

Horn of Africa and Southern Africa

Luca Puddu

In the last month, Eastern Africa and Southern Africa have been interested by important news in the realm of domestic and foreign affairs as well. On July 11, a Chinese navy left the port of Zhanjiang, in southern China, to carry a detachment of soldiers at the new Chinese military base in Djibouti. This is only a first step, since the authorities of the two countries signed a framework agreement under which Beijing seems to be allowed to station a maximum force of 10 thousand troops until 2026¹. The possibility that such an agreement will be the prelude to stronger Chinese involvement in African affairs was dismissed one year ago by the Chinese Foreign Minister Wang Yi, in occasion of the meeting of the 4th National People's Congress. The Minister remarked how the construction of the base in Djibouti was aimed at protecting China's growing interests overseas, but "China will never go through the expansion path of traditional powers"². Nevertheless, it is clear that the beginning of operations in China's first military installation overseas projects the Horn of Africa at the centre of the African political and military stage. The basis is officially intended to provide logistical support to anti-piracy operations in the Indian Ocean and encourage military co-operation agreements with other countries, but also increases Chinese military projection on the African continent.

Another noteworthy episode was the ruling by the International Criminal Court against South Africa on the case of Sudanese President Al Bashir's failed arrest during his visit in Johannesburg for a meeting of the African Union in 2015. The Court has held that Pretoria's conduct was contrary to its obligations as a member state, since Bashir has been accused of gross human rights violations for the Sudanese counter-insurgency campaign in Darfur. At the same time, however, the Court has decided not to refer South Africa to the Security Council: a choice which may be dictated by the will to avoid that the internal debate on whether South Africa should abandon the Rome Statute or not regains attention. The African National Congress's (ANC) ruling coalition proposed to withdraw South Africa from the Criminal Court after the judges had opened the file against Pretoria, but then opted to freeze the issue in fear that the Parliament might reject the proposal. The day after the Court's decision, however, the ANC delegate in the parliamentary sub-committee on international relations argued that the sentence was sufficient justification enough to resume the case before the parliament.

The most important event of the last thirty days was nonetheless the electoral turnout in Kenya, which is the main focus of the observatory for the month of August.

The Kenyan elections

General elections for the renewal of national and provincial government were held in Kenya on August 8. The two main challengers for the national presidency were the incumbent President Uhuru Kenyatta, son of the first president in independent Kenya, and Raila Odinga, son of the country's first vice-president. The event was awaited with trepidation by international observers: Kenya is one of the most developed economies in the continent and one of the countries in Africa where democracy has been adopted more successfully, but there were strong fears that elections would end in a bloodshed as after the 2007 elections, when the electoral results had been vehemently contested by the opposition and triggered large unrest all over the country.

1 China to open first overseas military base in Djibouti, Al Jazeera, 12 July 2017.

2 Charlotte Gao, China Officially Sets Up its First Overseas Base in Djibouti, The Diplomat, 12 July 2017.

The favours of bookmakers were originally oriented towards the Kenyatta-Ruto ticket, but the forecast of an easy victory had been wavering in the weeks before the vote after some polls altered the initial expectations and showed an uncertain head-to-head between the Jubilee Party of Kenyatta and Ruto and the National Super Alliance (NASA) of Raila Odinga. In light of these projections, the results announced by the electoral committee have been welcomed with distrust by the opposition. The ruling coalition has been confirmed in power with 55% of the votes against the 45% of preferences for Odinga: a result that makes the second round not necessary, since the Jubilee Party has won more than half of the votes at the national level and 25% of the preferences in at least 24 of the 47 counties that compose the Kenyan territory.

The pre-election context.

Ethnicity has historically dominated the political landscape in Kenya since introduction of the multiparty system³. In a country where 70% of the population is composed of five ethnic groups - the Kikuyu, the Luhya, the Kalenjin, the Luo and the Kamba – collective identities are the most powerful mobilizing factor in the allocation of votes. The disorders in 2007, however, have led different Kenyan governments since 2011 to promulgate laws that would create a more symbiotic relationship between national parties and *big men* in control of votes at the local level. Although ethnic politics is increasingly perceived in negative terms by the new middle class and the educated élite in urban centers, ethnic affiliation has been yet the main tool for the mobilization of voters in these elections. The Jubilee Party is largely perceived as the result of the agreement between two among the main ethnic groups in the country: the Kikuyu of Kenyatta and the Kalenjin of vice President Ruto. The NASA coalition of Odinga, who hails from the Luo ethnic group, is seen as the result of the agreement between the three other major ethnic clusters and smaller minorities previously excluded from power.

