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The challenge of negotiating between national and sub-national identities through heritage-making in post-devolution Kenya: with the example of Mukurwe wa Nyagathanga cultural site

David Mbutia

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THÈSE

UNIVERSITE DE PAU ET DES PAYS DE L'ADOUR

École doctorale 481

ITEM

Présentée et soutenue le 17 Décembre, 2020.
par David Irungu MBUTHIA

pour obtenir le grade de docteur
de l'Université de Pau et des Pays de l'Adour
Spécialité : Histoire

THE CHALLENGE OF NEGOTIATING BETWEEN NATIONAL AND SUB-NATIONAL
IDENTITIES THROUGH HERITAGE-MAKING IN POST-DEVOLUTION KENYA: WITH
THE EXAMPLE OF *MUKURWE WA NYAGATHANGA* CULTURAL SITE

NEGOCIER LES IDENTITES NATIONALE ET SOUS-NATIONALES, LA FABRIQUE DU
PATRIMOINE DANS LE KENYA DE LA DECENTRALISATION: L'EXEMPLE DE SITE
CULTUREL DE *MUKURWE WA NYAGATHANGA*

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Declaration

I, David Irungu Mbutia, declare that this Research Dissertation is my original work. Other works that have been quoted are duly acknowledged.

Dedication

This work is dedicated to my wife and children, without whose sacrifices and encouragement it would not have been possible. My wife Florence Waruinu Mwangi Irungu took up more than her fair share of domestic responsibilities during my lengthy academic sojourns in France, field work missions, and the innumerable times I worked late into the night. During these periods, our children Frank Mbuthia, Gracelyne Wangui, and Justin Mwangi were deprived of quality time and play with Daddy. I cannot remember how many times they asked the question, “Dad, when will you finish your work?” collectively and individually. My hope is that, as they continue to explore the world of knowledge, they will one day find the content of this thesis inspiring and worthwhile.

I also dedicate this work to my Mum and Dad, Jane Wangui and Francis Mbuthia, for instilling in me the love for education from childhood, and for their encouragement and moral support throughout this study.

Lastly, I dedicate this work to heritage managers in Kenya and beyond, with whom I have endeared to share my twenty years of experience in heritage management which straddles between pre and post-devolution eras. I hope they will find the work useful.

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Abstract

Heritage-making, also known as *heritagization*, is the process by which various actors assign different values to cultural identity based on specific interests. As a product of day-to-day living, heritage is created and recreated through perceptions and practices motivated by various reasons, which could be social, economic, or political. In Kenya, like in most African countries, *heritagization* of culture has historically been used by ethnic and other sub-national groups in the creation and maintenance of ethno-political, local, and regional identities. Heritagization has also been used by the state in the perpetual creation of Kenyan national identity and nation-statehood. Historically, the centrifugal forces that create ethno-political and local identities have been seen to pull against the centripetal force geared towards the creation of Kenyan national identity and nation-statehood.

Almost sixty years after independence, realization of a unitary Kenyan identity and nationhood has been hindered by perpetual ethnic politicization and state centralization instituted partly through identity instrumentalization and heritagization. While the origins of objectification, institutionalization and politicization of ethnicity, and centralisation of the state have been attributed to the colonial period, perpetual political heritagization of ethnic identity and state ethnicization by the political elite in the post-colonial period led to ethnic animosity which culminated with the 2007/08 Post-Election Violence (PEV). The desire and determination by Kenyans to imagine and 'create' a new Kenyan nation with equal opportunities for all led to the promulgation of a new constitution on August 27th, 2010. The constitution, which was premised on devolution of power to the people was heralded as the concretization of a unitary Kenyan nationhood.

By recognizing "culture as the foundation of the nation and as the cumulative civilisation of the Kenyan people and nation (Art. 11), "the constitution promotes the concept of 'Unity in diversity', while safeguarding cultural or ethnic identities." In the ten years that Kenyan devolution has been in place, the application of the "Unity in diversity" concept has proved to be paradoxical. On one hand the national government has variously attempted to use heritage for

supposed creation of Kenyan nationhood and national identity. On the other hand, county governments and sub-national groups (ethnic, political religious) have continued to use cultural heritage for the creation of subnational (ethnic, religious, local and regional) identities.

This study analyses how different actors have continued to use cultural heritage to create and mobilise diverse ethno-political and regional identities against the Kenyan national identity and nationhood, whose creation has been an ongoing project of the state. The study also explores the possibility of having a balance and harmonious coexistence between the diverse ethno-regional identities and the Kenyan national identity in the context of devolution. In conclusion, the study emphasises the need for sound policies which would enable the achievement of such a balance for the common good of all Kenyans.

Key words: Kenya, Heritage-making, heritagization, ethnicity, nation-statehood, devolution

Résumé

La fabrique du patrimoine qui repose sur une, des patrimonialisations est le processus dans lequel divers acteurs attribuent des valeurs différentes à l'identité culturelle fondée sur des intérêts spécifiques. En tant que produit de la vie quotidienne, le patrimoine est créé et recréé aux travers des perceptions et des pratiques motivées par diverses raisons sociales, économiques ou politiques. Au Kenya, comme dans la plupart des pays africains, *la patrimonialisation* de la culture a toujours été utilisée par les groupes ethniques et autres composantes sous-nationales dans la création et le maintien d'identités ethno-politiques, locales et régionales. D'autre part, il a été utilisé par l'État dans la création perpétuelle de l'identité nationale kenyane et de l'État-Nation. Historiquement, les forces centrifuges qui créent des identités ethno-politiques et locales ont été vues pour s'opposer à la force centripète orientée vers la création de l'identité nationale kenyane et l'État-Nation.

Près de 60 ans après l'indépendance, la réalisation d'une identité et d'une nation kenyane unitaires a été entravée par la politisation ethnique perpétuelle et la centralisation de l'État instituée en partie par l'instrumentalisation et la patrimonialisation identitaire. Si les origines de l'objectivation, de l'institutionnalisation et de la politisation de l'ethnicité et de la centralisation

de l'État ont été attribuées à la période coloniale, la patrimonialisation politique perpétuelle de l'identité ethnique et de l'ethnisation de l'État par l'élite politique dans la période postcoloniale a conduit à une animosité ethnique qui a culminé avec les violences post-électorales de 2007-2008. Le désir et la détermination des Kenyans d'imaginer et de « créer » une nouvelle nation kenyane avec des chances égales pour tous ont conduit à la promulgation d'une nouvelle constitution le 4 août 2010. La constitution, qui repose sur la dévolution du pouvoir au peuple, a été annoncée comme la concrétisation d'une nation kenyane unitaire.

En reconnaissant « la culture comme le fondement de la nation et comme la civilisation cumulative du peuple et de la nation kenyanes (Art. 11), la Constitution promeut le concept d'« unité dans la diversité », tout en préservant les identités culturelles ou ethniques. Au cours des dix années où la dévolution kenyane a été en place, l'application du concept « Unité dans la diversité » s'est avérée paradoxale. D'une part, le gouvernement national a diversement tenté d'utiliser le patrimoine pour la création supposée de la nation kenyane et de l'identité nationale. D'autre part, les gouvernements des Comtés et les groupes infranationaux (ethniques, religieux politiques) ont continué d'utiliser le patrimoine culturel pour la création d'identités infranationales (ethniques, religieuses, locales et régionales).

Au travers de l'étude de cas, cette étude analyse comment différents acteurs ont continué d'utiliser le patrimoine culturel pour créer et mobiliser diverses identités ethno-politiques et régionales contre l'identité nationale et la nation kenyane dont la création reste un projet en cours de l'État. L'étude explore également la possibilité d'avoir un équilibre et une coexistence harmonieuse entre les identités ethno-régionales et l'identité nationale du Kenya dans le contexte de la dévolution. En conclusion, l'étude souligne la nécessité de politiques saines qui permettraient la réalisation d'un tel équilibre pour le bien commun de tous les Kenyans.

Mot-Clés: *Kenya, Fabrique-du-patrimoine, patrimonialisation, ethnicité, État-nation, decentralisation Heritage-making, heritagization, ethnicity, nation-statehood, devolution*

ACRONYMS AND ABBREVIATIONS

ACHPR	–	African Charter on Human and Peoples’ Rights
ACHPR	–	African Commission on Human and Peoples’ Rights
ACK	–	Anglican Church of Kenya
AHD	–	Authorized Heritage Discourse
BBI	–	Building Bridges’ Initiative
BIEA	–	British Institute in East Africa
BoK	–	Bomas of Kenya
CAM	–	Commonwealth of Association of Museums
CBK	–	Central Bank of Kenya
CBOs	–	Community Based Organizations
CDF	–	Constituency Development Fund
CEC	–	County Executive Committee
CHS	–	Critical Heritage Studies
CIDP	–	County Integrated Development Plan
CMK	–	Community Museums of Kenya
CMS	–	Church Missionary Society
CoK	–	Constitution of Kenya (2010)
CPMs	–	Community Peace Museums
CSO	–	Civil Society Organization
CU	–	Catholic Union
DASM	–	Directorate of Antiquities, Sites and Monuments
DMSM	–	Directorate of Museums, Sites and Monuments
DP	–	Deputy President
DPFEA	–	Declaration of Principles of Freedom of Expression in Africa
EABC	–	East African Broadcasting Corporation
EACC	–	Ethics and Anti-Corruption Commission
EANHS	–	East Africa Natural History Society
EAUNHS	–	East Africa and Uganda Natural History Society
ECK	–	Electoral Commission of Kenya
EGH	–	Elder of the Order of the Golden Heart

EU	–	European Union
FAO	–	Food and Agricultural Organization
FGDs	–	Focused Group Discussions
FM	–	Frequency Modulation
GBM	–	Green Belt Movement
GEMA	–	Gikuyu Embu Meru Association
IBEAC	–	Imperial British East Africa Company
ICC	–	International Criminal Court
ICCPR	–	International Covenant on Civil and Political Rights
ICESCR	–	International Covenant on Economic, Social and Cultural Rights
ICH	–	Intangible Cultural Heritage
ICPC	–	International Centre for Policy and Conflict
ICT	–	Information Communication Technology
IDP	–	Internally Displaced People
IFRA	–	The French Institute for Research in Africa
IGRTC	–	Intergovernmental Relations Technical Committee
ISS	–	Institute for Security Studies
IT	–	Information Technology
IUCN	–	International Union for Conservation of Nature
JOOUST	–	Jaramogi Oginga Odinga University of Science and Technology
KADU	–	Kenya African Democratic Union
KAF	–	Kenya Air Force
KAMA	–	Kenya Anglican Men Association
KAMATUSA	–	Kalenjin-Maasai-Turkana-Samburu
KANU	–	Kenya African National Union
KATWA	–	Kavirondo Taxpayer’s Welfare Association
KCA	–	Kikuyu Central Association
KCE	–	Kikuyu Council of Elders
KDF	–	Kenya Defense Forces
KeHA	–	Kenya Heritage Authority

KENRICK	–	Kenyan Indigenous Knowledge Research Centre
KFS	–	Kenya Forest Services
KICC	–	Kenyatta International Convention Centre
KISA	–	Kikuyu Independent Schools Association
KKEA	–	Kikuyu Karing’ a Education Association
KMRI	–	Kenya Marine Research Institute
KNATCOM	–	Kenya National Commission for UNESCO
KoT	–	Kenyans on Twitter
KPU	–	Kenya People’s Union
KTB	–	Kenya Tourism Board
KWS	–	Kenya Wildlife Services
KYA	–	Kavirondo Young Association
LAPPSSET	–	Lamu Port South Sudan-Ethiopia Transport
LCEs	–	Luo Council Executives
MCA	–	Member for County Assembly
MCC	–	Murang’ a County Council
MEGA	–	Meru Embu Gikuyu Association
MIP	–	Museum Interactive Project
MMRC	–	Mau Mau Research Centre
MOSCA	–	Ministry of Sports Culture and Arts
MOSCH	–	Ministry of Sports Culture and Heritage
MoU	–	Memorandum of Understanding
MP	–	Member of Parliament
MwN	–	<i>Mukurwe wa Nyagathanga</i>
MWNKT	–	<i>Mukurwe wa Nyagathanga Kihumo</i> Trust
NARC	–	National Rainbow Coalition
NASA	–	National Super Alliance
NCEOP	–	National Committee on Educational Objectives and Policies
NCIC	–	National Cohesion and Integration Commission
NEMA	–	National Environment Management Authority

NGOs	–	Non-Governmental Organizations
NMK	–	National Museums of Kenya
NMKSP	–	National Museums of Kenya Support Programme
NPCH	–	National Policy on Cultural Heritage
ODM	–	Orange Democratic Movement
OVCs	–	Orphaned and Vulnerable Children
PCEA	–	Presbyterian Church of East Africa
PEV	–	Post-Election Violence
PPMC	–	Permanent Presidential Music Commission
SWOT	–	Strength, Weakness, Opportunities, and Threats
TCEs	–	Traditional Cultural Expressions
TK	–	Traditional Knowledge
UDHR	–	Universal Declaration of Human Rights
UHC	–	Universal Health Care
UK	–	United Kingdom
UN	–	United Nations
UNESCO	–	United Nations Educational, Scientific and Cultural Organization
UoN	–	University of Nairobi
US	–	United States
USA	–	United States of America
USIU	–	United States International University
WIPO	–	World Intellectual Property Organization

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GENERAL INTRODUCTION TO THE STUDY

This introduction gives the general context of this study, which focuses on the challenge of negotiating between national and sub-national identities through heritage-making in post-devolution Kenya. The introduction then explains the research problem, hypotheses, goal and objectives of the study. The concept of heritagization, as used throughout the study is also introduced at this level. Finally, the introduction gives the general organization of this thesis which is divided into two main parts with a total of eight thematic chapters and a general conclusion with recommendations.

The study revolves around conceptualizing a Kenyan national identity, and Kenyan nation-statehood which have been contentious since independence. To conceptualize Kenyan national identity and nation-statehood, the study has considered both the primordial and the modernist theories. Under the primordial theoretical framework, such factors as common ancestry, culture, history and sense of communal solidarity are emphasised on as characteristics of a nation.¹ In this regard, a nation is perceived to consist of ethnically and culturally homogenous population inhabiting a given spatial territory. Going by this view, Kenya is cast as a country consisting of many ethnic nationalities². This perception becomes applicable in the Kenyan case when one considers how ethnic identity has continued to be reinvented and used to supposedly safeguard the various ethnic nationalities' interests.

This study also uses the modernist theory in conceptualizing Kenyan national identity and nation-statehood. The modernist theory views the idea of the nation as an imagined political entity, whose creation depends on the ability of the citizens to imagine the nation.³ The modernist

¹ Kellas, J.G. (1991) *The Politics of Nationalism and Ethnicity*. London: Macmillan. Kennedy, K.A.R. (1973) 'Race and culture.' In R. Narroll and F. Narroll (eds) *Main Currents in Cultural Anthropology*, New York: Meredith Corporation pp. 25–56; Smith, AD 1994, 'The Origins of Nations' in Hutchinson, J and Smith A.D, *Nationalism*, Oxford, Oxford University Press; Smith, AD 1998, *Nationalism and modernism*, Routledge, London; Van den Berghe P., 1994, 'A socio-Biological Perspective' in Hutchinson, J and Smith A.D. *Nationalism*. Oxford: Oxford University Press; Nationalities as Nation in a building process, a prehistory of the nation, a European concept to identify emerged new nation from Empire

² Nationalities as Nation in a building process, a prehistory of the nation, a European concept to identify emerged new nation from Empire.

³ Anderson B., 1991, *Imagined communities*, New York, Yale University Press; Gellner E., 2006, *Nations and nationalism*, Blackwell Publishing, Oxford; Hobsbawm Hobsbawm E.J. 1994, 'The nation as invented tradition' in Hutchinson, J and Smith A.D., *Nationalism*, Oxford University Press, Oxford; Hutchinson, J., 1994 'Cultural

theory emphasises the role of invention and reinvention of national traditions, memory, myths and symbols in creating a nation and giving its members a sense of a common (national) identity and destiny. According to Gellner⁴, the formation of a nation-state entails replacement of different low cultures with a shared high culture to bring cultural and political congruence within the national territory. In viewing the Kenyan national identity and nation-statehood through the modernist theory, the study explores various initiatives that the Kenyan state has put in place in attempting to invent and reinvent a national culture, history and aspirations that would give all citizens a sense of common identity and destiny. Using the prism of the modernist theory, the study highlights the challenge that the country continues to grapple with when it comes to the realization of a unitary national identity.

After beginning with an assessment of various initiatives that have been used to create and promote a Kenyan identity and nation-statehood since independence, the study then explores the implications of the Kenya's 2010 Constitution on the creation and promotion of Kenyan identity and nation-statehood. For this exploration, the study is pegged on the hypothesis that post-devolution promotion of Kenyan identity and nation-statehood in the context of the country's cultural diversity has remained as paradoxical as ever before. This hypothesis is based on the thesis that while the 2010 Constitution of Kenya recognizing and endears to promote both ethno-regional and Kenyan-national identities, the reality of citizens' identification with the Kenyan nation-statehood in post-devolution Kenya remains subjective to various mobilizing forces.

On one hand, the state has continued with its efforts to create and mobilize a Kenyan national culture and identity for the sake of national stability, social cohesion and peace-building. The mobilization by the state has been through various avenues including state controlled education system, language, media, technology, and cultural heritage policies. On the other hand, ethnic identities continue to be mobilized by the political elite in rallying their co-ethnics to protest any

Nationalism and Moral Regeneration' in Hutchinson, J and Smith A.D, *Nationalism*, Oxford University Press, Oxford; Smith, AD 1994, 'The Origins of Nations' in Hutchinson, J and Smith A.D, *Nationalism*, Oxford, Oxford University Press

⁴ Gellner E., 1994, 'Nationalism and High Cultures' in Hutchinson, J and Smith AD, *Nationalism*, Oxford University Press, Oxford.

real or perceived marginalisation or deprivation by the state, and to lay claim to various resources and land-linked rights. This mobilization has often been done through reinvention of cultural traditions and common identity in line with ethnic crystallization process elaborated by Smith⁵ and Brass⁶, among others. The subsequent ethnic crystallization has been seen to threaten the stability and legitimacy of the state.⁷

Using the concept of heritage-making, also referred to as *heritagization*⁸, as well as case studies, this study examines how cultural heritage has been continuously reinvented and mobilized by different actors to create and maintain both ethno-regional and national identities. It also ponders how a balance may be created between the ethno-regional identities and the Kenya national identity in the post devolution era. The concept of heritage-making and heritagization, in the context of this study, refers to the process in which cultural identity and heritage (including objects, places, practices and people) is constantly assigned and re-assigned different values by different actors for different purposes.

At the state level, heritagization is done to designate “official heritage” using a state-generated criteria in a process that has been referred to as Authorized Heritage Discourse (AHD) by Laura Jane Smith⁹. At sub-national level, heritagization is done by ethno-political, religious, local and regional groups to designate values corresponding to, and for the purpose of promoting, the groups’ interests. The ‘unofficial’ heritage created by sub-national groups is often based on the groups’ subaltern narratives which are often in conflict or competition with the narratives represented by “Official heritage.” With the government having the power to choose which

⁵ Smith A.D., 1981. *The Ethnic Revival in the Modern World*. Cambridge: Cambridge University Press; Brass, P. R. (1991). *Ethnicity and Nationalism: Theory and comparison*. CA, Sage Publications

⁶ Brass, P. R. (1991). *Ethnicity and Nationalism: Theory and comparison*. Sage Publications (CA).

⁷ Lonsdale, J and Berman B., 1979, “Coping with the Contradictions: The Development of the Colonial State in Kenya, 1895-1914”, *The Journal of African History*, Vol. 20, No. 4 White Presence and Power in Africa, pp. 487-505, Cambridge University Press, <http://www.jstor.org/stable/181774>; Berman BJ., 1998, ‘Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism’, *African Affairs*, Vol. 97, No. 388, July, pp. 305-341, Oxford University Press; Mamdani M., 1984, ‘Nationality Question in a Neo-Colony: A Historical Perspective’ *Economic and Political Weekly*, Vol. 19, No. 27 pp. 1046-1054, Economic and Political Weekly. <http://www.jstor.org/stable/4373383>; Mamdani, M 2001b: *When Victims Become Killers*, Princeton, Princeton University Press.

⁸ Heritagization translates two french concepts the *patrimonialisation*, perceptions and practices about heritage (monumental, historical, cultural...) and the *fabrique du patrimoine*, policy making and politics of heritage

⁹ Smith, L. 2006, *Uses of heritage*, Routledge, New York.

heritage to promote and commemorate through national policy and state resources, most of the subaltern heritage remains suppressed with its promotion and commemoration largely relying on the passion, sentimental attachment and the goodwill of the groups it represents.

While reflecting on how cultural heritage and identity has been historically created and used by different entities over the years, this study sets out to establish how the Constitution of Kenya (2010), which ushered in devolution, has altered the use of ethno-cultural heritage by different players and how this has continued to impact on the formation and expression of Kenyan national identity and nation-statehood. The study also sets out to give recommendations on how harmonious balance between sub-national and national heritages and identities could be achieved. The study intends to answer the following questions: how has ethnic identity been historically instrumentalized and mobilized by different actors in Kenya? Has the 2010 devolution and its application posed any challenges or risks in terms of strengthening ethnic and regional identities and nationalisms at the expense of the Kenyan identity and nationalism? How could a harmonious balance between national and subnational identities be achieved?

This study sought to:

- i. Understand how the government has continued with its efforts of creating and mobilizing a Kenyan national identity and heritage. To do so, the study has referred to the constitution as well as various government institutions, policies, programmes and activities related to the making and use of heritage. It has especially explored the work of the National Museums of Kenya (NMK) since its inception in the colonial era to its on-going realignment in the post-devolution era.
- ii. Understand how different sub-national groups have continued to create and mobilise ethno-political and sub-national identities. To do so, the study has referred to the continued re-invention and mobilization of ethno-political traditions and practices by various sub-national groups.
- iii. Explore the possibility of having a balanced and harmonious coexistence between national and sub-national identities in the country. To do so, the study has conducted an analysis of the Strength, Weakness, Opportunities, and Threats (SWOT) that the new

constitution and the socio-political atmosphere in which it is being implemented present to the achievement of such a balance.

Thesis Outline

This thesis is structured into two parts. Part One, which consists of five chapters presents the general context in which the creation and mobilization of ethnic and national heritages happens in Kenya. After the general introduction to the study which give the study's contextual background, and objectives, the first chapter which establishes the research design and methodology used for the study follows. It gives the ontological and epistemological perspectives and the data collection and analysis methods employed. It positions the research within the field of Critical Heritage Studies (CHS), where it uses qualitative approach. The chapter also elaborates the professional connection of the researcher to the subject under inquiry.

The second chapter establishes theoretical and conceptual frameworks for the exploration of the formation and mobilization of ethnic and national identities in Kenya. Starting with a theoretical exploration of the concepts of ethnic group, nation and nation-state, the chapter then uses the concept of heritage-making or heritagization to scrutinize how cultural heritage has continued to be used in the formation and mobilization of ethnic or sub-national and national identities.

The third chapter gives a historical background to cultural heritagization in Kenya, beginning with the pre-colonial cultural stewardship to the colonial introduction of institutionalized heritage management and its evolution and use through the post-independence to post-devolution eras. The fourth chapter explores how the promulgation of Constitution of Kenya (2010) that seeks to promote both the national and ethnic/cultural identities simultaneously has had on the creation and promotion of the two identities by various actors including communities, as well as the county and national governments. Chapter Five investigates how political mobilization of ethnic identity has continued to impact Kenyan nationhood and national identity in the post-devolution era. It has evaluated the first two post-devolution elections to illustrate how the Kenyan political elite have continued to strategically use ethno-political mobilization to power and positions through intra-elite pacts which have little genuine regard for nationhood and promotion of national identity.

Part Two of the thesis, which consists of three chapters, uses the case study of *Mukurwe wa Nyagathanga* cultural site to illustrate the practice of heritagization, political mobilization, and interaction between ethnic and national identities on the ground. The first chapter in this part which is chapter number six in the thesis revisits Kikuyu ethnic identity by illustrating the centrality of *Mukurwe wa Nyagathanga* and the intangible heritage associated with it to Kikuyu ethnic identity. Chapter seven looks at how through *Mukurwe wa Nyagathanga* and the cultural traditions it embodies, Kikuyu ethnic identity has continued to be evoked and mobilised for socio-political reasons at both local and national levels.

Chapter eight explores how different meanings, values, interests, significances, perspectives, uses and activities associated with *Mukurwe wa Nyagathanga* by different stakeholders have continued to interact at the site and beyond, in the process of heritagization. The chapter also explores the different kinds of tensions, contestations and conflicts which happen among the stakeholders, and how this has affected the management of the heritage site and the process of invention, reinvention and mobilisation of ethnic, regional and national identity among the Kikuyu people. This chapter is followed by a general conclusion of the study, which is accompanied by recommendations.

PART ONE

This first part of the thesis presents the general context in which the creation and mobilization of ethnic and national heritages and identities happens in Kenya.

CHAPTER ONE: RESEARCH DESIGN AND METHODOLOGY

1.1: Introduction

This chapter elaborates the various aspects of research design and methodology that were used for this study, and why they were chosen. Some of the key considerations that were made while choosing a research methodology was that the challenge of negotiating between national and sub-national identities through heritage-making in Kenya is both historical and current; and is both a political and a heritage management issue involving many actors. Thus, the exploration of the study was posited in the context of Critical Heritage Studies (CHS), which is a relatively new interdisciplinary field of research that draws on various academic fields including history, political science, sociology, anthropology, biology, geography and art history.¹⁰ Basically, CHS is used to investigate the processes of heritage-making or ‘*heritagization*’ through which heritage is created by both the state and socio-cultural groups. In this context CHS was used to investigate how Kenyan and ethnic identities and nationalisms have continued to be created and recreated as part of national and subaltern heritages. The rest of this chapter elaborates the various aspects of research perspectives that were adopted by this study.

1.2: The Qualitative Research Approach

This section begins by elaborating the ontological and epistemological perspectives that were adapted for this study. According to Crotty¹¹, ontology is “the study of being.” Guba and Lincoln¹² contend that ontology is about addressing the question “what is there that can be known?” and “What is the nature of reality?” Epistemology, on the other hand is defined by Crotty¹³ as “a way of understanding and explaining how we know what we know.” It provides “a philosophical grounding for deciding what kinds of knowledge are possible and how we can ensure that they are both adequate and legitimate¹⁴.”

¹⁰ Harrison R., 2013, *Heritage: Critical approaches*, New York, Routledge; Smith L., *Uses of Heritage*, London and New York, Routledge

¹¹ Crotty M., 2003, *The Foundations of Social Research: Meaning and Perspectives in the Research Process*, London, Sage Publications, 3rd edition, p10.

¹² Guba and Lincoln, 1989, *Fourth Generation Evaluation*, London, SAGE Publications, p.83.

¹³ Crotty M., 2003, *The Foundations of Social Research* p.3

¹⁴ Maynard M., 1994, “Methods, practice and epistemology: The debate about feminism and Research,” In Manyard M and Purvis J. (eds) *Researching women’s lives from a feminist perspective*, London, Tylor & Francis, pp. 10-26.

There are two ontological perspectives. The first perspective views the reality in the world as being made up of social meanings, opinions, feelings and interpretations. Investigating the reality in such a world requires the use of various interpretive methods. The second ontological perspective holds that there are some given realities out there that are based on 'cause and effect' processes. Likewise there are two epistemological perspectives. The first epistemological perspective is constructionism that holds that all knowledge and reality is created in interactions between humans and between humans and their environment. Thus meaning is not out there to be discovered but is rather constructed. The second epistemological perspective is objectivism, which holds that meaning and knowledge exists out there awaiting to be discovered.

Research can either be qualitative or quantitative. While qualitative research is based on constructivism and focuses on 'uncovering the meaning of a phenomenon,' quantitative research is based on objectivism and focuses on finding out the cause-and-effect pattern of events¹⁵. Merriam dictionary identifies four epistemological perspectives which recur in qualitative research namely; the positivist, interpretive, critical and postmodern perspectives. While positivist perspective "assumes that reality exists 'out there' and it is observable, stable, and measurable", the constructivist or interpretive perspective "assumes that reality is socially constructed, that is, there is no single, observable reality"¹⁶.

The constructivist or interpretive perspective therefore aims at understanding, describing and interpreting a phenomenon which results into multiple context-dependent realities instead of seeking to establish a singular objective reality. According to Creswell, all social phenomena are interpreted through social constructivism in which "individuals develop subjective meanings of their experiences"... [which] ... "are negotiated socially and historically"... "through interaction with others ..."¹⁷ The social, cultural and political contexts and process in which multiple realities are negotiated end up privileging one reality over other realities. The reality that is privileged is the one that belongs to the powerful in the society. To "critique and challenge" this power

¹⁵ Merriam S. B., 2009, *Qualitative research: a guide to design and implementation*, 2nd ed., Jossey-Bass, San Francisco, p.5

¹⁶ Ibid p.8

¹⁷ Creswell, J.W. 2009, *Research design: qualitative, quantitative, and mixed methods approaches*, 3rd ed., Sage, Thousand Oaks, CA, p.8

distribution, *Critical Research* design is engaged¹⁸. This leads to a postmodern perspective which holds that among the multiple realities to any phenomenon, there is none that is more privileged than the other because they are all “nothing but myths or grand narratives,... which try to explain how things are in the world”¹⁹.

While some authors such as Wells²⁰, view heritage conservation through a positivist perspective which highly regards facts, truth and objectivity while viewing heritage objects to have intrinsic value, others such as Gibson and Pendlebury,²¹ and Smith²² view heritage management to rely on constructivist and interpretive approach. This view is based on the fact that heritage values are cultural and social constructions. In seeking to understand how heritage-making was being practiced in Kenya by various actors, this study employed qualitative method using constructivist or interpretive perspective. This is because heritage and heritage-values are constructed and interpreted by humans during social interaction processes. The study also used critical perspective to understand power relations in heritage making in Kenya. The study hypothesizes that national and “official” heritage is made through various avenues including, the constitution, government policies, programs and activities. On the other hand sub-national or subaltern heritages are formed through (re)invention and mobilization of ethnic identities and practices. The study also sought to establish the power relations between the two forms of heritage.

The concepts of culture, heritage, identity, nationhood which are explored by this study are all products and processes of social interactions. As such, there are multiple perspectives regarding these concepts within the community. This research aims to capture the diverse perspectives as well as their interplay. To enable a deep understanding of these concepts and the challenge of nationhood and national identity creation in Kenya, this study used qualitative research

¹⁸ Merriam, S.B. 2009, *Qualitative research* p.10

¹⁹ Ibid

²⁰ Wells, J.C. 2010, "*Our history is not false: Perspectives from the revitalisation culture*", *International Journal of Heritage Studies*, vol. 16, no. 6, pp. 464-485.

²¹ Gibson, L. & Pendlebury, J. 2009, "Introduction: Valuing Historic Environments" in Gibson L. & Pendlebury J., (eds) *Valuing Historic Environments*, Abingdon, Oxon, GBR, Ashgate Publishing Group, , pp. 1-16.

²² Smith, L. 2006, *Uses of heritage*; Smith, L. 2012, "Editorial", *International Journal of Heritage Studies*, vol. 18, no. 6, pp. 533-540.

approach. By using qualitative research method, the study was able to capture peoples' personal experiences in their day to day interactions with each other and with the State in creating, recreating and expressing their culture, heritage and Identity.

Qualitative research also enabled the study to yield rich data in form of value-laden comments and statements. By getting people's own interpretations and perceptions about heritage, identity and nationalism, the researcher was able to access and interrogate the social world in which these perceptions were developed. This is unlike quantitative research which would have yielded data in form of statistics, shedding less light on the social world in which human relations operate. According to Bryman²³, Qualitative research enables the researcher to access people's personal experiences in regard to the phenomena being researched.

I.3: The Use of Case Study

Bryman²⁴ argues that case studies enable both comprehensive and intensive analysis of a specific case or unit, which enables the researcher to come up with explanations that could be generalized for similar situations. For a deeper understanding of political and socio-economic dynamics of ethnicity and state-building in the country, the study used the case study of heritagization of *Mukurwe wa Nyagathanga* cultural site. The site was selected based on its status as a definitive socio-cultural component of the Kikuyu identity whose mobilization in local and national politics has historically been very dynamic. The case study yielded in-depth understanding of the complexities involved in *heritagization* of culture in the formation of ethnic, local and national identities. The analysis done on the *Mukurwe wa Nyagathanga* site could be used for other heritage sites in the country. As indicate in the final conclusion, a comparative assessment was done with *Kit Mikayi* site, which established similar history and trends in the heritagization of the two sites.

I.4: Data Collection Methods

In choosing the data collection methods to use, the researcher considered the research questions that were being addressed, the kind of sample that was needed to address the

²³ Bryman A., 2008, *Social Research Methods*, (3rd ed.) Oxford, Oxford University Press.

²⁴ Ibid.

questions, as well as the kind of information that was hoped for. This study entailed data collection from both secondary and primary sources. Secondary sources are the ones that contain already interpreted data. For this study, they included such publications as book chapters, journal articles, as well as news and opinion analysis on the broad themes of ethnicity, nationhood and heritage management in Kenya. The publications were either accessed online or as printed copies. On the other hand, Primary data sources could either be written or oral. The written ones could include minutes of meetings, departmental and institutional reports, ethnographic reports, newspaper reports, diaries and letters which have not undergone interpretation. Through them, the researcher got firsthand knowledge and information of various events from those who had witnessed them. Arthur Marwick²⁵ emphasizes on the significance of the primary sources for reliability of a historical work.

For this study, the author accessed and studied various relevant reports, administrative documents and meetings' minutes from the National Museums of Kenya as well *Mukurwe wa Nyagathanga* management team. The author also reviewed and analysed video documentaries and photographs related to *Mukurwe wa Nyagathanga* from the NMK's audiovisual section. They included the video documentaries and photographs which were taken during a site cleansing ritual that was done in February 2017. Numerous newspaper articles and reports on the themes of ethnicity, ethnic conflicts, state-building, nationalism, elections, democratization, identity and heritage management in Kenya were also studied. Radio and television debates, as well as 'new media' productions such as You Tube videos, vlogs, blogs and podcasts were also consulted for information. The study also sourced information orally through interviews and Focused Group Discussions (FGDs) as explained below.

1.4.a: Interviews

Interviews were carried out with key informants from Murang'a County Government, the NMK headquarters, NMK's Murang'a office, The Green Belt Movement, The University of Nairobi (UoN), Kenya National Commission (KNTCOM) for UNESCO in Nairobi, The State Department of Culture and the local community at *Mukurwe wa Nyagathanga* heritage site. For these

²⁵ Marwick A., 2001, *The New Nature of History: Knowledge, Evidence, Language*. London, Oxford University Press, p. 368.

interviews, informants were purposely selected based on the knowledge they were perceived to have regarding various aspects of cultural heritage and the context in which it was being managed.

The aim of the interviews with Murang'a County government was to investigate how well the county government was taking up the role of cultural heritage management as one of the functions that had been devolved by the 2010 constitution. The study sought to do this by investigating the framework that the county had put, or was putting in place in terms of cultural heritage policy, institutional and funding mechanisms. For this purpose, the County Executive Committee (CEC) Member, and the County Director in charge of heritage and culture were interviewed. This choice was based on their key role in making and implementing of policies on heritage and culture in the County.

At the NMK headquarters, The Director General, the Director in charge of Antiquities Sites and Monuments, The corporate Secretary and legal advisor, and the contact person for 'Kenya's 100 best monuments project' were interviewed. These interviews aimed to gain a deeper insight regarding various aspects that were related to devolving of museums and cultural functions hitherto undertaken by the NMK to the counties. The interviews aimed to establish the policy, legal and institutional readjustments that the NMK was undertaking in compliance with the Constitution of Kenya (2010)'s requirement. The interviews also sought to understand the challenges and opportunities that emanated from the process of devolving cultural function to the counties. At the NMK's Murang'a office, the regional curator under whose regional mandate *Mukurwe wa Nyagathanga* fell was interviewed with the aim of establishing the challenges and opportunities he encountered working with the County government and community groups in the context of devolution.

At the Green Belt Movement, the chairperson was interviewed with the aim of getting a deeper insight of the GBM's historical involvement with cultural heritage management and *Mukurwe wa Nyagathanga* in particular. The interview also sought to establish the vision the organization had for the site and similar heritage resources in the country. The University of Nairobi's Dean of the

school of Architecture, who had been involved in the activities of *Mukurwe wa Nyagathanga* since its gazettement and who had designed the site's restoration plan was interviewed regarding the site's development potential as well as the opportunities and challenges that its development faced. At KNATCOM, the director in charge of Culture, was interviewed. The interview sought to establish the interventions that KNATCOM or UNESCO was doing to contribute towards ensuring successful conservation of cultural heritage generally and *Mukurwe wa Nyagathanga* particular in the context of devolution. At the Department of Culture, the National Director of Culture was interviewed with the aim of establishing what the Department was doing to ensure smooth devolution of cultural functions to the county, as a way of safeguarding the country's cultural diversity, national identity and social cohesion.

At *Mukurwe wa Nyagathanga*, the coordinator of the local management team was interviewed to establish the initiatives they had done or were doing to guide the local community's participation in heritagization of 'their' cultural site. The interview also sought to establish the challenges and opportunities they encountered in the process. Two seventy-year-old elders who were involved with the stewardship of the site was also interviewed. The elders were selected owing to their knowledge regarding the site and its associated intangible heritage. They were recommended for the interview by the members of the site management team. The elders gave useful information about the sites' oral and life history. Bryman²⁶ defines a life history interview as the one in which the interviewee reflects on his/her and life history in details, while an oral history involves the interviewee narrating more specifically about some periods or events in the past.

Arthur Marwick²⁷ and Jan Vansina²⁸ make a distinction between oral history and oral traditions by terming oral history as that history which has been passed down within the last 100 years, and oral traditions as information that is more than 100 years old. Bryman²⁹ commends oral and life history interviews for enabling the voices of marginalized groups to be heard. Accordingly, the two elders who were interviewed gave accounts of *Mukurwe wa Nyagathanga* from their life

²⁶ Bryman A., 2008, *Social Research Methods*, (3rd ed.) Oxford, Oxford University Press.

²⁷ Marwick A., 2001, *The New Nature of History*:

²⁸ Vansina J., 1961, *Oral tradition: a study in historical methodology*. London, Routledge & Kegan Paul

²⁹ Bryman, A., 2008, *Social Research Methods*, (3rd ed.)

experiences and memory (oral history) and also from what had been passed down to them from their forefathers (oral traditions and collective memory). The accounts they gave illustrated how deeply the local community valued the site and the dangers the site's survival faced.

1.4.b: Focused Group Discussion

Focused Group Discussion (FGD) is a research technique in which a researcher brings together a group of individuals to discuss a particular topic with the aim of drawing data and information from the group members' personal experiences, perceptions, beliefs and attitudes through an interaction that is moderated³⁰. The technique has been used by psychologists and sociologists since the 1940s³¹, but its popularity in such disciplines as education, communication studies, health and marketing research grew in the 1990s³². As a research technique, FGD is similar to interviews in that both techniques tend to reveal people's values and perceptions.³³ For this reason some authors have confused the two techniques.³⁴ However, the two techniques are distinctive in that the researcher's role and relationship with the participants is quite different depending on the technique used.³⁵ In interviews, the researcher assumes the "investigator's" role and engages in one-on-one discussion with the participant, while in FGDs, the researcher assumes the role of a "moderator" or a "facilitator" moderating a discussion among a group of participants.

³⁰ Morgan D. L., 1996, *Focus Groups*, Annual Review of Sociology, 22, 129–152; Israel B. A. et al., 1998, "Review of Community-Based Research: Assessing Partnership Approaches to Improve Public Health", *Annual Review of Public Health*, Vol 19, Issue 1,

³¹ Merton R. K. & Kendall P. L., 1946, "The focused interview," *American Journal of Sociology*, 51, 541–557; Merton R. K. et al., 1956, *Focused Interview: A Manual of Problems and Procedures*, 2nd ed, A division of Macmillan Inc, New York, NY, USA, The Free Press.

³² Flores J. G. & Alonso C. G., 1995, "Using focus groups in educational research: Exploring teachers' perspectives on educational change," *Evaluation Review*, 19, 84–101; Lunt P. & Livingstone S., 1996, Focus groups in communication and media research. *Journal of Communication*, 42, 78–87; Szybillo G. & Berger R., 1979, "What advertising agencies think of focus groups," *Journal of Advertising Research*, 19, 19–23; Wilkinson S., 1998, "Focus group methodology: A review", *International Journal of Social Research Methodology*, 1, 181–203

³³ Hargreaves D. H., 1967, *Social relations in a secondary school*, London, UK: Routledge; Mac an Ghaill, 1994, *The making of men: Masculinities, sexualities and schooling*, Maidenhead, UK, Open University Press; Skeggs B., 1997, *Formations of class & gender: Becoming respectable*. Thousand Oaks, CA: Sage Publications Inc.

³⁴ Parker A. & Tritter J., 2006, "Focus group method and methodology: Current practice and recent debate", *International Journal of Research & Method in Education*, 29, 23–37.

³⁵ Smithson J., 2000, "Using and analysing focus groups: Limitations and possibilities," *International Journal of Social Research Methodology*, Vol 3, pp.103–119.



Fig. 1: Participants of a Focused Group Discussion at Mukurwe wa Nyagathanga
(Source: Author)

While the researcher's role takes a center-stage in interviews, it is rather peripheral in FGDs³⁶. The advantages of FGD have been observed to include cost effectiveness³⁷, and availing a forum for different worldviews and perspectives.³⁸ Its challenges include the tendency for group members to digress from the Key topic of discussion. This requires the moderation of the researcher to keep the discussion on the right course. As a way of promoting courtesy and confidentiality, rules should be set to assure group members that whatever they say in the discussions will not be used against them³⁹.

³⁶ Hohenthal J et al., 2015, "Local assessment of changes in water-related ecosystem services and their management: DPASER conceptual model and its application in Taita Hills, Kenya," *International Journal of Biodiversity Science, Ecosystem Services & Management*, Vol.11, pp.225–238; Kitzinger J., 1994, "The methodology of Focus Groups: The importance of interaction between research participants" *Sociology of Health and Illness*, Vol 16, pp.103–121.

³⁷ Morgan D. L., 1996, "Focus Groups," pp.129–152.

³⁸ Guba E. G., & Lincoln Y. S., 1994, *Competing paradigms in qualitative research*, Thousand Oaks, CA, Sage Publications Inc.

³⁹ Weillings K. et al, 2000, "Discomfort, Discord and Discontinuity as data: Using focused groups to research sensitive topics," *Culture Health Sex*. Vol 2 Issue 3, 2000, pp.255–267

In the course of this study, a total of three FGDs were carried out, with a representative group of local community members at *Mukurwe wa Nyagathanga* site. Each of the FGD included between twelve to seventeen members of the local community. This included the members of the site's management team as well as other members of the local community. The FGDs had both men and women aged between thirty to seventy years. The objective of the FGDs was to get information about how the local community was getting involved in the heritagization and management of the cultural site as well as the challenges and the opportunities they encountered in the process. Interaction among the FGDs participants provided more information beyond what had been gotten from the interviews. The FGDs started with introductions, after which I would explain the purpose of my research. I would then use some probing questions which elicited discussions about the various issues under research as I took notes.

1.4.c: Participant Observation

According to Calhoun⁴⁰, participant observation is “a method of research in anthropology which involves extended immersion in a culture and participation in its day-to-day activities.” The Merriam dictionary describes it as “a technique of field research, used in anthropology and sociology, by which an investigator (participant observer) studies the life of a group by sharing in its activities.”⁴¹

Various authors have given the advantages and disadvantages of participatory observation method.⁴² One of the advantages of participant observation is that it helps the researcher to understand the environmental and socio-cultural context in which the community being studied lives. The data obtained through participant observation can be used as a check against participants' subjective reporting of their situations. Disadvantages of participant observation have been argued to include consumption of a large amount of time with at least one year being recommended as the appropriate time for data collection using the method. It is therefore said to be less favourable for applied research studies which may require shorter periods of data

⁴⁰ Calhoun C. J., 2002, *Dictionary of the social sciences*, New York: Oxford University Press p.91

⁴¹ WWW.merriamdictionary.com

⁴² deMunck, V. C. & Sobó, E. J., 1998, *Using methods in the field: a practical introduction and casebook*, Walnut Creek, CA: AltaMira Press ; DeWalt, K. M. & DeWalt, B. R., 1998, Participant observation. In H. Russell Bernard (Ed.), *Handbook of methods in cultural anthropology* (pp.259-300). Walnut Creek: AltaMira Press ; DeWalt, Kathleen M. & DeWalt, Billie R. (2002). *Participant observation: a guide for fieldworkers*. Walnut Creek, CA: AltaMira Press.

collection. To mitigate this challenge, researchers opting to use participant observation have tended to make their inquiry and data collection more focused than traditional sociology and anthropology studies. Engagement of native researchers conversant with the cultural context of a particular study in data collection also goes a long way in dealing with challenge of time. In the case of this research, the researcher was conversant with the cultural context of *Mukurwe wa Nyagathanga*.

The second disadvantage linked to participant observation method is the challenge associated with the need to document everything that the researcher deems important, while participating in and observing the activities of the community being studied. This forces the researcher to heavily rely on his or her memory to write down his or her observations and expand his or her notes in as great details and as soon as possible. Any postponement of this documentation task may lead to loss or inaccuracy of data. Thirdly, participant observation method is said to be inherently subjective and highly susceptible to personal biases, hence falling short in objectivity which is a vital requirement in research. To mitigate this challenge, a researcher is required to apply as much objectivity as possible in both documenting and interpreting observations.

Before describing how I used participatory observation for the research that culminated to this thesis, I begin by highlighting my over-20 years' involvement in heritage management in Kenya both as a scholar and an employee of the National Museums of Kenya (NMK), which gave me valuable insight and laid the foundation for this research. I joined the NMK's Education Department in 1999 on industrial attachment as part of my undergraduate degree requirements. At the end of the year, I graduated with a BSc. in Environmental studies from Kenyatta University and stayed on at the NMK as a graduate intern for another year. In 2001, I was employed as a junior education officer attached to the Museum Interactive Project (MIP), which was a new project that offered education programs aimed at promoting 'analytical, critical, empirical, independent and responsible thinking and acting' among children⁴³. My work entailed conceptualizing and coordinating the implementation of various activities that enabled children

⁴³ Mbutia D., 2009, "Enhancing Effectiveness in Cultural Public Programming for Children and the Youth: A Case Study of the National Museums of Kenya." *GCAM 4: The Creative Museum: African Museums Using Culture for the Development of Children and Youth*, Stanger, South Africa, October 24-29, 2009.

and the youth 'to explore different topics through experiments and hands-on activities using museum collections'⁴⁴. For example, I coordinated the production of the quarterly Young Researchers Magazine⁴⁵ and the Young Researchers Intercative days⁴⁶. I was also involved in developing education programs for other museum audiences.

During this period I became acutely aware of the multiplicity of perspectives in the interpretation of culture and its interaction with nature in heritage making. This inspired me to do an MSc. course on Applied Ecology and Conservation in the University of East Anglia, UK, in 2004 under the sponsorship of the British Council. This course equipped me with a deeper insight of how human activities interact with, and affect the environment through the processes that produce cultural heritage. After this course I resumed and worked at the Museum Interactive Project (MIP) until the end of 2007, by which time I had been promoted to a senior education officer.

From 2008 to 2013, I headed NMK's Education and Public Programming department. My roles in this docket included coordinating NMK's education programs' strategy and work plan; coordinating workshops, seminars and production of training materials for both museum educators and audiences; as well as evaluating NMK's education and public programs. In 2009, I got an opportunity to share my experience in heritage interpretation with an international audience as I made a presentation titled 'enhancing effectiveness in cultural public programming for children and youth' in a workshop that was organized by the Commonwealth Association of Museums (CAM) and held in Chief Albert Luthuli Museum in South Africa⁴⁷.

From 2014 to 2017, I was the coordinator of NMK's Central Region⁴⁸ in which *Mukurwe wa Nyagathanga* is located. In 2018, I was promoted to the position of the Keeper of heritage in charge of both Central and Western Regions, which expanded my mandate to cover the

⁴⁴ Ibid.

⁴⁵ Young Researchers Magazine was written for children between 8-13 years old on different topics

⁴⁶ These were days when children (the Young Researchers) came to interact with museum collection and experts

⁴⁷ Mbuthia D., 2009, "Enhancing Effectiveness in Cultural Public Programming for Children and the Youth: A Case Study of the National Museums of Kenya." *GCAM 4: The Creative Museum: African Museums Using Culture for the Development of Children and Youth*, Stanger, South Africa, October 24-29, 2009.

⁴⁸ This is different from the politically popular central region it includes the former eastern and North Eastern as well as the north rift regions

museums and heritage sites in both central and western region⁴⁹. Following my interests in researching Cultural Heritage, in 2019, I was transferred to NMK's Cultural Heritage Department as a research scientist.

Participation in such forums as conferences, seminars, workshops, and heritage site visits in the early days of my career at the NMK gave me enriched exposure concerning how heritage is valued and safeguarded in the country. From early 2000s I started participating in stakeholders meetings and activities aimed at restoring the cultural shrines and their associated intangible heritage. It is worth noting that during that period, I attended several such meetings at *Mukurwe wa Nyagathanga*. The experience and the insight I gained from these forums played a great role not only in eliciting my interest to pursue a PhD on heritage management, but also in choosing *Mukurwe wa Nyagathanga* as a case study for this research.

When I started my PhD studies in 2014, I adopted Participatory Observation as one of the avenues for data collection. My studies took a 'Sandwich' format whereby I travelled to the University of Pau and the Adour Region in France, where my PhD was registered for short stays of three months every year from 2014 to 2016. During these stays, my supervisor, Professor Christian Thibon, organized for me several visits to french heritage institutions where my objective was to understand how these institutions were undertaking heritage management in the context of decentralisation. Three of these visits are worth mentioning here. One was to the headquarters of 'Réseau des Grands Sites de France'⁵⁰ in Paris, where I explored the system through which particular sites were being selected and designated as national sites or 'Grand Sites of France.' The other visit was to the Regional department in charge of heritage for the Pau and Pyrenees region where I explored how different heritage sites were being designated and ran as local and regional sites. The third memorable visit was to the scientifically exemplary Bibracte archeological site, which is located in the sparsely populated area of Mont Beuvray. During this visit, I explored how integrated management approach is used in conserving the site which has three levels of designation namely; as part of the "territory of the Morvan Regional

⁴⁹ This includes everything within the former Western and Nyanza provinces

⁵⁰ See more information on <https://grandsitedefrance.com/en/the-grands-sites>

Nature Park, as a holder of Grand Site de France Label, and as a recognized and protected 'Natural 2000 Zone' of the European Commission."⁵¹

Besides the study visits, I also participated in various seminars and workshops dealing with various aspects of heritage conservation and management, which were held both within and outside of the University. From 2014 to 2016, I co-facilitated with professor Thibon an annual three-day seminar on 'Heritage Valorization,' which was offered to Masters students studying heritage management at the University of Pau and University of Bayonne, and which was offered at the historic building of Abbaye d'Arthous near the Basque Country. Together with the students we explored how heritage was being valorized for the purposes of creating local, regional and national identities, as well as for commercial purposes, both in France and in Kenya. The exchange yielded helpful insight for this study.

The rest of the time, I was engaged in full-time work at the NMK. In the course of my work, I participated in various activities that were of great relevance to my research. During these activities, I systematically made observations which yielded valuable information and data for this research. A few of these activities stand out and are worth mentioning at this juncture. In July 2014, I was involved in organizing a symposium themed, "Understanding Oneself and the Others: New Domestic and International Tourism Practices and the Promotion of Heritage and Tourism in East Africa," Sponsored by IFRA and NMK, which was held at Nairobi National Museum. During this symposium, I led four of my colleagues in presenting an exhibition that showcased how Kit Mikayi⁵² and Thimlich Ohinga⁵³ heritage sites were being conserved and

⁵¹ See more information on <http://www.bibracte.fr/en/discovering/a-museum>

⁵² Kit Mikayi, (which translates into the stone of the first wife) is a cultural heritage site for the Luo people, located in Kisumu County, Seme Sub-County. Comprising of a cluster of three huge rocks, mystically piled together in a vertical complex which reaches up to 40m above the ground, the shrine is believed to be the ancestral home of the Seme clan whose progenitor, Ngeso, settled there first. While it is not the prime mythical home of the Luo people (Got Ramogi in Siaya County is considered to be), Kit Mikayi, has strong socio-cultural values including as a dwelling place for *Nyasaye* (God) and *Juogi* (ancestral spirits), healing and well-being, Luo communal socialization and decision-making and shrine for Legio Maria and other Africanized religions. Kit Mikayi was gazetted as a national monument in 2003, and its intangible elements listed on UNESCO's list of Elements in need of Urgent Safeguarding. As such Kit Mikayi has many stakeholders including the local community, the Luo community at large, the Luo elders, traditionalists, politicians, Legio Maria who consider it one of their main shrines, NMK, Department of Culture, UNESCO, learning institutions among others. Like is the case with *Mukurwe wa Nyagathanga*, the management of Kit Mikayi experiences a variety of stakeholders' conflicts and contestations. For that reason the author did some

valorized for cultural tourism. My research benefitted immensely from the diversity of presentations that were made in the symposium with themes ranging from monuments' conservation to dark tourism. Several field visits were organized to *Mukurwe wa Nyagathanga*, where very valuable data and enhanced appreciation of the site's socio-cultural significance and tourism potential was attained.

On February 6, 2015, I participated in a stakeholders' meeting that was held at Kenyatta University on the design of *Mukurwe wa Nyagathanga* heritage site renovation. Between December 2016 and January 2017, I participated in two stakeholders' consultative meetings organized by the NMK with the goal of seeking consensus among the stakeholders on how to restore *Mukurwe wa Nyagathanga* shrine and its associated intangible heritage. The meetings observed that the shrine had undergone desecration. The meetings therefore resolved to have a cleansing ceremony so as to restore the shrine's vitality. As a result, a two-day cleansing ceremony was conducted in February 2017, which I attended. Here, I got the opportunity to participate both as a researcher and as the coordinator of NMK's central region. My participation in the stakeholders' consultative meetings and the cleansing ceremony yielded valuable insight and data regarding the complexities that were involved in the valorization and management of *Mukurwe wa Nyagathanga* by the various stakeholders.

From 21st to 25th March 2019, I coordinated a bench-marking tour in which the Murang'a CEC member in charge of culture and the County Assembly's Committee for Youth, Culture, Gender and Social Services visited various heritage sites in Kisumu County to observe how the sites were being managed. From 11th to 14th April 2019, I coordinated a similar tour for the same team to visit various heritage sites in Mombasa County. During these tours we held discussions on the implications that devolution was having on heritage management in the country. The local

detailed enquiry on Kit Mikayi in the course of studying *Mukurwe wa Nyagathanga* and would recommend a comprehensive comparative study between the two sites.

⁵³ Thimlich Ohinga is an ancient dry-stoned walled settlement or enclosure dating back to 16th century CE, which is found in north-west of Migori Town, in the Lake Victoria region. It is thought to have served as a fort for its inhabitants and their livestock. It was inscribed on the World Heritage list in July 2018

communities and the management teams of the various sites that were visited⁵⁴ both in Kisumu and Mombasa shared their experience of valorizing the sites with the visiting Murang'a Members of the County Assembly (MCAs). Together with the Murang'a team, we participated in the various experiential activities offered at the sites. Through these meetings, I got more insight on how heritage sites were being managed in post-devolution period.

From 2010 up to the time of writing this thesis, I was also involved in both academic and professional process of reviewing the Kenya National Policy on Cultural heritage; the National Museums and Heritage Act; as well as institutional alignment of the NMK to comply with the provisions of Kenya constitution 2010. As part of this process, I participated in many meetings, seminars and discussions organized by the Ministry of Sports, Culture and Heritage (MOSCH); the Department of Culture; the NMK; and other stakeholders. After beginning my PhD studies, I started structuring the observations I made from such subsequent meetings into data that was valuable for my research. Below I highlight some of the Key meetings that proved to be very useful for my research.

One such meeting was organized at the British Institute of East Africa (BIEA) on April 14, 2015, with the aim of 'investigating and documenting the ways in which Kenyan citizens [were] exercising new constitutional rights to culture. I was part of the panel that led the discussion on one of the workshop themes, "devolution: implications for heritage management and national fragmentation."⁵⁵ Another workshop organized by the NMK on May 15, 2015 brought together Key stakeholders to discuss and give their contribution towards the Zero draft of proposed Heritage Authority Bill 2015 that sought to guide and align the functions of NMK and heritage management at both National and County levels as per the 2010 constitution in the context of devolution.

⁵⁴ The sites that were visited in Kisumu included Kisumu Museum, Kit Mikayi shrine and Jaramogi Oginga Odinga Mausoleum. The ones that were visited in Mombasa included Fort Jesus Museum, Mombasa Old Town, Mombasa Butterfly (Kipepeo) house, Mama Ngina Seafront Public Park and Jumba la Mtwana.

⁵⁵ Nicolastylianou, "Devolution: implications for heritage management and national fragmentation" April 14, 2015, <https://katibaculturalrights.wordpress.com/2015/05/19/devolution-implications-for-heritage-management-and-national-fragmentation/amp/>

The meeting brought together about 100 participants who included representatives from the Ministry of Sports, Culture and the Arts; County executive members in charge of culture, heritage environment, Agriculture, Education, Land, Tourism and finance; representatives of research and higher learning institutions, UN agencies, NGOs, CBOs, media houses and community groups. A similar meeting⁵⁶ organized by the Ministry of Sports, Culture and the Arts on November 30 and December, 1 2015, brought together stakeholders to discuss the draft National Policy on Cultural heritage that was being aligned to the Constitution of Kenya (2010).

During the above mentioned forums, I continuously made notes about my observations in a field note book, trying to record in details as many observations and accounts as I could, and as objectively as I could. Throughout the study, I also made notes from various informal conversations and interactions which I felt were relevant to my research. In some instances such as during the interviews, FGD and the cleansing ceremony at *Mukurwe wa Nyagathanga*, I used visual and audio recording to document information. This left me with a large amount of data in form of narrative text, sketch maps, organizational charts, diagrams, numerical data as well as visual and audio recordings. I also documented any relevant information that I came across from the electronic, print and social media.

My situation as a researcher and a long-serving employee of the NMK has given me a network of contact persons in form of colleagues, friends and acquaintances in heritage profession and practice. Most of these contact persons are conversant with, or have responsibilities and opinions concerning heritagization of identity and its impacts on Kenyan nationhood. They include scholars, culture and heritage officials in the county and national governments, officials from NGOs, and elders and community leaders who are perceived to be the cultural custodians at the grassroots level. This situation enabled me to gain substantial access to heritage resources and practice-based knowledge about heritagization and politicization of heritage in the country, which has been very helpful in undertaking this study.

⁵⁶ UNESCO, "Shaping the Kenya National Policy on Culture with a wide range of viewpoints," *UNESCO*, December 4, 2017, http://www.unesco.org/new/en/member-states/single-view/news/shaping_the_kenya_national_policy_on_culture_with_a_wide_ran/

Being a Kikuyu man born and brought up in the Kikuyu rural set-up in Murang'a County made it even easier for the researcher to be allowed to attend cultural practices, interviews and FGDs at *Mukurwe wa Nyagathanga*. My knowledge of the traditional beliefs of the Kikuyu enabled me to explore deeper into Kikuyu cultural identity heritagization at *Mukurwe wa Nyagathanga* than a non-Kikuyu researcher would have done.

Overall, my participation in various activities geared towards conservation, exploration, valorization and interpretation of heritage both in Kenya and in France made this study practical, experiential and enjoyable.

I.5: Fieldwork Challenges

During the fieldwork, I was well received by the site management team and the local community who gave me very useful information for my research. However, there were a few challenges which included lack of comprehensive documentation of past events and activities at the cultural site. This made the investigation to rely on recounting of such events by the participants who at times suffered memory some lapse. Bryman⁵⁷ points out possible bias occasioned by distortions and memory lapse as one of the major weaknesses of oral traditions and oral history interviews, and this study was not an exception. At times the elders who participated in the interviews and FGDs exhibited some struggle recalling the details of particular events. At times, the interviews and the FGDs tended to digressing from the key issues. At times there were some disagreements brought about by difference of opinions between individuals within the group.

To keep the interviews focused and effective, an interview guide consisting of key reference questions was used with the aim of prompting comprehensive information on management, heritagization and politicization of cultural identity and its impacts on Kenyan nationhood. Discussions were also moderated to keep them focused on the original questions that the group intended to answer. This moderation encouraged the more reserved participants to participate while courteously controlling the more domineering ones. The moderation also helped to identify points of agreement and disagreement, while prompting group members to respond to

⁵⁷ Bryman A., 2008, *Social Research Methods*, (3rd ed.)

each other's questions courteously. I also initiated discussions aimed ensuring confidentiality by making sure that what was discussed in the group was not taken outside of the discussion or used against a member.

Trying to record everything that I deemed important through taking notes, video as well as audio recording while participating in and observing the activities also presented a big challenge. I had to take some time as soon as possible after the activities to expand my field notes by recalling and writing down as much details of the activities as I could. At times I could remember some details days after certain activities, a good indicator that some details had skipped my mind. In order to record as much details as possible, I later took time to revise my field notes and all the video and audio recordings I had got from the field.

The other challenge came with the expectations that the members of the sites' management committee and local community had of the researcher. Seeing the researcher as part of the NMK and the government, the community members occasionally directed to me their frustrations due to what they termed as their heritage being perpetually 'neglected' by the NMK and the government. To ease the frustrations, I explained to them that the research I was undertaking would ultimately enhance the recognition of the site from both the academic and management point of view, which they appreciated. Over all the fieldwork was both successful and enjoyable.

With subjectivity and susceptibility to personal biases being argued to be one of the Key challenges of the participant observation method, I was aware of the challenge that my situation as explained above posed in terms of keeping a distance from my roles and opinions as an employee of the NMK for the sake of neutrality during collection, analysis and interpretation of empirical data. Subsequently, as I reviewed documents, carried out interviews and focused group discussions, made participatory observations and interpreted data for this research, I tried as much as possible to adopt a neutral academic standpoint in order to avoid bias. I also endeavored to make clear my work-research situation while collecting data or communicating my research findings in various forums.

I.6: Data analysis and Validity, Research Ethics and Limitations

The objective of data analysis was to process the information that was collected using the above described techniques into data that would illuminate the existing trends and patterns in cultural identity heritagization and the impacts it had on Kenyan nationhood. The data was analyzed thematically which resulted in such themes as ethnic, political, and religious heritagization. For the sake of data validity and reliability, to the best ability of the researcher under the prevailing circumstances, appropriate procedures were used to enhance the possibility of the study being repeated or inferred to by others undertaking similar studies. The procedures included comprehensively describing the issue being studied, as well as articulating the associated concepts, definitions and meanings. This would enable other readers and researchers to get a clear understanding of the phenomenon of heritagization in Kenya and the associated concepts. This was in line with Bryman's⁵⁸ assertion that reliability in research is concerned with the extent to which a study could give the similar results if repeated by different researchers under the similar circumstances.

In keeping with standard research ethics, before conducting any interview or FGD, prior consent was sought from the respondents. The identity, privacy and confidentiality of the respondents was also observed and respected during and after the interviews. The researcher adhered to the various directions that were given regarding accessing *Mukurwe wa Nyagathanga* shrine during the field study. For instance, the researcher complied with the requirement to loosen the waist-belt and shoe laces whenever approaching the shrine. Throughout the study, photographs as well as video and audio recordings were only done with prior consent of the participants and the authorities concerned. Sources referred to or quoted in this research were also duly acknowledged.

Despite having taken the appropriate measures to ensure validity and reliability as elaborated above, this research study cannot be said to be free of limitations. The first limitation could be linked to the level of objectivity of the data collected and analyzed. With heritage and social identity being both emotive and political topics, there are always chances that responses to the various research questions were based, to whatever extent, on the respondents' subjective

⁵⁸ Bryman A., 2008, *Social Research Methods*

perspectives. Secondly, despite the researcher having tried as much as possible to adopt a neutral academic standpoint in order to avoid bias, it is difficult to completely rule out some level of subjectivity based on the researcher's roles and opinions as an employee of the NMK and as a member of the Kikuyu community. Thirdly, whereas *Mukurwe wa Nyagathanga* sites was chosen as a case study for this research due to its vibrancy and capacity to yield data as a heritagization site, it represents the largest ethnic community in the country. As such the smaller communities' heritage sites and their heritagization trends are not particularly represented through this case study. This study therefore recommends the exploration of case studies of heritage sites from the smaller and the minority groups as a potential area for further research.

1.7: Conclusion

This chapter has elaborated the research design and methodology that was used for this study. While positing its inquiry in Critical Heritage Studies (CHS), this study adopted qualitative research approach and in particular the constructivism perspective. This was based on the appreciation that the concepts of culture, heritage and identity are constructed and interpreted by humans during social processes. Besides literature-based historical analysis of cultural identity heritagization in the country, the study adopted case study approach aimed at yielding in-depth understanding of the complexities involved in heritagization of culture in the formation of ethnic, local and national identities. The chapter has also highlighted the various data collection methods that were adopted by the study including literature review, interviews, focused group discussions and participant observation.

Finally, this chapter has discussed the various research challenges as well as limitations that the study encountered despite various measures having been taken to ensure adherence to research ethics, validity and reliability of the study. These limitations, are generally linked to the level of objectivity in data collection and analysis bearing in mind that issues of heritage and social identity are both emotive and political which make their analysis prone to some level of subjectivity from both the researcher and the research respondents. The limitation that emanated from the purposeful selection of a case study from the largest community hence omitting smaller communities' heritage sites has been flagged of as a potential area for further research.

CHAPTER TWO: THEORETICAL AND CONCEPTUAL FRAMEWORK

2.1: Introduction

This chapter establishes theoretical and conceptual frameworks for the exploration of the use of cultural heritage in the formation of ethno-political and national identities as well as their interactions in the Kenyan nation-state, especially after devolution. For a clear understanding of the formation of the Kenyan nation-state, the chapter begins with an exploration of the concepts of ethnic group, nation and nation-state and how they apply in the Kenyan context. It then uses the concept of heritage-making or heritagization to theorize how cultural heritage has continued to be used in the formation and mobilization of ethnic or sub-national and national identities. Finally, it explores how these identities have continued to interact in the post-devolution period.

2.2: Theorizing Ethnic Group, Nation, and Nation-State in the Kenyan Context

The concepts of ethnic group and nation have been explained by many authors using the primordial and modernist theories. The primordial theory casts the 'ethnic group' and the 'nation' as extended kinship groups of biologically related subjects, and as natural phenomena which have existed since the beginning of human society. The primordial theory emphasizes on: common name, myth of descent, culture, history and sense of solidarity as identifiers of an ethnic group.⁵⁹ Kellas⁶⁰ casts the ethnic group as the basis of a nation, which he defines as a group of people with a sense of a community due to their common culture, ancestry and historical ties. According to Connor⁶¹ a people's sense of ancestral relation gives them a feeling of belonging together as a nation, which is viewed as the largest kinship group.

Going by the primordial theory, the more than 43 ethnic groups which have existed in what is now Kenya since the precolonial periods could be considered as 'ethnic nations.' This is because each of them is identified by a distinct cultural heritage consisting of a unique myth of origin,

⁵⁹ Smith, A. D., 1986, *The Ethnic Origins of Nations*; Smith, AD., 1998, *Nationalism and modernism*; Van den Berghe P., 1994, "A socio-Biological Perspective";

⁶⁰ Kellas J.G., 1991, *The Politics of Nationalism and Ethnicity*, London, Macmillan; Kennedy, K.A.R. (1973) 'Race and culture.' In Narroll R. & Narroll F. (eds.) *Main Currents in Cultural Anthropology*, pp. 25–56. New York: Meredith Corporation.

⁶¹ Connor W., 1994a, *Ethnonationalism: The Quest for Understanding*. Princeton: Princeton University Press.

customs, traditions and an ancestral homeland or territory. Using the primordial theory, Hameso⁶², views ethnic communities such as the Ewe of Togo, the Igbo of Nigeria and the Kikuyu of Kenya as the real nations of Africa. While citing common territory and communication as the two fundamental requirements for a nation's existence, Oommen⁶³ argues that, had the various African peoples of "common descent, history and language" not been destabilized by colonialism, they would have continued dwelling together as nations. The concept of ethnic nationality in Kenya is also upheld by Ngugi wa Thiong'o⁶⁴, who contends that colonial disregard of ethnic nationality led to distortion of Kenya's history by colonial writers and Western-trained Kenyan historians.

