Nairobi Burning

Kenya´s post-election violence from the
perspective of the urban poor

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Summary

In the aftermath of the elections held in December of 2007, Kenya burst into flames. For nearly three months, the country was unsettled by a wave of ethno-political violence. This period of post-election violence saw more than a thousand Kenyans killed and between 300,000 and 500,000 internally displaced. Among the areas most heavily hit was the capital city of Nairobi. Within Kenya's political heart, the bulk of the violence took place in the slums. Life there was massively constrained by violent confrontations between followers of Raila Odinga – leader of the oppositional Orange Democratic Movement (ODM) – and the police forces associated with the incumbent regime of President Mwai Kibaki and his Party for National Unity (PNU). At the same time, members of Kibaki's ethnic community, the Kikuyu, were selectively targeted by opposing groups. When fellow Kikuyu retaliated in the name of their peers, the flames of violence were fuelled even further. The PNU-ODM coalition government formed by President Kibaki and his challenger Odinga, in an attempt to end the violence at the end of February of 2008, has held until today. The next elections are scheduled for 2012,[1] and they are already casting their foreboding shadow; as Kenya's political elites are rather infamous for playing the ethnic card during election times. Based on this background and the fact that Kenya is up in arms over the summoning of six leaders to Den Haag for crimes against humanity, this report attempts to shed new light on the divisive characteristics and dynamics present during the fatal period of violence in Nairobi. By shifting our viewpoint to the perspective of Kenya's urban poor, the report generates empirical insights about the urban characteristics and dynamics that featured during the Kenyan post-election violence in Nairobi. Based on these insights, the message(s) inherent in the violence are then deciphered and extensive policy advice made. The latter includes political measures that should be the target of lobbying efforts in an effort to avoid another surge of violence prior to and following the 2012 elections, and, furthermore, detailed advice concerning the deployment and conduct of riot control units if violence should erupt again – including advice about which actions should be avoided by all means.

The report is based on two theoretically derived assumptions: Firstly, the Kenyan post-election violence was not a random phenomenon. It featured certain temporal, spatial as well as violent-specific characteristics that can be identified and explained. Secondly, just like other waves of ethnic violence, the Kenyan post-election violence is significant beyond the intentional infliction of pain on ethnic others. The totality of the violent acts committed not only reveals the broader picture but also hints at a more nuanced message

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1 President Mwai Kibaki's second term and the legislative period of the current parliament will come to an end before or on December 31, 2012. Kenya's new constitution, promulgated on August 27, 2010, provides that elections for these two as well as the newly established bodies of government (the Senate, county assemblies and county governors) shall be held after the dissolution of the National Assembly at the end of its term, or given that the PNU-ODM coalition government that is currently in power is dissolved before 2012. While August of 2012 has been discussed as a potential month for conducting the first round of the presidential elections (and Kenya's High Court having thrown March of 2013 into the ring), the current state of affairs still suggests that comprehensive elections will be held in December of 2012 (see Shiundu 2011; Atwoli 2011; KLR 2010: Transitional and consequential provisions, part 3, § 9).

that can be decoded through structured analysis. Given that every message preconditions a sender, this report presents its analysis of the Kenyan post-election violence from the perspective of Nairobi's urban poor. Their perspective has been explored on the basis of first-hand data gathered by the author among a selected group of informants in the Nairobi slums of Kibera and Mathare. For the sake of applicability beyond the locally dominant perceptions, these findings were subsequently triangulated with more general information about the respective issues, derived from a wide array of available secondary data sources. The resulting account of post-election violence in Kenya's urban political heart comprises a wealth of insights with relevance for the micro and macro levels. With rhetorical reference to a locally famous photo exhibition titled 'Kenya burning', the chapter 'Kenya on fire' presents the Kenyan political setting, introduces the main ethno-political alliances competing at the polls, gives a condensed historical account of the post-election violence, and discusses the pre-election atmosphere with emphasis on the role of the opinion polls and the disputed concept of Majimboism. Following this, Nairobi and its slums are introduced. The analytical section of the report has two parts; the first, titled 'Nairobi burning', sheds empirical light on the divisive characteristics of violence in Nairobi in order to show how violence unfolded in the city. The second part, titled 'Fuelling the flames', investigates the dynamics of violence in Nairobi to enhance our understanding of why the post-election violence unfolded as it did.

'Nairobi burning' begins with a visualization of the temporal pattern of violence in the city. It retraces the changes in intensity of urban violence over a span of time, beginning with the pre-election period and then focuses on the violent post-election period. Subsequently, the content and function of rumours circulating in the slums is elaborated upon. The period of deadly quiet following Election Day on the 27th of December, 2007 is then investigated. Following an analysis of the characteristics of violence which subsequently erupted, the temporal pattern ends with an account of the sudden end to the violence on the 28th of February, 2008. The spatial analysis observes that violence was overwhelmingly confined to Nairobi's slums. Events in Mathare Valley and Kibera are put under close scrutiny, revealing and visualizing various individual and group related patterns of movement. Dominant among these patterns is the forceful creation of ethnically homogenous zones within the slums. The witnessed emergence of these zones, as it turns out, is closely related to the characteristics of violence in Nairobi. The analysis of the latter not only reveals various dominant types of violence against people and property, but also elaborates on the implications associated with these various sorts of violence, such as sexual mutilation or rent-related violence. What becomes clear is that in Nairobi, the primarily politically driven post-election violence quickly evolved into an all-consuming amalgam of ethnic, political, and instrumentally motivated acts of individual and group violence.

'Fuelling the fire' sheds light on the simultaneity of group-level hostility and individual amity among slum-dwellers and explains how the former came to override the latter. It demonstrates why the opposition supporting slum-dwellers jointly focused on 'the Kikuyu' as the initial target group, thereby ignoring other potential targets such as 'the rich' or 'the regime.' Subsequently, the various ways by which individuals were targeted in the midst of violence are elaborated on and risk aversion strategies presented. Following this, the dominant justifications for violence are presented. They show that political and mate-

rial motives outweighed ethnic considerations; despite the fact that casualties among the latter dimension are, more or less, willingly accepted. An analysis of the social environment reveals that during the period of violence, the words and actions of Kenya's top politicians massively gained in importance for the slum-dwellers – regardless of the ends or uses of these authoritative powers. Lastly, the perceived composition of perpetrator groups is investigated, and the highly ambivalent role of neighbourhood watch groups, youth groups, and 'shadowy' gangs explored.

A structured analysis of the dynamics that fuelled the fires of violence in Nairobi reveals not one but two messages inscribed in the violence. The first refers to the initial character of anti-Kikuyu violence. This should be understood in the context of the violently enforced isolation of the slums, whose marginalized inhabitants were literally barred from reaching the main stage of politics in Nairobi's city centre. By victimizing their ethnically different neighbours, the opposition supporting slum-dwellers sent a bloody message to Kenya's perceived Kikuyu-dominated elite. They aimed to teach the opposition a lesson by punishing its people for betraying Odinga and for the decades of dishonour and degradation that they felt they had endured. This message was, however, not the only one: By identifying traces of commonalities among the slum-dwellers and lasting bonds of individual friendship beyond inter-group boundaries, a second message inscribed in the violence is also revealed. It emanated from the slums towards Kenya's wider society and resembled a joint outcry for democratic inclusion and socio-economic improvement, taking violent forms since other channels for making their voices heard were barred. This has to be understood in the context of the weak performance of politics in Kenya, suggesting that its political leaders do not necessarily perceive themselves as having a stake in their multi-ethnic nation's joint future.

Given that potentials for peaceful inter-ethnic cooperation do still exist for the marginalized have-nots, this report concludes that the maintenance of peace in Kenya ultimately requires that those political leaders who intend to run in 2012 act beyond the narrow margins of political tribalism. In view of the importance that the urban poor assign to symbolic gestures from their top politicians, a truly inter-ethnic alliance needs to be formed publicly in the run-up to the 2012 elections. This alliance must include the main antagonized groups, i.e. the Kikuyu and the Luo, while at the same time abstaining from alienating their poor and marginalized ethnic peers in the slums, as well as those Kenyans who associate themselves with (formerly) allied ethnic communities such as the Kalenjin. To lobby in favour of the creation of such a top-level inter-ethnic political alliance should be the priority of domestic as well as international actors. Kenya's political elites have already proven that they are able to unite under a common banner and act in the interest of their ethnically diverse country, not least during the joint and peaceful ousting of long-term dictator President Daniel Arap Moi in 2002 and the peaceful implementation of a constitutional referendum held in 2010. In this spirit, Kenya's civil society, along with the international community, should continue to remind the country's politicians that their primary tasks should be to prepare the groundwork for mid-term political inclusion and socio-economic improvement of their ethnically diverse electorates. Kenya is among the few African countries whose legal system does not allow for the banning of political parties with particularistic agendas. This should be changed by introducing regu-

lations and policies that aim at de facto limitation on the influence of political parties that primarily function as vehicles to power for leaders who appeal exclusively to members of specific ethnic communities while alienating others.

In regards to the micro level, the report draws several conclusions about how urban crowd control should be conducted during the next elections – and which measures must be avoided by all means possible, such as repressive police tactics that include the violent cordoning off of the slums from the rest of Nairobi and the excessive use of lethal force. The negative effects of such tactics cannot be overstated. If the use of repressive force to quell large-scale acts of riot violence is necessary nonetheless, research on past riots tells us that the army should be rapidly deployed, as indiscriminate shows of force during the early stages of violence seem to deter rioters. This fact does not, however, imply that violent force should be freely unleashed – far from it! As the memorable example of one responsible paramilitary anti-riot leader reminds us, appeasing rioting mobs through well-meant words is certainly a viable strategy – especially if backed with a credible threat of force. Any excessive use of regime-directed violence against the masses of primarily political demonstrators would be highly counter-productive, and would only fuel the spiral of violence. This explicitly applies to the (rather likely) event that political protests by Kenya's poor will be accompanied by instrumental acts of violence such as looting or arson. Beyond that, utmost care needs to be taken in order to ensure that Kenya's impoverished urban (and rural) areas are continuously supplied with necessary provisions (such as mobile phone credits) and, most importantly, affordable groceries and foodstuffs. In Nairobi, this means that safe supply corridors must be kept open at all times, allowing the urban poor to provide for themselves and their families.

Well-meaning members of the international community also have a role to play in preparing the groundwork for Kenya's next elections, not least by lobbing in favour of political alliance-building at the macro level and demonstrating restraint and responsive behaviour at the micro level. In the end – regardless of the fate of the (in)famous 'Ocambo six' at Den Haag – Kenya's fate is in the hands of its political elites. Its future – in unity or conflict – depends on the very words and actions they promote publicly and on how these are perceived by their impoverished electorates in their ethnically diverse urban and rural electoral districts. As an anonymous informant put it in reference to his fellow slum-dwellers; "when they join their hearts, you cannot stop them".

Contents

1. Introduction

For decades, Kenya had been considered one of East Africa's few bastions of peace. Despite serious societal tensions and sporadic flare-ups of violence, the ethnically fragmented country had managed to avoid large-scale bloodshed. Nonetheless, in the aftermath of the elections held in December of 2007, Kenya burst into flames. For two months, the country was unsettled by a wave of heavy ethno-political violence, claiming more than one thousand lives and forcing between 300,000 and 500,000 Kenyans to flee their homes, most of them being internally displaced in rural areas such as the Rift Valley Province. Kenya's capital city of Nairobi was among the urban areas which were most heavily hit by the so-called 'post-election violence'[2]. In Nairobi, the bulk of the violence took place in the city's vast impoverished areas. Violent confrontations broke out between supporters of Raila Odinga, the leader of the oppositional Orange Democratic Movement (ODM), and the police forces associated with the incumbent regime of President Mwai Kibaki and his Party for National Unity (PNU) in the slums and along their boundaries. At the same time, members of the President's ethnic community, the Kikuyu, were selectively targeted. When fellow Kikuyu members retaliated for the sake of their group (e.g. by carrying out acts of violence against members of Odinga's ethnic community, the Luo, or when they perceived retaliation to be imminent) the flames of inter-ethnic violence in the city were fuelled even further. Inter-ethnic peace was finally restored at the end of February 2008, following massive diplomatic intervention and international mediation efforts under the supervision of African Elder Kofi Annan. Ever since, a grand coalition government lead by President Mwai Kibaki (PNU) and Prime Minister Raila Odinga (ODM) has been pulling the country's political strings. Much like Kenya's fragile peace, it has managed to remain intact to this day despite serious political face-offs and a general lack of effective societal and legal efforts of coming to terms with the past.

1.2 Research interest

With the 2012 elections looming ominously on the horizon, and with Kenya's political class once again up in arms over the summoning of six leaders to Den Haag for crimes against humanity[3], this report attempts to shed renewed light on the divisive characteristics and dynamics that featured during the fatal period of post-election violence. It does so based on two theoretically substantiated assumptions: Firstly, violence in Kenya in general and in Nairobi in particular was not a random phenomenon. It featured certain identifiable temporal, spatial as well as violent-specific characteristics. The same applies to the divisive dynamics that produced these characteristics in the first place, which can also be identified

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2   In line with the common usage of the term in Kenya and in accordance with the definition of the Commission of Inquiry on Post Election Violence (Waki 2008), the period referred to in this report as 'post-election violence' begins on the 27th of December, 2007 (Election Day), covering the outbreak of violence on December 30/31, and ending on the 28th of February, 2008 when peace was finally restored.

3   In December 2010, the International Criminal Court (ICC) Prosecutor Luis Moreno-Ocampo released the names of six prominent Kenyans, who were summoned to Den Hague in March of 2011 on charges of massive crimes committed during the post-election violence in Kenya (see ICC 2010).

and explained. This is carried out for the sake of generating conclusions about measures that should be taken in order to avoid repeated violence in 2012 – and, likewise, which actions must be avoided by all means possible. Secondly, just like other waves of ethnic riot violence, the Kenyan post-election violence carries significance beyond intentional infliction of pain on ethnic others. Those who engaged in violent confrontations with police forces and those who launched bloody attacks on their ethnically different neighbours in Nairobi's slums might have acted spontaneously. However, the totality of the violent acts committed reveals a larger picture. Substantiated knowledge on ethnic riots tells us that this broader picture of the post-election violence carries a message that can be decoded through structured analysis. With the aim of learning from the past by listening to those who engaged in acts of violence and those who endured the bulk of its gruesome consequences, this report supports the aforementioned idea. By retracing and explaining the divisive dynamics of violence in Nairobi, the report seeks to identify and decipher the message(s) conveyed through violence in Kenya's urban heart of politics.

1.3 Nairobi's slum-dwellers

Given that every message predicates the existence of a sender, this report does not aim to offer an objective analysis from the perspective of an outside observer. Instead, the characteristics and dynamics of violence are retraced from the shared perspective of Nairobi's slum-dwellers. This decision was deliberate: Nairobi is Kenya's political heart and economic powerhouse; it is the undisputed urban stage upon which Kenya's socio-economic and political elites carry out their disputes. In Nairobi, political intrigues are woven, and power struggles won and lost. Nairobi is an urban conglomeration of about 6 million inhabitants with an infrastructure dating back to the early 1970s, made to shelter about 300,000. Like most post-colonial African cities, Nairobi is currently highly segregated with about half of its total population living in the slums, which account for only about 10% of the city's territory. During the post-election violence, the bulk of the hostilities took place in the slums. Nairobi's marginalized poor were also most affected by violence, as they accounted for the masses of enraged Kenyans who (allegedly) engaged in political, ethnic, and instrumental (i.e. economically motivated) acts of violence. The fatal interplay of their actions, supported by hundreds of thousands of bystanders, who associated themselves with the deeds of their ethnic peers, became a decisive weight in the ongoing political power struggle.

