

Journal of Public Policy & Governance



Impact of Neopatrimonialism on the Church and Politics in Kenya between 2017 and 2022 Elections

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ISSN: 2616-8413

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How to cite this article: Musyoka, M. M. & Nalugala, R. (2025). Impact of Neopatrimonialism on the Church and Politics in Kenya between 2017 and 2022 Elections, *Journal of Public Policy & Governance*, 9(1), 1-13. <https://doi.org/10.53819/81018102t4313>

Abstract

This paper discusses concept of neopatrimonialism, based on Max Weber's concept of legal-rational bureaucracy. Neopatrimonialism is regarded as a dominant feature of the developing countries of Africa, being seen as a core feature of local politics in Sub-Saharan Africa. The discussion of neopatrimonialism in Kenya was derived from the experiences of post-colonial oppression and autocracy from the dominant political regime. The author sought to study the impact of neopatrimonialism on the church and politics in Kenya between 2017 and 2022 elections. The researcher sought to answer four questions: How has neopatrimonialism influenced political parties (by) elections in Kenya? How has neopatrimonialism influenced the church and its leaders? In what ways does election of clan leaders influence on neopatrimonialism? Lastly, the researcher sought to find out how accessing funds for development is influenced by neopatrimonialism. Related influences included defective political economic systems, popularly referred to as 'vampire states of Africa, signing pacts with huge donors in the name of foundations, award of favours for positions of political influence. On church influence, the researcher looked at three mainstream churches: The Anglican Church, Presbyterian Church and the Catholic Church. The researcher discussed the politics of land acquisition and ownership. Findings revealed that donor relations and donor priorities influenced how development organizations accessed funds for development. It was found that the judicial system's lack of autonomy exposed it to manipulation by the state hence making flawed rulings that affect equitable allocation of funds for development. This study adopted Cooperative game theory, premordialism theory, constructivist theory and instrumentalism theory. The researcher employed exploratory research design to help her probe further the study area. As a mitigation towards overcoming neopatrimonial regimes, the researcher suggested serious advocacy campaigns by prioritizing education, legislation and empowerment of state organs that deal with corruption.

Keywords: *Neopatrimonialism, Ethnicity, Elections patrimonial and legal-rational bureaucratic domination, regimes, rent seeking, integration*

<https://doi.org/10.53819/81018102t4313>

1.0 Introduction

Neopatrimonialism is a social hierarchy where patrons use state resources to secure the loyalty and followership from the general population. This informal patron-client relationship can reach from very high up in state structures down to individuals in remote villages. Neopatrimonialism can extend the reach of the state into the geographical and social peripheries of the country, provide short term stability, and facilitate communal integration. Neopatrimonialism is decorated corruption related to patrons and their allies. Patrons are typically office holders who use public funds or their position of power to build a personal following (Phiri and Edriss, 2013). This patronage is said to account for trade policies, hyperinflation, economic stagnation, low investment in infrastructure, urban bias and lack of economic development in Africa (Mkandawire, 2015)

Neopatrimonialism affects policymaking, especially development projects and is a leading cause of embezzlement of funds in state budgets and this practice is seen as the foundation of African politics. One of the major drivers of Neopatrimonialism is Ethnicity and Religion. Ethnicity is a key element in Kenya's political culture and democratic development. This is true of electoral pattern and of day-to-day conflict resolutions and protocol. Nobody interested in understanding Kenya's neopatrimonialism can ignore the Nobody wanting to understand Kenya's modern history can neglect the importance of ethnic belonging. In 2022 general elections ethnicity unfolded dramatically at the national and grassroots levels with a revamped Kenya Kwanza political party which painted the country yellow. The same patterns were experienced in the 2017 general elections with the Jubilee Government which maximized its reach with its slogan "*Tuko Pamoja*" to depict the continuation of brotherly relations that existed between the Agikuyu and Kalenjins from the 2013 presidential elections. The disputed victory by Jubilee flagbearer Uhuru Kenyatta and William Ruto meant that the Luo, Luhya and Kamba-speaking constituencies were once again defeated in their reach for the leadership of the nation. At the grassroots levels, elitist competition and politicization of ethnicity was evident, with slogans such as "*si uchawi, ni maombi*". This slogan was deliberate to castigate communities that were believed to hold the significance of indigenous divinity in victory. The clergy, where very quick to endorse flawed electoral process because they held similar tendencies of using power to gain followers.

