

KENYA DEFENCE FORCES INTERVENTIONS IN CIVIL STRIFE IN KENYA: A CASE STUDY OF POST GENERAL ELECTION VIOLENCE OF 2007-2008 IN KENYA

Rev'd (Sgt) Elijah Onyango Standslause Odhiambo

Kenya Military Academy, Ministry of State for Defence and Department of Peace and Conflict Studies
Masinde Muliro University of Science Technology, KENYA

ABSTRACT

There have been several cases of Kenya Defence Forces (KDF) interventions in civil strife in Kenya since independence, for example, the Sabaot Land Defence Force (SLDF) war in Mount Elgon region in Trans Nzoia county, post election violence in 2008 and prevalent clashes in Garissa, Wajir, Mandera, Marsabit, Isiolo, Baringo, Mombasa, Kwale, Kilifi, Tana River, Lamu, Turkana, West Pokot and Samburu counties. The objective of our research was to examine the roles that (KDF) played during the post general election violence of late December 2007- early 2008. Survey method was used to collect the data. The respondents were Kenya Defence Forces personnel and civilian populations within Lanet and Mount Elgon area. Interviews and questionnaires were used to collect primary data while secondary data was gathered from library and internet sources. Data is presented using tables and graphs. The role played by of Kenya Defence Forces were; disarmament and security, rehabilitation of infrastructures, provision of medical services, provision of food and water, Traffic control and patrols.

Keywords: Kenya Defence Forces, Role, Intervention, Post General Election, Violence.

BACKGROUND

The presidential election that was held on December 27th, 2007, had the main contestants as the then incumbent President Kibaki and candidate Raila. The two had previously worked together under the National Rainbow Coalition (NARC) and, in the presidential election in 2002, together they won against candidate Uhuru Kenyatta who was backed by the then Moi administration. Within NARC, the following agreements had been reached as conditions for appointing Kibaki as a presidential candidate for the 2002 election (Daily Nation, October 23rd, 2002): (1) divide the cabinet posts equally between the Democratic Party (DP) group which was led by Kibaki and the other group which was led by Raila, (2) set up a new constitution and devolve to prime minister part of the authority that the president held under the existing constitution, and (3) support Mr. Raila to be elected as the prime minister. However, as the new government was formed, the process of cabinet formation and constitutional reform faced constant delay, and the relationship between the camps under NARC started to fall apart.

The existing constitution, which had been written at the time of independence from the British, gave the Kenyan president significant power initially designed to overcome obstacles for the newly created country. During the presidential campaign for the 2002 election, NARC pleaded to devolve certain presidential power to other posts and regional governments. However, the "new" constitution proposal, which was drafted under a close supervision of the newly elected president Kibaki, failed to devolve much of the presidential power. The draft was eventually vetoed by the disillusioned public in the referendum of 2005, greatly undermining public support for President Kibaki. Meanwhile, Raila newly formed the Orange

Democratic Movement (ODM) and continued to gain support throughout the country by setting up the Pentagon or a political partnership among regional politicians from not only Nyanza Province where he comes from but also from the Western, Rift Valley, Eastern, and Coastal Provinces. The significance of this partnership was that it was not those politicians in the Central Province where capital Nairobi is situated, but the regional provinces that strongly desired political decentralization that agreed to side with Raila. Against this background, the two former allies contested for presidency in the 2007 election. Furthermore, the two candidates represented not only their own ethnic groups, but also other ethnic groups that were pulled in to each camp, thus polarizing the political support along the ethnic line. The candidates needed supports from other ethnic groups. For example, both Kibaki and Raila fielded a vice president candidate from the Luhya tribe, the largest among the remaining ethnic groups, in order to attract Luhya votes (Gibson and Long, 2009). As a result, 75% of the Luhya voted for Raila and 23% for Kibaki. Raila, in addition, succeeded in acquiring regional support and gained 88% of votes from the Kalenjin people, to which the previous President Moi belonged. Among other smaller ethnic groups, the Kisii and Maasai took neutral stand.

Under this intense competition, the exit poll predicted Raila to be slightly in the lead for the presidential seat. The exit poll suggested that Raila have won the seat registering 46.1 percent of total votes against Kibaki's 40.2 percent. Allowing for sampling error of $\pm 1.32\%$ points, Raila's victory could be established with statistical significance. In fact, the parliamentary election that was conducted at the same time as the presidential election, Raila's ODM won against President Kibaki's Party of National Unity (PNU) by a large margin. However, in the evening of December 30th, three days after the voting, the Electoral Commission of Kenya (ECK) reported that Kibaki won 46.4 percent and Raila 44.1 percent of total votes. Immediately after this announcement, violence broke out in Nairobi slums and other major cities and soon developed into a series of attacks throughout the country, quickly worsening the public order that was not to be restored for over two months (Commission of Inquiry on Post Election Violence, 2008; Human Right Watch, 2008).