In order to elaborate on the slum-dwellers' shared perspective, presented throughout this report, the author has conducted extensive field research in the slums of Nairobi, primarily among selected groups of mostly young male slum-dwellers in Kibera and Mathare, Nairobi's largest and most (in-)famous slums.[4] In an attempt to go beyond the locally

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4   The groups were politically and ethnically diverse and comprised of between seven and twenty members. The selected groups did not know each other. Most informants associated themselves with the main ethno-political alliances introduced below. In order to gain insights into their life-worlds and elaborate on their narratives of the past period of violence, along with its material and immaterial local legacies, I stayed with them for several months in 2009.

dominant perceptions by the interviewees and to provide for a sound empirical basis, a vast array of additional data sources have subsequently been incorporated into the analysis. All of this data broaches issues that relate in one way or another to the unfolding of Kenya's post-election violence in Nairobi. The secondary data sources include many sorts of available publications and reports and, not least, the full scope of newspaper coverage of the period of violence as archived by Kenya's two main papers *The Standard* and *The Nation*.[5]

1.4 Conceptual remarks

This report seeks to identify the messages conveyed through violence in Nairobi. It does so following Donald L. Horowitz's (2001: 2) notion that "like the willingness to die for a cause, the willingness to kill for a cause constitutes a kind of statement about the cause, the killer, the victim, and the act of killing." According to Horowitz, this 'kind of statement', the riot message, is inscribed in the patterns of violence and is mirrored in its often devastating consequences. Drawing from the impressive amount of knowledge that Horowitz presents in his central works on ethnic riot violence (in particular Horowitz 2001; see also 2000), the report assumes that the riot message can be decoded analytically by, first, identifying the central characteristics of riot violence, and, second, by retracing the divisive dynamics that contributed to the specific means of riot violence. The three central characteristics singled out for analysis cover temporal as well as spatial patterns of violence and the characteristics of violence.[6] Beyond that, the analysis utilizes five analytical elements, crucial in deciphering the divisive dynamics of violence. These elements are: inter-ethnic polarization; inter-ethnic hostility and targeting; justifications for violence; the supportive social environment; and the role of participants, perpetrators and bystanders in acts of violence.[7]

Access to the groups was gained using snowballing techniques. These were of course constrained by the practical challenges that go along with any research project conducted in (urban) areas of limited statehood. The selection process took into account the fact that urban male youths are a high-risk group most prone to engage in criminal acts and/or violent unrest (UN-Habitat 2007: 70f; Small Arms Survey 2007: 161), and in awareness of the fact that available reports and publications indicate that young males had been the main group of participants in acts of post-election violence throughout Kenya.

To give the reader some insight into this study's empirical data, the informants' pseudonyms (followed by their slums and the position of the relevant information in the transcripts) are referenced throughout the analysis. Readers interested in accessing the material are asked to directly contact the author.

5   Both are nation-wide published daily papers with the first one being said to be siding slightly more with the opposition and the later being somehow pro-government (compare for example KNCHR 2006a).

6   For the temporal pattern of violence see Horowitz (2001: 71ff, 75, 89, 269, 271, 317, 318, 373, 411, 524), concerning the spatial pattern of violence see Horowitz (2001: 382ff, 390, 394, 397, 401, 403ff, 407). Regarding the characteristics of violence see Horowitz (2001: xiii, 1, also 53ff).

7   Concerning inter-ethnic polarization see Horowitz (2001: 150, 385, 525-529, 543), more specifically for occasions where violence is triggered by divisive elections see Horowitz (2001: 296, 299ff, 305). Regarding inter-ethnic hostility and individual targeting see Horowitz (2001: 124, 129ff, 150, 194, 197, 423, 525). For justifications of ethnic violence see Horowitz (2001: 367ff, 371, 525). For the supportive social environment see Horowitz (2001: 344, 347, 348, 352, 355, 357-364). Concerning participants, perpetrators and by-standers see Horowitz (2001: 73, 527, 535, 543).

1.5   Procedure

Throughout this report the metaphor 'Nairobi burning' is utilized. It serves to structure the introductory chapter, as well as the analytical ones and the conclusions. The metaphor refers to a collection of over one hundred powerful photographic images captured during the pre- and post-election period in Kenya, which were publicly displayed under the title 'Kenya burning' by the GoDown Arts Centre in Nairobi, just a couple of months after the flames of inter-ethnic violence had gone out countrywide.[8] This introduction is followed by a descriptive chapter titled 'Kenya on fire' (chap. 2). It provides the reader with a brief introduction to Kenya's political setting, the main ethno-political actors competing at the polls, and a countrywide account of how Kenya erupted into flames following the 31st December, 2007. On account of their importance for the analysis to follow, the principal campaign issues along with the heavily disputed concept of *Majimboism* are thereafter presented and discussed. Last but not least, an introduction to Nairobi and its slums is given. The ensuing analysis of the post-election violence from the slum-dwellers' joint perspective is divided into two parts. The first part – titled 'Nairobi burning' (chap. 3) – sheds empirical light on the divisive characteristics of post-election violence in Nairobi, with the goal of ascertaining *how* violence unfolded in the city. This is done, firstly, by reconstructing the temporal patterns of violence in Nairobi (chap.3.1), secondly, by re-tracing the spatial patterns of violence in the slums and along their boundaries (chap.3.2), and, thirdly, by identifying the dominant sorts of violence the slum-dwellers were confronted with during the post-election violence (chap.3.3).

The second part of the analysis is titled 'Fuelling the flames' (chap. 4). It first assesses five analytical elements, putting them under empirical scrutiny in order to enhance our understanding of *why* the wave of ethno-political violence in Nairobi unfolded as it did, commencing with an exploration of the character of inter-ethnic polarization among the slum-dwellers (chap 4.1). Second, the focus of group hatred specifically on the Kikuyu as well as on the processes that accompanied individual targeting and/or victimization is assessed (chap. 4.2). Third, the dominant justifications for violence are explored (chap. 4.3), and, fourth, the supportive role of certain parts of the social environment are discussed (chap.4.4). Lastly, light is shed on the perceived compositions and ambivalent roles of the main groups of perpetrators, supporters and bystanders related to acts of violence (chap.4.5).

The study ends with the identification of two messages conveyed through the violence (chap. 5). Supported by an analysis of the characteristics and dynamics of violence in Kenya's urban heart of politics (chap. 5.1), these messages provide for a basis upon which substantiated policy advice aimed at preventing future flare-ups of violence is developed (chap. 5.2).

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8   Later on, the exhibition was shown in other parts of Kenya and the images were compiled in a popular publication with the same title. See further: www.thegodownartscentre.com/kenya-burning/ (12.10.2011).

2.   Kenya on fire

Kenya is a severely divided society, characterised by enormous gaps between rich and poor, rural and urban. All layers of Kenyan society have been skewed along ethnic lines for decades. Empowerment and redistribution policies are largely absent and corruption runs rampant.[9] Since Kenya's independence in 1964, political tribalism has almost always triumphed over moral ethnicity (Klopp 2002; Orvis 2001; Omolo 2002). Nevertheless, it has only been since the opening of the regime to multi-party politics in the early 1990s that violent inter-ethnic clashes have periodically dominated the country's political agenda (Ajulu 2002 and 2003; EU EOM 2003 and 2008). Spurred by democratic competition, Kenya's elites have increasingly played the ethnic card in their zero-sum games for personal wealth and power – the (bloody) consequences of which reach a crescendo around election dates.[10] Apart from election times however, inter-ethnic clashes among Kenyans have been limited to remote rural areas (KNCHR 2006b; KEC-CJPC 2007: 58-60).

As in previous elections, the main parties competing in the 2007 elections were tribal alliances with nominated key politicians personally representing their ethnic group.[11] The underlying congruency of ethnic identity and political party in Kenya was once again confirmed on Election Day when the electorates voted almost entirely along ethnic lines (Mutua 2008: 237ff; Gibson/Long 2008; Taibl 2009). The main ethnic groups, their political parties and its leaders vying for power at the polls in December of 2007 were:[12]

- The *Kikuyu*, *Embu* and *Meru.* They were politically represented by the Party for National Unity (PNU) and led by President Mwai Kibaki, an ethnic Kikuyu.
- The *Luo*, *Luhya*, and *Kalenjin* and several other communities (among these many *Kisii* and *Maasai*). They were politically represented by the Orange Democratic Movement (ODM) and led by the presidential aspirant Raila Odinga, an ethnic Luo.

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9   Kenya is ranked 154th out of 178 states in Transparency International's (2010) recent corruption perceptions index. About 50% of all Kenyans live below the poverty line; the country's Gini coefficient was estimated to be 42.5 in 2008. Regarding the degree of inequality in the distribution of family income, Kenya is ranked 53rd in the world. With a population of about 37 million, the people of Kenya are divided into approximately 42 ethnic groups spread over a territory of 580,000 km².
The most populous ethnic groups are the Kikuyu (between 22% and 30%), the Luo (13%), the Luhya (14%), the Kalenjin (12%), the Kamba (11%), the Kisii (6%), and the Meru (6%). Note that all figures are estimates and vary considerably depending on literature, here derived from CIA (2011) and Sellier (2008: 172).

10   See Mutua (2008); KNCHR (2006a; 2007; 2008a); HRW (2008); Wong (2009); FES (2001).

11   For a well-written account of the post-election violence which provides for background information on (ethnicised) politics of regionalism in Kenya, see Lafargue & Katumanga (2008).

12   The remaining main ethnic group, the Kamba, was represented by the political party ODM-K, led by the tribal baron Kalonzo Musyoka. Musyoka won a paramount electoral victory in Eastern Province (considered to be the home of the Kamba people) but could not gain any serious support elsewhere in the country. After the president was announced, Musyoka left the opposition and became Vice-President in Kibaki's newly forged government.

2.1   A brief historical account

On the 27th December, 2007, Kenyans went to the polls in an overwhelmingly peaceful manner. Unfortunately, peace was not to prevail. Largely in response to the poor public performance of the Electoral Commission of Kenya (ECK) – the government-dependent institution responsible for conducting elections and the handling and tallying of votes – mass rallies began countrywide on December 29. These were called forth by the oppositional Orange Democratic Movement (ODM). In Nairobi, the pronounced aim of many demonstrations was to storm the Kenya International Conference Centre (KICC) in downtown Nairobi, where the chaotic, initially live-broadcasted vote tallying had taken place. Large-scale violence erupted on December 30 and 31 following the hastily organised, secretive inauguration of incumbent President Mwai Kibaki from the Party for National Unity (PNU). Notably, Kibaki virtually disappeared from the public radar during the first week of violence. The eruption of violence was triggered by an culmination of factors, not least among them the constantly changing tally figures being reported, highly dubious official results, and repressive measures such as a government-decreed ban of live media reports and a reinforcement of state security forces. Together with local factors, they entrenched the opposition's perception that the PNU regime had rigged the elections.[13]

Violence against symbols of the PNU regime and members of the PNU-aligned ethnic communities was clearly initiated by members of the oppositional ethnic communities, politically assembled under the banner of ODM. Ethnic reprisal attacks quickly followed as ethnic militias, mobs and gangs spearheaded the evolving inter-group clashes throughout the country. While the Kalenjin- (and Kikuyu-) dominated Rift Valley Province was, by all accounts, hardest hit, inter-ethnic attacks as well as political acts of violence during mass rallies erupted all over the country. As indicated above, life in Kenya's impoverished urban melting-pots was massively constrained by violent confrontations between demonstrators and police forces as well as by an unfolding spiral of gruesome acts of inter-ethnic violence. With all major roads, such as the Uganda railway – linking Mombasa to the interiors of Uganda and passing through Nairobi's slum of Kibera – under siege, transport in Kenya was violently interrupted. In response, police and military convoys were set up during periods of heavy hostilities in order to safeguard the basic functioning of Kenya's transport networks.

During the two months of post-election violence in Kenya, about 1,500 people lost their lives and between 300,000 and 500,000 internally displaced persons were counted, the majority in Eastern Kenya, especially in violence-ridden Rift Valley. In Nairobi, 124

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13   Nation (4.12.2007: 1): "Kivuitu to ODM team: Poll won't be rigged" by Nzioka, Patrick. Nation (15.12.2007: 5): "Poll fraud 'biggest challenge' for ECK" by Kopecky, Arno. Nation (25.12.2007: 6): "Proprietor denies claims" by Ombati, Cyrus; Obare, Osinde. Nation (26.12.2007: 2): "Polling clerks in protest over pay" by Nation Team. Nation (27.12.2007: 4): "ECK alert over election fraud, says Kivuitu" by Nation Reporter. Nation (2.12.2007: 10): "Shameless ode to the Narc revolution" by Mathiu, Mutuma. Nation (2.12.2007: 24): "Grey area in transition law" by Siringi, Samuel. Nation (24.12.2007: 17): "Past elections since independence and how they shaped the country's politics" by Gaitho, Macharia. Standard (9.12.2007: 6): "Is Kenya ready for a transition?" no Author. "ECK all set for elections as stations open today at 6am" by Orlale, Odhiambo; see also Harneit-Sievers (2008).

deaths were counted with 23 deaths resulting from gun shots (61 wounded), 29 deaths from clearly identified sharp pointed objects, 9 caused by blunt objects and the remaining deaths being classified as mob-injustice (21) and unknown (42). The overall number of injuries inflicted during the post-election violence is likewise unknown (Waki 2008). Over 72,000 people were displaced in the city's informal settlements, with the real number assumed to be much higher, keeping in mind that many slum-dwellers "shifted to more friendly neighbourhoods in other parts of the city and in some cases, to rural areas" (KNCHR 2008a: 40). The killings were also marked by brutality: reports about intense emotions, horrifying atrocities and mutilations were great in number. The types of violence prominent in the slums included the destruction of property through arson, the expulsion of ethnic out-group members by gangs of youths (often followed by a takeover of the refugee's house), sexual abuse and/or brutal mutilation by police forces, groups of youths and/or sect/gang-like movements such as the Mungiki or the Taliban (HRW 2008: 44; compare below chap. 4.5). Up to this day, no public institution has been held liable for what happened during the post-election violence.[14] The impacts of post-election violence dramatically altered, by means of forceful homogenisation, the ethnic make-up of many parts of Kenya (Wong 2009; Gibson & Long 2008: 501; KNCHR 2008b: 7; HRW 2008: 28). Both the large areas of the Rift Valley Province and certain unspecified areas in Nairobi's slums of Mathare and Kibera are said to "have been carved into enclaves where vigilantes from one ethnic group or another patrol 'their' areas" (HRW 2008: 56). No data exist that can provide for a reliable assessment of the actual ethnic composition of the slums – neither before nor after the post-election violence.

The post-election violence finally came to an end when the country's top politicians, Odinga and Kibaki, agreed to a peace accord under the supervision of former UN Secretary-General Kofi Annan, chairperson of the so-called 'Panel of Eminent African Personalities'. Earlier attempts to bring the two parties to the negotiating table, conducted by AU mediator President John Kufuor of Ghana about a week-and-a-half into the violence, had failed. The Kenyan Peace Accord resulted in the creation of the position of a Prime Minister (subsequently held by Odinga), the institutionalisation of a grand coalition government (which is, with about 41 ministers and 50 assistant-ministers, admittedly quite bloated), and the agreement to revive the process of institutional change in Kenya.[15] The Peace Accord was publically announced on February 29, 2008. The same day, violence came to an almost immediate end throughout the country.

2.2   The pre-election atmosphere

Two specific issues are vital for understanding the internalisation of exclusive political stances among various members of the opposing ethnic groups, especially among the

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14   Waki (2008); KNCHR (2008a); HRW (2008); Wong (2009); Alston (2009); KPTJ (2008); Kriegler (2008).

15   The latter links back to a central demand of the Orange Democratic Movement, which was created during the political fallout that accompanied the Kenyan constitutional referendum held in 2005 (the Orange symbolized 'No' on the ballot sheets). For a descriptive account and analysis of the pre-election campaigns see Cussac (2008).

impoverished ones. The first refers to the character of the central campaign issues and the second to the role of the public opinion polls, which were practically omnipresent in the pre-election period. Together, they promoted the dominant attitude that one's own political party/ethnic group could by no means risk an electoral defeat.[16] During the pre-election period, Odinga and Kibaki campaigned hard to make their voices heard, intermingling issues with emotions and ethnicity. In doing so, the politicians made it abundantly clear that they would not accept any alternative outcome to the elections but their own electoral victory. Ethnic undertones were wide-spread in the streets of the slums, where heated debates between supporters of the two top candidates contributed to an ethnic polarisation of support.

