

**CENTER FOR  
STRATEGIC AND INTERNATIONAL STUDIES (CSIS)**

**ANTI-CORRUPTION CAMPAIGNER JOHN GITHONGO TO DISCUSS  
POLITICAL REFORM IN KENYA**

**WELCOME:  
JENNIFER COOKE,  
DIRECTOR,  
CSIS AFRICA PROGRAM**

**MODERATOR:  
MARK BELLAMY,  
FORMER U.S. AMBASSADOR TO KENYA;  
EXPERT, AFRICA CENTER FOR STRATEGIC STUDIES**

**SPEAKER:  
JOHN GITHONGO,  
FORMER PERMANENT SECRETARY,  
REPUBLIC OF KENYA**

**FRIDAY, DECEMBER 18, 2009  
10:30 A.M.  
WASHINGTON, D.C.**

*Transcript by  
Federal News Service  
Washington, D.C.*

JENNIFER COOKE: Welcome, everyone. My role here today is just to say a few words of welcome and thanks. My name's Jennifer Cooke with the Africa program here at CSIS. We're delighted to welcome you here today and we're very happy to co-host this event with the Africa Center for Strategic Studies, ACSS.

I'd like to thank, in particular, Anyaken Udo (ph) and Tara Haas (ph) with the CSIS Africa Program for their work this semester and in pulling this event together. Michelle Cavalcanti, someplace here, from ACSS, thanks for coordinating this with us. And the CSIS Africa Program is particularly indebted to the Ford Foundation in Nairobi for their support for this event and other sessions like it.

Over the past two years, the Ford Foundation has supported the CSIS East Africa Forum, which has allowed us to bring a range of folks, government, nongovernmental, civil society, from the region to offer their perspectives on security, governance and development challenges.

Our purpose in the forum is to help highlight for policymakers the significance of the reason and U.S. interests there, the many challenges it faces. And I think by bringing a range of thoughtful in-country actors like John today, we hope to give greater understanding to the evolving dynamics and help better inform U.S. policy choices.

I'd also like to thank Ambassador Mark Bellamy, who's going to introduce John today and guide the discussion. As many of you know, he's director of the Africa Center for Strategic and International Studies – no, not international – Africa Center for Strategic Studies – (chuckles) – a former ambassador to Kenya, a former principal deputy assistant secretary for Africa, a long career in Foreign Service in Africa and beyond.

Among his signature accomplishments was a year here as a senior fellow with the CSIS. And we're a bit like the Hotel California in that we've really been unable to let him go entirely. So thanks, Mark.

And then finally, John, it's great to see you again and welcome you back to CSIS. As you'll hear, John has spent the last year traveling around Kenya, kind of really getting reacquainted with perspectives from a wide variety of people, listening to people's priorities and concerns. That's surely good for Kenya and it's very good for us here today. We're looking forward to your remarks. So thank you and I'll turn over to Ambassador Bellamy.

MARK BELLAMY: Thank you. Thank you very much, Jennifer. I've never heard CSIS described as Hotel California – (laughter) – and I know that I must have missed something. I would like to thank Jennifer Cooke and the Africa Program here at CSIS for their very generous support for this event. And I would like to thank John Githongo for traveling such a long distance at this time of year to share with us his thoughts on developments in his part of the world.

I think John is known to most of you, if only by reputation. Some of you may have read the book by Michela Wrong, “It’s Our Turn to Eat: The Story of a Kenyan Whistleblower,” which is partly a biography of John Githongo but also an analysis of what has gone so disastrously wrong in Kenya over the past couple of years.

When John was named permanent secretary for governance and ethics by the Kibaki administration, the newly elected Kibaki administration in January 2003, he was the chosen instrument by which the administration was going to address this vast legacy of corruption left behind by 24 years of governance under the previous regime and fulfill promises to the electorate by President Kibaki and the Rainbow Coalition to enforce zero tolerance for corruption.

I guess it was about a year or a year-and-a-half into that mandate that John began to find that his voice was an increasingly lonely one in counsels of government. The advice that he often got from colleagues and friends was to slow down, take it easy, don’t get too upset by all of this.

And had he done so, had he heeded that advice at that time, I’m sure that he would have spared himself a great deal of personal difficulty and he would have, in fact, been a comfortable and wealthy and indeed, well-respected figure in Nairobi during those years – well-respected because I don’t think anyone would fault John or anyone else for doing the prudent and sensible and safe thing.

But he didn’t heed that advice. He stood on principle and he exhausted every possibility of working within the system before he decided to become a whistleblower. And in becoming a whistleblower, he suffered the fate that’s often reserved for whistleblowers, which is exile, threats and being shunned, in some cases, from former close colleagues and by friends.

And I know he – John doesn’t necessarily like to hear me say it or might be a little bit embarrassed when I say that I think he really is one of the few heroes to emerge in these recent troubled years in Kenya, not only because he made the right choices but because in so doing, he cast a powerful light on the corruption kingpins and their networks. He helped us understand how they work. He kept them off balance and on the defensive. And I think he gave hope and inspiration to many ordinary Kenyans who were working for reform and for a better future.

The story has a happy ending, I think, in that John has returned to Kenya – it’s been more than a year now, I think – and is engaged in mapping, carefully mapping, this changing political landscape in Kenya, and in beginning a reflection on the way forward 2 years after the violence that convulsed Kenya and 2 years before the next presidential election. So I think in typical fashion, John has moved on to a new and promising phase personally and professionally, and I think his remarks today are going to be more forward-looking than backward-looking.

I would, just once again, like to thank John for being here with us today. As the moderator, I think I will – after John finishes his remarks – call for questions and comments. I will ask that in your two-sentence comment or question, you be succinct and not take offense if I

interject in order to ensure that the discussion flows slowly and that everyone has a chance to participate in it.

Thank you all again for coming today and, John, it's a pleasure to welcome you.  
(Applause.)

JOHN GITHONGO: Thank you very much. I feel slightly inappropriately dressed. I've just been informed that you're expecting one foot of snow this evening. (Laughter.) I've come here from straight from Dar es Salaam and when I arrived in New York, the taxi driver looked very alarmed. He says, where have you come from? (Laughter.) Because I was still wearing these short sleeves. So I thought I'd be bringing a bit of East African sunshine to west Washington, but I don't think I have been successful.