Initially, the main targets of the violence were the Kikuyu people, to which President Kibaki belonged. They were attacked in various spots including Kibera Slum of Nairobi county, in the city of Kisumu in Kisumu county, and Mombasa city in Mombasa county that are inhabited by Kikuyu and Luo people. In Nakuru and Uasin Gishu counties in Rift Valley, not only spontaneous attacks but also more systematic raids, mainly organized by groups of Kalenjin origin, occurred (Commission of Inquiry on Post Election Violence, 2008). The difference between violence that occurred in Nakuru and Uasin Gishu counties in Rift Valley and other places is that the politicians in Rift Valley had been said to deliberately fuel the land dispute between the different ethnic groups in order to win more public support during the election campaign. Human Right Watch (2008) reported that several of Kalenjin politicians spread words to make their people believe that once ODM occupied the presidential office, they would be able to make the Kikuyu leave the Uasin Gishu county and would redistribute the land among indigenous ethnic groups. Thus, in this particular county, the violence could be related to land dispute, resulting in violence of a more serious scale and consequences.

INTRODUCTION

Following a political settlement between Kibaki and Raila, brokered by former UN secretary general Koffi Annan, a national accord was signed on February 28, 2008 ending the violence. Investigations were commenced by several state agencies and several judicial commissions

into the causes, perpetrators and effects of the violence resulted in the violent death of over 1300 Kenyans and Over 650,000 Kenyans were classified as internally displaced persons, some of who became refugees in Uganda.

OBJECTIVE

To investigate the role played by Kenya Defence Forces (KDF) during post general violence of 2007-2008 in Kenya.

METHODOLOGY

The researchers used the survey research design. Mugenda and Mugenda (2008) describe survey research as “an attempt to collect data from members of a population in order to determine the current status of that population with respect to one or more variables.” The survey research design is suitable for this study since it enables the researcher to obtain information that describes the socio-economic impacts of undetonated ordnances in the research location. The tools used for collecting primary data were, questionnaires and interview while secondary data from library, journal, newspapers, internet and conference proceedings.

Sample Size

Due to sensitivity of the study, a sample size of 20 people was used comprising of 10 soldiers 10 civilians.

Subservience of the Military to Civilian Authority

Huntington (1957), in a study based primarily on the history of the military in Western societies), elaborated what was widely accepted as the liberal democratic model of civil-military interaction. Politics is beyond the scope of military competence, and the participation of military officers in politics undermines their professionalism. The military personnel must remain neutral politically. The area of military science is subordinate to, and yet independent of, the area of politics. The military profession exists to serve the state. The superior political wisdom of the statesman must be accepted as a fact. The idea of the subservience of the military to civilian authority, as Grundy (1968) has pointed out, follows a tradition going back to Plato. Huntington, however, challenged the simple identification of civilian control with democratic government, and military control with absolute or totalitarian government. The military may undermine civilian control in a democracy, he argued, acquiring power by legitimate processes, and within a totalitarian system the power of the military may be reduced by such means as creating competing military or paramilitary units.

Huntington’s concept of military professionalism has remained influential; the spate of post-independence military coups in the new states of Africa and Asia from the late 1950s prompted a more critical examination of the relation between civilian government and the military. Some commentators suggested that the presumed neutrality and separation of the military from politics was at best a Western concept, if not a complete fiction. Not only did military intervention sometimes occur in response to breakdown of democratic civil regimes with the ostensible aim of *restoring* democracy, and often with substantial popular support but in some new states, in which the military was seen as an integral part of the political system rather than, as in Huntington’s formulation, an agency outside the political realm. That a variety of political regimes, in which the pattern of relations between civilian politicians and the military covers a

broad spectrum, should claim to be ‘democratic’ is testimony to the popularity of the term in international political discourse. Such popularity reflects the extent to which the term acts as an agent of political legitimating in a world where democracy is accepted, at least rhetorically, as a universal ‘good’. But can military regimes ever be described as democratic? Or, indeed, are they necessarily anti-democratic? Gallie’s (1956) formulation of democracy as an ‘essentially contested concept’ lends support to a relativist position, the extension of which is that democracy can mean all things to all people. As Hewison *et al* (1993) point out, this effectively denies the possibility that any universal understandings can be reached and serves to ‘indemnify the most scurrilous of dictatorships and to undermine the legitimacy of democratic and reformist oppositions’. On the other hand, too narrow a definition, especially with respect to institutional forms, is unrealistic. One way of dealing with this definitional problem is to acknowledge that regimes measure up differently against various criteria of democracy, and that the idea of a continuum from more democratic to less democratic is the most useful and meaningful approach to the problem of analyzing and comparing regimes.