Several Kenyan historians of the first generation⁶⁵ have, however, observed that it is not tenable to think of the various Kenyan ethnic groups as biologically or culturally pure entities as the primordial theory would cast them. Most of these communities are expansionist in nature and have continuously interacted with their neighbours along their territorial frontiers. This often led to the formation of culturally and biologically fluid and inclusive identities among neighbouring communities. Such interactions included warfare, intermarriage, assimilation and barter trade. Shadrack Okumu observes that "identities in Kenya are hybrid because of biological and cultural mixing over the years."⁶⁶ The seasoned Kenyan journalist and author Philip Ochieng, argues that most of the Kenyan ethnic communities consist of cultural and biological mixtures making it impossible to get a pure Bantu or pure Luo.⁶⁷ This argument is in line with the assertion by Caglar that all cultures today are as a result of many years of interaction among cultures and therefore there is nothing as a pure culture.⁶⁸ Likewise, Mafeje sees ethnicity as a product of false

⁶² Hameso S.Y., 1997, *Ethnicity and nationalism in Africa*, New York, Nova Science Publishers, Inc.

⁶³ Oommen T.K., 1997, *Citizenship, nationality, and ethnicity: reconciling competing identities*, Cambridge, Polity Press, p. 40

⁶⁴ Ngugi Wa Thiong'o is a Kenyan author, playwright and academic who has written a lot on cultural issue. From late 1980s, Ngugi decided to write his books only in his mother tongue, Gikuyu language, which he has done to date

⁶⁵ They include Bethwel Ogot, Geoffrey Muriuki and E.S Ationo-Odhiambo

⁶⁶ Okumu O. S., 2016, "The concept of Intangible Cultural Heritage in Kenya" In In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press P.46

⁶⁷ Ochieng P., "History Will Drive Tribalism to Extinction," *The Sunday Nation*, July 4, 2010, <http://allafrica.com/stories/201007050062.html>

⁶⁸ Kaglar A., 2001, "Hyphenated Identities and Limits of Culture," In Modood T. and Werbner P (eds), *The politics of Multiculturalism in the New Europe: Racism, Identity and Community*, London, Zed Books, p 182

consciousness and class interest.⁶⁹ As such, claims of the existence of biologically and culturally pure ethnic nations cannot hold as African communities have always been in a state of fluidity in their biological and cultural character.

The modernist theory, on the other hand, perceives all human communities including the nation as products of social, political, cultural, economic and ideological transformation. To the modernist theorists, a nation is therefore not a natural phenomenon but an “imagined political entity”⁷⁰. Modernist theorists attribute the emergence of modern nations and national sentiments to the 18th Century modernization of western societies from agricultural to industrial way of life, which was characterized by the development of capitalism and print media⁷¹. Gellner⁷², sees the nation not as ‘an inherent attribute of humanity’ but as a political principle. As such, a group that envisages itself as a nation must be able to imagine and develop a common national identity and a sense of common destiny among all the people within the envisioned national territory.⁷³

According to Gellner⁷⁴, the creation of a nation entails a process in which low folk cultures are replaced with a high national culture. This process results to “primarily a political principle which holds that the political and the national unit should be congruent.” A national culture is produced through a common education system, a common language, technology and media with the aim of enhancing state bureaucracy and control over the population.⁷⁵ As part of imagining a nation, a group, is led by its elite to invent national cultural practices, myths and symbols to give the members of the imagined nation a sense of a common origin and destiny.⁷⁶ Hobsbawm⁷⁷ describes the invention and use of tradition by the elite to manipulate the emotions of the masses as ‘social engineering.’ He points out three major inventions that were used to engineer

⁶⁹ Mafeje A., 1997, “Ethnicity and Intra-conflicts in Africa,” *Journal of Modern African Studies*, 9(2): 160-89

⁷⁰ Anderson B., 1991, *Imagined communities*

⁷¹ McCrone M, 1998, *The Sociology of nationalism*, London, Routledge.

⁷² Gellner E., 2006, *Nations and nationalism*

⁷³ Anderson B., 1991, *Imagined communities*;

⁷⁴ Gellner E., 1994, “Nationalism and High Cultures”

⁷⁵ Gellner, E 1994, ‘Nationalism and High Cultures’; Eriksen T.H., “Ethnicity versus Nationalism”, *Journal of Peace Research*, Vol 28, Issue 3, Aug 1991, pp.263-278, Sage Publications, Ltd.

⁷⁶ Hobsbawm E.J., 1994, “The nation as invented tradition”; Kedourie E., (ed.). 1971, *Nationalism in Asia and Africa*, London, Weidenfeld and Nicolson; Smith A.D., 1998, *Nationalism and modernism*

⁷⁷ Hobsbawm Hobsbawm E.J., 1994, “The nation as invented tradition”

the birth of nations in the west namely: development of a common education system; invention of public ceremonies; and mass production of public monuments. Hutchinson⁷⁸ also underscores the significance of cultural symbolism and historical memory in nation-formation.

Using the modernist theory, Kenya as a nation is easily perceivable as a socio-political and economic construct that was originally based on the colonialists' extractive interests. Kenya is therefore not a natural phenomenon but an artificial creation. The initial crafters of the Kenya colony, the British colonialists, had no interest or intention of creating a common national culture or common sense of destiny for the subjects of the colony, who would later become the citizens of independent Kenya. To the contrary, as part of divide-and-rule strategy, the colonialists purposely instituted and entrenched ethnic and cultural differentiation and animosity among the different communities. This was done so as to eliminate any opportunities of the ethnic communities coming together in any nationalist formation which would have offset the British domination of the communities.

The various protests and uprisings that were directed to the colonialists were largely organized at the ethnic level. They included the Nandi Resistance that happened between 1890 and 1906 involving the Nandi people of the Rift Valley led by Koitalel Arap Samoei⁷⁹, the Giriama Resistance that happened between 1912 and 1915 involving the Giriama people of the coastal region led by Mekatilili wa Menza⁸⁰, and the Mau Mau uprising⁸¹ that happened in the 1950s mainly involving the Kikuyu people of central Kenya led by Dedan Kimathi. Whereas many commentators have argued that nationalist ideologies played a key role in anti-colonial protests in the third world⁸², Ogot contends that "to the majority of the Africans...nationalism meant the removal of colonialism...with the hope that other things would be added later."⁸³ He maintains that the "anti-colonial movements were ... the product of a temporary convergence of various

⁷⁸ Hutchinson J., 1994, "Cultural Nationalism and Moral Regeneration"

⁷⁹ Muriuki G., "Nandi Resistance to British Rule, 1890–1906," *African Affairs*, Volume 72, Issue 288, July 1973, P

⁸⁰ Brantley C., 1981, *The Giriama and Colonial Resistance in Kenya, 1800–1920* Berkeley, University of California Press

⁸¹ Smith D. L., 2005, *Kenya, the Kikuyu and Mau Mau*, East Sussex, Mawenzi Books

⁸² Kedourie E., 1970, *Nationalism in Africa and Asia*, New York, New American Library; Rutpert E., 1960, *From Empire to Nation: The Rise of Self-Assertion of Asian and African peoples*, Boston, Beacon Press

⁸³ Ogot B.A., 2012, *Kenya, Who are We? Reflections on the meaning of National Identity and Nationalism*, Kisumu, Anyange Press p.1.

sectional, economic, regional and ethnic interests within the colonial territories, joined solely by their common interests in getting rid of the colonial masters.”⁸⁴

Using the example of the pastoral Maasai, Mukhisa Kituyi explores the process by which the various ethnic communities have undergone or continue to undergo in ‘becoming Kenyans’. While emphasizing the centrality of a sense of “shared destiny and values” in national integration, Kituyi observes that without a “developed system of values that bind people to the identity of being Kenyans,”⁸⁵ the process of becoming Kenyan involves two aspects. The first aspect entails subordinating ethnic and localized political organs to the national institutional system run by the state or the national authority. The second aspect entails an adaptational integration in which the members of the ethnic community adapt their lifestyle to enable them draw up resources from the national economy. In the case of the Maasai, the process is characterized by increased role and influence of the state and the economic market forces on their lives.

The attainment of independence in 1963 provided an opportunity for Kenya’s diverse communities to (re)imagine a unitary Kenyan nation together. It also created an opportunity for the Kenyan political elite to invent and use ‘national traditions’ in the manner described by Hobsbawm⁸⁶. Kenyans were involved in some initial moments of (re)invention of national symbolism and identity through such acts as the ceremonious maiden hoisting of the Kenyan national flag and singing of the national Anthem. The two actions aspired to concretize Kenya’s common history and destiny as a unitary nation. These aspirations were however thwarted by ethno-political differentiation and state-power centralization perpetuated by the political elite. This denied Kenyans the opportunity to create a common heritage and imagine a common destiny as various ethnic communities preferred to cling onto their ethnic nationalisms led by their political elite. Ogot notes that due to lack of a strong sense of attachment to the nation in

⁸⁴ Ogot B. A., 2012, *Kenyans, Who are We? Reflections on the meaning of National Identity*, p.2

⁸⁵ Kituyi M., Kituyi M., 1990, *Becoming Kenyans: Socio-economic Transformation of the Pastoral Maasai*, Nairobi, African Centre For Technology Studies (ACTS) Press

⁸⁶ Hobsbawm E. J., 1994, “The nation as invented tradition”

which they found themselves, many Africans continued to identify themselves with their ethnic groups even after independence.⁸⁷

Perceiving Kenya as a nation-state presents even a larger theoretical challenge. According to Flint “A State is an independent government exercising control over a certain spatially defined and bounded area, whose borders are usually clearly defined and internationally recognized by other states”⁸⁸ A state is therefore socially and geopolitically constituted. According to Smith⁸⁹ the modern nation is different from an ethnic group in that the former has its acquired State. The concept of nation-state combines the concepts of the nation and the State. The definition and the origins of nation-state have been a subject of a sustained debate that has elicited diverse views from various scholars and academicians over the years. The debate includes the question about which between the nation and the state precedes the other in the formation of a nation-state.

Many scholars, including historians⁹⁰ attribute the origins of the modern nation-state to the 1648 treaty of Westphalia which ended the thirty years’ sovereignty war between Catholics and Protestants and established nation-states in Central Europe. The treaty vested the central government and its ruler with the power to control people’s social, economic, and cultural life within the state boundaries. To achieve a shared national culture and nationalism among its citizens, the modern state invented a national history, a common education system, language, and national holidays.

Antony Smith⁹¹ argues that a nation-state occurs only when an ethnically and culturally homogenous population inhabits the territory of a state. The presumption of this definition is that the territory of a homogenous ethno-cultural population coincides with that of the state. In

⁸⁷ Ogot B.A., 2012, *Kenyans, Who are We?* p.2

⁸⁸ Flint C., 2016, *Introduction to geopolitics* (3rd ed.), London, Routledge.

⁸⁹ Smith A.D., 1998, *Nationalism and modernism*.

⁹⁰ Anderson B., 1991, *Imagined communities*; Sapiro Gisèle A.-M., “Thiesse, La création des identités nationales,” In *Politix*, vol. 12, n°48, Quatrième trimestre 1999. Les savants et le politique. pp. 187-190; Hroch M., 1985, *Social Preconditions of National Revival in Europe: A Comparative Analysis of the Social composition of Patriotic Groups among the Smaller European Nations*, Cambridge, Cambridge University Press.

⁹¹ Smith A. D., 1986, *The Ethnic Origins of Nations*.

such a situation, nation formation is presumed to precede state formation. This situation has been found to happen very rarely with not more than ten per cent of the nation-states in the world conforming to it. In most cases, state formation precedes and facilitates the birth of the 'imagined nation,' whose formation is usually a long process that might include exerting control over a certain territory consisting of culturally heterogeneous populations or ethnic nations. Using the European context, Sylvain Kahn⁹², gives the examples of Germany and France to illustrate the two case scenarios described above.

In the case of Germany, the formation of the nation preceded that of the State. The nation-state formation involved unification of speakers of the same language, German, who had hitherto lived on smaller states and enclaves without a single state unifying them. The presumption is that their common language and culture qualified them as a common nation even before the formulation of a common State. On the other hand, formation of France as a nation-state started with the formation of the state or a government, which then extended its control over populations with different languages and cultures, who would have been considered as different ethnic groups/nations. In this case the state formation preceded the realization of the ultimate 'imagined nation'.

Despite the variation of the processes by which the various modern-day nation-states were formed, they all have some common characteristics which include: a defined territory; a permanent population with a shared national culture; a government; sovereignty over own territory; an economic regulatory system; a common education system; and recognition by other independent states. According to Kedourie⁹³ "nationalism is a doctrine accepting the necessity of organizing the people within the realm of nation-states," A nation-state's territory therefore becomes a legal and political space where the state practices its sovereignty and implements public policies and regulations⁹⁴, as the citizens play out their "self-referential identity"⁹⁵. In the

⁹² Kahn S., "Nation-state as a territorial myth of European construction", *L'Espace géographique*, Vol 43 June, 2015, pp. 240-250

⁹³ Kedourie E., 1970, *Nationalism in Asia and Africa*, New York, New American Library p. 29

⁹⁴ Kahn, S. 2015, 'Nation-state as a territorial myth of European construction' *L'Espace géographique*, 43 (June) pp. 240-250

⁹⁵ Debarbieux B. (2012). "Territoire". In Lévy J., Lussault M., *Dictionnaire de la géographie et de l'espace des sociétés*. Paris: Belin, p. 1000.

context of the modern nation-state, national identity is constructed and shaped through the intervention of the state. This means that after a nation-state is formed, it needs to participate in constructing the national identity of its citizens.

Going by the discussion above, Kenya does not fit the description of a nation-state whose population is ethnically and culturally homogenous. Rather, Kenya consists of diverse and culturally distinct communities which were bound together by boundaries that were established by the British colonial government based on the British imperial interests. In establishing the colonial boundaries, Britain was interested in securing her interests as she competed with other European countries in the scramble for Africa at the close of the 19th Century. As such, the British had no motivation to facilitate the formation of a unitary nation among the Africans within the colony. For this reason by the time of independence, Kenya inherited the colonially established territorial boundaries and by large, the colonially established government structures. Inside the boundaries, nothing much had been done in terms of trying to enhance the imagination of a unitary nation among the various ethnic communities. Kenya could therefore be thought of as a nation-state in which the formation of the state in form of the colonially established boundaries and government structures preceded the formation of a unitary nation. In fact, the formation of a unitary Kenyan nationhood has remained work in progress almost sixty years since independence. The realization of a unitary nationhood has remained hindered by continuous ethno-political differentiation and state-power centralization spearheaded by the political elite.

2.3: Theorizing Cultural Identities through Heritagization

According to the Cultural Identity theory, at any one time, an individual belongs to many cultural or collective groups, making him or her have multiple cultural identities including but not limited to ethnic, nationalist, racist, religious, political, gender or class-based ones. Individuals' or groups' cultural identities are co-created and negotiated with others through communicative processes or discourses during social interactions. According to Fairclough⁹⁶, through discourses, people construct systems of knowledge about 'self' and social relationships as factors of identity.

⁹⁶ Fairclough, N. 2012, "Critical discourse analysis", *International Advances in Engineering and Technology* (IAET) ISSN: 2305-8285 Vol.7 July 2012 International Scientific Researchers (ISR)

Koller⁹⁷, sees collective identities as cognitive constructs that are subject to negotiation and change with time. To express their cultural identities, individuals or groups may use names, symbols or labels. In Kenya, one may simultaneously ascribe to several identities or associative identities, which may include ethnic, national, and religious among others types of identities. For instance, one could regard himself as a Kikuyu-Kenyan-Christian, or a Taita-Kenyan-Muslim among other possible amalgamations of identities.

Varun Uberoi⁹⁸ explains that someone's perception of any of her or his multiple identities at any moment is dependent on its interaction and reciprocity with one's other identities. If certain identities exist harmoniously with each other, their positive interaction is emphasised. However, if such identities are competing with or threatening each other, their negative interaction is emphasised. In such a case, the significance of one identity gets diminished as that of another is emboldened. For instance, the nature of interaction between one's ethnic and national identities could lead to preferential strengthening or weakening of either of the identities at the expense of the other.

State's antagonism with a certain group's identity, whether real or perceived could lead to dis-identification of members of such a group with the state. Karega-Munene contends that "some ethnicities may not subscribe to the national identity and narrative ... out of fear of having their identity and heritage overwhelmed by the broader identity and heritage or because their experiences, circumstances and aspirations are best served by ethnic identity"⁹⁹. For instance, Kenyatta's fallout with Odinga and perceived mistreatment of the Luo soon after independence led to the community's misidentification with nation-state-building that was led by Kenyatta. The community's need to express their sentiments against perceived state mistreatment and marginalisation was best served by their ethnic identity. For successful construction and

⁹⁷ Koller V., 2012, "How to Analyse Collective Identity in Discourse – Textual and Contextual Parameters", *Critical Approaches to Discourse Analysis across Disciplines*, Vol. 5 (2), p.20

⁹⁸ Uberoi V., 2016, "Legislating multiculturalism and nationhood- The 1988 Canadian multiculturalism act", *Canadian Journal of Political Science*, Vol 1, pp.1-21.

⁹⁹ Karega-Munene, 2014, "Origins and development of institutionalized Heritage Management in Kenya" In Coombes A. E., Hughes L., and Karega-Munene (eds) *Managing Heritage, Making Peace*, London, New York, I.B. Tauris P.43

inculcation of a national identity, the state should engage or empathise with the various cultural and sub-national identities.

Cultural identity is expressed through social comparison in which an individual compares his or her group's status to that of other groups. According to Derrida¹⁰⁰ "There is no cultural identity which does not have its 'other' of the 'self'" and therefore constructing identity entails constructing 'self' and the 'other.' According to Jane Collier and Milt Thomas¹⁰¹, cultural identities are constructed and communicated through the processes of avowal and ascription. Avowal refers to one's self-presentation to another, while ascription is about how one perceives or is perceived by others, which may include stereotypes. While avowed and ascribed qualities often conflict resulting to the concept of 'insiders' versus 'outsiders', resolution of such conflicts depends on the status position (inclusive or exclusive) that the group members decide to take.

When identity construction is inclusive, the members of the involved identity groups focus on their similar identifier values. When identity construction exclusive, the identity groups involved focus on their differentiating identifier values so as to exclude others from the perceived identity. Taking the case of Kenya as an example, the construction and ascription of the Kenyan identity has often taken exclusionary perspective whereby various communities seem to perceive themselves as more entitled to own, belong to, and lead Kenya, while others have felt marginalized by the state. This has led to the latter's diminished sense of belonging as Kenyans. For example, during Jomo Kenyatta's tenure, the GEMA communities were perceived to enjoy and display a great level of identification with the state. This was before the tables turned during Moi's tenure when the Kalenjins were perceived to replace the GEMA communities in accessing the state resources and opportunities. Meanwhile, the Luo and several other communities continued perceiving themselves as being marginalized.

¹⁰⁰ Derrida J., 1992, *The Other Heading: Reflections on Today's Europe*, tr. Brault, A-P. and Naas, M. B., Bloomington: Indiana University Press, p.129

¹⁰¹ Collier M. J. & Thomas M., 1988, "Cultural Identity - An Interpretive Perspective", in Kim & Gudykunst (eds.), *Theories in intercultural communication. International and Intercultural Communication Annual*, Volume XII. Newbury Park: Sage.

According to Hüsamettin İnaç & Feyzullah Ünal¹⁰², when the identity of an entity is solely defined by the ‘other,’ such identity often disregards commonness and emphasizes on differences and the “otherness” which is often depicted in a humiliating and negating manner. Mineke Schipper has demonstrated how human beings devise images of themselves against those of others... [by embedding] each other’s images in their thoughts, their stories, songs, and other forms of artistic expression.”¹⁰³ Koller discusses how stereotypes are used to create, recreate and maintain social prejudices among differentiated social groups¹⁰⁴. This has been seen to be the case in Kenya especially during electioneering periods when different ethnic communities use derogatory depictions and stereotypes against each other as part of ethno-political mobilization. For example, during electioneering, Kikuyu politicians have often referred to their community’s practice of male circumcision, which signifies transition into manhood, as part of the criteria that qualifies them for the country’s leadership. In so doing they cast the Luo, who do not circumcise, as being unqualified to lead the country. On the other hand, the Luo refer to their supposed superior intellect as part of their qualification to lead the country.¹⁰⁵

The perception of ethnicity and nationalism as primordial conditions is used by ethnic groups to grant themselves ethnic or national identity as part of what is referred to as self-identification or self-referential identity.¹⁰⁶ This ethnic identity is used to evoke ethnic nationalism expressed through attitudes and actions displayed by members in self-determination to safeguard their common identity and welfare¹⁰⁷. Smith¹⁰⁸ refers to the strengthening and evocation of a group’s ethnic identity for the purpose of self-determination as ‘ethnic crystallization.’ He traces this phenomenon to pre-modern times when loss, or gain of a piece of homeland territory by an ethnic group implied struggling with rivals.

¹⁰² İnaç, H. & Ü. F., “The Construction of National Identity in Modern Times Theoretical Perspective,” *International Journal of Humanities and Social Science*, Vol 3 Issue 11, 2013, pp. 223 - 232.

¹⁰³ Schipper M., “What do we share? From the Local to the Global, and Back Again” in Njogu K., Ngeta K. and Wanjau M., *Ethnic Diversity in Eastern Africa: Opportunities and Challenges*, Nairobi, Twaweza Communications p. 19

¹⁰⁴ Koller V., 2012, “How to Analyse Collective Identity in Discourse – Textual and Contextual Parameters”

¹⁰⁵ Oogo L.A., 2014, *State Building, Democratization and the Role of Ethnic Political Identity: a case study of Kenya*, A PhD Thesis, University of Kwa Zulu Natal, p. 28

¹⁰⁶ Debarbieux B., 2012, “Territoire”. In Lévy J., Lussault M., *Dictionnaire de la géographie et de l’espace des sociétés*, Paris, Belin; İnaç, H. & Ü. F., 2013, “The Construction of National Identity in Modern Times Theoretical Perspective

¹⁰⁷ Nielsen K., “On the Miseries of Neoliberalism,” *New Politics*, 1988b, Vol VII, No 3 (new series)

¹⁰⁸ Smith, A.D. 1986, *Ethnic Origins of Nations*, Oxford, Basil Blackwell.

In modern times, ethnic crystallization is used by especially marginalized groups in claiming any rights or privileges they may perceive to have been deprived of by any establishment. In so doing, such a group consciously invokes its past and perceived common identity and traditions to rally together its members and legitimize its present cause.¹⁰⁹ In Kenya, ethnic crystallization has been used by many communities to claim their rights to ancestral land. For example, in 2010, the Endorois people¹¹⁰ successfully challenged the Kenyan state through the African Commission on Human and Peoples Rights (ACHPR), and they were resettled on what they considered their ancestral land after many decades of displacement from it¹¹¹. Ethnic crystallization is, however, perceived to create a centrifugal force which threatens the establishment and stability of the modern state.¹¹²

While constructing their cultural identities, individuals make choices regarding the cultural communities (such as ethnic, national, religious) to belong to. In return, the cultural communities decide how to identify themselves using among other things, chosen cultural heritages. As such, cultural heritages (including objects, places, practices and people) are constantly assigned and re-assigned value or valorized as part of groups' identities. Referring to Ashworth *et al.*,¹¹³ Karega-Munene¹¹⁴ observes that heritage value is conferred through a process that involves two funnels or filters which are reflective of "past and present cultural, political, social and economic as well as by current aspirations, needs and anticipated benefits". While the first funnel "involves the selection, preservation, elimination and often invention of given heritage resources," the

¹⁰⁹ Oommen T.K., 1997, *Citizenship, nationality, and ethnicity: reconciling competing identities*; Smith, A.D., 1986, *Ethnic Origins of Nations*

¹¹⁰ The Endorois is an indigenous minority community which had lived around lake Bogoria and Mochongoi forest for more than 300 years before they were evicted from the region by the government in the 1970s to create the Lake Bogoria National Reserve.

¹¹¹ Cerone J., 2010, "African Commission on Human and Peoples' Rights: Centre for Minority Rights Development (Kenya) & Minority Rights Group International on Behalf of Endorois Welfare Council v. Kenya" *International Legal Materials*, 49(3), 858-906. doi:10.5305/intelegamate.49.3.0858

¹¹² Berman B. J., 1998, *Ethnicity, Patronage and the African State*; Lonsdale J. & Berman B., 1979, "Coping with the Contradictions"; Mamdani M., "Nationality Question in a Neo-Colony"; Mamdani, M 2001b: "When Victims Become Killers"

¹¹³ Ashworth G.J., Graham B. and Tunbridge J.E., 2007, *Pluralising Pasts: Heritage Identity and Place in Multicultural Societies*, London, Pluto Press

¹¹⁴ Karega-Munene, 2014, *Origins and Development of Institutionalized Heritage Management in Kenya* p.39-40

second one “involves the interpretation of heritage as ‘a cultural product and a political resource that fulfils crucial socio-political functions.”¹¹⁵.

The assignment of heritage value is referred to as *patrimonialisation* in French, which is derived from the concept of *mise en patrimoine* or *fabrique du patrimoine* (loosely translates into making heritage). The term has been translated into ‘heritagization’ in English. The different actors involved in this process include the State, local governments, heritage professionals, museums, local communities, religious groups, and the international community among others. There are many reasons for which different actors create and recreate value for cultural identity and heritage. These reasons range from a local community’s desire to claim ownership rights on their perceived ancestral land, to a local government’s desire to market its heritage sites for tourism, to a State’s determination to show cultural inclusivity in the formation of national identity.

Heritagization is a very political, subjective and selective process. The nature and direction it takes depends on several factors including who is designating heritage value, the reason for value designation, and the target-group aimed at by the designation. On one hand the State selectively designates and promotes certain heritage as “official heritage” through an institutionalized process that has been referred to as Authorized Heritage Discourse (AHD)¹¹⁶. This process involves the evaluation of heritage values using some set criteria and ultimately includes such approved heritage on a heritage list or register.

The “official” heritage criteria and lists used as the ‘canon’ or standard for assessing heritage value¹¹⁷ are usually based on perceived intrinsic values which include authenticity, monumentality, and aesthetic features. Such criteria, as reflected by official heritage charters and policies focus more on physical objects and places. Yet according to Smith¹¹⁸, the idea that heritage is intrinsically contained within objects and places is misleading. In dispelling the idea of heritage value as being intrinsic and constant, Smith asserts that “there is, really, no such thing as

¹¹⁵ Karega-Munene. 2014. ‘Origins and Development of Institutionalised Heritage Management in Kenya’ p.40

¹¹⁶ Smith L., 2006, *Uses of Heritage*, Routledge, New York.

¹¹⁷ Mitchell W.J.T., 2005, ‘Canon’ in Bennett T., Grossberg L. and Morris, M. (eds) *New Keywords: A Revised Vocabulary of Culture and Society*, Maiden, MA and Oxford, Blackwell Publishing, pp. 20–2.

¹¹⁸ Smith L., 2006, *Uses of Heritage*, Routledge, New York.

heritage”¹¹⁹. While viewing heritage as a culturally ascribed phenomenon, Smith emphasizes the need for all ‘objects of heritage’ to undergo constant re-evaluation as part of social practices which continually define and redefine heritage.

Often, the official heritage process takes top-down approach where State official and heritage experts determine what goes onto the official heritage lists. In this “official” process, the local community members are often largely excluded or only passively engaged. The state therefore spearheads the creation of local, national, regional and supra-national heritage motivated by state-building ideologies¹²⁰ and tourism promotion for economic development¹²¹. After designating official heritage, the state goes ahead to formulate policies which are translated into programs, activities and publicity materials geared towards the protection, promotion and marketing of the official heritage.

For World Heritage Value conferment, the state party concerned plays a key role in building the case for the proposed World Heritage and forwarding it to the World Heritage nomination committee. At times, recognition of a place or an object as official heritage may somehow ‘remove’ it from the daily lives of the local community through the restrictions and political sensitivity that might come with such recognition. This brings about dialectical relationship between official heritagization and local heritage significance. State-sanctioned heritagization is often aimed at promoting government policies on building national identity, national cohesion, national citizenship and collective memory; and promotion of tourism. On the other hand social groups practice “unofficial” heritagization which is not necessarily institutionalized. Unofficial heritagization which often takes bottom-up approach is practiced at the local level by social groups celebrating their common identity and memory, and expressing their solidarity in claiming such rights as ownership of their ‘homelands’. The “unofficial,” often ‘un-institutionalized’ process has been referred as ‘subaltern heritagization’.

¹¹⁹ Ibid., p.11

¹²⁰ Ashworth G.J., Graham B. and Tunbridge J.E., 2007, *Pluralising Pasts*

¹²¹ Urry J., 1990, *The Tourist Gaze: Leisure and Travel in Contemporary Societies*, London, Sage.

Often, “official heritage” tends to be in conflict or compete with ‘unofficial’ or subaltern heritage, with the involved power-relations privileging the former. This is because the government has the discretion to choose which heritage value to designate and promote using State resources. This way, the government has immense power to influence which heritage is conserved and commemorated especially at the national level. In their official heritagization, many nation-states are driven by the desire to camouflage the usual conflict between “official heritage” and subaltern heritages. They also endeavor to publicly portray a representative, cohesive and integrated nationhood. They also use institutionalized heritagization as a way of promoting multicultural nationalism that display both subnational and national identities as being simultaneously represented¹²².

Smith¹²³ criticizes the common tendency of States to manipulate heritage by creating a feel-good effect through such narratives as nation-building and national cohesion which are common in authorized discourses. Referring to the Canadian context, Matt James¹²⁴ criticizes state-sanctioned heritagization of multicultural nationalism as a neoliberal process aimed at containing multicultural groups in powerless framework of cultural diversity. On the other hand Frances and Tator¹²⁵ praise national identities created on multiculturalism, such as the Canadian and the American ones, for being accommodative of cultural diversity. Karega-Munene contends that “Kenya could borrow from Canada’s and USA’s experience”¹²⁶ in the formation of “National identities created on the platform multiculturalism that accommodates cultural diversity.”¹²⁷

2.4: Theorizing Heritagization in Post-Devolution Kenya

The centralized nation-state has historically been perceived to be ‘strong’ due to its ability to independently formulate and enforce laws and exert authority over its population and territory.

¹²² Taylor C., 1994, “The politics of recognition,” In A. Gutmann (Ed.), *Multiculturalism: examining the politics of recognition*, Princeton, Princeton University Press.

¹²³ Smith L., 2006, *Uses of heritage*,

¹²⁴ James M., 2013, “Neoliberal heritage redress.” In Henderson J. & Wakeham P. (eds), *Reconciling Canada: Critical Perspectives on the Culture of Redress*, Toronto, University of Toronto Press, 31 -46.

¹²⁵ Frances H., and Tator C., 1994, “The Ideology of Racism—Democratic Racism,” *Canadian Ethnic Studies/Etudes ethniques au Canada* Vol 26 Issue no.2 pp 1-14.

¹²⁶ Karega-Munene, 2014, “Origins and Development of Institutionalised Heritage, p.44

¹²⁷ Ibid p.43

Many authors¹²⁸ however sees centralized States to be brittle as it is characterized by unresponsiveness to the citizens; inefficiency in public service delivery; tensions among various groups; possible state capture by the majority group or the elite; weak institutions; corruption; low economic growth; and low state legitimacy. This has caused decentralization to gain popularity as a way of strengthening the state with many countries in the world trying various forms of decentralisation since the 1970s¹²⁹.

These statements are true in the Kenyan context. As illustrated in chapter three of this thesis, Kenya became very highly centralized under the reigns of Kenyatta and Moi. National institutions became very weakened as poverty, corruption and abuse of human rights reduced the State's legitimacy. Heritage-making in the country was not spared by the effects of centralization and misgovernance of the country by the political elite. The President persona controlled what was to be heritagized. This way, national monuments and imagery came to represent not the common identity and memory of Kenyans but the authority of the president. Below the radar, different ethnic groups led by their cultural custodians and ethnic leaders continued to variously commemorate their ethnic identities and memories.

In 2010, after promulgating the Constitution of Kenya (2010), Kenya adopted devolution, which is the form of decentralization that gives the greatest amount of autonomy to a lower level government. The other two forms of decentralisation are deconcentration, which merely moves responsibilities between different levels of the central government; and delegation in which the central government gives partial power of decision making and administration to a lower level of government while retaining the ultimate authority. By adopting devolution, Kenya's central government devolved substantial amount of powers, responsibilities, functions and resources to the forty-seven county governments. Among the functions that were devolved to the county

¹²⁸ Evans P. B., Rueschemeyer D., & Skocpol T., (eds.), 1985, *Bringing the State Back In*, Cambridge, Cambridge University Press; Evans P., 1992, "The state as problem and solution: predation, embedded autonomy and structural change," in Haggard S. & Kaufman R., *The politics of economic adjustment*, pp. 143-81. Princeton, N.J, Princeton University Press; Faguet, J-P. et al., 2014, *Does decentralization strengthen or weaken the state? Authority and social learning in a supple state*. Department of International Development, London School of Economics and Political Science, London, UK.

¹²⁹ Manor J., 1999, *The Political Economy of Democratic Decentralization*, Washington, D.C.: The World Bank; Stepan A., 2000, "Brazil's Decentralized Federalism: Bringing Government Closer to the Citizens?" *Daedalus*, 129, Spring, pp. 145-169.

governments included: cultural activities, public entertainment and amenities including museums, county parks, cultural and recreational activities and facilities. As such, the county governments became key players in heritage-making and management.

Some of the advantages associated with decentralisation include enhanced citizen participation in decision making and implementation of development activities; increased efficiency in resource utilization and service delivery; enhanced accountability and responsiveness to the people. By including leaders and members of different communities in the government processes, and giving them control over their own affairs including resources and culture¹³⁰, decentralization could quell socio-political tensions, promote harmonious co-existence of different ethnic and national identities. This makes the state more socially cohesive, hence stronger.¹³¹ Whereas a centralized system vests the central leader with power and ability to change public policy and institutions at will, decentralization necessitates consensus with regional representatives. This makes state institutions stronger and more secure from political manipulation.

Other scholars have argued that decentralization could reduce the power and autonomy of the state by causing power shifts that could result in elevated socio-political tensions¹³². Such tensions could be due to ethno-territorial coalescences which could undermine national identity and unity¹³³. According to Roeder and Rothschild¹³⁴, devolving resources and responsibilities could avail more resources to the local elite and strengthen patron-client relationships which

¹³⁰ Brancati D., 2009, *Peace by Design: Managing Intrastate Conflict through Decentralization*, Oxford, Oxford University Press; Bardhan P. et al., 2008, "Political Participation, Clientelism, and Targeting of Local Government Programs: Analysis of survey results from rural West Bengal, India," *Boston University - Department of Economics - The Institute for Economic Development Working Papers Series* dp-171, Boston University - Department of Economics; Faguet J-P. et al, 2014, "Does decentralization strengthen or weaken the state? Authority and social learning in a supple state" Department of International Development, London, UK, London School of Economics and Political Science; Lijphart A., 1977, *Democracy in Plural Societies*. New Haven, Yale, Yale University Press.

¹³¹ Bardhan P. et al., 2008, "Political Participation, Clientelism, and Targeting of Local Government Programs: Analysis of survey results from rural West Bengal, India," *Boston University - Department of Economics - The Institute for Economic Development Working Papers Series* dp-171, Boston University - Department of Economics.

¹³² Putzel J. & Di John J., 2012, "Meeting the challenges of crisis states". The London School of Economics and Political Science, London, UK.

¹³³ Brancati D., 2009, *Peace by Design: Managing Intrastate Conflict through Decentralization*. Oxford, Oxford University Press.

¹³⁴ Roeder P.G. and Rothchild D., 2005, *Sustainable peace, power and democracy after civil wars*, Cornell University press.

discriminate against regional minorities causing conflicts among fractious groups¹³⁵. According to Faguet J-P. et al¹³⁶, sub regional elite could use their prominence and followership to demand more political power and autonomy from the center, hence antagonizing the national elite.

Other possible disadvantages of decentralization have been identified to include: higher cost of operations due to duplication of functions; dilution of specialisation as personnel get distributed to various functions disregarding their specialisations; inequalities and disparities in function performance and standards between the centre and the devolved units and among the devolved units; complexity in coordinating activities within and among the devolved units; excessive competition for common resources and opportunities among devolved units; as well as replication of national-level challenges such as nepotism, elite-capture and corruption at the subnational level.

The 2010 devolution introduced the county governments as key players in heritage management in the country. Among the uses the counties have been seen to valorise heritage for is political mobilization as well as establishment of their corporate and territorial identities. The participation of local communities in managing their own heritage has also been emboldened by devolution. As elaborated by the subsequent chapters, this has had theoretical and practical implication to identity heritagization in the country.

2.5: Conclusion

This chapter has explored the applicability of the primordial and modernist theories in discussing ethnic group, nation and nation-state dynamics in Kenya. The chapter has demonstrated the challenge that conceiving Kenya as composite of primordial ethnic nations presents because Kenyan ethnic groups are not biologically or culturally pure entities but rather, products of many years of continuous interactions with each other, resulting to culturally and biologically fluid and

¹³⁵ Bardhan P. et al., 2008, "Political Participation, Clientelism, and Targeting of Local Government Programs: Analysis of survey results from rural West Bengal, India," *Boston University - Department of Economics - The Institute for Economic Development Working Papers Series* dp-171, Boston University - Department of Economics; Horowitz D.L., "The Cracked Foundations of the Right to Secede," *Journal of Democracy*, Vol 14, Issue 2, 2003, pp. 5-17.

¹³⁶ Faguet J-P et al., 2014, *Does decentralization strengthen or weaken the state? Authority and social learning in a supple state*, Department of International Development, London, UK, London School of Economics and Political Science,

inclusive identities¹³⁷ On the other hand, imagining Kenya as a nation-state as perceived through the modernist theory has been demonstrated to pose a challenge owing to the fact that realization of a unitary nationhood among the various Kenyan ethnic communities has continued to be hampered by ethno-political differentiation and state-power centralisation perpetuated by the political elite.

Illustrating ethnic and national identities as part of the diverse cultural identities, which are formed and expressed through communicative processes, the chapter has elaborated the process of identity heritagization in which heritage, which includes places, objects and practices, is assigned value as part of a group's identity. The chapter has also illustrated the complexity of heritagization as a process that involves many players with different often conflicting interests. It has particularly pointed out the usual conflict between what is considered as 'official' and subaltern heritagization done by the government and local communities respectively.

Lastly, this chapter has also highlighted on devolution that was adopted in Kenya in 2010, examining its theoretical implications in terms of strengthening and weakening the State and the sub-national governments. The chapter particularly takes cognizance of the fact that the 2010 devolution introduced another layer of Key players in heritagization in the country, the county governments, who have been observed to use cultural heritage in the creation of their corporate and territorial identities.

¹³⁷ Ogot B.A., 2012, *Kenyans, Who are We?* p.20 ; Were, G.S., 1967, *A history of the Abaluyia of Western Kenya c 1500-1930*, Nairobi, East African publishing House,

CHAPTER THREE: BACKGROUND TO CULTURAL HERITAGIZATION IN KENYA

3.1: Introduction

This chapter gives a historical background to cultural heritagization in Kenya. It begins by looking at traditional cultural stewardship of Kenyan ethnic communities in the precolonial period before scrutinizing how the traditional cultural stewardship system was disrupted and subjugated by colonialism. By referring to the NMK and the country's heritage legislation, the chapter traces the colonial origins, evolution and characteristics of institutionalized heritagization in the country. The chapter then explores what changes occurred if at all, in regard to the formation and promotion of national and subnational identities and heritages in the post-independent era under Kenyatta and Moi. The chapter also explores the changes that happened in heritagization in the country as the KANU (Kenyatta-Moi) era came to an end ushering in a new political and democratic dispensation under President Mwai Kibaki. Ultimately, it highlights the key implication that the 2010 constitution's promotion of national and ethnic identities and heritages has continued to have on heritagization in the country.

3.2: Precolonial Cultural Stewardship

In the precolonial era, most of the ethnic communities in what is now Kenya were stateless. Each of the communities lived in what it considered its 'ancestral homeland' where its members were bound together by their 'distinct' cultural heritage. Each of the 'distinct' cultural heritages consisted of a common ancestry, oral history, a belief system, and a leadership system which was mostly consensus-based. As the largest kinship unit, and the largest social organisation that individuals paid allegiance to, ethnic groups relied on their cultural heritage for a common identity, as well as for interaction among themselves and with their cosmic world. They also relied on their cultural heritage in interacting with and exploiting their environment for survival as hunter-gatherers, farmers or pastoralists. As such, heritagization of cultural and natural heritage was practiced in day-to-day living mainly for survival and identity formation and maintenance. Without state formations or centralised political systems, the communities also relied on their vibrant cultural systems and practices for social order.

Without any written cultural policies, the ethnic communities safeguarded their cultural heritage through traditional custodianship¹³⁸, which consisted of knowledge and practices that had been passed down generations through oral traditions¹³⁹. As such, many of the communities had no centralized state intent on replacing the ethnic cultures with a common high culture. In other words, they had no state, or Kingdom¹⁴⁰ and therefore no state-sanctioned heritagization.

3.3: Colonial Suppression and Subjugation of African Cultural Heritage

At the advent of colonialism in Kenya, communities' cultural heritage and traditional stewardship systems were disrupted. This disruption included communities being forcefully split apart or arbitrarily lumped together by the colonial borders. Communities' traditional movements and interactions were also disrupted or restricted. The colonial administration imposed centralised governance and management systems to facilitate easy control of the Africans and exploitation of their resources. Kenya became part of the British Empire whose central authority was the Queen as the head of the British monarchy. Communities' traditional leadership systems were disrupted as councils of elders were replaced by colonial chiefs, who no longer represented the community's cultural custodianship but the Queen's authority.¹⁴¹

The colonialists strategically reinvented and heritagized some aspects of indigenous cultural heritage to serve their own interests. For instance, the colonialists invented, heritagized and institutionalized ethnic and racial identities through such documents as the birth certificate and the identity card. The colonialists then developed and attached negative stereotypes to the ethnic identities so as to antagonise indigenous communities against each other. Perceived 'homelands' of the various ethnic communities were also reinvented and heritagized into colonial administrative units that were used to divide, and dominate the communities. Communities' traditional arbitration processes which were hitherto overseen by clan elders were selectively institutionalized into customary laws. The adjudication of these customary laws was

¹³⁸ Taylor B and Kaplan J., 2005, *The Encyclopedia of Religious and Nature*, London and New York, Thoemmes Continuum.

¹³⁹ Mbiti J.S., 1977, *Introduction to African Religion*, London, Heinemann Books; Ogburn, W.F. 1922. *Social Change with respect to Culture and Original Nature*, New York, B.W. Huebsch, p. 8

¹⁴⁰ Except for the Wanga Kingdom and the Swahili state cities.

¹⁴¹ Lambert H.E., 1965, *Kikuyu Social and Political Institutions*, London; Review of Chiefs and *Ciama* by C.C. Dundas in Kenya National Archives (KNA), Ref .PC/PC/1/4/1/, pp.61-77

committed to a selection of elders in colonially established native courts under the watch of the colonial government.

Meanwhile, many indigenous cultural practices were strategically suppressed and 'deheritagized' in the process of colonization. For instance, as a large number of Africans attended missionary education, they had less time to engage in their communities' cultural practices. The western education focused on converting Africans into Christians and equipping them as auxiliary workers for the colonial administration. Outside the missionary stations, the Africans were subjected to forced labour, imposed tax and land alienation which deprived them of their freedom and resources to conduct their customary practices. The colonial administrators and the missionaries condemned most of the African traditional practices as being morally repugnant and ethically dangerous. Most of these practices were mystified as witchcraft and legislated against. This amounted to legal and religious deheritagization of these cultural practices. Karega-Munene observes that by condemning traditional practices and their associated objects, Christianisation ratified the disconnection of Africans with their traditional heritage¹⁴².

The colonial government also introduced and used print and electronic media to dominate Africans. The first daily newspaper, and broadcasting station which were the *East African Standard* and the East African Broadcasting Corporation (EABC) were founded in 1902 and 1927 respectively. They were established with the aim of informing the white settlers and the colonial subjects about significant activities in the colony, as well as profiling the tribal life and ethnic identities of the various communities. For instance, during the Mau Mau rebellion, the media was extensively used by the colonialists to condemn and demonize the movement by referring to it using such words as "atavistic, primitive, tribalist, brutal racist, anti-Christian and criminal"¹⁴³

Meanwhile, Africans were kept away from the possibility of accessing and using the media for nationalist agitation for freedom. As part of this control, in 1930, the government enacted a penal code, which suppressed early attempts of nationalism formation and mobilization by

¹⁴² Karega-Munene, 2014, "Origins and development of institutionalized Heritage Management in Kenya" p.19

¹⁴³ Hughes L., 2017, "Memorialization and Mau Mau: A Critical Review," In Julie MacArthur (ed.), *Dedan Kimathi on Trial: Colonial Justice and Popular Memory in Kenya's Mau Mau Rebellion*, Athens Ohio: Ohio University Press: 339-374.

Africans by banning such publications as the African leader, *Uhuru wa Mwafrika* (The African's Freedom), *Sauti ya Mwafrika* (The African's Voice) and *Inooro ria Agikuyu* (the Voice of the Gikuyu)¹⁴⁴ This did not in any way obliterate the Africans' urge to enhance and mobilize their nationalism. Expression of cultural identity continued through such pioneer anthropological writings as Jomo Kenyatta's *Facing Mount Kenya*, which was first published in 1938 and significantly enhanced the consciousness of Kikuyu and to some extent Kenyan-African nationalism.

As they suppressed African cultural heritage, the colonialists started to heritagize and memorialize their experiences in Kenya and the colony's loyalty to the British Empire, the colonial administrators and settlers installed in the country's landscape several monuments featuring British Monarchical figures, the empire's war heroes and outstanding pioneer settlers. Lydia Muthuma, who has given a comprehensive elaboration of colonial and post-colonial monuments in Nairobi observes that "the British laboured to inscribe a specific identity...unmistakable British identity"¹⁴⁵ in Nairobi Central Business District (CBD), which marked the beginning of the identity of this space as "a condensation of the national narrative and the place *par excellence* for political aesthetics: the politics of colonial power, indigenous protest and post-colonial wrangles."¹⁴⁶ The colonial monuments included one of Queen Victoria which was unveiled in 1906; those of King George V, and George VI, which were unveiled in 1945 and 1957 respectively; one on war heroes which was erected in 1945; the Nairobi Military stone, which was built in 1939 to honour Lionel Douglas Galzon Fenzi, the founder of Kenyan road system and the East African Automobile Association and; the Lord Dalamere statue which was installed in 1940s; and the Hamilton fountain, or the 'naked Justice boy' monument which was installed at the current entrance of the Supreme Court in honour of the colonial lawyer Alexander George Hamilton, who died in 1937¹⁴⁷.

¹⁴⁴ Durrani S., 2006, *Never Be Silent : Publishing & Imperialism in Kenya 1884 - 1963*

¹⁴⁵ Muthuma L., 2016, "The conservation of public monuments as a tool for building collective identity in Nairobi," In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press pp.60-61

¹⁴⁶ Ibid. p.59

¹⁴⁷ Larsen L., "Re-Placing Imperial Landscapes: Colonial Monuments and the Transition to Independence in Kenya", *Journal of Historical Geography* Vol 38 Issue 1, January 2013; Laragh L., 2013, *Power Politics and Public Monuments in Nairobi, Kenya*, <https://www.opendemocracy.net/en/power-politics-and-public-monuments-in-nairobi-kenya/>



Fig 2: Statue of Lord Dalmeida in Nairobi
(Source: Laragh Larsen, 2013)

Through this imprinting of monuments and imagery which had started soon after the Second World War with the introduction of the image of the British Monarch in the East African currency, the colonial administrators and settlers symbolically stamped their position as the conquerors of their new-found land, and also fulfilled the “need to have ancestors,” which Jacques Le Goff¹⁴⁸, describes as a typical human need. The colonial administrators and settlers also started institutionalized natural and cultural heritage management in the country. They did this by initiating such entities as the East Africa and Uganda Natural History Society (EAUNHS) – the forerunner of the National Museums of Kenya (NMK); the Game Department – the forerunner of the Kenya Wildlife Services (KWS); the Forest Department- the forerunner of the Kenya Forest Services (KFS); and the Kenya National Theatre (KNT).

The policies and operations of these ‘heritage’ entities were anchored on the western concept which pegs the heritage value of a natural habitat on its pristineness, while built heritage is valued based on such traits as antiquity, monumentality and aesthetics as judged by the western experts. In the western concept of conservation Africans were viewed as potential destroyers of valuable natural heritage while their cultural practices were considered as superstitious and not

¹⁴⁸ Le Goff J., 1992, *History and Memory*, Trans. Steven Rendall and Elizabeth Claman, New York, Columbia University Press.

worth conserving¹⁴⁹. The 1898 enactment of the first law regarding controlling of wildlife hunting and the 1907 establishment of the Game Department with the responsibility of enforcing the law and protecting game reserves “marked a major departure from communal or customary ownership of wildlife heritage to the property regime.”¹⁵⁰ According to Waithaka¹⁵¹, Africans were forcibly removed from their native lands to create room for national parks and game reserves. The colonial hunting laws outlawed traditional subsistence hunting thus alienating Africans from the governance, conservation and utilization of the heritage resources they had nurtured for centuries. This marked the beginning of the human-wildlife conflict that has existed in Kenya to date. In the new legislative order, the European trophy-hunters turned conservationists were demonstrated as the champions and defenders of African wildlife and its conservation. John Mbaria and Mordecai Ogada have illustrated how this narrative has continued to reign in many fronts making “most Kenyans today exclusively associate wildlife conservation, care, compassion and even ownership with white people.”¹⁵²

This colonial beginning of institutionalized heritage management laid the basis of Kenya’s current practice, policy, and legal framework of heritagization in the country. To create a better understanding of the dynamic landscape heritagization policy and practice in the country, the following section looks at the origins and evolution of the National Museums of Kenya (NMK) which has been in the forefront of cultural and natural heritage management in the country over the years.

3.4: The Colonial Origins of the National Museums of Kenya and Kenya’s Heritage Policy

The history of the NMK began with the 1909 founding of the East Africa and Uganda Natural History Society (EAUNHS), which later became the East Africa Natural History Society (EANHS), by

¹⁴⁹ Beinart W., *The Rise of Conservation in South Africa: Settlers, Livestock and the Environment 1770-1950*, Oxford, Oxford University Press; Ranger T., 1989, “Whose heritage? The case of the Matobo National Park,” *Journal of Southern African Studies* 15:217-249; Castro A.P., 1995, *Facing Kirinyaga: A social history of forest commons in Southern Mount Kenya*, London, Intermediate Technology Publications, pp.66-68

¹⁵⁰ Mwaura F., 2016, “Wildlife Heritage ownership and utilization in Kenya-the past, present and future” In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press p.137

¹⁵¹ Waithaka J., 2012, Historical factors that shaped wildlife conservation in Kenya, *The George Wright Forum* Vol 29, Issue2 p.21-9

¹⁵² Mbarire J. and Ogada M., 2017, *The Big Conservation Lie*, Auburn WA, Lens and Pens Publishing LLC, P.9

a group of colonial administrators and settlers who were nature hobbyists. In 1910, they put up a small space where they stored their collection before opening it in 1911 as a private museum¹⁵³. Continued enlargement of the collection caused it to be moved into a larger space about half a kilometer from its initial space. In 1929, the collection which had continued to grow was built for a more spacious home, the Coryndon museum, at a site that was donated by the colonial government, on what came to be referred to as the Museum Hill. The museum was built with equal contributions from the government and Governor Robert Coryndon's memorial fund in honour of the late governor.

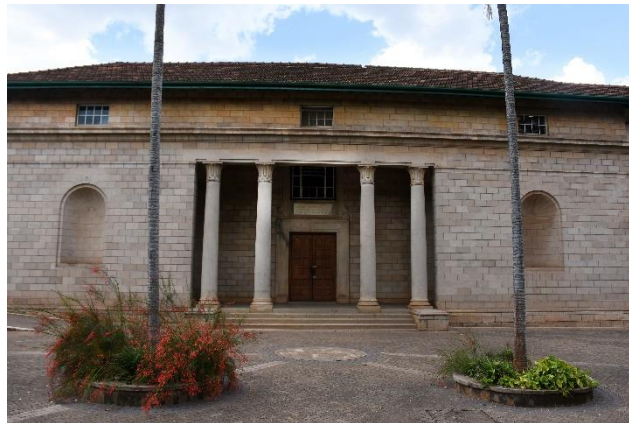


Fig 3: Front View of Coryndon Museum
(Source: NMK Archive)

The government's contribution towards the museum was spearheaded by Coryndon's successor, Governor Edward Grigg, himself a nature enthusiast. Grigg's other key contribution towards heritage preservation in Kenya was the 1927 drafting of 'the Ancient Monuments Preservation Ordinance.' In drafting this first written policy on heritage preservation in Kenya, Grigg borrowed immensely from the British India's 'An Ordinance to Provide for the Preservation of Ancient Monuments and Objects of Archeological, Historical or Artistic Interests'¹⁵⁴. The ordinance installed on the governor the power to protect antiquities and monuments, compulsorily acquiring those "in danger of being destroyed injured or allowed to fall in decay." It also criminalized destroying or causing damage to monuments as well as failure to declare

¹⁵³ Karega-Munene. 2014. 'Origins and Development of Institutionalised Heritage Management in Kenya' pp. p.17-18

¹⁵⁴ Hart T.G., 2007, "Gazetting and Historic Preservation in Kenya." *Cultural Resource Management: The Journal of Heritage Stewardship* Vol 4, Issue 1, Winter 2007 p.42

archeological finds to an authority¹⁵⁵. By designating the identification, maintenance and protection of antiquities and monuments to the governor or any other entity authorized by him, and criminalizing Africans' interaction with monuments and antiquities, the ordinance abruptly introduced the preclusion of Africans from accessing and managing their own heritage dating back to the days of their ancestors¹⁵⁶

The 1927 *Ancient Monuments Preservation Ordinance* was amended twice (in 1929 and 1934) within the first seven years of its enactment. These amendments were meant to accommodate the archeological and paleontological research findings and materials that had emerged in East Africa in the 1920s and early 1930s. They included Louis Leakey's 1931 fossil finds at Olduvai Gorge in Tanzania as well as other such finds in the western part of Kenya. The 1934 amendment resulted in the *Preservation of objects of Archaeological and Paleontological Interest Ordinance*. The ordinance defined monument as 'any structure, erection or memorial, or any tumulus or place of internment, or any cave, rock sculpture, inscription of monolith, which is of archeological, historical or artistic interest, or any remains thereof'. It defined antiquity as 'any movable object which the governor, by reason of its archaeological or historical associations, may think it necessary to protect against injury, removal or dispersion.' The ordinance vested on the governor the power to not only protect but also compulsorily acquire such monuments and antiquities that were under any threat of destruction.

With the backing of this legal amendments, the archaeological and paleontological collection in the Coryndon Memorial Museum had grown significantly by the late 1930s, an expansion that exerted pressure on the institution in terms of space and finances. The significance of archaeological and paleontological research and collection continued to grow in the 1950s and 1960s as the work of Louis and Mary Leakey yielded increased evidence suggesting that Africa was the cradle of humankind which attracted increased scientific and media attention to Coryndon Memorial Museum in regard to human origins studies.

¹⁵⁵ Karega-Munene, 2014, "Origins and Development of Institutionalised Heritage Management in Kenya" p. 27

¹⁵⁶ Ibid p. 19

It followed that in 1962, the government revised the 1938 ordinance and enacted two separate but complementary heritage laws namely; the *Preservation of objects of Archaeological and Paleontological Interest Ordinance*, which was a carry-over of the 1934 ordinance, and the *Museum Trustees Ordinance*. The legal review was in anticipation of Kenya's independence the following year. As such the two ordinances became Chapters 215 and 216 of the Laws of Kenya respectively. While the 1962 *Preservation of objects of Archaeological and Paleontological Interest Ordinance* was in perpetuation of the significance of Archaeological and Paleontological research and materials. The *Museum Trustees Ordinance* established the Museums Trustees of Kenya as a body corporate responsible for the 'general management and control of all museums in the colony'¹⁵⁷.

Noteworthy, the legal amendments up to that of 1962 did not accommodate or protect historic or ethnographic objects. As such these objects remained unprotected after the country acquired her independence. As such the objects were subjected to heightened plunder. The management of historic heritage therefore remained problematic many years in the post-colonial period. Karega-Munene observes that the colonizer would not have been keen on recognizing historic and ethnographic objects. This is because articulation of local identities would have negated the derogatory identities the colonizers had given the local populations.¹⁵⁸ The current Kenya's heritage legislation has retained some aspects of this initial legislation such as the terminology used as well as prescription of penalties for heritage offenders. Having operated as a private cabinet of curiosities since its 1909 founding, the museum was opened in 1930, but only to Europeans. It was only opened to the Asians and Africans in 1940s after L.S.B. Leakey became the museum's curator¹⁵⁹.

So far, it is evident that the colonial administration and settler community spearheaded institutionalized heritagization in Kenya for their interests which included; enjoyment, recreation and scientific exploration. In this heritagization, the Africans, their values and interests were not catered for. That is why the museum focused on natural history paying little attention to the

¹⁵⁷ Kenya Colony and Protectorate, 1938, *The Museum Trustee Ordinance*, Nairobi, Section 3 and 5

¹⁵⁸ Karega-Munene, 2014, 'Origins and Development of Institutionalised Heritage Management in Kenya' p. 24

¹⁵⁹ Cole S., 1975, *Leakey's Luck: The life of Louis Seymour Bazett Leakey 1903-1972*, London, Collins.

cultural heritage of the Africans and did not allow in Africans until the 1940s. To use Montreal's words, the museum was 'accessible only to a minority of initiates, under the ritual pontification of a clique of directors and curators'¹⁶⁰. In this case, the clique of directors and curators, as well as the initiates were all whites. Africans were viewed as potential intruders and destroyers of 'valuable' heritage who needed to be deterred by establishing punitive legal instruments. Karega-Munene observes that "The privileged position natural history was given in museum exhibits plus restricted access to monuments and antiquities by Africans were informed by settler interests and belief that Africans were inferior beings."¹⁶¹

3.5: Post-Independence Nationhood-Craftsmanship, and Heritagization

At Independence, the nascent nation-state's leadership failed to review the laws it inherited from the colonialists to cater for the young nation's need to promote Kenyan identity and nationhood through exhibitions¹⁶². The state and the political elite got preoccupied with consolidation of independence and political power as well as addressing poverty, disease and illiteracy which were considered as the young nation's immediate needs. The new state's consolidation of independence was expressed in various aspects. One aspect entailed the removal of various colonial monuments from the country's landscape¹⁶³. Queen Victoria's monument in Jeevanjee Garden was first one to be vandalised in 1958 at the height of the clamour for independence. Following independence, the statues of Lord Dalamere, King George V and King George VI were removed as the names of several roads were changed in a bid to obliterate the symbols of colonial power and give the Nairobi landscape a new identity¹⁶⁴. In other words, colonial monuments and imagery underwent a process of destruction and 'deheritagization' in the newly independent nation.

¹⁶⁰ Monreal, Luis. 1976. "The African Museum in Quest of its Future Direction." *Museum*, Vol 28 Issue no. 4, p. 187

¹⁶¹ Karega-Munene. 2014. 'Origins and Development of Institutionalised Heritage Management in Kenya' p.24

¹⁶² Ibid p.27

¹⁶³ Larsen L., "Re-Placing Imperial Landscapes: Colonial Monuments and the Transition to Independence in Kenya", *Journal of Historical Geography* Vol 38 Issue 1, January 2013; Laragh L., 2013, *Power Politics and Public Monuments in Nairobi, Kenya*, <https://www.opendemocracy.net/en/power-politics-and-public-monuments-in-nairobi-kenya/>

¹⁶⁴ Wanjiru M. W. and Matsubara K., "Street typonomy and the decolonization of the urban landscape in post-colonial Nairobi," *Journal of Cultural Geography*, Volume 34 Issue 1, 2017



Fig 4: King George V statue being removed
(Source: Laragh Larsen, 2013)

The enthusiasm to inscribe the symbols of the nascent independent nation was first dramatized at the top of Kenya's 'hour of independence', at *Uhuru* (independence) Gardens, when the Kenyan flag was hoisted for the first time as the union Jack came down. Kenyans from all walks of life had gathered at Uhuru Gardens to witness the occasion and celebrate the birth of a new nation. During this occasion, Kenyans were involved in inventing and enacting their first 'national ritual.' For the first time, they unanimously recited the national anthem which had been (re)invented from a Pokomo song and adapted to express their common aspirations in the new independent nation. These aspirations included the hope that justice would be their shield and defender, and that they would dwell in unity, peace and liberty.¹⁶⁵ Through the national anthem Kenyans also expressed their hope for a great common destiny in form of a nation that they would together create and defend. They also aspired for a common heritage in which they would equitably share the fruits of their labour. In his independence inaugural speech, President Jomo Kenyatta identified poverty, ignorance, and disease as the three big challenges of national development and called upon Kenyans to pull together and build the nation in the spirit of '*Harambee* (literally pulling or pooling together, which meant launching collective development initiatives)', which became his mantra.

¹⁶⁵ These aspirations are declared in the Kenyan National Anthem

As part of the initial symbolic gestures of independence consolidation and reinvention of the nation, during the first anniversary of independence, President Kenyatta planted a Mugumo tree (*Ficus thonningii*) at the spot where the Kenyan national flag was first hoisted at *uhuru* Gardens. By planting the tree which is sacred among the Kikuyu and many other Kenyan communities, Kenyatta seemed to invoke the rediscovered sanctity of the Nation and its connectedness with its ancestors. This was a good example of (re)invention of a tradition in response to a novel situation, a practice well described by Hobsbawm¹⁶⁶. During the same year, Kenyatta had the Coryndon Museum renamed ‘the National Museums of Kenya’¹⁶⁷ as part of consolidating the nation’s independence and nationhood-imagining. However, besides the change of name, the museum had its colonially installed content as well as trustees and staff remain the same¹⁶⁸. It also retained its character as an exclusive space for natural history research that was largely patronised by the whites. As such it bore little reflection of the national character and diversity of the Kenyan people.



Fig 5: *Mugumo* tree planted by President Kenyatta at Uhuru Gardens
(Source: Author)

In the years that followed many projects, which seemed to be geared towards crafting a sense of Kenyan nationhood were inaugurated. Such programmes included the establishment of a ‘national cultural village’, the *Bomas* of Kenya (BoK) in Nairobi, in the early 1970s, with the aim

¹⁶⁶ Hobsbawm E. J., 1994, “The nation as invented tradition” in Hutchinson,

¹⁶⁷ Cole, Sonia, 1975, *Leakey’s Luck* p.270.

¹⁶⁸ Karega-Munene, 2014, “Origins and Development of Institutionalised Heritage Management in Kenya”, p.30

of “Preserving Kenya’s rich and diverse cultures”¹⁶⁹ consisting of various Kenyan ethnic cultures. The University of Nairobi’s Institute of African Studies also started a project that involved researching and documentation of African traditional arts, crafts, music, dance, belief systems and oral history. The government also sponsored music and cultural festivals with the aim of enhancing a sense of nationhood among the citizens. In 1972, the government sponsored a study in which the National Committee on Educational Objectives and Policies (NCEOP) recommended an education system that would yield a “national culture based on African family and social values (Republic of Kenya 1976)¹⁷⁰

The NCEOP study concluded that the national education system should: promote traditional practices conducive to national unity; adopt various ethnically based traditional practices as part of a national culture; integrate traditional practice with modern scientific and technological developments; and integrate traditional education with modern educational practices for lifelong continuing education. The government also embarked on use of media to educate the citizens on nationhood. Such early publications included *Kenya Yetu* (Our Kenya), *Serikali Yetu* (Our Government), *Jifunze Uraia* (Teach Yourself Citizenship), *Inside Kenya* and *Kenya Sports review*¹⁷¹

Beneath Kenyatta’s rhetoric on Kenyan nationhood creation, there lay hunger for power, supremacy and political dominance, which ultimately overrode the aspirations for a nation where Kenyan’s would enjoy equity, unity, peace, justice and liberty within their diversity. During the 1960-62 independence negotiations at Lancaster, representatives of the smaller ethnic communities together with the minority Indians and white settlers had coalesced under the Kenya African Democratic Union (KADU) party and successfully argued for a regionalist (*majimbo*) constitution¹⁷². They had perceived *majimboism* as a means to safeguard themselves from domination by the majoritarian Kikuyu and Luo communities led by Jomo Kenyatta and Oginga Odinga under the auspices Kenya African National Union (KANU) party, which was

¹⁶⁹ Mission statement on the BOK’s website <https://www.bomasofkenya.co.ke/>

¹⁷⁰ Republic of Kenya, 1976, *National Committee on Educational Objectives and Policies*

<http://kenyalaw.org/kl/fileadmin/CommissionReports/Report-of-the-National-Committee-on-Educational-Objectives-1975-to-1976.pdf>

¹⁷¹ Alot M., 1982, *People and Communication in Kenya*. Kenya Literature Bureau.

¹⁷² Anderson D.M., 2005, “Yours in Struggle for Majimbo: Nationalism and the Party Politics of Decolonization in Kenya, 1955-64,” *Journal of Contemporary History*,

advocating for a unitary government¹⁷³. At the dawn of independence therefore, Kenya's constitution had a form of decentralisation signified by eight regional assemblies (*Majimbo*), and a bi-cameral legislation with a National Assembly and a Senate.

After KANU won the 1963 election and Kenyatta became the prime minister, he immediately embarked on a process of dismantling *majimboism* and centralizing power around himself¹⁷⁴. By convincing KADU to dissolve into KANU in 1964, Kenyatta effectively created a unitary government. He went further to have the regional assemblies and the senate disbanded, while their administrative and fiscal functions together with their resources were recentralised. This was followed by several amendments of the constitution in the 1960s and 1970s, which tremendously increased the powers of the executive, centralized the state, and undermined the democracy envisioned by the *majimbo* constitution¹⁷⁵. Further power centralization was achieved through the provincial administration system which was used to suppress any perceived threat, opposition or criticism both at the grassroots and the national level.

The socio-political equity that had been encapsulated in the regionalist (*majimbo*) constitution was replaced by the inequality that came with the unitary government spearheaded by Kenyatta. This inequality was perpetuated through political clientelism and ethnic patronage which became part and parcel of Kenyatta's power centralization. Power centralization and ethno-political manipulation led to elite state-capture, poverty, low economic growth and corruption, weak state institutions, lack of democracy, abuse of human rights, and low state legitimacy, all of which have been cited as characteristics of a "brittle" state¹⁷⁶. Lack of a sense of common nationality caused various communities to crystallize around their ethnic identity. Ethnicity therefore gained high social relevance as the different communities consciously aligned their socio-political actions to their ethnicity in a manner that is well elaborated by Fearon¹⁷⁷.

¹⁷³ Aseka E. M., *Makers of Kenya's History: Mzee Jomo Kenyatta*, Nairobi East Africa Educational Publishers, P.35

¹⁷⁴ Lynch G., "Negotiating Ethnicity: Identity politics in contemporary Kenya", *Review of African Political Economy*, Vol 33 Issue 107, 2006 pp 49 – 65.