All distinguished guests, ladies and gentlemen, and as we say in Kenya, all protocols observed. A special thanks to the Center for Strategic International Studies and the Africa Center for Strategic Studies for making this event possible for me to come and share with you some of my thoughts about the reform process since I returned there in August of 2008.

Over the past year, I've spent much of my time traveling around the country, really just reconnecting with my home, listening and learning to people, some of whom have changed fairly dramatically since the failed elections of 2007, but in other ways, remain their same old selves; Kenyans, friendly, industrious, ambitious.

And you mentioned heroes, Ambassador. For me, traveling in Kenya, living in villages – I've been trying to use a model where I travel to a place and stay with whoever will allow me to lay my sleeping bag in their house – and Kenyans emerge as the real, real heroes of what has happened, which has been painful to them.

And there's a story that I tell as I go around the country. And I've spent a lot of my time traveling in the places that were most affected by the violence that took place in 2007 and 2008 in the Rift Valley, but also in the coast and I'll say why in a short while. And I engage people in their speculation as to why Kenya has suffered, why we seem to have suffered what seems to be a wave of tragedy after tragedy, whether it's the elections, the drought.

We've had the death of leaders, supermarkets burning, traffic accidents. And especially in the area that are most affected in the violence, there's an attitude that has developed among some people where they talk – I think in Swahili, we call it laana, it's a curse. And I ask what do you mean there's a laana upon us or could be upon us?

And I spent a couple of nights in a place called Narwa (ph), in Burnt Forest in an IDP camp. And one of the most impressive people I've met in my past year in Kenya is an old man I met there who, when the violence took place, was – his home was burnt down. He was a wealthy man. His home and all his property was burned down. And he moved to the Eldoret Showground for a while. And all he had was his suit and he refused – when the aid agencies arrived to give people clothes, he refused clothes. He wanted food. He refused to take off his

suit. He had his one suit and even in the tent, in IDP camp when his tent was leaking and he had all sorts of medical issues as a result, he insisted on wearing his suit.

He had that pride and sense of dignity in himself. And when I asked him, he explained – (in Swahili) – but if I translate it, he says, he told me, we have suffered because – (in Swahili) – we have become corrupt. We lied to one another and we are – we're the first to lie to one another, we're the first to steal from one another and we're being punished because of this.

And I found this an interesting analysis from a person who was in his particular situation. It then caused me as I traveled around to tell the story of Faust, the German legend of this man who wanted to be a genius and to be a great magician. And therefore the devil tapped him on the shoulder and said I'll give you this for 23 years. And after 23 years, I will own your soul.

And whenever I tell this story, particularly in the Rift Valley and Coast provinces, now in Central – in the areas where there's a lot of existential thinking about Kenya's direction, the room goes quiet and I find that interesting, but I'll talk a bit about that a bit later.

Sometimes, we forget that in December 2002, Gallup conducted a poll that of 67,500 in 65 countries that showed Kenyans were the most optimistic people in the world. And it's true, we were. And this euphoria followed the elections in 2002 that saw the end of what had been 24 years of the Moi administration. And the euphoria, I would say, lasted for only a few months.

But in truth, when one looks at it – and I like to make the distinction in Kenya between what I call the hardware and the software of development because since I've back, the one thing that I can say and sometimes I get into trouble – I got challenged recently in Sweden by fellow Kenyans when I said, actually, in terms of hardware, the physical infrastructure and the systems for developing it, Kenya has done very well despite the difficulties that we've faced.

We've had a housing boom since 2002 up to now, especially in the housing areas. The stock exchange expanded between 2003 and 2007 by 400 percent. We had 500,000 Kenyans who had never owned shares before buying shares for the first time. Within six weeks of the new government coming to power, 1.3 million children who had never – who had been locked out of the primary school system, went to school for the first time.

By the end of 2006, school – primary school enrollment had almost doubled from 2003. We also forget sometimes that the salaries of civil servants were raised. The salaries of the police force in particular were doubled. Economic growth averaged 5.5 percent per year between 2003 and 2007. By 2008, the government was collection \$4.2 billion in taxes. That was double the figure of 2001.

And this was accompanied by an expansion and enhanced reach of devolved funds, most notably the constituency development fund that was established in 2003. We've also seen a rapid expansion in infrastructural development, roads, hospitals, schools. And this is something more or less everywhere you go in the country.

However, the problem comes when one discusses issues of nationhood, what I call the software of development. So the hardware is working. So I say Kenya is like a brand-new Dell computer. It's shiny, it works, but it's using Windows 1985 software. (Laughter.) So it's a software failure. The hardware is working.

So I've been asking, why? Part of the reason is the inequalities that were accelerated during this period of rapid economic growth because, in truth, a majority of this 5.5 percent economic growth accrued to the top 25 percent of the population. In fact, the inflation rate for the poor in a place like Nairobi rose to 70 percent between 2003 and 2007, whereas for the middle class, it was around 39 percent; only gone up by about 10 percent between 1998 and 2002. So this development was not equal for different classes in society. And this is a snapshot that is replicated across the country and stratified by region and ethnicity in a manner that gives it political potency.

A farmer in Uasin Gishu told me when I sat with a group of mainly Kalenjin farmers in the Rift Valley. I was asking about the violence, what caused it and how come there's lingering unhappiness and mistrust, and he said that we as Kenyans are prisoners of facts, and it is the truth that shall set us free.

The fact is, we have limited amount of land, a huge number of historical injustices have been committed on us, and we let that trap us. We formed commissions of inquiry, task forces, committees, et cetera, whereas the truth is, we have to live together. It doesn't matter who you are, what particular ethnicity you are. The truth is, we have to live together. And that bigger truth is often overtaken by the sheer power of the facts that overwhelm us.

So the fact is there has been development, but the truth is, there has been no justice. And the three things that I have found that are omnipresent commonalities among Kenyans is that justice is both a general grievance amongst all Kenyans, lack of justice, a sense of injustice, but it is also the most powerful aspiration of all Kenyans of all particular ethnic groups.

The question I ask – and I will ask repeatedly – I said why, why are we in this situation where despite all of these developments we have the terrible things that happened in 2007 and 2008 and the kind of mistrust and difficulties between communities and within Kenyans themselves that we have today? I've interviewed about 2,000 people now – I've met several thousand more, but in terms of just face-to-face interviews with people.

And there are three big things. The optimism of 2003 was fueled by an investment in the big promises that had been made by the leaders. And we made three big promises that were not kept.

