

Makers and Breakers of National Unity in Kenya

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Introduction

The Kenyan national anthem, which is a symbol of national unity, emphasizes that if the country dwells in unity, peace, and liberty it can generate plenty of resources within its borders to drive desired development. The pressing threats of disunity and high levels of discontentment cause citizens to mistrust public institutions, fail to participate in democratic processes, shy away from participating in public matters or projects, fail to uphold the rule of law, avoid holding public leaders to account, fail to coexist peacefully, engage in bribery and corruption, and fail to advocate for their rights, among others.

Kenya has experienced threats to national unity through previous occurrences such as the post-election violence of 2007 where approximately 1,200 people died and an additional 650,000 people were displaced from their homes; ethnic clashes mostly among pastoral communities; corruption in both public and private sector; mismanagement of public resources; discrimination in employment, among others. The government is committed to national cohesion and integration through the 17 national values and principles to achieve the desired development of the Kenya Vision 2030. These national values are therefore well structured to promote patriotism, improve governance, promote adherence to the rule of law, avoid all forms of discrimination, and attain sustainable development.

There is no doubt that every time the country stays united, it has always stood out to be recognized and every time it stays divided it falls to regrettable depths. This is well highlighted by the unity always experienced during sporting activities, such as sportsmen and women breaking world records in athletics, rugby, swimming, football, and boxing among other sports while playing against other countries, or Kenyan citizens winning high accolades worldwide. These kinds of acts bring the citizens together. A different picture is painted every time the country holds general elections, whenever there are cases of tribal discrimination, whenever there are increased cases of ethnic conflicts, and whenever there is budgetary mismanagement due to minimal public participation in national and county governments.

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Elections

Electioneering years in Kenya have not always been desirable to all actors. During these periods, some opportunistic political leaders seem to take advantage of the electorate, mainly due to illiteracy, poverty, and ignorance, to cause ethnic and class divisions; there are increased cases of hate speech; independent institutions fail to conduct voter sensitization; and the citizens fail to exercise their rights. Every election period is followed by a push for national unity or reconciliatory activities and messages because of the extreme polarity of the nature of the country's elections. Reconciliation is a good thing and should be encouraged. That it occurs every time the country has a polarized general election is also a sign of a delicately united country.

Kenya experienced the worst post-election violence after the 2007 general election, indicating that ethnic tensions had not been addressed for a long time. The two subsequent general elections have seen a reduction in cases of post-election violence, but the problem has shifted to mistrust in independent bodies as indicated by low voter turnouts (85% in 2013 to 65% in 2022) by the electorate, and high cases of voter bribery by politicians. For these reasons, The National Cohesion and Integration Commission (NCIC) was created through The National Cohesion and Integration Act with the mandate to curb discrimination, ensure peaceful coexistence, and end hate speech.

Cultures

Kenya has over 42 tribes where different cultures exist, coexist, and enjoy common benefits as "Kenyans". That is the strength of patriotism. The different tribes should not be a source of difference but an opportunity to diversify and prosper as envisaged in the national anthem. There has been public outcry of a few tribes dominating government jobs and opportunities. As a way of fostering national unity, the government has put in place initiatives to ensure that the tribe diversity issue does not become a source of division. For instance, there is a directive to ensure regional, tribal, and gender balance during employment and appointment in public positions.

Public participation

Effective public participation is a choice of unity by citizens through united efforts in developing local programmes and projects. Before the 2010 constitution, Kenyans only participated in governance matters through elected members of parliament. The 2010 constitution made it mandatory for legislative and public policy-making institutions to conduct direct public participation.

The emerging gap is that there is no clear direction on what entails effective public participation after courts declare many policies and legislations unconstitutional for not carrying out public participation. This has led many public institutions to seek litigation and more interpretation on what entails correct or effective public participation. The government has an obligation to encourage public participation in governance and policy matters as highlighted in the constitution, both at the National and County governments.

Ethnicity

Ethnic suspicions and ethnic conflicts have been complex problems for a long time in Kenya. This is mainly driven by inequalities, low education attainment, perseverance of national calamities such as drought, and sharing of grazing land for pastoral communities. Violence between pastoral communities and other communities in parts of Kenya is mostly triggered by the movement of herdsman from drought-hit regions to privately owned estates looking for grazing lands for their cattle. The government has made efforts to curb conflicts through the National Cohesion and Integration Commission (NCIC), together with development partners such as the UN Women in training women and youths on how to manage and mitigate conflicts in their localities.

Devolution

Devolution aims to bring government services close to the people. Despite most counties having legislation on public participation, they are still weak in operationalizing them and allocating enough budget for the public participation. High levels of corruption and low skills capacity in counties have contributed to low public participation in policy making.

Recommendations

- (i) To curb hate speech and its negative effects on society, the National Commission and Integration Commission (NCIC) has engaged in training and

sensitization workshops for the judiciary, police force and the media. There is need to step up sensitization and training programmes by the National Cohesion and Integration Commission (NCIC) to members of the public, the judiciary, the police force, and the media, among other players, on how they can handle matters of hate speech in the country. The sensitizations and training can be carried out regularly through the mainstream media, social media and grassroots mobilizations through the ward and village administrators. There is also need to conduct these sensitizations and training in local languages as a way of reaching out to the wider Kenyan community in the rural areas.

- (ii) Kenya's ethnic and cultural differences offer the country an opportunity to diversify and prosper. It is critical to have a multi-pronged approach in the quest for attaining a cohesive and integrated society to bring together and push for peaceful coexistence among all ethnic communities. It would be better to bring the rival communities fighting over grazing lands and to come up with a common solution for all. There is need to empower these communities, pastoral, and economically by providing them with alternative sources of livelihood such as agriculture. Promoting education and training among the conflicting communities is one way of empowering the communities and exposing them to more economic options. Education will also help these communities to understand the importance of peaceful coexistence.
- (iii) Developing sustainable mechanisms and building skills capacity for public participation is critical. This is in the spirit of making the people to be part of governance affairs.
- (iv) The National and County governments will need to enhance ongoing efforts to curb conflicts through the National Cohesion and Integration Commission (NCIC) together with development partners in training women and the youth on how to manage and mitigate conflicts in their localities.
- (v) There is a need to train county officers on effective budget planning and implementation to fulfil the delivery of the 14 devolved functions under the Constitution.

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KIPPRA Policy Briefs are aimed at a wide dissemination of the Institute's policy research findings. The findings are expected to stimulate discussion and also build capacity in the public policy making process in Kenya.

KIPPRA acknowledges generous support from the Government of Kenya and other partners who have continued to support the Institute's activities over the years.

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