Majimboism provides a brilliant example of an ethnically-loaded campaign issue: Odinga charged Kibaki with helping the rich and ignoring Kenya's poor, and promised to decentralise the country through constitutional revision inspired by *majimboism*. *Majimboism* is a Swahili/East African concept of local rule, often understood as political decentralisation, devolution, federalism or local and/or regional self-government. Compared with Kenya's highly centralised constitutional design, *majimboism* is, on the surface, a political matter that requires political arguments to campaign for. However, when contrasted with Kenyan demographics (the concentration of some ethnic groups in certain regions and the presence of others, mainly the Kikuyu but also the Luo, throughout the country), *majimboism* has an intrinsically ethnic dimension, and opportunities for ethnic bias are high. Among the slum-dwellers interviewed, it was, for example, considered common knowledge that central Kenya is the home of the Kikuyu; it is Kibaki's stronghold, and subsequently a PNU area. Nyanza Province, on the other hand, is the home of the Luo, Raila's stronghold, and an ODM area.[17]

The widely-publicised daily opinion polls, which predicted a neck-and-neck race, inflamed the boiling emotions in the slums further. They solidified the ODM supporters' perception that their leader Odinga was destined to win the presidential elections long before the actual votes were cast. The year 2007 was the first in Kenya's electoral history during which opinion polls were conducted, and they were widely featured by all major

16   Nation (19.12.2007): "Three cars burnt in poll chase" by Nthiga, Silas; Amadala, Benton. Nation (24.12.2007: 8); "Youths rough up Ngugi's wife" by Mathenge, Oliver; Mburu, Stephen. Standard (15.12.2007: 4): "Bishop Wanjiru attacked during campaign" by Ratemo, James. Nation (1.12.2007): "Riot in Molo over arrest of youths" by Siele, Simon; Mureithi, Francis. Nation (2.12.2007): "Tension as police disperse youth after Kibaki's rally" by Sunday Nation Correspondent. Nation (13.12.2007: 9): "Booing and heckling mar fete" by Ringa, Mathias. Standard (24.12.207): "25 die in campaign violence" by Ombati, Cyrus. Nation (24.12.2007: 5): "ECK to quiz Shitanda over election violence" by Nation Team. Standard (18.12.2007: 6): "Violence against PNU and ODM leaders" by Ndegwa, Alex. Nation (24.12.2007: 2): "Youth stone cars on highway in bid to block ODM rally" by Nation Correspondents. Nation (25.12.2007): "Stone democracy" by Okendo, Boniface. Nation (25.12.2007): "ODM's day of splendour" by Ndegwa, Alex &. "Pomp, colour at PNU's last rally" by Wachira, Patrick. See also Ajulu (2003: 13f); Mutua (2008: 228); KNCHR (2006a: 10, 16f); KNCHR (2007); Lynch (2006: 233); Wong (2009: 297); EU EOM (2008); KPTJ (2008: 11).

17   Note that other provinces like Eastern (Kamba, ODM-K, Musyoka), Western (Luhya, ODM, Odinga), or the heavily contested Rift Valley (Kalenjin, ODM, Ruto/Kikuyu, PNU, Kibaki) have not been specifically mentioned by the informants.

media channels and newspapers. Minor variations aside, the figures provided by three different survey institutes predicted an initial statistical dead heat between Kibaki and Odinga and later that Odinga would win the election by a tiny (and up to the election day ever-changing) margin of about four percent. In line with politically correct media policy in regards to ethnicity, the electoral ethnic groups were never mentioned by the newspapers, neither before nor during the post-election violence. However, the figures presented by the opinion polls were reduced to the provincial level. Given the territorial spread of ethnicities in Kenya, this made it possible for everyone to read the polls in ethnic terms. The ethnic pattern that emerged was largely the same as it had been during the constitutional referendum held in 2005; Kibaki was predicted to win approximately 90% of votes in Central Province, and Odinga was set to win Nyanza with approximately 84%. The distribution of votes does not appear to vary much with regard to the remaining provinces. In terms of the aforementioned demographic specificities of the Kenyan electorate and the ethnic spin the campaigns had taken, Mutua states that the projected dead heat made it clear "that the election would also be determined by voter turnout. Whichever candidate drove more of his supporters to the polls would most likely win it" (Mutua 2008: 243).

2.3   Nairobi and its slums

The city of Nairobi is as old as its informal settlements, and while this paper highlights the darker aspects of its slums, it is, nonetheless, important to remember that they are "just like all communities, places where people live, work, eat, sleep and raise their children" (AI 2009: 6).[18] Taken together, all informal settlements occupy only 5% of the city's residential area and just 1% of all land in the city.[19] Nairobi's richest 10% command 45.2% of the city's total income; the poorest 10% command only 1.6%. Of Nairobi's total population of 3-4 million, about 50% live in the slums; this adds up to an extremely high population density, which is even more pressing given that about 75% of population growth is absorbed by the informal settlements (AI 2009; also UN-Habitat 2003: 219; UN-Habitat 2006: 6-7).

Kibera and Mathare are Nairobi's largest and most (in-)famous slums. Kibera emerged in 1912 when a group of former soldiers from the Nubian community, who had served in the British army, were granted temporary rights to settle on a small area southwest of Nairobi's city centre. Today, about one million people live on about 550 acres of Kibera land, most of it owned by the government. Despite "resistance at the grassroots level to the politics of ethnic hatred" (de Smedt 2009: 585), Kibera's 'big man' in charge can still clearly be identified: It is Raila Odinga, an ethnic Luo, former ODM presidential aspirant, and who, at present, serves as Kenya's Prime Minister. Mathare was established in the 1960s by mainly Kikuyu independence fighters. Today, however, the slum is generally not considered to be dominated or claimed by any specific ethnic group. Therefore, no single

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18   Regarding Nairobi's historical development and present-day conditions, see Neuwirth (2006: 91-99); Kramer (2006: 53-82); Amnesty International (2009: 3-11).

19   As of most African cities, Nairobi's spatial structure remains constrained by its colonial past. Though at present, income has replaced ethnicity as a basis of residential segregation, rendering the allocation of resources among the suburbs highly dependent upon patron-client relations (Pacione 2006: 471, 591).

'big man' who dominates the scene exists in Mathare. Currently, the settlement's population is estimated to range between 300,000 and 500,000 people. While part of the settlement is located on government-owned public land, the majority of it is located on land owned by private companies and individuals (AI 2009: 4; Davis 2006: 95). Kramer (also Neuwirth 2006: 98) observes that

> "much like in Kibera, people in Mathare Valley live in dense, deplorable conditions and neighborhoods developed along tribal lines. Here, well-established landlords are Kikuyu, and more recent tenants are Luos of the Nyanza Province. Luos comprise the majority of the settlement, and women head most households" (Kramer 2006: 69).

3.   Nairobi burning

This chapter will explore the divisive characteristics of violence in Nairobi. The declared aim is to identify *how* violence unfolded in the city from the perspective of Nairobi's slum-dwellers, utilizing a comprehensive empirical basis.

3.1   Temporal pattern of violence

Figure 1: Temporal pattern of violence in Nairobi
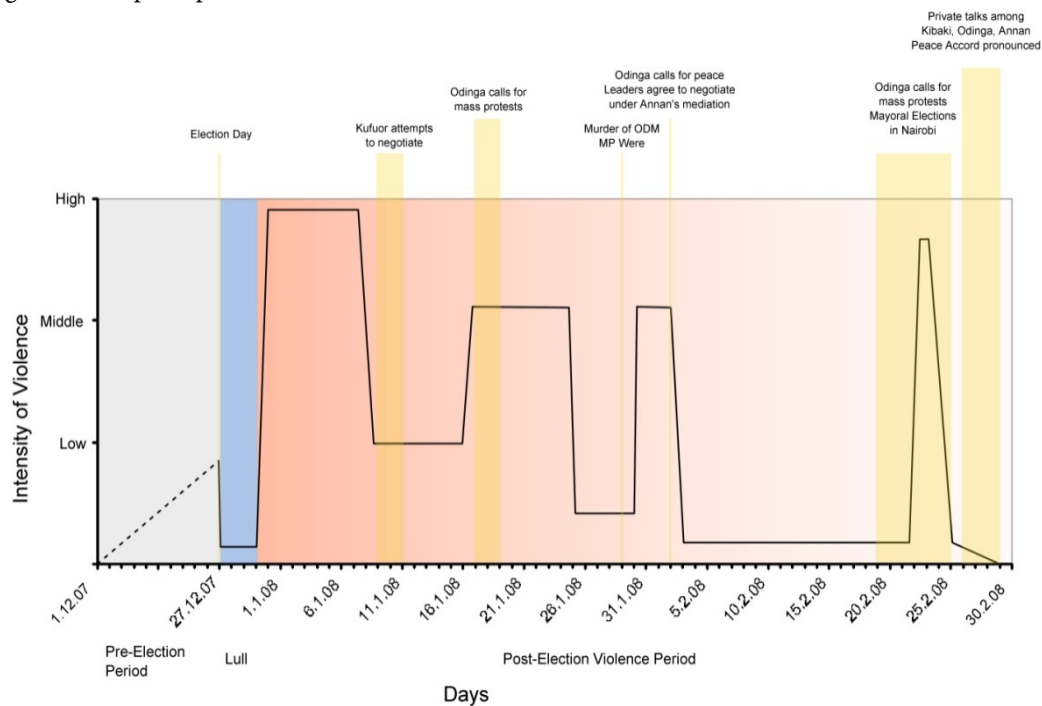
Source: Author's compilation. The graph is based on a quantitative analysis of the violent incidents in Nairobi as reported by the newspapers *The Nation* and *The Standard* as well as additional temporal information found in the available literature.

Figure 1 reveals a clear-cut connection between a rise in the intensity of acts of violence of all sorts (see below chap. 3.3) and the unfolding of events on the political stage. Hereafter, factors such as the role of rumours driving the slum joint behaviour of the slum-dwellers before and during the post-election violence, their shared perception of the (rigged) election as trigger (and justification) for violent action, and the identified lull between the trigger and the outbreak of violence are discussed. Subsequently, the sudden end to violence at the end of February 2008 is put under analytic scrutiny.

Rumours

> "I once received an SMS that 20 people had been burnt alive inside a bus destined for western Kenya. […] Yet, this was just a baseless and alarming rumour."[20]

Before Election Day, rumours about government plans to rig the election circulated in the slums. Yet, it was only after the outbreak of violence that rumours became markedly important to the slum-dwellers. In the midst of increasing isolation of the slums and a loss in trust in the media, rumours became vital sources of information. In Kibera and Mathare, for example, people spread news of the coming of the Mungiki. Such Mungiki-rumours prompted local people to assemble on the streets at night to keep watch or lock themselves up in their homes.[21] In Kibera, stories about soldiers from Uganda crossing the border and killing innocent Kenyans were circulated. They were said to have done so on request from Kibaki, allegedly an old school friend of Musoveni's.[22] Furthermore, rumours were spread about suspicious vehicles (associated with the government) moving through Kibera during times when no other vehicles were allowed to operate.[23] In Mathare, SMS messages are also said to have incited people to violence. (Alice, Mathare: 93-94, in: NUP). While a defining characteristic of rumours is that their origins are unknown, their primary function in Nairobi's slums was doubtlessly to arouse local communities to action. They did so by delivering warnings of impending attacks by members of opposing ethnic groups or by depicting gruesome scenarios, justifying offensive violent actions.[24] The slum-dwellers generally considered actions in response to rumours as self-defence.

Trigger

> "The tension was there before the election. So, the elections came and it was being rigged off. So ... So our right was not exercised" (Henry, Kibera: 19-20, in: NUP).

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20 Unknown Kenyan, quoted in: Standard (6.2.2008: 7): "Violence and Rumours" by Oywa, John; Kareithi, Amos.

21 Calvin, Mathare: 227-228 and Frank, Kibera: 13, in: NUP.

22 Dennis, Mathare: 34-42, in: NUP; Colin, Mathare: 52-60, in: NUP; Nation (15.1.2008: 2): "No Uganda troops in Kenya: Mutua says", no Author. Standard (19.1.2008: 5): "Rumours persist on Ugandan soldiers by Makabila, Stephen; Nyaboke, Jessica. Standard (24.1.2008): "Ugandan army uniforms found" by Wanyonyi, Robert. Standard (7.2.2008): "No Ugandan troops in Kenya, says Museveni" by Wanyonyi, Robert; Mwai, Elizabeth.

23 Alvin, Kibera: 119-121 and Frank, Kibera: 15, in: NUP.

24 Nation (29.2.2008: 33): "I accuse the Press for igniting post election violence: fact or scapegoat?" by Oriare, Frank. Nation (20.1.2008): "Text your friend a message of peace" by Wambugu, Sam; see also Standard (5.2.2008): "Water poisoning fears dispelled" by Saturday Standard Team. Standard (6.2.2008: 7): "Violence and Rumours" by Oywa, John; Kareithi, Amos. Also Waki (2008).

In Nairobi, post-election violence was precipitated by the perceived rigging of the elections and triggered by an announcement by the President. The opposition was ahead by approximately 1 million votes in the first days of the public tallying. This incited people to begin celebrating in the streets of the slums. However, these ODM supporters felt betrayed the very moment the tide turned and the PNU pulled ahead. This rapid turnaround was identified as the prime cause for the eruption of violence. From an analytical point of view, it was of little significance whether the turnaround in vote yields was due to actual acts of election rigging or if they were a result of the delayed tallying of votes from Central Kenya, which is Kikuyu-dominated and, as such, a well-established PNU area.[25] As a consequence, on ODM-organised protest marches down the city's arterial roads towards the city centre, members of the opposition community served as targets for the provoked mass' wrath. Thus, clashes with the police erupted and the Kikuyu were selectively targeted. The perceived rigging of the election remains the slum-dwellers primary argument validating the necessity of violence – the outbreak of which was preceded by a deadly quiet, the lull.

Lull

> "This thing actually started 27th when we voted, tension was high. And now, we voted on 27th, 28th, then 29th, it was everybody was anxiously waiting for the answers […], during that time everything stood: there was no any work going on, because everybody was just about elections and it was about politics […]. And now, when it reached on 29th people felt impatient because they were now not releasing the answers as usually, […] Now, everything stood, politics were doing what, everything just stood there, people wanted to be relieved so they can work, yea, when it reached on 30th from 29th we were just hanging around on the road there. […] there was a lot of tension; you can't open [a shop] because even by that time we didn't have government here." (Alvin, Kibera: 2-6, in: NUP; see also 25-26).

In the slums, a lull can be identified beginning on the generally peaceful Election Day (December 27, 2007) – or, more precisely, from the moment the live-broadcasted tallying of votes was halted – to the announcement of the president. It was only then that violence finally broke out. Life during this lull (i.e. the 27th to the 30th of December, 2007) can be said to have stood still, not only in the impoverished areas but indeed all across the city of Nairobi.[26] During the lull, the already limited trust in state institutions and government authorities deteriorated rapidly. The information vacuum was perceived by the slum-dwellers as unbearable, thereby increasing the circulation and importance of rumours. (Frank, Kibera: 4, in: NUP). Tensions rose and group passions boiled high as ODM supporters started to assemble in the streets of the slums, driven by the urge to finally find out what was going on. Like the post-election violence that followed, the lull was all-

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25 Colin, Kibera: 19-20; Alvin, Kibera: 41-43; Alice, Mathare; Calvin, Mathare; Dennis, Kibera: 21-25; Elvis, Mathare: 54-55, all in: NUP; Standard (9.2.2008): "Learning interrupted ..." by Mureu, Lynesther. See also Nation (12.1.2008: 3): "Young people speak out on election fighting" no Author. Nation (28.1.2008: 6): "Camp for displaced people closed down" by Wafula, Carline. Also KNCHR (2008a: 36).