The first one was to form a politically inclusive administration, ethnically. And the key instrument of that inclusivity (sic) was the memorandum of understanding between the different parties. It was an imperfect instrument, but really an instrument aimed at ensuring that we had an administration that included all ethnic groups at the table. And the abrogation of that memorandum of understanding caused a knock in terms of people's trust of their own leaders.

Secondly was a promise to carry out comprehensive constitutional reforms, which was an election promise made by the administration that was not kept. And here, the key thing was a reduction in the executive powers of the presidency. This – just not keeping the promise – shook the confidence of the Kenyan people.

And the third, I think, important promise that was made was to fight corruption and this promise was not kept as well. And here, I'm not talking about the loss of money. Corruption, actually, isn't about the amount of money lost. Africa is rich.

I've always been impressed that some of our neighbors – you look at a country like Congo despite the kind of hypocrisy we saw there in '70s and '80s was still able to produce some of the most compelling popular culture in the continent of Africa, whether it's music and soccer, and despite the looting of its resources and invasion by several countries, the sense of people being one nation was sustained.

So when I talk about corruption, I'm not talking about loss of money. It's not about, you know, one million versus \$50 million. I'm talking about the conspicuous consumption of an elite that is pushed into the faces of the ordinary people; the inequalities that accompany the corruption. It is the arrogance with which corruptly acquired resources are sort of shoved in the faces of people and it's that injury inside people that is more powerful than the loss of dollars and cents.

So we had a situation where there was delivery in terms of the hardware of development, but a failure in keeping the promises, which had to do with the software of Kenyan nationhood. And ultimately, while the former mattered, it was the latter that Kenyans valued.

So we've a situation where we have a fundamental breakdown in trust where people feel betrayed and their hopes were betrayed and, they feel, by an elite. And this sense of betrayal has subsequently and very effectively been ethnicized. So you can have people saying that it's people from the Mount Kenya region more than any others who are benefiting from what is happening.

This kind of negative ethnicity has become extremely compelling and powerful as a narrative across Kenya and in the imagination of ordinary people. And it's forced me reflect – I made my initial career when you first met me, your Excellency, writing about the Moi administration's corruption and fighting it in Transparency International. That's where I started. And I believed it. We all believed it, and I felt we did fairly well.

I've had time to be reflective. Some people say it's just a sign of growing old because my reflection has been whereas the Moi administration was managerially more incompetent and kleptocratic, it was relatively more inclusive, number one. Number two, one of the most robust patronage in corruption networks in the African continent had been developed in Kenya by 2002. And patronage and corruption duly distribute. It's a very imperfect instrument; it doesn't do much for the efficiency in terms of service delivery, but it redistributes.

Anyway, I'll move to the results of all this, this fundamental betrayal that was quickly and easily ethnicized, giving rise to this myth of the Mount Kenya mafia which was developed very quickly in 2003. By July 2003, it was a consistent word in the national media and in the public imagination. And it led to a situation where the 2005 constitutional referendum was not really about the constitution at all. It was a national plebiscite on the perceived betrayal of the Kenyan people by those who are ruling.

And this has led to what we have now of a situation of tremendous ethnic polarization in Kenya that led one elder in the Rift Valley to tell me to my face – and many things have been made me told me in my face over the years, both positive and negative, as you might imagine. I remember an elder telling me, listen, you are a Kikuyu. Even if all the roads in the Rift Valley were – (in Swahili) – tomorrow, we would not vote for a Kikuyu, never vote a Kikuyu.

And I remember going to Lamu and I was confronted by a very articulate and impressive group of women who kept me engaged for about five hours. And I was bombarded by a lot of feeling. And they reminded me – she was not only talking about me as a Kikuyu, but all us up-country people because the coast has a completely different dynamic. And she says you know, you people were still in the Congo walking your way down when we had an empire here at the coast – (laughter) – that was trading with China and India and the Middle East, and you were still walking down, beating drums. (Laughter.)

I feel very humbled to be in a situation where ordinary Kenyans of all ethnic groups are able to be open to me about what they actually feel because often, solving a situation starts with people putting what they actually feel on the table.

I'll talk a little bit about the elections and the violence and what happened then and its implications. From what people have told me on the ground – and this is interesting in terms of the way ordinary Kenyans understand the violence that followed the elections.

First of all, everyone is really clear that this is not a new thing. Violence has accompanied elections throughout the multiparty era. What seems to have changed in 2007 is that it wasn't managed. It wasn't managed by the state and its agents. And the inability of the state to manage or agents of the state to manage and contain the violence led to an outpouring of – and it became impossible for anyone to control. Even those who are the ostensible beneficiaries and alleged instigators, in the end, were unable to control it.

This is what made the crisis unprecedented in Kenyan history. And it has made implications for the reform process as we see it now. We saw the region and the international community intervene in our situation, essentially crafting a national accord with us that has given us the coalition government that we have today.

The Government of National Unity – I always remind myself – is not a choice made by Kenyans, nor an elected government of national unity. Not one – people went and voted for various parties so what we have now is not something that was chosen by anyone.

We've also seen – and this is for me something that I find slightly disturbing – what I call the externalization of agency. Because of the delegitimization of the state, the inability of the state to manage the crisis as it unfolded in 2007 and 2008, one sees tremendous faith, well, it's partially because the United States of America is – the president is – we consider him a son of Kenya, and we're very proud of him. And people look to him and to the United States in a sense to assist in some of the solutions to the problems that we face.

You find amongst ordinary Kenyans a lot of faith also in instruments like the International Criminal Court, which has become involved in the Kenyan crisis. I remember traveling in Kitui and Mwingi districts earlier this year in the middle of a very harsh drought, and I spent about four hours at a borehole talking with locals just about their situation. And they have telephoned me about once every two days ever since I left.

In the first call they made, they were clearly still in a group. When we first met, we talked for four hours, and they were careful because they were trained to weigh me a little bit. In every subsequent call they have made, they have been more robust in their recommendations. But their first recommendation is that – and I could hear it because people were standing around together – they were saying, we forgot to tell you that you should take all our leaders to The Hague. (Laughter.)

And I often respond with the comment, which is something that I believe very strongly, that now, more than ever, actually it's Kenyans who have to come up with the solutions to our problems. I'm almost nervous that we have put too much faith in other actors; friends of Kenya who helped very much when we were in trouble. Ultimately, the real solutions will have to be crafted within Kenya, and they're going to be messy. They're going to involve accommodations and compromises that are not going to make people happy. That is my sense right now.

