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National Identity and Cohesion in Kenya: A Socio-Political Discourse

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Abstract

Purpose: In Kenya, the sense of national identity and unity, which is intricately intertwined with socio-political dialogue, scholarly works, and everyday conversations, profoundly impacts citizens' feelings of belonging, participation in national matters, and the nation's overall harmony and stability. This study addresses the subtly-avoided topic of national identity and cohesion in Kenya, highlighting its critical role in the nation's stability and advancement.

Materials and Methods: The study triangulated secondary and primary data sources to provide a comprehensive and nuanced understanding of national identity and cohesion. With a sample size of 15 individuals, primary data was collected through semi-structured interviews from a target population of key stakeholders, including policymakers, scholars, and community leaders and refugees. The research uses content analysis to examine the institutional, legal, and policy frameworks regulating national identity and cohesion, revealing significant gaps.

Findings: The research illustrates Kenya's laissez-faire approach towards national identity since independence, which has allowed refugees to assimilate without official government policy. This scenario poses potential risks to national cohesion. Despite policies granting residency to East African Community (EAC) citizens and citizenship to specific stateless individuals, the

refugee and statelessness problem persists. A compelling segment of the study investigates various global and national integration strategies, including laissez-faire, residency, multiculturalism, and satyagraha. The use of Social Identity Theory provides valuable insights into the complexities of national identity and cohesion in Kenya. The research identifies the encampment policy, with its numerous challenges, as a significant threat to national identity and cohesion.

Implications to Theory, Practice and Policy: This study, underpinned by the Social Identity Theory, advocates for transformative measures. It suggests that Kenya should extend citizenship to all refugees and stateless individuals, and diligently uphold the 2010 Constitution, in line with the Supreme Court's interpretation, especially on the question of identity and cohesion. Such actions are crucial in nurturing a united, secure, and thriving Kenya. The research is a pressing call to action, and prompts Kenyans to engage in profound discourse about their identity and unity, urging them to reevaluate and reshape their viewpoints and policies. The study could shed light on the role of socio-political discourse in shaping national identities and fostering social cohesion.

Keywords: *Refugees, Statelessness, Ethnicity, National Identity, and National Cohesion.*

1.0 INTRODUCTION

National identity and cohesion are fundamental aspects of any nation's socio-political discourse. In Kenya, these concepts are deeply entrenched in the country's political discourse, academic writings, and everyday conversations. The importance of national identity cannot be understated - it shapes citizens' sense of belonging, influences their participation in national affairs, and impacts the overall unity and stability of the country. Therefore, understanding the factors that influence national identity and cohesion is of utmost relevance. By applying Social Identity Theory, the study shed light on why individuals may perceive their identities differently, why these differences can pose a threat to national cohesion, and how policy changes could potentially bridge these gaps.

In Kenya, these issues have been brought to the fore by historical events such as the post-election violence of 2007/2008, which highlighted the deep-seated ethnic divisions and the fragility of national unity. Furthermore, the ongoing discussions about constitutional amendments, devolution, and inclusivity in governance have further underscored the significance of national identity and cohesion in Kenya's socio-political landscape.

A shared national identity is crucial for fostering unity in any society. The journey to unity involves crafting a society that embodies harmony and fairness, achieved through national reconciliation, healing, integration, and cohesion. This means that a nation can only realize unity and integration when its people share a common understanding of their national identity, particularly among those who set public policy. Bethwell A.Ogot defines national identity as a shared culture, territory, language, economy, history, and ideals (Ogot, 2012). He notes that Kenya has mainly used ancestry and ethnicity to determine citizenship and therefore advocates for the creation of a unified society centred on equality (Ogot, 2012).

In Kenya, the concept of national identity and unity is rather ambiguous. Drawing from John Paul Lederach's principles of truth, mercy, peace, and justice, PLO Lumumba asserts that truth is a prerequisite for justice and reconciliation in Kenya (Nyong'o, 2007). Professor Anyang' Nyong'o contends that the persistent structural inequality in the country is a legacy of the colonial political economy. This ambiguity manifests itself in two ways. Firstly, it's seen in how Kenyans perceive themselves as a people. Secondly, it arises from the marginalization of certain communities, including refugees and stateless individuals who have resided in Kenya for many years. These two aspects continuously reshape Kenya's national identity.