The Kenyatta-Ruto alliance is the outcome of the reconciliation between former enemies: the incumbent president and vice-president were on opposite sides in the aftermath of the 2007 elections, when the Kikuyu were repeatedly attacked by the Kalenjin community in the Rift Valley. The two parties then resorted to Pentecostal rhetoric to legitimize their rapprochement before the crowds and prepare the ground for the 2013 elections: between 2011 and 2012, the two leaders appeared in public religious ceremonies alongside priests who announced their reconciliation and the forgiveness accorded to them by God⁴. The opening of an investigation file against the two politicians by the International Criminal Court consolidated their rapprochement further, since Kenyatta and Ruto presented themselves as custodians of Kenyan sovereignty against a neo-colonial power such as the Court, reducing the debate on the responsibility for the 2007 violence to propaganda aimed at submitting the country to foreign control⁵. In 2016, the political axis was cemented with the transformation of the fragile 2013 electoral alliance into a more structured political party – the Jubilee Party – and the commitment to support Ruto's bid for presidential elections in 2022.

The ruling government arrived to the electoral appointment with a certain degree of optimism. First of all, they could rely on a historical precedent: since the introduction of multi-partitism, every incumbent have always been confirmed for a second term. Secondly, Kenyatta could claim the launch of a series of ambitious infrastructure projects: first of all, the Chinese-funded railway connection between Mombasa and Nairobi, which should be the cornerstone of the LAPPSETT project connecting Eastern Africa's hinterland to the envisaged port of Lamu.

3 Rok Ajulu, "Politicised Ethnicity, Competitive Politics and Conflict in Kenya: a Historical Perspective", *African Studies*, 61: 2, 2002.

4 Hervé Maupeu, "Kenya's Middle Class and Electoral Democracy", *Afrique Contemporaine*, 244: 2, 2012.

5 Hervé Maupeu, "Kenyan Elections: the ICC, God and the 2013 Kenyan Elections", *Afrique contemporaine*, 247: 3, 2013.

Raila Odinga, on his part, counted on the grievances of those sectors of the population that had been held at the margins by current government policies. NASA's supporters ranged from the masses of young unemployed or relegated to the informal economy in urban centers to members of those ethnic groups that have been excluded from power and accuse the current government of having practiced an ethnic spoil system. Odinga could also enjoy popular support for his historical campaign in favour of the 2010 constitutional reform. No wonder that he promised a 15% increase of funds to counties in the event of electoral success.

The main obstacle for Odinga was the internal weakness of his coalition, since the NASA appeared as a tactical alliance between distinct political forces without significant common goals beyond electoral victory⁶. The result was that national alliances have been frequently contradicted by political agreements at the local level. An example of this fragmentation could be found in Mombasa county: here, the county governor and member of Odinga's Orange Democratic Movement was competing for re-election with a candidate from the Jubilee Party and another candidate from a local party which is part of NASA on the national stage, although internal competition did not halt him from being confirmed at the governorship⁷.

The competition for power at county level.

The struggle for control of administrative units at the provincial level has increased steadily since the 2010 constitutional reform, which was designed to avoid the concentration of public resources in the hands of the central government and thereby loosen the stiff competition that had prompted violence in 2007. The new Constitution assigned many prerogatives previously held by the central government to the counties, which now have the right to receive a cash flow equal to at least 15% of annual state revenue and handle it in full autonomy in strategic sectors such as education, local health and agriculture⁸. This redistribution of public resources means that part of the tensions that had so far characterized the national election have now been moved at the provincial level. Ruling a County means controlling money and building up networks of patronage: a practice that, until very recently, was almost exclusively focused on central institutions⁹.

The electoral results in the counties were awaited with interest by neighbouring countries too. Decentralization, in fact, has led some provincial governors to look beyond the administrative boundaries of the county and conduct their own foreign policy in parallel with the central government. It is the case of Meru County, one of the main producers of the narcotic plant named Khat in the Horn of Africa region. In 2016, the Meru governor played a critical role in the diplomatic crisis between Nairobi and Mogadishu, when Somalia temporarily closed its borders to bilateral trade with Kenya and reopened it only in return for a few financial concessions. The origin of Mogadishu's resentment lay in the official visit of the Meru governor to Hargheisa, where he met local authorities to negotiate the establishment of free trade on khat from Meru in return for lobbying beside Kenyatta to grant diplomatic recognition to Somaliland. Khat remained the dominant subject of the political debate in Meru during this election, but the positions taken by the two presidential candidates suggest that Kenya's commercial policy towards Somalia would not change significantly regardless of the outcome of the polls.