Precedence of Kenya Defence Forces (Kdf) Intervention in Kenya

This sub-section looked into the of (KDF) Intervention in Mt.Elgon area.

Sabaot Land Defence Force Insurgency

The Sabaot Land Defence Force (SLDF) originally took up arms in 2005 to defend land seized during the controversial Chebyuk settlement scheme, a government plan to re-settle landless people that were marred by corruption and arbitrary land-grabbing. The SLDF forces were co-opted by opposition politicians to ensure particular candidates would win seats in the region in the hotly contested December 2007 parliamentary elections. The conflict in Mt. Elgon pre-dates the post-election violence in Kenya but SLDF atrocities were related to the election, as militia members sought to intimidate opponents of their favoured Orange Democratic Movement candidates prior to the poll, and punish supporters of rival parties afterwards. In April 2007 The Kenyan human rights group warned of the atrocities committed by the SLDF, including killings of civilians, torture, extortion and rape, but Kenyan authorities initially failed to respond. In 2006, the SLDF set up its own “administration” in the Mt. Elgon area. Residents of this area complained that, following this, the SLDF seized and destroyed property, purportedly as “taxation.”

Abuses Involving the Sabaot Land Defence Force Deliberate Killings and “Disappearances” Of Civilians

The Kenyan human rights group documented 613 people killed by the SLDF since 2006, the vast majority of them civilians. According to them, the rebel militia abducted 118 and maimed 33 people. There were numerous media accounts of prominent politicians, chiefs, and others supposedly executed in broad daylight by the SLDF. A February 2008 police operation uncovered mass graves in the forest of Mt. Elgon, apparently victims of the SLDF. A man who says he was abducted by the SLDF and tortured at one of their bases in the forest, witnessed five corpses lying around the torture site. One chief in Mt. Elgon district described how the bodies of five people opposed to the SLDF were dumped in his area one morning with their throats cut. Many of the murder victims of the SLDF were politicians or party agents who competed against SLDF’s favored candidates in the December 2007 elections.

Mutilation and Inhumane Treatment of Civilians

Dozens of witnesses described to Human Rights Watch how members of the SLDF came to their homes at night, beat them and members of their family, then bound and blindfolded victims and abducted them. Some were beaten in their home and had their ears cut off there without being taken to the forest. The signature maiming of the SLDF is to cut off the ears of those who do not obey their orders or do as they wish. Many of the young men were maimed in 2007 because they refused to join the SLDF or because they supported political parties opposed to SLDF candidates. Human Rights Watch interviewed numerous people who had had their ears cut off by the SLDF and women who were beaten by members of the SLDF searching for their husbands. One man described how the SLDF beat his wife naked in front of him as a warning to him not to stand for the ruling PNU party in the upcoming elections. He was later abducted along with others and witnessed male prisoners forced to have sex with each other.

Rape and Sexual and Gender-Based Violence

Many young men who did not join the SLDF fled the area, leaving their wives to tend their farms. Male and female residents told Human Rights Watch that rape of men and women by members of the SLDF was routine for two years before KDF intervention, but that many victims were too scared to report violations to the police because the SLDF explicitly warned all their victims not to go to the police or seek hospital treatment. Several cases of sexual violence were documented after KDF intervention as victims felt safe.

Destruction of Property, Theft of Land and Livestock

Numerous victims described how their homes were set on fire and livestock, money, and land were taken by the SLDF at gunpoint. Sometimes the motive appears to have been theft, sometimes politics, and sometimes settling scores over land disputes. One retired civil servant told Human Rights Watch how he witnessed his neighbors abducted by SLDF and their homes set on fire.

Kenya Army Intervention against Sabaot Land Defence Force Insurgency

After insurgency by SLDF around Mt. Elgon, the Kenya Defence Forces (KDF) succeeded in destroying a ragtag militia group (SLDF) achieving what the Kenya police had been unable to do in two years. However, it took place amid accusations of serious human right abuses. Although the Kenya Defence Forces (KDF) forces are to be lauded for their success against Sabaot Land Defence Force Insurgency in Mt. Elgon as well as the post election violence in which it manned roads to prevent vehicle hijacking by gangs who took the advantage of the conflicts, patrolled towns and centers, offered health care and food to victims.