The discussion about Kenyan identity raises the question: Does a unified Kenyan identity exist? The matter of identity often lacks clarity, whether in political discussions, academic writing, or casual conversations. Kenyans frequently speak about the 'other' in relation to different ethnic communities, but seldom discuss 'us' as a collective Kenyan population. In social media dialogues, phrases like '*wakenya (Kenyans)*', 'this country', or '*sisi wakenya (us Kenyans)*' often come up, especially when broaching sensitive issues, with speakers distancing themselves from these unfavourable aspects. However, the love Kenyans have for their country is evident, such as in the backlash following a 2015 CNN documentary that labelled Kenya as a 'hotbed of terrorism', leading to CNN's apology (Dearden, 2015). Daniel Branch describes Kenya as a nation perpetually oscillating between hope and despair, effectively capturing this dual perception among Kenyans (Branch, 2011). Sadly, the elite often exploit identity as a socially constructed concept for their political gain, which could potentially undermine national unity in Kenya.

The conversation about marginalization is closely tied to the dilemma of national identity. Certain segments of society feel alienated from the nation. To address this, the 2010 Constitution introduced measures like the Equalization Fund to tackle regional marginalization (GOK, 2010). Adding to the complexity of marginalization is the presence of refugees and stateless individuals in Kenya. Stateless communities include those from Burundi, Rwanda, Congo, and Somalia, estimated at 18,500 people (UNHCR, 2022). Additionally, there are approximately 550,817 refugees living in Kenya, the majority being Somalis who have resided in the country for over forty years (UNHCR, 2022).

The discourse around national identity and cohesion is not confined to Kenya, but has regional and global resonance. Countries worldwide are grappling with the challenge of fostering unity amidst increasing diversity, a consequence of globalization and migration. In Africa, countries like South Africa and Nigeria have also embarked on national identity initiatives similar to Kenya's efforts, aiming to strengthen social cohesion and national unity (Adam, July 2000). Globally, the United Nations underscores the importance of inclusive societies for sustainable development, advocating for the engagement of all societal groups, including refugees and stateless individuals, in public discourse and policy-making processes (UN, 2023).

In line with this, there have been several studies conducted on the subject. For instance, a study by the Migration Policy Institute examined the role of national identity in immigrant integration in several countries, including the US, Canada, and Germany (MPI, 2023). Another research focused on how national identity can be a tool for conflict resolution and peacebuilding (Kelman, 2001).

Recent developments indicate that Kenya is taking significant strides in its approach to national identity. In light of these regional and global trends and the ongoing dialogue in Kenya, this study contributes valuable insights and practical solutions that could help shape the future of national identity and cohesion in Kenya and beyond.

The captivating insights from the Social Identity Theory served as the guiding force behind the study. This theory, proposed by Henri Tajfel and John Turner in the 1970s, posits that individuals derive part of their self-concept from their perceived membership in social groups (McLeod, 2023). The theory explains how in-group (us) and out-group (them) distinctions can lead to bias, discrimination, and conflict, which aligns with one's focus on national identity, cohesion, and the potential threats to these due to differing perceptions and policies (McLeod, 2023). Social Identity Theory provides a lens through which society can examine the influence of social categorization (like nationality or resident status) on self-perception and behaviour. It can help explain why certain policies (like laissez-faire integration and residency) might affect national cohesion, and how changing these policies could influence people's sense of national identity.

This paper emphasizes the crucial role national identity plays in fostering national cohesion. It is a call to action for Kenya to consider comprehensive public discourse and policy revisions geared towards unity. By examining public perceptions on national identity and cohesion, the ethnic communities in Kenya, legal frameworks and institutional mechanisms for national identity and cohesion, as well as past integration efforts, it is possible to gain a holistic understanding of the current state of affairs. The engagement of refugees and stateless individuals in this discourse underscores the steadfast dedication to the principle of inclusivity, ensuring no one is overlooked, and how such an oversight could dent national security. Therefore, this research can become a stepping stone towards creating effective integration frameworks that will act as a roadmap to a

more harmonious and united Kenya. Together, citizens can build a shared Kenyan identity that celebrates diversity and promotes social inclusion. The recommendations aim to provide practical solutions to these complex issues, but their successful implementation requires collective action from all Kenyans. It is only through a unified and inclusive Kenya, where each citizen feels a sense of belonging and pride in their national identity, can true nationhood, peace and stability be imagined. The study therefore serves as a crucial element in the ongoing dialogue.