Power has been for a very long time been used as a tool to acquire self-interest. The turn of events was depicted when it came to election of political leaders at the county level, where electorates connected to issues development, track record hence leading to more differentiated voting patterns at the grassroots. The 2017 general elections, which required voters to elect no fewer than six representatives in each constituency, promised to provide a rare opportunity to analyse more systematically the influence how neopatrimonialism on church and politics in Kenya towards 2017 electoral process.

2.0 Methods

The study adopted interpretivist philosophical paradigm to guide for collecting and analysing primary qualitative data to discuss the impact of neopatrimonialism on the church and politics in Kenya between 2017 and 2022 elections. Data was collected using key words like Neopatrimonialism, Ethnicity, Elections patrimonial and legal-rational bureaucratic domination, regimes, rent seeking and integration. Search engines like Mendeley, Google Scholar and JSTOR were used to obtain articles published in renowned journals. The researcher obtained working

papers development partners' reports, Church reports and books to both in PDF and hard copies to get the desired findings. Specific databases related to neopatrimonialism, Church and State and Governance were identified. A total of 30 materials were reviewed by the researcher. Non-numerical data from first-hand observation, in-depth interviews, focus groups discussions, key informants, clergy and state officers was collected in order to generate new knowledge about the phenomenon of interest. Specific to the study, a qualitative methodological framework was adopted in order to collect and analyse primary non-numerical data describing the lived experiences of people who have been protagonists and victims of neopatrimonialism in both Jubilee and ODM/NASA/CORD politics and Church politics.

Other population for this study were various, ranging from Church members of different denominations (Catholic Church, Anglican Church, Africa Inland Church (AIC) and Kenya Assemblies of God Church, one of the old Pentecostal Churches in Kenya. The researcher used phenomenological research method as a data collection strategy because the research focused on the lived experiences of people who have been subjects of the various political and church office bearers and who have experienced the impact of neopatrimonialism on the church and politics in Kenya between 2017 and 2022 elections. Thematic analysis technique was used to analyse data. Particular to this study, the use of in-depth interview led to the collection of large volumes of data hence a manual thematic approach was not used.

3.0 Findings

This section discusses the findings of the impact of neopatrimonialism on the church and politics in Kenya between 2017 and 2022 elections. Specifically, the following will be covered: How political parties and elections has been influenced by neopatrimonialism; how church and church leaders has been influenced by neopatrimonialism; how electing clan leaders is influenced by neopatrimonialism and how accessing funds for development is influenced by neopatrimonialism.

How has Neopatrimonialism Influence Political Parties (by) elections in Kenya?

During colonialism and post-colonialism, there existed leadership that refused to take responsibility for their own failures. According to Ayittey (2018), the native regime that emerged seemed to have been protégés of the former colonial regime for they engineered a paradigm shift towards misguided leadership, poor governance, systemic corruption, capital flight, economic mismanagement, declining investment, collapsed infrastructure, decayed institutions, senseless civil wars, political tyranny, flagrant violations of human rights, and military vandalism, among others. The new generation was successful in ending colonialism in Africa, but birthed a common phenomenon of oppressive system that influenced the voting behavior and election outcomes during every election period. These tyrannies used other strategies as discussed below:

Establishment of defective political economic systems (vampire states of Africa)

The findings observed a constant tread of political elites to try stagnate policy for their personal gain, the regime totally divorces itself from the people so that there is minimal public participation in the development agenda. These pirate state were governed by not technocrats, but *tumbocrats* whose gangster and thuggery leadership approach is a preserve of selves and their cronies and tribesmen (Ayittey, 2018). This kind of arrangement do not give accountability and transparency a chance (Cammack, 2007) provides all avenues of amassing wealth from public funds.