¹⁷⁵ Chitere P. et al, 2006, *Kenya Constitutional Documents: A comparative analysis*, Oslo: CMI report No.5

¹⁷⁶ Faguet J-P. et al, 2014, "Does decentralization strengthen or weaken the state? "

¹⁷⁷ Fearon J.D., 2004, "Ethnic Mobilization and Ethnic Violence" Forthcoming in the Oxford Handbook of Political Economy, August 11

In the highly centralized state, the voice of the political elite suppressed and obscured that of the common citizens and public entities in socio-political arena as the government embarked on authoritarian control of the media. For example, in 1968, the government enacted the Official Secrets' Act as an avenue for covering up abuse of human rights and poor governance. The highly publicized exposé of the 1966 fallout between President Kenyatta and his Vice-President Oginga Odinga, and the alleged 1969 assassination Tom Mboya, a prominent Luo politician and trade unionist, made Kenyatta more intolerant of media freedom. The film industry was not spared either as the Kenya film society (set up in 1966), and the Kenya Film Corporation (established in 1972) imposed control on film content and distribution

Over centralization of the state, manipulation of national heritage-making and stifling of the media by the political elite denied Kenyans the opportunity to engage in collective imagination of a common national identity and destiny. This resulted to enhanced primacy of ethnic nationalism, which gained more prominence after the fallout between Kenyatta and Odinga, which saw the Luo politically misidentify with the Kenyatta-led nation-state building. This misidentification was enacted in a violent protest against Kenyatta in October 1966, which resulted in 11 deaths of Kisumu residents from police retaliatory fire¹⁷⁸. The subsequent detention-without-trial of Odinga and the out-lawing of his newly formed opposition party Kenya People's Union (KPU) transformed Kenya into a *de facto* one-party state, which denied the Luo or any other group the democratic right to form a political party or any other association through which they could express themselves. It curtailed the life of KPU as a designated vessel for the crystallization of Luo identity and mobilisation of opposition politics in the country. This was followed by state negligence of Luo Nyanza development wise, with most of the development efforts being seen to be directed to the central region. With the Luo perceiving the Kikuyu as the benefactors of Kenyatta's favouritism, and the Kikuyu perceiving the Luo as potential snatchers of their (Kikuyu's) God-given right to the country's leadership, there commenced an animosity between the two most populous communities, which became the 'thermometer' which would act as the country's political temperature's gauge for many years.

¹⁷⁸ Okong'o P., 2017, "Elections and Violence : The Kenyan Case," *The Elephant*, <https://www.theelephant.info/reflections/2017/11/09/elections-and-violence-the-kenyan-case/>

Having antagonised Odinga and the Luo community, with whose support he had clenched the country's leadership, Kenyatta turned to his larger backyard of Mt Kenya region where he engineered the invention of a mega ethno-regional association, the Gikuyu-Embu-Meru Association (GEMA), through which he sought loyalty from the members of the composite communities using political patronage and clientelism. Creating GEMA entailed strategic reinvention of an ethnic coalition that felt a big entitlement to the state based on their claim of having been in the forefront in the fight for the country's independence.

Recruitment into GEMA involved the use of "traditional" oaths, which were referred to as '*chai wa Gatundu* (Gatundu tea)' in reference to Kenyatta's home in Gatundu where the oaths are said to have been administered¹⁷⁹. GEMA was steered by a clique of powerful Kikuyu political elite from Kenyatta's backyard in Kiambu, who rallied the Kikuyu and their cousins the Embu and the Meru to ensure that '*uthamaki*' or presidency would not leave the 'house of Mumbi' or the Kikuyu community. In return for their royalty, Kenyatta's cronies were rewarded with government jobs, contracts and (public) land¹⁸⁰. GEMA therefore became a convenient vehicle for accessing the state largesse and mobilizing Mt Kenya ethno-regional identity.

Meanwhile, Kenyatta continued to assert himself as the supreme ruler of the nation. Riding on the society's typical "need to have ancestors," as described by Jacques Le Goff¹⁸¹, Kenyatta ascribed himself as the founding father and ancestor of the new Kenyan nation through national imagery and monuments. Immediately after independence, Kenyatta gazetted October 20, the day he and other freedom heroes, the Kapenguria six were arrested following the declaration of the state of emergency, as a national day. The day was gazetted as Kenyatta day, which meant that it commemorated him alone as the nation's supreme hero. In 1966, Kenyatta's image replaced that of the British monarch on the new currency.

¹⁷⁹ Gatu J, 2016, *Fan Into Flame: An Autobiography*

¹⁸⁰ Republic of Kenya, 2004, Report of the Commission of Inquiry into Illegal/Irregular Allocation of Land (also known as Ndung'u Report), Nairobi, Government Printers.

¹⁸¹ Le Goff J., 1992, *History and Memory*.

Kenyatta replaced the British Monarchical figures on Kenyan currency with his own portrait. He also installed two monuments in the capital city to ascribe his authority on the landscape. The first monument was installed at the court yard of Kenyatta International Convention Centre (KICC), Nairobi's most iconic building and the headquarters of ruling party KANU. It featured Knyatta seated on a stool claspng a '*fimbo*' (wooden staff). The second one depicted him standing and holding a flywhisk in the parliament premises. The two statues were unveiled in 1973 as part of commemoration of 10 years of independence¹⁸². Kenyatta used the commemoration ceremony and the unveiling of the two statues to 'traditionalize' his position as the powerful ruler, elder and father of the nation in a manner described by Hutchinson¹⁸³.

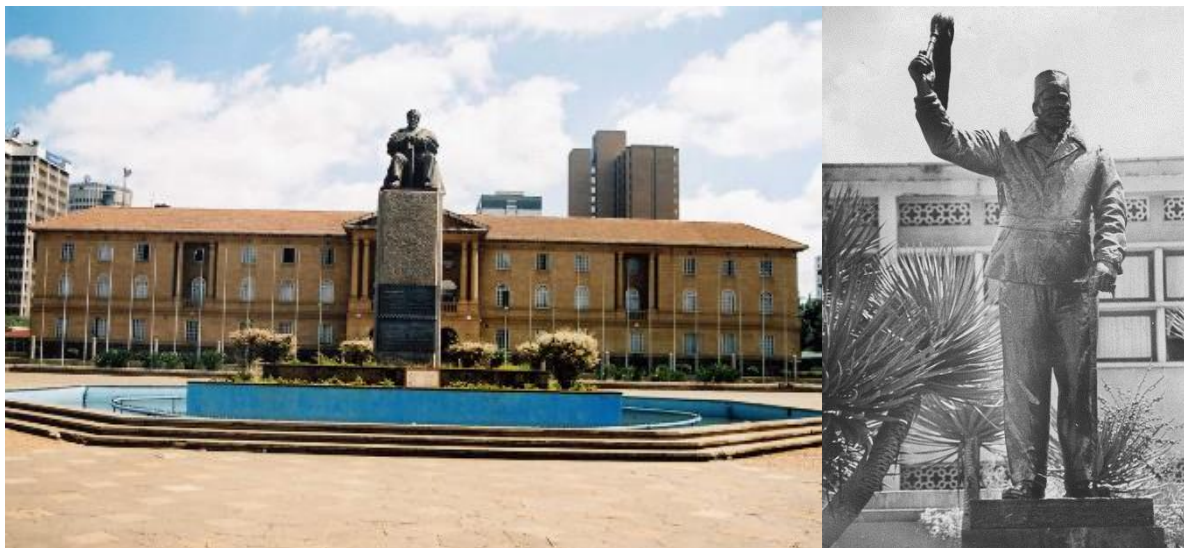


Fig 6: Kenyatta's Statues outside the KICC (right) and Parliament Building (left)
(Source: Laragh Larsen, 2013)

Meanwhile, institutionalized heritage management in the country remained largely as it were during the colonial period. The extent to which the heritage laws were outdated was evidenced by their continued reference of the governor, an office that had been long defunct, as the overall authority in matters relating to heritage. Out of the two museums of national significance that Kenya inherited from the colonialists, none addressed the history, culture or the arts of the local

¹⁸² Larsen L., 2013, "Power Politics and Public Monuments in Nairobi", Kenya

¹⁸³ Hutchinson J., 1994, "Cultural Nationalism and Moral Regeneration"

population¹⁸⁴. No efforts were made to create “exhibitions that would have promoted debate on nationhood.”¹⁸⁵ After independence, the most that happened in terms of making the museum have a national character was changing its name to National Museum of Kenya in 1964¹⁸⁶. However, this did not become a symbol of the state (Karega-Munene 2014) as the constitution of its content, trustees and staff was a perpetuation of its colonial legacy. For instance “the highest ranked African by 1968 was a ticket clerk”¹⁸⁷.

The museum, therefore, continued heritagizing mainly natural history for the enjoyment of its exclusive clientele. This clientele consisted mainly of the Europeans, and a few Asians and African elite who could join the East Africa Natural History Society (EANHS). EANHS membership was the only avenue through which the museum’s seminal discoveries and knowledge was accessed. In the words of Robert H. Carcasson¹⁸⁸, the museum was ‘the most important natural history museum in Tropical Africa,’ with the role of ‘impressing upon the population the need to preserve the surviving remnants of wildlife and wild habitats’. The museum’s collection remained purely a natural history collection until 1963 when it received its first donation of ethnographic collection from colonial collectors. The ethnographic collection, however, remained behind the scenes until 1974, when the first ethnographic exhibition was installed in the museum.

By the mid-1960s, the most that the museum had done as far as conserving the local cultures was concerned was having a ‘vision’ that envisaged the establishment of cultural museums alongside scientific museums. According to Karega-Munene, the cultural museums, which were also referred to as village or provincial museums, were perceived as tribal museums. With their purpose being preserving the traditions ‘of particular tribal groups’¹⁸⁹, the museums were envisioned to be housed in traditionally built houses made of locally available materials, and they would not need highly skilled staff. As such, their establishment and operation budgets, which

¹⁸⁴ Karega-Munene, 2014, ‘Origins and Development of Institutionalised Heritage Management in Kenya’ p.29

¹⁸⁵ Ibid. p. 27

¹⁸⁶ Cole S., 1975, *Leakey’s Luck*; Kanguru W., et al, 1995, *Guidebook National Museums of Kenya*. Nairobi, Kenya Museum Society.

¹⁸⁷ Karega-Munene, 2014, ‘Origins and Development of Institutionalised Heritage Management in Kenya’ P. 26

¹⁸⁸ Robert. H Carcasson headed the National Museums of Kenya from 1961 to 1968.

¹⁸⁹ Karega-Munene, 2014, ‘Origins and Development of Institutionalised Heritage Management in Kenya’ p. 30

were envisioned to be minimal would emanate from the provincial or local sources and they were not supposed to compete with national museums for scientific roles or national funds.

The envisioned cultural museums would obviously have suffered financial disability bearing in mind that the funding of all government activities had reverted to national treasury upon the collapse of the regionalist (*majimbo*) governance system soon after Independence. On the other hand, the scientific museums of which the Coryndon Museums was a pioneer, were to be run as national museums with the role of acquiring, housing and preserving national scientific collections including prehistory, paleontology, and natural history. As national centers of research, they would also offer identification and taxonomic services, share scientific information with their counterpart institutions abroad and offer educational services to visitors, and their budget was supposed to come from the national treasury.

The two-tier framework of museums envisioned by Carcasson conveniently designated natural history and prehistory 'national heritage' status by designating the museums dealing with them as 'national scientific museums'. This designation was meant to justify allocation of national funds to these museums. By designating the national scientific museums the role of offering identification, educational, and information sharing services not only in the country but abroad as well, Carcasson's vision expanded the scope of the scientific museums to international level. On the other hand, the framework confined the recognition and commemoration of communities' cultural heritage to 'tribal museums' in the local and provincial levels. The vision of the tribal museums was characterized by low budget and lowly skilled staff. With their purpose being perceived as nothing beyond the preservation of the traditions 'of particular tribal groups'¹⁹⁰, the envisioned cultural museums were denied the possibility of becoming national museums geared towards the presentation and preservation of Kenyan national culture and identity.

The best that the two-tier museum framework proposed by Carcasson would have done was to give a comprehensive temporal and geophysical representation of Kenyans natural history, while perpetuating the colonial legacy of emphasizing on the distinction of 'tribal groups' in Kenya. It

¹⁹⁰ Karega-Munene, 2014, 'Origins and Development of Institutionalised Heritage Management in Kenya' p. 30

was not in the interest of the museum trustees who had served since the colonial period to have a museum that would articulate the real cultural identities of the various communities leave alone form a basis for Kenya national culture and identity. Rather, they were interested in maintaining the status quo and protecting the jobs of the British Museum expatriates¹⁹¹. Ultimately Carcasson's proposal did not take off.

When in 1966, the museum's mandate was extended to include heritage sites and monuments all over the country. The initial new additions were mainly prehistoric sites in the rift valley (e.g. Hyrax Hill, Kariandusi and Olorgesailie), and built heritage sites along the coast (e.g. Fort Jesus, Jumba la Mtwana and Gede ruins). Until the 1980s, the Rift Valley prehistoric sites and coastal built-heritage monuments dominated the NMK's mandate. The dominance of archaeology and paleontology in the early years of the NMK is attributed to the pioneering work of Drs. Louis and Mary Leakey dating back to the 1930s, and the continuation of their legacy by their son Richard Leakey, who headed the NMK from 1968 to 1989.

To date, the NMK is world-renowned for its contribution to human origin studies. Its hominids collection is one of the most comprehensive in the world. Over the years, the NMK has served as a launching ground for paleontological and archeological scholars, most of whom are from the west. The enduring western influence on heritagization in Kenya that dates back to the formative years of the NMK therefore led to prolonged exclusion and underrepresentation of intangible, historic and coteremporary indigenous cultural heritage in the institution's mandate.

The NMK began a 'Regional Museums Development Programme' in 1969, with the objective of taking "the museum to the people by establishing regional museums in high-density areas of Kenya"¹⁹², the first regional museum was established in 1974 in Kitale town, in the current Trans-Nzoia County in western Kenya. The Kitale Museum, as it was called, was established using a collection which had been part of the Stoneham Museum which was established in 1924 by Colonel Stoneham, who by the time of his death in 1966 had willed his entire collection and

¹⁹¹ Karega-Munene. 2014. 'Origins and Development of Institutionalised Heritage Management' p. 30

¹⁹² Schmidt S. and Kirigia G.M., 1976, "Creation of a Regional Museum at Meru (Kenya)" *Museum*, Vol 28 Issue 4, p 203.

funds to the Kenyan government for establishment of a museum. The collection mainly consisted of cultural artefacts of various Kenyan tribes, which made this first regional museum to be based on the colonial legacy of focusing on the distinction among ethnic communities.

The next regional museum was established in 1973 in conjunction with the Meru District Council, with the objective to 'familiarize the local people with their own heritage'¹⁹³ and for the 'interest to the tourists who pass through Meru'¹⁹⁴. A local teacher who became a collector and the museum's first curator spearheaded the collection of traditional items that were 'being discarded or destroyed'¹⁹⁵, and conducted an outreach film-show program in different parts of the district to 'tell the story of the museum'¹⁹⁶. In 1980, a third regional museum was put up in Kisumu Town near Lake Victoria exhibiting the natural and cultural heritage of the region including a Luo homestead. These early attempts by the NMK to heritagize culture among the 'unreached,' did not escape the western influence whereby the NMK cast itself as the authority in heritage matters while the local communities were demonstrated as needing to be familiarized with their own heritage. This view has since been criticized by many museologists and heritage scholars.¹⁹⁷

When the Nairobi museum's first ethnographic exhibition was put up in 1974 using the initial colonial donation augmented with collections done in the late 1960s and early 1970s, it seemed to perpetuate the museum's colonial legacy by focusing on distinction of ethnic groups¹⁹⁸, as though they had been frozen in some time in the past. It gave no reflection of the inter-ethnic interactions that dated back to precolonial period or any nation-building vision of the nascent nation-state that Kenya was.

¹⁹³ Schmidt S. and Kirigia G.M., 1976, "Creation of a Regional Museum at Meru p. 208

¹⁹⁴ Ibid. p. 203

¹⁹⁵ Ibid. p. 204

¹⁹⁶ Ibid. p. 205

¹⁹⁷ Mydland L., and Wera G., "Identifying heritage values in local communities," *International Journal of Heritages studies*, 2011, 18(6) pp 1-24

¹⁹⁸ Lagat K., 2017, "Representations of Nationhood in the Displays of the National Museums of Kenya (NMK): The Nairobi National Museum." *Critical Interventions*, DOI:10.1080/19301944.2017.1309942, pp. 1-16

Representation of Kenya as a nation-state was also made difficult by ethnic, political and social divisions¹⁹⁹, which formed part of the country's colonial legacy. This became evident soon after the birth of the Nation when a temporary exhibition titled *Struggle for Independence*. The objective of the exhibition installed in 1973²⁰⁰ was to celebrate Kenya's tenth independence anniversary. Kenyatta's administration removed several of the archival newspaper photographs which made up the Exhibition as they were deemed to be politically incorrect²⁰¹. This, according to Lagat²⁰² left the exhibition 'one sided.' This was an indication of the significance that 'Political correctness' took in terms of cultural heritagization in post-independent Kenya. At the heart of the heritagization dilemma was the question of which ethnic group(s) and individual(s) had spearheaded the fight for, and the attainment of the country's independence, which was perceived to have implications on the entitlement to access and enjoyment of the state largesse.

As Kenyatta's monuments stood in the country's capital city ostensibly as a symbol of the nation's independence and unity, the social fabric of the nation was quickly disintegrating and the need for the "realization of national unity, cohesion and creation of national pride and sense of identity among Kenyans²⁰³" had become urgent. By the time he died in 1978, Kenyatta left behind a highly ethnically polarized country in which corruption and inequality were rampant.

After his death on August 22, 1978, Kenyatta's position as the nation's ancestor, was consolidated through his burial next to the country's national assembly at a highly decorated mausoleum which was adorned with the national flag. The mausoleum was put under the watch of the Kenya Defense Forces (KDF) "to prevent [its] desecration," according to Jeremiah Nyegenye, the Senate's Clerk²⁰⁴. For forty-one years, after Kenyatta's death, the Kenyatta Family and the top national leadership gathered at the mausoleum every August, 22 to commemorate Kenyatta's death. The event which had been annually commemorated by Presidents Danial Arap

¹⁹⁹ Lagat K., 2017, "Representations of Nationhood in the Displays of the National Museums of Kenya, p.6

²⁰⁰ Karega-Munene, 2011, "Museums in Kenya: Spaces for selecting ordering and erasing memories of "nationhood", *African studies*, 70/2, 2011, p. 234

²⁰¹ Hughes L., 2017, "Memorialization and Mau Mau: A Critical Review,"

²⁰² Lagat, K., 2017, "Representations of Nationhood in the Displays of the National Museums of Kenya (NMK): The Nairobi National Museum. Critical Interventions," DOI:10.1080/19301944.2017.1309942, p. 6

²⁰³ Government of Kenya, 1974, *Development Plan 1974-78*, Nairobi, Government Printers.

²⁰⁴ Nguthuri David, "Inside Jomo Kenyatta's mausoleum," *The Standard*. September 1, 2016.

Moi and Mwai Kibaki respectively without fail was brought to an end by President Uhuru Kenyatta on August 22, 2019, owing to what the President termed as “the decision of the Kenyatta family to make the commemoration a private affair”²⁰⁵. On August 22, 2020, the Kenyatta family held the first private commemoration of the nation’s founding father²⁰⁶

From the foregoing, it is evident that during his tenure, Kenyatta controlled how national memory was created and how it was memorialized. He engineered the formation of a national narrative in which he was the supreme hero of the nation. The institutions that would have played a key role in contributing towards a balanced national narrative were all under his control. He adopted temporal and selective recognition of various identities for his political expediency. For example, according to Anderson,²⁰⁷ immediately after independence, Kenyatta and the elite in his government orchestrated suppression of public memorialization of the Mau Mau. According to Wahome et al. this was partly due to the appreciation that such memorialization could reignite “the division between the Mau Mau supporters and the loyalists [which] was real and a major threat to national unity.”²⁰⁸ According to Clough,²⁰⁹ during the early years of independence, 1963-1966, Kenyatta largely distanced himself from the Mau Mau and its memory. He orchestrated a state of amnesia towards the movement by spearheading the narrative that all Kenyans, and not just the Mau Mau had fought for freedom. According to Berman,²¹⁰ acknowledging Mau Mau fighters as the ones who had caused the achievement of freedom would have cast independence as a Kikuyu achievement hence glorifying the tribe over the others.

²⁰⁵ Orinde Hillary, “Family ends public commemoration of Mzee Jomo Kenyatta’s death after 41 years,” *The Standard*.

²⁰⁶ Onyatta Omondi, “Uhuru family marks Mzee Jomo Kenyatta’s death anniversary privately,” *The Star*. August 22, 2020

²⁰⁷ Anderson D., 2005, *Histories of the Hanged: The dirty war in Kenya and the edn of the empire*, New York, W. Norton

²⁰⁸ Wahome E., Kiruthu F. and Mwangi S., 2016, “Tracing a forgotten heritage” In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press p. 212

²⁰⁹ Clough M. S., 2003, “Mau Mau & the Contest for Memory” In Atieno-Odhiambo E. S. & Lonsdale J. (Eds.), *Mau Mau & Nationhood: Arms, Authority and Narration*, Oxford, James Currey, p. 256.

²¹⁰ Berman B. J., 1991, “Nationalism, Ethnicity and Modernity: The Paradox of Mau Mau,” *Canadian Journal of African Studies*, Vol 25 Issue 2, p. 201

The 'national' narrative and the mantra he introduced in 1964 calling upon all Kenyans to "forgive and forget"²¹¹ [past grievances] so as to forge ahead in building the nation was meant to endear himself to the European settlers and the former home guards while wading off unrealistic demands for recognition and compensation from the veterans²¹². In his tenure, Mau Mau movement remained under the colonial ban as unbanning it would have given the war veterans a leeway to lay claims for reparations and recognition as National Heroes, a move that would have challenged Kenyatta's position as the national supreme Hero. As such, Kenyatta was able to selectively instrumentalise and heritagize national identity for the purpose of power-centralization.

When President Daniel Toroitich Arap Moi took over from Kenyatta in 1978, he declared that he would follow Kenyatta's *Nyayo* (Kiswahili for footsteps). He invented *Nyayoism* as his nation-building philosophy based on the tenets of "peace, love and unity."²¹³ However, behind the nation-building rhetoric of "peace, love and unity," Moi followed Kenyatta's footsteps of perpetuating political power centralization, ethnic patronage, corruption, suppression of democracy and weakening of state institutions which further dwindled state legitimacy and opportunities of a cohesive Kenyan nationhood.

²¹¹ Atieno-Odhiambo E. S., 1991, "The Production of History: The Mau Mau Debate," *Canadian Journal of African Studies*, Vol 25 Issue2 p. 303

²¹² Clough M. S., 1998, *Mau Mau memoirs : history, memory, and politics*; Hughes L., 2017, "Memorialization and Mau Mau

²¹³ Godia G.I., 1984, *Understanding Nyayo: Principles and Policies in Contemporary Kenya*, Nairobi, Transafrica Press.



Fig 7: The 100 feet high Monument at Uhuru Gardens
(Source: Laragh Larsen, 2013)

In terms of using national imagery to assert his supreme authority, Moi surpassed his predecessor. Apart from replacing Kenyatta's portrait on Kenyan currency with that of himself, he installed many more and much bigger monuments in self-exaltation²¹⁴. These monuments included a 100-foot tall monument at *Uhuru* Gardens, built in commemoration of 20 years of independence. Its main features included representations of a cockerel, which was the symbol of the ruling party KANU; people raising the Kenyan flag; the country's Court of Arms; as well as a combined symbol of clasped hands, a heart and a dove symbolizing "peace love and unity." A few meters from this monument stands another one which was built to commemorate 25 years of independence. The monument features three people 'building the nation.' It bears the words Love, Peace and Unity and also features Kenyatta's flywhisk and Moi's *fimbo* crisscrossing to signify the continuity between the two eras.

In the Central Park, not very far from the parliament building, he installed another monument to commemorate 10 years of his rule. The monument symbolized Moi's supreme power by featuring his signature club "*fimbo ya Nyayo*" clasped in his hand atop Mt Kenya which is Kenya's highest point. It also symbolized the authority of KANU by featuring the party's symbol of

²¹⁴ Larsen L., "Notions of Nation in Nairobi's Nayo-Era Monuments," *African Studies*, Volume 70, Issue 2, August 2011.

cockerel on one side²¹⁵. Its launch was a big and expensive affair which was attended by 10 heads of states from the continent and served as a platform for Moi to assert himself as a powerful leader not just in the country but in the region as well. During its inauguration, Moi declared the 10th day of October a national day, and named it 'Moi day', in his own honour.



Fig 8 : Nyayo Monument at Central Park, Nairobi
(Source: Laragh Larsen, 2013)

Similar to Kenyatta, Moi advanced various cultural projects ostensibly for nation-building and creation of a national folklore. In this regard, his government sponsored many groups including school groups and various mass choirs which produced many songs and dances with the themes of multiculturalism, patriotism and national aspirations within the context of '*Nyayoism*'.²¹⁶ However, in compliance with the political climate of the day, most of the songs showered praises to Moi and KANU as was signified by their common slogan 'Moi *Juu!* KANU *Juu!*' (Moi highly exalted! KANU highly exalted!). A good number of these songs were given a 'national status' by the Permanent Presidential Music Commission (PPMC), which compiled them into an anthology

²¹⁵ Larsen L., 2013, *Power Politics and Public Monuments in Nairobi, Kenya*,

²¹⁶ Osieko J. et al, 2004, *The Kenya Schools and Colleges Drama Festival: Experiments and Development*, Nairobi, Jomo Kenyatta Foundation

of what it termed as “the greatest creative and intellectual musical achievements of Kenyan contemporary and posthumous composers”²¹⁷

Moi continued to advance his autocracy and dictatorship. In 1980, he banned GEMA and all other socio-political organisations which various communities were using to mobilize their members regarding socio-cultural issues such as burial arrangements. By banning them, Moi curtailed their use as vehicles for mobilising communal sentimentalism and protests against his leadership. In June 1982, he converted Kenya into a *de jure* single-party state by introducing into the constitution the infamous section 2(a) which declared that, “There shall be in Kenya only one political party, the Kenya African National Union.” By so doing, he denied Kenyans possibility of legitimately opposing his leadership or seeking political power through other political parties. An attempted coup d’état against his government, was staged by rebel officers from Kenya Air Force (KAF) on August 1, 1982. This heightened Moi’s repression as he resorted to detaining of perceived dissidents without trial. This further curtailed free public mobilization and heritagization of ethno-regional identities as part of opposition to the establishment.

Having antagonised the Kikuyu and the Luo, the two most populous communities in the country, and being aware of the primacy that ethnicity had in the country’s Politics, Moi followed Kenyatta’s footsteps and brought together several linguistically related ethnic groups. By so doing, he invented an ethnic coalition from which he sought loyalty through clientelism. These ethnic groups included the Nandi, Elgeyo, Marakwet, Kipsigis, Pokot and Tugen which together came to be known as the Kalenjin. He added onto the Kalenjins the Rift Valley pastoralist communities of Maasai, Turkana and Samburu to form the Kalenjin-Maasai-Turkana-Samburu (KAMATUSA) ethnic coalition, whose loyalty he easily derived through patronage. Moi invented this coalition to ensure his political survival considering the nearly negligible size of his Tugen ethnic group²¹⁸.

²¹⁷ National songs of Kenya 1995, quoted in Opondo A. P., Cultural Policies in Kenya, *Arts Education Policy Review*, May/June 2000 pp.18-24.

²¹⁸ Hameso S.Y., 1997, *Ethnicity and nationalism in Africa*, New York, Nova Science Publishers, Inc.

In bringing the small ethnic groups together, Moi invoked their perceived similarities including their identity as Nilotic speakers, as well as being inhabitants of the Rift valley and victims of past marginalization by Kenyatta's government. Moi then embarked on replacing, in the government, the Kikuyus and the Luos he had inherited from Kenyatta with Kalenjins²¹⁹. He particularly populated the state security agents and provincial administration with his Kalenjin Kinsmen whom he could trust. Apart from government jobs, he also rewarded his kinsmen and political cronies with state and community land, whereby public land grabbing reached unprecedented levels in the 1980s and 1990s. As far as infrastructural development is concerned, he shifted the government's attention from Kenyatta's central region to the Rift valley, his home province, where he developed several institutions, most of which were named after him²²⁰.

To enforce loyalty from all communities, he instituted a mandatory nationwide KANU membership registration which he coordinated through a network of KANU district headquarters and local ward offices manned by his loyal men. This recruitment campaign surpassed the eight-million mark by mid 1980s. Upon becoming a member, one was given an identity card, a badge and a tie (for men) or a headscarf (for women). These items bore the image of the president as well as KANU's colours and the cockerel symbol. As a sign of loyalty to the president and the ruling party, KANU members were expected to adorn these items during KANU public events and political rallies. They were also expected to perform the one finger salute which Moi had popularised as an enactment of one's loyalty to the president and the ruling party KANU. When in 1988, Moi enforced the queue (*Mlolongo*) voting system which aimed at identifying and sanctioning those perceived to be against the government²²¹, a significant number of KANU members showed up in the voting queues donning the KANU-branded paraphernalia.

²¹⁹ Barkan J.D., 2004, 'Kenya after Moi', *Foreign Affairs*, Vol. 83, No. 1, Jan. – Feb., pp. 87-100, Council on Foreign Relations; Onyango J.O., 2008, *Ethnic Discourse on Contentious Issues in the Kenyan Press after the 2007 General Elections' 07-11 Dec/2008* Yaoundé, Cameroon; Throup D.W., 1993, "Elections and Political Legitimacy in Kenya" *Journal of the International African Institute*, Vol. 63, No. 3, Understanding Elections in Africa, pp. 371-396, Cambridge University Press.

²²⁰ These institutions included Moi Army Barracks, Moi Teacher's Training College, Moi University, Moi International Airport, Moi Teaching and Referral Hospital (all of which are located in Eldoret Town),

²²¹ Throup D. & Hornsby C., 1998, *Multi-party politics in Kenya*, London, James Currey p. 319

3.6: NMK's Belated Post-Independence Legal Reforms and Mandate Expansion

As highlighted earlier, during the colonial period, the management of state and local or ethnic heritage was engulfed in the colonization process. At independence heritage management was largely infused in the political process through which the elite sought to dominate the country's socio-economic life. As such, it was not until after two decades since independence, that the country's heritage statutes which dated back to colonial period were finally revised and amended²²². The 1962's *Preservation of objects of Archaeological and Paleontological Interest Ordinance*; and *Museum Trustees Ordinance* were thus repealed by the 1983's *Antiquities and Monuments Act*; and *National Museums Acts* respectively. This review expanded the range of heritage-related terms included and elaborated in the country's legislation. It also formally, but belatedly, transferred the oversight authority over heritage management in the country from the defunct office of the governor to the president and the minister in charge of heritage.

The new amendment also increased the legal scope of heritage in Kenya. Among the additional terms that were defined in *the Antiquities and Monuments Act*, was 'antiquity' whose definition was given as 'any movable object other than a book or document made in or imported into Kenya before 1895'²²³. 'Monument' was defined to include immovable structures, rock paintings, carvings or inscriptions made on immovable surfaces, and earthworks or other immovable objects made by humans, all dating to before 1895. 'Places or immovable structures of historical, cultural, scientific, architectural, technological, or other human significance, published in Kenya Gazette,'²²⁴ were also included without a cut-off date being given. 'Protected objects' were defined to include 'a door or door frame carved in an African or Oriental style before the year 1946; and any other object or type of object...of historical or cultural interest...declared by the minister.

The *Antiquities and Monuments Act* also gave the procedures for gazettelement and management of the above defined heritage, as well as the procedures for issuance of exploration license as well as research and exportation permits.²²⁵ While the research permit was to be issued by the

²²² Karega-Munene, "Origins and Development of Institutionalised Heritage Management in Kenya" p. 31.

²²³ Republic of Kenya, 1983, *The Antiquities and Monuments Act*, Section 2.

²²⁴ Ibid

²²⁵ Ibid., Section 5.

National Council for Science and Technology on behalf of the Ministry of Higher Education Science and Technology, the exploration and exportation permits were to be given by the ministry in charge of heritage, with the minister's signature.

The National Museums Act established the National Museums' Board, replacing the Museums Trustees of Kenya. The Act intended for the Board's chairman to be appointed by 'the Minister after consulting with the President,'²²⁶ but in reality, the president did the appointment. The rest of the members (they were ten in total) were appointed by the minister in such a way that made sure that both government and professional interests were catered for. The Act charged the National Museums Board with two key responsibilities, which were; 'the general management, development and control of all National Museums' and conducting 'research in natural history and conduct other scientific or cultural activities and disseminate knowledge on matters of scientific, cultural, technological or human interest by means of lectures, special exhibits, conducted tours or publications.' The Act also identified NMK's two key activities to be: serving as (i) a 'national repository for things of scientific, cultural, technological and human interest'; and (ii) a place where research and dissemination of knowledge in all fields of scientific, cultural, technological interest may be undertaken'²²⁷

It can therefore be observed that the enactment of *Antiquities and Monuments Act* and *the National Museums Act* expanded the scope of heritage in Kenya especially in terms of including historic and cultural heritage. However, as Karega-Munene²²⁸ notes, despite this theoretical inclusion of historical heritage, "the accent on human and cultural origins both in terms of research and museum exhibits continued to persist," as the exploration of Kenyan national history remained a politically sensitive issue. Moi's 1989, appointment of the first Black Kenyan NMK director by the name of Dr. Mohamed Isahakia, was arguably more for the purpose of having more control of the museum than for the purpose of recasting it as a space for inclusive nation-building and national history.

²²⁶ Republic of Kenya, 1984, *The National Museums Act*, Section 5

²²⁷ *Ibid.*, Section 3

²²⁸ Karega-Munene, "Origins and Development of Institutionalised Heritage Management in Kenya" p. 33.

In the mid-1990s, the NMK expanded its natural heritage scope to include biodiversity research, and created a new position of assistant director in charge of Biodiversity. This made the NMK somehow a competitor with the various national entities or agencies such as the Kenya Forestry Service (KFS), Kenya Wildlife Service (KWS) and Kenya Marine Research Institute (KMRI); as well as many non-governmental organisations which dealt with natural heritage²²⁹. According to Karega-Munene, NMK's emboldened inclusion of biodiversity in its mandate was driven by donors, who provided the requisite funds²³⁰.

The mid-1990s also saw the entry of another key non-state player in the Kenyan heritage sector namely, the Community Peace Museums (CPMs), which operated under the auspices of Community Museums of Kenya (CMK)²³¹. The CPMs developed in the background of increased ethno-political conflicts and cattle rustling in some parts of the country. The CPMs' origin was engineered as part of a project by Dr Sultan Somjee, the then Head of NMK's ethnography department. The project explored peace-making traditions among the country's pastoralist communities in the Rift Valley²³².

Out of this project, a book on traditional peace methods among the Kenyan pastoralist communities was published²³³. Peace-themed exhibitions were also developed and displayed in Nairobi Museum as well as Kitale and Kapenguria museums. The project also established a total of 23 community museums in different parts of the country. The museums were headed by people that Somjee had trained as field assistants during the project's research. Unfortunately most of the community museums became inactive with time, leaving only about three of them being notably active by the time of writing this thesis²³⁴. Other than Somjee's self-motivated mentorship, the community museums did not receive much assistance from the NMK, which according to Karega-Munene, "was contemplating outlawing the activities" of non-state players

²²⁹ Karega-Munene, "Origins and Development of Institutionalised Heritage", p. 38.

²³⁰ Ibid. p. 33

²³¹ Ibid. p. 35

²³² Ibid p. 36

²³³ Duba K.R., et al., 1997, *Honey and Heifer: Grasses, Milk and Water – A heritage of Diversity in Reconciliation*, Nairobi, Mennonite Central Committee

²³⁴ Karega-Munene, 2014, 'Origins and Development of Institutionalised Heritage Management in Kenya' p. 36.

in the heritage sector”²³⁵. In 2000, Dr. Somjee curated an exhibition titled *Asian African Heritage: Identity and History*, which told the story of the Kenyan-Asian community. This way the museum started to represent narratives of communities it had hitherto not represented.

The theme of Kenya’s history and nationhood was largely avoided as some of the pertinent issues remained too sensitive to exhibit on a state-sponsored platform. This was well demonstrated when in mid-1990s, Moi’s administration removed all together, what Kenyatta’s administration had retained of the ‘*Struggle for Independence*’ exhibition²³⁶, which featured some Kikuyu national heroes. Moi even went ahead to ban the exhibition of Kenyatta’s portrait in public spaces as part of his continued efforts in curtailing Kikuyu nationalist sentimentalism which was challenging his leadership.

Due to the political sensitivity, when Somjee developed an exhibition featuring the story of the historic Lari Massacre embedded on the story of Mau Mau, he did it at the Lari Memorial museum and nothing of it was exhibited at the NMK. The NMK management generally preferred to focus on themes under natural history and natural heritage including archaeology, palaeontology and biodiversity, rather than confront the politically sensitive issue of nationhood and national history. According to Karega-Munene, “Close examination of the situation reveals natural heritage is a politically safe area because it is not as contestable and contested as some aspects of cultural heritage”²³⁷. As such, the country came through the entire KANU regime without a substantive exhibition on Kenyan nationhood or national history.

Kenyans’ sustained agitation for democracy, which was backed by the civil society, donors and the international community yielded some gains in the democratic front in the country. These gains included the abolishment of Section 2(a) of the constitution and the *mlolongo* voting system; reinstatement of secret balloting and multi-party politics²³⁸ re-introduction of the Electoral Commission of Kenya (ECK); and capping of presidential tenure to two terms of five

²³⁵ Ibid p. 33

²³⁶ Lagat K., 2017, “Representations of Nationhood” p. 6.

²³⁷ Karega-Munene, 2014, “Origins and Development of Institutionalised Heritage Management in Kenya”, p. 38

²³⁸ Harbeson J. W., 1994, “Civil Society and Political Renaissance in Africa,” In Harbeson J.W., Rothchild D.S., and Chazan N., (eds.) *Civil Society and the State in Africa*, London, Lynne Rienner.

years each. Afterwards Moi, managed to win the 1992 and 1997 elections against an opposition that was fragmented along ethnic lines and in the midst of alleged electoral fraud.²³⁹ Due to the introduction of the term limit, Moi could not vie for another term.

The beckoning end of Moi's and KANU's reign seemed to gradually usher in a more accommodative atmosphere in 'official heritagization' in the country. More heritage sites associated with communities' socio-cultural and political experiences, as well as those associated with colonial history and independence struggle were gazetted as national monuments. Among the heritage items that were gazetted during this period was *Mukurwe-wa-Nyagathanga*, the mythical origin of the Agikuyu people, which had earlier fallen culprit to the land grabbing that had become euphoric under Moi. Some 34 sacred vales (*Kayas*) belonging to the Miji Kenda people of the Kenyan coast; and a Colonial District Office in the coastal town of Malindi were also gazetted during this period²⁴⁰.

At the same time, there was an increase in museum public programs that sought to engage Kenyans, including school children and the youth who made up to 65% of the NMK's visitors, more actively in heritage making and interpretation²⁴¹. The increase in socio-cultural and political heritage full with interpretational activities reflected the interests of the indigenous Kenyans who had increasingly joined NMK's management and research workforce since early 1990s. Dr. Isahakia, was succeeded by Dr. George Abungu, an archeologist, who from 1999 to 2003 steered NMK's inclusion of more socio-cultural and political heritage under NMK's remit. As elaborated in chapter two, the author also joined the NMK at the close of the 1990s and got engaged in promoting museum education.

3.7: Post-KANU 'New Dawn' in Kenya's Heritagization

In 2003, KANU's and Moi's tyrannical reign finally came to an end as the government of National Rainbow Coalition (NARC) led by Mwai Kibaki took over. This seemed to beckon a new beginning for democratization in the country including in cultural heritagization. More ethno-cultural

²³⁹ Tordoff W., 1997, *Government and Politics in Africa*, Indiana, Indiana University Press

²⁴⁰ Hart T. G., 2007, "Gazetting and Historic Preservation in Kenyam," p. 48

²⁴¹ Mbuthia D., 2009, "Enhancing Effectiveness in Cultural Public Programming for Children and the Youth

heritage sites were gazetted as national monuments. For instance, via Gazette Notice number 8988, dated December 24, 2003, the government gazetted eleven cultural heritage sites²⁴².

Memorialization of both national and sub-national histories and heroes was emboldened under Kibaki's leadership. Kibaki's unbanning of the Mau Mau movement opened the way for the installation of memorials in various parts of the country in honour of national heroes who had been shunned and obscured during KANU's reign. In 2005, the Jaramogi Oginga Odinga Mausoleum, which had been accorded little government attention despite having existed since 1995, was renovated and gazetted as a national monument. Three other mausoleums were constructed in honour of three freedom heroes namely; Paul Ngei, Bildad Kaggia, and Achieng Oneko. Another mausoleum was established in honour of Kisoi Munyao, who hoisted the Kenyan flag on Mt Kenya as Kenya got her independence.

Other memorials built during Kibaki's government included sensitive ones such as the statues of Dedan Kimathi, the Mau Mau leader who was killed by the British; and Tom Mboya, the Luo cabinet minister and trade unionist who was assassinated during Jomo Kenyatta's period. A commemoration was also done in honour of Koitalel arap Samoei, who had led the Nandi people in resisting the colonial rule between 1890 and 1906.

²⁴² The sites were: Burget Mau Mau shelter and Naro Moru cave in Nyeri County; Thai Sacred lake, Nkunga Scared lake, Bututia Sacred lake, Gitsuune Sacred Forest and M'mwenda Mau Mau cave in Meru County; Got Ramogi Hill in Bondo County; Kit Mikayi Shrine in Kisumu County; Abatondo Sacred Forest and *Ikhongo Murwi* in Kakamega County.



Fig 9: Dedan Kimathi Statue, Nairobi
(Source: Laragh Larsen, 2013)



Fig 10: Tom Mboya Statue, Nairobi
(Source: Laragh Larsen, 2013)

Kibaki also initiated the establishment of a national heroes' recognition mechanism including a *Mashujaa* (heroes) square. These initiatives were later concretized through the enactment of the Kenya Heroes Act 2014²⁴³. Kibaki's official recognition enabled the Mau Mau veterans to successfully claim reparations from the British government, which came in form of finances and an installation of a Mau Mau memorial in Nairobi. During the monument's unveiling on September 12, 2015, Christian Turner, the then British High Commissioner said, "The memorial is a symbol of reconciliation between the UK, the Mau Mau and all those who suffered during the emergency period."²⁴⁴ The expanded heritagization space also led to a proliferation of reinvented cultural heritages and identities including those championed by Councils of Elders from various communities.

At the onset of Kibaki's reign, Dr. Idle Farah, a primatologist, succeeded Abungu as NMK's head. Farah's determination to increase NMK's responsiveness to the visitor's needs was illustrated by his admission that its colonial legacy had resulted in 'the perception of the museum as unfriendly, elitist and yet a boring, stuffy place full of relics.'²⁴⁵ The widened heritagization space

²⁴³ Republic of Kenya, 2014, *The Kenya Heroes Act 2014*, Nairobi

²⁴⁴ Hughes L., 2017, "Memorialization and Mau Mau: A Critical Review" In MacArthur J., *Dedan Kimathi on Trial: Colonial Justice and Popular Memory in Kenya's Mau Mau Rebellion*. Research in International Studies, Global and Comparative Studies, 17, Ohio University Press, pp. 339-374

²⁴⁵ Farah I., 2006, "The National Museums of Kenya: Achievements and Challenges" *Museum International*, UNESCO, 229-230 (58, No. 1-2) pp.19-28.

provided a golden opportunity for the implementation of a major EU-funded NMK restructuring program that had been initiated in the 1990s. A study done in 1998 had recommended an overhaul of NMK's administrative, legal and public-programming framework so as to make the institution more responsive and engaging to the visitors.²⁴⁶ The implementation of these recommendations started in 2005 when the Nairobi National Museum was closed down for major renovations under the EU-funded 'National Museums of Kenya Support Programme' (NMKSP), or the 'Museum in Change program', as it was popularly known.

In 2006, the legal framework that regulated the NMK and its work was reviewed and amended. This amendment entailed the enactment of the National Museums and Heritage Act (2006) to repeal the Antiquities and Monuments Act (Cap 215) and the National Museums Act (Cap 216). This effectively consolidated the mandates of protection of archaeological sites, historical monuments, museums as well as community cultural sites under the same legal tool. The National Museums and Heritage Act (2006) spelled the functions of the NMK thus:

To serve as national repositories for things of scientific, cultural, technological, and human interest; Serve as places where research and dissemination of knowledge in all fields of scientific, cultural, technological and human interest may be undertaken; Identify, protect, conserve and transmit the cultural and natural heritage of Kenya; and Promote cultural resources in the context of social and economic development.²⁴⁷

Despite what Kyule²⁴⁸ notes as heavy borrowing from the Antiquities and Monuments Act Cap 215 and the National Museums Act Cap 2016, and significantly retaining the government's authoritarian approach in regards to the gazettelement and protection of sites and monuments, the National Museums and Heritage Act 2006 designation of the NMK as a 'national repository' of things of scientific, cultural, technological, and human interest, was seen to emboldened its position as an institution geared towards imagining and representing the Kenyan nation. David Okello observes that the enactment of National Museums and Heritage Act (2006) enabled the

²⁴⁶ NMK's Internal Report; Hughes p. 198

²⁴⁷ Republic of Kenya, 2006, *National Museums and Heritage Act*, Section 4(d)

²⁴⁸ Kyule M., 2016, "Assessment of Legislation on Cultural Heritage Resources in Kenya", p. 32

NMK to “effectively address the enforcement concerning heritage management in Kenya.”²⁴⁹ In effect the enactment of the National Museums and Heritage Act (2006), seemed to have taken the conservation of Kenya’s intangible heritage a notch higher. Several items have since been inscribed in UNESCO’s List of elements in Need of Urgent Safeguarding. They include: traditions and practices associated with the *Kayas* in the sacred forests of the Mijikenda (2009); Isukuti dance of the Isukha and Idakho communities of Western Kenya (2014); Enkipaata Eunoto and Olng’esherr- the three male rites of passage of the Maasai community (2018); as well as the intangible elements associated with Kit Mikayi (2019).

According to Kyule, despite being mandated by the National Museums and Heritage Act (2006) to “ensure effective acquisition, conservation and management of the country’s cultural heritage, the [NMK] is not known to initiate its own research or conservation projects in the national interest.”²⁵⁰ Kyule contends that NMK only undertakes “basic and minimal conservation measures on the country’s cultural heritage”²⁵¹ when absolutely unavoidable, and that “any meaningful research activity undertaken under the aegis of NMK is largely by foreigner scholars and institutions for purposes of addressing scientific and academic research gaps and questions raised elsewhere or by entities such as oil exploration and mineral mining companies who sometimes undertake basic heritage surveys as part of NEMA’s project environment impact assessment requirements, and also to comply with conservation laws in their countries of origin.”²⁵² As a result, Kyule notes that “the outcome of these researches and conservation programs rarely reflect or are identifiable with local aspirations and expected benefits, such as development of business enterprises based on heritage resources.”²⁵³ Such researches and conservation programs also do not have building and promotion of national identity and national cohesion as part of their agenda.

²⁴⁹ Otieno D.O, 2013, “A Protective Legislation, Policy and Practice of Archaeological Heritage Management in Kenya,” PhD Dissertation, Universite de Pau et de Pays de L’Adour p. 27

²⁵⁰ Kyule M., 2016, “Assessment of Legislation on Cultural Heritage Resources in Kenya”, p. 38

²⁵¹ Ibid.

²⁵² Ibid.

²⁵³ Ibid.

Kyule attributes this situation to lack of budgetary allocation by the government for heritage research and conservation, which reflects the government's lack of interest in the heritage field. Kyule also decries the diminished appreciation of cultural heritage signified by its being largely excluded in school curriculum and the general perception of archaeological research as "past time for foreigners."²⁵⁴ The extent to which heritage is neglected was brought to the fore by Dr. Mzalendo Kibunja in April 2015. Kibunja, who had just been appointed as the institution's new Director General stated that the NMK risked closure if the government did "not rescue it from a financial crisis [that was] quietly eating it from within."²⁵⁵ To illustrate how dire the situation was, Kibunja said, "NMK is broke it has no money. We cannot even pay salaries, let alone run programmes. We are in a terrible state and we need a miracle to limp back on our feet. We want Kenyans and the government to help us because this is our heritage."²⁵⁶ He enumerated various monuments that were in state of disrepair and were falling apart. He also said that due to lack of funds, the NMK had not been able to "change our exhibitions for a number of years", which made the museums boring for visitors.

Through the 'museum in change' program, new exhibitions were installed through a process that involved NMK staff and other Kenyan resource persons including scholars, cultural practitioners, Mau Mau veterans and elders. This involvement was through participation in interviews and workshops geared towards the development of the new exhibitions. Hughes²⁵⁷ highlights one such workshops that was held in Naro Moru. When the museum reopened in 2008, it was described as a 'world class facility' in one of its publicity leaflets. Its new-look-components included a new administration block and a commercial wing that housed a restaurant, a convenient shop and a curio shop. Its gallery space had doubled to 4300 square meters²⁵⁸. In terms of content, three of its envisioned 12 permanent exhibitions were complete namely: "Hall of Mammals, Cycle of Life and Cradle of Mankind exhibitions, whereas history [exhibition] took longer to create."²⁵⁹

²⁵⁴ Ibid.

²⁵⁵ Nzau Musau, "Kenya's heritage falling apart as museums cry out for urgent aid," *The Standard*, April 19, 2015

²⁵⁶ Ibid.

²⁵⁷ Hughes L., 2014, "The Production and Transmission of National History", p. 198

²⁵⁸ Mirara F.K., 2007, "Leading creativity and sustaining visits to museums in the 21st century"

²⁵⁹ Hughes L., 2014, "The Production and Transmission of National History", p. 198

The *History of Kenya* exhibition was finalized in 2010, two years after launching the new-look museum. According to Lotte Hughes, this delay was caused by lack of a history collection and content specialist at the NMK. It was only in 2005 that NMK employed a researcher “to locate photographs and documents”²⁶⁰ for the exhibition. In addition, the NMK engaged Paul Faber a Senior Curator of Africa, and Paul Ariese an exhibition developer both from the Tropen Museum in Amsterdam, to guide the process.²⁶¹ After a public appeal for donation of materials for the exhibition in 2007 did not realize much success, the NMK fell back to old photographs including newspapers cuttings; and the few cultural items in its possession²⁶².

The long absence of a national historical collection and exhibition at the NMK has been criticized by many scholars²⁶³. In a presentation during a workshop organized by the Commonwealth of Association of Museums (CAM) in 2008 in Guyana, Freda Nkirote, a researcher at the NMK decried NMK’s failure to have and use ethnically representative exhibitions to promote harmonious coexistence among different communities in the country. She argues that such a practice would have gone a long way as part of mitigating the 2007 post-election violence and its aftermath. Citing the examples of Narok, Kabarnet, Kisumu and Meru Museums, Nkirote observed that the NMK’s regional museums were exclusively exhibiting “items of the dominant ethnic groups [while] leaving out minority groups”²⁶⁴ in the respective regions, a trend that could contribute to ethnic animosity.

Following its renovation under the ‘museum in change program’ the new-look Nairobi National Museum received mixed reactions in terms of how it addressed the Kenyan nationhood challenge. Among those who felt that the museum had fairly addressed the nationhood challenge was Kiprop Lagat who observed that ‘... the curation of new exhibitions at the National

²⁶⁰ Ibid, p. 199.

²⁶¹ Ibid.

²⁶² Ibid 202

²⁶³ Coombes A. E, 2014, *Monuments and Memories*; Hughes L., 2014, “The Production and Transmission of National History”; Karega-Munene, 2014, *Origins and Development of Institutionalised Heritage Management*

²⁶⁴ Nkirote F., 2008, “The role of national museums of Kenya in the wake of post election violence: lessons learnt”, *Commonwealth Association of Museums (CAM)* p. 9

https://maltwood.uvic.ca/cam/activities/past_conferences/1999conf/NkiroteCAM.pdf

Museums of Kenya could be seen to confront the challenges of nationhood.²⁶⁵ Lagat contented that the exhibition was done in the background of the ethno-political violence that repeatedly plagued the nation during electioneering cycles between 1992 and 2007. He opined that besides giving a larger diversity of representation through ethnographic materials, the *Cycles of Life* exhibition desisted from focusing on distinction of ethnic groups but rather demonstrated the cycle of life that is relatively similar among the various Kenyan communities. As far as the *History of Kenya* exhibition is concerned, Lagat argues that it gives Kenya's anti-colonial struggle a multi-ethnic narrative, and also 'addresses the creation and representation of national identity [...] by focusing on Swahili language, and contemporary media, culture and sports in the last section'²⁶⁶.

On the other hand, several scholars²⁶⁷ pointed out inadequacies of the new-look museum in representing Kenya's national identity and history. According to Karega-Munene by identifying the artefacts, 'ethnic groups which could be seen as perpetuation of colonial legacy, the 'Cycles of Life' exhibition fell short of its objective of displaying 'unity in diversity' and communicating 'Kenyan-ness'²⁶⁸. Similarly, while describing the struggle that producing the national 'story of Kenya' entailed, Hughes decried the emphasis that distinction of ethnic groups was given in the exhibition that ostensibly was about Kenyan nationhood²⁶⁹. Hughes also notes that by "only featuring interviews with Gikuyu veterans" the exhibition contradicts the very narrative that it wanted to propagate – that Kenya's freedom struggle was a 'multi-ethnic' affair²⁷⁰. Thus, despite NMK's efforts in putting up the maiden permanent national history exhibition after many years, representation of Kenyan national history, memory and identity remains a highly sensitive and political affair.

The planning and implementation of 'museum in change program,' was seen to receive significant influence from the European Union (EU) both in terms of planning and

²⁶⁵ Lagat K., 2017, "Representations of Nationhood P.1

²⁶⁶ *Ibid.*, p. 10

²⁶⁷ Coombes A. E, 2014, *Monuments and Memories*; Hughes L., 2014, "The Production and Transmission of National History"; Karega-Munene, 2014, *Origins and Development of Institutionalised Heritage Management*

²⁶⁸ Karega-Munene, 2014, "Origins and Development of Institutionalized Heritage Management in Kenya", p. 228

²⁶⁹ Hughes L., 2014, "The Production and Transmission of National History", p. 207

²⁷⁰ *Ibid.*, p. 208

implementation. For instance, the project's lead consultants and architects were from Europe.²⁷¹ The project's members from the NMK were taken to various UK museums for a 'benchmarking tour'²⁷². As a perpetual symbol of the influence from the global North, a commemorative plaque acknowledging EU's funding was strategically embedded on either side of the museum's main entrance. By having this plaque displayed at the main entrance of the NMK's headquarters and flagship museum, the EU as a representative of the global north got symbolically heritagized as the key funder of a landmark transformation of the NMK and heritage management in Kenya. What difference would it have made to have Kenyans as the project's key consultants? What difference would it have made to have a plaque at the NMK's main entrance declaring the pride of an African nation preserving its national heritage as opposed to the pride of the 'Global North' for having 'assisted' an African nation to conserve its national heritage?

²⁷¹ Hughes, L., 2014, "The Production and Transmission of National History", p. 199

²⁷² Mirara, F.K, 2007, "Leading Creativity and Sustaining Visits to Museums"



Fig 11: New-look Nairobi National Museum after the 2005-2008 Renovation; on both sides of the entrance are commemoration plaques with the EU logo (*Source: NMK*)



Fig 12: One of the plaques declaring EU's funding for the 2005-2008 NNM's renovation (*Source: NMK*)

The other aspect of heritage management that received a major boost during Kibaki's tenure was the issue of restitution. At the dawn of Kibaki's reign, the NMK got actively engaged in the global cultural restitution debate. The debates proponents pressed for the return of Kenya's cultural objects which were among the "thousands of African cultural objects that found their way to Europe and North America through illicit trade"²⁷³. This engagement realized significant milestones when in 2006, the regalia of Koitalel Arap Samoei, the hero who led the Nandi resistance against British colonialism was returned from a British family. In the same year, two *vigango* (singular *Kigango*) – traditional grave posts from the coastal Miji Kenda community were repatriated from an American university following lengthy negotiations²⁷⁴. The *vigango* were ultimately returned and reinstalled in the homestead from where they had been stolen more than two decades before.

The seriousness with which Kibaki's government approached cultural heritage repatriation agenda was demonstrated by the eight-people high-level delegation that travelled to collect the *vigango* headed by the then Minister of State for National Heritage, and the Kenyan ambassador to the US²⁷⁵. This portrayed the image of a nation that was willing to go out and reclaim cultural objects that had been ferried outside its borders, and which could be used to tell the history of the Kenyan nation and its people. In 2007, as a continuation of the repatriation debate, the NMK held a watershed North-South partnership exhibition. The exhibition which was housed at the NMK's Nairobi Gallery under the title, '*Hazina: Traditions, Trade and Transitions in Eastern Africa*,' showcased an assortment of cultural artefacts on loan from the British Museum, but with provenance in Kenya and the East African region. According to Kiprop Lagat, who co-curated the exhibition, '...the Hazina case study shows that the usual arguments made against restitution and

²⁷³ Abungu G., 2016, "Illicit Trafficking and Destruction of Cultural Property in Africa: A Continent at a Crossroads." *The Journal of Art Crime*. 15 (Spring 2016): 33-40.

²⁷⁴ Abungu G., 2008, "Universal Museums: New Contestations, New Controversies." Past Heritage – Future Partnerships edited by M. Gabriel & J. Dahl. Utimut. Copenhagen: IWGIA/NKA; Udvardy M.L., Giles L. L., and Mitsanze J.B., 2003, "The Transatlantic Trade in African Ancestors: Mijikenda Memorial Statues (Vigango) and the Ethics of Collecting and Curating Non-Western Cultural Property" *American Anthropologist* 105 (3): 566-580.

²⁷⁵ Udvardy M. and Giles L., "Looted Memorial Statues Returned to Kenyan Family," *Culture in Development*, June 2011

lending objects to African museum institutions are invalid.²⁷⁶ Since then, the repatriation debate has raged on and NMK has achieved a few more successful repatriations as well as North-South partnerships involving loaning of collections²⁷⁷

The next major changes in the field of heritage-making and identity management in the country were heralded by the promulgation of the Kenya constitution 2010. The constitution devolved to the counties significant amount of heritage management roles that were hitherto undertaken by the National Museums of Kenya (NMK). This introduced the counties as another layer of key players in the making of national and ethno-regional identities. It also implied significant changes in both the structure and the role of the NMK. These implications have been discussed in more details in chapter four. By endeavoring to promote the national and ethno-regional identities simultaneously, the constitution also necessitates appropriate policies and mechanism to guide heritagization at all levels (individual, community, county and national) so as to ensure a healthy balance between the various (ethno-regional, religious and national) identities. For effective management of heritage in the country, Mwanzia Kyule emphasizes the need to overhaul Kenya's cultural heritage legislations and institutions which according to him are "outmoded and vague,"²⁷⁸ so as to enable them attain the dynamism required for articulating complex and evolving Cultural Heritage Resource Management (CHRM) issues, including human rights, intellectual rights as well as the reflection of the "country's historical realities, present needs and future aspirations"²⁷⁹

²⁷⁶ Lagat K., 2018, "Hazina Exhibition, Challenges and Lessons for International Museum Collaboration: A New Field for Museum Studies", In Thomas L., Meyer M. and Schwere R., *Museum Cooperation between Africa and Europe A New Field for Museum Studies*, Kampala, Fountain Publishers p. 137.

²⁷⁷ Hans R. and Mbutia D., 2020, "National Museums of Kenya: From Inception to the Post-Devolution Era," in Silverman R., Abungu G. & Probst P., (eds), *National Museums in Africa : Reflections on Memory, Identity and the Politics of Heritage*,

²⁷⁸ Kyule M., 2016, "Assessment of legislation on cultural heritage resources in Kenya," in Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-Disciplinary Approach*, London, University College London Press, p. 31

²⁷⁹ *Ibid.*, p. 41

3.8: Conclusion

This chapter has given a comprehensive historical background to cultural heritagization in Kenya. Beginning with the precolonial time, the chapter has illustrated that most of the communities in what is Kenya today were historically stateless. Members of each ethnic community were bound together by their cultural identity and traditions, through which they also maintained social order among themselves. The chapter has then illustrated how through colonialism, the communities' cultural heritages and identities were suppressed, subjugated, and instrumentalized to the exploitative advantage of the colonizers. This was done through the imposition of western culture, religion, education and institutionalized heritage management system.

By elaborating the origins and evolution of the NMK and the country's Heritage policy, the chapter has illustrated that institutionalized heritagization in the country was initiated by, and for a long time remained, in the interest of the colonizers. It has illustrated how Africans, their cultural heritage values, as well as identities came to be excluded, disregarded and even criminalized through the institutionalized heritage management system. This system privileged the colonizers and their heritage values that were based on the western concepts.

The chapter has demonstrated how, at independence, the nascent nation-state's leadership failed to take the opportunity to build and promote a Kenyan national identity and nationhood, but instead got preoccupied with state centralization and consolidation of political power. This dashed Kenyans aspirations for a sense of common national heritage, identity and destiny. The chapter has illustrated how the significance of reviewing and updating the country's heritage policy as well as development of pro-nationhood exhibitions was relegated to the backstage as the political elite led by Kenyatta and Moi strategically controlled and manipulated the reinvention and promotion of national and ethnic heritages and identities for ethno-political expedience.

The chapter also discusses the changes that happened in heritagization in the country as the end of KANU era ushered in a new political dispensation. It illustrates how the new dispensation widened the opportunities for reinvention, promotion and expression of both national and

ethno-regional identities. The 'new' heritagization initiatives included the unbanning and honoring of the Mau Mau veterans, the creation of appreciably inclusive and representative national ethnographic and historical exhibition, and enhanced gazetment of ethnic cultural shrines as national monuments. The chapter has illustrated how hitherto suppressed and obscured identities and narratives started to be recognized and acknowledged at the national front.

Ultimately, while illuminating the post-KANU paradigm shift that led to the widening of the opportunity for inclusive reinvention, promotion and expression of both national and ethno-regional identities, the chapter has endeavored to draw the reader's attention to the lingering challenge of balancing and negotiating between the national and ethno-regional identities. The chapter contends that with the promulgation of Constitution of Kenya (2010) that entrenched devolution in the law, there are deliberate endeavours to promote both national and ethno-regional identities as embedded in the concept of unity in diversity. The chapter highlights the need for a healthy balance between the two categories of identities, hence calling for appropriate policies and mechanisms to achieve a harmonious balance.

CHAPTER FOUR: POST-DEVOLUTION KENYANHOOD: BETWEEN UNIVERSALISM, MULTICULTURALISM AND ETHNICIZATION

4.1: Introduction

By devolving significant amount of powers, functions and resources from the central government to the forty-seven county governments, the Constitution of Kenya (2010) spelt a lot of implications on the creation and expression of nationhood and national identity both at the national and county levels. While the constitution seeks to establish a Kenyan nationhood that is based on the concepts of universality and multiculturalism in post-devolution era, the reality is that initiatives geared towards the establishment of such nationhood have historically been hampered by what has been referred to as negative ethnicity²⁸⁰. This chapter makes an assessment of how the various constitutional provisions as well as post-devolution government policies, programs and activities have fared towards establishing a universal and multicultural Kenyan nationhood in the context of continued negative ethnicity.

4.2: Establishing a National Kenyan Identity

The constitution 2010, through its various Articles provides for the imagination, creation of a Kenyan nation that is: democratic; united in its diversity; with empowered citizenry; where the minority and the marginalized are recognized and protected; where economic and social services are easily accessible; with equitable sharing of national resources; where institutions, services and functions are devolved; where powers are separated and have checks and balances (Article 174); and where, according to Article 175, the devolved units, the counties, are based on democratic principles and separation of powers; have sustainable and reliable revenue sources for effective governing and service delivery; and have equitable gender-representative leadership.

To promote a universal Kenyan identity and heritage, the constitution establishes national symbols, national 'cultural' practices, national commemorations, and national values, which are aimed at giving the members of the imagined nation a sense of a common origin and destiny²⁸¹.

²⁸⁰ Koigi Wamwere, 2003, *Negative Ethnicity : From Bias to Genocide*, New York, London, Toronto, Seven Stories Press

²⁸¹ Hobsbawm E.J., 1994, "The nation as invented tradition; Kedourie E., 1970, *Nationalism in Asia and Africa*,

To back the implementation of the various Articles of the constitution, various policies and Acts of Parliament have been put in place. In the preamble, the constitution commits to “honouring those who heroically struggled to bring freedom and justice to our land.”



Fig 13: A Map of Kenya’s County Boundaries
(Source: Kenya Bureau of Statistics)

To provide for the realization of this commitment, the parliament enacted the National Heroes Act (2014)²⁸² to guide the recognition of national heroes by establishing “criteria for the identification, selection and honouring of national heroes.” The Act also establishes a National Heroes Council whose roles include formulation and implementation of policies related to national heroes; identification and recommendation of national heroes; establishment and

²⁸² Republic of Kenya, 2014, *Kenya Heroes Act*

management of the national heroes square; and creation and management of memorials for honouring heroes among other responsibilities. These constitutional and legislative provisions reflect the desire of Kenyans to have a national heroes recognition system that is inclusive and representative. This was a paradigm shift from the earlier context where Presidents Kenyatta and Moi had managed to use 'national' imagery and monuments in canonising themselves as the nation's supreme heroes while giving little recognition to other heroes of the nation both dead and living.

Article 9 of the Constitution of Kenya (2010) establishes national symbols and national days. The national symbols are the national flag; the national anthem; the coat of arms; and the public seal. The national days are; *Madaraka* (independence) day, *Mashujaa* (heroes) day and *Jamhuri* (Republic) day (Art.9 (3)). *Madaraka* (independence) day is celebrated on June, 1, every year to commemorate the day that Kenya attained her independence or self-governance in 1964. *Jamhuri* (republic) day is celebrated on December 12, every year to commemorate the day in 1963 when Kenya became a republic with autonomy from her former colonizer.

While *Madaraka* and *Jamhuri* days were in the old (1963) constitution and had been celebrated every year since 1964, *Mashujaa* day was first celebrated on October 20, 2010, just over a month after passing the 2010 constitution. It replaced what was formerly referred to as Kenyatta day. Kenyatta day was gazetted as a national holiday immediately after independence to commemorate the day on October 20, 1952, when Kenyatta and other freedom heroes, the Kapenguria six, were arrested following the declaration of the state of emergency. The day's initial naming however implied that it commemorated the arrest of Kenyatta alone. The renaming of the day as *Mashujaa* (heroes) day, in the constitution 2010, signified its rededication to the various national heroes and heroines "who heroically struggled to bring freedom and justice to our land".²⁸³ During its first commemoration in 2010, several Mau Mau war veterans were ferried by the government to Nairobi from different parts of the country²⁸⁴. They, together with celebrated athletes and musicians were honoured as national heroes. Led by the wife of Dedan Kimathi, the slain Mau Mau leader, they marched past the dignitaries in view of all the

²⁸³ Constitution of Kenya (Preamble)

²⁸⁴ Hughes, L., 2017, "Memorialization and Mau Mau", p. 20

celebration's attendees. While establishing the three national days, the constitution 2010 scrapped the October 10th Moi day which President Moi had gazetted in 1988 as he commemorated ten years of his reign, and whose commemoration he had presided every year thereafter. This reorganization of National days seemed to herald inclusiveness in national commemorations and celebrations.

As another aspect of enhancing representativeness and non-personalization of national imagery and commemoration, the Constitution of Kenya (2010) in Article 231 (4) states that "Notes and coins issued by the Central Bank of Kenya may bear images that depict or symbolise Kenya or an aspect of Kenya but shall not bear the portrait of any individual." This declaration was informed by past experience where the portraits of the former presidents, Kenyatta and Moi donned the faces of the country's currency, which was interpreted as an extension of their dominance of national imagery and commemoration. Through this constitutional declaration, Kenyans expressed their desire for the imagery on the national currency to depict the representation of the nation in whatever way as opposed to depicting an individual.

In Article 10, the constitution establishes national values and principles of governance, which "bind all State organs, State officers, public Officers, and all persons" (Art.10 (1)). These national values and principles of governance include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development. They are supposed to form the national ethos and serve as the 'blood vessels' that serve the Kenyan national character as seen in individual and collective socio-economic activities of all citizens. The constitution goes further and mandates the president to annually report to the nation on all measures taken and progress achieved in the realisation of the national values and principles of governance (Article 132).

To operationalize the national values and principles of governance, the parliament enacted a special policy, the Sessional paper no. 8 of 2013 on national values and principles of

governance.²⁸⁵ The policy provides implementation, monitoring and evaluation mechanisms for actors in both public and private sectors. It calls upon all Kenyans to *inuka* (arise) and actualize national values and principles of governance in attaining socio-economic development and sustainable national unity.

For the enhancement of national unity as part of the national values and principles of governance, the parliament enacted another policy, the Sessional Paper No. 9 of 2013 on national cohesion and integration²⁸⁶. This policy defines national cohesion and integration as “a process and an outcome of instilling and enabling all citizens to have a sense as well as a feeling that they are members of the same community, engaged in a common enterprise, facing shared challenges and opportunities.”²⁸⁷ The policy identifies impediments to national cohesion and integration to include: over concentration of state power on the Executive; little respect for the rule of law in the context of weak institutional framework; widespread abuse of human rights; insecurity, proliferation of illegal arms and cattle rustling; lack of transparency and accountability in the electoral process; inequitable distribution of opportunities and public resources; poor management of natural resources such as land; and primacy of ethnic identity over national identity and citizenship.