2.0 METHODOLOGY

This research paper adopts a qualitative approach to identify the gaps in institutional, legal, and policy frameworks that impact national identity and cohesion in Kenya. The research methodology involved the collection of primary data through semi-structured interviews, which were designed to complement and support the main source of information, secondary sources. These interviews were conducted to gather insightful information on a range of topics such as immigration, asylum seekers, returnees, and integration efforts. The interviews also focused on understanding the implications of reports from past integration efforts, all significant documents in this field of study. A specific subset of refugees within the country were included in the interview process to ensure a diverse range of experiences and perspectives. The sample size for these interviews was carefully chosen, encompassing 15 individuals, to maintain a balance between depth and breadth in our data collection. Secondary data was sourced from academic writings, policy documents, legal texts, and media reports. This triangulation of data sources provided a comprehensive and nuanced understanding of the divergent perceptions on the notions of national identity and cohesion.

3.0 FINDINGS

Public Pulse - A Spectrum of Views

The public's view on Kenya's national identity and cohesion presents a fascinating embroidery woven from threads of ethnic diversity, social exclusion, and political equilibrium. A deep dive into literature reviews and social media dialogue vividly brings this intricate picture to life.

Andrew Morton's exploration of tribal diversity as a potential destabilizer offers valuable insight into the hurdles that stand in the way of national unity (Morton, 1998). On the flip side, Raila Odinga's rallying cry for a harmonious, united, and thriving nation showcases the possibility of achieving national unity amidst ethnic differences (Odinga, 2013). A standout concept in these discussions is 'negative ethnicity', coined by Koigi wa Wamwere, which spotlights the destructive force of ethnic animosity (Wamwere, 2008). This idea, together with the firsthand accounts of post-election turmoil, amplifies the pressing need for national healing and reconciliation.

Public perceptions also bring to light issues of marginalization. Grace Mutung'u's championing for the inclusion of undocumented individuals in the government's initiative on *Huduma Number* (a unique and permanent personal identification number randomly assigned to every resident individual at birth or registration), underscores the importance of embracing inclusivity (Mutung'u, 2021). The influence of media, particularly social media, in moulding public perceptions is undeniable. Case in point, research indicates that radio broadcasts have had a significant impact on attitudes towards national cohesion.

As Social Identity Theory predicts, these diverse public perceptions could play a critical role in shaping policy direction. They highlight the necessity for policies that foster inclusivity, redress

historical wrongs, and encourage interethnic dialogue. In a sense, the quest for national cohesion in Kenya is a shared endeavour. It calls for the joint efforts of all parties involved - the government, civil society, and the citizens.

Kenya's Ethnic Tapestry - A Mosaic of 47 Communities

Kenya, a nation diverse in its ethnic makeup, is home to 47 distinct ethnic communities as per government records. While the research did not yield a definitive document asserting the presence of 47 ethnic communities in Kenya, a comprehensive analysis of various authoritative records infers that the number of ethnic groups in the country indeed stands at 47. Nevertheless, this diversity significantly influences the identity of its citizens. The first official record of these communities appeared in the 2009 Population and Housing Census which listed 42 ethnic groups (KNBS, 2011). Subsequently, this list was adopted by the National Cohesion and Integration Commission (NCIC) for their Ethnic and Diversity Audit of Commissions in Kenya (NCIC, 2015). These 42 communities include the Suba, Embu, Kamba, Kikuyu, Kisii, Kuria, Luo, Maasai, Mbeere, Meru, Nubi, Samburu, Taita, Taveta, Teso, Turkana, Tharaka, Luhya, Kalenjin, Mijikenda, Swahili, Kenyan Somali, Ilchamus, Njemps, Borana, Burji, Dasanech, Gabra, Galla, Gosha, Konso, Orma, Rendille, Sakuye, Waat, Galjeel, Kenyan Arabs, Kenyan Asians, Kenyan Europeans, Kenyan Americans, Isaak, and Leysan (NCIC, 2015).