Signing pacts with huge donors in the name of foundations

The researcher found that the politicians had devised witty ways of tax evasion. We shall look at the last two for they relate to how politicians evade taxes and amass dirty money in the name of foundations. The political foundations register their entities with the help of clientelism by the governing party leadership and his immediate followers and they submit a certain percentage to their master for the sake of safeguarding political stability. The foundation chiefs also depend on fiscal resources from the government to “do charity and support the community” while a large percentage is pumped back and distributed through the clientelism logic. This preferential allocation of resources provides the top politicians an opportunity to use state resources to their discretion for political advantage. It is important to note that this clientelism does not involve fiscal resources only, even when regulatory capacity is misused makes multiple and contradictory rules and institutions possible (O’Neil, 2007). These irregularities make it easy to exert power over resources without being too much subjected to scrutiny. A good example was seen in the just dismissed plea by the government to amend the constitution through the Building Bridges Initiative (BBI). The state used millions of shillings for the campaigns going and it caught the state clientelism off-guard when both the high court and supreme courts’ dared to stop the reggae.

Award of favours and positions of influence

The researcher found that for the patrimonial regime to gain power and political capacity, they ensure that they appoint their close followers and cronies so as to continue looting the national treasury and brutally suppress the opposition regime (Ayittey, 2018). The sitting regime determine the economic path of the country, bad or bad. They borrow haphazardly and this can only be made possible whey they award their family members and close allies as ambassadors and chairs of committees who approve their skewed ways. International institutions like the World Bank try to keep these African countries in check compelling them to adhere to democratic principles through sanction threats but these threats have seemed to have little influence over time for obvious reasons – the envoys who go to negotiate these deals are none other than the close allies of the patrimonial regime.

How Has Neopatrimonialism Influenced the Church and Church Leaders?

Christianity has been an important element in Kenya’s personalized patrimonial system. When the Matiba’s and Odinga’s were introducing multiparty democracy in Kenya, some Kenyan clergy tried to challenge the system. From the Anglican Church under Bishops Muge, Okullu, Gitari and Kuria, to Presbyterian’s Njoya and the Roman Catholic Church Hierarchy and this was a proved how easily the Church can influence or be co-opted by the political elite (Gifford P, 2009)

“Christianity began as a personal relationship with Jesus Christ. When it went to Athens, it became a philosophy. When it went to Rome, it become an organisation. When it went to Europe, it become a culture. When it went to America, it become a business.” – Anonymous.

1.1.1 The Anglican Church of Kenya (ACK)

At the height of neopatrimonial regime of the Moi, The ACK produced a fearless church minister who was not afraid to speak the biblical truth as it were, to both the powers that be and to their flock. This clergyman, the controversial Bishop Alexander Muge. He criticized Moi’s autocratic

leadership and fueling of tribal conflict. He would later die in a bizarre road accident which is still shrouded in mystery to this day.

Bishop Gitari's pastoral work involved advocacy for land rights and he continued to call out Moi's government against land grabbing by powerful politicians and other economic injustices. He was also at the forefront protesting against the mlolongo system of voting as opposed to secret ballot. His strong opposition to neopatrimonial practices and unprecedented assassinations of political enemies by the state machineries earned him many foes than friends. In his book, Church and Politics in Kenya chronicles all the autocracies the government was perpetuating on its citizens and he had his personal fears for his life. For example, in the night of 21 April 1989, his house was raided by a group of about 100 thugs who threatened to kill him. The help of his neighbours lead to the bandits' escape.

Bishop Henry Okullu was another politically savvy clergy who was known for his outspoken criticism of the Kenyan government. He was a critic of one-party state and at one time he was quoted:

It was a mistake to make Kenya a de jure one-party state and this decision should be reversed. Power corrupts even a person with the best of intentions in the world. Therefore, power must be limited by fairly acceptable checks and balances.

Bishop Henry Okullu - 1990

At one time KANU bigots and State mercenaries called for his detention, which was considered as the best solution to all the party's critics.

1.1.2 Presbyterian Church of East Africa (PCEA)

The fearless Reverend Timothy Njoya of PCEA is a political activist and clergy who spoke and protested with boldness against the autocracy and brutality of the then President Daniel arap Moi in the 1980s and 90s. In his sermons, he advocated for political and social justice reforms in Kenya. Njoya encouraged his empowered his congregants in his every Sunday's sermons that they had a God-given right to question their government. He said that "nobody, unless mad, should leave his reasoning to another." He would ensure that the congregants got his message by giving them copies of those weekly sermons. Njoya also called up the unequal distribution of wealth and this obviously poked holes on the corrupt politicians who were looting public funds at the detriment of the public. Njoya has seen has paid the price through blood and sweat for his advocacy. At one time he was assaulted by police and would stay unresponsive in intensive care for three days. With the charisma that Njoya had in speaking against the Moi's brutality and corruption, it is evident that his sermons never went down the drain for there emerged activists who were encouraged by such confidence coming from a shepherd of the flock.