So I often get people slightly agitated when I say that, but I point out that when I look at agenda 4 of the national accord, it includes constitutional institutional legal reform; land reform; poverty alleviation; the redress of inequality and regional imbalances; the alleviation of unemployment, especially amongst the youth; consolidating national cohesion and unity; entrenching transparency and accountability, and dealing with impunity.

In reality, this is a laundry list of all the problems facing any developing country. Any developing country has inequality, difficulty with the land, a need to form better national cohesion; has to deal with unemployment, especially amongst the youth. And these are issues which can only be dealt with by Kenyans, themselves. Unfortunately for now, we are slightly stuck – I said, in facts – so it's task forces, commissions, committees, and there's a slight national exhaustion in their regard.

Three other issues that I have found slightly disturbing – and I'm always happy to be challenged on this – is that the ethnic polarization is at its most articulate amongst the middle class. The most virulent ethnic animosity that is expressed is by professionals. That surprises me. By those who you'd think would know better. That has been a surprise to me.

And, sitting with friends and colleagues, we've disaggregated the middle class into the entrepreneurial middle class, the typical, say, supermarket owner in Muranga, Kakamega, Eldoret; the agrarian middle class; professional middle class; the state elite and the diasporic middle class. The diaspora is extremely important in the Kenyan context, as it is in other countries. That has been an interesting lesson for me.

Secondly, and importantly, the church in Kenya lost its place as a provider of alternative leadership as a result of its polarization and politicization before the 2007 elections. And as a result, now we have a situation where one sees very senior political figures undergoing very public religious rituals that have led to a certain cynicism.

We had, prior to the election, pre-election anointing of politicians. We've had religious leaders running for political office, and some winning and going into parliament. We have had public conversions and baptisms of politicians. And the most striking thing about the violence in the Rift Valley – I have visited the Rift Valley every time there's been violence since 1991. And one of the most striking things this time was a number of churches burnt. In the past, churches were not. They were places of refuge. This time, it was mosques.

The other striking, and I think powerful, thing is that we have an assertion of youth agency that is going to be a reality that we are going to have to handle fairly carefully because for a while, in 2007 and 2008, it would appear to me that the youth enjoyed what I will describe as a dangerous sense of liberation and empowerment. They would set up roadblocks and tax the middle class who are driving through and injure people and destroy property. And that sense of belligerence has been sustained. And it is not only in parts of the Rift Valley and Central Province, but I found it also in parts of the Coast and now also in the Western Province, so that's something that is interesting.

However, I have a conviction from what I have seen that a new Kenya is being forged, and it's being forged in the most cosmopolitan areas; in particular, the Rift Valley, the Coast, Nairobi, and other urban centers. In those places where Kenyans are most mixed ethnically, there's a new Kenya emerging. Painfully, messily, but I think that's where the Kenya will come out.

I think that I will close with going back to the two issues that I have found to be the most consistent narratives in Kenya amongst all ethnic groups despite the polarization that we've seen. First of all, as I said, justice or lack of justice is a normally present grievance, and it's also the most powerful aspiration of the Kenyan people. This quest for justice; the sense of injury but also seeking for it.

Secondly is this word that I've heard – now it's become part of the language in a very political and powerful way – is the word – (in Swahili). (In Swahili) – is a Swahili word which means to exclude; to exclude with arrogance, contempt, and to denigrate. And the historic and consistent arrogance of a political, bureaucratic and related commercial elite has engendered an overwhelming, nationwide all-pervasive perception of – (in Swahili) – a sense of exclusion and a loss of dignity amongst a majority of Kenyans. It is the lens through which Kenyans' sense of what the present means and what the future holds is invariably colored.

As a result, there's a national yearning for heshima, empathetic respect and esteem, as the essential foundation for Kenya's peaceful and prosperous future. So it doesn't matter how many schools are built, how many hospitals are built, how many miles of tarmac are set. It doesn't matter the scale of the housing boom; it doesn't matter the economic growth statistics. Until these fundamental issues about how we as Kenyans perceive ourselves and each other are dealt with, we will remain stuck in an ugly place.

One of the beautiful things about the coalition government is that it has led to a realization amongst Kenyans that the black and white kind of analysis of what has happened that was easier before has become more difficult. Even those leaders that you voted for or hated are all in one basket now. That's not necessarily a bad thing; it's an unsatisfactory situation because it seems a bit paralyzed, but it's causing people a level of introspection about themselves and each other that I think is extremely helpful for Kenya. And I have faith in Kenyans.

The thing I have said I am more concerned about is that we may have too much faith in external assistance. That the international criminal court will solve our problems; that the great man, Kofi Annan, will solve our problems. I think our friends outside Kenya can assist us, but ultimately, it's Kenyans who are going to come up with the solutions to their own problems.

My own ultimate finding in the areas where the new Kenya is being born, where people are very mixed ethnically, it's going to be a messy process, it's going to be full of accommodations, compromises, that are going to be very, very unattractive. And a lot of human rights, anti-corruption activists like myself are going to be extremely uncomfortable with what is going to emerge. But unfortunately, it will be the new Kenya, and I think that is what is happening. Thank you very much for giving me some time to speak to you today. (Applause.)

MR. BELLAMY: Thank you very much, John, for a fascinating series of insights and observations. Someplace in the back of my mind, I hear the voice of Daniel arap Moi saying, I told you so.

I think we have microphones here and – Neil, we do? And so I'd like to at this point open things up for questions, comments. We have Malik here. What I will do is I'll take a couple of – if you don't mind, I will take two or three questions at a time, give John a chance to make a few notes and compose his thoughts, and we'll proceed in that way. Malik? Oh, I should ask, please identify yourself when asking your question, thanks.

Q: Malik Chaka; I earn my bread at Millennium Challenge Corporation. Thank you for an illuminating discourse. At the end of it, I have to ask you the question with the imminence of the elections and, in 2 years, with the question of leaders going to the criminal court, with the issue of the constitutional reform looming, is it a possibility that Kenya, the most important country in East Africa, could return to the path of violence and division that emerged postelection in 2007 and early 2008?

Q: Mike Phelan. Thank you; it's good to hear your voice again. I'm with the Senate Foreign Relations Committee, Sen. Lugar. Would you expand on the messy dialogue that needs

and will, as you pointed out, take place in Kenya; what the mechanisms within the country are for that dialogue?