Between 2017 and 2019, the number of ethnic communities increased from 42 to 45 when the Kenyan government granted citizenship to the Makonde community and re-categorized certain groups (Citizen TV, 2017) (KNBS, 2019). In this sense, to 're-categorize ethnic communities' generally means to reassess and reclassify these groups based on new criteria or perspectives as revealed by the communities themselves during studies such as the national census. This list now included communities such as Aweer/Waata, Bajuni, Borana, Burji, Dahalo, Dasenach (Dasenach and Merile), Dorobo, El Molo, Embu, Gabra, Gosha, Ilchamus/Njemps, Kalenjin (17 sub-groups), Kamba, Kenyan Somali (9 sub-groups), Kikuyu, Kisii, Konso, Kuria, Luhya (18 sub-groups), Luo, Masai, Makonde, Mbeere, Meru, Mijikenda (9 sub-groups), Nubi, Pokomo, Orma (2 sub-groups), Rendile, Sakuye, Samburu, Suba, Swahili (19 sub-groups), Taita, Taveta, Teso, Tharaka, Turkana, Walwana/Malakote, Wayyu, Kenyan Asians, Kenyan American, Kenyan Arab, and Kenyan European (KNBS, 2019).

Comparing the 2009 and 2019 Census data, it is discernible that several communities have been re-categorized. For instance, Isaak and Leysan were redefined as sub-groups of the Kenyan Somali community (KNBS, 2011) (KNBS, 2019). The Dorobo and El Molo, Bajuni, and Dahalo, previously considered sub-groups of Kalenjin and Mijikenda respectively, were re-classified as separate ethnic communities (KNBS, 2011) (KNBS, 2019). The Ilchamus and Njemps were combined into one community, and the previously listed Galjeel was re-classified as stateless (KNBS, 2011) (KNBS, 2019). The 2019 Census also identified a total of 6272 stateless persons from various origins including Galjeel, Shona, Wapemba, and Pare (KNBS, 2019).

In December 2020, an additional 1,670 individuals from the Shona community and 1,300 stateless persons of Rwandese descent were granted Kenyan citizenship, bringing the total number of recognized ethnic communities in Kenya to 47 (NTV, 2020). Furthermore, in December 2022, President William Ruto hinted at the possibility of granting citizenship to stateless persons of Pemba origin, indicating that this diverse tapestry of ethnic communities may continue to evolve (Citizen TV, 2022).

As Kenya navigates the complexities of its evolving society, it is crucial that the population engages in genuine and meaningful discussions around the influential role of ethnic affiliations in shaping the Kenyan identity. Only then, shall the nation create a space for understanding, respect, and unity.

Journey through Kenya's Legal and Institutional Labyrinth

Kenya's legal and institutional framework paints an intriguing, yet slightly cryptic picture of national identity. While Kenya's Constitution forms the backbone of citizenry definition, it offers no clear-cut elucidation of what it truly means to be a Kenyan. It echoes sentiments of unity, peace, human rights, democracy, and social justice, all while celebrating the nation's ethnic, cultural, and religious diversity. Yet, it leaves readers guessing about the essence of Kenyan identity. Luckily, the Constitution bestows power on various state organs and independent offices, spread across national and county levels. Implicitly, these entities are expected to function with a common understanding of national identity, although this isn't expressly stated.

The National Cohesion and Integration Commission (NCIC), a constitutional body birthed under the National Cohesion and Integration Act No.12 of 2008, shoulders the responsibility of fostering national identity and unity, quelling ethnopolitical rivalry and violence, eradicating discrimination, and promoting national reconciliation (GOK, 2008). However, public sentiment hints at a possibility that the NCIC's interpretation of national identity might be too narrowly legalistic. The criticism revolves around the perception that the NCIC's understanding of national identity could be too narrowly legalistic or confined to the strict interpretation of the law, rather than being more inclusive or expansive in nature (Kaberia, 2013). A good example of this is the NCIC's role in the 2022 General Elections. While the NCIC lauded these elections as being the most peaceful compared to previous ones, it's important to note that peace is just one aspect of national identity. A nation's identity encompasses a broad array of facets including its cultural, ethnic, historical, and social dimensions. Therefore, an overly legalistic approach might overlook these rich nuances that are integral to a comprehensive understanding of national identity. Nevertheless, while the NCIC plays a pivotal role in promoting national cohesion and integration, there is room for it to broaden its perspective and interpretation of national identity, going beyond the legal aspects and encompassing the diverse facets that make up the Kenyan identity.

