

Kenya's Real Problem (It's Not Ethnic)

By M. Steven Fish and Matthew Kroenig
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[Kenya](#)'s recent presidential election unleashed turmoil that has so far claimed more than 500 lives and displaced thousands of people. Blame has been pinned on Kenya's ethnic divisions: The Luo tribe of challenger [Raila Odinga](#) has disputed the electoral victory claimed by incumbent President [Mwai Kibaki](#) of the Kikuyu tribe. Since the election, the Kikuyu have been targeted by the Luo and other groups, while the Luo and their fellow oppositionists have been brutalized by the police.

But although this conflict does indeed run along ethnic lines, ethnic diversity is not to blame for the disaster. The key culprit is, rather, a serious flaw in Kenya's governance: the weakness of its national legislature.

Many observers assume that ethnic divisions cause civil war. According to such thinking, ethnic rivalries lurk below the surface, ever ready to erupt if sparked by a galvanizing event.

This view seems to fit Kenya. A hotly contested and probably fraudulent election fueled festering resentment against the dominant Kikuyu tribe, prompting the Luo and other tribes to attack. Government forces, led by President Kibaki, a Kikuyu, responded with repressive measures against their tribal adversaries.

But this story is misleading. In fact, political scientists have found that there is no statistical correlation between ethnic diversity and civil war. Some ethnically diverse countries experience civil war, but many more are pacific. After all, Kenya has always been ethnically divided but is generally touted as a bastion of stability, democracy and prosperity in [East Africa](#).

If ethnic diversity didn't cause the recent round of violence in Kenya, what did? The answer: a feeble parliament.

We recently conducted statistical analyses showing that countries with weak legislatures are at greater risk of civil war. It's easy to see why. Where the legislature is strong, opposition groups can hope to affect policy through their representatives in parliament, without the need to resort to violence.

But Kenya's parliament is anemic. In our global survey of the power of national legislatures, Kenya ranks only 126th out of 158 countries, well behind other developing nations such as [India](#) (44th), [South Africa](#) (48th), Benin (59th), [Brazil](#) (60th) and [Ghana](#) (82nd).

In Kenya and other countries with weak legislatures, the presidential contest is a winner-take-all affair. The Luo know that they cannot hope to constrain President Kibaki with the checks and balances to be found in a system with a powerful parliament. Instead, they face a frustrating choice between subordination to the president and violently contesting his rule in the streets. The Kikuyu, Kibaki's tribe, know that they cannot relinquish the presidency peacefully without forfeiting control over policy and patronage. Tragically, in the presidential election, everything seems to be at stake.

It didn't have to be this way. Like Kenya, Benin and Ghana are ethnically divided countries that have experienced closely fought and possibly flawed presidential elections in recent years. But Benin and Ghana have stronger legislatures, so the losers in presidential elections have less fear of being politically excluded. They have reacted to defeat by using their sway in parliament to control the president, and they have not resorted to mass violence.

American and European efforts to advance peace and democracy in developing countries have focused on building civil society, but the United States and [Europe](#) have, unfortunately, underinvested in bolstering formal institutions such as national legislatures. Stemming the mayhem in Kenya and preventing presidential elections from igniting civil wars elsewhere requires strengthening parliaments. Peacemakers and democrats in the developing world, as well as aid agencies in the West, face no more urgent imperative.

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