The policy aims at fostering a general understanding and upholding of national cohesion among all stakeholders (State organs; State and public officers; the private sector; non-state actors; development partners) so as to ensure that the Kenyan society is politically, economically and socially cohesive and integrated for sustainable development and nationhood. For the achievement of this goal, the policy recommends several strategies including strengthening of institutions, reducing socio-economic inequalities and effective management of citizens’ diversity.

²⁸⁵ Republic of Kenya, 2013, *Sessional Paper No 8 of 2013 on National Values and Principles of Governance*, Nairobi, Government Printers

²⁸⁶ Republic of Kenya, 2013, *Sessional Paper No 9 of 2013 on National Cohesion and Integration*, Nairobi, Government Printers

²⁸⁷ *Ibid.*

As part of national ethos, the constitution in Article 73 (2) establishes principles of leadership and integrity which require state officers to among other things, uphold integrity, objectivity and impartiality while rendering “selfless service based solely on public interest.” It also establishes values and Principles of Public Service in Article 232, which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointment and promotions; representation of Kenya’s diverse communities; affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, for men and women and members of all ethnic groups; and persons with disabilities.

These provisions endeavor to curtail abuse of state office by any individual or group in advancing personal or ethnic interests at the expense of the common good of the nation. To enhance the realization of the principles of leadership and integrity, the parliament enacted the Public Officer Ethics Act (2016), which requires every Public Officer to perform his or her duties efficiently and honestly while upholding professionalism, neutrality and rule of law, and without being involved in improper enrichment, conflict of interests, espionage, and nepotism among other vices.

4.3: Casting Kenyan Identity on a Multiculturalism Platform

Besides endeavoring to create and promote a universal Kenyan identity and heritage by establishing national symbols, national ‘cultural’ practices, national commemorations, and national values, the 2010 constitution endeavors to advance a Kenyan national identity that is based on multiculturalism that accommodates the country’s various ethnic identities and heritages including those of the minorities and the marginalised groups. It does this through the various Articles that promote ethnic and cultural identities in their pluralities and particularities as being integral to the Kenyan identity. Harriet Deacon enumerates the various ‘work(s) that culture does’ in the Constitution of Kenya (2010), which included conferring various cultural rights to individuals, groups and at the national level.²⁸⁸

²⁸⁸ Deacon H. J., 2018, “Understanding the work that ‘culture’ does: A comparative perspective on cultural rights provisions in the Constitution of Kenya 2010,” *African Studies*, 77:2, 171-188,

In its preamble, the constitution seeks to promote Kenyans' "ethnic, cultural and religious diversity," alongside the nation's "unity as one indivisible sovereign nation."²⁸⁹ It also "recognizes culture as the foundation of the nation and as the cumulative civilisation of the Kenyan people and nation (Art. 11.1)," and mandates the state to "promote all forms of national and cultural expressions (Art 11.2. a). In Article 7, it establishes Kiswahili as the national language and both English and Kiswahili as the official languages, while at the same time endearing to "promote and protect the diversity of language of the people of Kenya (Article 7.2.a)" including "indigenous languages" (Article 7.2.b). Through these provisions, the constitution embeds Kenyan national identity in a multiculturalism that also supports Kenyan diverse ethnic cultures. It links Kenyan national identity and memory to the cumulative assemblage of the various ethnic identities and memories.

The constitution lays emphasis on the promotion of Kenyan diverse ethnic identities and heritages both in their pluralities and particularities. For instance in Article 174, it identifies recognition of "the right of communities to manage their own affairs and to further their development;" and protection and promotion of the interests and rights of minorities and marginalised groups as some of the objects of devolution. The constitution incorporates in the Bill of Rights, a range of cultural rights which include the preservation of "the dignity of individuals and communities..." (Article 19) (2)," the right of individuals to "participate in the cultural life of their choice (Art. 44 (1); enjoy their culture (Art.44 (2a); and to belong to their chosen cultural associations (Art. 44 (2b); while being protected from being compelled 'to perform, observe or undergo any cultural practice or rite' (Art. 44 (3). Children and youth are particularly protected from harmful cultural practices among other forms of abuse (Art. 53 (1d) and (Art. 55 (d). The constitution also prohibits discrimination on the basis of ethnicity, culture and belief among others factors (Art. 27 (4))

The constitution endears to curtail unfair exploitation of heritage resources, and seeks to promote their beneficial utilization by the source communities. For instance, it mandates the

state to “promote the intellectual property rights of the people of Kenya” (Art. 11, 2 c). The parliament is required to enact legislation to “ensure the communities receive compensation or royalties for the use of their cultures and cultural heritage” (Art. 11, 3 a) and to “recognise and protect the ownership of indigenous seeds and plant varieties, their genetic and diverse characteristics and their use by the communities of Kenya” (Art. 11, 3 b).

In Article 63, the constitution recognizes community land and vests the ownership of such land on “communities identified on the basis of ethnicity, culture or similar community of interests.” The constitution prohibits the disposal or other use of such land “except in terms of legislation specifying the nature and extent of rights of members of each community individually or collectively” (Article 63.4). The state is also obliged to ensure participatory management, protection and sustainable use of environment and natural resources including intellectual property in communities’ indigenous knowledge of biodiversity and genetic resources while ensuring equitable sharing of accruing benefits (Art. 69).

The constitution also emphasises the implementation of various international conventions ratified by the Kenyan government, which deal with preservation and utilization of heritage resources. They include the Convention concerning the Protection of the World Cultural and Natural Heritage (UNESCO 1972); the Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO 2003); the Convention on Biological Diversity (IUCN 1999); the Convention on the Protection and Promotion of Diversity of Cultural Expressions (UNESCO 2005); as well as those under the World Intellectual Property Organisation (WIPO) and the Food and Agricultural Organisation (FAO). The policy acknowledges that implementation of these treaties would enhance both national and global efforts in protecting traditional knowledge, genetic resources and folklore.

The constitution’s protection of heritage resources from unfair exploitation and promotion of their beneficial utilization by the source communities is backed by the National Policy on Traditional Knowledge, Genetic Resources and Traditional Cultural Expressions (2009). The policy aims to promote continuous preservation and creative use of traditional knowledge for national

development and benefit to the source communities. While noting the inadequacy of the Industrial Property Act of 2001 in safeguarding traditional knowledge against illicit exploitation, the policy recommends the formation of a Kenyan *sui generis* system to enhance socio-economic benefits to the source communities.

In 2016, the government enacted another legislation, to back the constitution's Articles 11, 40, and 69 (1) (c) on culture, protection of right to property, and sharing of benefits accruing from cultural heritage respectively. The "Protection of Traditional Knowledge and Traditional Cultural Expressions Act (2016)," charges the National and County Governments with the roles of documenting, conserving, promoting and facilitating access and sharing of Traditional Knowledge (TK) and Traditional Cultural Expressions (TCEs) through establishment of cultural heritage repositories and registers within their respective jurisdictions. The Act calls for the government's protection of TK and TCEs owners' rights, and establishment of regulations and procedures for disclosure, prior informed consent, stakeholders' engagement, licensing, copyright claims and compensation, as well as dispute resolution.

The constitution also endears to protect the minorities and marginalised groups. It interprets "Marginalized community" as "a traditional community that, out of a need or desire to preserve its unique culture and identity from assimilation, has remained outside the integrated social economic life of Kenya as a whole, or an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on hunter or gatherer economy; or pastoral persons and communities whether they are nomadic or a settled community that because of its relative geographic isolation has experienced only marginal participation in the integrated social and economic life of Kenya as a whole" or "a group of people who, because of laws or practices before, on, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4)" (Article 260).

The constitution mandates the state to "put in place affirmative action" to promote various aspects of the welfare of the minorities and marginalised groups (Article 56). In Article 100, the constitution mandates the parliament to enact legislation to promote the representation of the

marginalised groups in the parliament. Likewise, political parties are required to reflect “the regional and ethnic diversity of the people of Kenya” (Art. 90 (2c), and “have a national character” (Art. 91 (1a), while respecting “the rights of all persons including minorities and marginalised groups to participate in the political processes” (Art. 91 (1e).

The constitution goes further to include “the general rules of international law”...and...“any treaty or convention ratified by Kenya” as “part of the law of Kenya” (Article 2). These international laws and treaties include those that recognize cultural rights including the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples’ Rights (ACHPR), the International Convention on the Elimination of All forms of Racial Discrimination and the Declaration of Principles of Freedom of Expression in Africa (DPFEA). Anne-Marie Diesser and Ephraim Wahome²⁹⁰ and Mwanzia Kyule²⁹¹ have discussed at length how the principles of human rights have been applied in heritage conservation in Kenya through the 2010 constitution, the National Museums and Heritage Act (2006), and the African Union and UNESCO legal instruments and treaties. By adopting these international laws, the 2010 constitution puts more weight on protection of the minorities and marginalised groups, as well as their cultural rights. Through all the above provisions, the constitution enhances, in all Kenyan ethno-cultural groups, a sense of belonging and inclusion as part of the Kenyan nation. It also reminds Kenyans that when being proud of their various ethnic identities, they have a common duty to continuously cultivate and safeguard a common national identity, unity and cohesion.

²⁹⁰ Diesser, A-M. and Wahome E., 2016, “Access to heritage conservation as a human right in Kenya,” in Diesser, A-M and Njuguna M. (eds.), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-Disciplinary Approach*, London, University College London Press.

²⁹¹ Kyule M., 2016, “Assessment of legislation on cultural heritage resources in Kenya” In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press.

4.4: Challenges of Devolving Cultural Heritage Management

According to the constitution's Fourth Schedule²⁹² and interpretive derivations thereof, the heritage functions left under the remit of the national government include Ancient and Historical monuments of national importance, UNESCO-listed World Heritage Sites, and National Parks. The establishment and management of museums, county parks and other cultural and recreational activities and amenities is a devolved function, which falls under the remit of the county governments. The constitution also mandates the county governments to hold in trust and administer all public land under their respective jurisdictions (Article. 62). Some of the public lands are assigned various cultural significances by the respective communities who own them. Some are used as shrines, cultural circumcision grounds or communities' meetings venues. They are therefore spaces where ethnic and communal identities are actualized.

By putting the management of museums, cultural activities and public/community land under the remit of the counties, the constitution 2010 emboldened the role of the county governments in the management of ethno-cultural heritages and identities, which according to the constitution's Article 11 form the foundation and cumulative civilization of the Kenyan nation. This is a great shift from the pre-devolution context in which the national government exclusively and authoritatively assumed the responsibility of creating and managing national heritage and identity, a status quo that was exploited by the KANU regime to suppress subaltern heritages and identities in the process of state power centralization.

Following the promulgation of the Constitution of Kenya (2010), the country's National Policy on Cultural Heritage (NPCH)²⁹³ which had been launched in February 2010, only six months before the new constitution, was subjected to a review with the aim of aligning it to the constitution. The Policy which was the country's first written policy on cultural heritage aspired to among other things, conserve Kenya's diverse cultures, and enhance their role in national development and cohesion. To facilitate the achievement of these aspirations the policy proposed the establishment of a national council for culture and heritage; community cultural centers in every

²⁹² The Constitution's Fourth Schedule is on distribution of functions between the National and County governments

²⁹³ Republic of Kenya, 2009a, *National Policy on Culture and Heritage*. Nairobi: Government Printers.

county for cultural development and social cohesion; implementation of international conventions at national and county levels; and enhancement of people's participation in cultural heritage issues at local, national and international levels. The policy review recommended that the national and county governments enact cultural legislations and "establish capacity building programs for staff and cultural practitioners"²⁹⁴ within their jurisdictions.

As the policy was being reviewed, a national culture bill was also being formulated for the purpose of implementing the policy and the constitution's Article 11 on culture. The bill made provision for the preservation of communities' cultural heritage; enforcement of compensation for the use of communities' cultural heritage; establishment of National Council for Culture and Arts among other things. It charged the national government with the formulation of standards and regulations; establishment of a national heritage inventory; and advising county governments among other roles. County governments on the other hand were charged with the development and implementation of county cultural policies; management of county cultural and recreational activities and facilities; and inventorying of tangible and intangible cultural heritage and practitioners within their jurisdictions.

To find out what achievements had been made in regard to the review and enactment of national cultural heritage policy and legislation respectively, as well as development of cultural programmes in line with the 2010 constitution, the author conducted an interview²⁹⁵ with the national director of culture Dr. Kiprop Lagat. Lagat explained that the policy review process which had been ongoing since the advent of devolution was at an advanced stage as the reviewed policy and its budgetary requirement had been approved by the National Development Technical Implementation Committee and the National Treasury and was awaiting the Cabinet's final approval. As far as the enactment of legislation on national culture was concerned, Lagat informed the author that the proposed national culture bill had been given the green light by the Attorney General's office and had been forwarded to the Head of Public Service from where it would be presented to the Cabinet. Lagat expressed his optimism that the national policy and legislation on culture and heritage would be operational by the end of the year (2020) which he

²⁹⁴ The Department of Culture, 2018, Draft Revised National Policy on Cultural Heritage, Nairobi

²⁹⁵ Interview with Dr Lagat on October 13, 2020

said would enable the realization of such goals as establishment of a National Council for Culture and Heritage and implementation of international conventions at national and county levels.

In the meantime, Lagat explained that the Department of Culture was undertaking several initiatives to ensure that development and promotion of culture and cultural diversity in the country continued in the context of devolution. These initiatives included engaging the counties' CEC members in charge of culture in the review process for the National Policy on Culture and Heritage in the hope that they would use the experience gained in this process to develop cultural policies and bills for their respective counties. Lagat also noted that the department of culture had been involved by some of the few counties such as Tharaka Nithi, Nakuru, Baringo and Kakamega, which had developed their cultural policies.

Lagat also explained that since the advent of devolution, the department of culture had been involved in running of capacity-building workshops for artists and cultural practitioners in the counties on a rotational basis. Among the issues that were handled by these workshops was creation and enhancement of awareness on UNESCO's 2003 and 2005 conventions for the Safeguarding of Intangible Cultural Heritage; and Protection and Promotion of the Diversity of Cultural Expressions, respectively. The department, in partnership with other stakeholders, had also been involved in the preparation of more than 20 festivals per year in various counties as a way of ensuring continued promotion of cultural development and national cohesion. Examples of such festivals included the KNATCOM-led biennial National Cultural Celebrations which started in 2014, and in which the department of culture was a key partner. Lagat noted that the the biggest of these festivals was the Kenya Music and Cultural Festival (KMCF)²⁹⁶, which started in the 1950s and held its 93rd edition in 2019. Lagat observed that the festival at any one time brought together more than half the total number of the counties.

Lagat also said that by the virtue of being the agency in which UNESCO's 2005 convention on Protection and Promotion of the Diversity of Cultural Expressions was domiciled, the department of culture had been involved in the listing of the intangible heritage associated

²⁹⁶ The Kenya Music and Cultural Festival which started in the early 1950s; Osieko J. et al (eds), *The Kenya Schools and Colleges Drama Festival* p. 136

with the Miji Kenda sacred forests (Kayas)(2009); Isukuti dance of the Isukha and Idakho communities of Western Kenya (2014), Enkipaata Eunoto and Olng'esherr- three male rites of passage of the Maasai community (2018), and the intangible elements associated with Kit Mikayi (2019) on the UNESCO's list of elements in Urgent need of Safeguarding. When I asked Lagat why *Mukurwe wa Nyagathanga* and its intangible heritage had not received much attention from the department of culture and UNESCO, he informed me that earlier attempts by the department of culture to get engaged in the site's management had been complicated by the complexity of the interaction of the site's stakeholders' interests. He however told me that the Department of culture had just selected the intangible elements associated with *Mukurwe wa Nyagathanga* and those associated with the Kalenjin age-set system for proposal for listing in UNESCO's list of elements in need of Urgent Safeguarding. For this process to begin, Lagat explained that the concerned intangible heritage elements needed to be comprehensively documented and included in the Intangible Heritage Inventories of the respective counties within which they are found, and in the State Party's (Kenya's) National Inventory of intangible heritage, before they are proposed for UNESCO's listing. Lagat said the Department of culture was about to initiate the long process of having the intangible elements associated with *Mukurwe wa Nyagathanga* listed by UNESCO and invited the author to be part of the process by giving his contribution in terms of the comprehensive research that he had carried out on the site, which I accepted.

When I asked Lagat about the challenges that management of culture was facing in the context of devolution, he cited local politics as one of the challenges. He gave an example of two counties in which the County Executive Committee (CEC) members in charge of culture, were being isolated during strategic CEC development and funding prioritization meetings because they did not come from the respective counties' majoritarian communities. In one of the counties, a second CEC member who came from the county's majority ethnic group was politically implanted in the office rendering the other member from a minority group isolated and redundant as far as carrying out of official duties is concerned. Lagat also cited shortage of human capacity, poor funding and lack of adequate and up-to-date policies both at the county and national levels as real impediments to the development and promotion of culture in the country. Lagat also observed that the risk of weakening national cohesion and identity through

cultural heritagization was real. He cited the example of the trend that had become common, and in which counties were selectively sponsoring the majority ethnic groups to participate in county-level or national cultural events, while neglecting the minority groups. However, Lagat said that well thought-out policies and programmes would provide a diversity of opportunities for strengthening Kenyan National Identity.

As the National Policy on Culture and Heritage was undergoing review, the National Museums and Heritage Act of 2006, on which the NMK's mandate was established, was also subjected to a review aimed at aligning it and NMK's functions to the 2010 constitution. The review, which was spearheaded by the NMK proposed a new bill, the "Kenya National Heritage Bill 2017," which proposed the transition of the NMK into a new body corporate called Kenya Heritage Authority (KeHA), which would take charge of the management of heritage of national significance as identified by the constitution. According to the Bill, KeHA would be headquartered in Nairobi with regional stations, referred to as heritage centers, in different parts of the country.

According to the NMK-proposed bill, KeHA would spearhead the country's heritage management standards and policies; offer technical advice and assistance to the county governments and any other entities dealing with heritage; and serve as the national focal point for regional and international conventions on heritage, among other roles. While the bill provided for the counties to establish and run their own museums, it sought to retain all items listed by UNESCO as world heritage; paleontological and archaeological sites; ancient and historical monuments of national significance; as well as all the museums located on these sites and monuments under the remit of the proposed National Heritage Authority. In this Bill, the Nairobi National Museum was categorized as national heritage under KeHA's remit on the account that it held what was argued to be a national collection that "represented the face of Kenya in the country's capital city"²⁹⁷.

In what seemed to be theoretical compliance with the constitution, the NMK went ahead and strategically dropped the name museum from its various official titles. For example, the title

²⁹⁷ This fact was emphasized on during several meetings on NMK's mandate review and adjustment.

Directorate of Museums, Sites and Monuments (DMSM) was changed to Directorate of Antiquities, Sites and Monuments (DASM) while the title of Assistant Director for Regional Museums became Regional Keeper of Heritage²⁹⁸. Ultimately, out of its 23 museums, the NMK only earmarked 5 for devolution and retained the rest under its remit. In what seemed as part of actualization of one of the roles it assigned itself, that of offering technical advice and assistance to the county governments and any other entities dealing with heritage, the NMK went ahead and established a Heritage Training Institute in Mombasa in 2015 so as “to educate County staff, interested individuals and institutions on Kenya’s Natural and Cultural Heritage assets.”²⁹⁹ In February 2017, the institute started offering short courses on museums and heritage management to County officials and other actors involved in heritage management³⁰⁰.

During the institute’s inaugural training in February 2017 which was attended by participants from the NMK, various county Governments, the Kenya Defense forces and the international community, Dr. Mzalendo Kibunjia, NMK’s Director General reiterated NMK’s determination to lead the way in conserving Kenya’s heritage and asked for collaboration in this mission from other institutions and individuals in the heritage sector. The Principal Secretary for Culture Mr Joe Okudo commended the NMK for doing a good job in empowering the counties by transferring the rich knowledge it had gained over the years³⁰¹. The institute’s long-term plan was to collaborate with the University of Nairobi in offering museological courses.

Besides the bill spearheaded by the NMK, there was another one spearheaded by the senate. The bill, which had much in common with the NMK-generated one, also proposed the retention of the name ‘National Museums of Kenya,’ based on the view that changing NMK’s name would lead to the loss of the identity and reputation that the institution’s had acquired as a national, regional and international authority in heritage management. Through lengthy consultations between the representatives of the National Museums of Kenya (NMK), the Ministry of Sports Culture and Heritage (MOSCH) and the Senate, the two bills were reconciled into one bill, which

²⁹⁸ National Museums of Kenya, 2016, *2015-2016 Annual Report and Accounts*, P.7

²⁹⁹ *Ibid.*, p.21

³⁰⁰ Abdullahi, H., “National Museum Launches Heritage Training Programs” *Kenya News Agency*, February 21, 2017

³⁰¹ CGTN Africa, “Kenya set to upgrade 100 monuments and historical sites in \$19.3 million project,” February 23, 2017.

was awaiting being passed by the parliament. As the bill awaits to be passed by the parliament so as to guide the country's post-devolution heritage management, it is evident that the NMK as a body corporate and an agency of the national government is very determined to perpetuate its historical authority and dominance in heritage management in the country. Asserting such authority and control over heritage matters constitutionally under the mandate of the counties is bound to cause confusion and conflicts between the national and the county governments.

From the onset of devolution, there seemed to be some lack of clarity and consensus about the distinction between national and county level heritages. This was despite NMK and Counties' representatives discussing the issue in many meetings that were facilitated by the Intergovernmental Relations Technical Committee (IGRTC). To illustrate the magnitude of the confusion surrounding devolution of culture and museums, during an interview, the NMK's director in charge of antiquities, sites and monuments Dr. Purity Kiura observed that ten years after devolution, consensus had not been reached as to what precisely constituted of a museum and/or national heritage. According to her, the leadership in the counties did not seem to fully understand what their place and role was in as far as devolution of culture and museums was concerned.³⁰² These sentiments were echoed by Metrine Wakhungu,³⁰³ the NMK's Corporate Secretary and legal advisor, who observed that the confusion regarding devolution of culture and museums was being magnified by a prolonged delay in enacting laws to guide the management of culture and heritage in the post devolution era. Wakhungu lamented that despite the constitution requiring the parliament to enact legislation in respect to culture within five years of devolution³⁰⁴, and despite NMK having formulated a draft Bill for review and enactment by the parliament as early as 2012, the process had continued dragging on. By the time of completing this thesis, the NMK-initiated heritage bill was still awaiting harmonization with another one initiated by the senate so as to come up with one Bill which would be enacted by the parliament.

This confusion was evident from what was happening on the ground. For instance, in 2015, the governor of Turkana County, Joseph Nanok called for the return of the famous 1.6 million years

³⁰² Interview with NMK's Director of Antiquities Sites and Monuments at NMK headquarters October 1, 2020

³⁰³ In an Interview with NMK head of Corporation and Legal affairs at the NMK headquarters on October, 5, 2020

³⁰⁴ Constitution of Kenya 2010, Fifth Schedule's Article 11

old 'Turkana Boy' fossil to Turkana County. According to Nanok, the fossil which was excavated near Lake Turkana in 1984 and taken to Nairobi national museum where it formed part of the national collection needed to go back to its origin. Talking about the fossil in 2015, Nanok said, "It has no meaning at National Museum in Nairobi. It was found here and so it should rest here."³⁰⁵ Nanok explained that the fossil would form part of the collection of a grand museum that his government was planning to build with the intention of boosting tourism and economic development in the county. Marie-Aude Fouéré and Lotte Hughes observed that "the arguments around 'Turkana Boy' "provide[d] one high-profile example of tensions around ownership of heritage."³⁰⁶ In a similar manner, at the advent of devolution, Kisumu County government had expressed eagerness to take over Kisumu museum from the NMK. However, upon learning that the museum was a net spender with much higher running costs than the income it generated, the county retracted on its intended take-over.³⁰⁷

The confusion that has surrounded devolution of culture and heritage management poses a potential threat to the creation and promotion of Kenyan national identity and heritage. On one hand is the eagerness by various counties to reclaim and repossess from the NMK, the collections which originated from these counties. With most of these unique collections having been part of the assemblage of Kenyan national story, heritage, memory and identity that has been displayed at the Nairobi National Museum for more than sixty years, returning them to their respective counties would be tantamount to dismantling the Kenyan national story, heritage and Identity in order to strengthen ethnic-regional identities that would be displayed by the county-level museums.

Further, the hesitation and unwillingness to take up the running of devolved museums due to their high maintenance cost and low income generation poses a threat to the continuity and advancement of these museums which have displayed various aspects of Kenyan national identity and cultural diversity. It also gives an indication of the possibility of such devolved

³⁰⁵ Burrows O., "Turkana seeks fossil return, plans grand museum," February 16, 2015

³⁰⁶ Fouéré M-A. and Hughes L., 2015, Heritage and Memory in East Africa today: a review of recent developments cultural heritage research and memory studies, *Azania: The Journal of the British Institute of History and Archeology in East Africa*, Routledge, 2015, 50 (4), pp. 542-558.

³⁰⁷ Conversation with Wycliff Oloo, who was the curator of Kisumu Museum then, held on Nov. 8.2017

museums being relegated to the bottom of the counties' budgetary allocation and development agenda, which would lead to their disintegration. The confusion surrounding devolution of culture and museums therefore introduces other dynamics in the creation of Kenyan national heritage, memory and identity which has remained highly contested over the years.

4.5: Enacting Kenya's National Identity in Post-Devolution Period: Some Controversies

In line with the different Constitution of Kenya's provisions, and post-devolution policies and legislations variously providing for the promotion of Kenyan identity as elaborated in the foregoing discussions, various programmes and activities were initiated by different actors to express and celebrate Kenyan identity and nationhood in various ways. This section gives a few examples of such initiatives and how they fared in achieving their goals.

4.5. a: Devolved National Celebrations or Ethno-political Contestations?

In what could be said to be devolution of national days celebrations, on December 18, 2015 President Uhuru Kenyatta announced that going forward, two of the three national days would be officiated by the president in different counties outside Nairobi, on a rotational basis as a way of "boosting national cohesion and integration."³⁰⁸ The first 'devolved' national day celebrations happened on the Madaraka day of June 1, 2016, at Afraha Stadium, in Nakuru County, in the Rift Valley. Despite the sense of inclusion it gave to the large number of Kenyans who had the maiden opportunity to witness at close range the celebration's display of state power and fanfare, it also revealed the ethno-political polarization that had been carried forward from the 2013 elections and was escalating as the 2017 elections approached. As President Kenyatta led the celebrations in Nakuru, a parallel rally was going on at Uhuru Park, in Nairobi, led by the opposition leader Raila Odinga, who had declined the president's invitation to attend the Nakuru celebrations.

Another notable display of national disharmony happened during the Madaraka day celebrations that were held at Kabiru-ini ASK grounds in Nyeri County on June 1, 2017, just two months before the polls that were scheduled for August the same year. In his speech, President Kenyatta

³⁰⁸ Nairobi News, "Counties to host National Days on rotational basis" December 19, 2015. <https://nairobineews.nation.co.ke/news/counties-to-host-national-days-on-rotational-basis>

confirmed he would vie for a second term and urged Kenyans to shun leaders who wished to “return us to the more unsavoury chapters of our nation’s past.”³⁰⁹ This seemed as veiled reference to the opposition leader Raila Odinga, who was also vying for presidency. The opposition leader who was in attendance on the president’s invitation was neither recognized nor given a chance to address the public. As a result a section of citizens condemned what they saw as the government’s humiliation of the opposition leader and questioned the government’s seriousness in uniting Kenyans. Commenting on the incidence later, Odinga expressed his disappointment by saying, “I received an invitation to attend the national day celebrations and I honoured it. It was their responsibility to recognize me. I leave it to the people to judge the way they handled the issue. I don’t want to appear to be complaining.”³¹⁰

The day’s activities were also criticised for taking an ethnic rather than a national outlook as some politicians chose to address the national gathering in the region’s ethnic language, Kikuyu. The day’s entertainment was also dominated by Kikuyu songs. This was contrary to the usual situation where English and Kiswahili as the official and national languages dominated the celebrations, in which entertainment usually consisted of multi-ethnic presentations. This was seen to ‘ethnicize’ and degrade the national significance of the ceremony which was “attended and followed by Kenyan’s from all walks of life.”³¹¹ Ultimately, the ‘devolved’ national days celebrations which were meant to create national cohesion ended up being an enactment of ethno-political mobilization and national disharmony.

In what seemed like an opportunistic, yet historical turn of events, following the March 9, 2018 Kenyatta-Odinga handshake, the ethno-political hostility between the two leaders seemed to subside. During the June 1st, 2018 Madaraka day celebrations which were held in Kinoru stadium in Meru County, Raila Odinga, who had attended with a delegation of opposition leaders was officially acknowledged and given an opportunity to address the public. When inviting the

³⁰⁹ Wambugu K. & Felix. O, Uhuru, Ruto snub Raila at Madaraka day ceremony June 1, 2017 <https://www.the-star.co.ke/news/2017-06-01-uhuru-ruto-snub-raila-at-madaraka-day-ceremony/>

³¹⁰ Omondi Rogers, “Raila Odinga speaks after being snubbed by President Uhuru Kenyatta at the Madaraka Day Celebrations in Nyeri,” *Kenyan.co.ke News*. June 2, 2017

³¹¹ Mwamba Charles, “Kenyans reveal what went wrong during Madaraka Day celebrations,” *Kenyans.co.ke* June 2, 2017

opposition leader to speak to the eager crowd, the Deputy President William Ruto said, “I humbly ask for your permission Mr President to invite the former Prime Minister. Since we are in the period of unifying Kenyans, let me welcome Raila Odinga.”³¹² As he spoke, Odinga referred to his handshake pact with the president and said “We have united to fight corruption and tribalism. We are one.”³¹³ His sentiments were echoed by the president who also referred to the handshake and said, “A house divided cannot stand and just like colonialism was defeated, we must also defeat anything that jeopardizes the future of our children such as corruption and unite to build a glittering Africa.”³¹⁴

Similar ‘national harmony’ was exhibited again during the 2018 Mashujaa day which was held in Bukhungu stadium in Kakamega County, and the 2019 Madaraka day which was celebrated in Narok. While the national harmony enacted by the two leaders was applauded by many including the former US president Barak Obama,³¹⁵ many people including Ekuru Aukot, one of the presidential contestant saw the two leaders’ ‘handshake pact’ on which it was based as amorphous and unconstitutional³¹⁶. The devolved national days’ celebrations which were meant to provide an opportunity for Kenyans to imagine and enact Kenyan identity and nationhood outside the capital city of Nairobi therefore ended up becoming a forum for the enactment of ethno-political contestations or at best, a display of what seemed as opportunistic and deceptive national harmony grounded on highly ethnicized and volatile intra-elite pacts.

4.5.b: The Controversy around Nationalizing of the Kenyan Currency’s Imagery

As already highlighted, the 2010 constitution’s declaration that “Notes and coins issued by the Central Bank of Kenya may bear images that depict or symbolise Kenya or an aspect of Kenya but shall not bear the portrait of any individual,” (Art 231(4) was meant to ‘de-personalize’ and nationalize the imagery on the country’s currency. In 2012, the Central Bank of Kenya (CBK) started the process of establishing new images to replace the portraits of the former presidents Kenyatta and Moi that were depicted on different currency denominations. In December 2018,

³¹² Mutavi Lilian, “Ruto recognizes Raila, invites ex-PM to address Madaraka day fete,” *The Star*. June 1, 2018

³¹³ Kamagi Deogratus, “Magufuli sends greetings through Odinga on Kenya’s Madaraka Day,” *Citizen Digital*. June 1, 2018

³¹⁴ Ministry of Defence, “55TH Madaraka Day Celebrations Held in Meru,” *Ministry of Defense website*.

³¹⁵ Odula Tom, “Obama praises Kenya’s political reconciliation,” *AP News*. July 17, 2018

³¹⁶ Cheruiyot Kevin, “Time for Ruto ‘roundtable’ after Raila handshake, Aukot tells Uhuru” *The Star*. May 28, 2020

President Uhuru Kenyatta unveiled new generation coins of one, five, ten and twenty shillings, which featured the images of the Giraffe, Rhino, Lion, and the Elephant respectively³¹⁷. When unveiling the new-look coins, President Kenyatta said, “A currency is not just an exchange of value but they present a unique way of recording history, celebrating a country’s diverse cultural or natural environment.”³¹⁸ The president reiterated that the new-look coins had fulfilled “the wishes of Kenyans with regard to their national currency as expressed in our constitution.”³¹⁹

During the 56th Madaraka Day that was celebrated on June 1st, 2019, in Narok. President Kenyatta launched new generation bank notes that bore the image of the iconic statue of Mzee Jomo Kenyatta seated in front of the Kenyatta International Convention Centre (KICC). This was protested by a section of political leaders and lawyers who maintained that it was unconstitutional. Two cases challenging the inclusion of the former president’s image on the new-look notes were filed in court. One of them was filed by Okiya Omtatah, a popular human rights activist who accused the CBK of contravening Article 231(4) of the constitution by retaining the portrait of Kenya’s first president on the new generation currency notes³²⁰. The other petition was by Mr Simon Mbugua, a former Kamukuiji MP, who accused the CBK of using the KICC architectural masterpiece to sneak the portrait of Mzee Kenyatta onto the notes, without having conducted public participation. John Mbadi and James Orenge, the minority leaders of the national and senate assemblies respectively, and Edwin Sifuna, the ODM Secretary General also expressed their disapproval of the said image.³²¹

Responding on behalf of the government, the Attorney General and the CBK argued that the statue was part of the KICC complex, whose image had not been prohibited from appearing on the currency. Through their lawyer Ochieng Oduol, the Central Bank further argued that the KICC was a Key national monument which was gazetted in 2013 and “should therefore be preserved

³¹⁷ Obura Fredrick, “President Uhuru Unveils new-look coins in historic visit to CBK (Photos),” *The Standard*

³¹⁸ Mwangi Denis, “2 Things President Uhuru Kenyatta loves Most About New Kenyan Currency,” *Kenyans.co.ke*. December 11, 2018

³¹⁹ Otieno Dennis, “CBK rolls out new coins, notes next,” *Citizen Digital*. December 11, 2018

³²⁰ *Ibid.*

³²¹ Cheruiyot Kevin & Awich Luke, “New Currency; New banknotes shouldn’t bear Kenyatta’s image ODM,” *The Star*. June 4, 2019

as depicting the very essence of Kenya and its national Heritage.”³²² Mr Oduol further said the image was considered and approved by the cabinet and that there was adequate consultation before new generation currency notes were printed.

Finally, the high court dismissed the petitions observing that the image of the former president as was depicted in the new-look notes formed part of the image of the KICC, which was an iconic land mark in the country, and that the CBK had “carried out extensive, reasonable, and all-inclusive participation, leading to the final design of the currency.”³²³ While this case was brought to a legal end, it brought new impetus into the historical contestation in the making of Kenyan national history, identity and commemoration, a contestation that has lingered on in the post-devolution period.

4.5. c: Kenya’s 100 Best Monuments Project: Stalled at the ‘intention’ Level

In March, 2016, the National Government, through the Ministry of Culture, Sports and the Arts, specifically through the National Museums of Kenya, launched a national campaign to develop and promote the country’s 100 best heritage monuments. The objective of this initiative was to develop and project Kenyan national identity as a composite of the country’s cultural diversity. The initiative also aimed at enhancing national cohesion by ‘creating symbolic inclusive identity, promoting intercultural exchanges and enhancing the monuments’ contribution towards the livelihoods of the communities around them’³²⁴.

According to the NMK’s Director General, Dr Mzalendo Kibunja, developing and promoting these heritage sites “would enhance intercultural understanding and social cohesion among Kenya’s different communities including through intercommunity exchange visits based on the monuments, enhanc[ing] heritage tourism both at county and national levels, reviv[ing] the local creative industry, creat[ing] jobs hence improving household income, revitaliz[ing] local shopping centres and towns, act[ing] as incubation centres for small businesses and lead[ing] to

³²² Kiplagat Sam, “What judges found about Mzee Jomo Kenyatta’s statue,” *The Daily Nation News*. August 15, 2019

³²³ Gitogo Wandiri, “Kenyatta’s statue on New currency part of KICC, rules High Court,” *The Kenyan Wall Street*. September 29, 2019

³²⁴ As stated in the NMK’s concept for the project developed in February 2016

appreciation of property value.”³²⁵ Talking about this initiative in August 2016, Kibunja said that the project sought “to promote public interest and awareness and sites in monuments.”³²⁶ His sentiments were echoed by the Sports and Culture Principal Secretary, Joe Okudo, who said that when achieved, the project will have “created a whole new tourism product and at the same time address social issues.”³²⁷



Fig 14: Publicity for the 100 Best Monuments
(Source: NMK)

According to the concept developed by the NMK, the initiative targeted the six sites³²⁸ that had been inscribed on the world heritage list by then, and two more sites from each of the forty-seven counties, which would altogether make 100 sites. The county monuments would be selected based on a multiplicity of values including: natural, cultural, historical, social,

³²⁵ Hassan Mohammed, “Information for development; NMK seek more funds to protect historical sites, monuments,” *Kenya News Agency*. April 27, 2019

³²⁶ Mwakio Philip, “National Museums of Kenya to preserve 100 monuments at Kshs. 2billion,” *The Standard*. August 22, 2016

³²⁷ CGTN Africa, “Kenya set to upgrade 100 monuments and historical sites in \$19.3 million project,” *CGTN Africa*. February 23, 2017

³²⁸ The six sites were Mt. Kenya, Fort Jesus, the Great Rift Valley Lake System, Lake Turkana National Parks, Lamu Old Town, and the Miji Kenda Kayas, (Thimlich Ohinga was listed later)

environmental, aesthetic, research and educational, as well as economic values. According to the NMK's concept document, the 100 monuments would be comprehensively researched and modern interpretation centres built around them. Their infrastructural facilities including internet connectivity would also be enhanced. It was hoped that the initiative would enhance national cohesion, research, tourism and other economic activities hence creating jobs for the local community, especially the youth and women.

Unfortunately, by the time of completing this thesis, the project had not realized much progress close to five years since it was initiated. According to Julius Ogega, a senior curator and researcher based at NMK's Directorate of Antiquities Sites and Monuments, the initiative went as far as identification and recommendation of sites for the project by the counties and then it stalled.³²⁹ According to Dr Kibunja, lack of the requisite funds from the government led to the stalling of the project.³³⁰ As such, the country lost an opportunity for creating a national identity using both tangible and intangible heritage. Yet, this was not the first time that Kenya was losing such an opportunity of using culture and heritage as a way of creating national identity and rallying the citizens behind it. An initiative to develop and adopt a national dress as part of new search for Kenyan national identity in mid-2004 failed in a similar manner in early 2000s.³³¹

Another nationhood-creation initiative which was launched at the end of 2004 also failed. In this second initiative, the week between 4th and 11th December 2004 was labelled as the 'Week of the National Focus.' Spearheaded by the then Kenya government spokesman Alfred Mutua, the purpose of the 'National Focus Week' was to 'instil a spirit of patriotism and enhance a general pride in who we are as Kenyans,' and was given the theme '*Najivunia Kuwa Mkenya* (I am proud to be Kenyan).'³³² The event which was supposed to be held annually was meant to "re-socialize Kenyans from all walks of life into reflecting on their achievements since independence and cultivate the spirit of togetherness and dedication to the country, Kenya."³³³ Reflecting on the

³²⁹ Interview with Senior Curator Julius Ogega at the NMK headquarters on February 13, 2019

³³⁰ Interview with NMK Director General at the NMK headquarters on February 15, 2019

³³¹ Akoth S.O, 2011, "Challenges of Nationhood: Identities, citizenship and belonging under Kenya's new Constitution," *Constitution Working Paper Series No.4*, Nairobi, Society for International Development (SID) p.4

³³² Wekesa P. W., "Negotiating 'Kenyaness': The Debates" *In Remembering Kenya: Identity, Culture and Freedom*, Nairobi, Twaweza communications Vol 1, p.51.

³³³ *Ibid.*

two 'nationhood initiatives,' the 'National dress' and the 'National Focus Week,' Wekesa observes that unfortunately, "the issue of who is Kenyan and what it means to be Kenyan, seem to have faded away as soon as the events wound up in 2004."³³⁴ There are however temporary moments during which Kenyans express collective 'Kenyanness'. According to Lilian Akoth³³⁵, Such moments have included when Kenya's national rugby, football or Olympic teams are playing. Such moments and their expression of common Kenyanness are, however, short-lived.

4.6: Conclusion

This chapter has illustrated the aspirations of the Constitution of Kenya (2010) to create a Kenyan national identity and heritage that is both universal and that accommodates the cultural/ethnic diversity of the country. It has also explored the various policies and Acts of parliament that have been enacted for the actualization of the various constitutional provisions geared towards establishing this national identity and heritage. The chapter has also analysed various programmes and activities initiated by the government in a bid to facilitate the inculcation of the national Kenyan identity envisioned by the constitution.

The chapter has illustrated that while the national government has attempted to create and promote national heritage and identity through various policies and programmes, sub-national groups (cultural/ethnic, political, and religious) have continued to mobilize cultural heritage for the creation of ethno-political identities and claiming of various rights. Some ethno-political groups have been seen to variously misidentify with the national identity and heritage created through government policies and programmes. Such groups have been seen to prefer to strengthen and hold onto their ethno-political identities, which they have used to press for their ethno-political interests. This has resulted in a situation where ethnic/cultural identities and heritages have been seen to undermine or contradict the creation of a universal Kenyan national identity and heritage by the state.

³³⁴ Ibid.

³³⁵ Akoth S.O, 2011, "Challenges of Nationhood: Identities, citizenship and belonging under Kenya's new Constitution," *Constitution Working Paper Series* No. 4, Nairobi, Society for International Development (SID) p. 2.

This scenario illustrates a contestation between two major forms of identity, citizenship and belonging which are experienced in Kenya. One form of identity and citizenship is created in the context of primordiality where ethnic communities assign themselves a given identity which they collectively reinvent and reify on a continuous basis during their everyday practices and living. Identities created within these context are held within the colonially created illusion that they are pure and primordial. Contrasted with this is the form of belonging which is fostered by the Kenyan nation state on a continuous basis. The latter form of Kenyan identity is based on a concept of multiculturalism in which various ethnic identities have to be managed for the state to persist. Whereas the two forms of identity and citizenship are not exclusive, they exhibit some level of contestations between them when they are enacted selectively and preferentially. These are the kind of contestations that led to the failure of the 'National Dress' and the "National focus week." According to Akoth "these are the kind of contestations that the constitution making process attempted to deal with."³³⁶ Strategic perpetuation of the contestation between these two forms of identities for socio-political gains has made the negotiation and attainment of a healthy balance between national and ethnic/cultural identities in the post-devolution era a difficult task.

³³⁶ Akoth S.O, 2011, "Challenges of Nationhood: Identities, citizenship and belonging under Kenya's new Constitution," *Constitution Working Paper Series* No.4, Nairobi, Society for International Development (SID) p. 5.

CHAPTER FIVE: POLITICAL INSTRUMENTALIZATION OF ETHNIC IDENTITY IN THE POST-DEVOLUTION ERA

5.1: Introduction

This chapter explores how political mobilization of ethnic identity has continued to play out in post-devolution Kenya, and the impact it has continued to have on the Kenyan nationhood and national identity. The chapter focuses on the political mobilization and activities surrounding the first two post-devolution elections to illustrate how the Kenyan political elite have continued to follow the well-established pattern to assert themselves and negotiate for state positions and power through intra-elite pacts with their counterparts from other communities.

The chapter illustrates how during these negotiations, or intra-elite pacts, real citizens' needs and 'common good' of the nation is sacrificed at the expense of the elite's interests which are camouflaged under ethno-political mobilizations. As such, the chapter draws attention to the challenge that the creation and maintenance of Kenyan national identity and nationhood has continued to face due to ethno-political mobilization that has continued in the post-devolution era.

5.2: The Ethnic Factor in Kenya's Political Competition

Ethnic identity has continued to be a reality and a significant factor in contemporary Kenyan politics.³³⁷ According to Japhet Biegon, "ethnic identity is arguably the single most important variable in the Kenyan political arena."³³⁸ Biniam Bedasso observes that, "It is puzzling why Kenya remains vulnerable to ethnic tensions well into the twenty-first century despite its growing middle-class and relatively robust civil society."³³⁹ Using the example of the Sangwer community and their struggle for Kapolet Forest, Lynch³⁴⁰ discusses how Kenyan communities, led by their ethnic leaders, have continued to create, recreate and use their ethnic identity in the political

³³⁷Lynch G., 2006, "Negotiating Ethnicity: Identity politics in contemporary Kenya" *Review of African Political Economy* Volume 33, Issue 107, 2006

³³⁸ Biegon J., 2018, "Politicization of Ethnic Identity in Kenya: Historical Evolution, Major Manifestations and the Enduring Implications" In *Ethnicity and Politicization in Kenya*, Nairobi, Kenya Human Rights Commission p.8

³³⁹ Bedasso B. E., "Ethnicity, intra-elite differentiation and political stability in Kenya," *African Affairs*; 114/456, June 2015 pp. 362

³⁴⁰ Lynch G., 2006, op. cit.

process of claiming and negotiating for opportunities and resources that are controlled by the state.

The malleable nature of ethnic identities as contested social constructs that are perpetually being created and recreated³⁴¹ is exploited by ethnic communities who draw on selective histories and memories to reinvent and redefine themselves as well as stake and justify various socio-political and economic claims. The actors in this political process are ethnic political leaders and their supporters who think and act along ethnic lines. The ethno-political mobilization process begins with the reinvention and consolidation of ethnic identity using culture and traditions. The reinvigorated ethnic identity is then mobilized using political parties or coalitions which are formed along ethnic lines.

Referring to Iliffe³⁴², Lynch notes that ethnic identity in Kenya was given prominence by the colonial administration, which encouraged Africans to think and act along ethnic lines³⁴³. According to Berman,³⁴⁴ the colonialists also brought about the emergence of ethnic 'big men' who significantly influenced communities' political decisions and actions. At independence, the significance attached to ethnic identity and ethnic 'big men' was further enhanced as Kenya African National Union KANU, which was ostensibly committed to the enhancement of Kenyan nationalism became a coalition of the two big communities, the Kikuyu and the Luo, as KADU became a coalition of the smaller ethnic communities.³⁴⁵ At the advent of multiparty politics, there was a proliferation of ethnically oriented political parties and alliances, which illustrated the growing significance of ethnic mobilization in Kenyan politics.³⁴⁶ In the post devolution period, ethnic mobilization through ethno-regional parties and coalitions has been seen to operate at the local, county and national level politics.

³⁴¹ Berman B. J., 1998, "Ethnicity, Patronage and the African State; Karega-Munene, 2010, Production of Ethnic Identity in Kenya', In Kimani Njogu, Kabiri Ngeta and Mary Wanjau (eds) *Ethnic Diversity in Eastern Africa*, Nairobi, Twaweza Communications, pp. 41-54; Lynch G., 2006, "Negotiating Ethnicity: Identity politics in contemporary Kenya

³⁴² Iliffe J., 1979. *A modern history of Tanganyika*, Cambridge, Cambridge University Press.

³⁴³ Lynch G., 2006, "Negotiating Ethnicity: Identity politics in contemporary Kenya

³⁴⁴ Berman B.J., 1998, "Ethnicity, Patronage and the African State

³⁴⁵ Bedasso B. E., "Ethnicity, intra-elite differentiation and political stability in Kenya," *African Affairs*; 114/456, June 2015 p. 371

³⁴⁶ *Ibid.* p. 376

Political competition in Kenya follows a well-established pattern that revolves around ethnicity as a main factor.³⁴⁷ This pattern, begins with ethnic ‘big men’ or political leaders seeking to secure control over their respective ethnic groups. Once the community is securely under their control, the leaders define a particular cause based on their interests to which they rally the community using ethno-regional political parties or coalitions whose formation they (the leaders) spearhead. During electioneering, the leaders use their communities’ support as political currency to negotiate for state positions and power with other elites who have equally used their communities’ support to bolster themselves to the national (or sub-national) political leadership. The politicians then mobilize and manipulate their communities to associate or disassociate themselves with particular communities and the state depending on whether or not the association is perceived to meet the leaders’ and the concerned communities’ ethno-political interests. In consistency with the observation by Hüsamettin İnaç & Feyzullah Ünal³⁴⁸, this ethno-political mobilization often involves depicting perceived rival communities in a humiliating and derogatory manner.

Often, ethno-political disassociation with the state becomes an integral part of “self-referential identity”³⁴⁹ of the disgruntled community. At times, such disassociation with the state has been enacted in such ways as mass protests, civil disobedience and political violence resulting into near economic collapse, as well as diminished state legitimacy and governability. This makes it difficult for the government to practice its legitimacy and sovereignty in implementing public policies and regulations.³⁵⁰ This further forces the elites in the government to renegotiate power-sharing with their erstwhile vanquished competitors. In this ethnicized political competition, the letter and spirit of the constitution regarding nationhood is overshadowed by the ethno-political interests and muscles.

³⁴⁷ Cheeseman N., “KENYA: Class, ethnicity and the Kenyatta/ Odinga deal,” *Democracy in Africa*, March 19, 2018, <http://democracyinafrica.org/kenya-class-ethnicity-kenyattaodinga-deal/>; Nyangira N., 1987, “Ethnicity, class, and politics in Kenya” In Schatzberg M. G., (ed). *The Political Economy of Kenya*, pp. 15-31. New York: Praeger.

³⁴⁸ İnaç H. & Ü. F., 2013, “The Construction of National Identity in Modern Times Theoretical Perspective,” *International Journal of Humanities and Social Science*, Vol 3, Issue 11, 223 - 232.

³⁴⁹ Debarbieux B., 2012, “Territoire”

³⁵⁰ Kahn S., 2015, “Nation-state as a territorial myth of European construction”,

Biniam Bedasso³⁵¹ uses the 'violence and social orders' conceptual framework to explain the pattern of neo-patrimonial politics in Africa and in Kenya. He explains how blocs of elites competing for political power and access to resources and privileges in weakly institutionalized polities form and use ethnic organizations (parties and coalitions) which they use as vehicles for mobilizing collective action and violence among their followers. Biegon observes that in ethnicized politics, "political parties are commonly viewed as ethnic enclaves while elections are considered to be nothing more than a measure of the numerical strength of ethnic groups."³⁵² The elites' clients, the ethnic masses, engage in the elite-instigated ethnic violence in the expectation that their masters will reward their allegiance by sharing with them the collective pie, which is viewed in terms of access to state resources and jobs³⁵³.

In analysing how the ethnic factor has influenced the distribution of government and civil service jobs in Kenya, Wahu³⁵⁴ established that the country's 'big five'³⁵⁵ ethnic groups accounted for roughly seventy per cent despite the 2010 constitution requiring the civil service to reflect the country's ethnic diversity. Kanyiga et al., observe that while the elites get into politics in search of power and resources, communities derive a "feel good factor"³⁵⁶ by supporting one of their own. The ethnic organizations therefore give the elites direct access to the means of violence which they manipulate to safeguard their interests. While taking advantage of the inability of state institutions to effectively prevent or stop social anarchy, the elites use the threat of violence to bargain with competing elites for access to power and resources. When violence causes mutual threat to the competing elites' interests, the elites resort to intra-elite pacts or agreements in which they negotiate and redistribute powers and privileges among themselves as they maintain

³⁵¹ Bedasso B. E., "Ethnicity, intra-elite differentiation and political stability in Kenya,"

³⁵² Biegon J., 2018, "Politicization of Ethnic Identity in Kenya, p. 8

³⁵³ Bedasso B. E., "Ethnicity, intra-elite differentiation and political stability in Kenya p.366

³⁵⁴ Wahu W., 2018, "Who belongs in the Civil Service? Ethnicity and discrimination in Kenya's civil service" In Ethnicity and Politicization in Kenya, Nairobi, Kenya Human Rights Commission

³⁵⁵ The 'big five' ethnic groups according to the 2019 national census are the Kikuyu (8.1m), Luhya (6.8m), Kalenjin (6.3m), Luo (5.0), Kamba (4.6m)

³⁵⁶ Kanyinga K. et al, 2010, "Contradictions of transition to democracy in fragmented societies: The Kenya 2007 general elections in perspective" in Kanyinga K. & Okello D. (eds) *Tensions and reversals in democratic Transitions: The Kenya 2007 general elections* p. 6.

control over their clients. According to Bedasso, “such pacts are normally enforced through the influence of elite blocs that are able to credibly threaten mutually assured destruction.”³⁵⁷

Another feature that has been prominent among the Kenyan political elite since independence is the tendency to strategically use the constitution and law to legitimate their pursuit for state power, privileges and resources.³⁵⁸ While referring to this tendency as ‘taking cover behind the law,’ Bedasso notes that the Kenyan constitution was changed six times in 1982 including the amendment that converted the country into a *de jure* single party state, and that it was changed ten times in 1992 and 1997, the years that the first two elections were held after the reintroduction of multiparty politics³⁵⁹. Nicolas Van de Walle³⁶⁰ also notes how this legal manipulation by the elite undermines the national-legal order as it advances the elites’ interests.

Another perspective of the political competition in Kenya, namely, ethno-regional (author’s emphasis) negotiated democracy has also been highlighted by many scholars. Negotiated democracy has been seen to be motivated by various reasons including enhancing peace and stability in differentiated societies³⁶¹ and protection of minority while encouraging diversity.³⁶² Armigeon³⁶³ sees these kind of negotiation as a worthwhile sacrifice on part of majority rule. According to Kivuva, despite Kenya being a *de jure* majoritarian democracy since independence, it has always had some elements of ethno-regional negotiated democracy, where political arrangements are negotiated before elections³⁶⁴.

³⁵⁷ Bedasso B. E., “Ethnicity, intra-elite differentiation and political stability in Kenya, p. 364

³⁵⁸ Nyong’o A. P., “State and Society in Kenya: the disintegration of the nationalist coalitions and the rise of presidential authoritarianism 1963–78,” *African Affairs*, Volume 88, Issue 351, April 1989, Pages 229–251,

³⁵⁹ Bedasso B. E., “Ethnicity, intra-elite differentiation and political stability in Kenya, p. 362

³⁶⁰ Nicolas van de Walle, 2001, “African economies and the politics of permanent crisis, 1979–1999,” Cambridge, Cambridge University Press.

³⁶¹ Lijphart A., 1997, “Consensus and Consensus Democracy: Cultural, Structural, Functional and Rational-Choice Explanation,” *Lecture given by the Winner of the Johan Skytte Prize in political science*, Uppsala.

³⁶² Vatter A., 2008, “Swiss Consensus Democracy in Transition: A Re-analysis of Lijphart’s Concept of Democracy for Switzerland from 1997-2007” *World Political Science Review*, vol. 4, Issue 2, 2008, Article 1

³⁶³ Armingeon K., The Effects of Negotiated Democracy: A Comparative Analysis,” *European Journal of Political Research*, 41: 81-105, 2002: 82.

³⁶⁴ Kivuva J. M., 2018, “Negotiated Democracy and its Place in Kenya’s Devolved System of Government: An Examination of the 2013 General Elections” In *Ethnicity and Politicization in Kenya*, Nairobi, Kenya Human Rights Commission, p. 56

Kivuva³⁶⁵ notes that under KANU's rule when elections were won through a simple majority, ethno-regional kingpins acted as the key contacts between the national political leaders and the voters. With the advent of multiparty politics in the 1990s that required a winning presidential candidate to get at least twenty five percent of votes from a minimum of five out of the former eight provinces besides the national popular vote, there was a proliferation of ethno-regional political parties. In absence of ideological and institutional basis, these parties relied on the interests of their founders, the ethno-regional kingpins, for direction.³⁶⁶ In the era of devolution in which a winning president requires 50% +1 absolute majority win with victory in a minimum of twenty-four out of the forty-seven counties³⁶⁷, there has continued to exist various models of negotiated democracy both at the local, county and national level elections in the country.

Another aspect that has increasingly gained prominence in Kenya's ethno-political mobilization is the involvement of the Councils of Elders. The Councils of Elders of the various communities have increasingly had significant influence on the choice of candidates and winners for various national and local or county level positions. The elders are involved at clan, ethnic, county and national level negotiations. The elders influence the voting by endorsing various candidates through their 'blessing' and coronation rituals. The engagement of elders in political negotiations has however been criticised for what has been viewed as converting political leadership into "procurable good," whose procurement is facilitated by the councils of elders³⁶⁸. The involvement of the councils of elders and negotiated democracy in general has also been criticized for entrenching clannism, ethnicity and dominance by the majoritarian groups both at the national and local or county levels³⁶⁹. The following section explores some defining moments in the first decade of devolution, in which ethnic identities have been mobilized for individuals' and ethno-regional interests at the expense of the common good of Kenyans.

³⁶⁵ *ibid.* p. 57

³⁶⁶ Wanyama F., 2010, "Voting Without Institutionalized Political Parties: Primaries, Manifestos and the 2007 Elections in Kenya," In Karuti Kanyinga et al (eds) *Tensions and Reversals in Democratic Transitions: The Kenya 2007 General Elections*, Nairobi: SID p.73

³⁶⁷ Kivuva J. M., 2018, "Negotiated Democracy and its Place in Kenya's Devolved System of Government p.53

³⁶⁸ *Ibid.* p.73

³⁶⁹ Koigi wa Wamwere, "This negotiated democracy will negate democracy," *The Star*, October 8, 2016

5.3: The 2013 Elections and the Emergence of Kenyatta-Ruto Pact

The first elections conducted under the new constitutions in 2013 provided the first vivid impression of how Kenyan nationhood would be impacted by ethnic and sub-ethnic identity and nationalism mobilization in the post-devolution period. As the elections approached, Uhuru Kenyatta, Raila Odinga and William Ruto emerged as the three key national politicians owing to their respective large ethnic support mainly from the Mt Kenya, Luo Nyanza and the Rift Valley regions respectively. Their position as the most prized ethno-regional kingpins had been consolidated during the previous prolonged electioneering period which had lasted from the run up to the 2005 constitutional referendum to the 2008 post-election ceasefire negotiations which brought about the intra-elite pact in form of a power sharing government between Mwai Kibaki and Raila Odinga.

On top of the 'winner-take-all' and 'our turn to eat'³⁷⁰ mentality that had been entrenched in the previous constitutional dispensation an emergent issue, the ICC case that faced Kenyatta and Ruto became another major factor for ethno-political mobilization in the 2013 electioneering. In a unique turn of events, the two ICC indicted leaders who had been in the opposing sides during the 2005 constitutional referendum and the 2007 elections came together under a new party, the Jubilee coalition. In so doing, the two leaders wittingly converted the ICC case into a political cause for mobilising of their ethno-political constituencies, the Kikuyu and the Kalenjin, using the Jubilee party as the new vehicle for this mobilisation.³⁷¹ Hérve Maupeu observes that "by cleverly using the ICC charge, Uhuru Kenyatta and William Ruto became heroes of their respective ethnic groups which helped unify their communities during the election time."³⁷² Besides the well-established political motivation of accessing state power and largesse, the two leaders were desperate to get out of the grip of the ICC by all means possible, and being at the country's helm

³⁷⁰ Susan D. M., "The political economy of Kenya's crisis", *Journal of Eastern African Studies* 2,2, 2008 pp. 185-210; Daniel Branch and Nic Cheeseman, "Democratization, Sequencing and state failure in Africa: Lessons from Kenya," *African Affairs* 108, 230, 2009 pp.1-26; Michela Wrong, 2009, *It is our turn to eat: The story of a Kenyan Whistleblower*, London Fourth Estate.

³⁷¹ Lugano G., 2017, "Assessing the Acceptance of International Criminal Justice in Kenya," In Buckley-Zistel S., Mieth F., and Papa M. (eds) *After Nuremberg. Exploring Multiple Dimensions of the Acceptance of International Criminal Justice*, Nuremberg: International Nuremberg Principles Academy. p. 13

³⁷² Hérve Maupeu, 2014, "Kenyan Elections: The ICC, God and the 2013 Kenyan General Elections", In Thibon C., Ndeda M., Fouéré M-A. and Mwangi S., (eds) *Kenya's Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza Communications p. 27

would give them more possibilities to do it.³⁷³ For the ICC accused, access to state power provided the best way to overcome their predicaments.”³⁷⁴

Having offered their candidature in 2013 for the positions of president and deputy president respectively, Kenyatta and Ruto were confronted by a narrative that was popular among their main opponent’s (Odinga’s) supporters. The narrative held that the two were not qualified to run for office in accordance to the Kenya 2010 constitution’s requirement on integrity due to the charges they were facing at the ICC. This brought the advent of the perception “that the outgoing Prime Minister Raila Odinga would win in the second round against Uhuru Kenyatta and his running mate William Ruto, who were both de-legitimised internationally due to their indictment by the International Criminal Court.”³⁷⁵ To counter this narrative, Kenyatta’s and Ruto’s camps created a ‘siege mentality’ which portrayed the ICC as “foreign powers”³⁷⁶ that were being used by their enemy (Odinga and his supporters) to unfairly target and persecute Kenyatta and Ruto), and by extension the Kikuyu and Kalenjin communities. In an extraordinary summit held on 12th October 2013, Kenyatta accused the ICC of “race hunting.”³⁷⁷

The Kalenjin community viewed Ruto, who had been in Odinga’s camp during the 2005 constitutional referendum and the 2007 elections to have been “offered as a sacrificial lamb”³⁷⁸ in the ICC indictment which Odinga was viewed to enthusiastically support. Maupeu notes that “after the indictment of Ruto by the ICC, the Kalenjin elite took on the people and accused Raila of being behind this dirty trick.”³⁷⁹ They also decried the lead role that Odinga had played in the eviction of their community members from the Mau forest ecosystem in 2008. They felt that

³⁷³ Susanne D. Mueller, “Kenya and the International Criminal Court (ICC): Politics, the election and the law” *Journal of Eastern African Studies* 8 (1):25-42 February 2014 DOI: 10.1080/17531055.2013.874142

³⁷⁴ Lugano G., 2017, “Assessing the Acceptance of International Criminal Justice in Kenya,” p. 13

³⁷⁵ Thibon C., “Kenyan Elections: When Does History Repeat Itself and Does Not Repeat Itself? In Thibon C., Ndeda M., Fouéré M-A. and Mwangi S., (eds) *Kenya’s Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza Communications p.13

³⁷⁶ Lynch G., 2014, “Electing the ‘alliance of the accused’: the success of the Jubilee Alliance in Kenya’s Rift Valley”, 8:1, pp. 93-114.

³⁷⁷ BBC, “African Union urges ICC to defer Uhuru Kenyatta case” October 12, 2013 <https://www.bbc.com/news/world-africa-24506006>

³⁷⁸ Mahmood Mamdani, “Kenya 2013: The ICC election”, *Al Jazeera*, March 15,

³⁷⁹ Hérve Maupeu, 2014, “Kenyan Elections: The ICC, God and the 2013 Kenyan General Elections”, In Thibon C., Ndeda M., Fouéré M-A., and Mwangi S., (eds) *Kenya’s Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza Communications, p. 30

Odinga had abandoned them after they supported him during the 2007 election and its aftermath. On the other hand, the Kikuyus perceived the ICC case as part of Odinga's machinations to snatch *uthamaki* (the presidency) from them. The communities, led by their councils of elders at the behest of the political elite retreated to their ethnic cultural spaces to redefine their identity, describe their enemies and chart their political way forward. These cultural spaces and the elders were used as the 'communal oracles' in consolidating the 'siege' mentality among the Kikuyus and the Kalenjins. In a typical manner in which inter-ethnic associations are manipulated by the elite, the siege mentality brought together the two communities whose historical antagonism based on land rights in the rift valley had put them at the epicentre of the 2007/ 2008 Post-Election Violence.

In creating the Kikuyu-Kalenjin coalition based on the Kenyatta-Ruto pact, the Kikuyus were convinced by their elite, led by Kenyatta, to forget about the debauchery that had been meted on them by the Kalenjins during the 2007 electoral violence that was epitomised by the burning of women and children in a church in Kiambaa, Eldoret. In a like manner, the Kalenjins were convinced by their leaders, led by Ruto, to embrace the Kikuyu's whom they had earlier accused of 'unfairly' acquiring land in the Rift valley. What mattered most at the moment, as the communities were convinced by their political leaders, was to deliver themselves from their new common enemies, namely, the opposition leader Raila Odinga and the ICC³⁸⁰. The 'siege' mentality and its subsequent ethnic-political crystallization came in handy for the mobilization of support for Kenyatta-Ruto presidency.

In the UhuRuto³⁸¹ mobilization campaigns, the Jubilee alliance was sold to voters as the ultimate vessel through which real redemption and deliverance of the two communities, and by extension the entire Kenyan nation would come³⁸². In this narrative Odinga, was portrayed as the enemy behind the persecution of Kenyatta and Ruto and by extension, the Kikuyu and Kalenjin communities that was being meted through the ICC³⁸³. As Hérve Maupeu has elaborated, the

³⁸⁰ Lynch Gabrielle, "Electing the 'alliance of the accused': the success of the jubilee Alliance in Kenya's Rift Valley," *Journal of Eastern African Studies*. 2014

³⁸¹ UhuRuto is the term that was popularly used to refer to the political union between Uhuru and Ruto

³⁸² Ibid.

³⁸³ Cheeseman Nic, "State of the nation: Kenya after the 'fragile' 2013 polls," *The Daily Nation*. February 15, 2014

UhuRuto mobilization took a religious form. From “early 2011, these two politicians traversed the country and engaged in ‘prayer meetings’ [accompanied by] prelates who led [the] prayers.”³⁸⁴ These prayer meetings took place within the precincts of the larger context in which as observed by Droz and Maupeu, churches and the clergy had for decades been tribalised and had consistently been actors in the crystallisation of ethnic identity and groupings.³⁸⁵

On his side, Raila Odinga campaigned for presidency under ODM with Kalonzo Musyoka as his running mate. The Odinga-Musyoka alliance formed another ethno-political coalition which brought together the Luo from Luo Nyanza, the Kamba from the North Eastern region, the Luhya and other allied communities especially from western Kenya and the coastal region. The political coalition of these communities was motivated by their desire to gain access to the state power which would afford them their ‘turn to eat.’³⁸⁶ With the general feeling that the Kikuyu and the Mt Kenya region had dominated the country’s leadership for too long, Odinga, who had contested for presidency in 1997, 2002 and 2007 was determined to lead the ‘marginalized’ communities in accessing state power at the dawn of the new constitutional dispensation. In doing this, Odinga had also sought the backing of his ethnic cultural spaces, from where he was anointed as the warrior who would lead the Luo community and the opposition into victory³⁸⁷.

At the end of the heated campaigns that were characterized by ethnic incitement and hate speech, Kenyatta won with narrow lead against Odinga, who immediately contested the results and filed a suit at the Kenya Supreme Court citing electoral fraud and irregularities³⁸⁸. After investigations, the court upheld the elections results, which Odinga accepted, though half-heartedly. Odinga’s decision to accept the court ruling might have been influenced by the call by several stakeholders including the international community, civil society, and the UN agencies upon Kenyan leaders to avoid relapsing the country into electoral violence. For instance the UN

³⁸⁴ Hérve Maupeu, 2014, Kenyan Elections: The ICC, God and the 2013 Kenyan General Elections, In Thibon C., Ndeda M., Fouéré M-A., and Mwangi S., (eds) *Kenya’s Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza Communications, p.31

³⁸⁵ Droz Y., and Maupeu H., 2013, “Christiansismes et democratization au Kenya,” *Social Compass* 60, no.1, 2013, 79-96

³⁸⁶ D’Arcy M. and Cornell A., 2016, “Devolution and Corruption in Kenya: Everyones Turn to Eat?,” *African Affairs*, 115/459 pp. 264-273

³⁸⁷ Nelcon Odhiambo “Elders crown Raila as Luo warrior,” *The Nation*, November 26, 2016

³⁸⁸ Okuoro Sara, “NASA files petition challenging Uhuru’s win,” *The Standard*. August 18, 2017

Secretary General, Ban Ki-moon had urged the leaders to “abide by legal mechanisms and to send a clear message to supporters that violence of any kind would be unacceptable”³⁸⁹.

Though Odinga cited his “belief in constitutionalism,”³⁹⁰ as the reason why he accepted the court ruling, the half-heartedness and the bitterness with which he had done it was demonstrated by his continued lamentation that the election was stolen. Similar sentiments permeated among his supporters who felt that besides the election having been stolen from them just like it had happened in 2007, their legitimacy to further contest the results had been constrained by the judicial process³⁹¹.

