

From mid February to mid March 2013, I was in Kenya, reporting on the elections.

Edited versions of the following nine articles were posted on the “Latitude” website of the International Herald Tribune/New York Times (latitude.blogs.nytimes.com/author/michela-wrong/). These are the originals, running in chronological order:

RUNNING ON AMNESIA - February 22, 2013

I was negotiating one of Nairobi’s terrifying roundabouts – a manoeuvre which requires jumping over a lattice of open sewers while playing chicken with a queue of lorries snorting their way towards Uganda and Congo – when I was confronted with a vision to chill the heart and drop the jaw.

Twenty young Kenyan volunteers in T shirts and caps printed with the candidate’s face were jiving and chanting on the back of a campaign truck as it trundled towards Westlands’ Sarit Centre shopping mall: “Vote for Brother Paul!”

My first day back in the city that was once my home and I’d just caught a glimpse of what must surely be the over-riding characteristic of this East African country’s forthcoming elections: shamelessness.

For Brother Paul, as he is known since he found God, was once plain Kamlesh Pattni, the smirking, moustachioed brains behind Goldenberg, the biggest financial scandal in Kenyan history. The scam, in which top officials looted the public coffer by claiming compensation for phantom gold exports, sent the economy into a nosedive that cost Kenya at least 10 per cent of GDP in the 1990s. Yet Pattni clearly sees no reason why that awkward fact should bar him from public office.

Maybe he’s not so crazy. Because forgetting past financial scandals is only one form of amnesia a dazed public is being asked to demonstrate come March 4. Presidential candidate Uhuru Kenyatta, a Kikuyu, and Kalenjin leader William Ruto are asking millions to effectively lobotomise themselves as they enter the voting booths, blanking out everything they saw five years ago.

In 2007/8 Kalenjin and Kikuyu militias were given machetes, spears and cash payments, trucked to where they could do most damage and let loose on rival ethnic communities. Houses and churches were burnt, businesses looted, refugee exoduses created, roads cut by flaming roadblocks. Many analysts reckon the official estimate of over 1,000 deaths is a laughable underestimate.

Now, thanks to an alliance signed between Kenyatta and Ruto, who both face trial before the International Criminal Court for allegedly organizing the violence, attackers and victims are being asked to become buddies. Anything to keep Luo Prime Minister Raila Odinga, who almost certainly should have won those elections, from becoming president. Kenya has a tradition of strained tribal coalitions, but few have been more grotesque, or demanded more torturous mental acrobatics of scarred constituencies, than this.

Raila, who has pulled together his own alliance, is also hoping for some serious short-term memory loss on his supporters' behalves. They will need to forget that he was lucky – enemies say miraculously so - to escape an ICC indictment for what Luo lieutenants got up to in Kenya's warring slums in 2007/8. They will also need to skim over the corruption scandals that have led back to the prime minister's office and the toe-curling nepotism that surfaced during party primaries in Raila's region.

Will the candidates succeed in convincing the electorate to swallow such repugnant medicine? God knows they have stunted neither funds nor energy in their attempts to make the various unlikely deals sound pragmatic, even sensible. Across Kenya, walls, fences and kiosks are plastered with campaign posters. Toyota pickups plastered in stickers perform semi-permanent loops through slums, foghorns blaring.

There is one interest group, at least, that no problem behaving as though the past were another country: the international business community.

Since the most violent elections in Kenyan history, consultants advising companies keen to invest in Africa in general and Kenya in particular have been telephoning me, asking for my views on political risk. The last call came two days before I flew. "This isn't a great time for predictions," I said. "Literally anything could happen. It's a very

tight race.” The consultant was apologetic. “I don’t think our clients realized there was an election in Kenya this month.”

That level of ignorance is unusual, but my answer, in any case, is always the same. Yes, Kenya is East Africa’s most vibrant economy, a strategic gateway providing access to the mineral resources of the Great Lakes region and – potentially – the oil riches of South Sudan. It has an aspirational middle class, a ballooning pool of potential workers and a relentless entrepreneurial spirit. But a generation of cynical, short-termist politicians have turned ethnicity into a poisonous national obsession, Nairobi’s slums are the most squalid in Africa, and the vision required to defuse the frustrations of the alarmingly young population trapped in them is noticeable by its absence.

Despite such Cassandra warnings, overseas funding pours in. Taking the long view, private investors are transforming Nairobi’s skyline, while the holes in the city’s moth-eaten colonial infrastructure yawn ever wider. Above the shattered pavements, giant potholes and broken street lights, gleaming 20-storey towers now rear. I walk past them and wonder if those who commissioned their brave, wrap-around glass fronts, so vulnerable to looters’ rocks, were more farsighted than a headline-obsessed writer. Or perhaps, it suddenly occurs to me, it’s just shatter-proof glass.

<http://latitude.blogs.nytimes.com/2013/02/22/kenya-election-campaign-run-on-amnesia/>

TO EACH HIS OWN - February 26, 2013

If you’re an outsider writing about Africa, the T-word – “Tribe” – can get you into trouble. I’ve received poison pen letters from readers, been upbraided by academics for using it.

I have a lot of sympathy with their objections. The T-word carries too many colonial echoes. It conjures up Metro-Goldwyn visions of masked dances and pagan rites. And when a journalist refers to “tribal violence”, or “tribal voting”, it suggests what is occurring is somehow illogical and instinctive, motivated by impulses Westerners distanced themselves from long ago.