26 Calvin, Mathare: 7-9, 152-154; Alvin, Kibera: 2-6, see also 25-26; Frank, Kibera: 4), all in: NUP; Standard (6.1.2008: 16-17): "The time that Kenyans swam in sea of chaos" by Aluanga, Lillian. Standard (30.12.2008): "Final days of December '07: A journalist's memoirs" by Mochama, Tony, in: www.eastandard.net/politics/InsidePage.php?id=1144002844&cid=289& (9.12.2009).

consuming in the sense that through their being trapped inside the slums and isolated from the outside world, the slum-dwellers were not able to escape an atmosphere of intensifying polarisation. During the lull, everyone had to show their political colours and, by so doing, ethnic affiliation, with all of its (potentially fatal) consequences once large-scale violence erupted.

Due to their importance to the overall analysis, the characteristics of violence that featured in the slums during the period of unrest will be elaborated on in a separate chapter, once the temporal and spatial patterns of violence have been sufficiently presented (see below chap. 3.3).

End/Consequences

> "They [the Kikuyu] live but they are not comfortable as so they were living initially […] not comfortable as they were by that time. […] They know tensions, are still high to them. […] When something, when the government performs poorly, when now people are just expressing their anger. Expressing their anger to destroy something left. Destroy something that the government will feel" (Alvin, Kibera: 137-138, in: NUP).

The post-election violence came to an end in Nairobi (as well as elsewhere in the country), firstly, on account of the fact that the undisputed leaders of both factions eventually sent their supporters unambiguous signals, which were interpreted as authoritative by slum-dwellers of both ethno-political alliances.[27] The second factor was the accomplishment of ethnic homogenisation in the slums by means of violence. Evidently for the slum-dwellers, the benefits of ending the state of general lawlessness outweighed the material and immaterial costs of continuing violence. This is not to say that they materially benefited from the post-election violence. On the contrary: apart from a few who may have benefited, many more lost their primary means of income, not to mention the personal losses and psychological traumas incurred. Weighing the informants' accounts against the above-presented general information of the impacts of post-election violence, it would be safe to assume that a majority of slum-dwellers still suffer up to the present day from legacies of violence in one way or another.[28]

Lastly, the relative calm that has settled over the city's slums is largely considered a highly unstable one. With the underlying socio-economic problems of the urban poor having neither been solved nor seriously addressed, the promise of electoral change looms ominously on the horizon, ready to once more spur the anxious ODM supporters to violence when the time is ripe. On the other hand, for the PNU-associated Kikuyu community, the promise of electoral change constitutes an immense threat that lingers above the slums, ready to trigger and/or justify pre-emptive strikes.[29] Consequently, the post-violence period is not so much perceived as a period of inter-group reconciliation or co-operation, but rather as a period of anxious waiting. In such a period, inter-group cooperation is possible, as long as neither side lowers its guard. In Calvin's words:

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27 Dylan, Mathare/Korogocho: 11-12; Warlord, Mathare: 53-55; Calvin, Mathare: 114-122, all in: NUP.

28 Alvin, Kibera: 132-134, 137-138, see also Dennis Kibera, 3-5; Edgar, Kibera: 23-25, all in: NUP.

29 Warlord, Mathare: 126-127 and Calvin, Mathare: 251-252, in: NUP.

 "Because for me, for us, for the next election, I see that in Kenya, still there is still that fight. […] Meaning […], during the 2012 election, it will just be the same" (Calvin, Mathare: 251-252, in: NUP).

3.2   Spatial patterns of violence

Figure 2: Map of Nairobi
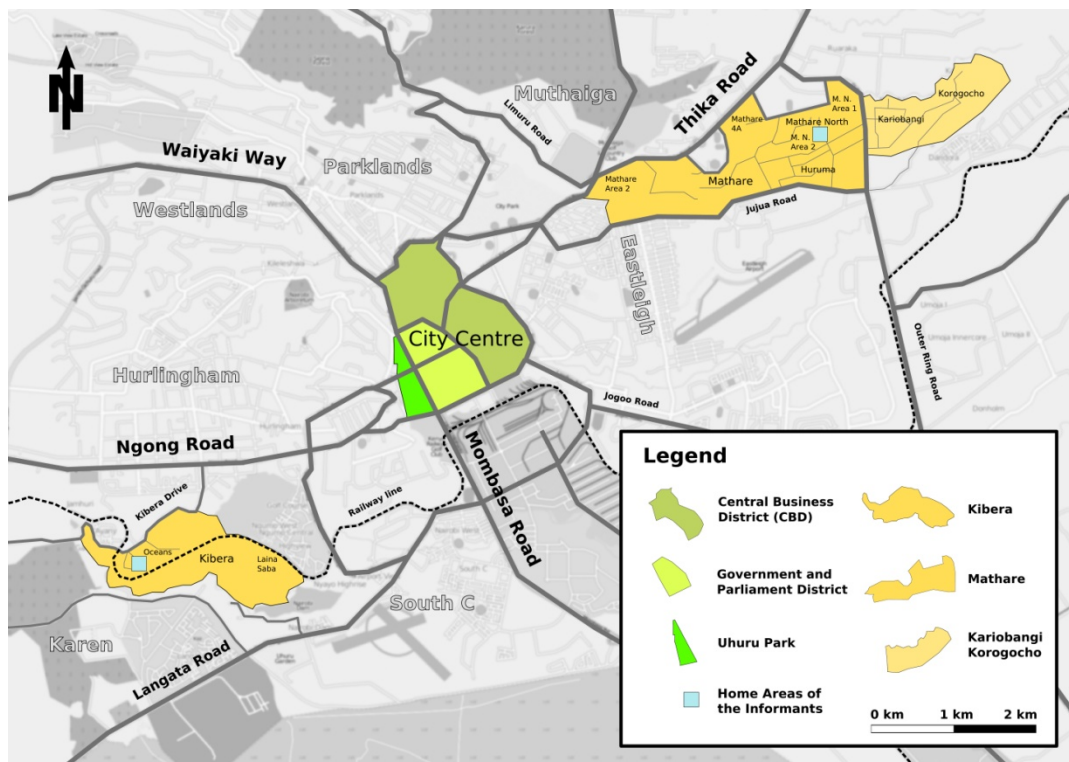
Source: Author's compilation (base map derived from the OpenStreetMap project).

 "On one side of the police cordons, Kenya's middle classes were paranoid but protected; on the other, slum-dwellers slaughtered one another" (Wong 2009: 311).

Figure 2 shows Narobi's cluster-like pattern that surrounds Kenya's political heart – its *government and parliament district*, the *Central Business District*, and neighbouring *Uhuru Park*. Upon first glance, both Kibera (in the southwest) and Mathare (in the northeast) are located only a few kilometres away from the city centre. They are linked to it on one side by Nairobi's main arterials *Ngong Road* and *Langata Road*, and by *Thika Road* on the other. In this section, some general observations on the spatial pattern of violence in Nairobi are presented, followed by more detailed discussions of how violence unfolded in the slums of Kibera, Mathare and the areas beyond. It was noted at the outset that violence erupted overwhelmingly within the slums and along their boundaries in Nairobi (see UNEP 2008).

During the post-election violence, Nairobi's slums were not only forcefully segregated from the larger city, but also violently fragmented into various ethnic enclaves. The processes leading to the creation of ethnically homogenous areas (or areas perceived as such)

within the slums will hereafter be referred to as ethnic zoning measures, spatially resulting in ethnic zones. Ethnic zones are, in relation to slum-dwellers, the visible territorial outcomes of intense ethnic polarisation and the consequent inter-ethnic fragmentation processes. They are, first and foremost, ethnic in character but referred to by the slum-dwellers in political terms. That is, depending on the local inter-ethnic power balance, people either refer to them as ODM zones (or 'strongholds' of Raila Odinga), or as PNU zones (or 'strongholds' of President Kibaki). As a general rule, these zones are said to be congruent with administrative and geographic divisions in the slums. When talking about ethnic zones in the slums, reference to the national level is common place. This directly links the ongoing zoning measures in Nairobi to the previously-presented idea of *majimboism.* During the post-election violence, traditional myths about the existence of 'ancestral homelands' – considered to be bound to specific ethnic communities by blood – were transferred to Nairobi's suburbs and violently enforced.[30]

This had several consequences: Ethnic identities were checked by vigilante groups at zone boundaries, inter-group clashes occurred mostly along such boundaries, and the slum-dwellers adjusted their daily movements with regard to the location of ethnic zones (e.g. by avoiding zones held by members of opposing ethnic communities). (Individual) movement was generally considered a dangerous activity and therefore limited to the search for groceries, to obtaining information and news, to engaging in (violent) protests, and/or to participating in vigilante groups (Calvin, Mathare: 32, in: NUP). During the post-election violence, Nairobi's slum-dwellers wanted to get as close to the centre of politics as possible.[31] Given that the heart of Kenyan politics is located at the centre of Nairobi's, the star-like arterial roads leading to the city centre became heavily contested grounds.[32] Clashes between the slum-dwellers and police forces unfolded on these arterial roads and, to an even greater extent, along the smaller roads, as it was here that heavy police forces were deployed to cordon off the areas.[33] "The chaos", Calvin narrates with regard to looting and burning, "came out just at the roads."[34] The Nation described the unfolding of events as follows:

> "Anti-riot police were engaged in running battles in the city's Mathare, Kibera and Dagoretti areas in an effort to stop ODM supporters from making their way to Uhuru Park, the venue of the rally, which was sealed off by GSU officers"[35]

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30 For a cartographic analysis of the post-election violence on a national level that backs this conclusion for Kenya's impoverished urban areas see Calas (2008).

31 Dennis, Mathare: 19 and Alvin, Kibera: 67, in: NUP.

32 Frank, Kibera: 4-6, 15 and Edgar, Kibera: 37, in: NUP.

33 Dennis, Kibera: 18-22; Edgar, Kibera: 34-39; Alvin, Kibera: 36-39, 68, 80-81; Arleen, Kibera: 102; Calvin, Mathare: 10); Alvin, Kibera: 63); Angela, Kibera: 114, all in: NUP.

34 Calvin, Mathare: 269, in: NUP, see also Alice, Mathare: 6, in: NUP.

35 GSU: General Service Unit, a special branch of the Kenyan police forces under presidential command. Nation (18.01.2008: 1-2): "8 more killed in chaos" and "Tight police knot in the city as park cordoned off" by Nation Team. See also: Standard (27.01.08: 20-21): "Kibera lies in ruins a month later" by Aluanga, Lillian. Wong (2009: 310, 313); Waki (2008: 198f); KNCHR (2008a: 40f); UNEP (2008); UNOSAT (2008).

3.2.1 Kibera

Figure 3: Spatial pattern of violence in Kibera
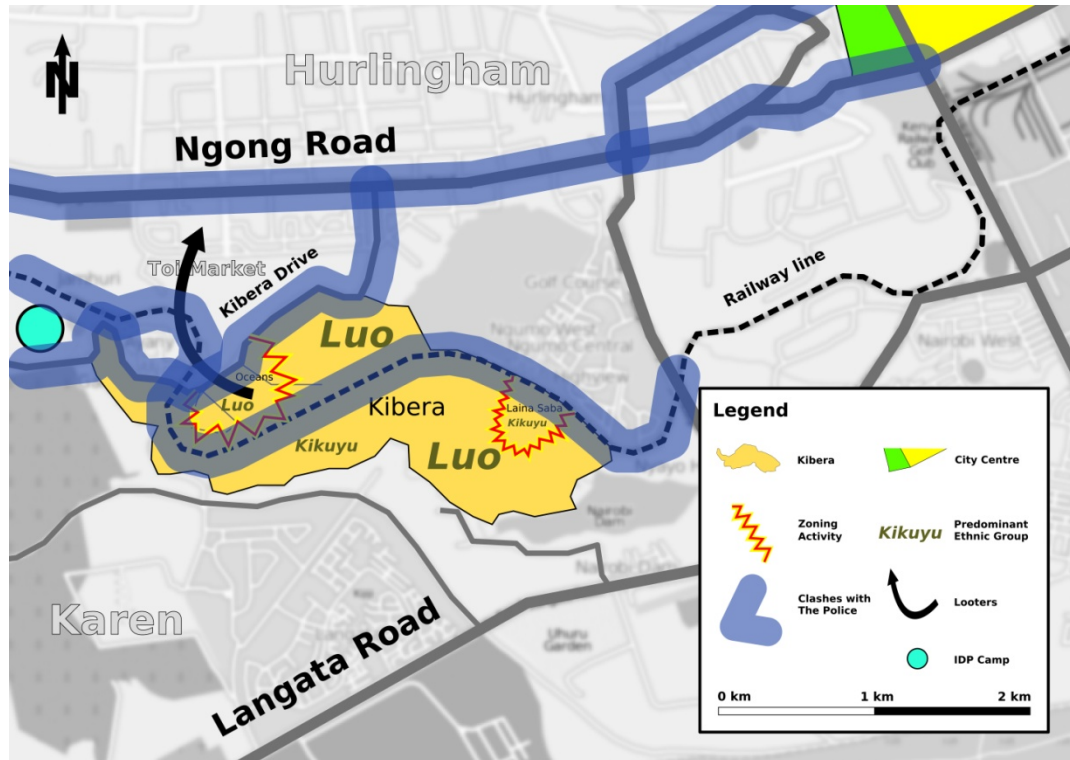
Source: Author's compilation (base map derived from the OpenStreetMap project)[36]

> "In this area, a lot of people are Luo. So they say: 'This is our place' and Kikuyu they have to go. They have to go to their... [home], most Kikuyu come from a place called Nyeri or Central. […] That was the reason why they had to leave. And summon they ID card, identify yourself and go on" (Angela, Kibera: 51-52, in: NUP).

During the pre-election period and also during the post-election violence, the multi-ethnic slum of Kibera was considered an ODM stronghold.[37] Hence, the Luo-community considered Kibera to be their exclusive ethnic domain – at the expense of other ethnic communities (again primarily the Kikuyu). The perception of Kibera as Luo domain is facilitated by a Kenyan agreement between the tribal baron, the political party and the people. Because Kibera is part of Langata constituency – the long-term electoral constituency of MP Raila Odinga – it is commonly believed to belong to the ODM presidential candidate and to the Luo tribal leader, Odinga. The reciprocal nature of leader-follower relations made it obligatory for members of the Luo ethnic group in Kibera to assume

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36   Note that due to the research design at hand (and here mainly due to resource and sample limitations), the provided maps reveal only fragments of the de facto ethnic zoning measures in the slums. Nevertheless, all spatially relevant references made by the informants have been incorporated and can, based on the information provided by secondary data sources, somewhat safely be considered exemplary for the spatial pattern of violence in the slums of Nairobi.

37   Alvin, Kibera: 43, 97-98; Frank, Kibera: 8; Angela, Kibera: 51-52, all in: NUP.

power in their political leader's electoral stronghold. Gaining ethnic dominance in Kibera has, of course, involved the victimisation of the ethnic others, who had hitherto held – according to one group's shared perception – powerful positions in the area: the Kikuyu. While other ethnic zones surely exist within the slum, Kibera's village of *Laina Saba* is specifically accentuated on the map because the area has been dominated by the Kikuyu for decades. During the post-election violence, *Laina Saba* was turned into an ethnic zone, with ethnic skirmishes erupting all along the zone's invisible (but highly present) boundary. *Oceans*, on the other hand, is a Luo-dominated village. During the post-election violence, the village was turned into an ethnic zone with the majority ethnic group, the Luo, taking control by setting up vigilante groups and forcefully evicting members of the Kikuyu (and aligned ethnic others).