The new sense of calm and peace that followed the 2013 elections and the court ruling was seen by many analysts to be ‘pervasive and fragile.’³⁹² According to Christian Thibon, the 2013 peaceful electioneering could be attributed to many factors which included efficiency of “soft power,” and electoral civilization and the engagement of religious and educational institutions in peace-building programmes as well as the interventions by the electoral commission and the judiciary.³⁹³ However, whereas the election could be said to have yielded to Kenyatta and Ruto and their allies’ access to state power, resources and other opportunities, it did not provide any tangible solution to the problems which had made the two communities be in the epicentre of the PEV. According to Susan Mwangi, a “majority of the IDPs [had been] carried away by the euphoria and publicity expressed their hope that the political union of the two communities was an indication of good things to come, meaning a lasting settlement of the land problem and normalization of the relations between the two communities. Many Kikuyus, in particular, saw this as the best opportunity to return to their original homes and consequently renegotiate their identity as co-owners of land in the vast Rift Valley. The Kalenjin on their part considered this a good opportunity for their Kingpin and political point man in the region, Ruto, to seduce Uhuru

³⁸⁹ ICRtoP Blog, “International Coalition for the Responsibility to Protect; All eyes on upcoming elections as Kenya works to prevent the recurrence of atrocities,” *ICRtoP Blog*. February 28, 2013

³⁹⁰ BBC News, “Kenya Supreme Court upholds Uhuru Kenyatta election win,” *BBC News*. March 30, 2013

³⁹¹ BBC News, “Kenya Supreme Court upholds Uhuru Kenyatta election win,” *BBC News*. March 30, 2013

³⁹² Cheeseman Nic, “State of the nation: Kenya after the ‘fragile’ 2013 polls,” *The Daily Nation*. February 15, 2014

³⁹³ Thibon C., 2014, “Kenyan Elections: When Does History Repeat Itself and Does Not Repeat Itself?” In Thibon C., Ndeda M., Fouéré M-A. and Mwangi S., (eds) *Kenya’s Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza Communications, p. 15

to renegotiate their lost land back from the Kikuyu without necessarily having to use force.”³⁹⁴ A significant number of Kikuyu victims of the 2008 PEV were still in IDP camps, while the fate of Kalenjins who had suffered retaliatory attacks from Mungiki and other Kikuyu militia remained unaddressed 8 years down the line³⁹⁵. What became clear to the victims later is that their quest for justice had been overshadowed by the two communities’ elites’ push to safeguard their political interests.

In addition, the 2013 elections left a bitter and disappointed opposition led by the Luo and Kamba communities who had highly prospected a Raila-Kalonzo presidency, which would give them a ‘turn to eat.’ Mr. Cedric Bernes, the Horn of Africa Crisis Project Director had identified “a disappointed and bitter opposition” as one of the major problems that would face the Kenyatta-Ruto government besides “the ICC case,” and “the implementation of untested system of devolved governance.”³⁹⁶ With the Kikuyu and Kalenjin communities being perceived to have traded their quest for 2007 post-electoral justice for their shared ‘occupancy of the government,’ The members of the Luo and other ‘opposition communities’ who had lost their loved ones, or gotten maimed or displaced during the PEV laid their hope for justice on the ICC case.

The termination of the ICC cases against Kenyatta and Ruto in 2014 and 2016 respectively due to “lack of sufficient evidence” brought celebrations among the Kikuyu and the Kalenjin communities, it escalated the opposition’s bitterness. The opposition, especially the post-election victims felt that justice had not been served by “the court of last resort.”³⁹⁷ Raila Odinga termed the cases’ termination as “doom for international justice system and fight against impunity.”³⁹⁸ According to Nelly Warega, a human rights lawyer who represented some of the PEV victims, the termination of the ICC case was a huge disappointment as it denied the victims their justice³⁹⁹.

³⁹⁴ Mwangi S., 2014, Kikuyu-Kalenjin Relations in IDP Camps and the 2013 Election: An invitation to ‘The’ Conversation, In Thibon C., Ndeda M., Fouéré M-A. and Mwangi S., (eds) *Kenya’s Past as Prologue: Voters, Violence and 2013 General Election*, Nairobi, Twaweza communications p.172

³⁹⁵ Gisesa Nyambega, “Ex-ICC witness speaks out on Kiambaa church horror,” *Nation Africa News*. May 29, 2019

³⁹⁶ International Crisis Group, “Policy Briefing: Kenya after the elections Africa Briefing,” *Refworld*. May 15, 2013

³⁹⁷ Leithead Alastair, “Dismissal of case against Kenya’s Ruto huge blow to ICC,” *BBC News*. April 5, 2016

³⁹⁸ Wafula Benjamin, “Raila Odinga faults ICC for dismissing cases against Uhuru, Ruto,” *Citizen Digital*. April 14, 2016

³⁹⁹ Leithead Alastair, “Dismissal of case against Kenya’s Ruto huge blow to ICC,” *BBC News*. April 5, 2016

With nobody having been held accountable for the PEV, and the fundamental issues such as land grievances, ethnic patronage, grand corruption, regional inequality, unemployment, and culture of impunity having not been addressed, the relative peace that seemed to prevail in the country was observed to be fragile. On one hand was the Kikuyu-Kalenjin 'peace accord' that was precariously pegged on an alleged political pact in which the Kikuyu would repay the Kalenjins by supporting a Ruto Presidency in 2022. On the other hand was a bitter opposition which continued with covert and overt disassociation with, and sabotage of the government's agenda, which reduced the government's legitimacy. At the end the country was left highly ethnically polarised.

5.4: The 2017 Elections and the Kenyatta-Odinga 'Handshake'

As observed by Nic Cheeseman et al., the 2017 elections presented "the first real opportunity to take stock of whether the 2010 constitution had effectively reduced the stakes of political competition and thus the prospects of political stability."⁴⁰⁰ It also provided an opportunity to evaluate what influence the constitution would have on the pattern of intra-elite pacts, or politics of collusion⁴⁰¹ in Kenyan politics. While the 2010 constitution gave a far much bigger number of Kenyans a stake in the country's affairs and provided them with new avenues to hold the state accountable, it also emboldened the intra-elite pacts and coalition-formation tendencies which were already in existence.⁴⁰² The election provide another opportunity for ethno-political mobilization that went the full cycle proposed in the 'violence and social orders' conceptual framework, and which resulted into the Kenyatta-Odinga "handshake pact," as elaborate below.

The presidential election was again a two horse race between Kenyatta and Odinga supported by the same communities that had supported them in the 2013 elections. The ethnic tensions which had been carried forward from 2013 were escalated by the use of FM stations, print and social media in propagating hate speech. For instance, in June 2016, six legislators from the government and the opposition were arrested and put in police custody from where they were

⁴⁰⁰ Cheeseman N. et al., "Kenya's 2017 election: winner-takes-all politics as usual?" *Journal of Eastern African Studies*, Vol 13, No. 2, p. 215

⁴⁰¹ Cheeseman N. and Tendi B-M., "Power-sharing in Comparative Perspective: the dynamics of 'unity government' in Kenya and Zimbabwe, *The Journal of Modern African Studies*, Vol 48 Issue 2, June 2010, pp.203-229

⁴⁰² Cheeseman N. et al., op cit.

released after two days following their pledge to be peace ambassadors.⁴⁰³ As the campaigns went on, the pro-Kenyatta communities, led by the Kikuyu-Kalenjin coalition were rallied along the mantra of safeguarding the presidency which they had clenched in 2013, while the pro-Raila Luo-Kamba alliance with the allied communities were rallied towards clenching the presidency.

The elections were finally held on 8th August 2017 and Uhuru Kenyatta declared the winner, triggering violent protests in opposition strongholds. Odinga successfully contested Kenyatta's win in the Supreme Court citing electoral illegalities. The Supreme Court's annulment of Kenyatta's win was seen to "demonstrate its capacity to act as an independent institution"⁴⁰⁴ in defence of democracy. When a rerun was held on the 26th October 2017, Odinga and his followers boycotted it. When Kenyatta was declared the winner of the rerun, Odinga dismissed Kenyatta's presidency as illegitimate and accused the President and his Deputy William Ruto of intending to overthrow Kenya's new constitutional order to reinstall the old one⁴⁰⁵. In line with the conceptualization of the 'violence and social orders' theory, Odinga-led elite bloc resorted to the mobilisation of violence among their followers as a means of demanding access to power. They mobilised their supporters to nationwide mass demonstrations and civil disobedience which culminated with Odinga's swearing in as the People's President on 30 January 2018,⁴⁰⁶ despite an earlier warning by the Attorney General Githu Muigai, that such illegal swearing in amounted to treason, whose penalty was death⁴⁰⁷.

The stand-off between Kenyatta and Odinga deepened ethno-political tension between Kenyatta's Jubilee supporters who were mainly members of GEMA and Kalenjin communities, and Odinga's supporters who were mainly members of the Luo, Kamba and coastal communities. In various places, inter-ethnic tensions flared into violent attacks. In the course of the Odinga-led protests and civil disobedience, there was heightened state brutality directed to especially

⁴⁰³ Joseph Dunda, "Pangani six 'was a joke', DCI boss Muhoro says, declares war on hate speech" *The Star* May 26, 2017 <https://www.the-star.co.ke/news/2017-05-26-pangani-six-was-a-joke-dci-boss-muhoro-says-declares-war-on-hate-speech/>

⁴⁰⁴ Cheeseman N. et al., Kenya's 2017 election: winner-takes-all politics as usual?" *Journal of Eastern African Studies*, Vol 13, No. 2, p. 217

⁴⁰⁵ The East Africa, "Raila Odinga quits: Nasa's full statement," *The East African*, Tuesday October 10 2017

⁴⁰⁶ Duggan Briana, Sevenzo Farai, and Said-Moorhouse Lauren, "Kenya opposition leader Raila Odinga swears himself in as president," *CNN*. January 30, 2018

⁴⁰⁷ Ibid.

youths in opposition strongholds, which led to the death of an estimated 300 people⁴⁰⁸. With time, the country's economy and governability started to wane, while the legitimacy of Kenyatta's presidency continued to dwindle as Odinga continued to lead his supporters, who were a significant proportion of Kenyans in undermining and sabotaging the government's agenda.

On the other hand Odinga was bearing the discomfort of his new position of an illegal people's president as members of the international community continued to disregard and condemn his swearing in as they acknowledged Kenyatta's presidency. This situation threatened the two leaders' political standing with what Bedasso refers to as 'mutually assured destruction.'⁴⁰⁹ In line with the 'violence and social orders' theory which states that political order prevails when elites consider it beneficial to make peace and share mutual benefits than continue with violence and risk uncertain consequences,⁴¹⁰ the two leaders found themselves in a situation where they needed to politically negotiate. They needed to enter a truce with each other so as to deliver themselves from the tricky situations they found themselves in namely; that of a presidency whose authority and legitimacy was dwindling when he direly needed to be consolidating his legacy, and that of an illegally-sworn-in 'people's president whose popularity with the international community was getting dented.

Ultimately, on 9th March 2018, on the steps of Harambee House, where the president's office is housed, Kenyatta and Odinga surprised Kenyans and the entire world by publicly shaking hands in a 'political pact' and appealing to all Kenyans to unite as brothers and sisters in a bid to attain the aspirations of the Kenyan nation. In their joint statement titled "Building Bridges to a New Kenyan Nation"⁴¹¹, they promised to unite the nation and find a lasting solution to the key issues that bedevilled Kenyan nationhood which they identified as: ethnic antagonism and competition, lack of national ethos, inclusivity, devolution, shared prosperity, responsibilities and rights, safety

⁴⁰⁸ New York Times "Protests Rage On in Kenya After President Is Re-Elected" *The New York Times*, August 12, 2017, <https://www.nytimes.com/2017/08/12/world/africa/kenya-election-uhuru-kenyatta.html>

⁴⁰⁹ Bedasso Biniam, "Ethnicity, intra-elite differentiation and political stability in Kenya," *African Affairs*, Vol. 114, issue 456, July 2015

⁴¹⁰ Bedasso Biniam, Op. Cit.

⁴¹¹ PSCU, "Uhuru and Raila meeting: Joint statement in full," *Nation Africa News*. March 09, 2018

and security, and corruption. Viewed through the framework of the 'violence and social orders' framework, this became yet another intra-elite pact that changed the dynamics of ethno-political dynamics in the run up to the 2022 elections.

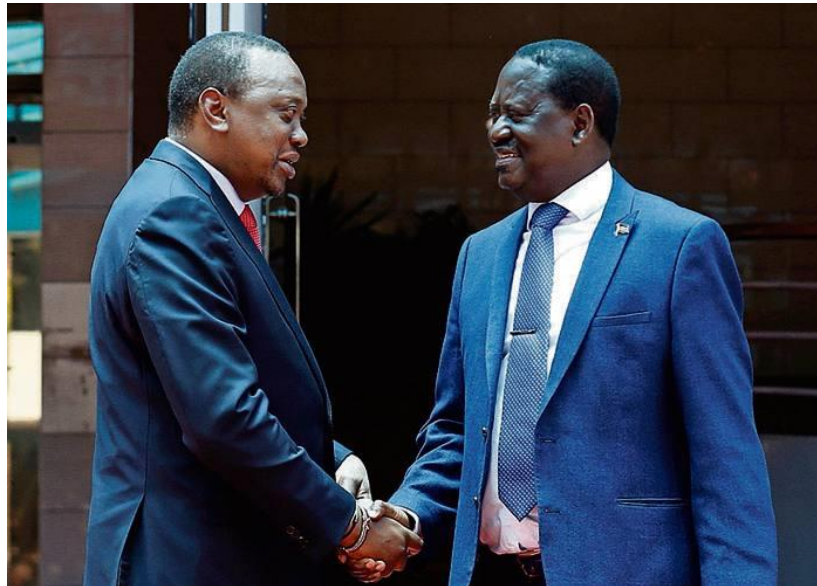


Fig 15: The Kenyatta-Odinga 'Handshake'
(Source: Reuters/Thomas Makoya)

To ostensibly achieve the goal of uniting the nation, the two leaders committed to continuous reforms that would bring prosperity, justice and dignity for all.⁴¹² In subsequent addresses Odinga proposed constitutional reforms to include introduction of a parliamentary system with an executive Prime Minister and a ceremonial president as a way of enhancing inclusivity and ending the winner-take-all politics. He also recommended the formation of 14 regional governments to oversee the implementation of programmes and projects that traversed counties, among other reforms.⁴¹³ Three weeks after the historic 'handshake', the two leaders selected a taskforce, the Building Bridges Task Force of fourteen individuals, some of whom were members of councils of elders of their respective communities. The taskforce was gazetted on May 31st, 2018, and mandated to consult the citizens throughout the country and within a year, come up with a report on how to implement the 'Building Bridges Initiative.'

⁴¹² Ibid

⁴¹³Otieno Rawlings, "Uhuru-Raila team seeks powerful premier, seven-year presidency" *The Standard*. July 15, 2019

On November 27th, 2019, after twenty months of speculation, a preliminary report by the BBI taskforce was launched by President Kenyatta at Bomas of Kenya. The report titled *'Building Bridges to a United Kenya: From a nation of Blood ties to a nation of ideals,'* like the joint communique that Kenyatta and Odinga had issued at the advent of their "handshake" pact identified ethnic antagonism as the key hindrance to the realization of sustainable Kenyan nationhood. The report observed that, "Kenyans feel Kenyan when political competition and use of ethnicity as an organizing tool are at rest between elections."⁴¹⁴ While attributing this problem to the winner-take-all political system and lack of national ethos in terms of shared beliefs, ideals and aspirations among Kenyans, the report recommended adoption of a governmental system that would uphold multi-ethnic inclusivity in Kenyan leadership, political system and civil service. According to the report such a system would include an executive president who would be the head of the state and a prime minister who would oversee day-to-day running of government functions. The report also recommended more efforts towards inclusivity at the county level where prevalence of winner-take-all system had also perpetuated marginalization of county-level minorities.

Other recommendations made by the report included enhancing shared national ethos, ideals values and aspirations; compilation of a comprehensive and inclusive national history; enhancement of the country's justice system; enhancement of shared prosperity; and inclusion of the youth who made the largest proportion of the country's population. As a way forward towards achieving these recommendations, the BBI Report recommended a national conversation on the country that Kenyans would want their next three generations to live in, and how they intended to build that desired nation. Following these recommendations, President Uhuru Kenyatta gave the BBI taskforce a further mandate to conduct nationwide public consultations with the citizens, faith based organizations, the civil society, experts and cultural leaders with the objective of proposing "administrative, policy, statutory or constitutional changes that may be required for the implementation of the report's recommendations."⁴¹⁵ In January 2020, the taskforce rolled out the nationwide BBI consultative public rallies which

⁴¹⁴ Presidential Taskforce on Building Bridges, 2019, *'Building Bridges to a United Kenya: From a nation of Blood ties to a nation of ideals,'* Nairobi, p.156

⁴¹⁵ Ngige Francis, "Law review looms as BBI gets fresh term," *The Standard*. January 14, 2020

elicited mixed reactions in different parts of the country. The following sections capture the impact that Kenyatta-Odinga handshake as an intra-elite pact had on ethno-political mobilization in different parts of the country.

5.5: Bringing the Luo Back into the Government through Kenyatta-Odinga ‘Handshake’

This section illustrates how the opposition leader, Raila Odinga used his historic handshake with President Kenyatta to fulfil his political ambitions including that of bringing the Luo community back into the government. Among the Luo, the Kenyatta-Odinga handshake pact and its building Bridges Initiative was received with tempered enthusiasm. It got approval and support from the region’s leaders who fiercely defended it from critics and perceived saboteurs. For instance, during a TV interview, the Homa Bay Women representative, Gladys Wanga praised the Uhuru-Raila handshake and warned that killing it with 2022 politics would kill Uhuru’s ‘Big Four’ agenda and cause the country to disintegrate. “You may not have a country to rule in 2022 if you kill the handshake,”⁴¹⁶ Wanga said. In what seemed as forging of a new association with the state, Nyanza legislators urged the Luo community to support the Kenyatta-Odinga handshake as it would relieve them the heavy burden of being in opposition that they had borne for long. Walter Owino, the Awendo MP expressed these sentiments by saying. “We have been in perpetual isolation for fifty years. Let others also oppose the government.”⁴¹⁷

The ‘handshake pact’ also readily received support from the Luo Council of elders. When Odinga held a meeting with the Luo council of elders and explained to them the motivation and the content of the handshake pact, the elders were satisfied that it was beneficial to the Luo community. They expressed their full support for the handshake pact with their chairman Mr. Willis Otondi declaring “we endorse it to the fullest.”⁴¹⁸ From the onset, the ‘handshake’ was seen to bring immense socio-political benefits to Odinga and the Luo community. To begin with, it provided Odinga with an avenue to conveniently come out of the uncomfortable status of an unconstitutional People’s President and become more relevant in the national affairs and 2022 politics. It also elevated him in the national scene not just as the president’s co-principal in the

⁴¹⁶Murunga Jeff, “Gladys Wanga’s urgent message to Uhuru,” *Hivisasa News*. 2018

⁴¹⁷ Alal Maurice, “Luo Community tired of being in the opposition, let others take the mantle, MPs say,” *The Star*. April 29, 2019

⁴¹⁸ Ochieng Denis, “Raila briefs Luo elders on famous handshakes,” *The Standard* April 23, 2018

'Building Brides Initiative,' but also through the prominence he immediately got in government affairs which included representing the President and the government in local and international forums such as the burial of Winnie Mandela, the ex-wife of the late South African freedom icon Nelson Mandela.⁴¹⁹

It is within the handshake context that President Kenyatta successfully lobbied for Odinga's appointment as African Union's Special envoy and High Representative for Infrastructure and Development.⁴²⁰ This seemed to actualise Odinga's long-time pursuit of Pan Africanism and continental statesmanship. Beyond the continent, the handshake was seen to give him an opportunity for consolidating his legacy as an advocate of democracy and justice for all, as well as restoring his relationship with the west, especially the UK and the US whom he had earlier accused of meddling in Kenyan electoral process. His invitation together with his "handshake partner" President Uhuru Kenyatta to share their experience under the 'handshake pact' at a side event during the 2020 US National Prayer Breakfast is an indication that the handshake had somehow restored his relationship with the west.⁴²¹

The handshake gave Odinga and the Luo community more access to state power and resources. Following the handshake, several of Odinga's allies and members of the Luo community were given government appointments. The appointments included that of the wife of Chris Msando the pro-Odinga electoral IT specialist who died under mysterious circumstances just before the 2017 elections.⁴²² In what pundits saw as no mere coincidence, Ida Odinga, the wife of Raila Odinga was among the three women that were honoured with the Elder of the Order of the Golden Heart (EGH), by President Kenyatta during 2018 Kenyan Independence (*Jamhuri*) celebration day, less than three months after the handshake. Mrs Odinga was feted together with Margaret Kenyatta, the president's own sister, and Nyiva Mwendwa, the first woman cabinet minister in Kenya.⁴²³

⁴¹⁹ Obala Roselyne, "Raila attends Winnie's burial, represents President Uhuru," *The Standard*. April 15, 2018

⁴²⁰ Agutu Nancy, "African Union appoints Raila as a special envoy for infrastructure," *The Star*. October 20, 2018

⁴²¹ Ayega Davis, "Uhuru and Raila to attend US national prayer breakfast, thanks to the handshake," *Capital FM News*. February 3, 2020

⁴²² Standard Team, "Handshake pays off as Uhuru hands Raila allies plum jobs," *The Standard*. September 23, 2018

⁴²³ *ibid.*,

As part of the 'handshake' goodies to the Luo Nyanza region, various projects were earmarked for implementation in the region. For instance in Early 2019, the president commissioned two road projects in Kisumu.⁴²⁴ In 2018, Kisumu County was designated as one of the four counties that would benefit from the Universal Health Care (UHC) project that was being spearheaded by the president.⁴²⁵ The other counties were Nyeri, Machakos and Isiolo. Professor Anyang' Nyong'o, the Governor of Kisumu County and a close ally of Odinga was part of president Kenyatta's delegation that went to Cuba in March 2018 to benchmark on the health care project.⁴²⁶

During the UHC project launch which was done in Kisumu on December 13, 2018, the president also visited the neighbouring Siaya County, where he and his *de facto* host, Raila Odinga, were honoured with honorary doctoral degrees by Jaramogi Oginga Odinga University of Science and Technology (JOOUST) for their contribution towards peace initiative in the country through their historic March 9th, 2018 peace pact.⁴²⁷ The president also visited the home of the late Jaramogi Oginga Odinga, Raila Odinga's father to seek the blessings of the late elder and pay homage to Fidel Odinga, the late Raila Odinga's son who died in 2015 and is also buried there.

During this tour, which was the first one that Uhuru was making to the region in his capacity as the President, he was welcomed with jubilation by the region's politicians and residents. This was a departure from the disillusionment, protests and chaos that had rocked the region after Kenyatta was announced the president in the 2017 elections. From the onset, the 'handshake pact' was seen to enhance the Luos' strategic association with the president, and the state. When at the end of 2019, a section of Mt Kenya leaders led by Moses Kuria, the Mp for Gatundu South complained of what they saw as the president's favouritism towards Luo Nyanza at the expense of Mt Kenya region and the rest of the country,⁴²⁸ a group of Nyanza Mps defended the

⁴²⁴ Ogina Sam, "Uhuru lands in Nyanza with a bag of goodies," *Citizen Digital*. December 14, 2018

⁴²⁵ Presidential Strategic Communication Unit (PSCU), "President Kenyatta to launch UHC Pilot Programme on December 1," *Capital FM News*. October 23, 2018

⁴²⁶ Presidential Strategic Communication Unit (PSCU), "President Kenyatta concludes historic Cuba visit high on health," *Capital FM News*. March 18, 2018

⁴²⁷ Mwangi Melanie, "Uhuru, Raila conferred honorary degrees over handshake," *The Star*. December 14, 2018

⁴²⁸ Wainaina Eric and Ndung'u Guchu, "Mt Kenya MPs fault Uhuru over projects," *Nation Africa News*. January 2, 2019

president's development initiatives in their region. They particularly observed that Kuria's criticism of the president's efforts to "unite people for a common good is retrogressive."⁴²⁹

When the BBI report was launched on November 27th, 2019, it received overwhelming support from the Luo legislators. For instance, one of Odinga's lieutenants, Siaya Senator James Orengo defended the BBI report as the document that would enable the achievement of the vision that President Kenyatta and the opposition leader had of a united Kenya. He castigated those who were opposed to the report saying, "To those opposed to the BBI, engage us in mature, intellectual and scholarly debate. Do not introduce propaganda and posturing as this will not work well for the quest to have a united nation."⁴³⁰ When the BBI consultative public rallies were rolled out, they also realized overwhelming support and patronage from the Luo legislators. As Odinga led the first of these rallies that was held on January 10th, 2020, at Gusii stadium, Kisii in County, he emphasised the need for a referendum to change the constitution, echoing earlier sentiments by Siaya Senator, James Orengo who had said, "We want the referendum to come before June."⁴³¹ During the third BBI public rally that was held in Mombasa on January 25, 2020, Odinga rebuffed those who were opposed to it using the "Nobody can stop reggae"⁴³² proclamation from the popular song by Lucky Dube.

While the tag-of-war surrounding the Kenyatta-Odinga handshake caused disillusionment and political casualties among the Kikuyu and Kalenjin legislators as elaborated further on, it seemed to bolster Raila's opportunity for 2022 presidency. Thanks to the historic "handshake," and his camaraderie with President Kenyatta, Odinga was not only enjoying trappings of power despite not holding any government position, but he also seemed to gain popularity in the vote-rich Mt Kenya region, from where he had little support before. This became plainly evident when Anne Waiguru, the Governor for Kirinyaga County declared that a coalition between Uhuru Kenyatta and Raila Odinga was in the making.⁴³³ Another influential person in Mt Kenya, David Muratha,

⁴²⁹ Maichuhie Kamau and Otieno Kepher, "MPs scoff at Moses Kuria remarks," *The Standard*. January 4, 2019.

⁴³⁰ *Kenya News* "Orengo call for Mature debate over BBI report" *Kenya News*, December 15, 2019

⁴³¹ Nation Team, "Kenya: BBI's Kisii meeting kicks up a storm as leaders break ranks," *AllAfrica*. January 13, 2020

⁴³² Wanambisi Laban, "Nobody can stop reggae, Raila declares in Mombasa BBI rally," *Capital FM News*. January 25, 2020

⁴³³ Siele Martin, "Get ready for Uhuru-Raila coalition government- Waiguru declares," *Kenyan News*. April 26, 2020

the Jubilee Vice Chairman and close confidant of President Kenyatta compared Raila with South Africa's Nelson Mandela and publicly declared him as the most suitable person to succeed Kenyatta. "We think it is time Kenyans rewarded the long years of struggle by Odinga. They owe [it] to him."⁴³⁴ Muratha said.

The support and approval that Odinga seemed to be gaining from a section of the Jubilee party led by President Kenyatta and some Mt Kenya legislators saw Raila's allies express their confidence that the ODM leader would succeed Uhuru in 2022. This confidence was expressed by his political strategists and advisors as well as allies. For instance, a member of Raila's strategists who is also a university don was quoted by 'The Star' newspaper saying, "Never before has Raila had the most realistic chance than it appears in 2022... [he has]..What every political player would yearn for."⁴³⁵ Odinga's elder brother, Oburu Odinga also expressed his confidence that Raila would win the 2022 presidency. "In my view, Raila is still fit for the presidential race...something we have been missing is the so-called system ... we are with Uhuru Kenyatta who is holding the system. So, if we have the system plus our votes, which are usually more than the others, what else do we need?"⁴³⁶ Oburu implored wondered. Meanwhile, Martha Karua, Who is the leader of NARC-Kenya, a former minister of justice and a 2013 presidential contestant criticized the ODM leader for taking advantage of the BBI to be in government and the opposition at the same time. She said, "ODM is having their cake and eating it... former Prime Minister articulates government policy better than Uhuru. Be in government or opposition. Don't have your leg in each."⁴³⁷

The 'handshake' could therefore be said to have provided Raila with an opportunity to achieve his political agenda and fulfil the promise he had given at his previous stabs at the presidency, that of "taking his people to Canaan" and which in this respect could be interpreted to mean taking the Luo back into the government.

⁴³⁴ Odhiambo Moses, "Raila's confounding 2022 signals keep Kenyans guessing," *The Star News*. August 14, 2020

⁴³⁵ Mbaka James, "Why Raila's think tank believes 2022 is his time to be president," *The Star Newspaper*. September 11, 2020

⁴³⁶ Ibid.

⁴³⁷ Star Reporter, "Raila articulates state policy more than Uhuru- Karua," *The Star News*. August 18, 2020

5.6: *Nyumba ya Mumbi* Split between the Kenyatta-Ruto and Kenyatta-Odinga Pacts

This section illustrates how following the historic Kenyatta-Odinga handshake, the *Nyumba ya Mumbi* (House of Mumbi) as the Kikuyu community is referred to found itself split between the “handshake pact” and the alleged 2013 pact between Kenyatta and Ruto. Contrary to its presentation as a vessel to unite the nation, the handshake immediately became the new platform for rejuvenated ethno-political realignment towards the 2022 elections. Ngunjiri Wambugu, the Nyeri town MP from the Jubilee Party observed that the truce had “redefined the [2022] race.”⁴³⁸ The truce’s momentous break of the longstanding Kikuyu-Luo rivalry saw Odinga’s reference by Kikuyu politicians, some council of elders and FM stations suddenly changed from *kimundu* (a bully) to *Mutongoria Njamba* (heroic statesman), an expression of goodwill that the opposition leader had last enjoyed in 2002 after declaring “Kibaki *tosha*,” to endorse Kibaki’s presidency.

Beneath the general goodwill the “handshake” seemed to enjoy from the Mt Kenya region, it split the leaders and the electorates from the region into two factions. One side consisted of those allied to the Deputy President, William Ruto and who purported to stand by the alleged 2013 pact between the Kalenjin and the Kikuyu communities, where the latter would support Ruto’s 2022 presidential. This faction, which came to be referred to as team *tanga tanga* (loitering) owing to their patronage of the DPs countrywide ‘development’ forays bid perceived the Kenyatta-Raila ‘building bridges initiative’ as a bid to scuttle the DP’s 2022 presidential ambition, while creating a position for Raila. This team was led by Kimani Ichung’wa, the Kikuyu MP and a fierce defender of Ruto who expressed his support for Ruto’s 2022 presidential bid saying, “Ever since the two [Uhuru and Ruto] struck a political pact, the DP has been a priceless asset in Uhuru’s political corner... Voters of Central Kenya will reciprocate this by rallying behind Ruto in 2022.”⁴³⁹ Another ardent supporter of Ruto, Gathoni wa Muchomba, the Kiambu Women representative said, “During the 2013 and 2017 campaigns, we promised to back Ruto. That is a debt and we will not backtrack on this.”⁴⁴⁰

⁴³⁸ Reuters file, “How Uhuru- Raila embrace has shaken up Kenyan politics,” *The Standard*. April 18, 2018

⁴³⁹ Keter Gideon, “Why team Tangatanga has vowed to stick with DP Ruto,” *The Star*. May 4, 2019

⁴⁴⁰ Murimi James, “Kikuyu song fuels Ruto 2022 debate,” *The Star*. July 9, 2018

On the other hand were the Mt Kenya leaders who purported to support the president's 'building bridges initiative,' and Big Four Agenda.⁴⁴¹ The team was led by Ngunjiri Wambugu, the Nyeri Town MP and a sworn critic of Ruto. They castigated the DP's forays to different parts of the country as premature campaigns for 2022, and for casting the president as what Philip Njau, a political analyst, referred to as a 'lame duck president.' They also castigated the DP's resistance to embrace working with Rila Odinga in the 'building bridges initiative' as undermining the President's efforts to consolidate his legacy.

The Wambugu-led 'pro-handshake' team came to be known as team *Kieleweke* after Wambugu used the phrase '*Wacha Kieleweke*' (let it be understood), as he urged Mt Kenya politicians to stop premature 2022 politics and focus on supporting President Kenyatta and his 'Big Four Agenda.' In his argument, Wambugu maintained that Ruto was owed nothing for his support to President Uhuru Kenyatta as he had already been offered the position of Deputy President, substantial control of government and jobs for his community. Decrying what he termed as blackmailing of Kikuyus in the Rift Valley with threats of reprisal in case they 'betrayed' Ruto in 2022, Wambugu wrote on his twitter account, "Anyway 2022 is far. But we are watching... *watu wakuje pole pole, wakiwa na heshima* (people should tread carefully and with respect)."⁴⁴²

The various factions of Kikuyu Council of Elders were also divided on the issue. On one hand were those who welcomed the Kenyatta-Odinga handshake pact and even went on to denounce the alleged Kikuyu-Kalenjin pact for 2022 and the associated political debt.⁴⁴³ On the other hand were those who maintained that the alleged Kikuyu-Kalenjin pact for 2022 was still in place and that the Kenyatta-Odinga "handshake" pact was a strategy that Odinga intended to use in capturing the Kikuyus' support for the 2022 elections at the expense of the Deputy President. This view was also expressed by Kikuyu elders and politicians in the Rift valley.

In what seemed as fear of possible reprisal for reneging on the alleged Kikuyu-Kalenjin 2022 promise, the Kikuyu elders and politicians in the Rift Valley distanced themselves from the anti-

⁴⁴¹ The Big forur Agenda spelled the foru main areas that President Uhuru Kenyatta prioritized for development as part of his legacy : Food security, Affordable housing, Manufacturing, and Affordable healthcare for all.

⁴⁴² Agutu Nancy, "Nobody owes me anything' DP Ruto says on 2022 bid," *The Star*. July 8, 2018

⁴⁴³ Mugo Irene, "No deal with Kalenjins on Ruto's 2022 bid, Kikuyu elders say," *Nation News*. December 31, 2018

Ruto sentiments made by some of their counterparts from Mt Kenya region, and appealed to President Kenyatta to declare whether or not he would still back Ruto's 2022 presidential bid. Joseph Wainaina, the Jubilee Party Patron in Uasin Gishu County retorted "People outside this region should not purport to speak on behalf of the [Rift Valley Kikuyu] community as we know the problems we have faced in the past. We can manage our own affairs."⁴⁴⁴ In reference to election-related suffering that Rift valley Kikuyus had experienced in the past, Wainaina continued to say, "This time round members of the Kikuyu community will not accept to be sacrificial lambs of people pursuing their own selfish interests. We know our problems and nobody will divide us this time."⁴⁴⁵

Meanwhile, there emerged a feeling among some Mt Kenya leaders and elders that their region which had voted in the president was being short-changed through the 'handshake pact' which was yielding disproportionately higher benefits to Odinga, and his Luo community who had not voted for President Kenyatta. For instance, Moses Kuria, the out-spoken Mp for Gatundu South, and a fierce critic of Raila Odinga alluded to the president's favouritism of the Luo Nyanza at the expense Mt Kenya region saying, "We were with him [the president] in Kisumu where he commissioned a road project, but when he visits [Kiambu], he only issues certificates to recovering alcoholics."⁴⁴⁶ Kuria's sentiments were echoed by a section of Mt Kenya elders who decried what they saw as the region's marginalization in state jobs distribution. Responding to the allegation about marginalizing the region, the president maintained that his focus was on taking development in all parts of the country. "Every citizen is entitled to development regardless of where the leader comes from. *Kwa hivyo hao washenzi muwachane na mimi* (so can those fools leave me alone),"⁴⁴⁷ said the president.

The rift caused by the Kenyatta-Odinga handshake played out even more prominently during the BBI consultative rallies whose intention ostensibly was to dialogue on possible ways of uniting the nation. For example, during the BBI rally that was held in Narok, the host senator Ledama Ole Kina alleged that the Maasai community had been marginalized for long and called upon the

⁴⁴⁴ Kipsang Wycliff, "North Rift kikuyu elders speak on 2022 politics," *Nation Africa News*. June 28, 2018

⁴⁴⁵ Ibid.

⁴⁴⁶ Wainaina Eric & Ndung'u Guchu, "Mt Kenya MPs fault Uhuru over projects" *Daily Nation*. January 2, 2019

⁴⁴⁷ Agutu Nancy, "Uhuru tells off 'washenzi' after Moses Kuria Central Kenya remark," *The Star*. January 7, 2019

community to “stand firm and protect [their] land and territory,”⁴⁴⁸ in reference to the members of other communities (especially the Kikuyu) who had bought land or were doing business in Narok County and the larger Maasai. This infuriated many Kikuyu legislators with Gatundu South MP and ardent supporter of Ruto declaring that he was going to mobilize Kenyans to mobilize the BBI which he said was being used by the big men to position themselves in the next government. The Nakuru Senator Susan Kihika who did not attend the Narok rally wrote on her twitter page “Brothers and sisters, the BBI is a sham. It will leave Kenya more divided than before. It is quickly gaining momentum in balkanising our country and whipping up terrible tribal emotions.”⁴⁴⁹

During the rally that was held on February 29th, 2020 at Kinoru Stadium in Meru County, a section of legislators aligned to the Deputy President including Moses Kuria-MP for Gatundu south and Kipchumba Murkomen-senator for Elgeyo Marakwet walked out as Mr Odinga started to address the audience. A meeting held in preparation for this rally a day before had turned confrontational as some legislators from the region opposed Odinga’s attendance insisting that he was an “outsider.” Later, Kuria and his pro-Ruto colleagues, former Cabinet Secretary for Agriculture Mwangi Kiunjuri and Laikipia Senator, John Kinyua, accused Odinga of attempting to impose leaders on Mt Kenya region. Kiunjuri accused Odinga of hijacking the BBI saying, “This process has been hijacked by some few individuals who want to get political seats in the 2022 General Election. We will not allow them to take advantage of an initiative which was meant to unite Kenyans.”⁴⁵⁰ Similar sentiments were echoed by the MP for Mathira constituency in Nyeri, who said that the BBI rallies had “been turned into platforms for Raila campaigns.”⁴⁵¹

The tag-of-war surrounding the Kenyatta-Odinga handshake caused some political casualties, a fair share of whom came from the Mt Kenya region. Various legislators from both the National Assembly and the Senate that were deemed to be allied to the DP in opposing the Kenyatta-Odinga handshake were striped of various positions, powers and privileges, which were

⁴⁴⁸ Owiti George, “We must stand firm to protect our land’ - senator Olekina” *The Star*. February 22, 2020

⁴⁴⁹ Mireri Junior, “Ruto allies skip Narok BBI rally, take to social media to fault it,” *The Standard*. February 22, 2020

⁴⁵⁰ Munyeki James, “Mt Kenya leaders tear into Raila over BBI rallies,” *The Standard*. March 2, 2020

⁴⁵¹ Mwangi Josephat, “Mathira lawmaker says state machinery deployed to catapult Odinga to State House,” *Capital FM News*. March 10, 2020

bestowed to their counterparts who were deemed to support the “handshake” and the BBI initiative. On January 14th, 2020, Mwangi Kiunjuri, the then Cabinet Secretary for Agriculture became the first victim of the handshake-generated wrath, when he was sacked and replaced with Peter Munya in a cabinet reshuffle. Speaking about it later, Kiunjuri claimed that he was sacked for criticising the BBI and speaking out the concerns of Mt Kenya region.⁴⁵²

On May 11th, 2020, a Jubilee Senate Parliamentary group meeting chaired by President Kenyatta replaced dethroned Kipchumaba Murkomen – Elgeyo Marakwet and Susan Kihika – Nakuru, both of whom were ardent supporters of the DP and critics of the BBI, from the positions of Senate Majority leader and Senate Majority Chief Whip respectively. The positions were replaced with Samuel Pogishio-West Pokot and Irungu Kanga’ta – Murang’a, both of who were supporters of the “handshake.” Speaking in a conference later, the two ousted legislators said that their removed from their majority leadership positions unprocedurally. On May 22nd, 2020, the senator for Tharaka Nithi Professor Kithure Kindiki, a key ally of the DP, was also striped of his position as the Deputy Senate Speaker for being disloyal to President Kenyatta and the Jubilee party. On June 20th, 2020, in a Jubilee Party Parliamentary Group meeting chaired by the President Kenyatta, Aden Duale, a great ally of the DP William Ruto was removed as the National Assembly Majority Leader and replaced with Amos Kimunya, the Kipipiri Member of Parliament.

Kikuyu musicians were not left behind in the debate surrounding the ‘handshake and 2022 politics. On one hand were those who were of the view that the Kikuyu community owed Ruto and his Kalenjin community a debt of gratitude. Among them was, the veteran Kikuyu secular musician, John Nganga, popularly known as De’Mathew who had been an ardent supporter of Uhuru-Ruto government. He was among the first artistes to musically respond to Raila-Uhuru ‘handshake.’ Through his song, *Twambe Turihe Thire* (We have to pay our debt first), De’Mathew welcomed the handshake but went on to caution the Kikuyu against forgetting the debt they owed their enduring friend (Ruto), who enabled them to clench the presidency against Raila in 2013 and 2017 elections. Using Kikuyu sayings and metaphors, De’Mathew urges the Kikuyu community to be cautious with *Baba* (Kiswahili for ‘father’, a honorific term fondly used to refer

⁴⁵² Steven Letoo, « This is Why Uhuru Sacked Me!: Ex-CS Mwangi Kiunjuri Speaks Out,” *Citizen Digital*, February 17, 2020

to Raila), and focus on paying back their enduring friend come 2022. Unfortunately, De'Mathew, did not live to witness whether or not the Kikuyu community would honour the alleged political debt as he died in a tragic road accident on August 18th, 2019. During his burial, the president showered him with praises for having stood with him and the Jubilee government.

On the other hand were Kikuyu musicians who were of the opinion that the Kikuyu community did not owe Ruto and his Kalenjin community any debt. Among them was, a popular musician from President Kenyatta's ancestral backyard in Gatundu called Kimani wa Turacco. In what seemed as a response to De'Mathew's *Twambe Turihe Thire*, Kimani released a Kikuyu song titled *Tutiri thiiri wa mundu, Hatuna Deni ya Mtu, Kitaeleweka* (We do not owe anybody anything, let it be understood). The song which quickly became popular declared, "We owe nobody no debt. The song suggests that Ruto and his community were not owed by the Kikuyu as they had 'shared' the government opportunities. Referring to the 2007 PEV killing of Kikuyus by Kalenjins in the Rift Valley, the song declares "We can forgive but we cannot forget."⁴⁵³

The splitting of Mt Kenya politicians and electorates between the *Kieleweke* and *tanga tanga* factions was based on nothing more than the politicians 'strategization' and competition for powers and privileges. This was proven by the *Kieleweke* leader, Wambugu, when he challenged his Mt Kenya colleagues in team *Tanga Tanga*, led by Kimani Ichungwa, to state what they had demanded from Ruto for 2022, not just for their personal interests but on behalf of the Kikuyus, in return for the Central Region's support they were promising him.⁴⁵⁴ Wambugu went on to express his preference for Uhuru to guide the 2022 pre-election negotiations on behalf of the Kikuyus. Ultimately, the Kikuyu community was left in a politically precarious position with the demands and the pressures of the alleged Kenyatta-Ruto pact and the Kenyatta-Odinga pact hanging on either sides.

⁴⁵³ Murimi James, "Kikuyu song fuels Ruto 2022 debate," *The Star*. July 9, 2018

⁴⁵⁴ Kibii Eliud, "Kieleweke isn't opposing Ruto presidency but defending Uhuru's legacy- Ngunjiri Wambugu," *The Star*. August 10, 2019

5.7: Kenyatta-Odinga Pact and the Kalenjin Disillusionment

As soon as it came to be, the Kenyatta-Odinga handshake pact seemed to throw into disarray the alleged Kenyatta-Ruto Pact for 2022. This seemed to cause political disillusionment among the Kalenjins as the Kikuyu support for Ruto's 2022 bid was not guaranteed anymore. In Ruto's political backyard, the Rift Valley, the 'handshake' was perceived as a plot to push Ruto out of the 2022 presidential elections while craftily sneaking in Odinga. The elevation of Odinga to a position next to the president, through the 'handshake pact' was seen to overshadow the Deputy President.

Among those who immediately expressed their opposition to the 'handshake' was Kipchumba Murkomen, the Senator for Elgeyo Marakwet and the self-proclaimed leader of team "*Tanga Tanga*" in the Rift Valley, who on various occasions claimed that there were concerted efforts to cause the downfall of Ruto and his 2022 bid. Others included Senators, Samson Cherargei – Nandi, and Aron Cheruiyot – Kericho; and Jackson Mandago, the Governor of Uasin Gishu County. Commenting about the handshake, governor Mandago said, "Although it is generally good for the country to have peace and stability, we are watching the unfolding events and will make decisions as we go along. We still expect our colleagues in Jubilee to support Ruto in 2022."⁴⁵⁵

The Rift Valley leaders' sentiments were echoed by the Kalenjin elders who reiterated that they had made a pact in 2013 with their Kikuyu counterparts that they would together support Ruto for ten years after supporting Uhuru for a similar period. Major (Rtd) John Seii, the Chairman of the Myoot Kalenjin elders stated, "It goes without saying that in 2013, Myoot elders agreed to support Uhuru Kenyatta and in return, he should back Mr. Ruto when it comes to his quest for presidency."⁴⁵⁶ Seii's sentiments were echoed by Mr James Lukwo, the chairman of another group referring to itself as Kalenjin Council of Elders. Lukwo said, "As a community we are certain that our counterparts from Central Kenya owe us politically, having supported one of their own in the last two elections. It is time they pay back by backing our son to be the next president."⁴⁵⁷

⁴⁵⁵ Mathenge Oliver & Ilado Paul, "Raila, Uhuru unity deal is 2022 game-changer," *The Star*. March 10, 2018

⁴⁵⁶ Bii Barnabas, "You owe Ruto in state house bid, Uhuru told," *Nation News*. August 15, 2018.

⁴⁵⁷ *Ibid.*,

Kalenjin Musicians were also not left behind in the “handshake” and the 2022 elections debates. For instance, a group of four Kalenjin young men led by Kimutai Ruto, from Rift valley’s Bomet County released a song titled ‘*Usichoke William*’ (Do not Tire William [Ruto]). In the song the group that was known by the stage name ‘Propesa’ praised the DP’s humility and determination which they said had endeared him to many Kenyans. Referring to forays that the DP was making throughout the country, the song urges him to continue to *Tanga Tanga* (‘loitering’) as it would get him far in his 2022 bid. “Hustler wetu *milele...usichoke tannga tanga ...utafika mbali* (our ‘hustler’ for ever...don’t tire ...you will go far),”⁴⁵⁸ the song declares.

In what seemed like re-evaluation of their political position in terms of association with the president and the State, the Kalenjin legislators and elders challenged the president to declare his stand regarding his deputy’s 2022 presidential bid, so as to quell the tension that was growing in the Jubilee party and between the Kikuyu and Kalenjin communities, the elders’ patron Gilbert Kabage retorted “we challenge President Uhuru Kenyatta to come out clear and say whether he still supports Deputy President William Ruto’s 2022 presidential bid. Does he still support him or has he changed his mind?”⁴⁵⁹

The opposition to the Kenyatta-Odinga handshake pact among the Kalenjin leaders intensified following the launching of the BBI report and the BBI consultative rallies ostensibly meant to unite the country. During the launching of the BBI report, Kipchumba Murkomen, the Senator for Elgeyo Marakwet and Ruto’s right hand man caused a stir when he accused the event’s organizers of side-lining those perceived to be against the BBI. “This program has been skewed to leave other people who have different opinions to speak what they want to say. If we are going to build an honest Kenya going forward, we must be able to put our views on the ground,”⁴⁶⁰ Murkomen said. As Odinga led the first of the BBI rallies on January 10, 2020, at Gusii stadium, Kisii County, the Deputy President William Ruto held a parallel meeting in Vihiga County in the western region from where he criticised the BBI rallies as unnecessary and “misusing of public funds.”

⁴⁵⁸ Mukalo Shem, “Usichoke William: storm as propesa drop’s Ruto’s 2022 anthem,” *Hivisasa.com*. August 2, 2018

⁴⁵⁹ Matara Eric, “Uhuru asked to state his stand on DP’s presidential bid,” *Nation News*. July 4, 2018

⁴⁶⁰ Omar Ramadhan, “Kipchumba Murkomen booed at BBI launch,” *The Standard*. November 27, 2019

After Odinga used Lucky Dube's proclamation "Nobody can stop reggae"⁴⁶¹ to declare that BBI was unstoppable during one of the BBI rallies, the DP responded by castigating the BBI rallies for being divisive and vowed to stop them saying, "If this story we are being told about 'Nobody Can Stop Reggae' is what we are seeing; the ethnicity that is being preached in the BBI rallies and the ethnic profiling of communities ... We shall stop it."⁴⁶² These remarks by the DP came a few days after the Narok senator Ledama Olekina, speaking in a BBI rally in Narok had alleged that the Maasai community had been marginalized for long and called upon the community to "stand firm and protect [their] land and territory"⁴⁶³ from invasion by other communities. These remark which was in reference to the members of other communities who had bought land or were doing business in Narok County and the larger Maasai land had caused a huge uproar in the country.

While speaking in a church in Meru, The DP who is a professed born again Christian also castigated BBI for the use of what he portrayed as ungodly [Reggae] songs saying, "Kenya is a God-fearing nation and ...shall be governed according to God's will."⁴⁶⁴ The DP's criticism of the use of Reggae in the selling of BBI got some backing from a section of the clergy who vowed not to support the BBI if it continued using Raggae. Speaking on the clerics behalf, Bishop Kiogora Magambo from Meru said, "If the BBI is about reggae we all shall jump out. Reggae is not gospel. We want to support an initiative that brings all Kenyans together."⁴⁶⁵

Continued rise in political temperatures caused a BBI rally that was scheduled for March 7th, 2020 in Eldoret to be rescheduled for March 21st, 2020 and its venue changed to Nakuru with Ruto's lieutenants vowing that they would take charge of the meeting and not allow anyone to lecture them. This was in veiled reference to Raila who had been accused of hijacking the earlier rallies to drive his own political agenda. As this was happening, religious leaders in the country, in

⁴⁶¹ Wanambisi Laban, "Nobody can stop reggae, Raila declares in Mombasa BBI rally," *Capital FM News*. January 25, 2020

⁴⁶² Mwanza Eddy, "We will stop reggae – DP Ruto threatens to end BBI rallies," February 23, 2020. *Kenyans.co.ke*.

⁴⁶³ Owiti George, "We must stand firm to protect our land' - senator Olekina" *The Star*. February 22, 2020

⁴⁶⁴ Mwanza Eddy, Op. Cit.

⁴⁶⁵ Mutembe Phares, "BBI's 'nobody can stop reggae' unchristian, should be stopped – Meru clerics," *The Standard*. February 24, 2020

a joint statement called for the banning of the BBI rallies which they said were polarizing Kenyans. They stated, “We have keenly observed the development in national debates the Building Bridges Initiative (BBI) and are deeply concerned that the country has been pushed to a state of heightened political emotions, which in the past have been a precursor of violence and chaos.”⁴⁶⁶ This was before all public gatherings were banned on March 13th, 2020 after the first case of the new corona virus (Covid-19) was confirmed in the country, which effectively brought the BBI rallies to a momentous halt.

As the BBI rallies were halted so as to curb the spread of Covid-19, the president embarked on what Pundits saw as a mission to clip the DP’s powers. This he did by reducing the roles and the influence of the DP and his allies in both the National Assembly and the Senate. As a result, the DP, who until 2018 had wielded a lot of power casting a figure of the heir apparent of the President became isolated from the government’s and Jubilee party’s centre of power. An earlier presumption held by many that the DP would be the automatic 2022 presidential candidate for Jubilee was nullified when the party’s secretary general Raphael Tuju declared that the party had no automatic presidential candidate and aspirants would have to go through nominations. In what seemed as indications of the Jubilee party’s warming up to a Raila presidency in 2022, Tuju went on to say, “Even if we were to lose unity in the Jubilee Party so as to bring unity in this country, that is still a higher goal and that is one of the reasons why the president took the extraordinary step of pursuing the handshake.”⁴⁶⁷

The disillusionment that came with descending from the powerful position of a perceived president heir-apparent to that of political isolation and powerlessness occasioned by the Kenyatta-Odinga handshake soon became apparent in the DP’s political disposition. According to one of the DP’s critics in the Rift Valley, Cherengany MP, Joshua Kutuny, who also served as President Kenyatta’s political advisor from 2013 to 2017, the aura of power that the DP exhibited in the first term of Jubilee when he acted as the “de facto president,” had suddenly gone. Kutuny blamed this change of political fortunes to what he alleged to be the DP’s attempt to “blackmail,

⁴⁶⁶ Koech Gilbert, “Stop BBI rallies to save country from anarchy, clerics tell Uhuru,” *The Star*. March 6, 2020

⁴⁶⁷ Mbaka James, “Why Raila’s think tank believes 2022 is his time to be president,” *The Star Newspaper*

arm-twist, overreach and even defy his boss.”⁴⁶⁸ According to Professor Macharia Munene from the United States International University (USIU), what was happening was a “political process” which had started in 2013 when Kenyatta and Ruto came to power “as some sort of equals. He was tolerated because he was still needed. But now the political reality has sunk in and the political process taken over where the President must be the face of the government.”⁴⁶⁹

The more the BBI seemed to enhance Raila’s 2022 presidential prospects through his camaraderie with those in the “system,” the more it seemed to increase frustrations and disillusionment for Ruto and his allies through their isolation from power. In what could be interpreted as search for sympathy, the DP and his colleagues resorted to invoking the name of God as their stronghold against their political adversaries. For instance, when Raila’s elder brother Oburu Odinga expressed his confidence that Raila would win the 2022 presidency because he had had “the so-called system” on his side, Ruto retorted saying, “They’ll come with the system, but we will be there with the people and God and see who wins.”⁴⁷⁰ While decrying the frustration that the DP was being subjected to by the president and those behind the BBI, one of the DP’s allies, Caleb Kositany, the MP for Soy stated that the DP, “doesn’t care about the trappings of power being taken away from him. For him, the power is with God and the people.”⁴⁷¹

The magnitude of frustration in Ruto’s camp was illustrated by Ruto’s confidant and Elgeyo Marakwet Senator Kipchumba Murkomen who in a television interview on September 2, 2020, lamented that despite Ruto having supported President Uhuru since the 2013 presidential elections, he later decided to betray and side-line the former in the running of the government. Murkomen, who had been removed from the influential position of Senate majority leader due to alleged “insubordination” said, “We cannot recognise the Uhuru we voted for... Today, he has employed the Kicking-away-the-ladder concept, where he is using every way to push Ruto

⁴⁶⁸ Wainaina Eric, “Lonely and Powerless, Ruto’s new fortunes,” *People Daily*. May 21, 2020

⁴⁶⁹ *Ibid.*

⁴⁷⁰ Okoth Brian, “Raila answers Ruto on Deep state claims,” *K24tv*. August 13, 2020

⁴⁷¹ Wainaina Eric, “Lonely and Powerless, Ruto’s new fortunes,” *People Daily*. May 21, 2020

out.”⁴⁷² Murkomen continued to ask, “... what is this one sin that washes away all the good things Ruto has done for the president. For four elections he stood with Uhuru, is he really worth that?”⁴⁷³ Two days afterwards, on September 5th, 2020, an ally of the Deputy President, the MP for Emurua Dikirr constituency, Johanna Ng’eno, was reported to have “attacked President Uhuru Kenyatta using unprintable language as he accused him of frustrating his deputy William Ruto.”⁴⁷⁴ The MP was also accused of uttering words that “were likely to stir up ethnic animosity amongst communities residing within Trans Mara.”⁴⁷⁵

The sentiments of the Kalenjin legislators, elders, musicians and electorates in general expressed disillusionment that the Kalenjin community got from the political developments that seemed to impede Ruto’s presidency in 2022. Before the advent of the “handshake,” the prospect of Ruto’s 2022 presidency had seemed almost guaranteed under the alleged Kikuyu-Kalenjin 2013 deal. However, the advent of the handshake distorted Ruto’s and Kalenjin’s game plan for the 2022 elections. This saw the community’s legislators desperately invoke the alleged 2013 pact, in a manner that was perceived to threaten the Kikuyu community with reprisal in the event that they (the Kikuyu) betrayed Ruto and his community. All this amounted to the community’s strategizing, negotiating and mobilizing for state power and resources led by their leaders.

5.8: Conclusion

This chapter has illustrated how ethnic identity has continued to be politically mobilized in post-devolution era to the detriment of Kenyan national identity and nationhood. The chapter has started by highlighting the historical background of ethnic identity mobilization and the primacy that is attached to it in Kenyan politics. After revealing the well-established pattern that ethnic mobilization in the country follows, the chapter has referred to the ethno-political mobilization activities which surrounded the 2013 and 2017 elections to illustrate how the political elite have continued to manipulate ethnic sentimentalism and actions for their political expediency, and at the expense of Kenyan nationhood.

⁴⁷² Jacob Ngetich, “Ruto allies open up on what their boss is going through under Uhuru,” *The Standard*, September 4, 2020,

⁴⁷³ Ibid.

⁴⁷⁴ Japheth Ogila, “DPP okays prosecution of Johana Ng’eno over hate speech, incitement”, *The Standard*, September 8, 2020

⁴⁷⁵ Ibid.

Referring to the 2013 elections, the chapter has illustrated how Uhuru Kenyatta and William Ruto, who had been indicted by the ICC due to alleged instigation of ethnic violence, formed an intra-elite pact ostensibly to unite the Kikuyu and Kalenjin communities who were at the epicentre of the 2007/2008 PEV. It has illustrated how the pact that was based on a “siege mentality” against the ICC and its perceived proponent, Raila Odinga, yielded to the two leaders not only the country’s top leadership but also acquittal by the ICC. This caused great sense of disillusionment and frustration among the opposition members and the victims of the PEV due to what they perceived as the ‘stealing’ of the election by the Jubilee team and abortion of justice at the court of the last resort, the ICC. This left behind a country that was highly divided along ethnic lines putting Kenyan nationhood and national identity in jeopardy.

Similarly, the chapter has illustrated how after the highly contested 2017 elections, and the escalation of ethno-political violence that almost brought the country to a standstill, President Kenyatta and the Opposition leader Raila Odinga initiated a new intra-elite pact ostensibly meant to unite the nation. While the Kenyatta-Odinga handshake’ pact has been perceived to yield substantial political and socio-economic benefits to the Luo community, it has been perceived to have converse implications on the political and socio-political fortunes of the Kalenjin community. On the other hand, it has been seen to split the Kikuyu community at the middle with a half of the community pledging allegiance to the alleged earlier pact between Kenyatta and Ruto, while the other half declares its commitment to the Kenyatta-Odinga handshake pact. The alleged Kenyatta-Ruto and Kenyatta-Odinga pacts have played out as the ethno-political elite pacts despite the later having ‘taken cover behind the law’ by calling for constitutional amendments to provide for the nation’s unity.

It is evident that as the political elite continue using these intra-elite pacts to negotiate for political power and positions, it is Kenyan nationhood and national identity which remain at risk. This fact was well elaborated by Dr. Mzalendo Kibunjia, the Director General of the NMK, and who was the first chairman of the National Cohesion and Integration Commission (NCIC). In an interview in one of the national TV stations on September 9th, 2020, Kibunjia decried what he

saw as a rise in ethnic animosity and hate speech that was being fuelled by politicians saying, “Those who know what happened in 2007/2008, these were the signs that led us to kill each other in hundreds. NCIC should not let Kenyans drift in that way because we already have that in history and history repeats itself.”⁴⁷⁶ He challenged the NCIC to proactively keep reminding Kenyans on the effects of hate speech so as to prevent the country from drifting into violence. In response to Kibunjia’s concerns, one of the NCIC’s Commissioner, Sam Kona admitted that hate speech had become a big national challenge. While attributing the challenge to “mobilisation based on ethnicity,” Kona revealed that the commission was already “handling 40 hate speech cases.”⁴⁷⁷

In conclusion, therefore, it can be observed that despite the promulgation of the 2010 constitution, Kenyan nationhood has so far remained at the mercies of intra-elite pacts, and at a constant state of oscillation between attaining stability and being shattered. Cheeseman et al. have observed the role that the “strong and historically rooted informal institutions of patron-client ties and elite collusion” have continued to play, which “help to explain why Kenya elections so often take the country to the brink of disaster, and Why it has yet to fall into abyss.”⁴⁷⁸ This is the situation that Kenya once again finds herself in as she approaches the 2022 elections.

⁴⁷⁶ Kevin Cheruiyot, “NCIC not doing enough to curb hate speech-Mzalendo Kibunjia,” *The Star*, September 9 2020

⁴⁷⁷ Ibid.

⁴⁷⁸ Cheeseman N. et al., “Kenya’s 2017 election: winner-takes-all politics as usual?” *Journal of Eastern African Studies*, Vol 13, No. 2, p. 229

PART TWO

THE CASE STUDY OF *MUKURWE WA NYAGATHANGA* CULTURAL SITE

After Part One which presents the general context in which the creation and mobilization of ethnic and national identities and heritages happens in Kenya, part two uses the case study of *Mukurwe wa Nyagathanga* cultural site to illustrate the heritagization practice on the ground. The exploration done through *Mukurwe wa Nyagathanga* could be followed using any other cultural heritage site as the heritagization process seems to follow the same process for the various heritage sites in the country.

CHAPTER SIX: REVISITING KIKUYU MYTH OF ORIGIN, IDENTITY AND SOCIO-CULTURAL PRACTICES

6.1: Introduction

This chapter illustrates the significance of *Mukurwe wa Nyagathanga* and the intangible heritage associated with it as an integral part of Kikuyu ethnic identity. The site is believed to be the mythical home of the ancestral parents of the Kikuyu community namely; Gikuyu and his wife Mumbi. The site is found in Gaturi Location, in Kiharu Constituency, in Muranga East District of Murang'a County, about fifty miles to the North of Nairobi, and thirty miles South of Equator. Its precise location is next to Gakuyu Shopping Centre along the old Murang'a-Kiria-ini Road, about six kilometres from Murang'a town⁴⁷⁹.



Fig 16: Location of *Mukurwe wa Nyagathanga*
(Source: Robert Rukwaro, 2016)

⁴⁷⁹ Rukwaro R., 2016, "Community participation in conservation of gazetted cultural heritage sites: a case study of the Agikuyu shrine at Mukurwe wa Nyagathanga; Wainaina M., "Land as Story and the Place of The Story: A Contemporary Kenyan Illustration of Landscape as Text", *International Journal of Humanities and Social Science*, Vol. 2 No. 23; December 2012 p. 95



Fig 17: Site survey of *Mukurwe wa Nyagathanga* documented by Survey of Kenya in 1968
(Source: Robert Rukwaro, 2016)

The site comprises of a parcel of land measuring approximately 4.25 acres, its basic components include a traditional man's hut, referred to as *thingira*, and a traditional woman's house referred to as *nyumba*. Around the two dwellings are a number of huge, indigenous trees. A few metres from the two dwellings on the lower side is a dilapidated building which was controversially put up by the defunct Murang'a County Council in the 1980s. Lined up behind this building are ten huts, each of which represents one of the legendary daughters of Gikuyu.⁴⁸⁰

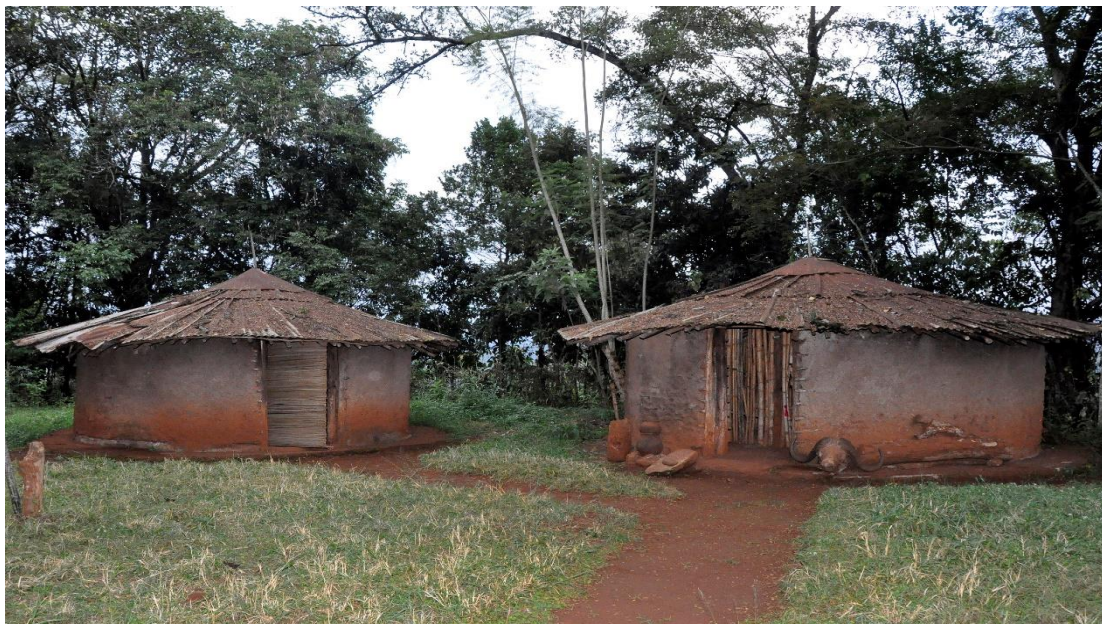


Fig 18: The Nyumba (left) and Thingira (right) at *Mukurwe wa Nyagathanga*
(Source: NMK)

⁴⁸⁰ Nyamweru C., "Natural cultural sites of Kenya: Changing contexts, changing meanings," Rukwaro R., 2016, "Community participation in conservation of gazetted cultural heritage sites"



Fig 19: Some of the Gikuyu and Mumbi's daughters' houses
(Source: Robert Rukwaro, 2016)



Fig 20: The ruins of an intended tourist hotel (right) and amphitheatre (left) at *Mukurwe wa Nyagathanga*
(Source: NMK)

The Kikuyu is the largest of the over forty Kenyan ethnic communities. According to the 2019 Kenya Population and Housing Census Report⁴⁸¹ which estimated the Kenyan population to be 47.6 million, the Kikuyu accounted for 8.15 million, followed by Luhyas at 6.82 million, the Kalenjins at 6.35 million and the Luos at 5.07 million. The Kikuyu people or Agikuyu as they refer to themselves speak Gikuyu, which is among the five Bantu languages under the Thagichu sub

⁴⁸¹Republic of Kenya, 2019, *2019 Kenya Population and Housing Census*, Nairobi, Kenya National Bureau of Statistics

group distributed between Kenya and Tanzania⁴⁸². The term Gikuyu is derived from the name Mukuyu which is the name of a sycamore tree. Gikuyu simply means a large Sycamore tree.

Like many Kenyan communities the Kikuyu are traditionally a stateless nation, whose leadership was consensus based and spearheaded by a council of elders referred to as *Kiama*. As the highest authority in the community, the *Kiama* was in charge of passing laws, administering justice as well as guiding rites of passage and rituals. *Kiama* members elected one among themselves, with exemplary courage and wisdom to be their leader referred to as *muthamaki*. Through their expansionist nature, the Kikuyu had cultural interaction with their neighbours who included the Aembu, Ameru, Akamba, and the Maasai.

Anthropological and historical studies have shown the Kikuyu to be part of the Bantu speakers who started to migrate southwards from the Cameroonians highlands at around 500BC and came to settle around Mt Kenya between 1600 and 1800 AD. The last groups of the Kikuyu migrants are believed to have arrived in Murang'a and Kiambu regions of central Kenya by mid-16th Century and end of 17th Century, respectively.⁴⁸³ However, like every other ethnic community, the Kikuyu have their myth of origin which has been passed from generation to generation. According to the myth which is variously narrated by various authors⁴⁸⁴, the supreme creator of all things dwells on Mt Kenya (*Kirinyaga*). Being invisible himself, he manifests his presence through such phenomena as seasons, sunshine, rain, wind, lightning, thunderstorms and the brilliance of the snow at the top of Mt Kenya. The Kikuyu refer to him using many terms including *Mwene Nyaga*, (bearer of brilliance), *Ngai wa Kirinyaga* (God of Kirinyaga), *mugai* (divider of all things), *murungu* (the peaceful one), *muthingu* (the holy one), *mutheru* (the clean one) and *mwene hinya* (almighty), among others.

⁴⁸² Muriuki G., 1964, *A History of the Kikuyu 1500-1900*, Nairobi, Oxford University Press.

⁴⁸³ Ibid.