Which poses a bit of a problem when you’re trying to cover a Kenyan election. Because discussion of ideology, economic policy or

the traditional left-right divide has been purely token during the run-up to its March 4 polls. Party manifestos may exist, but no one really cares what is in them. “We Kenyans are totally tribal,” interviewees keep telling me. It is said with neither approval nor despair, they are simply explaining how people vote.

Rather, it’s all about tribal maths. The Luo, the calculations go, will vote en bloc for the CORD alliance, (presidential candidate: Raila Odinga), the Kalenjin and Kikuyu will do likewise in support of the Jubilee alliance’s Uhuru Kenyatta. That leaves the Kisii, Kamba, Luhya and coastal communities split between the two, with the Luhya as likely kingmakers if the vote goes to a second round.

Predictions of possible violence are couched in similar terms. In the town of Nakuru, civil society activists tell me that if a first poll proves inconclusive, Kikuyus and Kalenjins could gang up on local Luos, Luhyas and Kisii. If Jubilee wins, in contrast, they are braced for eventual Kikuyu-Kalenjin clashes, as a counter-intuitive alliance falls apart.

When I lived in Nairobi in the 1990s, people didn’t talk this way. They got quite annoyed if you asked them which tribe they belonged to. “I’m a Kenyan,” was the defiant response. That was partly because of 24 years of President Daniel arap Moi – much of it under single party rule - who frowned on any public flexing of ethnic muscles. But Kenya was also urbanizing, its 42 tribes blending in the melting pots provided by sprawling city slums.

Moi reluctantly re-introduced multiparty politics in 1991 and the resulting parties swiftly polarized around tribes and their Big Man bosses. When president Mwai Kibaki’s administration came to be seen in the 2000s as favouring the Kikuyu, resentment was expressed in increasingly ethnic terms.

Today ethnic grid lines criss-cross the countryside. Invisible to outsiders’ eyes, they can, in contested areas, decide where you wait for your matatu taxi-bus, at which stall you buy your tomatoes and in precisely which direction you run in times of trouble.

Westerners commenting on this phenomenon veer between politically correct hypersensitivity and crude stereotyping. Crippled by embarrassment, they miss a key point, which is that there is

nothing primitive about a voter's determination to vote for his ethnic own, whether crook, drunk, adulterer or thug.

"The problem is that out in the rural areas, every Kenyan believes that for their interests to be protected, they must have someone from their community sitting in power," says Maritim Rirei, an Anglican pastor in Eldoret, which saw some of the most vicious "tribal violence" after the 2007/8 polls, with Kalenjin militias burning Kikuyu farmers off their lands.

That's not so dumb. In a corrupt, highly-centralised state, merit becomes irrelevant. Development depends on presidential patronage being secured by tribal champions. Kenyans adopted a devolved constitution in 2010 in order to challenge this system. But that new constitution has yet to bed down and there are those who fear its short term impact may, ironically, be to increase ethnic chauvinism at the local level.

In a triumph of brain over heart, Kenyans are now forcing themselves to take cold blooded, highly strategic electoral decisions. Most shocking has been the marriage of convenience struck between Kikuyu presidential candidate Uhuru Kenyatta and Kalenjin running mate William Ruto, both due to stand trial before the International Criminal Court for their suspected role in organizing the 2007/8 post electoral violence.

Kalenjin in the Rift Valley bitterly resent the Kikuyu who were moved there from over-crowded Central Province in the 1970s by Uhuru's father, Kenya's first president. Those Kikuyu "foreigners" must balk at voting for a Kalenjin political machine blamed for taking machetes to their women and children. Yet most will do just that, because it is in the interests of the tribe.

Tribal alliances form and dissolve with a speed that exposes their entirely utilitarian roots. Examine the career of any leading politician and you'll be confronted with a dizzying sequence of deals, in which best mates are designated worst enemies and the warmest of pals once again.

If tribal loyalty is based on realpolitik, "tribal violence", so often twinned with that sneaky word "spontaneous", is highly instrumentalised. Investigations into the 2007/8 violence revealed hotel meetings between businessmen and local politicians, the

mobilization of trucks, supermarket purchases of machetes and cash payments to militia members. Not much raw emotion there.

So, when it comes to the T-word, Kenya's politics are neither atavistic nor illogical, but yes, they ARE tribal.

<http://latitude.blogs.nytimes.com/2013/02/26/to-each-his-own/>

GEEKS FOR PEACE – February 28, 2013

In a tower block looking across the leafy Nairobi suburb of Kilimani, nine Kenyans sit at computer screens, silently trawling websites, blogs and Facebook conversations.

This could almost be an upmarket internet café, only it's far too quiet and no one is surreptitiously watching hard-core porn. But what's going on in the iHub has its own element of titillation. It highlights a generational, technological and social shift which could eventually transform the relationship between citizens and Africa's dysfunctional state.

The youngsters are trawling Kenya's online media for "dangerous speech": phrases likely to foster paranoia, distrust, hatred and push readers to violent action in the run-up to next week's election. They work for the monitoring group Umati and are part of a multi-stranded high-tech attempt, much of it staffed by volunteers, to ensure that Kenya doesn't see a repeat of its 2007/8 polls, when it came to the brink of civil war.