Alledged Abuses Involving the Kenya Army In MT. Elgon Region Unlawful Killings and Enforced Disappearances

The army's principal strategy to flush out the SLDF in Mt. Elgon was to arrest every single male over the age of 15 in the area, and "screen" them at a military base called Kapkota in Cheptais division of Mt. Elgon district. At the time of arrest, and later when in detention at Kapkota, detainees claimed they were routinely beaten, and some died as a result.

Torture, Arbitrary Arrest and Detention

“There is not a man left on the mountain,” complained one woman who described to Human Rights Watch how her husband was dragged from their bed by soldiers, beaten and driven to the Kapkota army base. Dozens of men interviewed by Human Rights Watch described how the military arrested them in their homes, on the street, in their fields. The soldiers asked them to show them members of the SLDF or the whereabouts of illegal weapons, and when they said they did not know, they were beaten. According to a man arrested in Cheptais trading center: “Soldiers came into my home and started beating me, they were shouting, show us the criminals, show us the criminals.”

Rape and Sexual And Gender-Based Violence

Human Rights Watch documented one case of rape by Kenyan soldiers. A neighbor of the victim described what she saw: “At night (the soldiers) stole food, destroy homes and raped women. I heard a commotion next door. I woke up and came outside. I hid in the bushes. I saw my neighbor there on the ground outside her house. Three soldiers all took their turn.”

Conceptual Frame Work

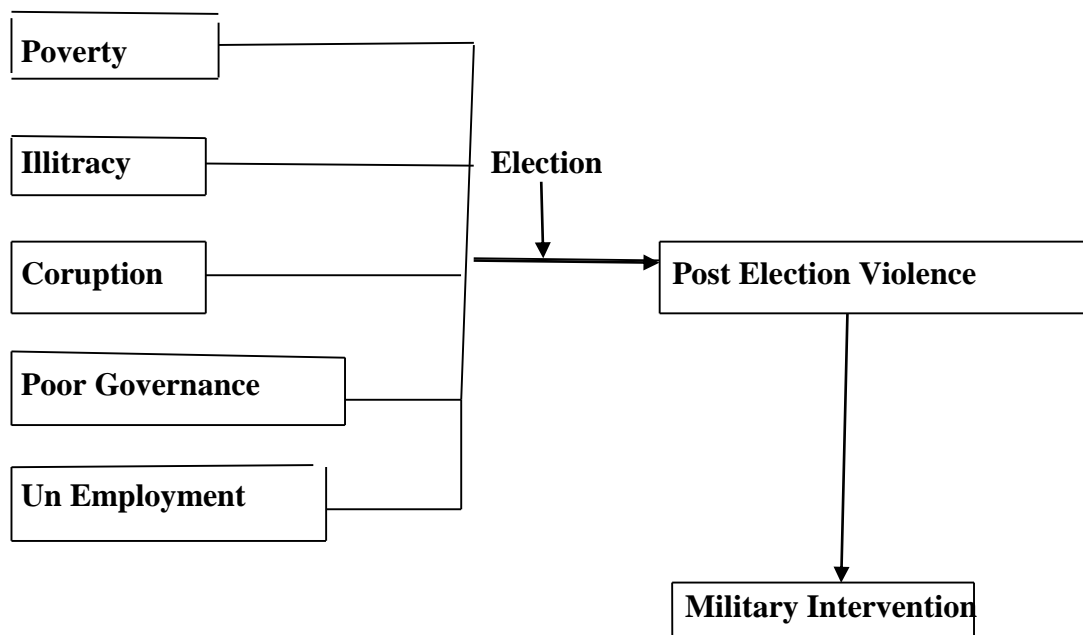


Figure 1: **Relationship between poverty, illiteracy, corruption, poor governance and un employment with post election violence**

Source: Researcher (2015)

The Kenyan Defence Forces and U.S. Army Reserve Civil Affairs (ARCA) Roles During Post Election Violence

The Kenyan Defence Forces (KDF) was active in Uasin Gishu and Nakuru counties in the Rift Valley during the post-election violence, most prominently by securing major roadways and supporting the local efforts of the Kenyan police. In fact, the Kenya Defence Forces (KDF)

was praised in the aftermath of the clashes for not becoming involved in the propagation of violence and for its professionalism in adhering to its designated roles under civilian control. In the aftermath of Kenya's December 2007 to January 2008 postelection violence, U.S. Army Reserve Civil Affairs (ARCA) teams began a series of school rehabilitation projects in the Rift Valley. This area was still reeling from a period of significant trauma and instability. Life in the Rift Valley had been completely disrupted. Most of the residents were displaced, markets and public places were destroyed, and schools were burned to the ground. Families' lives were turned upside down. Based on tensions over land tenure, the violence was generally described as focused on particular ethnic groups, including the Kikuyu and Kalenjin. The U.S. and Kenyan governments recognized that getting children back into school, particularly where multiple ethnic communities attended the same schools, would provide an important step for community healing. The (ARCA) teams' school rehabilitation projects from 2008 to 2015 in Uasin Gishu and Nakuru counties in Kenya's Rift Valley.