Q: My name is Deirdre LaPin. I'm a consultant and an associate at the African Studies Center at the University of Pennsylvania. I wonder if you would care to comment on the effects of the destabilization in Somalia, the growth of the Somali entrepreneurial class in Nairobi and other urban centers and also the pressures that are being made on Mombasa as the Coastal capital, but also Lamu and so on, for the Swahili citizens of Somalia?

MR. GITHONGO: I'll give it a shot. Thank you very much. Mr. Chaka, I think the question that you ask is a question that many Kenyans are asking themselves. There's a pervasive sense of foreboding about the future in Kenya. It's now existential because what happened, I said, for a while in 2007 and 2008, the state lost control over the violence that was taking place. I've been to parts of the country where after Kikuyus had been evicted, the young boys turned on their own tribesman, the middle class and (taxed them?). So there's a powerful sense of foreboding about the future.

And when I sit with people, I ask a question – and this is what gives me hope – I ask them, what does it feel like when Sudanese, Nigerian, Tanzanian, Ghanaian, taps you on the shoulder as a Kenyan and tells you, pole sana, very sorry, very sorry what happened to you guys.

And the beautiful thing about the reaction is that the reaction to that question amongst Kenyans has no tribe. Every Kenyan without fail says, it feels really bad; it feels really bad to be told that, you know. It doesn't feel nice at all. And I always say to people, inside that pain, that's the Kenyan in you still there struggling. That's a woolly answer to your question, I'm aware.

I also always taken people back to 2003 and that moment we had of tremendous optimism also to show that as quickly as things can go wrong, things can actually be repaired. And it doesn't take that much. It's when trust is lost that the whole sky seems to turn gloomy and you feel as if the sky is falling on your head.

Yes, it is possible that things could get violent. I don't know why people keep on focusing very much on 2012 as sort of the marker. Maybe it's because we've had violence around elections. I think it can happen before, in part because we have very many governance – I call them “big G” governance balls in the air – constitutional reform, boundaries review commission, maybe a referendum. We have a whole range of them.

We are juggling many balls in the air and we'll have to come to terms with the fact that actually we won't be able to complete all of them to our total satisfaction before the next elections. And if one of those falls and drops catastrophically, then we can have some violence, so one has to be live to that fact.

In terms of the mechanisms, I think that a lot of attention has been given to top-down processes for reconciliation and reform in Kenya, which I think is extremely important and has maintained the peace that we have now. I think a lot more attention needs to be given to some of

the efforts by people at the grassroots, which have started – many spontaneously – in many parts of the country where people basically come together and say, okay, listen, we're going to have to live with each other.

I've been to villages where people watch their neighbors walk past them wearing their jacket, and one of the discussions I've had, especially with some colleagues, usually you find, when you are in the diaspora, you are more Kenyan than those people who are in Kenya. And even now, the university of – (inaudible), I felt more belligerently Kenyan than – and so there's a lot of hurt outside Kenya amongst people who feel humiliated and angry by the violence that happened.

And so some ugly solutions are suggested. People say, well, maybe we didn't finish the fight; maybe we should finish this fight and then get over it. It is cuckoo land really; very strange thinking. And I've asked some of them, I've said, I'll give you the telephone number of some of the people who live in a place called Kiamba, where a church was burnt with women and children in it. Talk to them and ask them whether they're – because if you're talking about a fight, it's them who are going to fight. Ask them whether they want it. And that really brings some – snaps people into some reality.

In those places where those horrible things happened, people are themselves coming to, I said, accommodations and compromises that I think will be the foundation of a peaceful and prosperous future for Kenya. The challenge is knowing how to capture it without undermining it. So for example, you see it, it's a good thing, so you want to throw money at it so that you can scale it up. You throw money at it and you kill it. So it's a matter of being sensitive and smart but focusing very much on what's happening at the grassroots in the areas where some of the greatest damage was done.

There are assumptions made about the depth of the polarization that may be a bit exaggerated. It's very easy, it's very black-and-white. But on the ground, people are forced to live with each other, to buy from each other's shops, they've intermarried. People have to get on with life, and I think that in that reality is the answers for what we need to do with the future. It's how to capture it that civil society, government, media and others are beginning to learn.

I think the issue of Somalia is clear and present. Kenya is actually the financial capital of Somalia – (laughter) – and it has been that way for a long time. The Somali are some of the best traders on the continent of Africa. If you want to move things around the world, the Somalis will – it's an extraordinary skill. I'm a great believer of strength in diversity, and I think that's something that that community brings to Kenya that is quite special.

At the same time, we have difficulties in Somalia, and the influx of small arms and extremist forms of Islam can be potentially very destabilizing for Kenya in a situation where the state has been delegitimized, and therefore, its capacity to confront some of the problems in the northern part of the country – but actually, my own concern is not so much for the north but at the coast that there are great risks.

Some of the most clear-eyed, focused, energetic and disciplined young men that I've met are some who – it's forced me to redefine the word "fundamentalism" in my own mind. I had it very clear in my mind before I went traveling around. Now, I've become more ambiguous about it myself because I have seen solutions being offered by groups of young men who some people may dismiss as just being a group of extremists, but they're dealing with various immediate, serious social problems in those communities.

The challenge is how does one take that kind of energy and turn it into a positive thing for a society like ours because Kenya does not have a history of tendencies towards fundamentalism and extremism. It's not really what we are.

And as I said, there's a very strong sense of ourselves as Kenyans. It comes out when you – tell any Kenyan, sorry about what happened to you guys. There's a pinch – and I only say, that's a good thing. If we didn't feel anything, then we'd be in bigger trouble than is reported.

MR. BELLAMY: Okay. We'll do one – we'll do David – one, two, three.

Q: Hi, I'm Jon Elliott from Human Rights Watch. Two related questions: First, just let me say, thank you for a stimulating and very refreshing analysis of what's going on in Kenya. Could you say something about members of the security forces – the police you might have spoken to as part of your research, investigation, into what Kenyans are thinking now? Because they're a crucial element in managing any future crises and problems in the country. We've reported on problems that are caused by the police and by the army in the country, and I'd be very interested to hear what you think individuals with those institutions are thinking.

And, secondly, something about Kenyan civil society, which for us is a great source of optimism. Kenyan civil society remains very vibrant, and I'm just wondering whether you think people are channeling their energies into civil society activity rather than formal political activity.