Large-scale looting was generally witnessed taking place outside of the slum, specifically targeting supermarkets along *Ngong Road*. Inner-slum looting took place mainly along the slum's main road, *Kibera Drive*. These claims are supported by UNOSAT (2008), which reveals that the businesses along *Kibera Drive* and *Toi Market*, which is located along the looters' route to *Ngong Road*, were destroyed by large-scale burning during post-election violence. In both cases, looting went hand-in-hand with clashes involving police forces, and it may be assumed that they were primarily driven by material needs. The police forces were concentrated along the slum's only paved road, *Kibera Drive*, and along Nairobi's arterial *Ngong Road*. Subsequently, clashes between police forces and slum-dwellers erupted mainly along these roads. When police forces set out to patrol the slum, they were ordered to avoid the narrow pathways and instead remained on the few larger dirt roads and the railway line. The railway line, which is vital for the economy of Kenya's landlocked neighbour Uganda, must be mentioned due to its deep impact on the Kibera's residents' collective memory. Located on an elevatation, the railway line provided the patrolling police forces with a tactical advantage when quelling violence perpetrated by the slum-dwellers (or to stage offensives when deemed necessary) (Alvin: Kibera, 36-37, in: NUP). Whatever the nature of the police's *modus operandi* during such raids from the railway line, slum-dwellers generally connote these raids with the excessive use of force and the acceptance of unnecessary casualties on the side of their fellow poor.

3.2.2 Mathare

Figure 4: Spatial pattern of violence in Mathare Valley
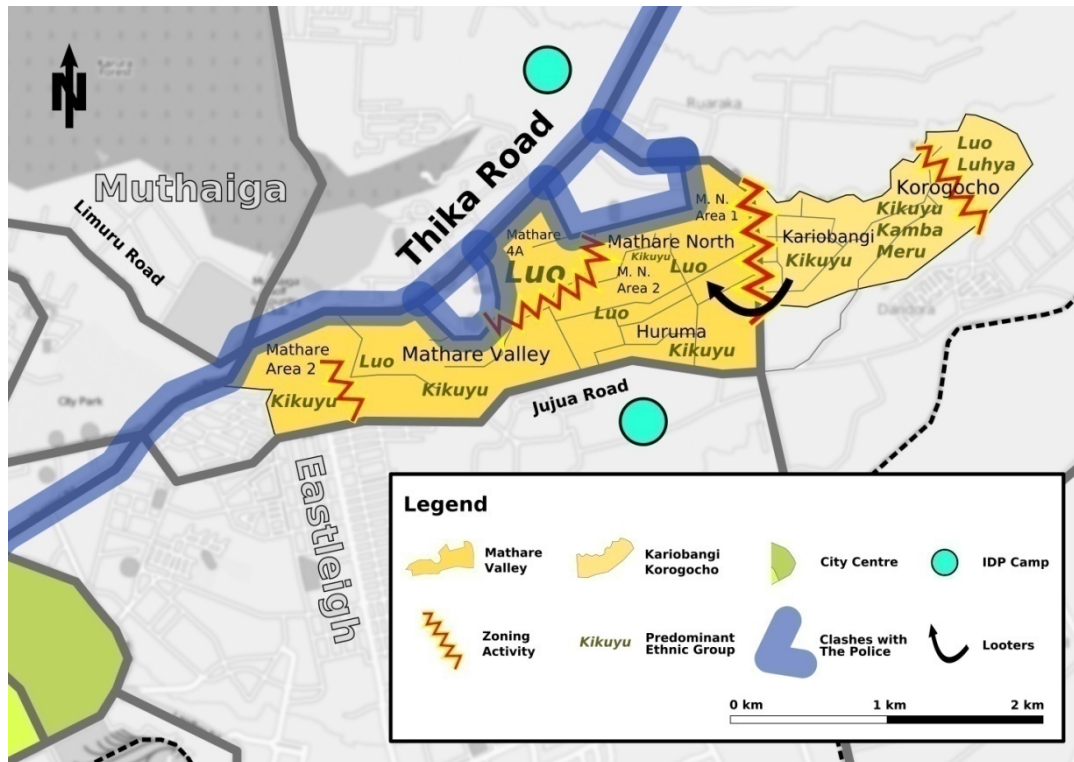
Source: Author's compilation (base map derived from the OpenStreetMap project).

> "So, Kikuyu were just killing Luos. Luos were killing Kikuyu. So if a Luo passed through there, if you are from this tribe, you are a Luo, it could be difficult for him to go to the other side. Because it's a different zone. It is Kikuyu's" (Curt, Mathare: 2-4, in: NUP).

Unlike Kibera, Mathare Valley is not perceived as a stronghold for any specific ethnic group.[38] With no dominant group claiming the slum as a whole, zoning measures were limited to the neighbourhood level and to Mathare's administrative areas. The relevance of the neighbourhood level derives from the fact that ethnic dominance has mostly been established in small neighbourhood entities, primarily based on concrete security concerns. This explains the set-up of vigilante groups or the reliance on local strongmen to provide security for the immediate neighbourhood. Where group dominance did exist (or was forcefully implemented), beyond the immediate neighbourhood, zoning measures were enacted. The Kikuyu-dominated zone of *Mathare Area 2* and the Luo-dominated zone of *Mathare 4A* are prime examples. The neighbouring slums of *Kariobangi* and *Korogocho* provide a similar example. *Korogocho* was perceived by slum-dwellers as having

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38   Curt, Mathare: 2-4, see also Calvin, Mathare: 84; Elvis, Mathare: 108-112; Edwin, Mathare: 134-137; Ian, Mathare: 3-4; Garret: 2-3, 10; Casper, Mathare: 2-3, all in: NUP.

been divided down the middle between the Luo and the Kikuyu (both groups again supported by their politically aligned communities).

One of the specific characteristics of *Mathare North Area 2* is that looters were generally believed to have entered from the outside, often from the neighbouring areas of *Kariobangi* and *Korogocho*. In order to loot, the outsiders were said to have left the Kikuyu-dominated area of *Kariobangi* and go to areas where they were unknown by the local residents, who were seeking ethnically different targets.[39] UNOSAT (2008) reveals that the *Huruma* area of Mathare Valley was heavily destroyed during the post-election violence. *Huruma* is commonly considered to be a place where many Kikuyu live, although no ethnic dominance is actually apparent. Moreover, the building structure is very different from other parts of Mathare. Like Kibera, *Huruma* consists mostly of easily-flammable shacks. Though Kikuyu property was selectively targeted for looting and arson, flames quickly wrought havoc on all ethnic groups living in the area. In Mathare, as in Kibera, zone boundaries were generally perceived to be the staging ground for inter-ethnic clashes during post-election violence. Clashes with police forces in Mathare resembled those in Kibera. Being overwhelmed in the slum, police forces were deployed in great numbers along Nairobi's arterial *Thika Road* and two paved roads connecting Mathare with *Thika Road*.[40] The preponderance of violence along *Thika Road,* in the case of Mathare, and along *Ngong Road,* in the case of Kibera, is particularly striking, especially given that maps reveal the existence of alternative roads bordering the slums: *Langata Road*, south of Kibera, and *Jujua Road*, south of Mathare. Why, the reader might ask, did the slum-dwellers not spread their protests to these roads? Nairobi's physical structure plays a role here: Compared to the acceptable condition of *Thika Road* (two lanes, fully paved), *Jujua Road* is a dirt road in poor condition. The street could not accommodate mass demonstrations and did not provide for space to retreat, which is necessary in violent clashes with the police. Moreover, *Jujua Road* passes through the run-down, Somali-dominated residential estate of Eastleigh and is bordered by an Kenyan military air-force base. The local IDP camp was set-up in the base and slum-dwellers unanimously consider the army to be too great a force to engage.

3.3   Characteristics of violence

> "It was spontaneously. No politicians said to the people 'All kill them' because they are Kikuyu or because they are Luo. People just became organised, you know the election was so close, even the predictions were fifty-fifty" (Elvis, Mathare: 50-53, in: NUP; see also 76-78).

While the public behaviour of numerous Kenyan politicians, various investigative reports, and the ICC's ongoing inquiry all give rise to different conclusions, the limited information provided by the informants suggests that local organisation and planning were absent in the slums during the pre-violence period. This does not mean, however, that ethnic

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39   Dylan, Mathare/Korogocho: 3-6 and John, Mathare: 4-5, in: NUP; see also Stephen, Mathare: 3 and Jack, Korogocho: 3-5, in: NUP.

40   Alice, Mathare: 68; Calvin, Mathare: 89-94, 268-269; Warlord, Mathare: 885, 116-121; Casper, Mathare: 5, all in: NUP.

others were not clearly identifiable during the deathly quiet before the storm (the lull); they certainly were. The information is also silent on plausible accusations, which suggest that politicians from both camps fuelled ethnic tensions before the elections and engaged in incitement during the clashes – e.g. by collaborating with patronage-dependent local leaders or native dialect radio stations. This implies that, as far as slum-dwellers perceived things, organisation appeared only after the initial eruption of violence. Moreover, elements of organisation are primarily reported to have served defensive purposes, such as setting up vigilante and/or neighbourhood watch groups within immediate neighbourhoods.[41] Violent group offensives, on the other hand, were perceived as entirely in the hands of criminal gangs, which, by their very nature, exhibited a degree of organisation and could quite easily be instrumentalised by (local) strong men.

In the section that follows, the dominant types of violence that occurred in Nairobi are presented from a slum-dweller's perspective. What emerges is that during the post-election violence, the fine analytical line separating acts of violence motivated by either ethnical, political, and instrumental considerations were more or less entirely blurred. When considering the slum-dwellers as a whole, instrumental considerations seem to have generally outweighed ethnic ones. Nevertheless, several inter-ethnic preconditions were necessary for the outbreak of any act of violence committed during the post-election violence period. These were: the joint accumulation of inter-ethnic hostility, a joint feeling of inner-ethnic solidarity even with perpetrators of violence, and the subsequent joint targeting of ethnic others at times when and locations where they were especially vulnerable. These preconditions will now be elaborated on in an empirical account of violence against people and property in Nairobi, as experienced by the slum-dwellers and committed by some of their impoverished peers.

Violence against people

> "Yeah I saw it! […] You know there are some places where you don't want to go. […] That place was so bad. That place was so bad. There is a person, this man who is being stoned to death. A Luo. A vehicle being put fire by Luo. Also two Ladies, fighting one another. Probably she is a Kikuyu, she is a Luo. This is a neighbour trying to kill the neighbour" (Kinuthai, Mathare: 5-8, in: NUP).

The vast majority of the slum-dwellers who engaged in the post-election violence refrained from lethal attacks. Those who attacked their fellow slum-dwellers did so based on a mixture of motivations, consisting of ethnic and instrumental elements.[42] Those who engaged in clashes with the police were primarily motivated politically, at least initially. They targeted the police since the latter were seen as representatives of those deemed responsible for rigging the elections (the trigger). Moreover, police forces were easy targets and readily aroused group action. Killing was explicitly absent from the protesting slum-

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41   Calvin, Mathare: 148-150; Arleen, Kibera: 75-81; Angela, Kibera: 112-117; Elvis, Mathare: 50-53, 76-78, all in: NUP.

42   Dylan, Mathare/Korogocho: 8; Garret, Mathare: 5-8; Curt, Mathare: 2-3; Dexter, Mathare: 4; Calvin, Mathare: 134-135; Elvis, Mathare: 25-29; Clyde, Kibera: 5-8; Dennis, Kibera: 26-27; Alvin, Kibera: 87-89, 91, all in: NUP.

dwellers' agenda. Ironically, killing heavily-armed policemen would not only have been difficult, but it was generally considered to be counter-productive given the anticipated lethal backlash.[43] During the post-election violence, any sort of object deemed suitable for fighting was turned into a weapon, though *pangas* (machetes) as well as *rungus* (clubs) dominated the scene.[44] These and other weapon-like tools were looted from supermarkets and hardware stores.[45] While their weapons were no match for the police forces' guns, the appeal of powerfully releasing their anger at the regime considerably motivated young male slum-dwellers in Kibera. As Dennis and Hardy state:

> "So they can see it is from the practice of the poor it is only that we didn't get the guns. […] But we, if we even had guns... […] If we had guns, we had shoot all of them. Even now you could not have been in here. Until now!"[46]

Acts of sexual violence committed in the slums were of an entirely different nature than acts of violence directed at representatives of the incumbent regime. As in other conflict environments, sexual violence was used to punish or degrade members of the opposing ethnic groups.[47] Women and children were particularly targeted for rape in Nairobi's informal settlements and opportunistic rape was reported in the city's IDP camps. (KNCHR 2008a: 8, 41). In Alice's words: "I saw women crying, children who were so desperate they did not have someone to help them. I also heard women talk of what they have gone through..." (Alice, Mathare: 56-57, in: NUP). At the same time, sexual violence against men was also an issue. The forceful circumcision of men, for example, was considered a symbolic act and was utilised to undermine the authority of a group's political leader. Alvin explains:

> "So they know very well, Luos according to their tradition they don't circumcise and Kikuyus that's according to their... they always do that. So if you catch a Luo and circumcise if you do it just now, you are not a real Luo" (Alvin, Kibera: 97-98, in: NUP).

Violence against property

> "So up to this time, people have fear. They can't allow the Luos to stay in their houses if you are a Kikuyu. And if you are a Luo, you would not allow a Kikuyu to stay in their homes. You have to get their ID" (Alice, Mathare: 40-53, in: NUP).

During the post-election violence, long-brewing rent tensions were violently addressed. These were rooted in the real and/or perceived ownership discrepancies between the Kikuyu and the Luo. In the slums, the Kikuyu are generally considered the landlords and the vast majority of Luo the tenants.[48] While the rent-issue is directly linked with the fragmentation of the slum in zones dominated by either Kikuyu or Luo in Mathare, this parallel is not identified by informants in Kibera. Here, the phenomenon is said to prevail in all of the slum's villages. Acts of rent-related violence were clearly motivated by a mixture

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43 Casper, Mathare: 4, 9, and George, Mathare: 5-6, in: NUP.

44 Colin, Kibera: 3-5, see also Calvin, Mathare: 108-114, in: NUP.

45 Calvin, Mathare: 108-114; Dennis, Kibera: 10-11; Edgar, Kibera: 28.

46 Dennis/Hardy, Kibera: 6-7, in: NUP; also Edgar, Kibera: 21, in: NUP.

47 Alice, Mathare: 17-25, 56-57; Alvin, Kibera: 97-98; Angela, Kibera: 132-135, all in: NUP.

48 Alice, Mathare: 40-53; Elvis, Mathare: 64-75, 116-124; Alvin, Kibera: 73-76; Frank, Kibera: 11, all in: NUP.

of political, ethnic and instrumental considerations. For the opposition supporting Luo slum-dwellers, the eviction of mainly Kikuyu landlords was a necessary objective on the way to solving decades-long social injustices. Despite ambivalence and doubt at the individual level, ODM supporters as a group not only accepted violent methods for forcefully evicting Kikuyu landlords, but, furthermore, they also saw them as appropriate in the sense of ends justifying the means (Alvin, Kibera: 73-76, in: NUP). Members of the targeted Kikuyu community, on the other hand, likewise argued in favour of the forceful eviction of Luo tenants from their zones and utilized force for regaining their property by means of hiring vigilante groups/gangs or by calling in police forces (Alice, Mathare: 40-53, in: NUP). The clashes between local groups of vigilantes and/or gangs over the control of certain areas in the slums – reported up to the present day – have to be considered with this rent issue in mind. Violent solutions for unresolved material problems, such as rent, have caused long-term repercussions.[49] Beneficiaries of violent redistribution are generally not the poor, but gangs, criminals and (organised) perpetrators. They are the ones who largely control the former Kikuyu-held property today and have subsequently entrenched their power bases in the slums.