The Kenyan Defence Forces Roles during Post Election Violence

The role of Kenya Defence Forces (KDF) in Kenyan society illustrates development of democracy. Kenya has always prided itself on its Kenya Defence Forces (KDF) which are totally a political and subject to civilian rule. Apart from an attempted military coup in the 1960's and 1982 the military has been perceived to be neutral and a political. To its credit, the Kenya Defence Forces (KDF) is the only institution that got out of the post election violence with its reputation intact. In the aftermath of the elections, the Kenya Defence Forces (KDF) was called in to undertake some police duties and did so without resorting to violence. In fact part of the countries transport network was reopened only after the Kenya Defence Forces (KDF) intervention.

RESULT AND DISCUSSIONS

Demographic Characteristics of Respondents

Table 1: Ethnic Group of Respondents

Ethnic group	No of respondents	Percentages %
Luo	10	50
Kikuyu	5	25
Kalenjins	5	25

Field Data Analysis (2015)

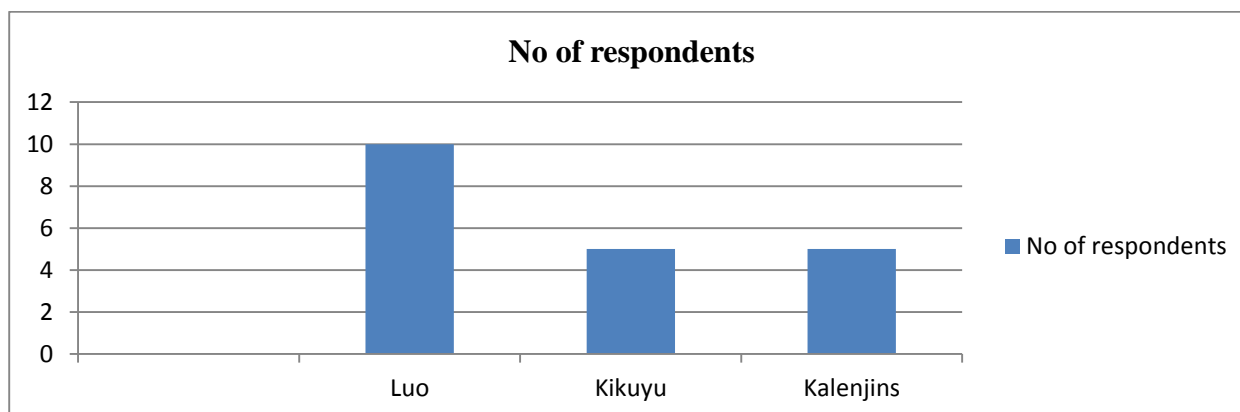


Figure 2: Ethnic group of respondents

Source: Field Data Analysis (2015)

Analysis from the table above shows that out of 20 respondents 10 of them were the Luo Ethnic group. The number of Kikuyu and Kalenjin ethnic group that participated was equal with 5 respondents each.

Gender of Respondents

Table 2: Gender of Respondents

Category	Frequency	Percentage
Male	12	60
Female	8	40
Total	20	100

Source: Field Data Analysis (2015)