MR. BELLAMY: Okay. David?

Q: David Throup from CSIS and other places. Two questions, or two-and-a-half questions: First of all, the word that wasn't mentioned but which seems to me to dominate the Kenyan political horizon is Mungiki. And by that, I mean not simply Mungiki itself, but its counterparts in other ethnic areas of Kenya. How powerful and how great a threat is this state within a state, and what can anybody do about it?

The second thing is my counterpart/friend/colleague from Sen. Lugar's office, you didn't really answer his question, and I was thinking the same thing: How do we get from where we are now to the messy compromise that you won't like? What do you see as the sort of the posts along the road?

And then my half-question is civil society. I think actually Kenyan civil society has been profoundly damaged in the last 2 years; that, like the church is, it has become enmeshed in different factions of the political scene. And from whichever side you stand, half of civil society

has lost virtually all credibility. What do you think about that? I'd be interested to know your opinion.

Q: Thank you. My name is Felix Kerudo (ph) from Kenyatta University, but I'm on vacation here in Washington. I just have one question for John, and this is in the proposed constitution, a lot of people have suggested that federalism should be introduced. Do you think this is going to solve our problems? Thank you.

Q: Thank you so much. Raquel Gomes with Oxfam America. Donors: What can donors do? How can donors best support the efforts of Kenyans, however messy this process needs to be? In particular, how can donors engage with a government in light of the fundamental challenges of the many issues you've touched on?

And with respect to civil society, there are wonderful groups, as you well know, and there's a proliferation of many groups. Again, what is the role of donors in supporting civil society in Kenya? Thank you.

MR. BELLAMY: Thank you. A lot of questions about civil society, Mungiki, federalism. I can see your hand is already getting tired here. (Laughter.) I'll give you a second and we'll –

MR. GITHONGO: Look, thank you very much. You know, I've always treated the police force in a country – in any country – if you look at the body of a nation, the police force is one of those organs that, if you get sick – you know, if your hand gets sick, it gets broken, you can put it in a plaster cast and immobilize it for six months while it heals and recovers. You cannot do that to the police force. You can even do it to the judiciary – top levels of the judiciary – you can shut it down, sack them all and bring in new ones. You can do it.

The police force is a bit like the heart; you've got to operate on it while the person is still alive. So it's a key institution. In a context of systemic corruption and political and ethnic polarization, it would not be fair to assume that it is unaffected.

I have been a quiet advocate of energy being expended in assisting in the reform process within the police force, no matter how imperfect, which has started more recently. I think it's an extremely important process. Reprofessionalization of the force – all the disciplined forces – is absolutely key. It's a challenge because it is clear that we now have extrajudicial elements that are political actors in the Kenyan scene.

I should like to think that at the core, the bulk of the force remains reasonably solid despite the polarization and systemic problems that it faces, in that they get their salaries on time, the system of promotions, the bureaucratic system of keeping it chugging is there. It's not policing a perfect product but it is there.

Reform of it is, I would put, higher on the agenda than I think is currently there. There's constitution reform and other issues. I would actually say that some of these institutions need reform more, but also to have their dignity restored. It's not only a matter of reforming the

police; it's to restore the dignity of the police, which has been undermined by some of the political developments that have taken place.

So I would say that both need to happen. When you talk about reform, you're not only talking about discipline, meritocracy and just getting the systems right; it's getting the software right as well, getting cops to feel good about being cops once again. I don't think that's something that's impossible to do; it has more to do with leadership than it has to do with buying shields and batons.

You can always trust Professor Throup to ask the most difficult questions, so I was hoping you would avoid his. But the issue of civil society is key. In a situation that became as polarized as Kenya did, civil society was not unaffected. I think civil society played an extraordinary role during the crisis in trying to come together under very difficult circumstances. And they were affected themselves: political divisions, ethnic divisions, et cetera, et cetera. But despite that, really struggle to come together and have kept chugging along, giving support to the work that is being done by Kofi Annan and other players under difficult circumstances, I think they have done very well.

I think the bigger challenge is an existential one of where do we lock in? The model with which civil society operated throughout the 1990s, which, at its most successful, Kenyan civil society has been extremely – especially the urban-based advocacy institutions have been extraordinarily successful.

I think at least nine ministers of the Narc government were ex-civil society leaders in 2003. They were an extraordinarily successful group throughout the 1990s in driving the whole process of democratization and reform. And so that is clear.

The situation has changed; we don't have a – the 1990s was a coalition of civil society, the political opposition, the international community, especially embassies in Nairobi and foundations and the like, the international press and the local press. And this coalition was a driver behind many of the reforms – and the churches as well – in that coalition – large elements of the mainstream churches. That coalition is what fell apart as a result of 2007, 2008. And I don't think that the coalition is going to come back into force anytime soon. I think that that time has passed, number one.

Number two, because we no longer have a political opposition. We have media that is very, very vibrant, but also very fragmented; there's a lot of FM stations but the majority of Kenyans now listen to vernacular radio. Seventy-five percent of Kenyans listen to Swahili and vernacular radio. And you listen to some highly sophisticated English stations in Nairobi, but they're not hitting a large part of the population.

So we have vibrancy and fragmentation. So the model of the '90s is what has ended, so it's a bigger thing that has happened. It's not only civil society; it's a bigger collapse of the model.

My solution – and this is something which I’m only beginning to sort of grapple with, with colleagues in Kenya – is that we have to do two things: Number one, we have to engage with these elements that formed this reformist coalition in the 1990s. We have to engage the grassroots much more effectively.

In the ’90s, it was possible for us to hold workshops at the Serena hotel and change happens. It’s not longer possible. In fact, these days the government holds more effective workshops than civil society; bigger ones, nice adverts in the newspapers. So it’s to get into the grassroots, number one.

Number two is to get the private sector involved in the business to invest in change because we have a robust, sophisticated private sector in Kenya that is over scale and depth, that we can take advantage of. And I think they’ve woken up to it. 2007, 2008 was a big shock to all Kenyans.

I mean, private sector took the worst shock of all. Just to realize that a couple of roadblocks on the road to Rwanda and Uganda can lead to the kind of difficulties we had was a tremendous shock. To bring in the private sector into the reform process in a much more effective way is going to be key. How we do that, I think, is unfolding even now as we sit here and speak. I think it’s going to be key, and it will bring a completely new dynamic to the process of change.