⁴⁸⁴ Beecher, J. 1944. *The Kikuyu*. Nairobi: C.M.S. press.; Cagnolo C., 1933, *The Akikuyu: Their Customs, Traditions and Folklore*, Nyeri, The Mission Printing School pp. 324; Kenyatta, J., 1965, *Facing Mount Kenya: the tribal life of the Kikuyu*, New York, Vintage Books, pp. 326; Leakey, L.S.B., 1977, *The Southern Kikuyu Before 1903*, London, Academic Press; Muriuki G., 1964, *A History of the Kikuyu 1500-1900*, Nairobi, Oxford University Press 62-3; Routledge, W.S., & Routledge, S., 1968, *With a Prehistoric People: The Kikuyu of British East Africa*, London, F Cass, p. 241

According to the myth, Ngai created the first Kikuyu man Gikuyu, took him atop *Kirinyaga* and showed him the territory he was to occupy. This territory which stretched from Mt Kenya, was delineated by the Aberdare Ranges (Nyandarwa) to the West, Oldonyo Sabuk (*Kia Njahi*) to the South East and Ngong Hills (*Kia Mbiruru*) to the South. Within these bounds was fertile land with many rivers, valleys and ridges, where vegetables and animals of all kinds flourished. On Ngai's instructions, Gikuyu then moved downhill and settled at the place where he found a huge *mukurwe* tree (*Albizzia scoriari* and *Albizzia gummifera*) on which beautiful weaver birds called *Nyagathanga* were perched, hence the name *Mukurwe wa Nyagathanga*.

At the site were also huge Mukuyu (*F. Capensis* or *F. sycamorus*) and *mugumo* trees (*Ficus natalensis* or *F. thoningii*) under which Gikuyu would offer sacrifice and call upon Ngai with his face and hands lifted towards Kirinyaga, whenever need arose. In this place, Ngai occasionally visited Gikuyu who in turn offered him sacrifices. During such one visit, Ngai sympathised with Gikuyu's loneliness, caused him to lie in deep sleep, removed one of his ribs and created for him a woman out of it. Upon waking up, pleasantly surprised Gikuyu named the woman Mumbi, which means 'one who moulds,' a name that became synonymous with Mumbi's role as the 'moulder' of pots and other household items for her family.

Gikuyu and Mumbi lived together and bore nine-plus daughters (*Kenda Muiyuru*). The names of the daughters were Wanjiru, Wambui, Wanjiku, Wangari, Waceera, Wakiuru, Waithera, Wairimu, Wangui and Wamuyu. When the girls became of age, Gikuyu prayed to God who miraculously provided suitors for them. Their unions became the foundation of the nine clans Agikuyu clans associated with different inherent character traits and roles in safeguarding the welfare of the community. Based on this myth, the Kikuyu "lay claim on the highlands surrounding Mt Kenya by divine right"⁴⁸⁵

⁴⁸⁵ Kamenju J W., 2013, "Transformation of Kikuyu Traditional Architecture: Case Study of Homesteads in Lower Mukurwe-ini, Nyeri, Kenya" PhD Thesis, AHO, The Oslo School of Architecture and Design, pp 276; Wainaina M., "Land as Story and the Place of The Story: A Contemporary Kenyan Illustration of Landscape as Text", *International Journal of Humanities and Social Science*, Vol. 2 No. 23; December 2012, p. 93.

According to Muriuki, quoted by Nyamweru,⁴⁸⁶ the establishment of the myth “acted as a focus, or symbol, of unity, thereby welding together the various disparate elements [migrants who came together to form the Kikuyu people] into one people”, while also legitimizing Kikuyu claims to the ownership of land. As Agikuyu’s mythical ancestral home, *Mukurwe wa Nyagathanga* symbolizes the prime space of Kikuyu cultural identity and socialization. The traditional passing on of the community’s collective history, memory, identity and wisdom to the children began at the homestead and particularly in woman’s, Mumbi’s house, *Nyumba*, which according to Kenyatta⁴⁸⁷, was “the cradle of the family traditions.” Gathigira⁴⁸⁸ also underlines the vitality of *nyumba* in the making of a proper home (*mucii*). To understand the cultural significance of the ancestral homestead and the vitality of the woman’s house, we look at its various components, which are well elaborated by various authors⁴⁸⁹.

Riko, the cooking hearth made of three stones, is centrally located in the circular *nyumba*. It formed the nerve centre of the family’s socialization as children sat around it listening to their mother’s night time stories *ng’ano* and riddles *ndai*, as they waited for food (Pick 1973). It is at *riko* that girls started to learn cooking from a tender age. Next to *riko* and directly opposite the entrance was the woman’s bed, *Uriri*, which was made of small branches, *miaro*, overlain with blacken fern and the soft leaves of *mugio* (*Triumfetta tomentosa*), which would be overlain with a mat, *kibari*, made of dry banana leaves, or a dry cow hide, *ndarwa*. On the left side of *Uriri* was *Kweru*, where sheep and goats, as well as older boys stayed over the night. The place was swept daily and ashes spread over it making it look ‘white’ hence the name *kweru* which means ‘white place.’ The animals’ urine was said to disinfect the house reducing the proliferation of the burrowing flea or jigger (Routledge 1910). Between *Uriri* and *Kweru* was *Gaturi*, where spare tools, bags and serving trays for common use were kept. Cooked food was also stored here in a container covered with a lid to keep the rats away.

⁴⁸⁶ Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” p. 286.

⁴⁸⁷ Kenyatta, J., 1965, *Facing Mount Kenya: the tribal life of the Gikuyu*. New York, Vintage Books, p. 81

⁴⁸⁸ Gathigira K., 1934, *Miikarire ya Agikuyu. (The Customs of the Gikuyu)*, Nairobi, Equitorial Publishers.

⁴⁸⁹ Wainaina M., “Land as Story and the Place of The Story: A Contemporary Kenyan Illustration of Landscape as Text”, *International Journal of Humanities and Social Science*, Vol. 2 No. 23; December 2012

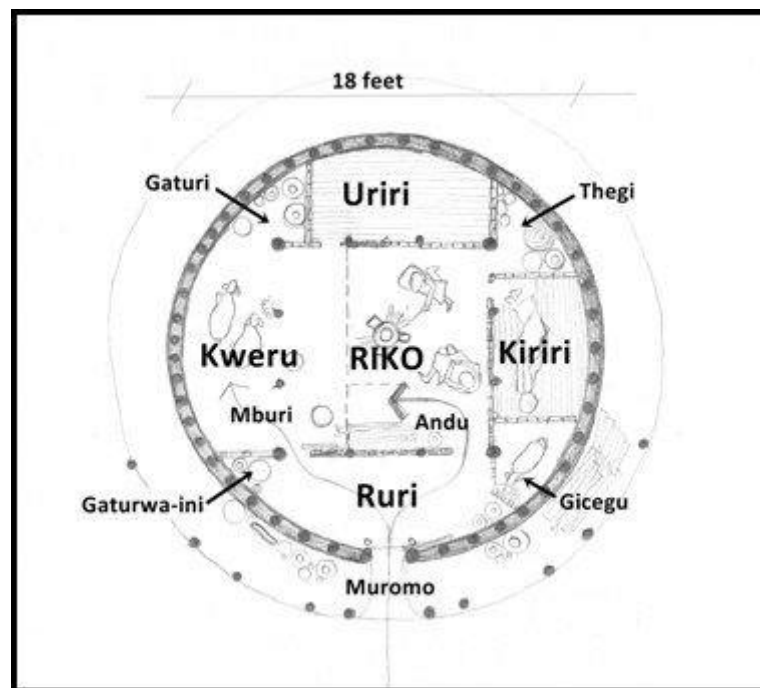


Fig 21: Interior components of Kikuyu woman's Nyumba

(Source: Mukuyu World Press <https://www.pinterest.com/pin/478085316674689755/>)

The space between *Kweru* and *gaturi* was of special significance as the place where women gave birth with the help of a midwife. On the right side of the woman's bed was her private store, *thegi*, where she kept her precious items such as fermented milk, fat, and honey as well as treasured cooking utensils. Adjacent to *thegi* was *Kiriri*, which was a wider version of *uriri* that was meant to accommodate grown up girls. On the right side of the *Muromo* is the *gicegu*, where the woman kept a ram which she fattened using peelings and kitchen remnants for slaughter during special occasions such as marriage and child birth. The fat from such a ram was equally cherished by the woman of the house who kept it in her private store in a special container called *kinandu*, and used it for making special delicacies, softening her leather cloths or mixing of tobacco snuff. On the left side of the entrance was *Gaturwa-ini*, where tools were stored. The entrance, *Muromo*, was closed using a unique door known as *riigi*, made by interweaving some rafters. The spatial, physical and psychological arrangement of the woman's house and its components was indicative of the special position of the woman as not just the nurturer of the family but the anchor of the community's stability, beginning with Mumbi as the 'head-mother' of the Kikuyu community.

On the other hand, the man's hut, *thingira* which was built near the entrance to the homestead was generally smaller and had no partitions. It was mostly exclusively used by the male members of the family and their visitors with exception from few occasions when a man's wife may use his fire place to prepare an extra pot in the evening. The other time that the woman visited the man's *thingira* was during conjugal function. Sometimes, during moonlight nights, the man would tell stories to the children, especially boys, seated around a bonfire outside the *thingira* as the woman, and girls, continued cooking in the *nyumba*. The stories told to the children revolved around the community's common ancestry, kinship ties, heroes and legends, morality and respect for communal welfare.

Various authors have elaborated the Kikuyu cultural cycle of life.⁴⁹⁰ As they approached puberty, boys and girls started being socialized separately by older male and female members of the community respectively in preparation for adulthood and their different roles in the society. Transition into adulthood for both girls and boys was signified by circumcision, *irua*, which happened at the age of about fifteen to nineteen years. Girls were initiated into adulthood through the process of clitoridectomy, for which a ceremony was held once per year throughout Kikuyu land. On the other hand boys' circumcision, involved removal of the foreskin in a ceremony that was done once every year for a number of consecutive years which ranged between five to nine years for North and South Kikuyuland, respectively. In each case, this period would be followed by a four year break within which no circumcision was done. Some of the young adults from particular lineages would further be initiated and inaugurated into special societies such as blacksmiths, diviners, and midwives. Inauguration, *gukunurwo*, into such societies was ritually conducted at shrines such as *Mukurwe wa Nyagathanga* so as to appease *Ngai* the giver of all wisdom and abilities.

Boys who were circumcised together formed an age-set which would be given a name that at times commemorated a special occurrence such *Ng'aragu* for drought, *Ngigi* for locust plague, or

⁴⁹⁰ Kenyatta, J., 1965, *Facing Mount Kenya: the tribal life of the Gikuyu*. New York, Vintage Books, pp.326; Muriuki G., 1978, *A History of the Kikuyu 1500-1900*, London, Evans Brothers Ltd, pp. 5-20.

Ndege for the first sighting of the aero plane⁴⁹¹. After initiation both boys and girls went through a few weeks of seclusion within which they were instructed on topics such as etiquette, traditional folk lore and sex education, which entailed non-penetrative type of intercourse referred to as *nguiko*. Besides preparing an individual for marriage, initiation was believed to also strengthen his or her relationship with age mates, the ancestors and *Mwene Nyaga*.

After circumcision, young men were regarded as junior warriors and could be delegated certain duties and errands by the elders. They spent a lot of time doing physical exercises and learning warfare as they were expected to participate in raids or defend the community in case of an attack. They also participated in bush-clearing, cultivation and hut-building among other community activities. On the other hand, girls continued to learn various household chores including cooking, as well as gardening and how to take care of their future husbands and children. In addition both sexes continued to learn how to behave towards each other as well as towards the elders. The learning that was continuous and practical prepared the young adults for parenthood and challenges of adult life.

After some time, a junior warrior transitioned into a senior warrior and married. Industriousness, submission and generosity are some the characters that endeared a potential wife to a man and his family. One could be prohibited by his or her parents from marrying someone from a particular clan or family perceived to have unfavourable reputation, such as being associated with witchcraft, or past conflicts between the involved clans or families. Before marrying the girl of his choice, a man had to give dowry to the girl's father. The dowry consisted of various items including *mwati* (ewe) and *harika* (she goat), a fattened ram (*ngoima*), a he goat (*thenge*), a heifer (*Mori*), traditional beer (*Njohi*) as well as varying numbers of goats and cows. The bride price would never be paid in full which made sure that one visited his in laws from time to time to take instalments of the bride price.

Upon marrying, a man was admitted as an entrant junior elder after paying an admission fee of one goat and a calabash of beer to the council of elders (*Kiama*). After getting married, the

⁴⁹¹ Lambert H.E., 1956, *Kikuyu Social and Political institutions*. London, Latimer Trens & Co. Ltd., pp 8-22

woman adopted the status of the husband for the rest of their lives together. Upon his first child's circumcision, a man was considered as a full junior elder. As a junior elder, he underwent further training and paid a fee of two goats and beer to be admitted to the *kiama*. As a member of *Kiama*, which represented the highest authority in the community, he participated in such duties as passing laws and administering justice so as to maintain peace and harmony in the community. The *Kiama* members also conducted rituals and sacrifices in designated shrines to appease the ancestral spirits and wade off evil spirits whenever the community was befallen by calamities such as drought and pestilences. Upon death, one is believed to join the ancestral spirits, *Ngomi*, in the life after. The ancestors are highly respected and regarded as the senior most elders, owners of the community's land and indispensable guardians of the community. The ancestral spirits are believed to dwell in sacred trees and brooks nearby their former homes, from where they continue to influence the lives of their descendants and relatives. This explains why traditionally, Kikuyu families left some trees in their farms and homesteads to act as the families' alters and abodes for the ancestral spirits and *Ngai* when he came visiting. The ancestral land is therefore considered as the nurturer of both the living and the dead⁴⁹². For this reason the Kikuyu traditionally preferred to be buried in their ancestral land, where their spirits may find solace with those of their departed kin.

When the community members violate the customs of their forefathers, the ancestors express their displeasure by causing such calamities as drought, barrenness, ill health and even death to the members of the community and their livestock. The community then seeks to correct their error by beseeching and appeasing the ancestors through invocation by sacrifices and rituals done by the designated intercessors at holy places ranging from the families' sacred brooks to the primordial alter for all the Kikuyu's, *Mukurwe wa Nyagathanga*. At *Mukurwe wa Nyagathanga*, the high-most shrine of all the Agikuyu, elders from all the nine-plus Kikuyu clans congregated and beseeched *Ngai* while facing, and lifting their hands towards his abode, Mt Kenya, on behalf of the entire of Mumbi's house (*Nyumba ya Mumbi*). The elders also gathered at *Mukurwe wa Nyagathanga* to seek *Ngai's* wisdom whenever they needed to make major decisions regarding the community. This made *Mukurwe wa Nyagathanga* the prime community

⁴⁹² Wainaina M., 2012, "Land as Story and the Place of The Story: A Contemporary Kenyan Illustration of Landscape as Text" *International Journal of Humanities and Social Science*, Vol. 2 No. 23; December 2012, p. 94

oracle. During prayers, Ngai is invoked by the use of his various titles including *mwene nyaga*, *Ngai wa Maithe maitu* (the God of our fore fathers), *mugai* (the divider of all things), *murungu* (the peaceful one), *muthingu* (the holy one), *mutheru* (the clean one) and *mwene hinya wothe* (the almighty).

In Kikuyu tradition, illnesses, misfortunes, barrenness and catastrophes were all believed to be manifestations of displeasure of the spirits. The Kikuyu used various types of charms and medicine fashioned by medicine men (*andu ago*), to ward off the effects of malevolent spirits, seek blessings from benevolent spirits and heal ailments. To prepare charms and medicine, the medicine men used special wisdom acquired from the ancestral spirits through *Mukurwe wa Nyagathanga* and other shrines. For instance, the medicine men could treat mental disturbance, swellings or pains in the body which were believed to be as a result of being “troubled by the spirits,” being bewitched, evil eyes (*gita*) and evil spells (*kugekwo*).

Breaking taboos such as receiving and ‘eating’ dowry for your daughter when you had not paid dowry for your wife, or engaging in abominations (*migiro*) such as incest rendered one to fall into an unclean state referred to as *thahu*, which brought different types of misfortunes and diseases to the involved person, his family or the whole community⁴⁹³. Bottignolo⁴⁹⁴ notes that purification (*guthahura*) of such an offender entailed being “made to vomit” the *thahu* by medicine man (*mundu mugo*). Concoctions made from particular herbaceous plants found in *Mukurwe wa Nyagathanga* and other shrines would be administered to such a person as purgatives to facilitate vomiting and bowel’s evacuation as part of physical and spiritual cleansing.

⁴⁹³ Sandgren P.S., 1989, *Christianity and the Kikuyu: Religious Division and Social Conflict*. New York, Peter Lang, p. 11

⁴⁹⁴ Bottignole S., 1984, *Kikuyu Traditional Culture and Christianity*. Nairobi, Heinemann Educational Books, p. 78



Fig 22: Man undergoing purification (sin-vomiting) ritual
(Source: <https://mukuyu.wordpress.com/2014/09/02/sin/>)

Besides, taboos there were curses (*irumi*) and prohibitions (*igiria*) which would be pronounced on a person by his parents or elders for continuous 'misbehaviour' or abuse of customary such as respect for once parents or elders. For instance, continuous abrasion with one's parents may lead to such parents declaring that they should not be 'born' by such an abrasive son or daughter. In case of such a declaration any attempt by the culprit to name a child after such parents in line with the Kikuyu traditions may lead to inexplicable death of such a child. In such a case, one may seek the forgiveness of his or her parents through a ceremony that may entail slaughtering and eating a goat together to bring about reconciliation and restitution (*kuhuorohia*).

Traditional seers, *araguri* or *arathi* were also said to rely on special knowledge and power derived from the ancestral spirits through *Mukurwe wa Nyagathanga* and other shrines to foretell the future. They were consulted before undertaking certain individual or communal

activities such as establishment of a new home or going for war. One renowned Gikuyu seer, Mugo wa Kibiru is said to have prophesied the coming of the white people well before they arrived.⁴⁹⁵ In his prophesy, he indicated that the white people would dominate and oppress the Kikuyu people for a long period. He also indicated that the end of the reign of the white man over the Kikuyu nation would be marked by the falling of a huge Mugumo tree that was located in the current day Thika Town, in Kiambu County.

According to Muriithi Kibaba⁴⁹⁶, the colonialists responded to this prophesy by surrounding the fig tree with concrete and thick iron sheet fortification so as to prevent it from falling. However just before Kenya's independence in 1963, the Mugumo tree is said to have fallen, symbolically heralding the liberation of the Kikuyu nation and Kenya from colonial oppression. About five metres from the exact spot where the mugumo tree is said to have stood stands another mugomo tree that was planted by the founding father Mzee Jomo Kenyatta in 1969. The Mugomo-ini site is now a protected heritage site.



Fig 23: The site where the Mugumo Tree associated with Mugo wa Kibiru's prophesy grew
(Source: *Nation*. [www.https://nation.africa/kenya/counties/kiambu/the-historic-mugumo-tree-that-marked-the-end-of-british-rule--237454](https://nation.africa/kenya/counties/kiambu/the-historic-mugumo-tree-that-marked-the-end-of-british-rule--237454))

It is also important to note that at birth, every Kikuyu boy assumed one of the two leadership groups, *riika*, of Mwangi and Irungu. The two groups alternately led the community for a generational period that ranged from about 20 to 40 years. Transition of leadership from one of the two groups to the other was marked by a process called *Itwika* in which the reigning *riika*

⁴⁹⁵ Kenyatta J., 1938, *Facing Mount Kenya* ; Mugia D., 1979, *Urathi wa Cege wa Kibiru* ; Ngugi wa Thiong'o, 1965, *The River between*

⁴⁹⁶ In a conversation held at Thika Mugomo-ini site Muriithi Kibaba who is a heritage Warden and a Kikuyu elder relayed the significance of the site.

would hand over community leadership to the other *riika*. During this process which took several years, the ruling group would also pass over some vital information regarding the leadership of the community to the incoming leaders.

According to Karanja⁴⁹⁷, the last *Itwika* happened in 1890-1899, where the *riika* of Irungu handed over leadership to that of Mwangi. The next *itwika* was supposed to take place in 1925-1928 when the *riika* of Mwangi should have passed the mantle to that of Irungu. For this to happen, every member of the Irungu group ought to have paid their due fees, in form of goats and traditional beer, to the reigning Mwangi group. Unfortunately most members of Irungu group were unable to pay the fees due to the socioeconomic disruption that had been occasioned by colonial land deprivation, forced labour and imposed taxes. The *itwika* did not happen and the leadership and governance information was therefore not passed over, to the next generation as should have happened. This saw the beginning of the crumbling of various Gikuyu institutions, which is discussed at a greater detail below.

6.2: Colonialism, Christianity and their Disruption of Kikuyu Identity and Nationalism

The advent of colonialism and Christianity at the end of the 19th Century significantly disrupted the Kikuyu traditional life. Contact between the Europeans and the Kikuyu increased significantly when in 1888, the Imperial British East Africa Company (IBEAC) established its first administrative post in Kikuyu land near Dagoretti in the current Kiambu County. Later, as the British Government commenced direct administration of the East African Protectorate in 1895, it also commenced direct colonial influence of the Kikuyu people including the occupation of their land.⁴⁹⁸ By 1900, the colonialists had moved northwards to establish a military and administrative post near the mythical cradle of the Kikuyu, *Mukurwe wa Nyagathanga*, in the current Murang'a County. For ease of administration, the colonialists replaced the Kikuyu council of elders with colonially appointed chiefs.

⁴⁹⁷ Karanja, J., 2009, *The Missionary Movement in Colonial Kenya: The Foundation of African Inland Church*, Gittingen, Cuvillier, p. 88

⁴⁹⁸ Sandgren P.S., 1989, *Christianity and the Kikuyu: religious division and social conflict*, New York, Peter Lang, p. 31

In order to recover the expenditure occasioned by the construction of the Kenya Uganda Railway, the British government invited white farmers to settle and farm in Kenya. Through various ordinances, the colonial administration alienated thousands of acres of fertile Kikuyu land and gave it to the white farmers and missionaries. The Kikuyus were effectively made tenants of the colonial government and forced into highly congested “native reserves”⁴⁹⁹. The land-deprived Kikuyus were further subjected to hut and poll taxes, forced labour and controlled movement through the *Kipande* system, all of which predisposed them to hunger and poverty.

The introduction of Christianity also disrupted the Kikuyu socio-cultural life. Sandgren⁵⁰⁰ has extensively documented this disruption. By 1910, several missionary outfits had established themselves and made converts or *Athomi* as they came to be known, in different parts of Kikuyuland. A vast majority, of the converts were attracted to the missionaries by the prospects of an education which would help them get waged jobs and other ‘privileges’ which included being allowed to cultivate on small plots, as well as exemption from taxes and routine harassment from local chiefs. On the other hand, the missionaries saw education as a contact point for conversion after which the converts were expected to disassociate themselves from all Kikuyu customs such as ancestral veneration, polygamy, vicariate, traditional dances, traditional marriage, beer drinking and witchcraft, which were considered to be against Christian morality. Those who participated in these practices would be shunned by the church and denied access to Holy Communion.

The adoption of the Christian faith by the Kikuyu converts brought about socio-cultural tension and disruption that had not been witnessed in the pre-colonial period. When men and women joined the missions, they were perceived to abdicate their roles in the socioeconomic and spiritual life of the community. Converts non-participation in periodic familial and communal rituals implied weakening of the community’s unity and ritual integrity, which led to disconnection with the ancestors whose displeasure could result in harm to the convert, his family or the entire community. In view of this, the community used both persuasion and

⁴⁹⁹ Tignor, R., 1976, *The Colonial Transformation of Kenya*, New Jersey, Princeton University Press

⁵⁰⁰ Sandgren P.S., 1989, *Christianity and the Kikuyu: religious division and social conflict*, New York, Peter Lang, pp. 197

retribution to discourage members from converting to Christianity. In response, the missionaries hid the converts in stations far from their families, which often worsened antagonism between the missionaries and the community⁵⁰¹.

The converts' daily contact with missionaries weakened their association with cultural traditions including, traditional dances, ceremonies and rituals as well as the cultural spaces and shrines where the rituals were carried out. The converts started to view these traditions as "uncivilized" and ridiculed those who participated in them. In a few occasions, groups of *Athomi* burnt sacred Mugumo trees and destroyed items used by diviners, in what was seen as unprecedented level of cultural defilement and abomination that could cause dire consequences including barrenness, disease, drought, famine or death. To avoid the community's retribution, the *Athomi* resided in mission stations under the protection of both the missionaries and the government⁵⁰².

The antagonism between the *Athomi* and the non-converts climaxed in the late 1920s after the missionaries introduced a "New Church" order requiring converts to disassociate themselves from, female circumcision and the Kikuyu political agitation that had been started by luminaries such as Harry Thuku under the Kikuyu Central Association (KCA). A convert was required to show allegiance to the 'new faith' by appending their finger print (*Kirore*). While a group of the first generation *athomi*, ascribed to the 'new church' doctrine, which earned them the name *Kirore*, majority of the second generation *Athomi*, most of whom had joined KCA refused to sign the loyalty pledge, an action that earned them the name *Aregi* from the term *kurega* which means to refuse.

While the *Kirores'* allegiance to the "new church" order was motivated by the promise of eternal life and such privileges as education and work at the mission stations, the *Aregi* considered female circumcision and their ancestral land to be an inalienable part of Kikuyu identity and unity. Rather than 'forfeiting' their cultural identity and nationalism, the *Aregi* opted to cut their links with missionaries. They established independent churches and schools under the auspices of Kikuyu Independent Schools Association (KISA) and Kikuyu Karing'a Education Association

⁵⁰¹ Sandgren P.S., 1989, *Christianity and the Kikuyu: religious division and social conflict*, New York, Peter Lang, p. 40

⁵⁰² *ibid.* pp. 42-43

(KKEA). The independent churches accommodated the Kikuyu customs including female circumcision, traditional marriage, polygamy and ancestral veneration at shrines such as *Mukurwe wa Nyagathanga*. The independent church leaders often also coordinated KCA and Kiama activities, within their church premises.⁵⁰³

Among the *aregi*, there emerged another group, the *Aroti* (dreamers) or *Arathi* (seers) whose spiritual experience was centred on their alleged ability to receive dreams and visions about the future like the traditional Kikuyu seers, hence the names *Aroti* and *Arathi*. They were also referred to as “*Watu wa Mungu* (the People of God).” They practiced a mixture of Christianity and Kikuyu indigenous religion. The *Arathi*, who evangelized and got many followers from among the Kikuyu, Embu and Meru communities also came to be called *Akurinu* and started adorning white turbans on the head and white body lobes as a sign of purity and distinction. They adopted a distinct form of worship that combined some aspects of Kikuyu traditions with Christian ones. For instance, they reverted to worshipping *Mwene nyaga*, the God of their forefathers (*Ngai wa maithe maitu*) under traditional shrines including *Mukurwe wa Nyagathanga*, while facing Mount Kenya with their hands up to the sky.⁵⁰⁴

In the years that followed, antagonism heightened between the *Kirore* and the *Aregi*. While the *Kirore* perceived the *Aregi*'s persistence in traditional ways as having not seen ‘the light,’ the *Aregi* perceived the *Kirore* to have betrayed the very essence of being a Kikuyu. Traditionally, an uncircumcised girl who was given the derogatory term *kirigu* (plural *irigu*), was considered immature and unmarriageable and neither could she commune with the ancestors. Marrying such a girl was an abomination that could cause calamities to the involved individuals and the community. As part of the reaction to the ‘new church’ order, a song by the name *muthirigu* emerged among the *Aregi*. It depicted uncircumcised girls as sterile, immature, promiscuous and ‘bed wetters’⁵⁰⁵. The song also expressed a longing for the return of Kenyatta from England to liberate the Kikuyu from colonial bondage. Talking about this longing and the hope the Kikuyu

⁵⁰³ Sandgren P.S., 1989, *Christianity and the Kikuyu: religious division and social conflict*, New York, Peter Lang, pp. 71-120

⁵⁰⁴ Kenyatta J., *Facing Mount Kenya* pp. 273-279; Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” p.283; Sandgren P.S., 1989, *Christianity and the Kikuyu* pp. 121-136

⁵⁰⁵ *Ibid*, pp. 91-92

had on Kenyatta as their saviour, Rosberg and Nottingham⁵⁰⁶ noted that Kenyatta “summed up their [Gikuyu’s] hopes and gave new life and confidence to the struggle...His passage back...brought him to a land where he was all things to all men.” Muthirigu was banned in 1931 by the government for being seditious and posing a threat of evolving into a general Kikuyu revolt. By 1931, when the missionaries allowed a ‘Christianized’ version of female circumcision that involved minor operation, the aregi had moved on with their independent churches and schools, which accommodated Kikuyu female circumcision in its traditional version.

Another independent church was started by Bildad Kaggia, who after serving the colonial army from 1941 to 1946 returned home determined to liberate his people from the bondage of colonialism and foreign religion. ‘*Dini ya Kaggia* (Kaggia’s religion)’ as it came to be known spread quickly throughout Kikuyu land and Ukambani, where it received mass influx of followers from missionary churches, several of which had to close down. While *Dini ya Kaggia* was ultimately suppressed, it reignited aregi determination to uphold Kikuyu customs and traditions. This cultural determination remained a major factor during the 1950s Mau Mau uprising that was the culmination of the Kikuyus’ land and economic grievances⁵⁰⁷.

During the uprising, most *Aregi* sided with the Mau Mau who took up arms against the colonial rule in determination to liberate the community and its ancestral land. Recruitment into the Mau Mau was through administration of ‘traditional oathing,’ which was conducted in traditional shrines and in independent churches where it would be disguised as worship services. Mau Mau members were thus ‘initiated’ into secrecy and loyalty by which they engaged in the war to liberate their land. On the other hand, most *Kirore* members sided with the colonial government to fight the Mau Mau, which gave some semblance of a civil war which greatly compromised Kikuyu collective sense of identity and nationalism.

Kikuyu communal solidarity was further disrupted by prohibition of communal initiation of boys during the state of emergency by the colonial government which feared that communal initiation

⁵⁰⁶ Rosberg, Carl G. jr. & Nottingham, J., 1966, *The Myth of Mau Mau: Nationalism in Kenya*. London, Pall Mall Press, p. 216

⁵⁰⁷ Odinga A. O., 1967, *Not Yet Uhuru*, London, Heineman, pp.73-74

which brought together tens of able bodied initiates and their mentors would provide an avenue for mobilization of Kikuyu nationalism against colonial rule. The community was also restricted from using their shrines, most of which were destroyed by the colonialists as the Mau Mau resorted to using them as hideouts and oathing venues. For instance during the 1954 villagization, the local community was forced to cut down most of the sacred trees at *Mukurwe wa Nyagathanga*, and a military camp for the 'home guards' was erected at the site desecrating it. The site served as the base from which the local community was terrorized by the home guards until 1957, when a mysterious fire is alleged to have burnt down the camp bringing to an end its occupation by the colonial militia.

During the 1959 land demarcation and consolidation, the intrinsic desire to revive and preserve *Mukurwe wa Nyagathanga* as a place of Kikuyu common myth and identity made the local community (the Aceera clan), led by their elders to set aside a piece of land approximately 4.25 acres at the site for the purpose. They later planted indigenous and medicinal plants within the site and surrounded it with a live hedge. In view of the purpose the shrine had historically served, the piece of land was not registered under any individual or group but was left as community land belonging to the entire of *Nyumba ya Mumbi* or the Agikuyu people.⁵⁰⁸ Owing to the level of impoverishment and socio-cultural disruption that the Kikuyu community had undergone under colonialism, performance of rituals and sacrifices at *Mukurwe wa Nyagathanga* never quite resumed as it had originally been, even after Kenya obtained her independence in 1963.

6.3: Reference by Prominent Kikuyu's and those in the Diaspora

Over the years, the site has been visited by especially Kikuyu children and youth in school tours aimed at exploring the Kikuyu culture. The site has also been patronised by individuals who have wanted to reconnect with and celebrate their Kikuyu origins and identity. For instance, in 1956, Dr Julius Gikonyo Kiano, the first Kikuyu and Kenyan to attain a PhD⁵⁰⁹ chose the shrine as a befitting space for his homecoming after completing his studies in the United States of America.

⁵⁰⁸ Rukwaro R., (2016) "Community participation in conservation of gazetted cultural heritage sites: a case study of the Agikuyu shrine at Mukurwe wa Nyagathanga", In Deisser A-M. and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya*, London, University of London Press, pp. 180-199

⁵⁰⁹ Nganga M. D, (1977) "Mau Mau Loyalist and Politics in Murang'a 1953-1970", *In Some Perspectives On the Mau Mau Movement* P. 373

During this 'home coming' occasion, Kiano is said to have planted a Mukurwe tree at the shrine, where it still stands. The Kikuyu Nobel Laureate Professor Wangari Maathai also actively identified with *Mukurwe wa Nyagathanga*. She was among those who spearheaded its gazettement as a protected national heritage site and actively participated in its revival from the 1990s until her death in 2011. Following her death, the Kikuyu council of elders planted a *Mururi* tree at the shrine as her commemoration.



Fig 24: Commemoration tree for Prof Wangari Maathai at *Mukurwe wa Nyagathanga* (Source: NMK)

Another notable Kikuyu, the celebrated author, Ngugi wa Thion'go who is a strong advocate for the revival of Kikuyu culture and African cultures in general visited *Mukurwe wa Nyagathanga* the shrine in February 2019 in a form of homecoming after launching his new book, a Kikuyu epic novel⁵¹⁰ on the Kikuyu mythical origins. This book is an epic on the Kikuyu's mythical first parents, Gikuyu and Mumbi, and their ancestral home at *Mukurwe wa Nyagathanga*. Wa Thion'go who has been living in the USA, since 1982 after fleeing the wrath of the suppressive KANU regime represents the thousands of Kikuyus in diaspora who seek to reconnect with, and express their Kikuyu identity in various ways, with some of them resorting to the use of the

⁵¹⁰ Ngugi wa Thion'go, 2018, *Kenda Muiyuru: Rugano Rwa Gikuyu na Mumbi*, Nairobi, East African Educational Publishers, pp. 136

cyberspace, websites as well as radio and TV live talk-shows and call-in programmes in the various Kikuyu FM stations in expressing their common identity and solidarity a good number of the websites and the radio and TV programmes make reference to *Mukurwe wa Nyagathanga*. *Mukurwe wa Nyagathanga* is therefore a place that meets the desire of Kikuyu people both within the country and in diaspora, who would want to reconnect with and express their Kikuyu identity and solidarity.

To gain a better appreciation of the cultural value that *Mukurwe wa Nyagathanga* was accorded by the local community and the Kikuyu community at large, the author was given a guided⁵¹¹ tour of the shrine by two elders, Chege Ndong'o and Kimani Muchoki who were part of the *aramati* or stewards of the shrine and who were involved in interpreting the cultural significance of the shrine to guests. The elders enumerated and elaborated the various values, significances and meanings that the shrine held for the local community and all the Kikuyu people. They included, the shrine being the first home and prime shrine for all Kikuyu people. The shrine was a source of blessings and whenever elders gathered there and gave a sacrifice to Ngai, the land of Kikuyu would be blessed with abundance. One of the elders, Kimani, said "*Ngemi ciumaga na Mucii, na uyu niguo mucii wa Mugikiyu wothe oharia ari* (Blessings come from home and this is the home of all Kikuyus wherever they are.)" According to the elders, all Kikuyu people and their children needed to visit *Mukurwe wa Nyagathanga* so that they could understand where they came from and their culture.

6.4: Conclusion

This chapter has illustrated the central position of *Mukurwe wa Nyagathanga* and its intangible heritage in Kikuyu identity. It has revealed the cultural value of the site as the mythical ancestral home and reference point for Kikuyu cultural identity and socialization. The shrine and the intangible heritage that it embodies distinguishes the Kikuyu community as a nation defined by a common myth of ancestry, ancestral territory, common language and traditions. These are all features that have been emphasised as identifiers of a primordial nation⁵¹².

⁵¹¹ The guided tour which was done on took place on May 15, 2015 took the form of an interview where the author posed questions to the two elders along the way to probe the interpretation of various aspects

⁵¹² Smith, AD., 1998, *Nationalism and modernism*; Van den Berghe P., 1994, "A socio-Biological Perspective

As the community's prime shrine and dwelling place of the God of Gikuyu, and the ancestral spirits, it is also a place of healing and wellbeing for the community. In the absence of a State formation or a kingdom system, the myth of ancestry linked to *Mukurwe wa Nyagathanga* and its intangible heritage has acted as the main identity and uniting factor for the Kikuyu community. The chapter has also illustrated that despite undergoing disruption and suppression due to colonialism and introduction of Christianity, *Mukurwe wa Nyagathanga* has survived and remained the prime point of reference for Kikuyu identity in contemporary times. Its centrality in Kikuyu ethnic identity renders it as a strong site for political mobilization as is illustrated in the next chapter.

CHAPTER SEVEN: MOBILIZING KIKUYU NATIONALISM IN SAFEGUARDING UTHAMAKI

7.1 Introduction

This chapter examines how, through *Mukurwe wa Nyagathanga* and the cultural traditions it embodies, Kikuyu ethnic identity continues to be evoked and mobilised for socio-political reasons at both local and national levels.

7.2: Post-Independence ‘latency’ in Kikuyu Nationalism

After Kenya attained independence in 1963, Jomo Kenyatta, a Kikuyu, became the country’s first president. As the country’s leader, Kenyatta initially adopted an approach where he selectively appropriated and ‘nationalised’ some aspects of the Kikuyu culture and historical experiences, while suppressing others for the purpose of ‘nation crafting’ and power centralisation. For instance, at the midnight of December 12th, 1963, when Kenyatta received the instruments of power at Uhuru Gardens in Nairobi, he had the Kenyan flag planted on Mt Kenya by Kisoi Munyao, an experienced Kamba porter. This symbolically transformed Mt Kenya, the Kikuyu prime shrine into a symbol of national identity. Akker van den observes that when “Kenyatta sent Kisoi Munyao to plant the National flag on Mt. Kenya’s peak on the night of independence – the act meant to transform the mountain from a Kikuyu shrine or Mau Mau hide-out into a symbol of the colonial hardships that all Kenyans had fought against together”⁵¹³.

During the first anniversary of independence, on December 12th, 1964, Kenyatta once again ‘nationalized’ the Kikuyu culture by planting a Mugumo tree at the spot in *Uhuru* (independence) gardens where Kenya’s flag had been first raised. This could also be interpreted to have been intended to communicate to the Kikuyu and Kenyans in general that finally they had beheld back their land, from which they had been alienated by the colonialists. Matthew Karangi has demonstrated the cultural significance of the Mugomu tree in terms of connecting the Kikuyu community to their cosmic world, and in validating their “claim to land, political power, religious hegemony and identity”⁵¹⁴

⁵¹³ Van den A.M.L., *Monument of Nature? An ethnography of World Heritage of Mt Kenya*, P. 80

⁵¹⁴ Karangi M. M., “Revisiting the roots of Gikuyu culture through the sacred Mugumo tree” In *Journal of African Cultural Studies*, Vol. 20, No. 1, June 2008, pp. 117–132

At the national platform, Kenyatta was careful not to seem to give too much attention to Kikuyu identity and nationalism as this would have worked against his 'nation building' project. In a bid to endear himself to the various segments of the society including the white settlers, the Mau Mau veterans and the loyalists, Kenyatta advanced the narrative that all had fought for independence, and called upon them to 'forgive and forget,' 'bury the past'⁵¹⁵ and forge ahead with nation building under his 'Harambee' clarion call. This stance was also meant to ward off unrealistic demands from the Mau Mau veterans who were demanding to be compensated with free land and financial support for having liberated the country. Clough observes that "in his own Uhuru speech that night Jomo Kenyatta did not mention Mau Mau fighters at all."⁵¹⁶

Armed with a symbolic flywhisk (*gichuthi*) and walking staff (*muthigi*), Kenyatta, then in his late sixties presented himself as the over-all elder, *Mzee*, for not just the Kikuyu but all the Kenyan communities. Many of the communities even coronated him as their elder. According to Aseka, "Kenyatta became the cornerstone of multi-ethnic and multi-racial stability in post-colonial Kenya... He remained a father figure of the country."⁵¹⁷ According to Kinyanjui, to the Kikuyu, Kenyatta "was the reincarnation of 'Gikuyu', the legendary patriarch of the community, while to other communities, he was perceived as someone who transcended ethnicity."⁵¹⁸ With Kenyatta assuming both political and cultural leadership of the Kikuyu, the community perceived no urgency in reviving its traditional council of elders, which might have been seen to compete with or challenge Kenyatta's authority. Retaining Kenyatta as the community's prime counsel could be argued to be one way in which the Kikuyu hoped to lead the other communities out of ethnic cocoons into Kenyan nationalism.

7.3: Jomo Kenyatta's Arousal of Kikuyu Nationalism in the Safeguarding of *Uthamaki*

Heightened dissent from the Luo in the late 1960s and early 1970s saw Kenyatta conveniently resort to mobilisation of Kikuyu nationalism through traditional oaths, which were referred to as *chai wa Gatundu* (gatundu tea) in reference to Kenyatta's home in Gatundu where the oaths are

⁵¹⁵ Anderson, D., 2005, *Histories of the Hanged: Britains dirty War in Kenya and the end of the Empire*, P. 335

⁵¹⁶ Clough M. S., 1998, *Mau Mau memoirs : history, memory, and politics*, London, Lynne Rienner Publishers, P. 46

⁵¹⁷ Aseka E. M., *Makers of Kenya's History: Mzee Jomo Kenyatta*, (ed) Wandibba S., Nairobi, East Africa Educational Publishers, P. 40

⁵¹⁸ Kinyanjui F., 2013, *Citizenship and Nationhood in Post-Independent Kenya*, In Gona G. and Wa-Mungai M. (eds.), *(Re)Membering Kenya: Interrogating Marginalization and Governance*, Nairobi, Twaweza Communications, P. 118

said to have been administered. The oaths were meant to consolidate loyalty among the Gikuyu Embu and Meru communities, and to make them do all they could including risking their lives in safeguarding what they perceived as collective benefit.⁵¹⁹ In this case, the collective benefit entailed keeping the presidency in the house of Mumbi, and in the greater, Mt Kenya region. Kenyatta also sought to endear himself to the Mau Mau veterans through such gestures as the March-1971 inauguration of the construction of Dedan Kimathi Memorial library in Nyeri. He also oversaw the establishment of the Gikuyu Embu Meru Association (GEMA), which became a convenient vehicle for consolidating loyalty from the linguistically related Mt Kenya communities⁵²⁰.

Kenyatta's reinvention of Kikuyu identity based on the community's culture and myth for the purpose of religio-politico mobilisation had started much earlier. For example, Droz⁵²¹ and Karangi⁵²² analyse how through the narration in his book, *Facing Mount Kenya*, Kenyatta wittingly fuses into the Kikuyu myth various aspects of Biblical creation. In doing so, Kenyatta exploited the power-knowledge theory advanced by Mudimbe⁵²³ to reinvent a Kikuyu community that he envisioned to lead politically. Through '*Facing Mount Kenya*' he was able to use language as a tool for 'identity and readily available symbol of ethnicity with the prescriptive power for legitimacy.'⁵²⁴ The success of Kenyatta in reinventing himself and the community he looked forward to lead is summarised by Rosberg and Nottingham who observe that, "to the old he was not too young, to the young he was not too old; to the illiterate he was not too educated, to the educated he was nobody's fool. He had the knowledge of the British political system

⁵¹⁹ Okoth P. G., 2008, (Ed) "Peace and Conflict Studies in A Global Context." Kakamega, Masinde Muliro University of Science and Technology, p. 47

⁵²⁰ Ogot B., 1995, "The Decisive Years: 1956-63" in Ogot B.A., and Ochieng, W. R., (eds), *Decolonization and Independence*.

⁵²¹ Droz Y., 1999, *Migrations Kikuyus : des pratiques sociales à l'imaginaire*, Paris, Maison des Sciences de L'home pp. 72-73.

⁵²² Karangi M.M., 2013, "The Creation of Gikuyu Image and Identity" P. 18 A Reserch Gate Project

⁵²³ Mudimbe V.Y., 1988, *The Invention of Africa: Gnois Philosophy and the Order of Knowledge*, London, James Currey

⁵²⁴ Atieno-Odhiambo E.S., 2002, "Hegemonic enterprises and instrumentalities of survival: ethnicity and Democracy in Kenya," *African Studies*, Vol 61, Issue 2 p. 244

possessed by few Africans. He had written a book which cried out its faith in the dignity of his people and their way of life...he was all things to all men."⁵²⁵

Through GEMA, Gikuyu and Mt Kenya nationalism sentiments were evoked by the elite in the name of safeguarding *uthamaki* (leadership or presidency) from ever leaving *nyumba ya mumbi* (the house of mumbi). This is because *uthamaki* was perceived to yielded benefits to the GEMA communities in terms of access to state jobs and resources. The elite clique from Kenyatta's backyard of Kiambu, the 'Kiambu Mafia' as they came to be known went as far as declaring that "*Uthamaki ndugakira Chania.*"⁵²⁶ In 1976, they unsuccessfully engaged in countrywide campaigns aimed at changing the constitution to block Daniel Arap Moi, the then vice president from assuming the presidency in the event of Kenyatta's death. When Moi finally came to power, the Kikuyu underrated him perceiving him as a "passing cloud."⁵²⁷

7.4: Moi's Suppression of Kikuyu Nationalism

When Moi came to power following Kenyatta's death in 1978, he initially endeared himself to the Kikuyu community to win their support. To achieve this goal, "he devised a way of pleasing and working with...the Kikuyu who occupied a majority of seats in the government" by among other things, being coronated as a Kikuyu elder. He also initiated reconstructing "the Mau Mau memory in Kenya's Historiography" through such gestures as his 1979 announcement "that in recognition of Kenyan heroes, a major monument was to be erected at a suitable place in Nairobi,"⁵²⁸ and releasing of twenty-six individuals among them two intellectuals, Ngugi Wa Thing'o and Maina Kinyatti, who had been detained by Kenyatta for supporting renewed agitation for land among the Mau Mau and the landless. However, Like Kenyatta before him, Moi was careful not to give the Mau Mau eminence as this would have put him out of favour with the other communities. As such "Moi's immediate and strategic concern was to appease the Kikuyu

⁵²⁵ Rosberg, Carl G. jr. & Nottingham, J., 1966, *The Myth of Mau Mau: Nationalism in Kenya*, London, Pall Mall Press, p. 216

⁵²⁶ By this they meant that the presidency would never cross River Chania or leave Kiambu.

⁵²⁷ Karimi J. and Ochieng P., 1980, *The Kenyatta Succession*. Nairobi: Transafrica, pp. 40-45

⁵²⁸ Wahome E., Kiruthu F. and Mwangi S., 2016, "Tracing a forgotten heritage" p. 219

elite who had, since 1960, dominated the political, administrative and economic life of the country, and later to dump them once he had asserted his rule.”⁵²⁹

Soon afterwards, Moi started to replace Kikuyus with his fellow Kalenjins in what came to be referred to as ‘deKikuyunization’ and ‘Kalenjinization’ of the government.⁵³⁰ Akker Van den⁵³¹ notes that after taking over power, Moi “continued the clientelistic politics that Jomo Kenyatta had put in place, but turned them to benefit his Kalenjin constituency...and... marginalized Jomo Kenyatta’s former Kikuyu affiliates.” Moi also dismantled Kikuyu cultural, economic and political power by banning GEMA in 1980⁵³². The Kalenjins and Moi’s cronies, ‘big men,’ who acted as Moi’s contact in the other communities became the new beneficiaries of state largesse and machinations including land grabbing that reached euphoric levels and did not spare community land including *Mukurwe wa Nyagathanga* as elaborated in the next chapter.

Moi’s continued autocracy, which climaxed with the June 1982 conversion of Kenya into a *de jure* single-party state elicited citizens’ agitation for democracy throughout the 1990s, which entailed mass protests. As part of these protests, Kikuyu nationalism was evoked through the singing of old Mau Mau songs, while calling for the unity of the community against Moi’s rule. Religio-political activism based on Kikuyu culture was actively used to protest against Moi’s repressive rule by such groups as *Hema ya Ngai wi Muoyo* (Tent of the Living God) and the *Mungiki* sects which emerged in the late 1980s.⁵³³ Majority of the sects’ members were unemployed, 18-40 years old school drop-outs, most of whom were victims of the 1992 and 1997 government-instigated ethnic clashes. The sects’ adherents decried accumulation of wealth by the powerful in Moi’s government at the expense of the mass who were languishing in poverty and joblessness. They also lamented that the old generation of politicians and leaders had stuck onto leadership

⁵²⁹ Ibid, p. 220

⁵³⁰ Ajulu R, 2002, “Politicised Ethnicity, Competitive Politics and Conflict in Kenya: A historical Perspective,” *African Studies*, 61,2; Biegon J., 2018, “Politicization of Ethnic Identity in Kenya: Historical Evolution, Major Manifestations and the Enduring Implications” In *Ethnicity and Politicization in Kenya, Nairobi, Kenya Human Rights Commission* p.23; Mueller S., 2008, “the Political Economy of Kenya’s Crisis,” *Journal of Eastern African Studies* 2, 2

⁵³¹ Van den A.M.L., *Monument of Nature? An ethnography of World Heritage of Mt Kenya* P. 155

⁵³² Opondo P. A., 2014, “Kenyatta and Odinga: The Harbingers of Ethnic Nationalism in Kenya,” In *Global Journal of Human-Social Science: D History Archaeology & Anthropology*, Vol XIV, Issue III, Version 1, pp. 20-36

⁵³³ Kagwanja P. M., “Facing Mount Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002,” *African Affairs* Vol. 102, No. 406 (Jan., 2003), pp. 25-49, Oxford University Press

for far too long, which necessitated an *itwika*, in which the older generation would hand over leadership to the younger generation. They also blamed westernization for loss of African traditional values and advocated for “a ‘complete’ return to indigenous beliefs and practices.”⁵³⁴ According to Ngonywa wa Gakonya, the founder of *Hema ya Ngai wi Muoyo*, going back to Kikuyu culture would “salvage self-dignity, Kinship, [Kikuyu] community and culture.”⁵³⁵

As part of ‘going back to the roots,’ the sects’ adherents denounced their affiliation with Christianity and started praying at various Kikuyu traditional shrines, including *Mukurwe wa Nyagathanga*, while facing Mount Kenya, the dwelling place of Mwene Nyaga. As part of their identity, the adherents donned dreadlocks and snuffed tobacco. They also advocated for polygamy and female circumcision among other Kikuyu traditional practices. A great number of boys were recruited into the sects during initiation by their *atiiri* (singular *mutiiri*), or ‘cultural mentors,’ most of whom were members of Mungiki. There were several cases of forceful recruitment and torture of the initiates, with some of cases of death being reported in the media.

To unify the Kikuyu nation, the sects started administering oath of unity to Kikuyu youths all over central Kenya in a manner similar to the Mau Mau oaths of the 1950s or the ‘Gatundu tea’ of early 1970s. Like the ones before them, the Mungiki oaths came with the *Kirira* (instructions) sessions in which recruits were inducted into the ‘traditional ways and wisdom’ of the Kikuyu community, including issues related to the community’s socio-political alignment of the time. On December 12th, 1998, a few weeks after *Mukurwe wa Nyagathanga* Shrine was gazetted as a National Monument, members of the Mungiki sect held a national conference at the shrine and launched what they referred to as ‘the Kirinyaga Kingdom. This ceremony involved chanting of traditional prayers and Mau Mau war songs, hoisting of the sect’s flag, and inscribing the sect’s identity on the site’s structures.’⁵³⁶

⁵³⁴ Wamue GN., “Revisiting our Indigenous Shrines,” p. 461

⁵³⁵ Miller E., “Kenya wary as traditional religions are revived,” *Washington Times* 24, August, 2000, retrieved from <https://www.washingtontimes.com/news/2000/aug/24/20000824-011846-6009r/>

⁵³⁶ Wamue G.N., “Revisiting our Indigenous Shrines through Mungiki.” *African Affairs* 100 (2001): 453-67; Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” *Journal of Eastern African Studies*, Vol. 6, No. 2, May 2012, 270-302

Meanwhile, the sect continued to elicit condemnation from the mainstream churches and the government, which started clamping the down the sect members. President Moi accused the sect of perpetuating tribalism and planning to overthrow his government. Subsequently the sect, and all other entities or gestures deemed to elicit Kikuyu nationalism remained largely repressed under Moi's government, this embargo was extended to include the display of Kenyatta's portrait in government buildings, which Moi banned in 1990.



Fig 25: Traces of Mungiki Inscriptions on the ruins at *Mukurwe wa Nyagathanga*
(Source: NMK)

7.5: Post-Moi Revival of Kikuyu Nationalism

When Mwai Kibaki took over the presidency in 2002 marking the end of tyrannical KANU reign, he opened up the space for recognition and expression of Kenyan diverse cultural identities and subaltern stories. This gave more room for revitalization and expression of ethnic identities and nationalisms. The Kikuyu elite seized the opportunity to revive Kikuyu nationalism by invoking Kikuyu cultural identity. This cultural identity revival include revival of GEMA and the Kikuyu council of elders. The Kikuyu cultural renaissance was also signified by the revival of 'traditional' circumcision, *irua*, in which boys are circumcised together and educated on Kikuyu customs and communal solidarity by the Kikuyu Council of elders. Installation and endorsement of leaders by the elders in designated cultural spaces, including *Mukurwe wa Nyagathanga*, also re-emerged as part of the new cultural renaissance.

The emergent Kikuyu Council of Elders also reintroduced *Mburi cia Kiama* (the Kiama goats) system. In this system, a man is required to give to the council of elders a fee in terms of *mburi* (goats) and *njohi ya muratina* (a traditional brew) for admission into the successive stage in his cultural lifecycle. The *mburi cia kiama*, are given at designated kikuyu cultural shrines, where the grandaunts receive instructions regarding their new cultural stature. The grandaunts are also presented with a special wooden staff (*Muthigi*) symbolising their new stature. As part of the cultural renaissance, there was a notable resurgence of traditional dowry negotiation (*ruracio*) and marriage (*Ngurario*). There was also notable increase in recognition and patronage of *Mukurwe wa Nyagathanga* as the cradle, prime shrine, and a place of communal decision of the Kikuyu people. The community, led by the elders and some politicians started to increasingly organise ceremonies at the shrine to celebrate their common culture and identity while discussing their communal socio-political welfare.

Not to be left behind in the new cultural renaissance, the Mungiki sect remerged with what seemed as a determination to enforce an *itwika* and take up the country's leadership by all means possible⁵³⁷. In the process, the sect morphed into a ruthless gang that did not only extort money from Kikuyu property and business owners but also mercilessly killed those perceived to be uncooperative or 'traitors' especially Christians. In return, the Mungiki Members faced brutal crackdown from the police, and retaliatory attacks from vigilante groups. This resulted in many deaths in various parts of Kikuyu land and urban slums. By the time it was subsiding, the Mungiki crisis, just like the Mau Mau crisis of the 1950s, left the Kikuyu community disillusioned and divided.⁵³⁸

The Kikuyu nationalism mobilization also involved castigation of the community's perceived political enemies. As the 2007 election approached, ethnic mobilization in the country reached a fever pitch. With the ICT and the FM stations having gained prominence following Kibaki's relaxation of media control, air waves and cyberspace were proliferated with content calling for Kikuyu unity while castigating perceived enemies of the Kikuyu community. In the Kikuyu

⁵³⁷ Miller E., "Kenya wary as traditional religions are revived," *Washington Times* 24, August, 2000, retrieved from <https://www.washingtontimes.com/news/2000/aug/24/20000824-011846-6009r/>

⁵³⁸ Henningsen E. & Jones P., "What kind of hell is this! Understanding the Mungiki movement's power of mobilization," *Journal of Eastern African Studies*, Vol 7, 2013-Issue 3 pp. 372-388

nationalism mobilisation, Raila Odinga, who was running against Mwai Kibaki was castigated for being ‘uncircumcised’ and therefore not being able to lead the country⁵³⁹, while his Luo community was referred to as “*nyamu cia ruguru*” (beasts from the west).⁵⁴⁰ The Kikuyu nationalism mobilisation formed part of the ethnic mobilisation which culminated with the 2007/008 PEV, in which more than 3000 lives were lost and more than 35, 000 people internally displaced.

7.6: Internal Competition for Control

As the Kikuyu community united in helping the thousands of its members who were still in the IDP camps following the PEV, they felt a greater need for a common avenue for communal mobilisation similar to what Kenyatta and GEMA had provided in the past. With the 2012 elections just around the corner, several groups of elders emerged claiming to offer the much needed communal leadership. This resulted in a competition for the control of Mt Kenya’s socio-political affairs and votes. One of the groups involved in this leadership competition identified itself as MEGA (Meru Embu Gikuyu Association). It was led by Peter Kuguru, a 1990s perennial parliamentary candidate, who was advocating for a Raila Odinga presidency after Kibaki’s exit in 2012. Kuguru went ahead and had Odinga coronated as a Kikuyu elder. However, when Odinga’s presidency became too difficult to sell in the region, MEGA fizzled out leaving two other GEMA factions in the supremacy war for the region’s cultural and political leadership.

One of two GEMA factions was led by Simon Wachira Kiago, a Kikuyu businessman in his mid-50s, while the other one was led by the Njenga Karume, the former minister of defence and long serving chairman of the old GEMA, who was in his mid-80s. For a long period, the two factions were involved in pronounced power struggle, with each of them claiming to be the *bona fide* Kikuyu Council of Elders (KCE). This power struggle climaxed in October 29th, 2011, when Njenga Karume, was coronated at *Mukurwe wa Nyagathanga*, as the singular *bona fide* leader of the Kikuyu community, the Chairman Kikuyu Council of Elders as well as GEMA overall leader.⁵⁴¹

⁵³⁹ Oogo L. A., 2014, *State Building, Democratization and the Role of Ethnic Political Identity: a case study of kenya*, A PhD Dissertation, University of Kwa Zulu Natal, p. 87

⁵⁴⁰ Mbugua Wa-Mungai, “Tusker Project Fame: Ethnic States, Popular Flows” *Journal of East African Studies*, Vol. 1, No.3, November 2007 pp. 338-358

⁵⁴¹ Gichohi M. K., 2016, “Marking Boundaries: Managing Intra-Ethnic Competition in Africa,” PhD Thesis,

Karume's coronation was dismissed by the Kiago-led group. This group had already declared Uhuru Kenyatta as the spokesman and leader of the community. They had done the declaration on September 17th, 2011 at *Mukurwe wa Nyagathanga*, as they prayed over Kenyatta's forthcoming ICC charges confirmation. As such, the Kiago-led faction accused Karume of betraying Uhuru Kenyatta and the Kikuyu community by trying to divide the community's leadership ahead of the 2012 elections. They also accused Karume of intending to *kuendia ruriri* ('auctioning' the Kikuyu nation) to Odinga whom he was perceived to have warmed up to in the context of the [then] forthcoming 2012 elections. The Kiago-led group also discredited Karume's coronation at the shrine which they said was in violation of cultural taboos as Karume was still bearing children with a young wife he had married recently. The Kiago-led group also accused Karume of desecrating the shrine by hosting uncircumcised non-GEMA elements⁵⁴² at the shrine during the coronation. This was in reference to the ceremonies attendance by Willis Otondi, the Chairman, Luo Council of Elders.



Fig 26: The then Minister of Defence Njenga Karume (center) being crowned a Kikuyu elder at *Mukurwe wa Nyagathanga* (Source: *The Standard*)

University of California.

⁵⁴² This was in reference to Mr Willis Otondi, the Chairman, Luo Council of Elders who had attended on Karume's invitation

In what seemed to be a revival of the political rivalry between the Kiambu and the Muranga/Nyeri Kikuyus that dated back in the 1970s, when the 'Kiambu mafia' led by Karume himself had vowed that *uthamaki* would never cross Chania River towards Murang'a and Nyeri, a section of Murang'a leaders led by the Maragua MP, Elias Mbau expressed opposition to Karume's coronation saying that Murang'a heroes, such as Kenneth Matiba, a former cabinet minister and presidential candidate deserved the honour more.⁵⁴³ Although the Kiambu Mafia's vow to 'retain the presidency' had become void as President Kibaki, from Nyeri, took over power from Moi in 2003, coronation of Karume as Mt Kenya spokesman definitely raised the sentimental memories of the latent regional rivalry. Karume's coronation also augured badly with the Kikuyu veteran politician and opinion leader, John Michuki. In a public rally in 2010, in his home county of Murang'a, Michuki had declared Uhuru Kenyatta as Kikuyu's undisputed leader and spokesman⁵⁴⁴.

When Karume died in February 2012, barely four months after the coronation, some elders associated the death to the 'abominable coronation'. They also castigated Karume's anointer, Mwangi Thuita, who was the chairman of another group of Kikuyu Council of elders based in Nairobi for misleading Karume. The death of Karume, which had been preceded five days before by that of Michuki brought "the end of a golden era for the Central Kenya political elite."⁵⁴⁵ The two men were arguably the most influential shapers of Kikuyu politics at the time and their exit represented a form of an *itwika* which left the much younger Wachira Kiago in the limelight as the *bona fide* chairman of the KCE, and Uhuru Kenyatta as the prime political leader of the Kikuyu community. The iconic politicians' deaths also occurred at a time when the country was gearing towards the first national election since the promulgation of a new constitution in 2010.

7.7.a: Kikuyu Nationalism Evoked in Navigating the ICC Case

In what seemed like an act of consolidating his own stature in the new socio-political dispensation, Kiago led his council of elders in re-endorsing Uhuru Kenyatta as Mt Kenya region's and GEMA communities' political leader. The elders went as far as petitioning the ICC to

⁵⁴³ Jesse M., "Central MPs Dismiss Karume's Coronation," *The Star*, 2 November 2011

⁵⁴⁴ The Nation, "Kibaki hand seen in 'anointing' of Uhuru as central Kenya spokesman" *The Nation*, Saturday, October 16, 2010

⁵⁴⁵ The Standard, "Karume death marks end of era for central kenya", *The standard*, 25 Feb 2012

postpone Kenyatta's trial to give him an opportunity to be elected in the presidential election that was scheduled for later in the year⁵⁴⁶. As Uhuru Kenyatta and his ICC co-accused William Ruto campaigned for the 2013 presidency, Kikuyu identity and nationalism was mobilized by developing a "siege mentality."⁵⁴⁷ In this siege mentality, Kenyatta and the Kikuyu community were portrayed as being unfairly prosecuted by the ICC, with Raila Odinga, Kenyatta's archrival being portrayed to have a hand in it. During the 'siege-based' campaigns, Uhuru Kenyatta, just like his father during the agitation for Kenya's freedom, was portrayed as the saviour who would "deliver" the Kikuyu nation and the entire country from internal (Odinga) and external (ICC) enemies. On the other hand, Raila Odinga, like his father during Jomo Kenyatta's reign was portrayed as the enemy that wanted to snatch God-given leadership from the 'house of Mumbi'.

During the campaigns, Kikuyu elders engaged in traditional prayers and rituals beseeching *Mwene Nyaga* to give Kenyatta victory against his contestant Raila Odinga, and the ICC case. During one such prayer ritual held on November 29th, 2012, seven Kikuyu elders congregated at Uhuru Park in Nairobi and conducted a ritual that involved *Kuraga Inya* (breaking of gourds). According to Mzee Samuel Kamithi, the ritual's chief priest, it was meant to "water down the negative effects of evil schemes hatched by external forces and unnecessary foreign pressures on the country."⁵⁴⁸ When Kenyatta won the March 4th, 2013, the elders believed that God had answered their prayers. Led by Wachira Kiago, they termed Odinga's allegation that he had "won the just concluded presidential elections with 5.7 million votes against Mr Kenyatta's 4.5 million votes," as "a show of total disrespect and disregard for the law."

The elders continued to conduct sacrificial prayers for Kenyatta and his deputy William Ruto to overcome the challenges posed by the opposition and the ICC cases. Such a sacrifice was conducted on June 22nd, 2013, by ten Kikuyu elders at a shrine in Narumoru, Laikipia County. Speaking about the sacrifice, its lead organizer Mzee Mathenge Iregi said "This sacrifice is to ask god to intervene so that they may overcome the challenges."⁵⁴⁹ Following what they saw as God

⁵⁴⁶ Njenga S., "Kikuyu Elders Pray for Uhuru 'Battle' At ICC", *The Star*, 7 October 2014

⁵⁴⁷ Lynch G., 2014, "Electing the 'alliance of the accused': the success of the Jubilee Alliance in Kenya's Rift Valley", *Journal of Eastern African Studies*, 8:1, 93-114.

⁵⁴⁸ Rajab R., "Kikuyu Elders Seek Ancestors' Intervention On Uhuru, Ruto ICC Cases", *The Star*, 30 November 2012

⁵⁴⁹ The Nation, "Elders offer sacrifice for Uhuru, Ruto" *The Nation*, June 22, 2013

answering their prayers, on December 5th, 2014, at Ihura stadium in Murang'a town where talks on reviving of *Mukurwe wa Nyagathanga* were going on, Kikuyu Council of elders led thousands of Kikuyu people in traditional prayers to celebrate ICC's acquittal of Uhuru Kenyatta. Kenyatta's supporters saw the ICC's acquittal as divine affirmation of his ascension to Statehouse.⁵⁵⁰

Like his father, Jomo, Uhuru Kenyatta was seen to triumph over undue persecution by the west to provide a uniting leadership for the Kikuyu community and the Kenyan nation. During the prayers at Ihura stadium, the elders also interceded for Ruto and crushed twenty-seven calabashes to curse twenty-seven witnesses who were "falsely" testifying in Ruto's case against the elders' advice. According to the Council's chairman, Wachira Kiago, these witnesses would suffer painful deaths. "Our God is angry and they had better come into the open and admit to Kenyans before his wrath lands on them and their families,"⁵⁵¹ Kiago said. The meeting at Ihura stadium had been organised to launch the renovation of *Mukurwe wa Nyagathanga* shrine, which was being spearheaded by the County Government of Murang'a.

After Kenyatta's acquittal, the Kikuyu Council of Elders continued to pray for Ruto, as a way of expressing solidarity that was vital for the continuation of Kikuyu-Kalenjin alliance and goodwill. For instance, on January 31st, 2015, the coastal branch of Kikuyu elders met in Mtwapa Township in Kilifi County and prayed for Ruto and his co-accused and kinsman Joshua Arap Sang. The region's Council's Chairman, Patrick Ndungu Gaithuma, appealed to the ICC to drop the cases in the "interest of nation-building, peace and unity," and to "allow the president and his deputy to work for Kenyans without the ICC burden."⁵⁵² The elders' wish was fulfilled on April 5th, 2016, when Ruto's case was terminated alongside that of his co-accused Radio journalist Joshua Arap Sang due to lack of sufficient evidence. On April 26th, 2016, the Kikuyu Council of Elders were

Retrieved from: <https://nation.africa/kenya/counties/elders-offer-sacrifice-for-uhuru-ruto-870598>

⁵⁵⁰ Rukwaro R., 2016, "Community participation in conservation of gazetted cultural heritage sites: a case study of the Agikuyu shrine at Mukurwe wa Nyagathanga," In Deisser A- M., and Njuguna M., *Conservation of Natural and Cultural Heritage in Kenya*. London, University College London Press p. 192; The Standard, "Jubilation as residents mock court" *The Standard*, December 6th 2014 Retrieved from:

<https://www.standardmedia.co.ke/business/article/2000143735/jubilation-as-residents-mock-court>

⁵⁵¹ Waithera A., "Party Breaks Out At Shrine Over Uhuru's Dropped Case" *The Star*, 8 December 2014

Retrieved from: <https://allafrica.com/stories/201412080691.html>

⁵⁵² Samrack, "Kikuyu elders hold prayers in Mombasa for Ruto's ICC Case" *Samrack*, February 1, 2015 Retrieved from: <https://samrack.com/kikuyu-elders-hold-prayers-in-mombasa-for-rutos-icc-case/>

among the thousands of people who gathered at Afraha Stadium in Nakuru for thanks-giving prayer following the termination of the ICC cases.

With the ICC cases behind them, Kenyatta and Ruto focussed on campaigning to be re-elected the following year, 2017. Once again, the campaign evoked Kikuyu identity and nationalism by portraying Odinga as the enemy who had 'fixed' Kenyatta and Ruto and by extension the Kikuyu and the Kalenjin communities in the ICC cases. For instance, during a campaign rally in Bomet Town, in the Rift Valley, Kenyatta said, "Raila has again started inciting Kenyans as he did in 2007 thus framing DP William Ruto. He is the one who ignited the fire."⁵⁵³ In subsequent incidences, Uhuru referred to Raila as *Kimundu* (nuisance bully) and called upon his (Uhuru's) supporters to come out and vote in big numbers in order to block the *Kimundu* from accessing the presidency.