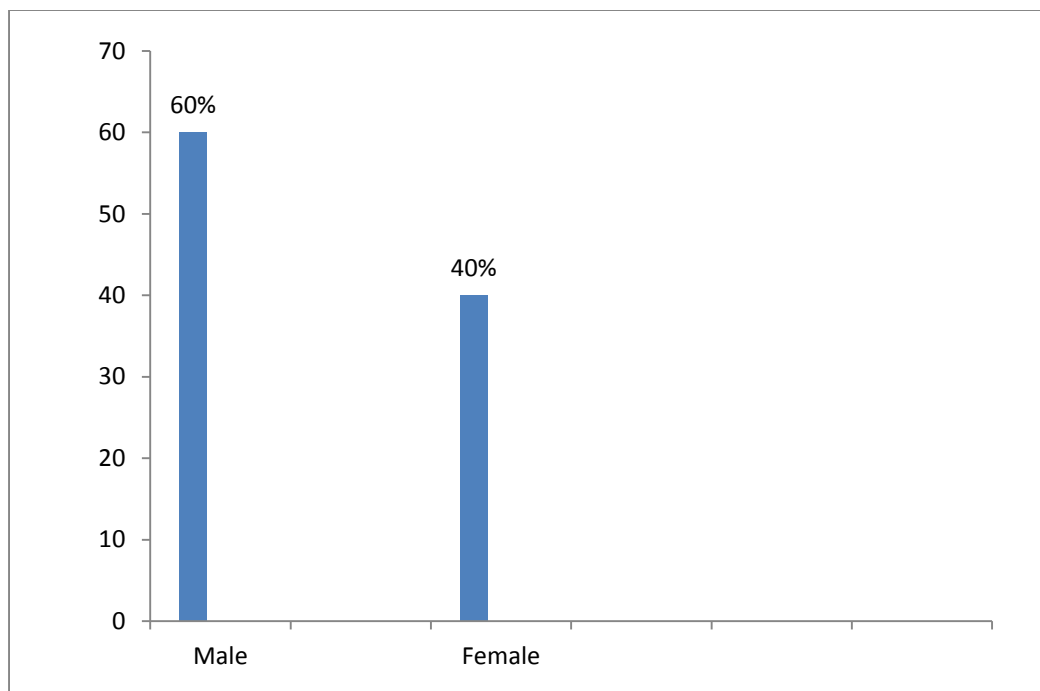


Figure 2: Gender of respondents

Source: Field Data Analysis (2015)

Analysis from the above table and figure indicates that 60% of the respondents are male while 40% are female. This can be interpreted that $\frac{3}{5}$ of the respondent were male while $\frac{2}{5}$ were female.

Table 3: Education Level of Respondents

Category	Frequency	Percentage
Certificate	3	15
Diploma	9	45
Bachelor degree	8	40
Total	20	100

Source: Field Data Analysis (2015)

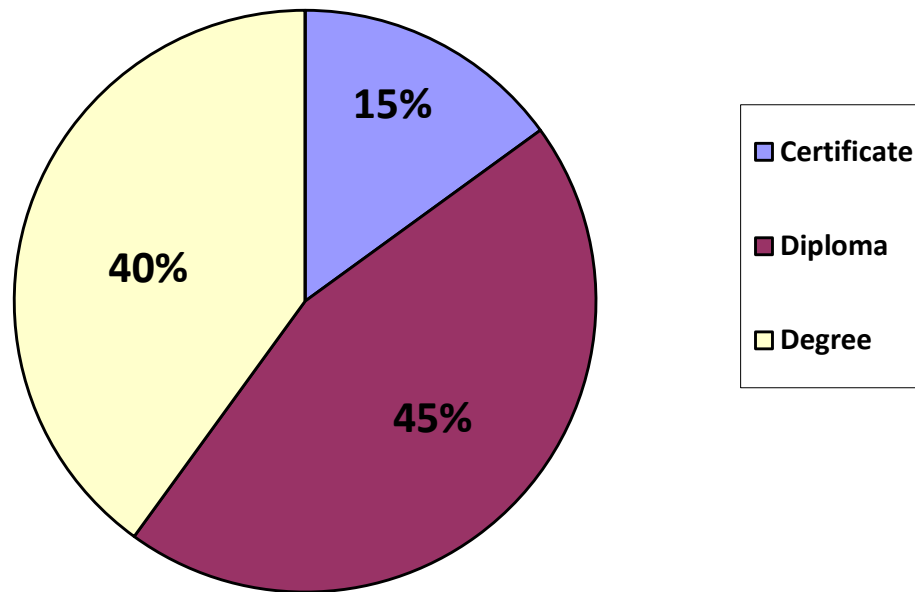


Figure 3: Education level of respondents

Source: Field Data Analysis (2015)

Analysis from above table and figure indicates that 45% of the respondents have diploma level of education, 40% degree level and 15% certificate level. This can be interpreted that majority of the respondents have got diploma level of education.

Table 4: The Role Played by Kenya Defence Forces (KDF) During Post-Election Violence

Role	No of respondents	Percentage
Disarmament and security	8	40%
Rehabilitation of roads	5	25%
Provision of medical services	3	15%
Provision of food and water	2	10%
Traffic patrols	2	10%

Field Data Analysis (2015)