Working in five vernacular languages, Swahili and English, they are on the alert for statements that reduce entire ethnic groups to the status of animals. "Cockroaches," a favourite during Rwanda's genocide, is popular. So are "jiggers" – a reference to a parasite that burrows under toenails – "worms", "rats" and "vermin". "The phrases are intended to hit you in the gut, and they do," says Angela Crandall, research manager for Umati.

Eighty per cent of the inflammatory rants, she says, occur on Facebook, and most of the authors make no attempt to conceal their identities, suggesting they are either naïve, or cocky, believing that there will never be any legal consequences for what they write: an assumption which is probably correct.

Umati feeds its findings to Uchaguzi (Swahili for “Election”), one floor below, where an even larger group of computer geeks tap at keyboards, fuelling themselves with espressos from the bar. Uchaguzi has created a web-based, crowd-sourced map of Kenya that, starting this weekend, will log thousands of SMS messages, tweets, phone calls and emails from members of the public, civil society activists, election monitors and local officials, building up a picture of what is happening across the country.

Its 2008 precursor, launched by a group of Kenyan bloggers, told the world which districts were going up in flames and where militias had block key roads. Uchaguzi is far more proactive. It has established a network of partnerships with grassroots organisations which, staff believe, mean warnings of trouble can be swiftly acted upon and escalation prevented.

“The partnerships are the key. During the constitutional referendum in 2010, for example, we got a message about a machete-wielding group of young men gathering outside a polling station in Molo,” explains Daudi Were, one of the founders. “Fifteen minutes later, although we are 200 kms away, two lorries of police drove up. That was because we had passed the information on to a local joint peace initiative with links to the security forces.”

While funding for the effort comes from institutions such as the MacArthur Foundation and the Omidyar group, the original idea and the workforce are Kenyan. The projects raise intriguing questions about the future shape of African democracy.

Many analysts have remarked on how old-fashioned Kenya’s elections feel, despite a new constitution that is set to dramatically reconfigure state structures. The main presidential candidates – Raila Odinga and Uhuru Kenyatta - are the sons of two men who dominated Kenyan politics in the 1960s. Most of the candidates vying for the lowlier posts are wearily familiar to the Kenyan public. “It’s a real case of Back to the Future,” sighs one diplomat.

On parking lots and street corners in Nairobi, you see politics being done the old-fashioned way. Men bark orders at mustered volunteers, doling out T-shirts, caps and cash payments. In rural areas, where Kenya’s destiny has always been traditionally decided, there is also a sense of a familiar routine, with villagers waiting to be told by tribal elders who to vote for.

While smart technology introduced by the new electoral board is expected to make rigging harder this time around, it can't address crude techniques such as vote-buying, bribery, and sending a chanting mob to clear a district expected to vote for the "wrong" candidate.

The geeks in the iHub -- urban, hyper-educated and distinctly Western in their outlook -- represent a generational challenge to all this. The old system, civil society activists gleefully tell you, is dying. As cities like Nairobi mushroom in size, the neglected urban vote has acquired new importance, and human rights campaigners have been focusing on persuading the educated middle classes, traditionally politically lethargic, to vote.

Meeting this young generation of techno-savvy, politically-engaged Kenyans, it's impossible not to be infected by their enthusiasm. But I left the iHub thinking that while Kenya is clearly teetering on the cusp of change, real transformation still depends on massive structural repairs that are entirely beyond their reach.

As Daudi Were readily admits, the activists trying to stop violence in Molo depended in the last resort on the intervention of the Kenyan police, a force renowned for its venality and political partisanship. "We can't compel organisations to act. We can support institutions but we can't replace them."

It's the same dilemma that confronts every aid organization seeking to roll out education to slum children and malaria drugs to nursing mothers: however dysfunctional, the state can rarely be bypassed.

<http://latitude.blogs.nytimes.com/2013/02/28/geeks-for-peace>

PRECAUTIONARY TALES – March 4, 2013

"Sorry I've been out of touch. I went to my farm in Trans Nzoia to sell my maize," a journalist friend explained. "With the Kenyan police busy guarding the polling stations, someone might grab the opportunity to do a bit of looting. So I thought it best to sell."

It was a typical conversation. The run-up to today's elections in Kenya has seen a national battenning down of the hatches. Reactions vary

according to class, ethnicity and skin colour. But with memories of the 2007/8 poll debacle fresh in peoples' minds, everyone has been running through mental checklists of sensible precautions.

In the capital's supermarkets and malls, middle-class Kenyans have been panic shopping, trolleys piled high with water, toilet paper, tinned food, UHT milk, candles and mobile phone scratch cards. Queuing at checkout, everyone is very polite – it's not for nothing that Kenyans are described as "the Englishmen of Africa" - but the atmosphere is edgy.

In the slums, kiosk owners have either run down their stocks or put them under lock and key. "Me, I'm moving half of my creams and weaves," said Georgina, who I interrupted painting a customer's toe nails in her beauty salon in Kangemi. Bus stops and matatu (taxi bus) stations have been overwhelmed. As soon as the schools closed, menfolk took their women and children to safety upcountry, returning solo to vote.

This is an exodus with distinctive ethnic patterns. Those leaving Nairobi, a city dominated by presidential candidate Uhuru Kenyatta's Kikuyu tribe, are mainly from Western Kenya. Automatically deemed loyal to rival Raila Odinga, a Luo, that makes them possible targets for the Kikuyu militias who control many of the capital's slums. In contrast, Kikuyus have been heading out of the Luo-dominated city of Kisumu.