1.1.3 The Catholic Church

There are two key persons who spoke against neopatrimonial regime of the Kenyan government without fear: Archbishop Ndingi Mwanaa Nzeki and Fr. Anthony Kaiser. Archbishop Ndingi is revered for his fearless critic of matters affecting the common citizen. He single-handedly challenged the establishment during the infamous Mau-Molo ethnic clashes that rocked Kenya between 1990-1992. Not only did he speak against political neopatrimonialism but also criticized

<https://doi.org/10.53819/81018102t4313>

international NGOs priorities of giving African countries donor aid with a precondition for the practice of abortion and the use of condoms as a solution to the HIV-Aids plague. It is evident that these two outspoken clergy surpassed their pastoral duty beyond human rights advocacy as opposed to the Church with her elaborate voice through powerful pastoral letters. Some clergy have observed that the beginning of a second phase of rift between the sitting government and the opposition came during the referendum, which was technically a duel between two powerful regimes.

Fr. Kaiser preached against corruption by the principle of name-names of corrupt and evil minded leaders. Kaiser courageously went on to do the unpardonable, calling out the then president Moi and exposing his corrupt practices. This earned his summon to the authorities for questioning. The interrogation did not cow him and when the government authorities felt provoked enough, they did the unthinkable. Fr. Anthony Kaiser was assassinated.

Political Saints and Sinners

The researcher found that from the patterns of these two catholic critics of a bad government, one common trait noticeable is the lack of support by the mother Church towards the common cause of criticizing neopatrimonialism. Archbishop Ndingi and Fr. Kaiser ran a one man-advocacy campaign and this is how the government found an opportunity to silence them. The former was transferred from Nakuru so that he does not continue protecting the Molo evictees while the latter was eliminated.

The 2017 presidential elections were tainted with ethnic violence. The bad news was that it was not a new thing as ethnicity has been the most potent predictor of Kenyan voter behavior since 1992 during Moi regime, to 2013 and 2017 presidential elections. During the Kibaki reign, the church leadership failed by supporting one side and this biases exposed its partnership in this despotism. The church should have stepped in to caution against the foreseeable ethnic battle lines that had been drawn out by the mini-election of 2005, which would later escalate into ethnic warfare after the 2007 presidential elections. These church leaders would openly canvass for their political sides to their respective congregations during the Sunday sermons and the climax would be heightened by the leaders' ethnic positions. Post-Election Violence (PEV) did not offer enough lessons for the church, as in 2013, church leaders led their congregants to vote along ethnic lines, again. Same trajectory was observed in 2017! It is unfortunate to note that the political elites have now upped their game by playing the role of generous givers in Churches. The biggest casualty of this trap has been none other than the Catholic Church who have received millions of shillings from one politicians through fundraising drives. The political elites have successfully silenced a once-vibrant group of clergy and now the church cannot speak in one voice and will not condemn institutionalised state corruption because it is fragmented and its leadership across the board has benefitted from that same largesse (Kahura D., 2018).

How electing Clan Leaders is influenced by Neopatrimonialism

The Molo clashes that were witnessed in 1992 and beyond during Moi's regime proved that Kenya's preparedness towards multi-party democracy was unripe. (Triche R., 2013). Unlike before where elites attempted to attain power through pre-colonial relationships which had provided them with financial means, the situation in 1992 led to elites manipulating ethnicity to create in-groups

and out-groups. Moi successfully influenced ethnic mistrust, having learnt from the colonial stereotypes, along with commitment problems and fears, to incorporate other tribes into KANU's support base. Under the pretext of violence and fear, he attempted to garner support under the notion that a vote for KANU was a vote for stability. Politics would forever transform from being entrenched in patrimonial relationships to being based on tribal identities in the form of protection of the tribe themselves as in the case of the Kalenjin, as Moi attempted with his well-organized attacks. Attacks began Rift Valley province and extended to Nyanza and Western provinces and these violent displacements peaked before and after the elections in D1992 and 1997. The idea was to displace and disenfranchise voters and create emergence zones that prevented campaigning so as to assist president Moi and KANU retain presidency (Klopp, J. (2007).