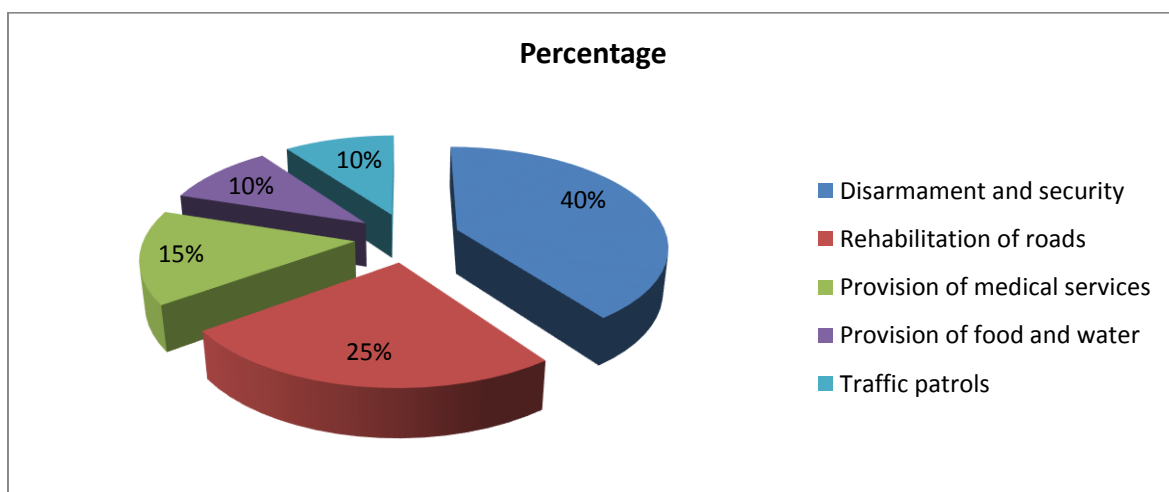


Figure 5: The role played by Kenya Defence Forces (KDF) during post election violence
Field Data Analysis (2015)

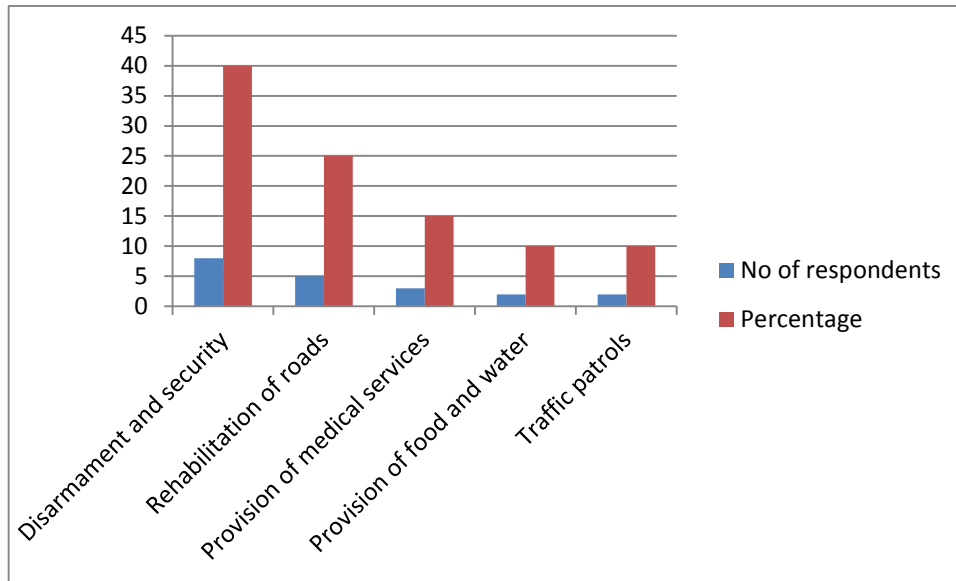


Figure 6: Bar graph showing number of respondents against role played by Kenya Defence Forces (KDF) during post election violence

Field Data Analysis (2015)

Analyses from the above table and figures shows that 40% said that Kenya Defence Forces (KDF) played a big role in Disarmament and security, 25% said rehabilitation of infrastructures, 15% said provision of medical services, 10% said provision of water and food and 10% said traffic patrols. 40% was the highest percentage because the co-business of Kenya Defence Forces (KDF) intervention was to restore peace of which they did perfectly.

Table 5: Analysis on the Effectiveness of Kenya Defence Forces (KDF) in Control of Violence

Category	Frequency	Percentage
Not effective	2	10%
Effective	6	30%
Very effective	12	60%

Field Data Analysis (2015)