The wahindi and wazungu – Asian and white Kenyans – have sent their kids further afield. "I am told the flights to Entebbe are full, that hotels in neighbouring countries are overflowing with well-heeled Kenyans and foreigners who are 'visiting friends,'" Mutuma Mathiu, managing editor of the Nation Media Group, wrote in his own newspaper. Flights into Nairobi, in contrast, offer plenty of empty seats.

"Most likely, everything will be fine," a white Kenyan woman told me at the premiere of a film promoting peace. "But why expose your children to possibly scarring experiences?" Among the few to stay put are Western ambassadors, even those – like the British High Commissioner – with young families, obliged to set an example for nervous expatriates.

The massive unanswered question, of course, is what other preparations have been made, away from prying eyes, by the political paymasters who fund urban gangs like the feared Mungiki, American Marines and China Squad, and what precise combination of political events would send them into action.

Over the weekend Odinga's team denied a newspaper interview quoting him as warning of dire consequences if he lost, but his statement did little to banish the spectre of an outcome decided by the machete, club and AK-47. Growing doubts about the capacity of the electoral commission to technically administer a six-ballot poll, the most complex in Kenyan history, have made it all the easier for the eventual loser to cry foul.

There's a wrenching sadness to all this, a sober corrective to the optimistic "Africa Rising" narrative which has swirled around the continent in recent years. Democratic contests in Africa were supposed to get smoother and less violent as time went by. Here, the opposite seems to be happening.

Back in 1997, when I covered my first Kenyan election, no one felt obliged to make the kind of preparations normally associated with approaching hurricanes or tsunamis. Kenya's new reflexes are a terrible indictment of a political class that had five years to reconcile ethnic communities polarized by the 2007 violence, but which chose instead to outsource justice to the International Criminal Court.

I got a hint of why the elite shrugged off that task on Friday night, standing outside Mercury, a heaving upmarket bar in the ABC Plaza. Plunging past a pair of immaculate models promoting Hennessy cognac, designer-clad couples set about partying as though they'd never heard of Marie Antoinette.

Life has always been beguilingly sweet for Kenya's top 10 per cent, but every year the nightclubs and restaurants grow slicker, the gated communities more exclusive. Those who inhabit this shiny bubble have no concrete grasp of what happens when the genie of ethnic hatred is released from its bottle. "The elite in Uganda and Rwanda understand just how horrific things can get," a diplomat told me, "But the Kenyans have no idea."

Or perhaps its members make a more cynical calculation, based on past experience. Whatever happens, they know they won't be the ones doing the fighting and dying.

<http://latitude.blogs.nytimes.com/2013/03/04/precautionary-tales-of-kenyas-elections/>

SCHOOL SOCKET SYNDROME – March 7, 2013

I'm thinking of calling it School Socket Syndrome. That's my term for the grinding screech heard when modern technology is suddenly grafted onto a developing state's crumbling infrastructure and embryonic systems.

Kenya experienced that jarring collision this week. After a serene day of voting, which saw many citizens doggedly queuing for eight hours to mark their papers, the tally has turned extraordinarily tense and potentially volatile.

Following Kenya's 2007/8 election debacle, which featured vanishing returning officers, doctored returns and ballot-stuffing, a new electoral commission unveiled what was meant to be a tamper-proof voting system.

It promised two exciting innovations. Biometric identification kits, involving the electronic thumb-pads passengers are asked to press at airport immigration desks, would be used to double-check names on a computerized voting register, or electronic "poll book".

At the end, returning officers would transmit results to a tallying centre set up by the Independent Electoral and Boundaries Commission (IEBC) in Nairobi, using Kenyan mobile phone company Safaricom's SMS system. There, they would flash up in real time on a massive screen.

This would be the most modern election in Africa. As an EU election observer commented: "We were impressed that Kenya started using this system, because I don't know of any EU country that has it."

But almost everything that could go wrong, did. In one of the classrooms of Moi Avenue Primary School in downtown Nairobi, I saw how swiftly theory was sabotaged by reality, that practical joker.

In Kenya, elections are routinely staged in schools and town halls. But as I discovered in classroom IC, old-fashioned schoolrooms rarely come equipped with electric sockets.

So things got off to a brisk start. And then the laptop's first battery died. And the second.

"We've gone through three now and the fourth is just about to die," acknowledged Jasper Omar Makworo, presiding officer, in the early afternoon. Only 34 per cent of 977 registered voters had been processed.

"What will you do then?" I asked. The nursery chant "For want of a nail," had started running through my mind.

"We will return to the manual register. Under the rules, that's permitted."

Across Kenya, poorly-trained IEBC staff forgot PIN numbers and passwords needed to access software. As the biometric thumb-presses failed to recognize voter's thumbs, IEBC officials resorted to laboriously typing IEBC card numbers in by hand.

The biometric system's collapse will trigger bitter recriminations because the procurement process – like so many in Kenya - was dogged by accusations of corruption. Commentators have also suddenly remembered that the biometric system used in Ghana last December was the reason that election had to be extended into a second day.

On Monday night, it got worse. Electronic transmission halted. Returning officers pressing "send" on the results discovered that they had only managed to save their findings. The server was overloaded. Safaricom had urged the IEBC to stage several large scale tests of the system before going "live", but their advice had gone ignored.