Assuming that the burning of property in the slums was wilfully conducted and driven by inter-ethnic animosity and not an unintended side-effect of the violent clashes, this course of action can be said to have completely backfired on the perpetrators. Even when Kikuyu property was selectively targeted (e.g. at the formerly Kikuyu-dominated Toi Market, see above Figure 3),[50] all slum-dwellers seem to have been affected by the resulting loss of property and income.[51] While acts of looting were, first and foremost, committed for instrumental/material reasons (need-driven looting), the ethnic undertone is generally apparent. Against the backdrop of poverty in the slums – which the perpetrators were well aware of and which was intensified with each day of post-election violence – the looting of property was almost universally justified by slum-dwellers.[52] Participation in need-driven looting, especially the looting of grocery stores that accompanied the chaos unfolding on the streets, was equally considered legitimate. In the words of a local strongman's right hand:

> "They were taking this opportunity when there was fighting. Now ... People came from, this is Mathare North, so people came from Rome, Mariadon, Kariobangi ... They come to loot because of being because of not being prosecuted" (First Officer: 35-37, in: NUP; see also 106).

Apart from supermarkets/shops which were looted during the violent clashes with police forces during the ODM supporter marches to the city centre, the ethnic zoning measures in the slums defined which properties would be targeted for looting.[53] This explains the

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49   Nation (15.2.2008: 3):"The poor 'inherit' homes after chaos" by Kopecky, Arno. Standard (25.2.2008: 13): "Slums the new battle front as gangs evict landlords" by Kareithi, Amos. Waki (2008: 195), KNCHR (2008a: 40).

50   Edgar, Kibera: 149-157; Dylan, Mathare/Korogocho: 9; Alice, Mathare: 6, all in: NUP.

51   Edgar, Kibera: 155-162; Calvin, Mathare: 268-269, in: NUP.

52   Calvin, Mathare: 271; Colin, Mathare/Kisumu: 5; Benton, Mathare/Kisumu: 4-6; Alvin, Kibera: 37-39, all in: NUP.

53   Alvin, Kibera: 37-39, see also Curt, Mathare: 5, 6, 10; Calvin, Mathare: 82-84, 105-113; Dennis, Kibera: 11; Alvin, Kibera: 67-68, all in: NUP.

raid-like looting trips across zone boundaries within or across a slum as narrated by slum-dwellers, as well as the establishment of vigilante groups to patrol their group's immediate neighbourhood.[54] Similarly, acts of violence against *Matatus*[55] and other vehicles were reported to have been conducted almost exclusively for instrumental reasons, specifically by the real and/or perceived need to provide for one's survival in the slums, since they were violently cordoned off by police. In Calvin's words:

> "But for the slums, we were just struggling. [...] For myself, I stayed for one day without taking tea, or supper, or lunch. There is, even if you have money, there is nowhere to buy, so you have to steal!" (Calvin, Mathare: 267, in: NUP)

With transport coming to a stand-still in Nairobi, supply shortages were quickly felt by the slum-dwellers who, even in times of peace, had neither the financial means nor the physical possibility for stockpiling.[56] The few operating vehicles quickly became targeted for looting or were exploited to make a quick profit by providing 'security' for vehicles operating within a group's demarcated area.[57] Either way, it is clear that vehicles were not selectively targeted based on ethnic considerations, but targeted quite simply because they were comparatively easy targets. Large-scale looting was made possible by the complete absence of state authorities in the slums; as their chiefs fled, the police were overwhelmed. It was also made possible by the preoccupation of local vigilantes with the protection of their own turf, and, thirdly, by the silencing of moderate voices like local elders, who, during normal times, would provide some degree of justice. Lastly, the dominating atmosphere of tension, (inter-ethnic) mistrust and violence, combined with a culture of impunity in the slums and provided additional incentives for looting. Any kind of violent act by perpetrators who engaged in selective attacks on civilian members of the opposing ethnic group were, as reported by the slum-dwellers, either motivated by the desire to forcefully evict the ethnic other, or by the desire to inflict harm to their victims. While killing was not necessary for achieving the former goal, willing acceptance of acts of mutilation, murder, or rapes were necessary for the latter motivation.[58] Though the slum-dwellers generally condemn murders and atrocities committed by members of their own groups, little remorse exists in regards to the necessity of evicting the ethnic others. Victimized ethnic others are pitied, but only half-heartedly. In other words, when Nairobi's

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54   First Officer, Mathare: 35-37, see also 106 and Dexter, Mathare: 3, in: NUP.

55   Matatus, privately operated minibuses, are the main means of public transport in Nairobi (as in many other parts of Sub-Sahara Africa).

56   Alvin, Kibera: 37-39; Alice, Mathare: 6; Axel, Mathare/Kisumu: 5; Benton, Mathare/Kisumu: 5; Nation (1.2.2008: 2): "Fuel and food shortages loom as shops remain closed" by Ogosia, Kenneth; Wafula, Caroline. Nation (6.2.2008: 13): "The day business ground to a standstill" by Warigi, Gitau. Nation (6.2.2008: 14): "Peacemakers out to restore hope in the country" by Ngunjiri, Calvin. Nation (6.2.2008: 26): "Chaos exacts heavy toll on businesses" by Kang'aru, Wachira. See also Nation (28.1.2008: 2): "14 killed and thousands flee as violence spreads to Naivasha" by Nation Team.

57   Bradley, Mathare: 2-4; Casper, Mathare: 3-5; Calvin, Mathare: 20-28; Alice, Mathare: 89-93; Clyde, Kibera: 6-10, all in: NUP.

58   Garret, Mathare: 5-7; Casper, Mathare: 5; Curt, Mathare: 3-4, all in: NUP.

slum-dwellers reflect on the use of inter-group violence during the post-election period, the means may be strongly denounced, but not the ends.

4. Fuelling the flames

This chapter focuses on five analytical elements, which are put under empirical scrutiny in order to enhance our understanding as to *why* the wave of ethno-political violence in Nairobi unfolded as it did. These elements are: inter-ethnic polarization; inter-ethnic hostility and targeting; justifications for violence; the supportive social environment; and the role of participants, perpetrators and bystanders in acts of violence.

4.1 Inter-ethnic polarization

> "Here the Luo, they were a community. […] The people used to live together. Not that a person can come from outside and come and start violence. It was just you my friend, you my neighbour. But the tribalism came inside peoples' hearts. This is about interest and tribalism" (Frank: Kibera, 115-121, in: NUP).

Nairobi's slum-dwellers, regardless of ethnic identity, agree that one's ethnic identity mirrors one's political affiliation.[59] The same is true of the reverse: If someone supports a specific political candidate, that person's choice can typically be traced back to his/her ethnic identity. With the disappearance of inter-ethnic individualisation, group ascriptions along stereotyped ethnic lines predominated. Moreover – and this is crucial – the de-individualisation of ethnics others as members of their stereotyped ethnic groups was directly related to the political event that triggered violence. Hence, to followers of opposition parties, every member of a *GEMA*[60] community was a Kibaki supporter, and, as such, directly and personally responsible for the perceived election rigging by the Kibaki regime.[61] Elvis explains:

> "We identify each other with 'He is a Luhya, I am a Luo, the other one is a Kikuyu...' And if the leader is a Luhya, then we assume, the people in Mathare or in Kibera who live in the streets they assume, because he is a Luhya and Luhya voted for him, then it's the same people!" (Elvis, Mathare: 23-26, in: NUP)

What holds true for inter-group individualisation may equally be valid in regard to intra-group differentiation: To the slum-dwellers, inner-ethnic loyalty during the post-election violence was an irrefutable fact. It was said to be vital for survival and, as such, influenced by personal risk-assessment strategies. Within the intensity of ethnic polarisation, safety could

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59 Alice, Mathare: 3-5; Calvin, Mathare: 7-9, 141-146; John, Mathare: 4-5; Edwin, Mathare: 143-146; Dennis, Kibera: 16-17, 21-22; Arleen, Kibera: 82-83, 128-129; Alvin, Kibera: 10, 43-44; Colin, Kibera: 6-12, all in: NUP.

60 'GEMA' is a commonly known term used to refer to the Gikuyu (Kikuyu), Embu, Meru and Akamba (Kamba) ethnic communities.

61 Warlord: Mathare: 2-32, see also Calvin, Mathare: 7-9, 141-146; Alice, Mathare: 12-14, see also 24-25; Elvis, Mathare: 23-26, all in: NUP.

only be found among one's own people.[62] Where ethnic identity excluded this safety, ethnic camouflage and strong-hearted friends were needed to evade selective targeting by members of the antagonised ethnic group.[63] Angela, a Kikuyu, narrates how her neighbour Arleen, a Luo, protected her by offering a hiding place from rioting Luo groups in Mathare:

> "She had to protect me outside there. Then they discovered there is a Kikuyu living here they come, kill you and burn everything. [...] Most of the people here they don't know my tribe. They think this one is married to a Kisii, they think I am a Kisii. I think that was their idea. But..."[64]

The dominant rhetoric of the post-election violence in ethnic terms, as professed by the ODM supporters, describes inter-ethnic clashes in Nairobi's slums as *war* between the Luo and the Kikuyu communities. In this purported war, other communities merely had to choose a side. The role of the Nubian community is interesting in relation to this: they are infamous among ODM supporters for offering them support solely based on the fact that they hold property in the Luo stronghold of Kibera. Their allegiance was thus perceived as partly instrumental (e.g. Nubian landlords rented, like their Kikuyu counterparts, to Luo tenants), but was accepted nonetheless. Alvin, a Luo from Kibera, explains this phenomenon as follows:

> "because, [...] most of these Nubians, are they own their lands here. Around Karanja Road they live, they even own their houses there. They are good houses actually. [...] So Nubians wanted to defend their investments about houses and doing what. So they knew if they could not support the Prime Minister by that time those houses were to be taken."[65]

4.2 Inter-ethnic hostility and targeting

> "To go there to loot? No, no no!!! For the rich, they were being secured by the government. When you were just trying to go loot at Muthaiga [famous rich suburb not far away from Mathare], you were shot dead! [...] Yeah. Just go, at that time, when you go and just try to close Thika Road for the rich, you were being shot dead" (Calvin, Mathare: 263-264, in: NUP; see also 265-267).

Among slum-dwellers, consensus exists as to which groups ought to have been targeted during the post-election violence, namely the Kikuyu, the government, the rich, and the police forces. Members of the Kikuyu community living in the slums had to bear the brunt of inter-ethnic violence.[66] The Kikuyu were targeted first on account of the fact that they were perceived as the ones in power. They were the ruling ethnic group, and members of

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62 Hardy, Kibera: 16-19, see also Arleen, Kibera: 2-12; Frank, Kibera: 115-121, see also Warlord, Mathare: 34; Alice, Mathare: 13; Calvin, Mathare: 165-166; Alvin, Kibera: 10; Warlord, Mathare: 34, all in: NUP.

63 Dennis, Kibera: 29; Clyde, Kibera: 16-17, 60-68; Alvin, Kibera: 23-24, 125-127; Alice, Mathare: 5, 32-41; Warlord, Mathare: 19-24; Colin, Kibera: 78-86; Arleen, Kibera: 63, 105-112; Frank, Kibera: 10-11; Elvis, Mathare: 8, 82-83; Calvin: 157-159.

64 Angela, Kibera: 84-89; see also Frank, Kibera: 12; Alvin, Kibera: 23-24, 125-127; Arleen, Kibera: 22-32, 63; Clyde, Kibera: 60-67; Colin, Kibera: 78-86; Similar: Alice, Mathare: 32-41; Calvin, Mathare: 157-159, all in: NUP.

65 Alvin, Kibera: 10-12, in: NUP. Nonetheless, the Nubian community of Kibera was heavily hit by arson during the post-election violence, see Standard (7.2.2008: 29-30): "The impact of poll violence" no Author.

66 Alice, Mathare: 5 and Calvin, Mathare: 183-184, in: NUP.

the other ethnic groups believed their own status to be inferior, describing themselves – above all the Luo – as oppressed by the Kikuyu.[67] The Kikuyu were targeted next since they were thought to be the wealthy, a tribe of business owners, and are also said to have flaunted their wealth. This perception of the Kikuyu as being rich contrasts with the self-perceptions of members of the opposing communities as being poor.[68] Lastly, the Kikuyu were targeted because they were perceived as being the tribe of landlords, with power over other tribes, the tenants. Of course this claim relates gives credence, as one can only rent out if one owns, and is thus perceived to be rich(er) than any tenant, or middle man.[69]

The government was targeted on account of the rigged elections.[70] The rich were targeted because their property offered much to looters, and also on account of their general association with the government.[71] Apart from an association with the Kibaki regime, the police forces became targets since the other two 'external' targets could only be reached via the police blockades that isolated the slum areas (Calvin, Mathare: 263-267, in: NUP). Additionally, indiscriminate use of (lethal) violence by police forces upon entering the narrow pathways leading to the slums infuriated the slum-dwellers.[72] In the end, the few government symbols in the slums, such as schools and administrative buildings, were largely burnt or looted, as were churches. Burnings were often followed by violent clashes with heavily armed police forces, which, though temporarily overwhelmed in the slums, could not be overcome at the slum boundaries.

Individual targeting

> "For example PNU you see: blue, blue colour. And ODM was using orange colour. So now we had T-Shirts or for example pictures of those people who were campaigning. So when you were walking around, for example […] by that time you could walk in Soweto [a village of Kibera] the only time you could find was just orange" (Alvin, Kibera: 17-18, in: NUP).

Among the slum-dwellers, members of the Kikuyu were selectively targeted and suffered heavily from the post-election violence.[73] Recognizing that members of other ethnic communities were equally singled out for attack and victimization, the report will now turn to the targeting of members of the Kikuyu community. Perpetrator groups identified members of the Kikuyu as relying on several strategies: Firstly, in the densely populated slums, voting was by no means a secret affair. People showed their political colours during the pre-

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[67] Dennis, Kibera: 23-25; Edgar, Kibera: 166-172, see also Colin and Frank; Frank, Kibera: 64, Arleen, Kibera: 64-68, 150, all in: NUP

[68] Calvin, Mathare: 262-263; Elvis, Mathare: 22, 57-59, 73-75; Angela, Kibera: 54-60; Arleen, Kibera: 64-68; Frank, Kibera: 138-139; Alvin, Kibera: 71-72, 135-136, all in: NUP.

[69] Warlord, Mathare: 59-72; Alice, Mathare: 41; Elvis, Mathare: 64-76, 111-114; Edgar, Kibera: 138-149, 155-163, see also Frank; Alvin, Kibera: 71-76, all in: NUP.

[70] Dennis, Kibera: 18-22; Edgar, Kibera: 34-39, 134-136; Colin, Kibera: 46-47; Alvin, Kibera: 64-65, 69-70, all in: NUP.

[71] Calvin, Mathare: 260-262; Elvis, Mathare: 22, 39-44, 91-92, 102; Dennis, Kibera, 4-6; Arleen, Kibera: 150-152; Alvin, Kibera: 78-79, in: NUP; Nation (28.2.2002: 14-15): "Lords of Poverty have fanned hatred in Kenya over the years" and "Inequality behind Kenya's violence" by Serumaga, Kalundi.

[72] Calvin, Mathare: 263-264; Alvin, Kibera: 32, 63-64, 78-79, 123-124; Frank, Kibera: 4, 6, in: NUP.

[73] Calvin, Mathare: 9; Alice, Mathare, 6; Dennis, Kibera: 25, all in: NUP.

election campaigns and their ethnic identity could reliably be assumed (Alvin, Kibera: 17-18, in: NUP). Secondly, local leaders with knowledge of the ethnic composition of their neighbourhoods were said to have supported selective targeting. Thirdly, physical appearance is generally assumed to vary from tribe to tribe, yet it is not considered a reliable indicator of a potential target's ethnic identity (Alvin, Kibera: 92-93, in: NUP; see also 17-18). Finally, the native language of potential targets (or the respective accent in English/Swahili) and the victim's native name were taken as the most obvious identifiers.[74] Speech and name were checked by perpetrators as well as vigilantes, often by demanding to see an ID when one's ethnic identity was in doubt. Initially, selectively targeting members of the Kikuyu community and/or their property was deemed an easy task, and could safely be carried out while minimising the potential for erroneous attacks.[75]

Risk assessments, as well as risk reduction strategies,[76] by slum-dwellers were heavily dependent on the individual's perception of his/her own personal security. During the post-election violence, people avoided unnecessary movement and tried to remain close to their homes and the neighbourhoods.[77] This was especially true at night, as rumours and experience proved that dark nights offered additional cover for perpetrators and petty criminals to commit violent crimes.[78] Lastly, individuals were perceived to be most vulnerable, which reinforced the conviction that security was only to be found among one's own people, ideally with large groups of armed vigilantes keeping watch (Calvin, Mathare: 187, in: NUP). In Henry's words: "We will attack him. When he is alone, you will be attacked! HAHA, yes it's not fair but that's what happening. You just find it. I mean, you can't fighting on your own" (Henry, Kibera: 77-79, in: NUP).