In its quest for integration, Kenya has rolled out policies like the Sessional Paper No. 9 of 2013 on National Cohesion and Integration, which outlines the Executive's role in bolstering national cohesion (MI&CNG, 2013). Yet, it hasn't ignited substantial public discourse or provided a lucid comprehension of national identity. For instance, the policy emphasizes the importance of diversity representation in public establishments' staff employment, as stated in the National Cohesion and Integration Act. Still, how this translates into a sense of shared national identity among the diverse Kenyan population remains unclear. An example that highlights this gap is the persistent tribalism in Kenya. Despite policies aimed at promoting national cohesion and integration, tribal affiliations often supersede the sense of a unified Kenyan identity. This is evident during election periods, where voting patterns are largely along ethnic lines (Githinji, 2021). Thus, while the policies exist, their impact on fostering a shared national identity needs to be evaluated and addressed further.

For stateless individuals, Kenya has extended citizenship on a case-by-case basis. The Kenya Citizenship and Immigration Act, No. 12 of 2011, provides the blueprint for this process (Kenya

Law Reform Commission , 2022). Since 2017, this law has been instrumental in conferring citizenship to the Makonde, Shona, and stateless people of Rwandese origin.

Regarding refugees, Kenya's stance has seen a transformation. From 1963 to 1991, the nation adopted a laissez-faire approach, welcoming refugees from Uganda, Ethiopia, and Somalia, who could move and work freely, albeit without formal protection rights. This period saw refugee numbers jump from 5,000 to 20,000 (DIS, 2022). However, in 1991, Kenya transitioned to an encampment policy, and by 2006, the United Nations High Commissioner for Refugees (UNHCR) took over refugee management following the enactment of the Refugee Act (Kenya Law Reform Commission , 2006). From 2013 onwards, despite unsuccessful attempts at voluntary repatriation, the encampment policy persisted. (UNHCR, 2014). By 2021, only 23,500 refugees made their way back home, while the government granted residency to 25,000 East African Community (EAC) citizens.

Furthermore, journeying through Kenya's legal landscape, one cannot help but notice the resounding echoes of national identity and cohesion in constitutional matters. Whether it's the authoritative Supreme Court, the influential Court of Appeal, or the pivotal High Court of Kenya, the drumbeat of national unity is palpable in their rulings.

Adding another layer to this complex narrative are independent media organizations like the Nation Media Group. They serve as the nation's scribes, meticulously documenting this transformative journey and playing an instrumental role in shaping Kenya's political evolution.

Crucial Signposts in Kenya's Journey towards Integration

In the vibrant tapestry of Kenya's history, the government's attempts to address identity and national unity have often been catalysed by tumultuous periods rather than tranquil ones. A striking instance is the National Dialogue and Reconciliation of 2008, conceived as a healing balm for the wounds inflicted by the post-election violence of 2007/08. This initiative wasn't just a band-aid solution; it was a springboard that catapulted the nation towards a comprehensive spectrum of reforms aimed at short-term relief and long-term growth.

To encapsulate this fascinating journey, the table that follows offers a snapshot of some of the most impactful initiatives undertaken by the government in its relentless pursuit of national integration. These key milestones mark significant chapters in Kenya's ongoing narrative of national integration and unity. They reflect the country's relentless pursuit of a harmonious, prosperous, and inclusive future.

Table 1: Key Milestones in Kenya's Pursuit of National Integration: A Snapshot

This table provides an insightful overview of the crucial initiatives undertaken by the Kenyan government towards realizing national integration.

Date	Initiative	Summary of Outcome
13/03/2008	Kriegler Report -The Independent Review Commission on the General Elections Held in Kenya on 27 December 2007 (IREC) (IREC, 2008)	This pivotal initiative served as a blueprint for infusing transparency and accountability into the electoral process. Its recommendations were aimed at fortifying national security through fair and transparent elections.
23/03/2008	Waki Report - Commission of Inquiry into the Post-Election Violence (CIPEV) (CIPEV, 2008)	It put forth recommendations to prevent a recurrence of such violence. The Waki Report was a clarion call for peace, unity, and political stability.
22/09/2009	TJRC Report - Truth, Justice and Reconciliation Commission (TJRC, 2013)	Unveiling a darker chapter of Kenyan history, the TJRC detailed human rights violations since independence, offering crucial recommendations for redress and healing.
27/08/2010	Constitution 2010 -First published on 06/05/2010; subjected to a referendum on 04/08/2010 and promulgated on 27/08/2010 (GOK, 2010)	It has been hailed as one of the most progressive constitutions worldwide, with an emphasis on devolution of power and resources. However, it has also faced criticism for being perceived as overly activist
10/06/2010	Vision 2030 - aimed at transforming Kenya into a newly industrializing, middle-income country providing a high quality of life to all its citizen by 2030 through the economic, social, and political pillars. (GOK, 2007)	An ambitious roadmap, Vision 2030 aims to transform Kenya into a newly industrializing, middle-income country offering a high quality of life to all its citizens by 2030. The third pillar of this vision underscores the importance of an issue-based, democratic political system that respects the rule of law and safeguards every individual's right and freedom in Kenyan society.