Dr. Kerudo, you’ve asked a question that everyone is asking: Is federalism an answer? I am nervous about silver bullets. I am very nervous about them; about saying that if we do this, then everything will be okay. And we are longing for that. We want, you know, let Louis Moren Okombo (sp) arrest all our MPs, everything will be okay. (Laughter.)

We are longing for normality, because unlike other countries, we have not suffered a long, drawn-out low-intensity conflict that has led a large part of the middle class to exit the country. So the middle class – us guys – you and me – are longing for normality. You want to be able to switch on the light, the lights come on; open the tap, water comes out. You want to be able to drive your child to school and the teachers are there. You want to live that life that we’ve been able to build for ourselves in Kenya. So we are craving normality, and in that craving, sometimes we seek solutions that are too simple, is my fear.

And to say that federalism will be the silver bullet for me is slightly alarming. I think that evolution is one of the elements to deal with the governance challenges that Kenya faces. It’s only one of the elements, and even then it has to be implemented with tremendous sensitivity and care. I’m not sure we’ve thought it through completely. I’ve been reading it –

I remember in 2007 when the Majimbo debate was very hot, and I tried to ask, what is this Majimbo, and I got a different answer from every person. And if I’m getting different answers from every person, then I’m saying, let’s wait a bit, let’s think it through a bit more.

So that would be my answer. I don’t think it’s a silver bullet. As part of a basket or bucket of reforms, it may make sense, and that it can be implemented over a period of time. You

cannot do it and then by next year it's up and running. Five, 6, 10 years to roll it out. So you give yourselves a chance to make some mistakes and to learn from those mistakes.

Finally, the question was asked, how do you help as donors? First of all, for me as a Kenyan to say, *asante sana* to the international community and to the development partners. Two groups like Oxfam, Human Rights Watch, the tremendous response and speed with which that response came to the crisis in 2007 is something that we can only be grateful for as Kenyans.

But still, I would say the first principle in engaging in a situation like Kenya for any donor is do no harm, especially now. That is the first principle: Do no harm. It's a fragile, fluid situation.

Number two, smell the political roses as you engage. We saw some catastrophic mistakes by some of the donors, including some of the multilaterals, before 2007, who got involved in politics that they should not have gotten involved in. It was very unfortunate.

So principle number one: Do no harm. Do no harm, smell the political roses and engage carefully in concert with local initiatives. Sometimes that may mean reducing ambitions. The incentive structures of some donor agencies – you want to roll out a program, you're like, the bigger the program, the better, really.

So if you're spending a million dollars, you'd like to be spending \$2 million next year. And maybe it for some people shows success; I don't think it is necessarily the case anymore in Kenya. Less may be better, despite the difficulties. I just put that out there as just a cautionary word from what I've seen over the past 1 year.

MR. BELLAMY: We have time for a couple more questions before we have to break. We have two questions here, Tony and Tony. (Chuckles.) And we'll do one more question back here.

Q: I'll be quick. In my recent visits to Kenya I was alarmed by the damage caused by drought. You mentioned that there might be other things on the horizon that could spark violence between now and 2012. Could drought competition for water resources be one of those things?

Q: Tony Barclay with the Development Practitioners Forum. I want to congratulate you for this extensive dialogue and listening to voices all over the country. If only elected leaders would do the same.

You made several references to the diaspora, and you mentioned the analysis of different middle class groupings with a general pattern of a very strong ethnic identification, stronger in the middle class than you might have expected when you started. What would you say about the role of the diaspora in terms of the emergence of the new Kenya? Will it be as spectators? Will it be reactive? Will it be a force for positive change? How deep an understanding of these local dynamics do the Kenyan diaspora have?

Q: Wariko Waita from Global Fairness Initiative. Actually, mine is very in line with the previous question. To bolster the change from – (in Swahili) – to heshima, what is the role of the diaspora?

Q: My name is Mary Mulusa (sp). I'm a professional in this area; a member of the diaspora. First of all, an observation and maybe a question related to that. A lot of energy has gone into focusing on power-sharing, and the constitution and so on. When you go to the grassroots, do you get a sense that people are discussing values that they want to see change in their leadership?

Particularly when you think about the notion of, you know, "our turn," people seem to be quite happy to get a leader, so long as it is their leader, whether it is from their village or their family. And the tendency is not to hold them accountable once they get there. It's a sense of justification because he's ours, then what he does is okay. And a sense of even admiring the people who manage to capture something – the spoils – from whatever process, whether it's election or coming to office.

So I wonder whether and who should be leading this discussion about the values, and how we get back to a situation where we hold our leaders accountable to the people. I hear less and less about the ordinary mwananchi and it's really a lot about the key players now and who gets to share what.

The other question – very briefly and related to the question that was asked about Mungiki – you need to answer that one. The question for me is in your talking to different communities, one of the things that came up after the election was this very, very strong – and you've talked about the polarization. And here, I'm really speaking as a Kenyan, when you talk to people in the central province and amongst the Kikuyu in particular, would they vote for a leader who is non-Kikuyu?

MR. GITHONGO: Thank you, and I'm sorry, I have not been dodging the Mungiki question, David. (Laughter.) I think that I have developed what I can only describe as an ambivalence with regard to attitudes towards the Mungiki, in terms of my interactions, limited as they are, with them over the past 1 year.

First of all, there's a Mungiki of the media, there's a Mungiki of the media. And on the ground, it's a very different thing because one can trace in some of the slums around Nairobi, in particular, a group like Mungiki filling livelihood gaps that are very real, particularly with regard to security and employment, where they come in to relieve a community that is under siege from criminal elements. And one talks to communities, while grateful for that, number one.

Number two, the phenomena of these self-organizing groups of youth is not only in Central Province. I was most surprised to find that in Western Province – Malaba – (in Swahili) – (in Swahili) – I was very surprised to see groups of young men organize themselves like vigilante security teams, who walk around making sure that drunkards don't disturb people.

My test of these groups is always at the local level – I’m talking very, very local level. My test is always, ask the women. And by the way, the other powerful commonality for me in terms of the way Kenyans have responded to what has happened to them is that the attitudes of women towards politics and violence is more similar than it is amongst men or other groups in our society. But I’ve had long debates about this with friends. We’ve been trying to unpackage what that means.