4.3 Justifications for violence

> "Ok we just carried the pangas, everything we used. We just started protesting that we need change. […] Our rights! Our rights to be heard by the government. So that they can, they can value what we want" (Arleen, Kibera: 97-101, in: NUP; see also 89-96).

Two forms of justification for the use of violence dominate the slum-dwellers' perception of the post-election violence. The first is related to the perceived rigging of the elections and to Kenyan congruency between politicians, parties and ethnic groups as a trigger of violence: The opposition supporters longed for change, which was politically represented by Raila Odinga and his ODM. When Odinga was denied his assumed right to the presi-

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74   Alice, Mathare: 6; Frank, Kibera: 64-65; Alvin, Kibera: 89, in: NUP.

75   Calvin, Mathare: 160-164; Angela, Kibera: 39-48; Alvin, Kibera: 99-104; Frank (Kibera, 12), all in: NUP; Nation (12.1.2008: 3): "Young people speak out on election fighting" no Author. Nation (28.1.2008: 6): "Camp for displaced people closed down" by Wafula, Carline.

76   Apart from benefiting from the prevailing culture of impunity, risk reduction strategies also included traditional beliefs in the protective power of rites. Rumours about oath taking ceremonies conducted by members of the Kikuyu/Mungiki, or Kalenjin preparation ceremonies for young men circulated widely in Kenya during the post-election violence (and still do today). Both were interpreted as clear signs of pending attacks.

77   Colin, Kibera: 77-79, in: NUP; see also Clyde, Kibera: 60-61, in: NUP.

78   Alvin, Kibera: 87, in: NUP; see also Frank: Kibera, 12-13, in: NUP.

dency, this provided sufficient legitimacy for releasing the accumulated animosity of ODM supporters. Legitimate targets were those associated with President Kibaki.[79] In contrast, members of Kibaki's ethnic community, the Kikuyu, justify the use of inter-ethnic violence on the basis of their tribal allegiance; they had to protect their tribal baron by all means possible (Alice, Mathare: 26-31, in: NUP). The juxtaposition of both communities' justification strategies sheds light on a deep-rooted, ethnically-loaded incongruence that significantly heightened the likelihood of violent stand-offs. The second stream of justification is related to the all-consuming character of the post-election violence: With the slum-dwellers being cut off from their usual supplies and prices of the few available products soaring, the otherwise criminal act of looting was justified with reference to the need to survive. In fact, people on both ends of the ethnic spectrum were affected by reduced food supplies – hunger is a universal justification, crossing ethnic divides. Given that looting entails a degree of chaos that distracts potential security forces and/or vigilante groups from patrolling an area, any act of violence necessary to obtain groceries is justified.[80] Alvin explains:

> "They were looting because they were hungry. They were hungry. There was nowhere where they could buy food. They were beaten by policemen; they could not even reach the supermarket around there, Ngong Road. People were now just impatient. Looting shops […] because that's the only option you could do. By that time there was no way you could buy food" (Alvin, Kibera: 37-39, in: NUP).

4.4   The supportive social environment

"No Raila, No Peace!"[81] – "No Kibaki, No Peace!"[82]

In the period of post-election violence, people who otherwise commanded some authority in the slums (i.e. chiefs and elders, but also, and to a lesser extent, church leaders or teachers) were said to have been overpowered, like the police, and many were reported to have escaped during the worst episodes of violence.[83] The same applies to the poorly-performing Electoral Commission of Kenya (ECK). It was solely Kenya's few top politicians – also considered the tribal leaders of their people – who were accepted as authori-

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79   Frank, Kibera: 103, 104, 128; Edgar, Kibera: 166-172; Dennis, Kibera: 25; Colin, Kibera: 166-172; Arleen, Kibera: 97-101, see also 89-96; Alice, Mathare: 3; Warlord, Mathare: 108, all in: NUP.

80   Alvin, Kibera: 29-32, 37-39; Frank, Kibera: 6; Warlord, Mathare, 91; Calvin, Mathare: 14-20, 155; Casper, Mathare: 3-5, all in: NUP.

81   Brian, Mathare: 3-4; Calvin, Mathare: 114-122, Alvin, Kibera: 70-71, all in: NUP.

82   John, Mathare: 2 and Jack, Mathare: 3, in: NUP.

83   Alice, Mathare: 82-84, Calvin, Mathare: 122-128, 206-215, Frank, Kibera: 104; Alvin, Kibera: 18, 52, 112-116, 194-199, all in: NUP. The Kenyan Constitution in its version from 2007/2008 provided that the country's administrative structure is, from top to bottom, entirely dependent on the executive (the Office of the President and his government). Hence, on all administrative levels, the commissioners, officers, chiefs, sub-chiefs, and nominated village elders are government-appointed officials rather than elected servants of their local (ethnic) communities. Schools re-opened in Kenya on January 14, 2008 although many schools recorded low student numbers, attributed to the fact that many children were stranded up-country due to the transport crisis. See Standard (15.1.2008: 8): "Schools yet to receive funds from ministry" by Ogutu, Everlyn.

ties by the slum-dwellers, first among them being Mwai Kibaki and Raila Odinga (and, ultimately, the UN mediator and African elder Kofi Annan).[84] Voices of the top politicians, transmitted via the media, were interpreted by slum-dwellers as their 'big men' lending authoritative social support for inter-ethnic violence. This should be clarified: While both of these politicians (albeit with some delay) condemned acts of *ethnic* violence, the same cannot be said for the use of *political* violence. Odinga's calls for mass protests against the Kibaki regime directly appealed to ODM-supporting slum-dwellers in his strongholds. Having pledged tribal allegiance, and having been motivated by the political call for change, the slum-dwellers took to the streets in great numbers.[85] Given the security situation (police forces had already cordoned off the slums and the government had pronounced a ban on public rallies), Odinga's call was destined to ignite protest violence. The opposing slum-dwellers were aware of this and assumed, given Kenyan congruency between leaders, parties and ethnicities, that if their leader Odinga condoned violence against the Kibaki regime, he would likewise have been supportive of inter-ethnic attacks in the slums, which, as side-effect, boosted his support base in the strongholds. The applies to the Kibaki supporters.[86]

From their perspective, Kibaki did everything he could to protect his fellow Kikuyu against the Luo-led attackers, e.g. by sending police forces to escort the IDPs out of the slums. Given the reciprocal nature of patronage relations, Kibaki's public behaviour was interpreted as supportive of his followers own causes. What served the interests his followers was considered to serve his own, and vice versa. This meant that inter-ethnic reprisal attacks by members of the Kikuyu community were deemed legitimate since they backed Kibaki's efforts to stay in power. Ethnic ties were perceived to link his political survival with the fate of the Kikuyu community as a whole, and additionally, the Kikuyu slum-dwellers, who had already suffered much in the first weeks of January 2008, would have been spared far worse if Kibaki could only stay in power. Along with hear-say and communication via cell phones/text messages, radio and television were the slum-dwellers' other main sources for information.[87] Reports about inter-ethnic acts of violence directed towards members of one's own group had a direct impact on group passions in the slums. Contrary to rural radio stations, which were blamed for broadcasting hate speech,[88] radio and TV stations in Nairobi were said to have called for peace rather than sending messages of incitement. These calls for non-violence were heard by the slum-

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84   Dylan, Mathare/Korogocho: 11-12 and Warlord, Mathare: 53-55, in: NUP.

85   Alvin, Kibera: 7-14, 76-77; Frank, Kibera, 3-4; Ian, Mathare: 3-4; Calvin, Mathare: 114-122; Alvin, Kibera: 70-71; Elvis, Mathare, 53-55, all in: NUP; See also de Smedt (2009: 585).

86   John, Mathare: 2; Jack, Mathare: 3; Alvin, Kibera: 42; Alice, Mathare: 9-12, all in: NUP.

87   Calvin, Mathare: 181-182, see also Alice, Mathare: 62-66; Clyde, Kibera: 29; Colin, Kibera: 48-49; Alvin, Kibera: 28, all in: NUP.

88   Nation (19.1.2008): "Radio stations warned over hate speeches" no Author. See also Nation (20.1.2008): "Text your friend a message of peace" by Wambugu, Sam. Nation (2.2.2008: 15): "Vernacular radio blamed for fuelling ethnic hatred" by Querengesser, Tim. See also Nation (29.2.2008: 33-34): "I accuse the Press for igniting post election violence: fact or scapegoat?" and "Kenyans pit tribe against tribe via SMS" by Oriare, Frank.

dwellers but not acted upon. With police forces overpowered in the slums and confronting violent slum-dwellers on the main roads, an almost absolute culture of impunity prevailed in the slums.[89] Moreover, given the harsh conduct of the security forces, the little remaining respect that opposition supporters among the slum-dwellers had for the security forces diminished rapidly.[90] Confronted with these realities, the police was, on the whole, perceived as biased, in the sense of being a tool of the government. The police forces therefore did not command authority in the slums and were considered a legitimate target for violent confrontation.[91]

4.5   Participants, perpetrators and bystanders

> "It was something that came out just once. People were saying […]: 'Come out, young men, all the men out. Come out, you have to protect your place. Come out! There is a group coming!!!" (Frank, Kibera: 152-153, in: NUP).

Groups of young men are perceived by slum-dwellers to have been the main participants in post-election violence in Nairobi. Slum-dwellers differentiate these groups into good (protectors, vigilante, neighbourhood watch groups) and bad (perpetrators, attacker groups).[92] The groups deemed 'good' are composed of members of the observer's own ethnic community and were engaged primarily in protecting their immediate neighbourhood.[93] Secondary data sources suggest that the *de facto* boundaries between both of these groups (the good protectors and the bad attackers) are somewhat more fluid than reported.[94] Groups of young men who claimed to be protectors could also launch offensive inter-ethnic attacks or engage in criminal acts (e.g. demanding protection bribes). Indeed, even the slum-dwellers themselves were aware of the dangers emanating from groups of idle young men who are said to have taken advantage of the general state of lawlessness, whether they termed themselves protectors or not (Alvin, Kibera: 47-50, in NUP). Acts of violence committed by groups are generally understood to have been committed by gangs, i.e. either the Taliban (Luo-dominated) or by the Mungiki (Kikuyu-dominated).[95]

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89   In contrast to the cities of Nakuru and Naivasha, the army was not sent to quell violence in Nairobi.

90   Alvin, Kibera: 33-34; Elvis: 131-134; Alvin, Kibera: 105-108; Calvin, Mathare: 185-186; Edgar, Kibera: 128-132, all in: NUP; also Waki (2008: 204f); KNCHR (2008b: 45).

91   Alvin, Kibera: 61-62, also 35-36, 44, 91 and Frank, Kibera: 6-7, in: NUP.

92   For a recent review of research literature dealing with the highly ambivalent role of youths, gangs, vigilantes, and related issues such as the creation of ethnic zones in violence-ridden, marginalized urban areas in Africa, south of the Sahara (and especially in South Africa), see Veit, Barolsky & Suren (2011: 20-25).

93   Warlord, Mathare: 29-30, 39-46, 88-89; Elvis, Mathare: 124-131; Frank, Kibera: 152-153, all in: NUP.

94   Nation (10.02.08: 30): "Kenya's danger that lies in idle youth" by Bindra, Sunny. KNCHR (2008a: 36); Waki (2008: 195); HRW (2008: 44).

95   Clyde, Kibera: 30-34; Colin, Kibera: 50-51; see also Elvis, Mathare: 76-78; Dylan, Mathare/Korogocho: 9; Casper, Mathare: 9; George, Mathare: 5); Dexter, Mathare: 2-3, Calvin, Mathare: 220-229; Frank, Kibera: 154-162; Alvin, Kibera: 45-47, all in: NUP; Nation (7.2.2008: 6): "Outlawed gangs exploit poll protests to terrorise estates" by Nation Team.

Despite their perceived ineptitude ("The Mungiki? You cannot know a Mungiki!"),[96] the Mungiki are said to be widely known for their ruthlessness and sheer brutality. Hence, the mere mention of the Mungiki triggered fear and alertness during the post-election violence.[97] Interestingly though, and this may merely be an matter of selection bias on the part of informants during the present analysis, the Mungiki were reported to have turned up in both slums, Mathare and Kibera.[98] The same goes for the Taliban, whose actual character is also contested and unknown, but is believed to have its stronghold in Kibera, where its members are said to intermingle with ordinary vigilante groups. In Alvin's words:

> "So now you check around, Kikuyus mostly are the owners of Mungiki. […] And Talibans are found by Luos. Who live mostly some parts here of Nairobi. Here especially in Kibera we live, there is no Mungikis. Mungiki actually it is not easy to find them. If they eehhh, there is no way you could find them?" (Alvin, Kibera: 45-47, in: NUP).

Assumptions about gang involvement aside, groups of young and middle-aged men are identified as having been most active during the post-election violence. These groups were perceived as having assembled throughout the slums, and becoming a member or creating one's own was considered a wise act for youths. It was generally advised for everyone to stay inside and avoid contact with unknown groups of youths.[99] Attacks (to loot or to harm) were reported to have occurred beyond ethnic zone boundaries, where members of perpetrator groups were unknown, thus reducing the likelihood of being called to justice for the devastating consequences of their violent deeds.[100]

5.   Conclusions

5.1.   Fire in Kenya's urban heart of politics

During the post-election violence, those slum-dwellers who associated themselves by heart or blood with the ethno-political alliance led by opposition leader Raila Odinga and his Orange Democratic Movement (ODM) set out to teach Mwai Kibaki's ethnic community, the Kikuyu, and their fellow ethnic allies a gruesome lesson. This had serious consequences: While almost impossible to prove given the lack of reliable 'hard data', the analysis that has been presented here reveals that the ethnic heterogeneity that had characterized the vibrant lives of millions of urban poor inhabiting Kenya's densely populated melting-pots has been significantly reduced. The unfolding of post-election violence in Nairobi was primarily triggered and driven political events on the macro level (chap. 3.1). On the micro level, however, it developed its own fatal dynamics (chap. 3.3). These

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96   Alice, Mathare: 57-62, in NUP; Standard (25.1.2008: 16): "Sad tales of displaced people on a knife-edge" by Ndegwa, Alex. For further information about gangs in Nairobi, and the Mungiki 'movement' in particular, see UN-Habitat (2007: 308); Kagwanja (2003, 2006); Anderson (2002).

97   Calvin, Mathare: 237-245; Angela, Kibera: 122-128; Alvin, Kibera: 47-50, all in: NUP.

98   Calvin, Mathare: 220-229 and Alvin, Kibera: 53-60, in: NUP.

99   Alvin, Kibera: 39; Frank, Kibera: 9, 16; Calvin, Mathare: 78; Dennis, Kibera: 28-29, all in: NUP.

100   Calvin, Mathare: 186-189; Curt, Mathare: 5; Garret, Mathare: 8; Clyde, Kibera: 61-67; Edgar, Kibera: 124-127; Alvin, Kibera: 125-127; Alvin, Kibera: 12-13, all in: NUP.

dynamics resulted in and accelerated the emergence of a devastating amalgam of ethnic-, political-, and instrumentally-motivated acts of violence (chap. 3.3) that were initiated by groups of young men, and tolerated – if not justified – by their fellow ethnic peers.