Politics of Land

Land has traditionally been used largely as an important form of patronage among the indigenous elite. As patronage resources continued to dwindle, titles as a form of patronage became a common denominator. Justice Ndugu pointed that a lot of irregular and illegal allocation of land took place during election season in 1992, 1997 and 2002 and this allocation benefited majority of elite actors the list included the president and his family, former ministers, judges, civil servants and military officers. This has been used as a campaign weapon where mass distribution of small pieces of land to the landless and squatters comes as a saving grace and as an exchange for votes. For example, 2017 Jubilee claimed to have "significantly expanded land ownership by issuing 3 million title deeds in the four years since 2013 as compared to 5.6 million title deeds issued. The "Three Million Title" campaign was an overarching campaign tool and this title deed distribution would be conducted during the campaign rallies with all pomp and colour. Akoth S. O. (2011) emphasized that although devolution, with its advantages came with one dark side as it re-emphasized the territorial nature of ethnic identity and tied access to the patronage resources that it has brought to homelands.

How Accessing Funds for development is influenced by Neopatrimonialism

Neopatrimonial ruling regimes do not use legal-rational mechanisms to distribute socio-economic resources to the deserving communities. This observation was confirmed by Cromwell and Chintedza (2005) in their study.

Civil Society and Government Cold War

The emergence of Civil Society Organizations (CSOs) and the addition of more open societies have both worked in favour of enabling environment for NGOs thriving. In a democratic country, this would come as a welcome relief for the government because there would be a development partner to compliment development work of its citizenry. This is not the case with most countries of the global south, because they see CSOs as activists whose work is to monitor and critique the activities of the government. It has therefore been an uphill task every time the government is expected to release its share of development support to the NGO coordination board for onward distribution to the NGOs in the country. These efforts to frustrate the activities of NGOs and CSOs is quite common with neopatrimonial regimes.

Donor relations and donor priorities over beneficiary needs

Patrimonial states have thrown a lot of weight to humanitarian governing bodies in an effort to colonize their activities. Small governing boards steer the world's largest humanitarian organizations and control many of its resources. Yet, these boards and their constitution do not

<https://doi.org/10.53819/81018102t4313>

have local committee members but members from the headquarter countries to which they are legally accountable.

In many instances, NGOs cannot engage with local governments if the national government and the NGO coordination board has not authorised its activities. In cases where the NGO wants to work as a consortium with the government as to address humanitarian issue, the NGO must first submit to the state pirates and give or undertake to give a kickback for any financial contribution extended by the government.

Among the many mandates of NGOs, FBOs and CBOs board members is to strategize to raise and spend funds, hire, compensate senior staff, and set and interpret their organization's mission towards impacting positive humanitarian outcomes. For these NGOs to succeed in their humanitarian activities, the government compels them to have a certain percentage of the board members who have political influence with donors and governments, which may imply that patrimonial governments and organizations prioritize relationships with sources of revenue, regulation, and access, over aid recipients themselves.

Compromised Court Rulings on Revenue Allocation for Development

Neopatrimonialism damages long-term development of democratic accountability in a country by tearing apart the efficacy and integrity of democratic institutions. Many African states. Made a mistake of removing the autonomy of the judiciary away from politics hence that arm of the government has been unable to act independently Nawaz (2008). In Kenya, we have had cases of workers in public prosecutors' and attorney generals' offices, as well as in law commissions and ombudsmen's offices threatened and have unfortunately been compelled to submit to political supremacy. Distinguished judges have been bribed to screw rulings and fail to contest human rights abuse perpetuated against individuals or organizations. The grand graft case of the then Treasury CS in 2019 poked a lot of irregularity and selectiveness with which the suspects were arraigned while leaving out the kingpins who masterminded the diversion of development funding to personal accounts walking free.

4.0 Discussion

This section discusses the findings of the study using four overarching study questions. After the discussion, conclusion will be drawn on how best the leaders can ensure that neopatrimonialism extends the reach of the church and state into geographical and social peripheries across the country, provide short term reconstruction and reconciliation and facilitate communal integration.

