Violence still threatens after Kenyan peace deal

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President Mwai Kibaki of Kenya and opposition leader Raila Odinga signed a power-sharing agreement brokered by former United Nations General Secretary Kofi Annan on February 28. Both parties to the agreement expressed the hope that it would bring an end to two months of intertribal violence and state repression that have claimed at least 1,500 lives.

However, at least 19 people have been killed since the deal was signed, and the figure is expected to rise. Many bodies are thought to be lying uncollected because further clashes are feared. Violence has continued in the Rift Valley area. Further ethnic cleansing was reported in Narok and Kericho. More people flocked to the camp for displaced persons at Naivasha, where approximately 16,000 people are already sheltering from earlier violence. Official figures estimate that some 4,600 people have fled from the district of Laikipia in the Rift Valley after four days in which houses were torched.

As the official opening of the Kenyan parliament got under way, it was still not clear how the power-sharing agreement would work. Rival militias are said to be arming themselves in readiness for further violence.

The US government has retained its travel warnings for Kenya. "We are yet to lift it. The advisory still stands. When we lift them, it will be made public," Ambassador Michael Ranneberger said at the annual dinner of the Kenya Law Society.

Odinga, who is to become the first prime minister in Kenya's history, joined President Kibaki in a display of unity at the Karen Golf and Country Club, where they distributed the prizes in the Tusker Kenya Open Golf Championships. They used the opportunity to allay the fears of investors. "It required me and Kibaki to sort out the Kenyan poll problem," Odinga said. "Kenya is safe for tourists to come."

"As ambassadors of goodwill, I appeal to you to market Kenya in your home countries," Kibaki told the golfers, "not only as a peaceful country, but also as a tourism and investment destination of choice."

Kibaki and Odinga are eager to reassure businessmen because tourism is a major foreign exchange earner for Kenya. Kenya lost US$6 million as a result of the cancellation of conferences.

Standard and Poor's gave Kenya a B+ rating for investment last year. When the post-election violence began, they put Kenya on credit watch. Fitch, the rival ratings agency, expects a further downgrading of Kenya's status this year. This is a serious situation because the government intended to carry out some major privatisations and to become the first East African country to launch a Eurobond.

It is still not clear how the power-sharing agreement will work. The uncertainty gives ample scope for conflict between the participants, which may spill over onto the streets.

The constitution must still be amended to create the post of prime minister. Kenya has had an executive president since independence in 1963. How the president's powers will be shared with the prime minister remains uncertain. Some commentators have suggested that the president may control foreign affairs and the prime minister domestic affairs, as in France.

On Thursday, parliament will begin the process of implementing the deal with the National Accord and Reconciliation Act. It will be the first of four bills intended to end the violence.

Kibaki and Odinga must begin to appoint a cabinet. It is thought that Odinga will demand the posts of finance minister and justice minister for his Orange Democratic Movement (ODM). Justice Minister Martha Karua has been one of the fiercest defenders of President Kibaki and led his Party of National Unity (PNU) negotiating team in the talks that preceded the agreement. She opposed the idea of a coalition up to the last minute. It was a torrent of abuse from Karua that led Annan, now head of the Panel of Eminent African Personalities, to suspend the talks at one point.

The post of finance minister, presently held by Amos Kimunya, may be even more hotly contested since it holds enormous powers of patronage. It will be a key post in relation to the corruption scandals that have plagued the government of Kibaki. If Kibaki loses the right to appoint his own man to finance, his political power will have been considerably curtailed.

Currently, the two parties are almost balanced in parliament. But five by-elections are due that may alter the situation. These elections will become intense contests that may at any point result in further violence.

Immense external pressure was put on Kibaki to accept the agreement. He only agreed to power sharing when President Yoweri Museveni of Uganda turned against him. At one point in the talks, Museveni asked all Kibaki's advisors to leave the room. The two men were closeted together for three hours, after which Kibaki emerged looking chastened, according to observers.

Museveni is said to have spoken just as bluntly to Odinga. Uganda's landlocked economy was suffering from the blockade on trade to and from the port of Mombasa. How far Museveni's threats went is not known, but he has shown himself willing to intervene militarily in other Africa countries before. There were rumours that Ugandan troops had been seen in Kenya.

Pressure also came from Canada and Europe, with leading Kenyan politicians threatened with travel bans and having their assets seized. The fact that Switzerland came on board was important, because many of the Kenyans have Swiss bank accounts where they salt away their illicitly acquired wealth. The same threats hang over any of Kenya's political elite who attempt to disrupt the power-sharing agreement.

Most important was the pressure brought to bear by the United States. While President Bush was touring Africa, Secretary of State Condoleezza Rice was in Kenya holding talks with Kibaki and Odinga. “It simply isn’t going to be business as usual until this crisis is resolved,” she said.