This lesson was targeted at the Kikuyu. It was spearheaded by aggravated members of the Luo-led oppositional ethnic alliance due to the lack of alternative targets for venting their aggressions. The Kikuyu were shown that they were no longer welcomed in the strongholds of other ethnic groups and came to realize that, despite their privileged position, they were incapable of defending themselves against the joint wrath of the long-disregarded ethnic communities assembled under the political banner of the oppositional party vehicle, Odinga's ODM. Amid violently-enforced isolation of the slums, whose inhabitants could not reach the main stage of politics physically located in Nairobi's city centre, the secondary message of the Luo-led ethnic attacks was directed straight to Kenya's Kikuyu-dominated socio-economic elite. The bloody message conveyed through inter-ethnic violence thus resembles a joint outcry launched by members of the oppositional ethno-political alliance. It was driven by outrage over the political betrayal of the opposition's undisputed leader Raila Odinga and by the collective experience of decades of dishonour and degradation, which, from the perspective of the opposition supporters, originated not so much from identifiable members of Kenya's Kikuyu-dominated elite, but from its Kikuyu ethnic community as a whole.

Nairobi burning

The transmission of this message was preconditioned on a willingness on the part of the attackers to shed blood for their cause, and proved willing to keep Nairobi burning by fuelling the fire. The distinct character of this message that was inscribed in post-election violence was rooted in the omnipresent inseparability of politics and ethnicity in the densely-populated slums of Nairobi. This state of affairs was aggravated by the promise of citizenship inherent in the nature of democracy, seemingly within reach for the neglected poor only once every five years. It has been shown that under such circumstances, the perceived rigging of elections by Kibaki's regime became a pivotal point for the urban poor. Tensions dramatically rose in Nairobi during the deadly quiet that preceded the eruption of violence, and the incumbent regime reacted by deploying security forces along slum boundaries to contain political protests; protests, which were clearly expected to emanate with force from ODM's urban strongholds in the slums. This occurred owing not least to opposition leader Odinga publically denying the legitimacy of the election results and after the secretive and hasty swearing-in of President Kibaki. While the actual results of the elections will, in all likelihood, never to be known, what remains significant is that opposition- and government-supporting slum-dwellers alike interpreted the political and local events that drove the post-election violence primarily in light of these divisive elections and their disputed outcome. This explicitly includes the shared perception of acts of inter-ethnic (mass) violence.

Fuelling the fire

The devastating material and immaterial legacy of the ethno-political fires in Nairobi reveal that electoral violence, driven by an amalgam of divisive democratic politics and

ethnicity, is wholly inseparable from instrumental uses of violence. In this analysis, five analytical elements have been explored, each of which, in their interaction, fuelled the burning fire of violence in Nairobi. These included, first, the tactical support for violent actions lent by by-standing slum-dwellers to the perpetrator groups who belonged to their respective ethnic communities (chap 4.1). A second critical situation was that, amidst the unfolding chaos in the slums, diverse opportunities for singling out ethnic others arose, which were exploited in order to victimize individuals with impunity (chap. 4.2). Third, among the range of justifications for acts of (ethnic) violence that could be highlighted vis-à-vis one's own impoverished peers as well as in communication with outside observers (such as the author of this report), one justification stands out above the others: violence directed at impoverished members of other ethnic communities and their property (rather than only at representatives of the current regime or the economically better-off) was justified on the grounds that 'we were hungry' and 'we wanted our voices to be heard' (chap. 4.3). Fourth, the authoritative social support lent to the masses of rioting slum-dwellers by their respective top political leaders, i.e. Raila Odinga and Mwai Kibaki, assumed a vital role. This is not because these leaders openly called for violence (neither of them did), but rather on account of the fact that their demonstrative absence and/or lack of strong-hearted personal engagement in bridging the ethno-political divide in a publicly visible manner was interpreted by their impoverished peers as a clear signal to carry on and support their leader's political struggles for power by violently standing their ground in the slums (chap.4.4).

Lastly, the unfolding of chaos in the slums provided incentives for establishing ethnically homogeneous vigilante groups to protect one's own families, property and, territorially speaking, neighbourhood. Due to the generally ambivalent nature of (armed) groups of young men in the slums – heightened during the period of violence – this paved the way for the 'hijacking' of the post-electoral period by existing criminal gangs, shadowy movements and local strongmen with selfish economic interests (chap. 4.5). This hijacking of the post-election period was successful in the sense that it provided the idle and impoverished youths in the slums who were vulnerable to dynamics of violence in Nairobi and tempted by the material gains of violence with the conviction of carrying out their deeds for the greater good. In doing what the perpetrators of inter-ethnic violence did when an occasion presented itself during the post-election violence, they inevitably were fulfilling their own ethnic group's 'just' cause.

Withstanding the fire

The ethno-political character of the slum-dwellers' message to the incumbent PNU government and its intrinsic entanglement with the nature of democratic politics presented here directs attention to yet another message. Established knowledge of ethnic riots tells us that periods of intense violence are characterized by the absolute absence of cooperation between members of one ethnic group and another. Yet what emerges from this analysis is that even during the worst periods of ethnic violence, inter-group cooperation was never wholly absent. This is quite clearly true for roughly half of Nairobi's citizens, who, as the spatial concentration of violence in the slums reveals, did not participate in any acts of inter-ethnic violence. In other words: in those areas where poverty was not dire, violence did not erupt. But even within the slums, a sense of cooperation prevailed across ethnic

lines, albeit on a very limited scale. While it has been demonstrated that remorse about the goals of post-election violence was largely absent among oppositional slum-dwellers, it has also been shown that the slum-dwellers, as a whole, did not support the brutality of the means for achieving them. On the contrary, opposition- and government-supporting slum-dwellers alike both condemned them strongly. While inter-group hostility clearly replaced inter-group cooperation during the post-election violence, what seems to have prevailed among slum-dwellers was a sense of joint fate, a common destiny shared by an inter-ethnic community of Kenya's neglected poor.

Alternatively, one must bear in mind that the research for this report was conducted about one-and-a-half years after the post-election violence came to an end. Since then, inter-group amity seems to have regained some lost ground in the slums of Nairobi. Be that as it may, the following can be reasoned with considerable certainty: Considering the adamant justifications of Nairobi's poor, the circular nature of ethnic attacks, the heavy losses the slum-dwellers suffered on both sides of the ethnic divide, and the uneasy regard for the fragile peace in the slums, the bloody 'lesson' was, without a doubt, widely taken to heart among them. The question remains of whether or not the lesson was also internalized by the thereafter established inter-ethnic coalition government, which incorporates the big men of the antagonized ethno-political alliances under the leadership of Mwai Kibaki (PNU), as President, and Raila Odinga (ODM), as Prime Minster. The ongoing public deviance of tribal barons such as Higher Education Minister William Ruto (an ethnic Kalenjin) who has charges against him at the ICC and a current suspension, the recent performance of the coalition government, and the rather sluggish implementation of its reform agenda together suggest that Kenya's political leaders do not necessarily perceive of themselves as having a stake in their multi-ethnic nation's shared future. In this spirit, the joint message emanating from Nairobi's impoverished melting pots during and after post-election violence resembles a democratic outcry from Kenya's multitude of neglected poor. These impoverished people – as ethnically diverse as they are politically and socio-economically marginalized – demand that their voices be heard by wider Kenyan society.

5.2   Preventing future flare-ups

Kenya's poor want to be taken seriously by their elected political leaders. During the post-election chaos, politicians were violently reminded that they need to truly commit themselves to fighting for socio-economic empowerment and democratic inclusion of their urban (and rural) citizens. This joint message assumed bloody forms because alternative channels were barred and non-violent forms of protests were believed to go unheard and unacknowledged. Despite the decisive material and immaterial legacies created by the post-election violence, potentials for peaceful inter-ethnic cooperation still exist among the marginalized have-nots at the grassroots level.

Inter-ethnic alliance-forging

Maintenance of peace in Kenya ultimately requires that those political leaders who intend to run in 2012 go beyond the narrow margins of political tribalism. They need to form an inter-ethnic alliance that includes the main antagonized groups, i.e. the Kikuyu and the

Luo, while at the same time abstaining from alienating their poor and marginalized ethnic peers in the slums. They must also be sure not to alienate Kenyans who belong to (formerly) allied ethnic communities such as the Kalenjin, whose rural impoverished members were heavily involved in acts of violence in areas such as the infamous Rift Valley Province. In the run-up to the approaching elections, public politics conducted at Kenya's top levels should therefore focus on the creation of publicly-visible symbols of inter-group cooperation. Given that Kenya's impoverished citizens are socio-economically and politically marginalized but not ignorant, such inter-ethnic elite cooperation should be conducted in the most honest way possible. Articulating such a demand is not wishful thinking: Kenya's current politicians, including Mwai Kibaki and Raila Odinga, have already proven that they are capable and willing to turn the tides of their multi-ethnic country's political situation for the better. One can think back to the formation of the National Rainbow Coalition, which, supported by a vibrant civil society movement, resulted in the cooperative ousting of long-term dictator, President Daniel arap Moi in 2002. A further example was the peacefully-held constitutional referendum held as recently as 2010, during which Kibaki and Odinga publicly worked together in the victorious 'Yes'-campaign. This stands in contrast to the 'No'-campaign, which was led by the currently-suspended Higher Education Minister Ruto. Admittedly, recommendations urging pre-election inter-party and inter-ethnic memorandums of understanding among Kenya's political leaders do not accord with traditional liberal understandings of democracy. However, as history tells us, this may be the only way to avoid future flare-ups of post-electoral violence.

Pre-emptive actions

In 40 of the 46 African countries that host multiparty elections, legal frameworks are in place that provide for the possibility of bans on political parties with particularistic agendas. Nearly all of them mention ethnicity as a possible reason for imposing a ban. Only the legal systems of Botswana, the Comoros, Mauritius, Zimbabwe, South Africa and Kenya do not grant this possibility (Becher 2008: 91). Acknowledging that legal acts are often not worth the paper they are written on, it may nonetheless be time to consider similar options for the Kenyan political setting. To be clear, what is needed is not *pro forma* action such as the introduction of quotas regulating the composition of a party's political leadership. Instead, what is needed are policies and regulations that aim at *de facto* limits on the influence of parties or party coalitions, the ones appealing exclusively to members of certain ethnic communities while alienating others. Beyond that, Kenya's current electoral system – advantageous to political leaders with strong ethnic standings – should be reconsidered. The same goes for the practice of publishing daily opinion polls before the elections and for the system of incorporating provincial results into the public tallying of the votes. The latter is important, firstly, because Kenya's ethnic divisions are mirrored in the demographics of the country's many provinces and on the level of rural and urban constituencies, and, secondly, because questions of territoriality are not only politically contested (e.g. under the header of Majimboism) but, above all, violently fought out in rural as well as urban areas by Kenya's marginalized poor. Another recommendation would be to remind Kenya's political leaders that their primary task should to prepare the groundwork for mid-term political inclusion and the socio-economic improvement of the lives of their fellow countrymen – be they urban or rural, rich or poor, male or female, Kikuyu or Luo, or associated with any other of

Kenya's many ethnic communities. The least the reformist should do is uphold and intensify the currently ongoing fight against the culture of impunity and (fiscal) opaqueness, still characterising many layers of Kenya's political, legal, and economic systems. Admittedly, pushing for socio-economic redistribution, political accountability and legal certainty may – as important as they are – constitute long-term goals, which now leads us to some short-term recommendations.

The micro level

In case Kenya is once again pushed to the brink, either before, during or after the next elections, repressive police tactics such as violently cordoning off the slums and the excessive use of lethal force should be avoided by all means. This report has demonstrated that the side-effects of trying to create hermetically-sealed areas within Nairobi to protect the lives and property of its general population (and especially Kenya's rich, whose estates are located only a few kilometres away from the slums) cannot be overrated. Excessive use of lethal violence by police forces accompanying such efforts provided rioters with ample justification to continue engaging in the above-mentioned amalgam of politically-, ethnically- and instrumentally-motivated acts of violence. If the use of repressive force should, however, prove necessary, established knowledge about ethnic riots tell us to that shows of massive force on the side of the security forces generally deter rioters. Consequently, with the police having proven that they are unable to comprehensively deal with large-scale eruptions of ethno-political violence, the politically realistic conclusion would be to deploy military units as soon as possible. In Horowitz's (Horowitz 2001: 359, also 361ff) words "if the army is dependable, the riot will end as a riot. If it is not, it may become something much worse." In Naivasha and Nakuru, the Kenyan army has, in the past, been deployed during post-election violence, proving comparatively successful at quelling efforts. If the army must again be deployed in densely-populated urban areas during or after the elections in 2012, this must proceed rapidly and greatest possible care must to be taken so that neither the army nor any other branch of the security forces engages in the excessive use of repressive violence.

Crucial for the suppression of large-scale acts of riot violence is an indiscriminate *show of force* in the early stages of violent inter-group confrontations. Naturally, such a show of force must be supplemented by concrete actions against clearly-identifiable perpetrators. Any excessive use of regime-directed violence against the masses of political demonstrators would be highly counter-productive and would only fuel the spiral of violence; this applies particularly to the (rather likely) case that some protestors will engage in instrumental acts of violence, such as looting. Acting Senior Superintendent of Police, Joseph Musyoka Nthenge, provides for a great example of how security forces ought to behave in the midst of violence: Nthenge became famous for having demonstrated responsible behaviour towards rioting mobs while in charge of a unit of the paramilitary Kenyan anti-riot force, the General Service Unit (GSU), patrolling the streets of Nairobi in December of 2007. As UN Acting Director General Ms. Inga Klevby put it during an official ceremony organised in his honour in 2008:

> "today the United Nations family in Kenya recognizes Supt. Nthenge for his contribution to peace through dialogue. He is indeed worthy of the title – 'Kenyan hero' [...] within a 48

hour period, Nthenge employed dialogue and negotiations four times to extinguish possible violent flare-ups. In addition to being seen on TV persuading a mob away from their destructive behavior, he convinced two other mobs in the city as well as dissuading a group of Members of Parliament (MPs) to call off a march to challenge the banning of public gathering inside the city's largest park (Uhuru Park) by the police" (UNIC 2008).

This report has sought to make clear that utmost care needs be taken to ensure that security forces – whichever branch they may be – not only act appropriately and restrained, but also that they safeguard the continuous supply of necessary provisions (such as mobile phone credits) and, most importantly, affordable foodstuffs to Kenya's impoverished urban areas. Secure supply corridors must be kept open under any circumstances so that the majority of slum-dwellers who run small informal businesses or pursue jobs in other parts of the cities may continue to work, thus being able to sustain themselves and their families.

Societal and international pressure

Recommending that Kenya's current political elite refrain from the threat or use of excessive force and requesting that they instead react to the (joint) demands of their impoverished electorates in constructive ways – beyond merely uttering pre-election promises (and gifts) to fellow members of their own ethnic community – is indeed a lot to ask of them. In order to pressure Kenya's leaders to behave responsibly during times of fierce electoral competition, the joint support of the country's civil society and its critical media is required. This, however, will likely not be enough. Political pressure needs to be exerted by the international community as well; first and foremost, by members of the numerous local and regional diplomats as well as various powerful international donor organisations and multinational enterprises that have their regional headquarters in Nairobi's posh suburbs. While continuing to support Kenya's vibrant civil society and local initiatives seeking political and socio-economic empowerment, these organisations and individuals can, at best, mutually step up political efforts to restrain Kenya's political radicals and increase support for the moderate voices among them. The 'activist approach' to diplomacy taken by Michael Ranneberger – former U.S. ambassador to Kenya, and his colleague Walter Lindner, former German ambassador – provides for a good example of how such a cooperative and critical engagement could be conducted at the diplomatic level.[101] In the end, however, and despite what happens to the (in)famous 'Ocambo six' at Den Haag, Kenya's fate is not in the hands of the international community. The joint fate of its ethnically diverse citizenry of 41 million is in the hands of the country's political elite, and it depends on the very words and deeds they choose to convey to the urban poor and their rural counterparts. As an anonymous informant put it in the aftermath of the post-election violence in reference to his fellow slum-dwellers: "when they join their hearts, you cannot stop them."

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101   See Wadhams (2011).

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