Foreign donors, who invested \$100m in Kenya's elections, have been fretting for months over the IEBC's complacency, its tendency to leave things until the last minute. But so much was at stake, they kept their concerns confidential and crossed their fingers.

By Tuesday night, with tallying stalled, Kenya returned to old-fashioned methods. IEBC chairman Issack Hassan announced that

returning officers would be flown or driven to Nairobi to read the results out in person at the tallying centre.

And a new row over the results was raging, with presidential candidate Uhuru Kenyatta arguing that “rejected” votes – accumulating in enormous numbers because of the complexity of the six-ballot vote – should not count when calculating whether any candidate had crossed the 50 per cent mark required for a first round win.

In more sedate countries, such systems failures would merely be embarrassing. In Kenya, recent history makes them petrifying.

In 2007/8, when presidential candidate Raila Odinga cried “foul”, slums exploded, security forces opened fire, and ethnic cleansing scoured the Rift Valley. Odinga’s supporters stand primed for any indication that Kenyatta’s Kikuyu community is attempting once again to box Odinga’s Luos out of power.

Astonishingly, Africa Union, Commonwealth and European Union observers all gave the election a preliminary thumbs-up on Wednesday. In their eyes, the delays were caused by innocent “technical glitches”: cockup, not conspiracy.

But in a country scarred by rigging, in which each political party can whistle militias of angry young men into action, technical glitches swiftly assume political dimensions. Perceptions really matter. Whoever loses is now highly unlikely to view the figures as credible, and that risks moving the contest to the street.

Holding fair elections in Kenya should not be this hard. The country only has 14.4m voters. India has 714m. But when I asked former Botswana president Festus Mogae whether the moral of the story was that such sophisticated methodologies are best avoided in Africa, the head of the Commonwealth observer team was undeterred. “We can’t stop the world and get off. We will fail at first but we have to master these methodologies.”

So, brace yourselves.

<http://latitude.blogs.nytimes.com/2013/03/07/in-kenyas-high-tech-election-almost-everything-that-could-have-gone-wrong-did/>

INDICTEE FOR PRESIDENT! - March 11, 2013

When the International Criminal Court (I.C.C) was established in 2002 it had many lofty ambitions. Ending impunity. Delivering justice to those abandoned by national courts. Giving an indictee's electoral chances a massive shot in the arm was not on that list. Yet it's exactly what has happened in Kenya.

Rather than damaging the election campaign fought by Uhuru Kenyatta and running mate William Ruto, the I.C.C's pending prosecutions for their alleged roles in a programme of ethnic cleansing that traumatised Kenya's Rift Valley gave their Jubilee alliance a priceless fillip.

"Thank God for the I.C.C! is what my contacts in Jubilee tell me," said one political analyst. "Where would we have been without that prosecution?"

Few remember it now, so fierce has been the anti-I.C.C. spin machine, but court in The Hague was originally invited to Kenya by its parliament, convinced domestic courts were too politicised to ascribe responsibility for the violence that exploded in the wake of the 2007/8 elections.

For a time, I.C.C prosecutor Luis Moreno Ocampo enjoyed rock-star status in Kenya. Matatu drivers named their staxi-buses after him. If Monday's vote was marred by technical hitches, mysterious delays and bizarre mathematical anomalies, it is still clear that millions of Kenyans endorsed Kenyatta's bid for the presidency.

What explains this reversal? A few threads can be teased out: Kenya's painful colonial history, diplomatic clumsiness, the indictees' skillful community mobilization, guilt, and the universal human tendency to dislike being lectured.

Public confidence took its first knock when the ICC issued its first summons in 2010. Most Kenyans felt those at the very top --- President Mwai Kibaki and Raila Odinga, the opposition challenger in 2007 and Monday's election loser - must answer for bringing Kenya to its knees. But their names were not mentioned.

As the new electoral campaign got under way, the team backing "Uhuruto", as the joint bid was labelled, cleverly tapped into a rich

seam of anti-British, anti-Western sentiment. “Foreign powers” were accused of being behind the prosecutions. “Reclaiming sovereignty” was a much-used phrase, code for “throwing off the colonial yoke.”

The son of Kenya’s founding president, Uhuru is a member of the Kikuyu ethnic group, core of the Mau Mau movement whose dreadlocked guerrillas fought white rule in the 1950s. For many Kikuyu, Uhuru’s ordeal in The Hague looked like a spooky echo of Jomo Kenyatta’s trial and detention by the British authorities. Like father, like son, the narrative went.

Supporters saw Uhuru as a Messiah-like figure, making the supreme sacrifice on his community’s behalf. He had done what was necessary to protect his Kikuyu people when they being cleansed by Kalenjin militias from their farms in the former White Highlands. His alliance with the man accused of sending those very militias, Ruto, was presented not as an act of cynicism, but of inspired peace-making.

In the Rift Valley towns of Eldoret and Nakuru, I heard the same refrain from both Kikuyus and Kalenjin: “We see the I.C.C. prosecutions as attacks on the entire community, not just these two individuals.”

This is not mere rhetoric. Although the death toll in 2007/8 is usually given as just above 1,000-mark, the reality was almost certainly far grimmer. Five thousand inquest files dating from the post-election period sit unprocessed in the Director of Public Prosecutor’s office.

This means that each ethnic community may contain thousands of members with blood on their hands. “These Kenyans look at Uhuru and Ruto giving testimony in The Hague and think: “If this can happen to these men, with their lawyers and money, what will happen to me?” explains a Kenyan journalist.