In response to Kenyatta's call, the Kikuyu Council of elders promised to conduct "door-to-door voter registration campaigns in Mt Kenya to ensure President Kenyatta wins by a landslide in August."⁵⁵⁴ In urging the Kikuyu community to register as voter, The Kikuyu Council of Elders chairman, Wachira Kiago circulated a text message that read, "*Nyumba Itu tigutheke, Kuma mwaka wa 2013 kinya umuthi IBANDI Ciheanitwo ta uu guku Bururiini* (Our House of Mumbi, it's now serious. Not a laughing matter. Since 2013, this is how identity cards have been issued in the country." Beneath this text was a tabulation that indicated low registration in Mt Kenya region compared to other regions. According to Kiago, losing of the election by Uhuru was "tantamount to the community becoming naked."⁵⁵⁵

7.7 b: Sanctioning of 'Traitors'

Besides praying for '*uthamaki*,' the elders engaged in sanctioning individuals perceived to 'betray' Kikuyu nationalism and solidarity in any way. Mr SK Macharia, the proprietor of the Royal Media Services, was among the first people to face the wrath of the elders when in January 2017, he allegedly said that it was Raila Odinga, and not Mwai Kibaki who had won the 2007

⁵⁵³Nancy Agutu, "Raila treading path that will lead to violence – Uhuru" *The Star*, 16 June 2017 Retrieved from: <https://www.the-star.co.ke/news/2017-06-16-raila-treading-path-that-will-lead-to-violence-uhuru/>

⁵⁵⁴ Faith Mwema, "Elders to visit Every Home In Voter Drive" *KUtv*, January 26, 2017 Retrieved from: <http://kutv.co.ke/elders-visit-every-home-voter-drive/>

⁵⁵⁵ Wainaina N., "Stop staying away from us, elders urge President," *The Star*, November 22 2016 Retrieved from: <https://www.the-star.co.ke/counties/central/2016-11-22-stop-staying-away-from-us-elders-urge-president/>

presidential election. In castigating Macharia's betrayal of 'the house of Mumbi', Njoroje wa Karatu, the Council's Central Region Chairman said, "What our brother has done is very irresponsible and not expected of a Kikuyu elder...He is now putting the lives of the millions of the Agikuyu Community living in different parts of this country at the risk of being attacked by those who will believe that the elections were rigged... Macharia is being used by Raila to cause chaos ... Just like they did in 2007."⁵⁵⁶ The elders gave Macharia seven days to apologise to the Agikuyu community.

After Macharia failed to apologise, about 100 Kikuyu elders met near his ancestral home in Ndaka-ini village, Gatanga Constituency, Murang'a County on January 31st, 2017, and conducted a ritual to curse him for betraying the community. The ritual involved sacrificing a blemish-less black goat, piercing its meat with thorns and burning it all into ashes while muttering curses against Macharia. Speaking during this ritual, one of the elders, Kiarri Rugami said, "This is real. It is no joke. We gave him the mandatory 14 days to apologise to the community for exposing them to attacks by other communities especially in this electioneering period...We have sent delegations to him but he has dismissed the call of the community, leaving us no choice but to go ahead with the rituals...We curse his business. We curse his generations. He is not lucky." When Macharia's son, John Macharia died in a grisly road accident on April 26, 2018, slightly more than a year after the cursing ritual, many could not help associating the death with the curse. One commentator, Robert Alai, tweeting a few hours after the accident wrote, "S.K. Macharia's son John Macharia killed in a road accident which happened at midnight...That the Kikuyu elders cursed SK is very worrying."⁵⁵⁷

7.7. c: *The Kenyatta-Odinga 'Handshake' and its Dilemma for Kikuyu Nationalism*

The events surrounding the 2017 elections and its aftermath saw Kikuyu nationalism mobilization undergo a quick evolution. These events which happened in somehow quick succession included; Kenyatta's 8 August 2017 win that was protested by the opposition and successfully petitioned by Odinga, the 26th October 2017 rerun which Kenyatta won as Odinga boycotted, the 30th

⁵⁵⁶Thika Town Today, "Kikuyu Council Of Elders Warn S.K. Macharia To Apologise Or Else....." *Thika Town Today*, January 8 2017 Retrieved from: <https://www.thikatowntoday.co.ke/2017/01/kikuyu-council-of-elders-warn-sk.html>

⁵⁵⁷ This was one among many comments that linked Macharia's son's death to the curse of the elders Retrieved from: <https://twitter.com/robertalai/status/989753060254670848>

January 2018 'illegal' swearing in of Odinga as the people's president, and the rapprochement 'handshake' pact which happened between the two leaders on 9th March 2018. These events, which culminated in the typical pattern where the elite use 'violence and social orders' to establish intra-elite pacts, saw the Kenyatta-Odinga handshake become the new reference point for the mobilization of Kikuyu nationalism towards the imminent 2022 election.

As I have already elaborated in Chapter Five, the Kenyatta-Odinga handshake resulted in the emergence of two political camps which mobilized Kikuyu nationalism and identity in different directions. On one hand was the camp that supported the Kenyatta-Odinga pact, while on the other was the camp that claimed to maintain loyalty to the alleged Kenyatta-Ruto 2022 pact. This division did not spare the Kikuyu council of elders, who claim to be the custodians of the community's cultural leadership. This situation left the 'house of Mumbi' heavily laden by the burden of the two intra-elite political pacts. On one shoulder lay the Kalenjin community's claim for a debt of gratitude pegged on the alleged Kenyatta-Ruto pact of 2013, while on the other was the insistence by Luo legislators that backtracking on the Kenyatta-Odinga 'handshake pact' would lead to the disintegration of the nation.

7.8: Conclusion

This chapter has illustrated how Kikuyu identity, with *Mukurwe wa Nyagathanga* being at its centre, has continued to be reinvented and mobilised for ethno-political purposes at both local and national levels in post-devolution period. The chapter has begun by illustrating how from the 1920s Kikuyu identity has been reinvented through the recreation of the Kikuyu myth of origin. Through the recreation of this myth, Kikuyu identity and nationalism has been variously reinvented by its proponents for various reasons.

In particular, through his book 'Facing Mount Kenya,' Jomo Kenyatta, has been seen to reinvent the Kikuyu nation that he aspired to lead. The chapter also illustrates how, after independence, Kenyatta used the power-knowledge theory to selectively and strategically mobilised various aspects of Kikuyu identity and culture in positioning himself as the leader and prime elder of not just the Kikuyu but the entire Kenyan nation. This mobilisation included the use of Kikuyu traditional oathing rituals, formation of GEMA and strategic memorialization of Mau Mau in the

early 1970s in a bid to consolidate ethno-regional loyalty when his authority was challenged by Luo dissent.

To the Kikuyu and the GEMA communities, the ethno-cultural identity mobilisation was perceived as a means to safeguarding *Uthamaki* or the country's leadership for which the Luo's had started being seen as competitors. The chapter also shows how after succeeding Kenyatta Moi strategically endeared himself to the Kikuyu by identifying with the Kikuyu culture before turning around to suppress Kikuyu identity and hegemonic economic and political power through clientelist politics that replaced the Kikuyus in the government with Kalenjins. This led to the mobilisation of Kikuyu cultural identity as part of religio-political activism and agitation against Moi's repressive rule.

Finally, the chapter has illustrated how Kikuyu ethno-cultural identity was revived following the end of KANU's repressive reign and became a major factor in the mobilisation of socio-political life of the Kikuyu people. This is evident through the revival of *Irua* (traditional circumcision), Kiama goats (*mburi cia kima*), traditional dowry negotiation (*ruracio*) and marriage (*Ngurario*) as well as coronation of leaders by the elders at *Mukurwe wa Nyagathanga* and other designated cultural spaces. The chapter has illustrated that whereas mobilisation of Kikuyu ethnic identity has gained prominence as a means for bringing the '*Nyumba ya mumbi*' together in safeguarding '*Uthamaki*', it has also become a platform for rivalry and supremacy battle between different factions of Kikuyu Council of Elders and politicians competing for the control of socio-political affairs and votes of the populous Kikuyu community.

CHAPTER EIGHT: *MUKURWE WA NYAGATHANGA* AND THE HERITAGIZATION COBWEB

8.1: Introduction

This chapter explores how different meanings, values, interests, significances, perspectives, uses and activities associated with *Mukurwe wa Nyagathanga* by different stakeholders have continued to interact at the site and beyond in the process of heritagization. It also explores how these interactions have continued to influence the reinvention of Kikuyu identity and its mobilisation in local, regional and national politics. Ultimately, it explores the different kinds of tensions, contestations and conflicts which continue to happen among the various stakeholders, and how this has affected the management of the heritage site.

8.2: The Complexity of Cultural Heritage

Goral⁵⁵⁸ observes that “The question about the meaning and value of cultural heritage is one of those which have as many answers as many people are asked.” many authors⁵⁵⁹ have observed the multiplicity of meanings and values associated with cultural heritage to include artistic, aesthetic, historical, spiritual, social, political, authenticity, symbolic, moral, innovation, economic, branding and identity among other values. While discussing natural cultural sites of Kenya, Celia Nyamweru⁵⁶⁰ notes that there are many ways of categorizing them and settles down on six categories. These categories include sites associated with origins and first settlements; religion; indigenous governance, politics; conservation; and tourism.

As such, cultural heritage is of interest to many actors who include museums, curators, cultural anthropologists, local communities, politician, entrepreneurs, tourists, non-governmental

⁵⁵⁸ Goral A, 2014, “Cultural heritage in the cobweb of meanings” In Amoeda R, Lira S, Pin-heiro C. (eds) *Heritage 2014-Proceedings of the 4th International conference on Heritage and Sustainable Development*, Barcelos, Green Lines Institute.

⁵⁵⁹ Goral A, 2014, “Cultural heritage in the cobweb of meanings” In Amoeda R, Lira S, Pin-heiro C. (eds) *Heritage 2014 Proceedings of the 4th International conference on Heritage and Sustainable Development*, Barcelos, Green Lines Institute; Mezzanti M., 2002, “Cultural Heritage as a multi-dimensional, multi-value, and multi-attribute economic good: toward a new frame work for economic analysis and valuation,” *The Journal of Socio-Economics*, nr 5/31, 2002, pp.529-558; Smith L., 2006, *Uses of Heritage*, London: Routledge; Peacock A., & Rizzo I., 2008, *The Heritage Game, Economics, Policy and Practice*, Oxford Ox-form University Press.

⁵⁶⁰ Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” *Journal of Eastern African Studies*, Vol. 6, No. 2, May 2012, 270-302

organizations, civil society, local and national governments among others⁵⁶¹, all of whom are involved in the process of interpretation and representation of cultural heritage. Simon Thurley⁵⁶² proposes a conceptual framework for stakeholders' engagement with cultural heritage in form of an endless cycle of activities which include; understanding heritage, assessing its value, preserving it and enjoying it. The multiplicity of the stakeholders' values and interests associated with cultural heritage makes its management a complex affair. This is partly because different stakeholders assume different level of authority, influence and control over cultural heritage at different times. This dynamism in stakeholders' perceptions and authority over cultural heritage often causes tensions, contestations and conflicts. The illustration of the interactions of the various stakeholders, as well as their interests, tensions and contestations is what seems or is perceived as a complex heritagization network or cobweb.

8.3 The Heritagization 'Cobweb' at *Mukurwe wa Nyagathanga*

Since the advent of colonialism that disrupted traditional cultural custodianship, *Mukurwe wa Nyagathanga* like the rest of cultural sites in Africa and other parts of the world has been a subject of the complexity highlighted above. It has been variously heritized and deheritized by different stakeholders at different times for different purposes. This section looks at the cobweb of heritagization that the site has undergone in the past and continues to undergo in post-devolution era.

8.3. a: The KANU Elite Capture

After being destroyed and suppressed during the colonial period⁵⁶³, and remaining largely latent and obscured during Kenyatta's period, *Mukurwe wa Nyagathanga* became a victim of land grabbing during Moi's regime. In the early 1980s, KANU's 'big men', through the defunct Murang'a County Council (MCC) appropriated the shrine's land for the construction of a

⁵⁶¹ Goral A, 2014, "Cultural heritage in the cobweb of meanings" In Amoeda R, Lira S, Pin-heiro C. (eds) *Heritage 2014-Proceedings of the 4th International conference on Heritage and Sustainable Development*, Barcelos, Green Lines Institute.

⁵⁶² Thurley S., 2005, "Into the future. Our strategy for 2005-2010," *Conservation Bulletin [English Heritage]*, 2005 (49).

⁵⁶³ Wainaina M., "Land as Story and the Place of The Story: A Contemporary Kenyan Illustration of Landscape as Text", *International Journal of Humanities and Social Science*, Vol. 2 No. 23; December 2012

commercial complex consisting of a museum, a cultural centre and a tourist hotel, thus heritagizing it for economic use.

This initiative was opposed by the local community who saw it as utter disregard or ‘deheritagization’ of the site’s cultural value and their cultural identity. They opposed the project on the account that they had not been consulted and that commercialization of the site through such a project would desecrate it. After their dissenting voices were ignored by the project proponents, the local community, reached out to the Green Belt Movement and its leader, Professor Wangari Maathai for assistance in stopping the project. Professor Maathai, whose Green Belt Movement had become the face of the campaign against the then rampant public land grabbing reached out to the National Museums of Kenya (NMK). The NMK gazetted the shrine as a national monument on October 6th 1998, through Gazette Notice Number 167⁵⁶⁴.



Fig 27: Metallic gate at the *Mukurwe wa Nyagathanga* Shrine
(Source: NMK)

The gazettelement put the shrine directly under NMK’s mandate with Murang’a County Council only having the role of a trustee.⁵⁶⁵ This brought the construction works on the site to a halt. As one of those who spearheaded the gazettelement of the site, “a human rights activist and retired

⁵⁶⁴ Rukwaro R., 2016, “Community participation in conservation of gazetted cultural heritage sites: a case study of the Agikuyu shrine at Mukurwe wa Nyagathanga,” In Deisser A- M., and Njuguna M., *Conservation of Natural and Cultural Heritage in Kenya*” London, University College London Press, p. 188

⁵⁶⁵ Republic of Kenya, 2006, National Museums and Heritage Act. Nairobi, Government Printers.

university professor whose family home is close by... [and who]... resides in the United States but visits regularly and has continued to push for appropriate conservation of the site,"⁵⁶⁶ funded the installation of metallic gates at the site.

The stalled construction at the site was later vandalised. During an interview at the site, a member⁵⁶⁷ of the local community told the researcher that after the construction stalled, "influential individuals from MCC would come to the site and leave with lorry-loads of the different construction materials that had been brought to the site including sand, stone, cement, metal bars and iron sheet. Soon, members of the local community, joined in and took away some of the materials that had been left on the site." This observation is confirmed by Rukwaro.⁵⁶⁸

8.3. b: The 2000s Revival of the Shrine and Subsequent Mistrust among Stakeholders

From the early 2000s, the local community, and the then emergent Kikuyu council of elders, with support from the GBM, the NMK, the Department of Culture, Muranga County Council, the US-based Mau Mau Research Centre (MRC) headed by Professor Maina Kinyatti, and some media houses, especially those broadcasting in Kikuyu, joined hands in initiatives aimed at restoring the shrine, empowering the local community and bringing members of the Kikuyu community together to celebrate their common culture, identity and history. The initiatives included planting indigenous trees, conducting civic education sessions, fundraising, and annual cultural celebrations which entailed traditional prayers, cuisine, cultural materials display, folktales, traditional dances and games, proverbs, poems, riddles, topical lectures and speeches, as well as screening of videos on Kikuyu culture and environmental issues.⁵⁶⁹

With time, the shrine's annual celebrations which were being held on New Year's Eve became particularly popular⁵⁷⁰. For instance, in 2005, the event took the format of a cultural workshop with the theme of "Culture and Biodiversity." The speakers in the event included the mayor of

⁵⁶⁶ Nyamweru C., "Natural cultural sites of Kenya: Changing contexts, changing meanings," *Journal of Eastern African Studies*, Vol. 6, No. 2, May 2012, 270-302

⁵⁶⁷ The interviewee who asked for anonymity had been hired to guard the site during the construction, and was part of the site's custodian elders during this research.

⁵⁶⁸ Rukwaro R., 2016, "Community participation in conservation of gazetted cultural heritage sites"

⁵⁶⁹ *ibid.*

⁵⁷⁰ The event was being attended by Kikuyus from all over the country and diaspora

Muran'ga County Council and Murang'a District Commissioner, both of whom spoke about culture as an integral part of keeping peace and order in the society. Deeper insight into Kikuyu culture was provided by Father Joachim Gitonga, a retired Catholic father and a member of Kikuyu council of elders, who spoke about "Kikuyu cultural worship and Biodiversity." Mzee Simon Ngigi, another expert of Kikuyu culture based at a Kikuyu FM radio station spoke about the ceremony of "*Guciarwo na Mburi* (being 'born' into a new family through a ritual in which a goat is sacrificed)." Professor Maina Kinyatti gave a talk on "the legend of Kikuyu primordial homestead," while Dr Joseph Mutanga, the head of NMK's Kenyan Indigenous Knowledge Research Centre (KENRICK) talked about the significance of heritage sites including *Mukurwe wa Nyagathanga*.

Mr Chege Ndua, from the Ministry of Culture gave a talk on "The role of songs and dances in development." Professor Wangari Maathai, the renowned environmentalist and Nobel Laureate, and whose patronage of the shrine's activity had raised the popularity of the shrine,⁵⁷¹ gave a talk about Kikuyu cultural lifecycle and its interaction with biodiversity. During this event, entertainment was provided by more than 20 groups who performed both traditional and contemporary Kikuyu music and dances. Joseph Kamaru, the veteran Kikuyu musician performed several of his popular songs highlighting various aspects of the cultural and historical experiences of the Agikuyu. The growth and success of this event demonstrated that *Mukurwe wa Nyagathanga* was on its way to regaining the position of influence it once held in the community.

⁵⁷¹ Rukwaro R., 2016, "Community participation in conservation of gazetted cultural heritage sites: a case study of the Agikuyu shrine at Mukurwe wa Nyagathanga," In Deisser A- M., and Njuguna M., *Conservation of Natural and Cultural Heritage in Kenya*" London, University College London Press, p. 95



Fig 28: Athinjiri a Mwene Nyaga at *Mukurwe wa Nyagathanga* donning white clothings and traditional regalia (Source: NMK)

In line with what Voilier⁵⁷² describes as the typical process through which a place becomes a tourist destination, after getting publicity through the activities highlighted above, *Mukurwe wa Nyagathanga* started to receive more visitors including Kikuyus from the diaspora, youth groups, school and college students, as well other members of the public including international tourists. The shrine also became more popular for religious vigils especially from the *Aroti* or *Akurinu* or *Athinjiri a Mwene Nyaga* (those who sacrifice to *Mwene Nyaga*). Consequently, various members of the local community started going to the site on more regular basis to give guided tours and interpretation of the site to the visitors.

The site interpretation activities included the narration of the mythical story of Gikuyu and Mumbi and their nine-plus daughters, as well as the character traits of each of the nine plus clans. Other aspects that visitors enjoyed at the site included narrations on how the colonialists destroyed and suppressed the shrine and its intangible heritage, and the efforts that were being done to revitalize the shrine and Kikuyu culture in general. A few Kikuyu traditional artefacts are also presented at the site well as Kikuyu traditional dances. For those who may have the time, a visit to the shrine may include a ten minutes' walk to Gathambara, the natural spring from which

⁵⁷² Voilier, P., 1999, *L'espace local et les acteurs du tourisme*. Rennes: Presses Universitaires de Rennes, pp.177

Gikuyu and his family are believed to have drank. The spring flows up to Mathioya River, which is one of the largest rivers flowing through Murang'a County.⁵⁷³

With some visitors giving some “modest fee”⁵⁷⁴ or ‘token of appreciation’,⁵⁷⁵ to the ‘guides,’ and in the absence of proper coordination, the local guides started to compete and quarrel over the ‘tokens’ from the visitors. In an interview, the area’s senior chief recounted to the researcher how in several occasions his office and that of the district commissioner had to intervene in solving the quarrels. To end these quarrels, in 2004, the local community registered a self-help group, in the name of ‘*Akuria A Mukurwe wa Nyagathanga*’ which aimed at better coordination of the site’s activities and amicable sharing of its benefit among the local community members. Initially, a committee of seven men, who came to be referred to as *Aramati a Mukurwe wa Nyagathanga* (the stewards of *Mukurwe wa Nyagathanga*) was chosen to coordinate the shrine’s activities. In an interview on the site, one local elder⁵⁷⁶ told the researcher that the committee was chosen “in adherence to Kikuyu traditions where women were not allowed to deal with the intricate issues of shrines.”



Fig 29: An assortment of Kikuyu Traditional items displayed at *Mukurwe wa Nyagathanga* (Source: NMK)

⁵⁷³ The site interpretation activities were captured in a publicity brochure made in the 1980s

⁵⁷⁴ Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” *Journal of Eastern African Studies*, Vol. 6, No. 2, May 2012, pp. 270-302.

⁵⁷⁵ This is how the site custodian group referred to the various entry payments they received from visitors

⁵⁷⁶ The elder who requested for anonymity was part of the *Aramati* group when it was first formed.

Later, in search of a sense of inclusion, some women formed a group which engaged in cultural dances and routine cleaning of the site excluding the central shrine whose attendance was reserved for men only. A bank account was then opened where funds collected at the site would be kept and occasionally shared with the elderly and the destitute members of the community. This arrangement, however, only lasted for about three years due to mistrust and disagreement among the *Aramati*. Some of the issues they disagreed on included accountability and sharing of the money collected at the site, as well as the level of inclusion of women in decision making. While some *Aramati* sided with the women who were seeking more inclusion in the site's decision-making, others felt that women's participation needed to be limited to cultural dancing and cleaning of the site. The few (about three) *aramati* who felt that the women deserved more inclusion joined up with the women in singing for and guiding guests in the site. That became the beginning of a prolonged standoff between the two groups.

Meanwhile, other members of the local community who were not members of either of the groups felt left out in the sharing of the site's economic benefits. According to one member of the community who requested for anonymity, and who was not a member of either of the two contending groups, there was a feeling that the members of the two groups were unfairly benefitting from the site at the exclusion of the larger local community. According to another community member, the youth in particular felt left out as in the 'eating' of the site's money as all the members of the two warring groups were over forty years old.

8.3. c: Internal Conflicts and Mistrust among Stakeholders

The increasing prominence and significance of the site to both the local community and the other stakeholders necessitated a strategy to manage the stakeholders' interests. The stakeholders' interactions at the site and beyond needed to be managed in a harmonious way to avoid such squabbles as had already emerged among the local community members. For this reason, the Key stakeholders namely; the NMK, GBM, MCC and the local community initiated a Memorandum of Understanding (MoU) to define their respective roles and responsibilities in the development and management of the shrine. The draft MoU prioritized the establishment of a Kikuyu museum and cultural centre for the purpose of educating visitors on Gikuyu culture and history as well environmental conservation among other topics. The draft MoU proposed the

cultural centre to operate under a management board with representatives from the four parties, and assigned the role of collecting the site's entry fees to the NMK, while the other parties would operate other income generating activities such as tree nurseries, curio shops, and catering facilities at the site⁵⁷⁷.

The MCC objected the proposal of having the NMK as the custodian of the gate collections, arguing that it (MCC) needed to recoup the money it had spent on the incomplete building which could be completed to accommodate the proposed museum. Being wary of the past misdemeanour of CCM, the GBM opposed the Council's lobbying for the custodianship of the gate collection arguing that as the custodian of all of the country's national monuments, the NMK was best placed to take custody of the gate collections. On the other hand, the local community argued that, as the true owners of the site, they deserved to keep the lion's share of the envisioned gate collections. With each of the four parties angling to assert its authority and rights over the site, the MoU fell in disarray and was never signed leave alone being effected.

As the push and pull about the MoU was happening, another stakeholder, the USA-based Mau Mau Research Centre (MRC) headed by Professor Maina Kinyatti was running a fund drive for "Rehabilitation and Reorganization of the Agikuyu Shrine." The fund drive's brochure⁵⁷⁸ had a declaration, "*Nyumba ni Imwe, Urumwe ni Wendani* (We are one house, Unity is Love)." The brochure further stated, "We must return to our cultural roots, know our history, speak and write our language with a firm belief that the dead, the living and the unborn will unite to rebuild our destroyed shrine."

The fund drive which targeted Kikuyus in the diaspora especially in America stated its objectives as: Rehabilitation and reconstruction of the shrine; Establishment of a modern museum; construction of a modernised Mau Mau Library and Research Centre; construction of classrooms for teaching national and Mau Mau history; Construction of a monument to honour Field Marshal Dedan Kimathi and other Mau Mau fighters; Construction of a wall around the Shrine;

⁵⁷⁷ The details of the MoU establishment attempt and the aftermath were accessed from NMK's *Mukurwe wa Nyagathanga* files at the Central Region's coordination office.

⁵⁷⁸ The author was able to access and read a copy of the brochure

Provision of water and electricity at the site and tarmacking of the access road to the shrine. According to the fund drive's brochure, the shrine's cultural centre would also print and publish books written particularly in the languages of Central Kenya. The brochure further stated that the campaign aimed to raise \$50,000 by November 30th, 2005, with the ultimate goal being to raise \$100,000 that would accomplish the mission of reconstructing and reorganizing the Agikiyu Shrine.

The funds campaign brochure which recognised the Green Belt Movement, National Museums of Kenya, Muranga County Council, Vita Books Publishers (London), the local community and the entire people of central Kenya as supporters of the "monumental project," asked donors to make cheques payable to the Mau Mau Research Centre, whose bank accounts were indicated on the brochure. Unfortunately, a big controversy brewed around the funds drive. According to a member of the local community who requested for anonymity, no collections from it were declared or used in the site's development and attempts to get information about the fundraising brought about antagonism between them and the MMRC director. Using a proxy who requested for anonymity, the author tried to get clarification about the same from the MMRC director who denied having ran such a funds drive.

8.3. d: Conflict with some Churches

As the cultural practices such as *irua* (traditional circumcision), *mburi cia kiama* (Kiama goats), *ngurario* (traditional Kikuyu wedding), and revival of traditional shrines continued becoming popular from the early 2000s, a section of churches expressed opposition to the practices, terming them as negative and ungodly. In what seemed as a move to counter infiltration of the cultural practices among their adherents, various churches went ahead and started alternative programmes. One such programme which quickly gained popularity with many churches was on initiation and mentorship for both boys and girls. With time, it became increasingly common to find signboards of different churches in shopping centres and road junctions advertising initiation programmes. These advertisements became a common feature especially at the end of the year, as that is when most boys transitioning from primary to secondary school get initiated. The programmes usually entail circumcising several boys together and educating them on Christian morals. Girls are also put together in camps and educated on adulthood and Christian morals.

The churches also began various membership groups for men and women, ostensibly to counter the infiltration of such cultural groupings as *kiama* among the churches' adherents.

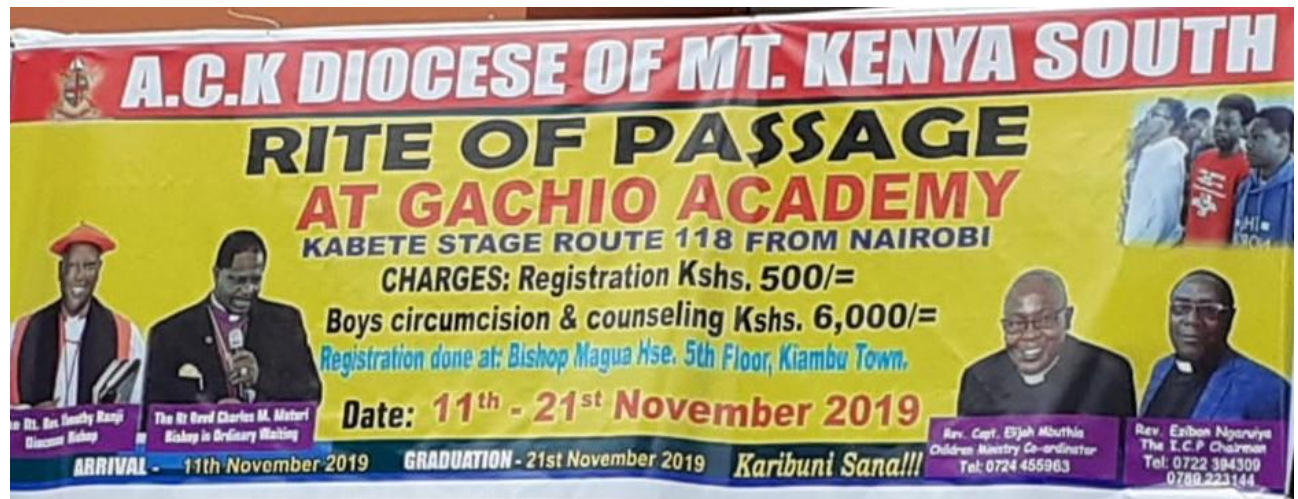


Fig 30: Promotional Poster for a Church-based Boys Initiation Programme
(Source: The Author)

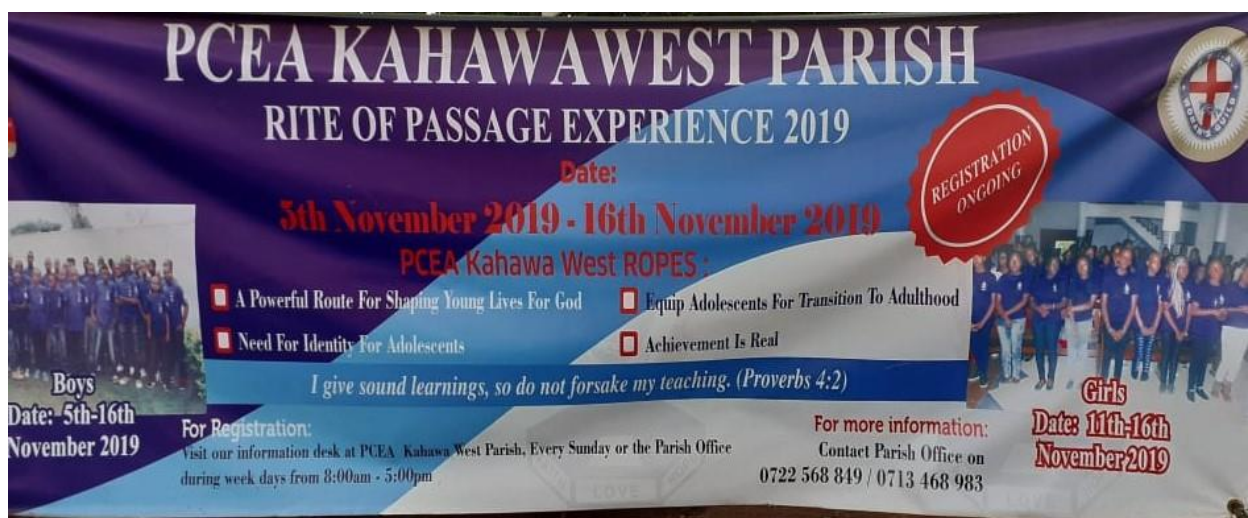


Fig 31: Promotional Poster for a Church-based Boys and Girls Initiation Programme
(Source: The Author)

Besides establishing alternative programmes to counter infiltration of cultural practices among their adherents, some churches expressly prohibited their members from participating in the cultural practices. The Presbyterian Church of East Africa (PCEA) for example prohibited its members from participating in *Mburi cia Kiama*, terming the practice as "a negative cultural

practice like polygamy, female circumcision, and witch craft.”⁵⁷⁹ One of the church’s moderators, Rev Dr. Joseph Wanjau equated the cultural practice to subordinating the Christian God to the Kikuyu God saying, “All rituals and sacrifices that involve the shedding of blood are sacrifices to a deity.”⁵⁸⁰

The reaction of the church towards revitalization of Kikuyu cultural practices highly antagonised the Kikuyu council of elders. While condemning the church for hijacking initiation of boys, Rugami wa Chombou, the Murang’a branch chairman of Kikuyu Council of elders, said, “[...] all the heritage and Kikuyu traditions have been eroded by the church who are seeking monetary gains.”⁵⁸¹ Chombou referred to an incidence where eleven boys had to be taken back to the hospital when their wounds failed to heal after being circumcised under a programme organised by Wanjengi ACK church. According to Chombou, this happened as taboos were violated by, among other things, allowing the initiates to meet their mothers. According to Chombou, “The women should never be seen near the initiates.”⁵⁸² In defence of the churches involvement in boys’ initiation, Rev Timothy Gichere, the ACK Bishop for Mt Kenya Central Diocese argued that mentoring the youths was part of the church’s role. His sentiments were echoed by his counterpart from Mt Kenya West Diocese, Bishop Joseph Kagunda, who termed the church’s involvement “... as a deliberate attempt to respond to the plight of the boy child in central province.”⁵⁸³

The Kikuyu council of elders were also enraged by the prohibition of *Mburi cia Kiama* by some churches. Muthoga Kirethi, the Council’s chairman in Nyeri County said, “This is unwarranted and misguided. We do not rival the church by embracing our culture. In fact we were born Kikuyu first before we joined the mainstream churches. People can opt to leave a church but you can never stop being Kikuyu.”⁵⁸⁴ In a way, the revival of the traditional boys’ circumcision seemed to revive the antagonism that had played out between the Kikuyu and the missionaries when the

⁵⁷⁹ Komu N., “PCEA ban on Kikuyu rite sparks big storm” *Nation.Africa / Kenya News*, May 24, 2018).

⁵⁸⁰ Ngugi M., “Modern Christian life and Kikuyu rituals,” *Medium.com*, July 2, 2018,

⁵⁸¹ Gachane N., “Kikuyu elders clash with church over role in boys’ circumcision,” *Nation news* December 2, 2018

⁵⁸² *Ibid.*

⁵⁸³ The Nation, “Church, elders differ over control of male circumcision” *The Nation*, Wednesday, November 06, 2019

⁵⁸⁴ Komu N., PCEA ban on Kikuyu rite sparks big storm. *Nation.Africa/Kenya News*, May 24, 2018

latter regarded Kikuyu traditional cultures as pagan. Since the cultural renaissance of 2000s, it has increasingly become common to find in various churches, men who have offered the *Kiama* goats and have remained as active church members. In some instances, being a *Kiama* member has enabled those in church leadership to easily find acceptance in different segments of the society, especially among other men who have offered the *Kiama* goats. In appreciation of this fact, the Catholic Church has continued to allow its Kikuyu clergy and adherents to participate in *Mburi cia Kiama*. For example, it is “estimated that 90% of Kikuyu Catholic priests in the Nairobi Diocese ...have been consecrated as Kikuyu elders.”⁵⁸⁵

A ground check on how the antagonism playing out between the Kikuyu council of elders and a section of the churches had affected the perception of *Mukurwe wa Nyagathanga* among the local community revealed existence of mixed perceptions. For instance, a local community member who was a teacher in a nearby secondary school teacher and a member of the Kenya Anglican Men Association (KAMA) told the researcher that he did not have any problem associating or being associated with *Mukurwe wa Nyagathanga*. He opined, “The God worshiped by the Agikuyu is the same God worshipped by Christians.”⁵⁸⁶ Another elder who requested for anonymity, however revealed that some local evangelical churches were discouraging their members from visiting or associating themselves with the shrine. “They even do not want their children and young people to come here and learn about their own origin and traditions”⁵⁸⁷ the elder said.

8.3. e: *The Shrine as a Site for Power Struggles*

Chapter seven has highlighted, the power struggle and competition for the control of the Kikuyu vote that different groups of Kikuyu Council of Elders have been involved in since the early 2000s. Different factions of the Kikuyu council of elders have continued to differ in various aspects of Kikuyu cultural heritagization. One such aspect regards coronation of women as Kikuyu elders. For instance, when Annah Nyokabi, and Sabina Chege the Women representatives of Kiambu and Murang’a Counties were coronated in April and June, 2015 respectively by the

⁵⁸⁵ Finke Jans. “Traditional music and cultures of Kenya: Kikuyu society (Mbari ya Mumbi) clans and social structure”(No date)

⁵⁸⁶ In an interview at the site

⁵⁸⁷ Ibid,

Wachira Kiago-led group of elders, a section of elders expressed their disapproval maintaining that it was taboo to install a woman as an elder in Kikuyu traditions. John Waiganjo Wandotono, the 'chief priest' who conducted the coronation defended it by saying, "It is through our tradition that a woman who has upheld the culture and its way can be crowned an elder so that she can lead with authority..."⁵⁸⁸ In defence of her coronation, the Murang'a Women rep insisted that she had not violated any traditions as she was crowned as a patron to spearhead women issues in the county and not as an elder. "I was given a *mutirima* (walking stick), and not *muthigi* (Elders' stuff)"⁵⁸⁹ Chege said. While Waiganjo mysteriously fell ill and died a few days after Chege's coronation, some commentators linked his death with the taboo associated with coronation of women.

Towards the end of 2011, a veteran politician and businessman from Kiambu County, Joseph Ngarama Karanu, donated building materials worth about KShs 300,000 for the construction of fence around the shrine. This donation, which was received by some local elders and Muranga County Council stirred the old mistrust and power struggle over the shrine's control. On June 6th 2012, the leadership of Green Belt Movement, Professor Maina Kinyatti and a section of the Kiago-led Kikuyu Council of elders stopped the ground breaking ceremony for the proposed fence on the allegation that they had not been consulted. During the scuffle that ensued, Kinyatti maintained that, the shrine belonged to all Kikuyu's and any developments in it "must be agreed on by everybody not an individual."⁵⁹⁰ Professor Kinyati who asserted that building a stone wall around the shrine would be against the Kikuyu culture, went ahead and filed a petition on July 26th, 2012, prohibiting the construction of the said wall.⁵⁹¹

Some members of the local community however accused Kinyati of preventing the site's development for personal interest. "We cannot allow this (Kinyati's) group to stop the development of this site, Kinyati promised us 3 million shillings for refurbishing this site but he

⁵⁸⁸ Wainaina E. et al., "The last moments of Njenga Karume," *Nation.africa/Kenya/News*, February 24, 2012

⁵⁸⁹ Maichuhie K., "Did installation of woman 'elder' cause death of Gikuyu high priest?" *The standard media*, 2015

⁵⁹⁰ Mwangi J., "Historian to Sue Over Murang'a Shrine Fence", *The Star*, June 7, 2012 Retrieved from

<https://allafrica.com/stories/201206090039.html>

⁵⁹¹ Ibid ; The author also got access to a copy of the petition from the NMK.

has not delivered at all,”⁵⁹² Said Allan Kamau, a member of the local community. Kamau was referring to the 2005 fund drive that Kinyati had allegedly conducted and whose result or proceeds were never disclosed. On the other hand, Murang’a County Council, led by its chairman Martin Mwangi, accused the Kiago-led council of elders of using the shrine in Mt Kenya’s supremacy battles. Referring to the multi-million tourist complex whose development had stalled in the 1980s and the wall that had just been stopped, Mwangi said, “The problem that we have with the Mukurwe shrine is that there is a lot of political interference from certain circles yet the site is a gold mine for this county.”⁵⁹³ In response, Wachira Kiago insisted that, “No individual shall be allowed to gain glory using the holy site and anyone willing to help should first consult the relevant elders.” Kiago went on to say that his group “had the full mandate to look after the shrine.”⁵⁹⁴

In what seemed as a bid to re-assert its authority and influence over the management and development of the shrine, the GBM started another initiative of bringing some Kikuyu elders together towards the end of 2012. This initiative culminated with the registration, of *Mukurwe wa Nyagathanga Kihumo* Trust (MWNKT) in December 2013. The trust, which operated under the auspices of the GBM assumed the role of cultural custodianship of the shrine and had membership of Kikuyu elders from different parts of the country. Between 2014 and 2016, the MWNKT held several meetings within which they came up with a proposal for the site’s development, which was complete with architectural plans.⁵⁹⁵ The trust however, was unable to carry out any development on the site as it lacked both resources and the legal mandate to do so. This left the site still in dire need of intervention for renovation.

8.3. f: Post-Devolution Disillusionment

The coming to effect of devolution in 2013, came with many promises to develop *Mukurwe wa Nyagathanga*. Some of these promises came from the ‘new’ but key stakeholder, Muranga County Government. For instance the county included the shrine in its first County Integrated Development Plan (CIDP) covering the period 2013 – 2017. The strategic plan recognised

⁵⁹² Ibid.

⁵⁹³ Ibid.

⁵⁹⁴ Ibid.

⁵⁹⁵ Rukwaro R., 2016, “Community participation in conservation of gazetted cultural heritage sites”

Mukurwe wa Nyagathanga as one of the major tourist attractions within the county and proposed to develop at the shrine a traditional learning centre and a Kikuyu cultural museum aimed at promoting the Agikuyu culture⁵⁹⁶. In 2014, Murang'a County Assembly passed a motion to convert *Mukurwe wa Nyagathanga* into a tourist attraction. While moving the motion, Caroline Njoroge, the Member of County Assembly (MCA) for Kigumo ward described the site as "a national monument with a potential of generating revenue by attracting both local and international tourists."⁵⁹⁷

On December 5th, 2014, in the presence of over 500 members of the Kikuyu community from different parts of the country, Murang'a Governor, Mwangi wa Iria launched a project to rehabilitate the shrine and gave a contribution of KShs 5 million for the project. While attributing the termination of the ICC case against Kenyatta, which had just happened, to the many prayers that had been done by the elders at the shrine, the governor promised to ensure that the shrine became an internationally recognised facility, and a befitting "venue for the elders" as they offered "guidance to the community and especially the young men."⁵⁹⁸ The governor then signed a Memorandum of Understanding (MoU) with Kenyatta University, for a collaboration to renovate the shrine. Professor Catherine Ndungo, who represented the University said, "With the engagement with the county government, the University's Department of Tourism will help with the restoration of the shrine."⁵⁹⁹

In 2015, Professor Ndungo led a team from Kenyatta University in conducting a survey that elicited stakeholders' recommendations of the shrine's development. This survey included a benchmarking mission that took about fifty persons consisting of Kikuyu elders, county officials and members of the research team from Kenyatta University to various heritage sites in the country as well as the Kasumbi tombs in Uganda. Unfortunately, the report from the preliminary research and the benchmarking tour made under and this collaboration had not been released by the time of writing this thesis due to what professor Ndungo referred to as "failure by

⁵⁹⁶ Murang'a County Integrated Development Plan (CIDP) 2013 – 2017

⁵⁹⁷ Harrison C., "Murang'a shrine to be tourist attraction site," *The Star* April 24, 2014 P. 76.

⁵⁹⁸ Gikandi Boniface. "KU, elders sign pact to conserve controversy ridden shrine" *The Standard*, December 8, 2014

⁵⁹⁹ *Ibid.*

Murang'a County Government to fully honour part of their obligations as far as the collaboration was concerned.”⁶⁰⁰

To find out the measures and mechanisms that the county had put in place for the sake of promoting and preserving *Mukurwe wa Nyagathanga* and the county's heritage resources in general, the author interviewed⁶⁰¹ the County Executive Committee (CEC) member in charge of culture and heritage. The CEC member elaborated that the county had consistently put *Mukurwe wa Nyagathanga* in its development plans with the objective of promoting tourism at the site and in the county in general. He pointed out that the site had been included in the county's first Integrated Development Plan (CIDP),⁶⁰² and the County's 2018/2019 Annual Development Plan,⁶⁰³ which prioritized securing and cleansing of the site as one of the year's Key activities for the sector concerned with Youth, Culture, Gender and Social services. He also said that the County government had employed two guards to guard the site day and night. The CEC member however highlighted some of the challenges of heritage promotion in the county to include lack of capacity in terms of heritage conservation personnel as well as financial and logistical resources. Citing the case of *Mukurwe wa Nyagathanga*, he also observed that sometimes squabbles among competing groups within the local communities and other stakeholders were derailing the promotion of heritage in the county and in the country. He however observed that devolution had enhanced opportunities for heritage management in the country. He particularly mentioned the enhanced possibility for county heritage and cultural officers to work closely with the local communities, and for the national and county governments and other stake holders to work together in promoting heritage.

The sentiments of the CEC member were echoed by the County's Director⁶⁰⁴ in charge of culture and heritage, who told the author that the county's department of culture and heritage did not have any other officer apart from the director, and neither were there such officers in the various wards within the county. The director also said that apart from in 2013, the year that

⁶⁰⁰ These sentiments were made by Professor Ndungo during a stakeholders consultative meeting in January 2017

⁶⁰¹ Interview with Murang'a CEC Member for Heritage August 22, 2019.

⁶⁰² Murang'a County Government, 2014, County Integrated Development Plan for 2013-17, Murang'a

⁶⁰³ Murang'a County Government, 2017, Annual development plan 2018/2019, Murang'a

⁶⁰⁴ Interview with the Muranga Director of Culture on August 23, 2019

devolution was effected, the county's department of heritage and culture had not received departmental financial allocation. This was despite provision for the same having been regularly included in the county's budgetary plans and integrated development plans. As to how closely the county's departments of culture and tourism were working and if there was some synergy, the director said that the two departments worked closely. The director however noted that the tourism department committed most of its regular budgetary allocation to cooperatives development which was also under its mandate. This indicated some relegation of cultural heritage development to the bottom of the county's budgetary priority list. This somehow confirmed the observation by Omenya and Lamont that in the counties, there was "less funding allocated to the department of culture, compared to their counterparts in tourism, and this has slowed the full realization and execution of their aims, mission and objectives."⁶⁰⁵

On a positive note, the director who had worked as a provincial director of culture before devolution concurred that devolution had enhanced the opportunities of working more closely with the communities in cultural heritage matters. Referring to a "Traditional Foods and Cultures Exhibition" that the county had organised in Murang'a town in collaboration with the local communities from the county, the Department of culture and the NMK, the director of culture confirmed that the possibility of enhanced stakeholders' collaboration was another opportunity that devolution had provided. Citing the case of *Mukurwe wa Nyagathanga* whose renovation had stalled, the director noted that such collaborations needed the full support and commitment of all the involved stakeholders so as to realize the desired results.

8. 3. g: Kenya's 100 Best Monuments' Project: the Dashed Hopes

When the National Museums of Kenya launched a project aimed at developing 'Kenya's 100 best monuments' in 2016,⁶⁰⁶ *Mukurwe wa Nyagathanga* was selected as one of the beneficiary sites. Being aware of the challenges associated with stakeholders' contestations which had derailed the development of the site for long, the NMK organized two stakeholders' consultative

⁶⁰⁵ Omenya G. and Lamont M., 2017, *The Uses and Management of Culture by Kenya County Governments: A Briefing Report*, UK, The Open University p.8

⁶⁰⁶ More details of the project are highlighted in chapter four

meetings in December 2016 and January 2017. The goal of the consultative meetings was to seek consensus among the stakeholders on the planned restoration of the shrine.

The meetings were attended by representatives from the Ministry of Sports Culture and the Arts (MOSCA), the National Museums of Kenya, the County Government of Murang'a, Murang'a members of parliament, the Green Belt Movement, Kihumo Trust, Kenyatta University, various factions of Kikuyu Council of Elders and Kikuyu traditionalists. During the meeting, the Principal Secretary for Sports and Culture, Joe Okudo, observed that, "the site is not only important to the Agikuyu people but it is also important in telling Kenya's history and its connection to other communities."⁶⁰⁷ His sentiments were echoed by NMK's Director General Mzalendo Kibunjia who said, "Once developed, *Mukurwe wa Nyagathanga* site will attract visitors and have economic effects on the local people especially the young people as the site will be opened for youth enterprise projects."⁶⁰⁸

The meetings identified several threats and challenges that the shrine faced. First, the shrine was observed to have been neglected, abused and desecrated for long. Among the activities that were regarded to have desecrated the shrine included the 1980s construction of the tourist hotel which later stalled, the 2011 controversial coronation of Njenga Karume, and the 2012 controversial attempted erection of a fence around the shrine. It was also observed that whereas there had been various attempts to revitalize the shrine, the efforts were haphazard, disjointed and dogged by politicization. This was attributed to partisan interests and supremacy wars among different stakeholders over the control of the shrine. The sustainability of the shrine was noted to be increasingly threatened by the rate at which elders were dying having not passed down the shrine's intangible heritage to the youth. The need for urgent intervention in ensuring continued performance and transmission of the shrine's elements was therefore emphasised.

⁶⁰⁷ Kimani K., "Gov't to restore Mukurwe wa Nyagathanga, 100 historic monuments." *Citizen Digital*, December 18, 2016.

⁶⁰⁸ *Ibid.*

After reaching a consensus to have all the stakeholders work in harmony under the leadership of the NMK, a number of activities geared towards revitalization of the shrine were prioritized. These activities included: cleansing and fencing of the shrine; putting signage; reviewing and validating the site's development proposal and plan spearheaded by Professors Catherine Ndungo (Kenyatta University) and Robert Rukwaro (University of Nairobi) respectively; as well as repairing of the access road to the shrine. A steering committee with representation of the various stakeholders was set up to oversee the accomplishment of these activities. Being the NMK's coordinator in charge central region in which *Mukurwe wa Nyagathanga* is situated, the researcher by default became the NMK's contact person for all the activities regarding the renovation of the shrine. As such I attended, participated actively and took notes in all the subsequent meetings and activities regarding this initiative.

As a follow up of the stakeholder's consultative meetings' resolutions, a two-day cleansing ceremony was held at the shrine on February 8th and 9th, 2017. The first day of the ceremony, February 8th, 2017, involved the site cleansing ritual (*guthahura kigongona*) which was led by three regional Agikuyu spiritual leaders (*Athamaki*) namely; Njathi wa Mbatia (Kiambu), Dominic Ng'era (Nakuru) and Kariuki wa Kabue (Nyeri). The *athamaki* were accompanied by their three pouch-bearers and four other interceding elders making all the intercessors to be *Kenda Muiyuru* (nine-plus), in accordance to representation of the nine-plus Kikuyu clans.



Fig 32: Elders in prayers during the cleansing of *Mukurwe wa Nyagathanga*
(Source: NMK)

As part of preparation for the cleansing ritual, the spiritual leaders were required to have watched seven days of self-sanctification by avoiding any action that could contaminate them including sexual intercourse or any form of confrontation with anyone.⁶⁰⁹ The lead intercessors were adorned in traditional regalia which included special head gears made of sheep skin, and cloaks made of cow hide. They also bore flywhisks, as well as double pronged staffs made from indigenous trees. Some members of the steering committee, including the author, were allowed to attend and witness the ceremony but from the periphery of the inner shrine where the sacrifice was being offered.

The ritual started at around 10: 00 A.M. with prayers being led by the three *Athamaki* in turns. In these prayers, the *Athamaki* lifted their hands towards *Kirinyaga* and thanked *Ngai* (God) and *Ngomi* (the ancestors) for the gift of life, good health, providence, and harmony among the Agikuyu people and the Kenyan nation. They evoked *Ngai's* peace and prosperity upon the Kikuyu nation saying, "*Thai Thathaiya Ngai Thai* (May God's peace prevail)." The initial prayers

⁶⁰⁹ This was revealed to the author by one of the elders involved in the planning of the ritual

were followed by slaughtering of a blemish-less black lamb and offering it as a burnt sacrifice inside the shrine.



Fig 33: Residual ashes from the burnt offering
(Source: NMK)

As the smoke and the aroma of the roasting meat rose to the skies, the elders moved around the shrine chanting some prayers beseeching *Ngai* to accept their sacrifice and sanctify the shrine. They also sprinkled a concoction of the lamb's blood, stomach contents, fatty chest meat and traditional brew (*muratina*) which had been put in calabashes purposely made for the ritual. The empty calabashes were then put in the fire to form part of the burnt offering. The interceding elders then consumed some of the meat and *muratina*, and led a final communal prayer thanking *Ngai* and *Ngomi* for accepting their sacrifice.



Fig 34: Burning of the ritual calabashes
(Source: NMK)

The second day, February 9th, 2017, involved ceremonial demarcation of the shrine's territory which entailed marking the four corners of the site with the ritual concoction (*kuhura itoka na taatha*), and releasing the site for renovation works (*kurathima kigongona wira wambiririe*). The ceremony was attended by more than 200 people who represented different entities. A significant number of men and women were adorned in Kikuyu traditional cloths. Some men bore their *ichuthi* (flywhisks) and double pronged staves (*Muthigi*) as a statement of their elderhood. The entities represented included; The National Museums of Kenya, County Government of Muranga, Green Belt Movement, Kihumo Trust, University of Nairobi, Mau Mau Research Centre, Kikuyu Council of elders, Kiama kia Ma, Aramati a *Mukurwe wa Nyagathanga*, Murang'a Agikuyu elders association, Mau Mau War veterans, Gikuyu Tene Nakuru trust, Kikuyu diaspora, Kikuyu artistes, Athinjiri na arathi a Mwene Nyaga Foundation, Akurinu religious group among others.



Fig 35: Elders ritually demarcating the *Mukurwe wa Nyagathanga* Shrine (Source: NMK)

The ceremony started at 11: 00 A.M. with morning prayers led by the three *athamaki* facing Mt Kenya. Two sacrificial lambs were then slaughtered and a mixture of their blood and stomach content, together with some traditional brew (*Muratina*) used to symbolically secure the four corner-beacons of the shrine's land. The empty calabashes in which the ritual concoction had been mixed were also ultimately burnt as part of the sacrifice. This was followed by a feast (*Ndia*) for all to celebrate the commissioning of the site's renovation. The sacrificial goat meat was divided among the qualified elders according to the Kikuyu customs, while the rest of the participants were fed with meat from other non-sacrificial lambs and an assortment of traditional Kikuyu food that included the popular *mukimo*, which is a mixture of maize beans potatoes and green vegetables mashed together. Porridge made of sorghum and millet flour was also served.



Fig 36: Roasting and frying meat for the cleansing celebrations at *Mukurwe wa Nyagathanga* (Source: NMK)

The feasting was followed by a session of entertainment. At the beginning of this session, all participants were invited to stand up and join in singing the popular *Ndi Mugikuyu* (I am a Kikuyu) by the veteran Kikuyu musician Joseph Kamaru, who was “renowned for his skilful

application of Gikuyu traditions and customs in his lyrics.”⁶¹⁰ The spiritual leaders led the participants in singing the song prayerfully with their hands raised towards Kirinyaga. This song, which commends all those who sacrificed and fought the colonialists to liberate the country, urges the Kikuyu people to always remain united and proud of their Kikuyu identity. With the help of a recorded audio back up, the elderly Kamaru led in the singing of the song whose core message is found in its chorus. In the chorus the soloists asks, “if you were asked whether you are a *Mugikuyu*, would you lift up your hands and say, “*ii ndi mugikuyu* (yes I am a Mugikuyu).” The participants responded by rhythmically lifting up their hands and unanimously declaring, “*ii ndi Mugikuyu* (yes I am a Mugikuyu),” evoking a nostalgic sense of Kikuyu unity, solidarity and nationalism. Kamaru’s song was followed by a series of performances including *mwomboko* dance by the *Mukurwe wa Nyagathanga* cultural dance group.



Fig 37: Entertainment by Nyagathanga Cultural Dancers
(Source: NMK)

The entertainment session was followed by a series of speeches from representatives of the various stakeholders. Each speaker asserted his or her Kikuyu identity by beginning with a self-introduction which included one’s full names, place of origin, age-group, clan and sub-clan. The three spiritual leaders were the first ones to speak. They each emphasised on the significance of

⁶¹⁰ Maina wa Mutonya, 2007, “Joseph Kamaru: Contending Narrations of Kenya’s Politics Trough Music” In Njogu K. and Oluoch-Olunya G., (eds), *Cultural Production and Social Change in Kenya: Building Bridges*, Nairobi, Twaweza Communications Ltd. p. 28

Mukurwe wa Nyagathanga as the original home and prime sacred place of all the Agikuyu Community. In emphasising the central role of *Mukurwe wa Nyagathanga* site in Kikuyu identity and solidarity, the senior most of the three spiritual leaders, Njathi wa Mbatia, said, “*Haha niho handu haria twagiriirwo guka ithuothe tuhoe Ngai witu, twaranirie hamwe, na tutue matua maitu ta Nyumba ya Mumbi* (This is the place that we should all come to pray to our God, consult together, and make decisions concerning our welfare as the house of Mumbi.” He then expressed the elders’ appreciation of the renewed efforts to revitalize the shrine and urged the various stakeholders to maintain goodwill and unity of purpose in order to realise the dream of developing the shrine. He then explained that the cleansing ritual they had done meant that anybody going to defile the shrine would be doing it at their own peril.

Mbatia declared the site ready for commencement of renovation “Only activities geared towards the development of the site, led by the NMK should be held at the site until it reopens,” Mbatia said. Mbatia’s sentiments were echoed by Murang’a chairman of Kikuyu Council of Elders, Rugami Chombou, and the Chairman of *Aramati*, Mr Wilfred Kimani, both of whom observed that restoring the shrine to its rightful status would benefit the locals and the entire Kikuyu community.

The Green Belt Movement (GBM) chairperson, Marion Kamau gave a background of the interventions that the GBM, initially led by Professor Wangari Maathai, had done over the years to safeguard the shrine. She expressed her optimism that the current initiative would be successful in restoring the shrine. She then called upon Professor Rukwaro, the dean of School of Architecture University of Nairobi, and a member of the GBM-affiliated Kihumo Trust to present to the audience, the proposed designs for development of the shrine.

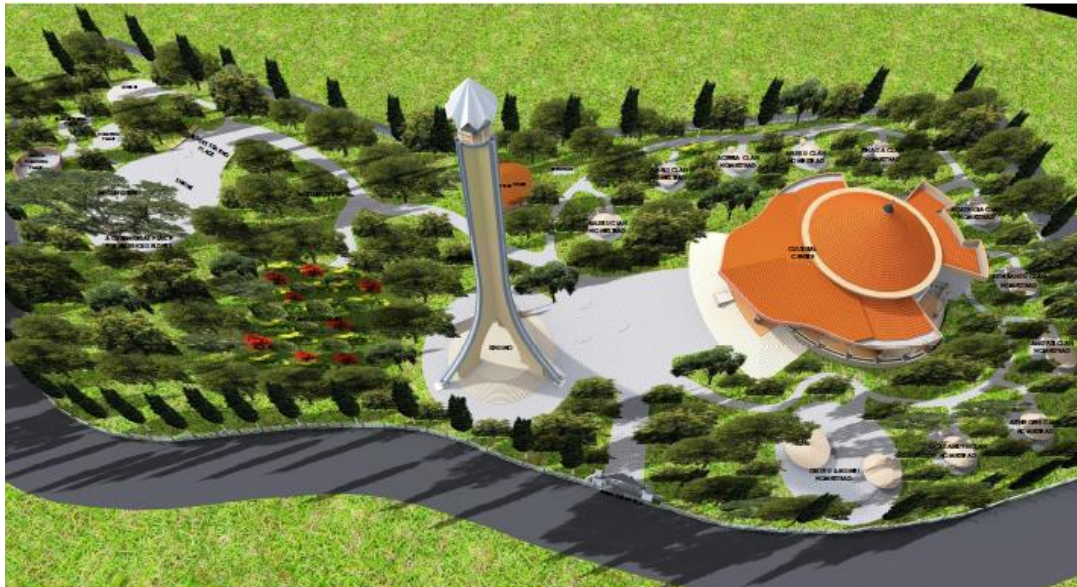


Fig 38: An artist's impression of the proposed renovation of *Mukurwe wa Nyagathanga* (Source: Robert Rukwaro)

The proposed design had various components including a fortified gate with models of traditional Kikuyu warriors guarding it; a symbolic tower that would be visible from far; a Kikuyu cultural centre with a museum, a multipurpose hall and an amphitheatre; and a hotel. Looking at the proposed design, one could not fail to notice the domination of man-made physical structures onto a space whose significance was hitherto largely embedded in its natural and intangible cultural components. Professor Rukwaro explained that the design had been developed with wide consultations of Kikuyu elders, professionals and members of the public and the local community. One of the main stakeholders' consultative meetings for the development of the design, which the author attended, was held at Kenyatta University on February 6th, 2015. During this meeting, participants gave their views and contributions towards the proposed design.



Fig 39: Proposed fortified gate for *Mukurwe wa Nyagathanga* (Source: Robert Rukwaro)



Fig 40: The proposed Kikuyu cultural center for *Mukurwe wa Nyagathanga* with a museum and an amphitheatre (Source: Robert Rukwaro)

Reacting to Professor Rukwaro's presentation, the audience applauded and expressed their eagerness to see the proposed design implemented on the ground. Joseph Kamaru, the veteran Kikuyu musician, expressed his joy that finally, the Agikuyu traditional culture and the home of the first parents of the Agikuyu were getting the attention that they deserved. He said that once finalised, the shrine and its ambiance should resemble a traditional Gikuyu homestead, complete with models of Kikuyu traditional livestock including sheep, goat and cows. Kamaru recommended installation of signage indicating the direction and location of *Mukurwe wa Nyagathanga* from as far as Murang'a town. Finally he expressed his eagerness to give more ideas on how to restore the shrine if called upon. Kamaru's sentiments were echoed by Capt

(Rtd) Kung'u Muigai, a prominent member of the Kikuyu Council of elders and a cousin of President Uhuru Kenyatta. Muigai, observed that continued partnership and goodwill of the Central Government through the NMK, Murang'a county government and the other stakeholders was very vital for the revival of *Mukurwe wa Nyagathanga*.

In support of the revival of Kikuyu traditional culture, one woman lamented that lack of guidance and mentorship had led to frustration of majority of Kikuyu youths, who had turned to outlawed groups such as Mungiki as alternative source of identity, mentorship and livelihood. She appealed to the elders as the custodians of Kikuyu traditions to step in and offer guidance, and leadership so as to redeem the Kikuyu youth from despair and precarious living which had led to the death of many of them. On behalf of the Kikuyus in other counties, Peter Muchiri, the then Member of County Assembly (MCA) for Subukia ward in Nakuru County conveyed a message of goodwill towards the restoration of the shrine. He said, "Every successful community safeguards its identity and dignity by safeguarding its cultural heritage."⁶¹¹ Counties with representation in the meeting included: Murang'a, Nyeri, Kiambu, Kirinyaga, Nairobi, Kajiado, Nakuru, Laikipia, Meru and Mombasa.

Murang'a County Executive Committee (CEC) member for culture, Mr Muiruri Maina reiterated that the County Government had prioritised development of *Mukurwe Wa Nyagathanga* as one of its Key projects. He cited the opinion survey and elders' benchmarking mission that had been facilitated by the county in partnership with Kenyatta University as part of the preliminary work towards the site's renovation. He stated that the County government had employed two guards and was also paying electricity bill for the site. Muiruru promised that the county government was going to upgrade the access road to the site. He observed that the new synergy among the different stakeholders guided by the NMK would go a long way in accomplishing the mission of developing the shrine. Muiruri was accompanied by the county's Director of Culture Mrs Catherine Mwangi.

⁶¹¹ He emphasized the centrality of the site to Kikuyu identity

Acting in the capacity of the coordinator of NMK's activities in the central region, the author delivered the speech of the NMK's Director General, who was engaged elsewhere. In this speech the Director General conveyed NMK's commitment to the revival of *Mukurwe wa Nyagathanga* and requested for continued partnership from all the stakeholders. He also invited anybody with more ideas on how to develop MWN to submit the same to the NMK or the elders who manned the site. He also assured the local community that they would be given the first priority for different jobs during the site's renovation. Finally he thanked the spiritual leaders, elders, the county government, the Green Belt Movement, the local community and all the stakeholders for the support and goodwill they had shown towards the revival of *Mukurwe wa Nyagathanga*.

Unfortunately, despite the hope that the initiatives associated with the NMK-led 'Kenya's 100 best monuments' project had given for the renovation of *Mukurwe wa Nyagathanga*, it finally did not happen as the project had not taken off by the time of writing this thesis, five years since it was initiated. This left the site in a "seriously devastated"⁶¹² state just as it had been reported in 1998. In an interview⁶¹³ in December 2019, the NMK's Director General, Dr. Mzalendo Kibunja informed the author that the government had not yet released money for the '100 best monuments' project, which would have benefited *Mukurwe wa Nyagathanga*. He however added that the NMK had posted a curator to Murang'a in September 2018, whom he hoped would work with the county officials to promote the conservation of *Mukurwe wa Nyagathanga* and other heritage resources in the county.

During the interview, Kibunja who had served as the first chairman of the National Cohesion and Integration Commission (NCIC) also discussed about the challenges of negotiating between Kenyan national identity and other sub-national identities. He observed that, by default, Kenyans subscribed to many socio-cultural identities which included family, clan, ethnic, religious, local, regional and national identities. He noted that whereas the other identities were associated with some primordial or socio-cultural and religious perceptions, Kenyan national identity was based on the existence of the Kenyan nation which was artificially created by the colonialists. As such,

⁶¹² Kilili, G., Y. Morimoto, and P. Maundu (1998), "A Preliminary Survey of the Status of some Selected Traditional Forest Groves in Kenya: Final Report Prepared for UNESCO" Nairobi: National Museums of Kenya,

⁶¹³ Interview with the NMK DG done on February 15, 2019 at NMK Headquarters

he observed that the creation and promotion of Kenyan national identity required a purposeful and consistent efforts. He enumerated some of the initiatives that could help in creating and sustaining a Kenyan national identity to include having a common national narrative, national heroes and iconic symbolic natural and cultural features that all Kenyans could easily identify with. He also emphasised the need to have equitable representation of the various ethnic communities in the government and civil service as an indicator of national cohesion.

Kibunjia emphasised that if the initiatives he enumerated were well implemented, they would form the 'face of Kenya' and help in percolating the national identity and narrative into all the socio-cultural, economic and political spheres of the Kenyan society. He also observed that the percolation of the national identity did not have to wash away ethnic and other socio-cultural identities as they could all coexist harmoniously with the national identity. All that was needed, he said, was to have appropriate policies and mechanisms in place to achieve a balanced negotiation between the national identity and all the other socio-cultural identities. He observed that one of the mechanisms that would help achieve this balance was continuous sensitization of individuals about the national collective narrative, memory, heroes and icons through the various socialization institutions including the family, the clan, religious institutions, schools and institutions of higher learning. In terms of the challenges that heritage management for national identity was facing in the post-devolution period, Kibunjia referred to the stalled 'Kenya's 100 best monuments project', which was his brain child. He pointed out lack of funds or relegation of culture and its development to the bottom of priority list both at county and national levels as one of the major challenges. In conclusion, Kibunjia emphasised the need for the national and county governments to make good use of cultural heritagization to create and promote national cohesion and identity.

In a follow up interview⁶¹⁴, the NMK's curator for Murang'a County, Mr Antony Maina, shared with the author some of the opportunities and challenges he was facing in terms of promoting the conservation of *Mukurwe wa Nyagathanga* and Murang'a cultural heritage in general. Some of the challenges he highlighted were associated with lack of adequate capacity in terms of

⁶¹⁴ The Interview with NMK's curator for Murang'a done on September 12, 2019 at NMK's Murang'a Office

personnel and financial resources that were needed to develop the heritage potential in the county. The curator whose office was in a relic colonial house observed that there were many heritage sites in the county which included caves and ancient trees which had served as traditional shrines as well as Mau Mau hideouts. This affirmed the submission by Wahome et al. that, “Mau Mau sites in Kenya are many and varied including their complex communication networks, trenches, caves, gun factories, oath sites, offices, detention camps and burial places.”⁶¹⁵

The curator, however said that he was facing challenges in reaching out to these heritage resources and their local communities. To begin with, he observed that his office was not allocated any travel budget for such outreach and he often had to use his own money to get to these sites and their local communities, or accompany visiting researchers to the sites whenever they came along. This he said was not sustainable. As far as his collaboration with the county officials was concerned, he said that it was cordial and cited the “Traditional Foods and Cultures Exhibition” that the county had organised in collaboration with local communities, the Department of culture and the NMK, and in which as the NMK representative, he was part of the team that guided, assessed and rated the exhibition’s productions. He however noted that the county government, just like the NMK, was suffering from lack of capacity. He cited the county’s lack of staff dedicated to heritage conservation and promotion as one of the factors which limited the extent to which the two entities could help each other in achieving their common goal of promoting heritage conservation in the county.