Assistant Secretary of State for African Affairs Jendayi Frazer warned of targeted sanctions if the two parties failed to sign a power-sharing agreement.

Kenya is not in a position to break its ties with the West because its economy is so closely geared to markets in Europe and to North American tourism. Whilst the growing influence of China and other non-Western powers in Africa allowed Kibaki to hold out against making a power-sharing agreement for some time, the West has eventually been able to exert decisive pressure on Kenya’s political elite and business class. This was especially true of the newer layers of entrepreneurs who have moved into the digital and financial sectors in recent years.

But the agreement does not address the underlying problems. Even if the two main political parties wished to make power sharing work, there are fundamental political, economic and social issues that have still not been resolved.

Packing flowers for US$2 a day rates as a good job in Kenya, and such jobs are hard to find. Many of Kenya’s predominantly young population are unemployed or work sporadically in the unofficial economy. Kenya’s 6 percent economic growth rate in recent years has deepened the division between rich and poor. The majority of the population have not shared in the boom.

Unemployment was estimated to stand at 40 percent even before the post-election violence. Unemployed youth and students, who see limited prospects for themselves despite their education, made up the militias that terrorised many districts. Politicians from both sides were able to hire them to drive out the supporters of their rivals while keeping their own hands clean. Members of other tribes or ethnic groups have become scapegoats for the economic deprivation that so many suffer in Kenya.

Land remains a key issue, despite the flow of population into the towns and the development of the economy because of the high unemployment levels. It is often the only means of gaining a certain measure of economic security.

In the Rift Valley, which has seen some of the worst violence, British colonialism has left a legacy of inequitable land distribution. This fertile area was part of the so-called White Highlands where British colonial settlers seized the land of the nomadic Maasai herders and the Kalenjin to establish vast estates. After independence, the predominantly Kikuyu elite were able to acquire most of this land and lay the basis for their continued domination of Kenyan business and political life.

Local tribes that have been excluded from landholding in the Rift Valley supported Odinga’s ODM in the election in the hope of securing a redistribution of land. Even before the election, party officials and local elders were planning a campaign of ethnic violence to drive out the Kikuyu. Those who suffered were comparatively poor farmers, rather than the wealthy absentee landowners.

The Kikuyu who settled in the Rift Valley had in many cases been driven from their land by white colonial settlers. They do not have a homeland to go back to as the pro-ODM Kalenjin militia demand.

On its part, the Kenyan government appears to have turned to the Mungiki, an illegal secret society that exacts tolls from minibus taxis and levies protection money in urban slums. The BBC has alleged that senior government figures met with leaders of the Mungiki at an official presidential residence. The BBC claims that sources inside the Mungiki have said that it was a renegade group that met with the government. Eyewitnesses maintain Mungiki were involved in attacking non-Kikuyus with machetes. A policeman told the BBC that police on duty at roadblocks were told to allow certain minibuses through, although they were filled with young men who appeared to be armed.

A Kenyan government spokesman has declared that these allegations are “preposterous.” Only last year, there was a police crackdown on Mungiki operations. But Kenyan human rights groups and church sources are convinced that Mungiki members were operating alongside the police in some areas.

Politicians have turned to the Mungiki in the past. President Arap Moi and Uhuru Kenyatta appealed to it the 2002 elections, and the ODM turned to it during its 2005 campaign for a constitutional referendum.

As long as the question of social inequality is not addressed, there will be the basis for political violence in Kenya. And the power-sharing agreement offers no prospect of reducing the disparity between rich and poor or providing jobs for the unemployed.

For the politicians, the power-sharing agreement is just that—an agreement to share power and the privileges that go with it, at least for the time being. Odinga spoke about social inequality in his election rhetoric and demanded change, but the main change he is concerned with is securing wealth for himself and his supporters.

The ruling elite of all parties are incapable of resolving the problems inherent in the legacy of colonialism. The fact that they have had to turn in the present crisis to foreign powers demonstrates that Kenya remains a semi-colonial country, whose independence has always had a very limited character.

Bush may not have been able to personally visit Kenya as he had originally intended to do, but, at a time when US power in Africa is being seriously challenged by China, Kenya has found itself being drawn even more tightly into the US orbit. The US is determined to maintain its hold on this country, which is strategically vital to its interests in East Africa and beyond.

The contending parties in Kenya may be reluctant to allow street violence to reach the levels that it has in recent weeks because they both want to maintain US support. But the agreement will only ensure a temporary cessation in the conflict because the underlying issues have not been resolved. They cannot be resolved under the auspices of a colonial power that is engaged in an explosive campaign of military expansionism. For the US administration, this nation of 37 million people is no more than a cog in its military and intelligence machine.