Jubilee team’s anti-colonial rhetoric acquired new wings when the British High Commissioner, went public to explain that in the event of a Kenyatta presidency, his government could only have “essential contacts” with I.C.C indictees. Johnny Carson, the U.S. top envoy to Africa, chimed in, warning Kenyan voters that “choices have consequences”.

The British and Americans, who have long regarded Kenya as a East African linchpin, felt obliged to issue such warnings. In theory,

citizens of a sovereign nation should not be told how to vote. In practice, the donors were desperate for Kenya, gateway to the Great Lakes, training ground for the British military, strategic ally in the war on Islamic extremism, not to join Sudan in the club of African pariah states.

But the remarks caused widespread offence and opinion polls showed support for Uhuru actually rose as a result. "The foreign embassies in this country should cease being our prefects," Francis ole Kaparo, former parliamentary speaker and a Jubilee grandee, told me. "Kenya is no longer an infant, it has turned 50 now."

Maina Kiai, UN Special Rapporteur, sees Uhuru and Ruto's success in presenting themselves as victimized martyrs in their respective strongholds as highlighting one of the I.C.C's structural weaknesses.

"With any other court, if you're accused of murdering five people, say, you don't get bail, you are remanded in custody. With the I.C.C. you get to go home and mobilise your community. Powerful people have powerful ways of keeping themselves out of court."

The Kenya indictments were the most ambitious brought by the ICC since its inception. They may well prove to be the court's high water mark, the point where justice and politics clashed in the glare of global attention, and justice withdrew.

<http://latitude.blogs.nytimes.com/2013/03/11/being-prosecuted-by-the-i-c-c-helped-uhuru-kenyattas-chances-in-kenyas-election/>

TO BE PRUDENT IS TO BE PARTIAL – March 14, 2013

Over the years I've come to view the Kenyan media with a mixture of respect and affection.

In the 1990s, I watched in awe as Kenyan photographers dodged Daniel arap Moi's club-wielding riot police. When their colleagues in the newsrooms exposed financial scandals ranging from Goldenberg to Anglo Leasing, I pasted them into my files. Like the press pack anywhere, Kenyan journalists liked their beer, could Hoover up a buffet in a heartbeat and the odd brown envelope definitely changed hands. But they were ballsy and brave. "The best press in Africa," I told anyone who cared to listen.

So Kenya's elections have been a baffling, frustrating time.

In the last few weeks, Western journalists - myself included - have become pariahs, lambasted by Kenya's twitterati and Facebook users for our supposedly sensational coverage and threatened by the government with deportation.

The fury seems exaggerated, given the relative rarity of the offending reports. The reason Western reports have attracted so much interest, I'm convinced, is because domestic coverage, while increasingly slick, has been so lifeless, gradually toppling over into covert political bias. It sometimes feels as though a zombie army has taken up position where Kenya's feisty media used to be, with local reporters going glaze-eyed through the motions.

This malaise was most obvious during the Independent Electoral and Boundaries Commission (IEBC) briefings at the Bomas tallying centre just outside Nairobi, when what had been billed as a high-tech, tamper-proof election began to spectacularly unravel. The Kenyan media of old would have gone for the jugular. But when IEBC chairman Issack Hassan, unveiling yet another puzzling technical glitch or mysterious delay, asked: "Any questions?", the response was a stunned silence.

It was the same when independent election monitors announced their findings. Given just how many anomalies were surfacing, the upbeat assessments of the Africa Union, European Union and Commonwealth observers seemed criminally complacent. Once again, Kenyan journalists left most of the questions to their reviled Western counterparts.

Lethargy should not be mistaken for laziness. Yes, rumours are swirling about payoffs and conflicts of interest. But this professional surrender, ironically, appears to stem from the very best of intentions.

During the 2007/8 post-election violence, when militias burned families out of their houses and executed members of the "wrong" ethnic community, Kenya's media played a not entirely innocent role. "Hate speech" spread by vernacular radio stations egged the men with machetes on, just as they once did in Rwanda. One of the three indictees facing trial before the International Criminal Court in The Hague, lest we forget, is Joshua arap Sang, who ran the Kalenjin-language radio station Kass FM.

Chastened by that experience, media executives reached a gentleman's agreement to avoid anything that might whip up ethnic tensions in the run up to the 2013 elections. There would be no live coverage of political party press conferences or announcements, they agreed.

"The media here is owned by the political bosses and last time it was part of the problem," one Kenyan broadcaster told me. "They were corrupted, they were irresponsible. So this time there was a feeling that we had to keep everyone calm, at the expense, if necessary, of our liberties."

But self-censorship comes with a price tag: political neutrality. The decision not to inflame ethnic passions effectively meant media coverage shifted in favour of whoever took an early lead, in this case Uhuru Kenyatta.

Hours after Raila Odinga's CORD alliance announced they wanted tallying stopped and an audit conducted, Kenyan radio DJs were still cheerfully assuring listeners everything was on track. That may have prevented passions in Odinga's Luo community exploding, but it was a massive, scenery-altering distortion of the truth.

Once established, the media habit of brushing off CORD's declarations proved impossible to break. Television cameras filming Odinga's announcement that he would challenge the outcome in the Supreme Court switched abruptly to Uhuru's presidential acceptance speech before Odinga's Q&A had even begun. By Wednesday, Kenya's largest newspaper was giving more space to the choice of a new Pope than details of lawsuits being prepared by civil society and CORD.