When NARC toppled Moi's KANU appointee in 2002, The incoming political leadership did not undertake state restructuring seriously to reflect the interests of the common *Mwananchi*. The new government retained a big chunk of ministries, institutions and policies of the previous KANU regime and hence resulted to autocratic tendencies to muzzle opposition and critical opinions. NARC became intolerant of freedom of association and the free media became another arm of the government which would arm-twisted at the government's will. For example, NARC banned pressure group's rallies who were supporting the Bomas Katiba Watch and the government commissioned the police to terrorize any people engaging in public rallies in July 2004. This atrocity was perpetuated in Kisumu city, the epicenter of the then opposition, ODM. Journalists were not spared in this war. It should be recalled that the late Michuki was very categorical in justifying police brutality on scribes with a statement "if you rattle a snake you will be beaten".

However, the media continued to advocate for freedom with the standard newspaper expressively saying “I have been around for a while, I have seen plenty but I feel there is a deliberate ploy to intimidate and browbeat journalists and editors and the pressure to do so is coming from some ministers. I think that is dangerous and anti-democratic. Ombati, (2005) a Standard Executive Editor had this to say:

*This abuse of office and conflict of interest demonstrates an enigma
of transition without transformation of enabling environment
of political engagement.*

Neopatrimonial regimes are known for undermining the capacity of citizens and just leaders to make and implement policies. The efficiency of the public sector is heavily affected by political interference. There will be no independence of the bureaucrats hence no efficiency. In support of the facts, O’Neil (2007) indicated that the social and political conditions that have necessitated neopatrimonial forms of governance in Africa have therefore also meant that the public sector is vulnerable to informal institutions and practices in ways that have undermined the development of a professional bureaucratic culture.

The researcher observed the complimentary roles which both the church and state play. After independence it is the religious groups that influenced the direction of Kenya’s public affairs. This led to marginalisation of traditional African religions and African instituted churches. Gitari (1989), asserts that this instability in direction and doctrine may have been brought about by the fact that some minority religious groups lack discourses on critical issues such as constitutionalism and human rights making them easy to manipulate.

5.0 Conclusion

The study established that Kenyan politics are not democratic and they have continued to assume neocolonial tendencies. The prerequisite for representative democracy is the realization of institutional guarantees. First, political regimes must have limits with a provision of citizens reserving the right to renew those limits periodically in free and fair elections. Secondly, elections must be based on universal adult suffrage and on genuine choices between alternative political parties. This is a prerequisite that Kenyan politics have not considered all along as it has been seen that parties conduct “forced marriages” for the sake of winning and having individual gains and end up with a messy and noisy divorce which polarizes the perceived coalitions. Thirdly, citizens must be guaranteed the right and freedom of association, expression and eligibility of any citizens who meets the constitutional thresholds of seeking public office doing so without being threatened, intimidated or endorsed by the bourgeois, so goes for aspiring political and church leaders. They should have a right to compete in desired positions freely for support and votes, strengthened by multiple channels of political communication. For all these recommendations to be effective and sustainable, there is need for democratically accountable governmental and religious decision-making institutions, with elected officials free from overriding opponents from unelected officials.

