEONARD M. KABAHI
COUNTY DIRECTOR OF EDUCATION
SIAYA COUNTY



Copy to:

Sub County Directors of Education
Siaya County



Appendix XXII: Authorization from Kisii County Governor

COUNTY GOVERNMENT OF KISII

Telephone: +254 709727006,
+254 730184006,
Email: countysecretary@kisii.go.ke
Website: www.kisii.go.ke



Kisii Municipal Building
P.O. Box 4550 – 40200
Kisii, Kenya.

OFFICE OF THE COUNTY SECRETARY & HEAD OF COUNTY PUBLIC SERVICE

Our Ref: KSI/CG/HRM/56/1 VOL.1 (14)

Date: 9th November, 2023

SAMUEL W. MUKANDA
P.O BOX 1190-50100
KAKAMEGA

RE: PERMISSION TO CONDUCT RESEARCH IN KISII COUNTY

Reference is made to your letter dated 9th November, 2023 on the above subject.

This is to inform you that your request has been approved to conduct research on the 'Interplay Between Ethnic Fragmentation and Economic Development in Kenya since 1963' within Kisii County, Kenya.

You are expected to comply with your Research License conditions.

CHRP.CS Deborah K. Momanyi
For: County Secretary & Head of County Public Service
Kisii County Government