What the Kenyan media's self-restraint reveals is not a stable East African democracy, but a twitchy society terrified of its own capacity for violence. "What maturity is this that trembles at the first sign of disagreement or challenge?" asked Kenyan cartoonist Patrick Gathara in a superb blog post, citing a national "peace lobotomy". "What peace lives in the perpetual shadow of a self-annihilating violence?"

That is probably why the international media is now a target of self-righteous ire. It put its coverage in the context of the last election's violence. The Kenyan media, by contrast, bent under the

pressure for peace to such a degree coverage became almost devoid of context.

Shortly before handing Uhuru his winner's certificate, the IEBC chairman congratulated the Kenyan media on its "exemplary behavior." Even as he did so, the screen above his head was showing figures that did not add up.

Any journalist worth their salt should start feeling itchy when praised by those in authority. The accolades will acquire an increasingly sour flavor as a host of polling irregularities become public. Kenya's media should be asking itself whether, in its determination to act responsibly, it allowed another major abuse to occur beneath its eyes.

<http://latitude.blogs.nytimes.com/2013/03/14/erring-on-the-side-of-caution-kenyas-media-undercovered-the-election/>

HOW THE OTHER HALF THINKS – March 18, 2013

I had ordered an espresso in a café round the corner from Nairobi's Supreme Court when the mood on a normally bustling city street suddenly changed.

Scores of pedestrians began running past the window. Waitresses leapt to pull down the café's metal shutters. Police fired tear gas from a truck as it roared past. Then a posse of helmeted riot police ran by with their shields up, clubs brandished. For a ringside seat on democracy's turbulent workings, I recommend Dormans on Mama Ngina St.

The cause of Saturday's kerfuffle was the imminent arrival of Prime Minister Raila Odinga, scheduled to file a lawsuit challenging the validity of the Independent Electoral and Boundaries Commission (IEBC) findings in Kenya's recent elections, which crowned rival Uhuru Kenyatta as winner.

"Is this the Kenya we want?" shouted supporters of Odinga's CORD alliance outside the court gates, brandishing a blood-splattered "Democracy on Trial" T-shirt. Supporters milled around nervously, eyes on the waiting police trucks. "This is KANU all over again," a student said to a friend, recalling the days of single party rule. A crowd murmured over a bullet casing on the road, snapping pictures

with their mobile phones. “See. They want to kill us” said one supporter as he straightened.

“Time to move on,” has become the mantra of a certain section of Kenya society, the one which heaved a sigh of relief that bloodshed was averted, the country stayed in one piece, and Odinga – seen by this group as an unreliable maverick -- was deprived the top post in the March polls. “OK, the elections were deeply flawed, the much-praised IEBC turned out to be a joke, the results are dubious, but no one wants a re-run,” runs this refrain.

I don’t blame them. The country has effectively been in electoral campaigning mode for the past five years, and there can be few things more wearying and than a state of constant political arousal.

But “Let’s move on”, the phrase so often used by a bored lover trying to free himself from a clingy girlfriend, tends to generate not quiet acceptance but exasperated fury. That’s because it leaves the jilted party with nothing to chew on but their disappointment.

Whatever the Supreme Court decides really happened on March 4, nearly half the Kenyan electorate did not want the Kikuyu-Kalenjin alliance that is currently tightening its grip on the levers of power, establishing, with its photographed official security briefings, cabinet nominations and canny announcements of party alliances, a range of facts on the ground only the bravest judge would dare unravel.

Media self-censorship and heavy police cordons ensure that the sentiments of Luo and Luhya residents in Nairobi’s slums rarely get an airing on Kenya’s television screens and newspaper pages. But the mood is one of grief and shock. Civil society activists warn that the mood at the Coast and in Western Kenya – Raila’s traditional support bases - is tense and potentially volatile.

For these communities, the increasingly detailed allegations of vote-stuffing, tampered registration lists and questionable ballot counts bear out a historical trend. As they see it, their Luo champion was robbed of rightful victory in 2007 and has just had the same trick played on him again. Will Kenya’s Kikuyu elite, which will have provided three out of the country’s four presidents if Kenyatta’s election is confirmed by the court, ever allow any other ethnic group to run the country?

Kenyatta desperately needs to mollify and reassure that constituency.

There are reports of him trying to tempt Odinga with ministerial posts in a future government for members of the CORD team, well-paid honorific positions offering the kind of Respected Elder Statesman status nowadays enjoyed by South Africa's Thabo Mbeki.

If true, those offers shows at least a degree of magnanimity. But what Kenya really needs is something entirely different: an end to the culture of political "eating" which treats state resources as a winner's preserve, not as national assets there to benefit all citizens equally, irrespective of tribal affiliation.

The CORD party members milling around the Supreme Court's gates were despairing not because they view the increasingly torpid Odinga as a demi-god, but because they understand only too well their country's political game.

Since independence, a citizen's life chances – access to clean water, provision of roads, vicinity to a clinic or school - have all been determined by whether his ethnic kinsman sits at the top table.

A new constitution, introduced in 2010, was designed to change this, devolving more funds and decision-making to local level. Kenyatta's challenge, if his election is confirmed, is to breathe life into that document rather than fight it, proving that in the new Kenya, ethnic affiliation is of no consequence.