6 Justin Willis, Nic Cheeseman, Gabrielle Lynch, "Kenya 2017: The Interim Elections?", *Observatoire Afrique de l'Est, Enjeux Politiques et Sécuritaires, Note Actualité*, 2, July 2017.

7 <https://www.tuko.co.ke/243439-hassan-johos-fiercest-competitor-takes-raila-odinga-mombasa-politics.html>

8 Muriti Muthiga, "Amid Fears of Election Violence, Kenyans seek a way past inter-ethnic conflict", *The Guardian*, 4 August 2017.

9 Nic Cheeseman, Gabriel Lynch, Justin Willis, "Decentralization in Kenya: the Governance of Governors", *Journal of Modern African Studies*, 54: 1, 2016, pp. 1-35.

Anti-khat activists had long watched Odinga as a potential ally in the anti-khat campaign, but in the days preceding the vote the NASA leader pledged more financial support to khat producers in Meru and renewed diplomatic efforts to open up new export markets¹⁰.

The shadow of violence

The current electoral turnout's fear was that the results could trigger new violence on the backdrop of what happened in 2007. Political figures of the calibre of John Kerry and Thabo Mbeki were present as observers in the hope to ensure transparency and induce political opponents to remain calm. The same Kenyan establishment agreed to the creation of an Independent Electoral Commission to check the regularity of electoral procedures, but the impartiality of the commission has been questioned on the ground that some of its members have been appointed only in January, contrary to the law that sanctioned the duty to appoint members of the commission at least two years before the vote. The assassination of the official in charge of the electronic program that should ensure the regularity of the vote further undermined the authority of the commission. Chris Msando was found dead with signs of torture in the outskirts of Nairobi just one week before elections¹¹. His assassination inevitably brought back the ghosts of 2013, when Odinga had unsuccessfully appealed to the Supreme Court to contest the electoral outcome on the ground of malfunctioning in the electronic voting system. Arguably, the news that Odinga dismissed the official results of the commission came with no surprise. Even if he did not reveal the source, the opposition leader denounced a hacker attack through Msando's password against the computer system of the commission, while claiming to be in possession of alternative polls made by his own party that would undoubtedly show his victory.

Odinga's words caused the immediate reaction of many NASA supporters. On Wednesday, just a few hours after announcement of the first results, two people died in raids with the police in Nairobi and another person died in a shootout in the west of the country. In the three days that followed, riots took place in several strongholds of Odinga in Nairobi, protests being quelled down by force. The next few weeks will be crucial to understand whether protests can be managed through institutional channels or will turn into large scale violence as in 2007. Nevertheless, it is hardly probable that clashes will follow the same patterns of ten years ago, when the Rift Valley became the centre stage of riots. The alliance between Kenyatta and Ruto should eliminate such a risk, although the dispute between Kikuyu and Kalenjin over land ownership has never been addressed in a structural way since then¹². This does not preclude that protests will emerge in other areas of the country: Odinga's defeat could easily fuel the sense of exclusion experienced by its constituent groups against the central government in Nairobi since decades¹³.

It would be wrong to read the danger of post-election violence exclusively through the lens of ethnicity, however. Especially at the local level, grievances against the electoral outcome could easily turn into clashes between rival clans within the same ethnic group. This is particularly true in those counties with a heterogeneous social fabric and where coalitions tend to challenge ethnic affiliations while seeking support from other minorities otherwise excluded from power.

10 Yash Ghai, "Uhuru and Raila's miraa for votes strategy is wrong", *The Star*, 1 July 2017. http://www.the-star.co.ke/news/2017/07/01/uhuru-and-railas-miraa-for-votes-strategy-is-wrong_c1587921

11 Jason Burke, "Kenyan Election Official Tortured and Murdered as Fears of Violence Grow", *The Guardian*, 31 July 2017.

12 For more information, see: Crisis Group, "Kenya's Rift Valley: Old Wounds, New Devolution's Anxieties", Report no. 248, May 2017.

13 Justin Willis, Nic Cheeseman, Gabrielle Lynch, "Kenya 2017: The Interim Elections?", *Observatoire Afrique de l'Est, Enjeux Politiques et Sécuritaires*, Note Actualité 2, July 2017.

The special report of the Crisis Group on the Kenyan elections indicates, for example, that the counties of Isiolo, Marabit and Narok could be three possible epicentres of post-electoral violence, albeit not the only ones.