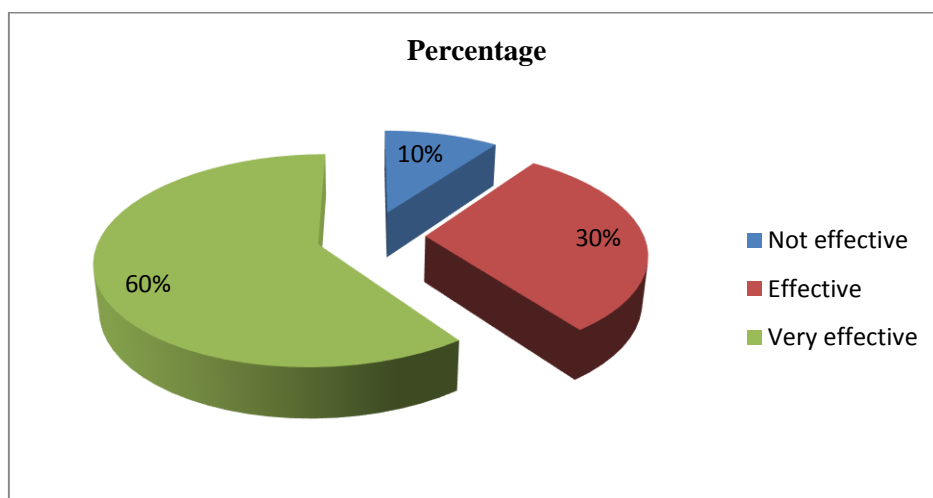


Figure 7: Analysis on the effectiveness of Kenya Defence Forces (KDF) in restoration of peace

Field Data Analysis (2015)

Analysis from above table and figure indicates that 60% of the respondents said Kenya Defence Forces (KDF) control over violence was very effective, 30% said it was effective, and 10% said it was not effective. This can be interpreted that Kenya Defence Forces (KDF) control over violence was very effective.

Disarmament and Security

Analysis of figure 6, affirms that 40% of our respondents had disarmament and security as their main role played by Kenya Defence Forces (KDF) during post election violence. A respondent from Molo in Nakuru county said that Kenya Defence Forces (KDF) confiscated poisoned arrows, guns and ammunition from Kalenjins armed group who used them against Kikuyus. Kenya Defence Forces (KDF) ordered the owners of these weapons to surrender them, but those who defied the orders were forced to surrender them. Kenya Defence Forces (KDF) also provided accommodation and security to displaced people where most of them lived in Military temporary camps in the affected areas. KDF, also conducted patrols and cleared any security threat in conflict areas of Nakuru and Uasin Gishu counties. These patrols were conducted by use of vehicles and helicopters fixed with cameras.

Rehabilitation of Infrastructures

Analysis of figure 6, showed that 25% of our respondents had Rehabilitation of infrastructures as a role played by Kenya Defence Forces (KDF) during post election violence. According to our respondents Kenya Defence Forces (KDF) reconstructed roads destroyed by aggressors in Molo and Eldoret towns. KDF also reconstructed two schools and one church in Molo which was torched.

Provision of Medical Services

15% of our respondents had Provision of medical services as a role played by Kenya Defence Forces (KDF) during post election violence. According to our respondents Kenya Defence Forces (KDF) doctors provided health services to casualties and victims of violence. People with major injuries were given first aid and evacuated to hospitals. Due to overcrowding and poor sanitation of displaced people there emerged some diseases that were attended to by Kenya Defence Forces (KDF) doctors. These doctors also offered vaccination services to prevent diseases.

Provision of Food and Water

10% of our respondents had provision of food and water as a role played by Kenya Defence Forces (KDF) during post election violence. According to our respondents Kenya Defence Forces (KDF) provided food and clean water to starving overcrowded IDPS in Molo and Eldoret Towns in Nakuru and Uasin Gishu counties.

Traffic Patrols

Analysis of figure 6, showed that 10% of our respondents had traffic control & patrols as a role played by Kenya Defence Forces (KDF) during post election violence. Kenya Defence Forces (KDF) conducted traffic control and patrols between Nakuru and Eldoret. Many of the aggressors deployed themselves along this road where they used to burn and loot vehicles. These patrols were conducted by use of both vehicles and helicopters.

SUMMARY OF FINDINGS

The roles played by Kenya Defence Forces (KDF) during post election violence according to respondents were; disarmament and security, rehabilitation of infrastructures mainly roads, provision of medical services, provision of food and water, traffic control and patrols. These prevented further loss of lives, damage of properties and restored hope to victims.

CONCLUSION

According to majority of respondents, disarmament and security was the main role played by the Kenya Defence Forces (KDF) during post election violence. Confiscating arrows and guns from rioting communities stabilized the situation.

RECOMMENDATIONS

During domestic violence Kenya Defence Forces (KDF) should be deployed immediately since it has qualified personnel and equipments. Some Kenya Defence Forces (KDF) departments like engineers should be actively engaged in nations building like building of infrastructures and water drilling in semi-arid zones in order to;

- i) Improve conditions of people living there.
- ii) Ensure proper use of nations resources.
- iii) Build good relationship between Kenya Defence Forces (KDF) and citizens.

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