Rather than reward delighted supporters in Central Kenya and the Rift Valley for their loyalty, as is traditional for an African chief, his first act should be to unveil an ambitious investment plan – heavy on job creation -- for the areas that feel they are about to be doomed to five years of marginalisation.

If he did that, the other half of this deeply polarized country just might feel ready to "move on" from the latest in a series of Kenyan election debacles.

<http://latitude.blogs.nytimes.com/2013/03/18/kenyans-try-to-move-on-from-another-election-debacle/>

“THE MOST USELESS EXERCISE IN KENYA”? – April 2, 2013

Predictions are always risky, but there's one I offer in absolute confidence. The traffic jam will return to Nairobi today.

Gridlock all but evaporated during Kenya's drawn-out election crisis, the capital's free-flowing highways one of the most telling symptoms of a general, jittery malaise. Saturday's announcement by the Supreme Court confirming Uhuru Kenyatta's election as president and Raila Odinga's grim-faced but graceful acceptance of defeat means ever-entrepreneurial Kenyans can finally get back to what they so many do so well: making money.

The stock market will surge, shop shutters will be rolled up, pavements will bustle and Waiyaki Way, Uhuru Highway and the Mombasa and Ngong roads will once more witness a series of hair-raising, fume-belching, eye-watering contests involving man and machine.

But it won't be business as usual. With these elections, something fundamental shifted in both the way Kenyans view themselves and the way the outside world will now see them, whether they like it or not. Some of the ways that will manifest itself will be insidious, some glaring. Few, sadly, are going to be heart-warming.

Courts are by nature conservative, so Saturday's announcement was only to be expected. But in confirming the election of a man indicted by the International Criminal Court (I.C.C) for allegedly orchestrating the ethnic cleansing that followed Kenya's 2007 polls, Chief Justice Willy Mutunga did more than solve a national wrangle over the count. He secured Kenya's place as a shining international symbol of impunity.

The ICC case against Kenyatta now looks doomed. Chief prosecutor Fatou Bensouda has revealed the unprecedented levels of witness intimidation and bribery undermining the cases brought against Kenyatta and fellow indictees, who include deputy William Ruto. These tactics will only escalate, and it's hard to see any Kenyan being brave – or foolhardy -- enough now to take the witness stand against a head of state. Who would?

Kenya's media has been so obsessed with the Big Men indictees that a larger question is rarely addressed: if the ICC cases collapse, what form of justice will ever be offered the victims, given that Kenya's domestic courts relegated justice for the thousands of rapes, assaults, robberies, murders – not to mention 700,000 evictions -- to the Hague?

The ripples will just keep spreading. It will take a long time for any official to admit it, but the failure of the Kenyatta case will mark the first chime of

the death knell for the I.C.C, whose prosecutors were already being accused of anti-African bias, political grandstanding and slapdash preparation long before Kenya's parliament handed them their poisoned chalice.

For Western powers, one of the over-riding lessons of the whole Kenyan chapter must be that in the ideological tussle between two competing historical philosophies – the first inclined to see colonialism as “not as bad as all that”, the second to see it as far more toxic than is ever acknowledged -- the evidence now pitches in favour of the second.

The success with which Kenyatta and Ruto turned their ICC indictments from liabilities to electoral assets exposes how deep imperialism's scars go. The anti-Western, anti-British vitriol that characterised exchanges on social media, most generated by Kenyans far too young to have experienced Mau Mau first hand – showed how grievances are efficiently relayed from one generation to another. Former colonial masters take note: what is true of today's Kenya is true across many parts of the world once ruled from Europe.

Jingoistic and cynical while campaigning, the Jubilee alliance is likely to be bullying and aggressive in power, bent on squeezing a series of placatory gestures from foreign diplomats which will put the final nail in the ICC coffin.

Ordinary Kenyans won't care too much about the seating plan at Kenyatta's inauguration or whether this UN conference or that international trade fair shifts from Nairobi to Dar es Salaam or Kampala. Their immediate concern will be how the incoming government tackles implementation of a new constitution devolving power and money to the counties, seen as the key safeguard against a return to the “winner-takes-all” system of old. Historians warn that Kenya tried devolved government once before, at independence in 1963, an experiment that was swiftly sabotaged by Uhuru's father, Jomo Kenyatta.

Civil society campaigners, who were briefly shocked into silence by a Supreme Court ruling that brushed away their lists of tallying irregularities and election law violations, are now braced for a long campaign in the defence of the bill of rights.

One issue they will have to tackle – in a country polarized as never before - is the political disengagement of people who queued for eight hours in the sun to vote, saw the tallying process grind to a halt, digested the damning detail of the petitions filed by Odinga's team and civil society, only to be told this murky, botched process was free and fair after all. Odinga

yesterday predicted a surge in voter apathy, given that “what has happened here is a replica, a repeat of what happened five years ago.”

A Facebook page yesterday captured that bitterness. Entitled “I will never vote in a Kenyan election,” it had attracted over 24,000 votes of approval within a few hours. “We are done with Independent Judiciary, Independent Electoral Commission, we are done,” it read. “Let all Kenyans be done with VOTING, the most useless exercise in Kenya.” The danger for the Kenyan establishment, which has so often allowed state functions to be appropriated by those with money or muscle, is that those Kenyans find other ways of expressing their frustration.

<http://latitude.blogs.nytimes.com/2013/04/02/kenyattas-victory-is-a-defeat-for-kenya-and-justice/>