ADVOCACY PLAN

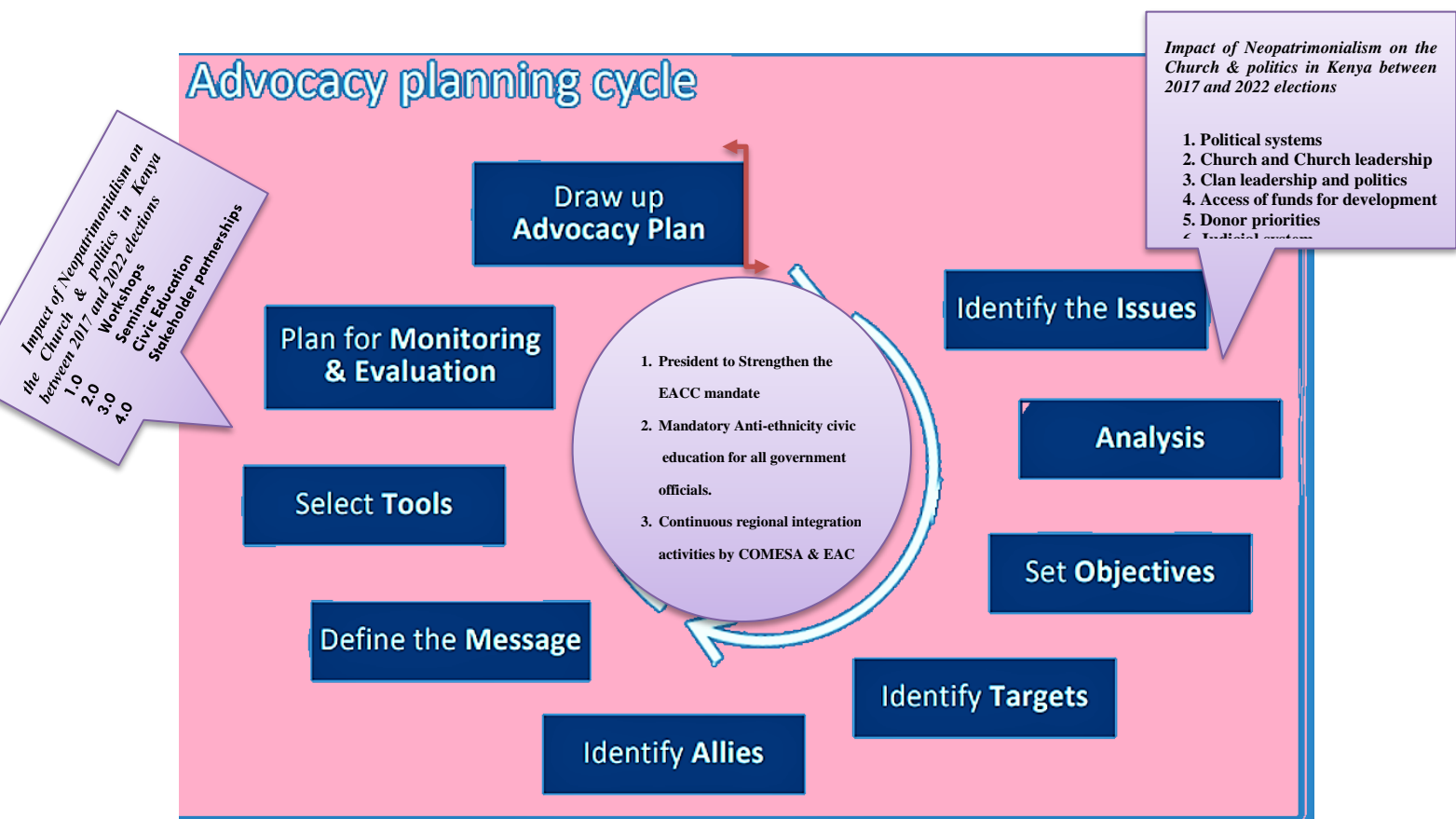


Figure 1: Neopatrimonialism Advocacy Plan (Musyoka, 2022)

Neopatrimonialism and its compounding vices like graft affects a state economic growth and its stability and that is why it needs to be tackled head-on. Many African countries have an anti-corruption body mandated to address issues of embezzlement. The African Union has put corruption reduction among her member states a top priority. However, African political elites have become smarter by using anti-corruption campaigns to legitimize their own corrupt practices (Soest, 2007). The jubilee government continued to promise sustainable ways of fighting corruption in 2013 and 2017 elections and this turned out to be a trump card to gain confidence of the electorates. It will go down history that the highest rate of corruption committed by the Kenyan political elites was perpetuated between 2013 – 2017. (Mahuni et. al, 2020).

There should be deliberate efforts to sensitize government officials to speak about ethnicity so as to change present and future political discourse. By failure to speak against planting the seeds of ethnic hatred, the politicians leave a void which is easily filled up by the malicious politicians who take advantage of the silence and manipulate unscrupulous, misinform and instill fear and anxiety of people so as to create further rift between ethnic communities. Ethnicity needs to be taken into account and become a major subject of public debate even in primary schools so as to educate children and youth the values of cultural diversity. Education should be used as a tool to enlighten the illiterate and also open income opportunities for people who may fall victims of small hand-out to continue propagating ethnicity.

Finally, Regional integration of common markets should be prioritized by the government and all the regional member countries. To make this happen, some countries have embraced the formation of regional trade partnerships to enhance economic growth and maximize the revenues of each member states. The integration of common markets and formation of trade relations has also been supported by regional media houses like the Nation Media Group (NMG), whose weekly newspaper, the East African, speaks a lot about such regional market integration. Common Market of Eastern and Southern Africa (COMESA) and East African Community (EAC) is also doing a lot of activities towards this common market integration.

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