Narok is the county that hosts the famous Maasai Nara Natural Reserve and is predominantly inhabited by the Masaai ethnic group, followed by far by scattered groups of Kikuyu, Kalenjin and Luo. The area was ruled for many years by the Maasai Purko clan, but Purko's hegemony on local institutions and their preferential access to the resources of the Maasai Nara reserve suddenly terminated in 2013 with the election of a new governor belonging to another Maasai sub-clan, Syria. This set back was largely the result of the alliance with the Kikuyu and Kalenjin of the area, who exploited divisions among the Purko. The new administration encouraged the recruitment of Kalenjin and Kikuyu in the public administration, leading Narok to be one of the counties that ranked higher in Kenya for equal representation of ethnic groups within the public sector. This generated a widespread sense of hostility and marginalization among the Maasai Purko, who consider the Kikuyu and Kalenjin as non-native immigrants who should stay apart from the local government¹⁴. Discontent with the 2017 election results could easily turn into open protests, since the two Maasai Purko candidates together took 48% of the votes against the 52% of the re-confirmed incumbent governor.

A similar scenario can be found in Marsabit County, located along the border with Ethiopia and predominantly inhabited by two subgroups of the Oromo, the Borana and the Gabra. For a long time dominated by the Borana, Marsabit County was climbed in 2013 by a coalition of smaller groups led by the Gabra. In the aftermath of the election, however, the city of Moyale at the border between Ethiopia and Kenya became the scene of fierce clashes between Gabra and Borana Kenyans backed by their respective ethnic fellows across the border, forcing the Ethiopian and Kenyan armies to intervene to bring the area under control¹⁵. At this round, the Borana gathered behind a single candidate and won with a slim 50,3% of preferences, while the Gabra vote was split between the incumbent governor and another Gabra candidate. The possibility that these results may turn into cross-border violence cannot be dismissed¹⁶.

Another vulnerable area is the county of Isiolo, affected by repeated communal conflicts over livestock and pasture in 2017. Competition for exploitation of natural resources intersects with the race for the county governorship, contended between two major Borana clans, and the boundary dispute with the neighbouring Meru county over territories interested by the LAPSET infrastructural project, which have attracted the attention of investors from the region¹⁷. The results of the 2017 elections are a litmus test of the instability that affects Isiolo: the candidates of the two main Borana clans ranked at the second and third place, while the provisional winner with more than 40% of votes is the current Isiolo senator Mohamed Kutu, who was deemed to be an outsider.

Analysis, assessments and forecasts

Over the next few weeks, it will be possible to see whether the early post-election clashes were an isolated episode or the prelude to a period of instability for the main democracy in eastern Africa.

14 Murithi Mutiga, "August Election Tensions Rise in Storied Kenyan county", Crisis Group, 14 June 2017. Available at: <https://www.crisisgroup.org/africa/horn-africa/kenya/august-election-tensions-rise-storied-kenyan-county> Last access: 7 Agosto 2017.

15 Abdullahi Abille, "Ethnic Conflict and Electoral Violence in Northern Kenya", Crisis Group, 19 July 2017. See: <https://www.crisisgroup.org/africa/horn-africa/kenya/ethnic-contest-and-electoral-violence-northern-kenya> Last access: 8 Agosto 2017.

16 For a more in-depth assessment on the political economy of conflict in the region across Ethiopia and Kenya see: Marco Bassi, "The Politics of Space in Borana Oromo, Ethiopia: Demographics, Elections, Identity and Customary Institutions", *Journal of Eastern African Studies*, 4: 2, 2010.

17 Abdullahi Abille, "Ethnic Conflict and Electoral Violence in Northern Kenya", Crisis Group, 19 July 2017. Vedi: <https://www.crisisgroup.org/africa/horn-africa/kenya/ethnic-contest-and-electoral-violence-northern-kenya> Ultima visita: 8 Agosto 2017.

The riots that crossed the counties of Garissa and Mandera after the announcement of the results for the county governor confirm that the reform for devolution of power at the local level has had the side effect of shifting political confrontation from the centre towards the periphery.

The return to post-electoral violence as in 2007 would have harsh consequences for neighbouring countries too. The blockade of internal communication in 2007 increased the price of many primary goods in land-locked countries such as Uganda and South Sudan. Large-scale protests could also induce Nairobi to rethink its presence in Somalia, with unforeseeable consequences on the peace process in the northern neighbour's territory.