So I always ask the women, what do you think about this group? (In Swahili) – they’re groups, youth, male groups that are dealing with drug dealers. In Western Province, women don’t want their chickens to be stolen; it’s as simple as that. And these young men will walk around from 6:00 in the evening until the morning, and they get paid in eggs and other small things. And the women will tell you that they’re happy with the situation. Then it’s working at the very local level.

When they mutate into extortion and other forms of criminality, then the dynamic changes fairly quickly. Ironically, from what I have seen, the dynamic changes once they engage with the security services – once they go into business with the security services – or the political leaders. Once they go into business with both or either of those two players, then the dynamic changes. And it ceases to be an organic response to a genuine problem on the ground to being something that is ugly and oppressive.

So I would say Mungiki is many things, and I can sit with you for hours just wading through the definitions; in different places it means different things. In the slums of Nairobi – and you can disaggregate those – in Moranga (ph), in Ngeri, Kawuts (ph). It’s different, and nationally, and then it’s very different in the media as well.

I haven’t sensed water being something which can cause difficulties in any place, ironically, except Coast Province, Pwani, where a lot of the water that goes into Mombasa is from there. People ask questions about, how come we are suffering without water and all this water is going to Mombasa? But then of course, one has to go back to Northern Kenya, particularly Northwest Kenya. We’ve had extremely intense bouts of violence recently because of the drought and lack of water. And types of violence which even the locals tell me are unique in that we’ve had raids where women are killed, where cattle are killed, which is culturally taboo in many communities that have traditionally raided each other.

The killing of women and cattle is a new thing, and this is something that we’ve seen more recently. I haven’t gone into it in enough detail, but obviously it is a concern, and their local responses to some of these issues, if you go in many of these areas, the groups of elders that are formed, countless groups of elders, Kikuyu elders, Kalenjin elders, different groups coming in to occupy a space from which the state has retreated somewhat.

Then on the diaspora. I think the diaspora is going to be key in how Kenya turns out. It can either be a very positive force for positive change or very negative one as well. You have both. I’m hoping to come back to the U.S. just to sit with fellow Kenyans early in the new year, just to go around, because some of the things that I’ve seen and heard are very, very encouraging

from the diaspora. And the diaspora really wants to engage – they're more engaged than us. They read our newspapers more closely than us.

I am sent e-mails from Dallas that say, have you heard the following happened? I said, I did not know. (Laughter.) That's because you're away from home, and it's very, very special. At the same time, because of the humiliation of watching violence happen, perhaps to members of your family, your friends, your community, it causes an anger that is very deep and can become something very dangerous for a country like Kenya.

We would not want to have a situation where, as has happened in places like Sri Lanka and other countries, where the diaspora becomes part of the financing of very negative things happening back home. I think the Kenyan diaspora is much better placed to play a very positive role in what is going to happen, because I get the sense that their overwhelming concern is development, peace, and it's partly because – and I've been following this up a bit more closely, I want to do it a bit more closely.

The British diaspora is different from the one here in the U.S. Here, maybe it's you're far away, so I find that there are more intermarriages, which is a good thing, because it makes it more difficult to be – (in Swahili) – hard-headed – about some of these ethnic issues. But in places where you have ethnic enclaves, then you have some very virulent negative views, which can be dangerous. I say it's dangerous because it's well-resourced.

Ten thousand dollars, \$20,000 to the wrong people in Kenya can cause a lot of damage, whereas the same amount of money from the diaspora can do a huge amount of good. So I think mobilizing the diaspora for positive change is absolutely essential to the new Kenya, because you've been here and you have seen what it's like when things work. And you bring that to us. So diaspora and private sector are key to be engaged positively.

Then you asked about values, and then you asked who would lead the discussion. I think people are discussing values a bit more than they were before. There's a little more introspection taking place because we have a coalition. It's everybody's turn to eat now. (In Swahili.) They're all there at the table – but still people are not satisfied.

I think that's a good lesson. It creates a different type of thinking. We've had scandals to do with maize, to do with oil, where leaders from all different communities have united around some of these corrupt practices. And people have seen this; they're not yet sure what to do with it, but I would like to think that there's a beginning of a questioning across the country.

The question that you have asked is a question that I ask all the time, finally. And the question that all Kenyans ask, will the Kikuyus vote for a non-Kikuyu? And I always lift it away from that kind of focus on this or that community. First of all, I think it's important that that issue is put onto the table, number one. Number two, I think it is completely possible for people of all communities to vote for each other.

I think we've got to lift this pervasive sense of – (in Swahili) – and fear that has infected our politics, for people to be able to think a bit more clearly. Right now everyone votes out of

fear, defensively. So we vote for our own person, hoping that he'll defend us. It has not worked. That model has not collapsed. I would like to think that people are amenable now to voting above those kinds of ethnic considerations.

But how do we make it happen? And who makes it happen? I say – (in Swahili) – it is you and I. If we wait, no, we sit waiting for some answer to come from somewhere, it will not come. It's what you do, it's what I do, it's what we all do as Kenyans that's going to make that shift to – (in Swahili) – how do you say, we shall make the jump.

I was speaking at a conference of some enumerators, several hundred of them, some months ago. And a young man from my community, I would say, stood up and he says, he had gone to a company to hire maids; he wanted to hire a maid. And the manageress of this company said, I'm very sorry, we don't have any maid for you because the only one who's remaining is a Luo. So this young man went home with his wife and they were really unhappy about this response they had been given. They were wondering, what do we do?

So he stood up in this conference and he asked me, I was very unhappy, I went to this company to hire a maid, and they told me, only a Luo was remaining, and then I went, and me and my wife just debated it. And he asked me, what should I have done, what should I do? And I told him, you should have hired the Luo; that's what you should have done. It's the choices that each of us make that is going to make the difference.

This time, we've been waiting for these big guys to make choices, and they have led us almost to finish each other in 2007, 2008. So I would say that the answer is with you and the answer is with me, in the actions that we take as Kenyans.

(Applause.)

MR. BELLAMY: I think we've slightly gone past our allotted hour. We'd just like, once again, to thank John Githongo for rushing here from Dar es Salaam in his shirtsleeves – (laughter) – to share with us what I found certainly to be a fascinating political analysis. And John, it's so clear how your 2,000 interviews in the time you have spent in Kenya have informed this analysis and really put a human face on what you described at one point here as a sense of existential foreboding.

I know that – and I'm sure everyone here joins me in wishing you well as you continue this very important work, and I'm sure we all look forward to the next installment of this story, so thank you again. Thank you. (Applause.)

(END)