In search of more understanding of the proposed designs for the renovation of *Mukurwe wa Nyagathanga*. The author interviewed⁶¹⁶ Professor Robert Rukwaro, the dean of School of Architecture and Design, who had led the process of developing the designs. Professor Rukwaro explained that the designs he had developed were inspired by the Kikuyu myth of origin, recommendations from various stakeholders, as well as the size and the layout of the site. He observed that with the site being small (approximately four acres) and the stakeholders recommending the inclusion of several components in the site, the design had to be creative to

⁶¹⁵ Wahome E., Kiruthu F. and Mwangi S., 2016, “Tracing a forgotten heritage” p.212

⁶¹⁶ Interview with Prof Rukwaro held at Nairobi National Museum on March 14, 2020

accommodate as many of the recommended components as possible without seeming to overwhelm the site. This creativity included coming up with concise premises that included a museum, a multipurpose hall and an amphitheatre. Rukwaro also emphasised that the design tried as much as possible to blend with the Kikuyu culture by for instance adopting the dark brown colour that is associated with Kikuyu cultural attire and traditional decorations.

In the course of this research, the author conducted three⁶¹⁷ focused group discussions (FGDs) with a representative group of members of the local community consisting of between twelve and seventeen members, both men and women aged between thirty and seventy years. The objective of the FGDs was to seek different worldviews and perspectives to clarify and augment the information that had been obtained through one-on-one interviews with members of the community. The FGDs sought to establish how the community members were involved in the heritagization and management of the cultural site, the challenges and the opportunities they encountered in the process as well as the aspirations they had for the site.

During these FGDs the participants enumerated the values and perspectives they attributed to *Mukurwe wa Nyagathanga*. These values included: being the ancestral home and the prime shrine for all the Kikuyu people, an integral part of Kikuyu identity, a symbol of Kikuyu solidarity, a custodian of the communities well-being, a place for communal decision making, an oracle and dwelling place of Ngai, a place of wisdom, a place of reconnecting with the forefathers, a place of cultural tourism with unexploited potential. One participant summed the site's description by saying, "It is a holy place that every Kikuyu person should visit. It should be to us as Mecca is to the Muslims or like Jerusalem is to the Christians."

The participants however lamented that despite its significance to the entire Kikuyu community, the site had suffered destruction and desolation since the time of colonialism and throughout KANU regime with no hope of its renovation seeming to be anywhere in the future. While regarding themselves as the custodians of the shrine, the participants decried the dilapidation that the site had undergone over the years. The participants also decried the false promises that

⁶¹⁷ The three FGDs were conducted on May 15, 2015; September 14, 2016; and May 20, 2019 at Mukurwe wa Nyagathanga with members of the local community.

politicians and government officials had given over the years regarding the uplifting of the site. They also condemned what they termed the use of the site by politicians for their personal gain and supremacy battles, without befitting the site or the local community. One participant summed it thus, “This place was in the process of being grabbed during Moi’s time, and we saved it. The now defunct Murang’a county council promised to build a good road to the place which they never did. As we prayed for Uhuru’s ICC case, we were promised that the site would be renovated, which was never done. Why do they keep lying to us?” These discussions confirmed earlier findings by Rukwaro that, “The locals viewed themselves as the immediate beneficiaries of the conservation efforts implemented at the heritage site as well as the makers of the heritage being conserved, and thus deserving to be involved in the conservation effort.”⁶¹⁸

The themes of FGDs remained mostly the same with various emergent issues being raised during each of the discussion. For instance, during the last FGD which happened more than a year after the NMK-led renovation of the shrine had failed to take off, the participants who could not hide their disappointment took the author to task to explain what they saw as yet another betrayal by the government. The Author tried in the best way possible to explain NMK’s lack of finances at that moment and expressed hope that the project would be undertaken some time in the future.

8.4.: The Heritagization ‘Cobweb’ at *Mukurwe wa Nyagathanga*: A Summary

This section uses a diagram and summarised narrations to illustrate the ‘Cobweb’ of the stakeholders, values, interests, meanings, significances, perspectives and uses; as well as tensions, contestations and conflicts which continue to affect the management of *Mukurwe wa Nyagathanga* as well as the reinvention and mobilization of Kikuyu identity in local, regional and national politics. A visit to the site easily reveals the cobweb of the stakeholders’ conflicting interests. According to Nyamweru⁶¹⁹ the various interests are represented by the physical features, both natural and manmade, that are found on the site.

⁶¹⁸ Rukwaro R., 2016, “Community participation in conservation of gazetted cultural heritage sites”, p. 182

⁶¹⁹ Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” p. 286

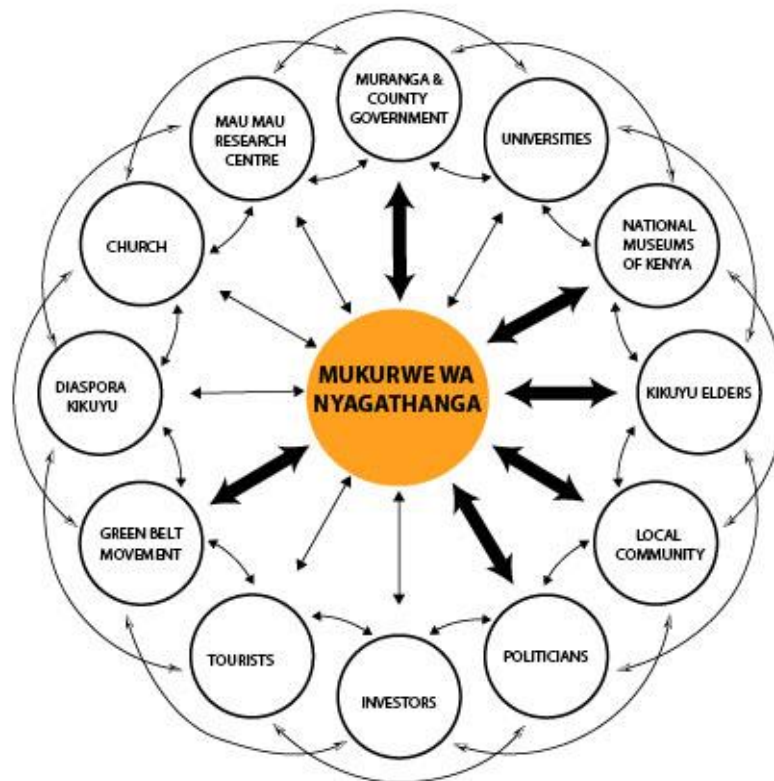


Fig 41: Heritagization 'Cobweb' at Mukurwe wa Nyagathaga
(Adapted from: Łukasz Gaweł, 2012⁶²⁰)

The illustration is based on the appreciation that as a cultural heritage site, *Mukurwe wa Nyagathanga* takes a multidimensional nature, with different stakeholders having a variety of values, expectations and interests associated with it. These values and expectations need to be reconciled for sustainable development of the site. Going by Freeman's definition of stakeholders or actors as entities who have interests in relation to events or resources existing within a region,⁶²¹ this study identifies the stakeholders of *Mukurwe wa Nyagathanga* to include: the National Museums of Kenya, Murang'a County Government, the local community, Kikuyu Council of Elders, Politicians, the Green Belt Movement, Mau Mau Research Center, Universities and other learning institutions, Investors, tourists, Kikuyu in Diaspora, and the Church. As symbolised by the thickness of the arrows on the diagram, the National Museums of Kenya, the County government of Murang'a, the Green Belt Movement, the local community, the Kikuyu

⁶²⁰ Gaweł Ł., "Zarządzanie strategiczne szlakiem dziedzictwa kulturowego w świetle koncepcji stakeholders," *Turystyka Kulturowa* 2012, #10, pp. 31-40.

⁶²¹ Freeman R.E., 2011, *Strategic Management. A stakeholder Approach*, Cambridge: Cambridge University Press.

Council of elders and the Kikuyu politicians have more influence than the other stakeholders regarding the management of *Mukurwe wa Nyagathanga*. For successful management of the site, all the stakeholders' interests must be put into account and reconciled. The following section explores how the different stakeholders continue to relate with the heritage site.

8. 4 a: The Kikuyu Elders, Traditionalists, and politicians

Kikuyu elders and traditionalists value the site as a traditional shrine and place of ancestral origin. They see it as a site for the perpetuation of Kikuyu traditional culture into the future generations. This value is symbolized by the "reconstruction of traditional culture [in form of] Mumbi's house and Gikuyu's house, a few large indigenous trees (mugumo, mukurwe and muringa), and nine modern cottages."⁶²² The elders however do not present themselves as one harmonious entity but rather as different factions of Kikuyu Council of elders who are in constant competition for the control of the shrine. The factions are in constant conflicts regarding the crowning of politicians for different positions of leadership. Among the different groups of elders which have claimed association with, and authority over *Mukurwe wa Nyagathanga* include Gikuyu Embu Meru Association (GEMA), Mt Kenya Council of Elders, Gikuyu Council of Elders, Kikuyu Council of Elders, Gikuyu Tene, among others. On their part, the politicians have been observed to extend favours to the elders so as to earn the elders' endorsement. At times, different elders' groups have been seen to endorse different aspirants for the same leadership position hence fuelling intra-community political animosity. This has led many to question the honesty, legitimacy and authority of the elders. The elders' tendency of converting political leadership into "procurable good," whose procurement they (the elders) control has also been criticised.⁶²³

8. 4. b: From Murang'a County Council to Murang'a County Government

Murang'a County Government and its forerunner the Murang'a County Council have been seen to value *Mukurwe wa Nyagathanga* and its intangible heritage for the development of subnational territorial identity as well as marketization for tourism. This tourism development value is symbolized by the stalled and dilapidated structures of a tourist complex consisting of a

⁶²² Nyamweru C., "Natural cultural sites of Kenya: Changing contexts, changing meanings," p. 286

⁶²³ Kivuva J. M., 2018, "Negotiated Democracy and its Place in Kenya's Devolved System of Government p.73

hotel building, shower room, a shop, management office, bars and a swimming pool⁶²⁴. Protests from the local community and the intervention of the Green Belt Movement and the NMK led to the gazetment of the site which made the County Council lose its power to manipulate and control of the shrine. This left the County Council leadership bitter, which made them decline a partnership with the NMK and the GBM for the management and development of the shrine. By 2013, when it became defunct, the County Council was still fighting for authority over the site.

Since coming to effect in 2013, the county government has perpetuated the heritagization of the site for corporate identity, branding and marketization. In its official website, the county identifies itself as the “cradle of the Kikuyus.” As part of perpetuating the county’s identity as the cradle of Gikuyu, the county’s logo features a Kikuyu proverb, that says ‘*Kamuingi koyaga ndiri*’, whose whose equivalent in English is ‘Many hands make light work or Unity is strength’⁶²⁵. At the centre of the logo is an image of many hands lifting up a traditional mortar.



Fig 42: Murang’a County Government (MCG) Logo with a Kikuyu Saying
(Source: MCG)

The county included the shrine’s development in its maiden,⁶²⁶ 2013-17, County Integrated Development Plan (CIDP) and 2018/2019 Annual Development plan⁶²⁷. In 2014, the County passed a motion in to convert the site into a tourist attraction and commissioned a partnership

⁶²⁴ Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings,” p. 286

⁶²⁵ Barra G., 1939, *1000 Kikuyu Proverbs*, Nairobi, Kenya Literature Bureau.

⁶²⁶ Murang’a County Government, 2014, *First County Integrated Development Plan for 2013-17*, Murang’a

⁶²⁷ Murang’a County Government, 2017, *Annual Development Plan 2018/2019*, Murang’a

with Kenyatta University on the development of the site. Unfortunately by the time of writing this thesis none of the above initiatives by the County Government had taken effect on the ground.

8. 4. c: The National Museums of Kenya and the National Government

The NMK serves two major categories of interests regarding the conservation of *Mukurwe wa Nyagathanga*. One category of interests is pegged on the NMK's standing as a national and international professional and scientific body in the heritage conservation world. At this level, the NMK and its heritage professionals are interested in the value of *Mukurwe wa Nyagathanga* for cultural heritage research and conservation. On the other hand, as the prime agency of the National government regarding heritage management, NMK addresses the potential use of *Mukurwe wa Nyagathanga* for such purposes as building of Kenyan national identity, national cohesion and peace.

To address the two categories of interests, NMK has spearheaded several initiatives regarding *Mukurwe wa Nyagathanga* over the years. These include the gazettelement of the site as a National Monument in 1998, facilitating the collection of Kikuyu traditional artefacts for display at the site, labelling of the site's trees, holding cultural activities at the site, including the site in the 100 Kenya's best monuments project and posting a curator in Muranga for close monitoring of *Mukurwe wa Nyagathanga* and other heritage sites in the County. Unfortunately most of these initiatives have died prematurely due to lack of funds. In a focussed group discussion, members of the local community criticised the NMK for not doing enough for the site. One member said, "It is a pity that since the NMK gazetted this site in 1998, they have not done much to develop it, yet it is a very important site for the Kikuyu community and the country."

8. 4. d: Local Community

The local community values the site as a shrine both for themselves and the entire Kikuyu community. They view themselves as the 'owners' and 'carriers' of the heritage imbued by the shrine. They perceive the shrine as part of their cultural identity and a testament to their common historical and socio-cultural experience. It is for this reason that "during the land

demarcation and consolidation in 1959, the surrounding community (Clan of Acera)⁶²⁸ set it aside as a shrine. They protested its grabbing, initiated its gazettelement and have continued taking care of it. The community also value the site for its conservation, tourism and development potential and “view themselves as the immediate beneficiaries [who are] deserving to be involved in the conservation effort.”⁶²⁹ As elaborated earliere. the local community members have however been involved in squabbles connected to sharing of the proceeds that come from the site’s tourism activities.

8. 4. e: *The Green Belt Movement*

As a stakeholder of *Mukurwe wa Nyagathanga*, the Green Belt Movement represents the local NGOs, which according to Góral, are often involved in raising funds and implementing projects which “animate the local communities, raise their awareness of cultural heritage resources and motivate [them] to act.”⁶³⁰ Under the leadership of Professor Wangari Maathai, the GBM successfully fought against grabbing and manipulation of the shrine by Murang’a County council. The GBM, then engaged the local community in civic education and empowerment programmes such as tree planting both at the site and in their farms. When an MoU with the NMK and MCC collapsed, the GBM’s established *Mukurwe wa Nyagathanga* Kihumo Trust, which went ahead spearhead proposed development plans for the site, through consultation with stakeholders. This move was interpreted by MCC leadership as an attempt by the GBM to assume undue authority and control over the site. In an interview where the researcher sought more insight on GBMs historical involvement with *Mukurwe wa Nyagathanga*, the GBM chairperson⁶³¹ Marrion Kanyi, who had been involved since the days of the site’s gazettelement expressed her delight that the site was secure from grabbing. She however lamented that nothing much had happened in terms of developing the site. She decried the stakeholders’ squabbles that had inhibited the site’s development. She also revealed that, the leadership of Kihumo Trust felt disregarded when the County Government of Murang’a went ahead and entered into a partnership with Kenyatta University to develop the site, despite the former having approached the county government with proposals, full with development plans, for a similar partnership.

⁶²⁸Rukwaro R., (2016) “Community participation in conservation”, p. 187.

⁶²⁹ Ibid, p182.

⁶³⁰ Góral, A. (2014). *Cultural heritage in the cobweb of meanings* p.6

⁶³¹ Interview with GBM chair person on January 23,2019

8.4.f: *Mau Mau Research Centre*

The interest and involvement of the USA-based Mau Mau Research Centre (MRC) is symbolized by a metallic gate at the site which was funded by the research center's director, a "retired university professor whose family home is close by."⁶³² In the mid 2000s, the said director got into a sour relationship with the community following the controversial fund drive alleged to have been conducted by the MRC as elaborated earlier. When, the research centre's director later filed a suit blocking the proposed construction of a wall around the shrine, he was accused by some members of the local community of using the shrine to serve his own personal interests.⁶³³

8. 4. g: *Churches and Other Religious Groups*

As elaborated earlier, since the early 2000s, some churches have conflicted with the Kikuyu council of elders for barring their adherents from associating themselves with *Mukurwe wa Nyagathanga* or participating in Kikuyu cultural practices. On the other hand some churches and independent religious groups such as the *Akurinu* have been seen not to prohibit their members from visiting the shrine for prayer vigils. In an unfortunate incidence, in 2010, some *Akurinu* sect members left some fire burning after offering a sacrifice under an old Muringa tree at the site. The tree's stem got badly burnt, though the tree miraculously survived⁶³⁴. This angered the local elders who disapproved lighting of sacrificial fires by religious sect members during night vigils at the site.

⁶³² P. Nyamweru C., "Natural cultural sites of Kenya: Changing contexts, changing meanings," p. 286

⁶³³ Mwangi J., "Historian to sue over Murang'a shrine fence," June 7, 2012, *All Africa.com*.

⁶³⁴ Ndungu Gichane, "Tales of Mukurwe wa Nyagathanga shrine" *The Nation*, Monday, July 01, 2019



Fig 43: The author pointing at the base of the tree that burnt at *Mukurwe wa Nyagathanga* (Source: NMK)

8. 4. h: Learners, Researchers, and Research Institutions

Góral emphasizes the significance of learning institutions in regard to “continuing the transmission of intangible cultural heritage”⁶³⁵. Over the years, *Mukurwe wa Nyagathanga* has been used as a reference research and education resource for learners, researchers and research institutions. Different topics concerning *Mukurwe wa Nyagathanga* and its intangible heritage have been explored by various authors⁶³⁶. During a focussed Group Discussion at the site, a participant lamented that despite much research having been done at the site, the research findings were never shared with the local community and the relevant agencies so as to enhance the realization of the site’s development and benefit to both the local community and visitors. The participant particularly cited the survey that was undertaken by Kenyatta University whose results had not been released by the time of writing this dissertation. Another participant decried the amount of graffiti left on the site by especially school children saying, “Teachers

⁶³⁵ Góral, 2014, Cultural Heritage in the cobweb of meaning p. 6

⁶³⁶ Some of the key research works that have referred to *Mukurwe wa Nyagathanga* include: Kamenju J W., 2013, transformation of kikuyu traditional architecture; Nyamweru C., “Natural cultural sites of Kenya: Changing contexts, changing meanings”; Rukwaro R., (2016) “Community participation in conservation of gazetted cultural heritage sites”; and Wainaina M., “Land as Story and the Place of The Story”

accompanying learners to the shrine ought to control them better to avoid the rampant defacing of the shrine's components."

8. 4. j: Investors, Entrepreneurs, and Tourists

There are various investors and entrepreneurs whose economic activities are directly linked to cultural heritage at *Mukurwe wa Nyagathanga*, and other cultural sites within Murang'a county and the larger central region. They range from those who run curio shops to those who offer various products and services such as hotels, restaurants and accommodation. These entrepreneurs have great interest in the conservation and development of *Mukurwe wa Nyagathanga* as this would attract tourists who are the mainstay of their businesses. On the other hand, as the recipients of the various services and products based on cultural heritage, tourists are a significant stakeholder in heritage management as their needs and expectations must be targeted by those in charge of developing cultural heritage services and products in a region.

8. 4. K: UNESCO'S Non-Involvement Problem

Having been a key stakeholder in culture and heritage issues in Kenya since 1964, UNESCO's non-involvement with *Mukurwe wa Nyagathanga* and its intangible heritage has been conspicuous. For instance, it is worth noting that the 1997 inscription of Mt Kenya as the country's first World Heritage Site was solely based on the mountain's unique natural characteristics as recognized by the International Union for Conservation of Nature (IUCN). This denied UNESCO the opportunity to highlight the mountain's cultural significance as the abode of the God of the Agikuyu, which would have drawn attention to *Mukurwe wa Nyagathanga* as an integral component of this cultural significance. Van den⁶³⁷ argues that this omission was purposeful at the point of writing the nomination dossier for Mt Kenya. According to Van den, including the Kikuyu cultural significance of the mountain in the dossier might have caused the nomination process to be blocked by Moi's regime which was hell-bent on repressing any expression of Kikuyu nationalism as it posed a challenge to his authority.

⁶³⁷ Van den A.M.L., 2016, "Monument of nature? An ethnography of the world heritage of Mt. Kenya," *PhD Thesis*, Netherlands, Leiden University pp. 67-68 & 155-156

When UNESCO commissioned a “survey of the status of some selected Traditional Forest Groves in Kenya”⁶³⁸ in 1988, it was reported that Mukurwe wa Nyagathanga site was “seriously devastated.” Yet, the multi-national agency did not do much to regarding the site’s renovation and conservation. It was not until 2013 extension of the Mt Kenya World Heritage Site to include the Lewa Wildlife Conservancy, that the Mountain’s cultural significance to the Kukuyu and the surrounding communities was included.

When I enquired from John Omare⁶³⁹, the Director of Culture at Kenya National Commission for UNESCO (KNATCOM) why UNESCO had not had much engagement with *Mukurwe wa Nyagathanga*, Omare replied that the nomination process should take a bottom-up approach and there had not been any expression of interest by the local community or any other entity to have the site or its elements listed by UNESCO. Omare informed me that following devolution, KNATCOM and UNESCO had continued to be involved in initiatives geared towards sustainable conservation of cultural heritage in the country. He observed that KNATCOM and UNESCO had been involved in the listing of the traditions and practices associated with the Miji Kenda sacred forests-Kayas (2009); Isukuti dance of the Isukha and Idakho communities of Western Kenya (2014); The three rites of passage for men among the Maasai- *Enkipaata*, *Eunoto* and *Olng’esherr* (2018); and the intangible elements associated with Kit Mikayi (2019). He also cited the involvement of KNATCOM and UNESCO in organising national cultural festivals and training programmes in the post-devolution period.

Putting the above discussion into consideration, I think that UNESCO has missed out as a potential key stakeholder of *Mukurwe wa Nyagathanga*. Involvement of UNESCO could easily lead to the listing of the site and its intangible heritage elements, which would enhance the site’s restoration and conservation. Van den⁶⁴⁰ observes that where it has been achieved, “the World Heritage Label acted as a mobilizer in its own right, as it encouraged stakeholders seeking the attention of international spectators to take action.” I however appreciate that such a process

⁶³⁸ Kilili, G., Y. Morimoto, and P. Maundu. “A Preliminary Survey of the Status of some Selected Traditional Forest Groves in Kenya”

⁶³⁹ Interview with the KNATCOM’s Director of Culture on November 29, 2018

⁶⁴⁰ Van den A.M.L., *Monument of Nature? An ethnography of World Heritage of Mt Kenya* p. 159

has to be bottom-up and for it to happen, there is need for the site's stakeholders to pull in one direction.

8.5: Conclusion

This chapter has illustrated that over the years, *Mukurwe wa Nyagathanga* has been designated different values including as an integral part of Kikuyu cultural practices and identity; economic and livelihood value through tourism; a gazetted national monument; as well as site for political mobilization at both local and national levels. The chapter has also illustrated the different kinds of tensions and conflicts associated with the heritage site. These tensions range from squabbles for 'gate collections' among the local community members to political supremacy among politicians at the community, county and national levels.

The chapter has illustrated the complexity of the heritagization web surrounding the site, and how the how complex it makes the management of the site. There is, therefore, a need to come up with a sustainable management strategy with a good mix of strong leadership and inclusivity. In the context of Kenyan devolution, such a strategy needs be as inclusive as possible. It should create a healthy balance between the promotion of local/ethnic and national identities as envisioned by the 2010 constitution. This calls for appropriate policies and programmes on heritage and identity promotion at both local and national levels.

CONCLUSION AND RECOMMENDATIONS

This study has explored the challenge of negotiating between national and sub-national identities through heritage-making in post-devolution Kenya using the case study of *Mukurwe wa Nyagathanga*. Using carefully selected research methodology, as well as theoretical and conceptual frameworks, the study has given a historical background to cultural heritagization in Kenya beginning with the pre-colonial cultural stewardship to the colonial introduction of institutionalized heritage management, and its evolution through the post-independence to post-devolution eras. This is followed by an exploration of how the 2010 Constitution, its legal framework and various government programmes have sought to promote the national and ethnic/cultural identities simultaneously. The study has also looked at the impact that mobilization of ethno-political identities has had on the creation and promotion of Kenyan national identity.

To illustrate the complexity of cultural and political heritagization, the study has used *Mukurwe wa Nyagathanga* to demonstrate how different meanings, values, interests, significances, perspectives, uses, activities, tensions and contestations have continued to interact in the process of creating and mobilizing Kikuyu identity for socio-political reasons at both local and national levels. At this juncture, it is worth reiterating that in the process of studying *Mukurwe wa Nyagathanga* as an exemplary case study for this research, another heritage site, *Kit Mikayi*, which is located near Lake Victoria and belongs to the Luo people was also studied for the sake of generalizing any common trends in heritagization in Kenyan cultural sites. Whereas the position of *Kit Mikayi* is not as central in Luo identity as *Mukurwe wa Nyagathanga* is in Kikuyu identity, it has been found to have a great influence in the socio-political life of the Luo. This makes the site to undergo a similar heritagization process as *Mukurwe wa Nyagathanga*. From these observations, it could be extrapolated that identity heritagization at cultural sites in the country undergoes more or less the same process. To explore how heritagization dynamics may vary among various ethno-socio-political contexts, this study recommends a comparative study between various heritage sites in the country.

From this study, it is evident that the Kenyan nation-state started as an artificial creation based on the extractive interests of the colonialists who did not have any interest or motivation to

create a common national identity for the various communities that existed in the colonial territory that later became the Kenyan nation. According to Lydia Muthuma, the task of weaving the different Kenyan communities “into a cultural commonality” that “was left to the post-colonial government... involves conserving the distinct uniqueness of each community while creating a national heritage - a delicate balance between respecting diversity while striving for overall unity.”⁶⁴¹

The Constitution of Kenya (2010) has paid a lot of attention towards defining and enhancing a common Kenyan citizenship in the context of ethnic diversity. Some of the provisions through which the constitution seeks to create and promote a common Kenyan national identity and citizenship include the recognition of “culture as the foundation of the nation and as the cumulative civilisation of the Kenyan people and nation,”⁶⁴² determination to uphold Kenya as “one indivisible sovereign nation”,⁶⁴³ outlawing of discrimination of any person by the state⁶⁴⁴ or by any other person⁶⁴⁵ on any basis, making the provision for any Kenyan to live⁶⁴⁶ and own property⁶⁴⁷ in any part of the country, the establishment of national values and principles of governance that all Kenyans should abide by,⁶⁴⁸ and the provision of the bill of rights which include cultural rights.⁶⁴⁹ All these provisions are meant to regulate the relationship of all Kenyan citizens with each other, with the government and with any other entity within the Kenyan territory. The provisions also promote a common Kenyan nationhood based on the concept of “Unity in diversity.”

⁶⁴¹ Muthuma L., 2016, “The conservation of public monuments as a tool for building collective identity in Nairobi,” In Diesser, A-M and Njuguna M. (eds), *Conservation of Natural and Cultural Heritage in Kenya: A Cross-disciplinary approach*, London, University College London Press pp.60

⁶⁴² Republic of Kenya, 2010, *The Constitution of Kenya 2010*, Article 11(1).

⁶⁴³ Republic of Kenya, 2010, *The Constitution of Kenya 2010*, (The Preamble)

⁶⁴⁴ *Ibid.*, Article 27(4).

⁶⁴⁵ *Ibid.*, Article 27(5).

⁶⁴⁶ *Ibid.*, Article 39(3)

⁶⁴⁷ *Ibid.*, Article 40(1) (b)

⁶⁴⁸ *Ibid.*, Article 10

⁶⁴⁹ *Ibid.*, Article 44

The 2010 Constitution's inclusion of cultural rights in the bill of rights was a big improvement from the 1963 constitution which "did not mention 'culture' at all."⁶⁵⁰ Since the promulgation of 2010 Constitution, many communities have used their presumed cultural rights to lay claim to their perceived ancestral lands and various other cultural rights. For example in 2011, the local community around Yimbo-Yala Swamp in Siaya County sued a commercial firm by the name Dominion Farm Ltd, as well as Siaya and Nyando County Councils "for allegedly transgressing their rights" by interfering with 3700 hectares of what they said was community land. The community demanded that a share of 500 hectares be returned to them. After seven years of litigation, in March 2019, the National Land Commission recommended the Ministry of Land and Siaya County Council to resurvey the swamp, with the view of including the local community in the ownership of the land.⁶⁵¹

The launching of the Lamu Port and South Sudan Ethiopia Transport (LAPSSET) corridor Project⁶⁵² in March 2012 was followed by a surge in "claims of heritage and culture" rights by local communities along the LAPSSET corridor.⁶⁵³ Zoe Cormack has explored how 'heritage' was invoked in laying claims for "pastoralism communal land ownership and the survival of indigenous cultures in Northern Kenya".⁶⁵⁴ In Lamu, the local community including a group of about 4,600 fishermen who were displaced from Manda bay by the construction of a modern deep-water port staked different cultural claims against the government in regard to the project. According to Chome, all these claims were "attempting to ensure a greater share of LAPSSET's activities, or to direct the project in particular ways that will include local interests, public and private."⁶⁵⁵

⁶⁵⁰ Deacon H., 2016, "A comparative review of cultural rights provisions in the Kenyan Constitution," *Cultural Rights and Kenya's New Constitution*, The Open University, p.19

⁶⁵¹ Steve Akoth, "Culture practice has changed Kenya under the new Constitution" *The Standard*, September 9, 2015; The Nation "Dominion Farms hands over Yala swamp to new investor" *The Nation*, January 23, 2020; Kenya Law Reporting, "The case of Martin Magina Okoyo & Another v. Bondo County Council, Dominion Farms Ltd and Siaya County Council, <http://kenyalaw.org/caselaw/cases/view/77983>

⁶⁵² The LAPSSET project consisted of a proposed modern port with 32 berths; a series of highways; a standard gauge railway; an oil refinery and pipeline; a new metroplis city, and a 'growth area'

⁶⁵³Chome N., "Land, livelihoods and belonging: negotiating change and anticipating LAPSSET in Kenya's Lamu county," *Journal of Eastern African Studies*, 2020, Vol 14, Issue 22 pp.310-331; Cormack Z., "The protection of pastoralist heritage and alternative 'visions' for the future of Northern Kenya" *Journal of Eastern African Studies*, 2016, Vol 10 Issue 3, pp.548-567

⁶⁵⁴ Cormack Z, "The protection of pastoralist heritage and alternative 'visions' p. 548

⁶⁵⁵ Chome N., "Land, livelihoods and belonging: p. 310

In August 2019, Kikuyu elders managed to have 100 acres of Mt Kenya forest allocated to them for the purpose of conducting traditional rituals. While allocating this land to them, the Cabinet Secretary in charge of environment and natural resources, Keriako Tobiko, warned the elders against undertaking any commercial or political activities on the land⁶⁵⁶.



Fig 44: Kikuyu elders With the Environment Cabinet Secretary (in a sleeveless jacket) at their newly acquired shrine.

Source: Kenyans.co.ke <https://www.kenyans.co.ke/news/42687-uhurus-cs-gifts-kikuyu-elders-100-acres-mt-kenya-forest>

As another illustration of the gains the 2010 constitution was seen to bring in terms of safeguarding cultural rights, in March 2018, a landmark court ruling legalized brewing and drinking of *Muratina* during Kikuyu cultural ceremonies. While making the ruling, Kikuyu principal magistrate D.N. Musyoka observed that, “The constitution promotes culture under article 11 which states that the State shall promote all forms of national and cultural expression through literature, the arts and traditional celebrations as long as it is not repugnant to justice.”⁶⁵⁷ John Ndung’u Mbiyu who had been arrested for brewing the drink for a traditional

⁶⁵⁶ Antony Owino, “Uhuru’s CS Gifts Kikuyu Elders 100 Acres in Mt Kenya Forest” *Kenyans.co.ke*, August 11, 2019 <https://www.kenyans.co.ke/news/42687-uhurus-cs-gifts-kikuyu-elders-100-acres-mt-kenya-forest>

⁶⁵⁷ Agewa Magut, “‘Muratina’ no longer an illicit brew after landmark court ruling” *Nairobi News*, April 12th, 2018

ceremony was declared innocent. In July, 2019, during one of the most publicized Kikuyu cultural wedding *Ngurario*, between the Governor of Kirinyaga County, Ann Waiguru, and a prominent Nairobi-based lawyer Kamotho Waiganjo, the nuptials, who are Christians and public figures, were publicly blessed by their parents using *muratina*.⁶⁵⁸ Before the promulgation of the 2010 constitution, any use or handling of *muratina* or any other traditional brews was treated as an illegality that called for legal prosecution.

While the 2010 constitution is seen to have brought some gains in terms of safeguarding cultural rights, it also came with some risks associated with impediment of creation of a common national identity, citizenship, memory and heritage in various ways. First, whereas the constitution endears to promote a universal Kenyan identity, it also promotes and safeguards the diverse ethnic identities in their singularities by promoting a multiculturalism platform in which Kenyans are proud of their ‘ethnic culture and religious diversity’,⁶⁵⁹ incorporating cultural rights into the Bill of Rights,⁶⁶⁰ providing for the marginalized communities “need or desire to preserve [their] unique culture and identity from assimilation,”⁶⁶¹ mandating the parliament to enact legislation to ‘ensure that communities receive compensation for the use of their cultural heritage’⁶⁶² among other provisions. Akoth puts it thus “Kenyans are allowed to belong to their various cultural formations and express their identities in these formations.”⁶⁶³

By promoting the ethnic identities, the constitution promotes groups’ ethno-cultural hegemonies most of which claim indigeneity in particular territorial spaces⁶⁶⁴ as it has been demonstrated about the Kikuyu community using the *Mukurwe wa Nyagathanga* cultural site. The risk of emboldening ethno-cultural hegemonies in the perceived primordial ethno-cultural territories is increased by the fact that the constitution seems to have not only retained the colonially instituted ethno-cultural states in form of counties whose boundaries coincide with those of

⁶⁵⁸ Denis Mwangi, “2 Key Rituals at Waiguru's Wedding and Their Meanings”, Kenyans.co.ke, July 14, 2019

⁶⁵⁹ Republic of Kenya, 2010, *The Constitution of Kenya 2010* (Preamble)

⁶⁶⁰ *Ibid*, Article 44

⁶⁶¹ *Ibid*, Article 260

⁶⁶² *Ibid*, Article 11(3)(a)

⁶⁶³ Akoth S.O, 2011, “Challenges of Nationhood: Identities, citizenship and belonging under Kenya’s new Constitution,” p. 11

⁶⁶⁴ Karega-Munene, 2014, “Origins and development of institutionalized Heritage Management p.44

presumed ancestral homelands of various ethnic nations, but it also accords a level of sovereignty to ethnic citizenship by requiring that the state or any other party does not interfere with individuals or groups enjoyment of their cultural rights, which could be interpreted to include the right to ancestral land.⁶⁶⁵

With some of the cultural rights safeguarded by the constitution including those linked to groups' ancestral lands, since the advent of devolution, some communities have used their presumed sovereignty over their 'homeland counties' to exclude perceived 'outsiders' from sharing of county resources, jobs and elective positions.⁶⁶⁶ This has led to the (re)emergence and strengthening of ethnic-citizenship, nepotism and corruption within the counties. As a result, 'trapped minorities' as they are referred to by Michelle D'Arcy and Agnes Cornell⁶⁶⁷ have ended up being marginalized in their resident counties. In ethnically homogenous counties like Wajir and Garissa, the dominant clans and sub-clans have been seen to marginalize the less-dominant ones in a new wave of clan-based factionalism.⁶⁶⁸ In effect, therefore, the problems of tribalism, clannism, nepotism and corruption have been devolved to the county level where inter-ethnic or inter-clan competition for resources has been emboldened.

In creating iconic and corporate identities for themselves, counties have been observed to depict various tangible and intangible cultural aspects of the dominant ethnic groups within the counties' jurisdictions. This includes the use of the dominant communities' vernacular in creating identity slogans for the counties. This inadvertently reinforces particular ethnic citizenships within particular counties.⁶⁶⁹ Likewise, cultural festivals and other events meant to enhance national cohesion in the counties have also been seen to privilege the dominant communities in terms of representation and resources allocation, hence entrenching ethnic segregation.⁶⁷⁰ The

⁶⁶⁵ Akoth S O., 2011, "Challenges of Nationhood: Identities, citizenship and belonging"; D'Arcy M. and Cornell A., 2016, "Devolution and Corruption in Kenya: Everyones Turn to Eat?"; Karega- Munene, 2014, "Origins and evolution of institutionalized heritage management

⁶⁶⁶ Eg Waititu saying that Jobs are for Kiambu people

⁶⁶⁷ D'Arcy M. and Cornell A., 2016, "Devolution and Corruption in Kenya: Everyones Turn to Eat?," *African Affairs*, 115/459 pp.264-273

⁶⁶⁸ Omenya G. and Lamont M., 2017, *The Uses and Management of Culture by Kenya County Governments: A Briefing Report*, UK, The Open University p.9

⁶⁶⁹ Ibid.

⁶⁷⁰ Ibid.

Post-devolution celebration of national days in the counties has not been spared by ethnicization either. For instance, as already highlighted, the June 1st 2017, Madaraka Day celebrations that were held in Nyeri county ended up taking an ethnic rather than a national outlook as Kikuyu language dominated the day's speeches and Raila Odinga, the opposition leader and perceived enemy of the Kikuyu nation, who was present, was shunned and ignored by the event organizers, causing an outcry among his supporters.⁶⁷¹ As such, initiatives meant to bring about national cohesion and integration have occasionally ended up being forums for ethno-political mobilization and national disharmony.

Among the functions, powers and responsibilities devolved to the forty-seven counties include museums "other cultural activities, public entertainment and public amenities."⁶⁷² With the majority of the counties being dominated by particular ethnic communities, the risk of "the emergence of ethnic or 'tribal' museums" akin to what Carcasson⁶⁷³ had proposed in the 1960s becomes a reality. Fouéré and Hughes have noted this to be a real danger with community museums based in the counties, which are "cultural centres dedicated to promoting the heritage of particular ethnic groups as discrete, primordial and essentialist, and requiring preservation."⁶⁷⁴ Despite the concerted effort that the state has made towards promoting a Kenyan national identity, devolution has been seen to exacerbate the "trend towards reification and essentialisation of bounded sub-national cultural identities, and with it, the idea that heritage is bounded too."⁶⁷⁵ Using the example of the "ethnographic community museum and a mausoleum dedicated to Nandi culture and the hero Koitalel Somei in the Northern Rift Valley,"⁶⁷⁶ Chloe Josse Durand explores how cultural heritage has been used since the advent of devolution in the "reconfiguration of political competition and the making of land claims at [the] grassroots level."⁶⁷⁷ With the counties lacking capacity in heritage professionals, and with the possibility of museums being relegated to the bottom of the priority list in the counties' budgetary allocation,

⁶⁷¹ Omondi Rogers, "Raila Odinga speaks after being snubbed by President Uhuru Kenyatta at the Madaraka Day Celebrations in Nyeri," *Kenyan.co.ke News*. June 2, 2017

⁶⁷² Republic of Kenya, 2010, *The Constitution of Kenya 2010*, Fourth Schedule Part 2 (4)

⁶⁷³ Karega-Munene, 2014, 'Origins and Development of Institutionalised Heritage Management in Kenya' p.30

⁶⁷⁴ Fouéré M-A. and Hughes L., 2015, *Heritage and Memory in East Africa today*, p.550

⁶⁷⁵ Ibid.

⁶⁷⁶ Josse-Durand C., "The political role of 'cultural entrepreneurs' in Kenya: Claiming recognition through the memorialization of Koitalel Samoei and Nandi heritage", *African Studies*, Vol 77, Issue 2, 2018, p. 257

⁶⁷⁷ Ibid.

such museums stand a high risk of presenting low quality and ethnicized exhibits and narratives which might be counterproductive in terms of promoting the common national identity and nationhood aspired for by the 2010 constitution.

With most community lands including cultural sites being held by the counties in trusts for their owner-communities,⁶⁷⁸ and with “other cultural activities”⁶⁷⁹ being designated to the counties, it means that the counties have substantial influence in the way these cultural sites and their related ceremonies and festivals are conducted. With the counties generally lacking the requisite technical capacity for the formulation and implementation of pro-nationhood heritage policy and interpretation frameworks, the cultural sites and festivals may be interpreted in a way that could ethnically balkanise the country through strengthening of various ethno-regional identities at the expense of the common national identity and nationhood. This risk has been seen to increase during the electioneering periods when politicians are seen to actively patronage ethnic cultural sites and events in search of crowning by ethnic Councils of Elders as a way of consolidating political support and loyalty from particular ethnicities. As such, heritage has at times been used to disadvantage those from counties’ minority groups vying for elective seats. Having made all these observations, the question then begs, how could the challenge of negotiating between national and sub-national identities in post-devolution Kenya be addressed through heritage-making?

In addressing the question above, some authors have argued for suppression or conflation of ethno-cultural identities which they view as a major hindrance to the attainment of universal Kenyan identity envisioned by the 2010 constitution. For instance, the seasoned Kenyan journalist and author Philip Ochieng maintains that it is the diminishing of such identities that holds the potential of giving rise to truly homogenous Kenyan identity in future.⁶⁸⁰ Ochieng’s sentiments are echoed by Makau Mutua, who observes that the ethnic identities that were created by the colonial government and perpetuated by post-colonial governments have no

⁶⁷⁸ Ibid., Article 62 (2)

⁶⁷⁹ Ibid., Fourth Schedule Part 2 (4)

⁶⁸⁰ Ochieng P., “History Will Drive Tribalism to Extinction,” *The Sunday Nation*, July 4, 2010, <http://allafrica.com/stories/201007050062.html>

place under the 2010 constitution which seeks to promote a common Kenyanness.⁶⁸¹ Mutua is reported to have proposed that “Kenya should ban tribal associations”.⁶⁸² While discussing the challenges of ethnicity, multiparty democracy and state building in multi ethnic states in Africa, Paul Mbatia et al., suggest that “the state should dismantle any form of networks or associations that threaten national unity [based on the fact that] for the ‘nation to live, the tribe must die’.⁶⁸³ Koigi wa Wamwere has also observed that the prominence given to ethnic identity through such political processes as negotiated democracy has entrenched ethnicity and alienation of minority groups⁶⁸⁴

On the other hand, other commentators hold “the notion that for Kenya to remain as one country - a common political society, the interests of various ethnic groups must be considered.”⁶⁸⁵ Kimani Njogu maintains that “to focus on the growth of a national identity without paying sufficient attention to local processes of interaction and solidarity and the particularity of experience can be grossly misleading if the events that followed the disputed December 27th, 2007 election results in Kenya are anything to go by.”⁶⁸⁶ Peter Wafula Wekesa echoes Njogu’s sentiments by saying, “from an analytical point of view, it is not possible to approach or present anything Kenyan as a homogenous entity given the diverse nature and historical experiences of Kenyans.”⁶⁸⁷ Wekesa views the ‘Kenyanness’ developed under the nationalist state project as a lie, and notes that such ‘Kenyanness’ is based on state manipulation of social memory, which masks cultural and historical realities of the diverse Kenyan communities. He thus emphasises “the need to appreciate the varied nature of the ethnic identities found in Kenya and their contribution to the national identity question.”⁶⁸⁸

⁶⁸¹ Mutua Makau., “Why Kenya should Ban Tribal Associations,” *Daily Nation*, July 17, 2010,

<https://nation.africa/kenya/blogs-opinion/opinion/why-kenya-should-ban-tribal-associations--641292>

⁶⁸² Ibid.

⁶⁸³ Mbatia P.N. et al, 2010, “The Challenges of Ethnicity, Multiparty Democracy and State Building in Multiethnic States in Africa, In Kimani Njogu, Kabiri Nageeta and Mary Wanjau (eds) *Ethnic Diversity in Eastern Africa*, Nairobi, Twaweza Communications Ltd. p.194,

⁶⁸⁴ Koigi wa Wamwere “This negotiated Democracy will negate democracy,” *The Star*, October 8, 2016,

⁶⁸⁵ Akoth S.O, 2011, “Challenges of Nationhood: Identities, citizenship and belonging under Kenya’s new Constitution,”p. 12

⁶⁸⁶ Njogu K., 2008, “Towards a Kenyan Identity” In Kimani Njogu (ed), *Culture, Performance and Identity: Paths of Communication* in Kenya, Nairobi, Twaweza Communications p. ix

⁶⁸⁷ Wekesa P. W., “Negotiating ‘Kenyanness’: The Debates” In *Remembering Kenya: Identity, Culture and Freedom*, Nairobi, Twaweza Communications Vol 1, p.54.

⁶⁸⁸ Ibid. p.69

In my opinion, negotiating between national and sub-national identities in post-devolution Kenya through heritage making is possible. It however calls for the establishment of appropriate heritage policies and programmes aimed at deliberate promotion of a universal Kenyan identity and nationhood as imbued by the national values established by the constitution on one hand, and appreciation of the various ethnic identities' contribution towards this national identity on the other hand. In line with Ashworth et al's submission that heritage is "a cultural product and a political resource...developed in response to current needs"⁶⁸⁹, Kenya needs to use her rich and diverse cultural heritage for the purpose of nationhood creation, which is a dire need going by the deep-seated issues that resulted in the 2007/08 post-election violence and most of which the country is still grappling with.

For the country's diverse heritages to be used effectively for nationhood creation, they need to be interpreted in a way that renders them relevant to present-day nation-building. This according to Karega-Munene could be done by developing well interpreted exhibitions on various aspects of nation building, through which visitors should be guided by well-trained guides.⁶⁹⁰ This calls for the Kenyan nation-state to establish some training standards and skills requirement for those authorised to engage in interpreting heritage throughout the country. This would not only enhance the creation and presentation of a harmonious Kenyan national narrative, but it would also safeguard against fragmentation of heritage management and interpretation standards throughout the country.

Mounting and maintaining of quality exhibits on various aspects of Kenyan nationhood, as well as training and hiring guides involved in interpreting these exhibitions calls for adequate budgetary allocation. As already discussed, Kenyan government has historically given minimal budgetary allocation to heritage management in the country, which has left funding of heritage research under the mercies of foreign donors. To make heritage research and interpretation focus on Kenyan identity and nation-building as major themes, both county and national government need to deliberately allocate adequate funds to the management and development of the heritage under their jurisdictions.

⁶⁸⁹ Ashworth G.J., Graham B. and Tunbridge J.E., 2007, *Pluralising Pasts*: pp.36, 39

⁶⁹⁰ Karega-Munene, 2014, "Origins and Development of Institutionalised Heritage Management", p. 42

In Kenya, like in other parts of the world, heritage interpretation has at times been distorted or selectively done for such reasons as claiming land rights or indigeneity to particular spaces, or protesting “real or perceived historical injustices.”⁶⁹¹ The colonial legacy of linking particular ethnic identities to particular bounded spaces needs intentional and skilful management for successful creation of a national narrative and nationhood⁶⁹². According to Kimani Njogu, “the state should encourage people to recognize that they live in an artificial state and accept their commonness.”⁶⁹³ Kenyan nation-state therefore needs to be in the forefront of selecting, interpreting and presenting the country’s diverse heritages in a manner aimed at creating and promoting the desired universal Kenyan identity and nationhood. This could be done by establishing a system and a criteria, similar to that of UNESCO World Heritage Sites, through which a representative selection of cultural heritage sites, objects and festivals are designated, listed, restored, developed, interpreted, presented and marketed to Kenyan citizens and other visitors as Kenyan national heritage sites and part of Kenyan national identity.

To signify, the designation of these heritages as part of national identity, a well thought-out label, symbolising aspects of the Kenyan nation, could be developed and put on heritages to increase their visibility in situ, in print and in virtual spaces. This idea has been seen to work in other countries such as France where such designated heritage sites are accorded the ‘Grand Site de France’ (Grand Site of France)’ label, Which “guarantees that the site is conserved and managed following sustainable development principles, which combine the conservation of the landscape, the ‘spirit’ of the site, the quality of the visitors’ experience and the participation of the inhabitants and partners in the life of the Grand Site.”⁶⁹⁴ The ‘Grand Site de France’ label therefore “is awarded to places which have successfully undertaken rehabilitation programmes and offer visitor services which benefit surroundings [in a manner that ensures] preservation of the character and the landscape of each individual site... [and] ... a positive contribution to local economic and social development.”⁶⁹⁵

⁶⁹¹ Ibid., p. 40

⁶⁹² Ibid., p. 42

⁶⁹³ Njogu K., 2010, “A prologue to Ethnic Diversity in Eastern Africa” In Njogu K., Ngeta K. and Wanjiru M. (eds) *Ethnic Diversity in Eastern Africa: Opportunities and Challenges*, Nairobi, Twaweza Communications, p. xv

⁶⁹⁴ Obtained from the website of the Network of Grand Sites of France <https://www.grandsitedefrance.com>

⁶⁹⁵ The Objectives of Grand Sites de France Organisation, <https://www.pointeduraz.com/en/qu-est-ce-qu-un-grand-site/the-objectives-of-the-grands-sites-de-france-organisation>

To avoid 'delisting' of such designated sites, local communities and county/regional governments are expected to maintain certain conservation standards, whose adherence is routinely monitored by a designated body, which in the case of France is the 'Réseau des Grands Sites de France' (Network of Grand Sites of France)⁶⁹⁶. In the Kenyan case, the NMK (or the body that will perpetuate NMK's mandate) could take up the role of monitoring the conservation standards of such designated sites. Designation and promotion of such national heritages would have various effects to such designated heritages as well as to different categories of actors. To begin with it would elevate the management of such heritages owing to the higher attention they would get in terms of conservation, research, development and marketing. The designated heritages would also receive more financial allocation to enable their development activities. This would in turn enhance their tourism potential hence increasing their possibility of being taken better care of by the local communities as part of their livelihood.

To the local communities, the designation of their heritage as national heritage would act as a reminder that the community's identity is part of the National identity and vice-versa, and that celebrating one of the two identities needs to be done with the other identity in mind. For instance, singing of the Kenyan national anthem may be willingly incorporated in the celebrations that may be performed in such designated 'national' cultural sites. Designating such sites from the minority communities would give such communities a sense of inclusion in the national narrative and identity. In return, it would make local communities to embrace and be mindful of the Kenyan identity as they celebrate their ethnic identities in a manner that has been referred to as 'glocalisation', which implies the ability and willingness to think globally while acting locally.⁶⁹⁷ Members of different ethnic communities visiting each other's' designated 'national' sites would be able to appreciate more the fact that their common identity is found within their diverse heritages.

At another level, the nation-state would be able to use such designated 'national' heritage sites for the promotion of national cohesion and peace building. Therefore, such designated heritage

⁶⁹⁶ Ibid.

⁶⁹⁷ Roland R., "Globalisation or glocalisation?" *The Journal of International Communication*, Volume 18, Issue 2, 2012 pp. 191-208

sites would become sites for inclusive celebration of and mutual negotiating between national and ethnic identities as well as national reconciliation and peace building. In this case, Kenyans would be able to think about and promote Kenyan national identity while thinking about their cultural or ethnic identity. The Kenya's 100 best monuments project that was launched by the NMK in 2016, and whose details I have discussed in chapter four would have provided a good beginning point in establishing the heritage designation system elaborated above. Unfortunately as explained earlier, by the time of completing this thesis, the project was yet to be actualized.

Devolution has also yielded and enhanced the opportunity for county governments to spearhead the commemoration and memorialization of heroes and heroines associated with the counties and some of whom are of national status. For instance, by 2016, Machakos County government under the leadership of Governor Alfred Mutua had installed the statues of Paul Ngei⁶⁹⁸, Muindi Mbingu⁶⁹⁹ and Mulu Mutisya,⁷⁰⁰ considering them as heroes of national repute whose origins were in the county. While unveiling one of the statues, Governor Alfred Mutua, observed that recognizing national heroes was "a good thing... [and] ... a sign of maturity and development." One of the statues, that of Paul Ngei, was unveiled by President Uhuru Kenyatta during the the second 'devolved' national day celebrations, the Mashujaa day of October 20, 2016, which was held in Kenyatta stadium in Machakos town. This memorializations gave the residents of Machakos County an opportunity to not only celebrate their local heroes, and history, but also to celebrate and commemorate part of the national history and memory within their local context. For that matter, the memorialization provided yet another forum for negotiation between local and national heritages and identities.

Since the end of KANU's tyrannical rule and the advent of devolution, cases of county-level memorializations and commemorations that provide possible forums for negotiation between national and local/county identities have been on the rise. For instance since 2003, the local

⁶⁹⁸ Paul Ngei participated in the anti-colonial movement and later served the independence government for close to thirty years.

⁶⁹⁹ Muindi Mbingu led the Kamba community in protesting against colonial oppression in the 1930s. In early 1950s, he was accused of betraying his people after being compromised by a colonial DC, an allegation that saw his kinsmen murder him in 1953

⁷⁰⁰ Mulu Mutisya was a seasoned politician who served under both Presidents Kenyatta and Moi

community and Mau Mau veterans from different parts of the country have been gathering on the 18th day of February at the site in Kahiga-ini, where the leader of Mau Mau Dedan Kimathi was captured, to commemorate him. In 2019, Nyeri County put up a monument at the site to memorialize Kimathi, who in 2007 was also recognized as a national hero through another monument in the middle of the capital city, Nairobi. Other examples of such commemorations and memorializations include those of Mekatilili wa Menza (Kilifi County), Koitalel Arap Samoei (Nandi County) and Tom Mboya (Homa Bay County). To achieve the desired goal in terms of negotiating local and national identities in these memorializations and commemorations which have continued to increase in the country, there is need for deliberate involvement of well trained heritage interpreters to ensure the creation of well-balanced narratives of local and national identities and memories.

As a national institution funded with taxpayers' money, and whose legal mandate includes "to promote cultural resources in the context of social and economic development,"⁷⁰¹ the NMK ought to lead the way in developing thematic exhibitions and heritage management programmes geared towards building nationhood. Such exhibitions should emphasise on aspects of interactions and experiences that cut across the different ethnicities as opposed to aspects which emphasise ethnic differences. Non-state actors in the heritage field such as the Community Peace Museums (CPM) as well as private museums and cultural centres should also be engaged in the process of the national heritage creation. This is especially because on day-to-day basis, the non-state actors tend to deal with heritage that is more current and more easily identified with by the communities whose subaltern narratives the non-state actors represent.⁷⁰²

Print and electronic media must also be involved in the development and promotion of Kenyan national identity and nationhood. According to Kimani Njogu "Media can play a central role in entrenching inter-ethnic tolerance and trust."⁷⁰³ This is due to the power that the media has in reaching out to and communicating various messages and narratives to different audiences. During electioneering periods for instance, print and electronic media has been used by

⁷⁰¹ Republic of Kenya, 2012, *National Museums and Heritage Act 2006* (revised in 2012) Section 4 (d)

⁷⁰² Karega-Munene, 2014, "Origins and Development of Institutionalised Heritage Management in Kenya" pp.37-40

⁷⁰³ Njogu K., 2010, "A prologue to Ethnic Diversity in Eastern Africa" In Njogu K., Ngeta K. and Wanjiru M. (eds) *Ethnic Diversity in Eastern Africa: Opportunities and Challenges*, Nairobi, Twaweza Communications, p.xv

politicians for the creation and promotion of ethnicised narratives which have often resulted in ethnic animosity. The exponential growth of the media that has been witnessed in the country in the last two decades has resulted in the proliferation of vernacular Radio and TV stations and broadcasting programmes. Christopher Odhiambo observes that, “The many radio stations such as Kameme, Coro, Ramogi, Kass, Mulemebe and many others, through their programmes help in constructing ethnic identities. Through language and its attendant cultural productions such as music, talk shows and theatrical performances they become sites of remembering and re-constructing ethnic minorities and identities that have been suppressed by the nation and national identity.”⁷⁰⁴ There is need therefore to engage both the mainstream and the social media in developing and disseminating content and narratives that promote Kenyan nationhood.

With the constitution requiring the national government to develop the capacity of the county governments to handle particular functions before the functions are devolved, the NMK should endeavor to enhance the capacities of the county governments and the other entities in heritage sector. The NMK, or any other body corporate that may take up NMK’s role should also be in the forefront in developing policies and standards for the management of heritage as well as its use in the promotion of nationhood. As highlighted in chapter four, as part of actualizing the roles of offering technical advice and assistance to the county governments and other entities dealing with heritage, the NMK established a Heritage Training Institute in Mombasa in 2015 and started offering short courses on museums and heritage management to county officials and other actors involved in heritage management⁷⁰⁵.

Another opportunity that devolution has availed to heritage management in Kenya is the opportunity for partnerships and collaborations among the various actors including the national government, the county governments, local communities, community based organisations (CBOs), the civil society, as well as transnational organizations. Such partnerships have been seen to have the potential of capacity enhancement through sharing of experience, expertise and skills among the various actors engaged in heritagization and heritage management at

⁷⁰⁴ Odhiambo C., 2008, “Circulation of Media texts and Identity (de) constructions in the Post-colony” In Njogu K. (ed), *Culture Performance and Identity*, Nairobi, Twaweza Communications, p. 141

⁷⁰⁵ Abdullahi, H., “National Museum Launches Heritage Training Programs” *Kenya News Agency*, 21 February 2017

community, local, county and national level. A few of such partnerships are worth mentioning. In April 2014, the NMK in partnership with African Cultural Regeneration Institute (ACRI) organized a two days capacity building workshop for County cultural and heritage officers. Reporting about the workshop, Freda M'Mbogori, the then head of NMK's cultural heritage department that spearheaded the organization of the workshop, and her colleague Ruth Wambua, jointly noted that the workshop was motivated by the fact that, "although the county leaders were eager to...promote cultural projects in community empowerment, [they lacked] personnel capable of steering this agenda."⁷⁰⁶ The workshops objectives included to enlighten the participants on "what entails cultural heritage and ways of safeguarding it for development, the potential of culture as an enabler of economic and social development, and formation of local and international networks and partnerships for the development of cultural heritage"⁷⁰⁷.

In October 2014, the Kenya National Commission for UNESCO (KNATCOM) launched biennial National Cultural Celebrations in which it would partner with the counties and other actors in heritage management. The goal of the celebrations was "to promote peacebuilding and national cohesion through culture."⁷⁰⁸ The initiative was based on the appreciation of the fact that national cohesion needed to start from the community, sub-county and county levels. The celebrations objectives were: "to create a platform for counties and institutions to showcase various aspects of their culture hence promoting conservation and preservation; and to promote harmonious co-existence, tolerance, reconciliation and peace building for national cohesion."⁷⁰⁹ The inaugural edition of the celebrations was held in Nairobi at the Kenyatta International Convention Centre (KICC) with the theme of "peace and sustainable development."⁷¹⁰

The second edition of the UNESCO-led National Cultural Celebrations was held in September, 2016, at the Machakos People's park in Machakos County, with the theme of "Promoting

⁷⁰⁶ M'Mbogori F.N. and Wambua R., "County Workshop: Introduction" *The Calabash Cultural Heritage Newsletter*, Issue no 1, 2014 p.10

⁷⁰⁷ Ibid. p.11

⁷⁰⁸ KNATCOM, 2018, Remarks by the Secretary General and Chief Executive Officer, Kenya National Commission for UNESCO, Dr. Evangeline Njoka, MBS, during the official opening of the 3rd KNATCOM National Cultural Celebrations at the Jomo Kenyatta Sports Grounds, Kisumu on 19th September, 2018

⁷⁰⁹ Ibid.

⁷¹⁰ Ibid.

Intercultural Dialogue and a Culture of Peace for Sustainable Development.”⁷¹¹ The third edition of was held in September 2018 at Jomo Kenyatta Sports ground, in Kisumu with the theme of “Enhancing National Cohesion, Identity and Pride.”⁷¹² These celebrations brought together various national and county governments’ ministries and agencies; local communities; learning institutions; the civil society; NGOs and the private sector. The celebrations showcased a diversity of cultural performances, music, dance, fashion show, cuisine, arts and craft while giving members of different communities an opportunity to interact and appreciate each other’s cultures as a way of fostering national cohesion and integration. According to KNATCOM’s Secretary General Dr. Evangeline Njoka, this would help in “building a better and greater Kenya on the basis of our diverse culture”⁷¹³

In March 2018, UNESCO launched a series of National Youth Workshops on Culture and Heritage. The inaugural edition of these workshops which was held in Nairobi from 26 to 28 March 2018 brought together 100 youths from the 47 counties. The workshops objective was to “increase youth engagement in the conservation and promotion of World Heritage and Intangible World Heritage,”⁷¹⁴ and to familiarise them with “the 2003 Intangible Cultural Heritage and 1972 world Heritage UNESCO Conventions.”⁷¹⁵ The Youths were also involved in “discussions on national values, principles of governance, national cohesion and integration.”⁷¹⁶ Meanwhile, an interview⁷¹⁷ with the NMK’s Director in charge of Antiquities, Sites and Monuments, Dr. Purity Kiura revealed that by the end of September, 2020, nineteen⁷¹⁸ out of the forty seven counties had signed memoranda of understanding with the NMK for collaborations that entailed training of the counties’ heritage and cultural officers as well as researching, documenting, inventorying, gazetting and developing heritage resources within the counties. Out of the nineteen counties that had signed the MoUs, five of them had made exemplary achievements through their

⁷¹¹ Kenya Buzz, “2nd UNESCO National Cultural Celebrations #CelebrateCulture, Kenya Buzz, August 25, 2016

⁷¹² KNATCOM, 2018, “Kenya National Commission for UNESCO (KNATCOM) the 3rd KNATCOM National Cultural Celebrations Report” Date: 19th – 23rd September 2018

⁷¹³ Ibid.

⁷¹⁴ UNESCO, “Around 100 youth across Kenya participated in the First UNESCO National Youth Workshop on Culture and Heritage in Kenya, UNESCO News, April 10, 2018 <https://whc.unesco.org/en/news/1806>

⁷¹⁵ Ibid.

⁷¹⁶ Ibid.

⁷¹⁷ Interview with Director Antiquities, Sites and Monuments Dr. Kiura on October 1 2020

⁷¹⁸ The Counties that had signed MoU with NMK were Kericho, Kilifi, Kisumu, Kitui, Lamu, Mandera, Marsabit, Meru, Migori, Mombasa, Nakuru, Nandi, Nyamira, Nyandarua, Nyeri, Tana River, Turkana, Vihiga.

collaboration with the NMK, which included the enhancement of the counties' staff awareness and capacity in cultural heritage management. In giving examples of success stories of devolved heritage management, Kiura noted that Migori County for instance had contributed substantial amount of money towards the maintenance and marketing of Thimlich Ohinga site, which is found within the county and which was nominated as a World heritage site in June 2017. Nyeri County conducted monitoring and documentation of its cultural heritage sites during the 2018/2019 Financial Year,⁷¹⁹ while Meru County was at an advanced stage of developing a cultural heritage center by the time of writing this thesis. Such initiatives if well executed would go a long way in promoting healthy negotiation between national and subnational identities in the country.

Since heritage-making happens in, and is influenced by the political context of the country, to avoid balkanising the country along ethnic lines, "a decisive change in the country's politics from ethnic competition for power to issue –or ideology-based politics is necessary"⁷²⁰ Studies have showed that the historical ethnicized competition for state power and resources in the country has resulted to a situation where the 'big five' communities have occupied over seventy per cent of government and civil service jobs.⁷²¹ The big five communities have also produced "the country's top most political players and ...four presidents."⁷²² This has led to marginalisation of the rest of the smaller communities, who seem less motivated to identify with a Kenyan national identity cue to the feeling that "their experiences, circumstances and aspirations are best served by [their] ethnic identity."⁷²³ To mitigate against the tyranny of the majority in liberal democracy, Kenya needs to appreciate the diversity of its people in terms of ethnic and regional representation and cater for this reality in not only elective political representation but also in

⁷¹⁹ The Author coordinated the Nyeri Heritage Monitoring and documentation programme whose results included the county's heritage status report titled *Nyeri Heritage and Tourism Diversity*; and a video documentary by the same title, which is available on You Tube. <https://www.youtube.com/watch?v=asgkltiyugEc>

⁷²⁰ Karega-Munene, 2014, "Origins and Development of Institutionalised Heritage Management in Kenya" p.44

⁷²¹ Asingo P.O, 2018, "Ethnicity and Political Inclusivity in Kenya: Retrospective Analysis and Prospective Solutions," in *Ethnicity and Politicization in Kenya*, Nairobi, Kenya Human Rights Commission; Wahi W., 2018, "Who belongs in the Civil Service? Ethnicity and discrimination in Kenya's civil service" In *Ethnicity and Politicization in Kenya*, Nairobi, Kenya Human Rights Commission

⁷²² Dominic Omondi, "Five tribes retain hold at apex of population as members increase", *The Standard*, February 22, 2020

⁷²³ Karega-Munene, 2014, "Origins and Development of Institutionalised Heritage Management in Kenya", p. 43

public appointments.”⁷²⁴ Mbatia et al. emphasise the need for developing popular and issue-based ideologies for mobilization of citizens. Referring to MAU MAU, *Harambee* and *Nyayo* as some of the philosophies or ideologies which have been used in the past to mobilize Kenyan citizens with varying degrees of success, Mbatia et al. argue that in the absence of [popular ideologies] politicians appeal to ethnic identity as a basis for mobilizing the masses.”⁷²⁵ The authors also emphasise on the need to “strengthen institutions that nurture and safeguard democracy,” which range from “the police force, electoral commission, judiciary ...and the Civil Society Organizations (CSOs).”⁷²⁶ The need to “promote new mind-set among Kenyans”⁷²⁷ has also been emphasised. A new mind-set in which “Kenyan communities would welcome their kings and queens without expecting kickbacks or wanting to manipulate them.”⁷²⁸ This would provide a conducive political environment for the formation and promotion of both national and subnational identities in complementary manner.

I therefore conclude that using well managed heritage-making processes, guided by well formulated policies and programmes, national and sub-national identities in post-devolution Kenya could be negotiated in a healthy way where one does not have to forfeit one form of identity for the sake of another. This is in concurrence with Kimani Njogu’s submission that, “national identity can co-exist with other forms of identity in mutually enriching ways,”⁷²⁹ ways in which one can comfortably be a Rendile, a Kikuyu, or a Kipsigis for instance and be a Kenyan at the same time. This however calls for deliberate efforts in formulation and implementation of policies that promote a Kenyan identity that is characterised by a good balance of both universality and multiculturalism. The opposite of this would be the possibility of balkanisation of Kenyan identity through ethnicised, biased or imbalanced heritagization process.

⁷²⁴ Mbatia P.N. et al, 2010, “The Challenges of Ethnicity, Multiparty Democracy and State Building in Multiethnic States in Africa, In Kimani Njogu, Kabiri Ngeta and Mary Wanjau (eds) *Ethnic Diversity in Eastern Africa*, Nairobi, Twaweza Communications Ltd. p. 197

⁷²⁵ Mbatia P.N. et al, 2010, “The Challenges of Ethnicity, Multiparty Democracy and State Building p. 196

⁷²⁶ Ibid.

⁷²⁷ Ibid. p. 197

⁷²⁸ Ibid.

⁷²⁹ Kimani Njogu, 2008, “Towards a Kenyan Identity” In Kimani Njogu (ed), *Culture, Performance and Identity: Paths of Communication* in Kenya, Nairobi, Twaweza Communications p.ix

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Interviews

Interview with two local elders at *Mukurwe wa Nyagathanga*, Murang'a, on May 15, 2015

Interview with KNATCOM's Director for Culture at KNATCOM offices, Nairobi, on November 29, 2018

Interview with the Chair person Green Belt Movement at *Mukurwe wa Nyagathanga*, Murang'a, on January 23, 2019

Interview with a Senior Curator at the Directorate of Antiquities sites and monuments at the NMK headquarters, Nairobi, on February 13, 2019

Interview with the NMK's Director General at the NMK's headquarters, Nairobi, on February 15, 2019

Interview with the Murang'a CEC member for culture at the Murang'a County Government Offices, Murang'a on August 22, 2019

Interview with the Murang'a Director for Culture at the Murang'a County Government Offices, Murang'a on August 23, 2019

Interview with NMK curator for Murang'a at the NMK's Murang'a office, Murang'a, on September 12, 2019

Interview with Professor Rukwaro at the NMK's headquarters, Nairobi, on Marh 14, 2020

Interview with Director, Antiquities Sites and Monuments at the NMK's headquarters, Nairobi, on October 1, 2020

Interview with the NMK corporate Secretary and head of legal services at the NMK's headquarters, Nairobi, October 5, 2020

Interview with the National Director of Culture the Ministry of Sports Culture and Heritage offices at Milimani, Nairobi, on October 13, 2020

Focused Group Discissions (FGDs)

Three Focussed Group discussions with members of the local community at *Mukurwe wa Nyagathanga* on:

1st FGD: May 15, 2015

2nd FGD: September 14, 2016

3rd FGD: May 20, 2019

Ecole doctorale :

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Laboratoire :

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