Each entry signifies a critical chapter in Kenya's ongoing saga of unity, prosperity, and inclusivity, reflecting the country's unwavering commitment to fostering a harmonious future for all its citizens.

A Sanctuary Amid Strife

By April 2022, Kenya has opened its doors to approximately 18,500 stateless individuals and more than half a million refugees, catapulting it to the position of the 10th largest global sanctuary for refugees and asylum seekers, and Africa's fourth-largest (UNHCR, 2022). These displaced

personalities primarily originate from nations like Somalia, South Sudan, Ethiopia, and Eritrea, while the stateless hail mainly from Burundi, Pemba, Rwanda, and Congo.

Yet, these figures may just be the tip of the iceberg. Fuelled by unrelenting regional conflicts, a steady stream of refugees, and illegal immigration made possible by Kenya's permeable borders, the actual numbers could be significantly higher. This evolving situation casts a long shadow on national identity, cohesion, and security. The abuse of Refugee Status Determination (RSD) - the legal or administrative process by which governments or UNHCR determine whether a person seeking international protection is considered a refugee under international, regional, or national law, has woven a tangled web of challenges spanning security, economy, environment, and society (Peaceau, 2016). The illicit acquisition of Kenyan identification documents by many illegal immigrants adds another layer of complexity to this already intricate issue, posing a significant threat to the nation's identity.

The refugee population in Kenya is predominantly concentrated in Daadab and Kakuma, as well as urban hubs like Nairobi, Mombasa, Kisumu, Eldoret, and Nakuru. These areas have witnessed unusually high birth rates during the 2009 and 2019 censuses. In fact, the 2009 Census results sparked controversy due to the disproportionate figures tied to a specific community in the northeastern region, leading to legal battles in the High Court and the Court of Appeal (Muthoni, 2017). The sub-counties affected, located near the Daadab and Kakuma refugee camps, underscore a pressing issue that the nation appears reticent to confront head-on.

As Kenya continues to provide sanctuary to those in need, the study reveals a desperate call to action, a plea for understanding, and a rallying cry for solutions. Only a nation united can address these challenges and create a more cohesive, secure, and harmonious Kenya.

A Closer Look into Integration Frameworks

The study explored a variety of integration frameworks applied both in Kenya and across the globe. These include *laissez-faire*, residency, encampment, citizenship, assimilation, emancipation, hybridity, multiculturalism, and *satyagraha*. Each of these frameworks plays a unique role in shaping how societies manage diversity, foster national identity, and promote cohesion. None is a panacea to integration nor does it serve as an antidote for national cohesion.

The *laissez-faire* framework, characterized by minimal government intervention, has been adopted by Kenya with interesting consequences. While it permits cultural diversity and individual liberties, it has inadvertently led to the absence of a unified national identity, owing to its non-directive nature. Switzerland is a prime example of a successful country that has adopted the *laissez-faire* framework with positive outcomes. Switzerland's multicultural policy promotes the peaceful coexistence of its diverse population. The country is home to four official languages and respective cultural groups: German, French, Italian, and Romansh. Each group largely governs itself in a decentralized political system, demonstrating the country's commitment to diversity and individual liberties (SWI, 2022). Switzerland's *laissez-faire* approach has not led to an absence of a unified national identity. Instead, it has fostered a unique Swiss identity that values neutrality, peace, and respect for diversity. This is evident in its political stability, high standard of living, and ranking as one of the happiest countries in the world (Helliwell, 2020). In contrast, Kenya's adoption of the *laissez-faire* framework, while permitting cultural diversity and individual liberties, has led to the absence of a unified national identity. This difference could be attributed to various factors, including historical, socio-economic, and political contexts. Overall, the examples of

Switzerland and Kenya illustrate that the outcomes of the laissez-faire framework can vary significantly depending on the specific circumstances and implementation strategies in each country. Is it possible that other frameworks could serve Kenya better?

Residency is an integration framework that emphasizes legal residence status (CS Global Partners editor , 2023). It provides individuals with certain rights and responsibilities within a state, although it doesn't necessarily imply full integration into the society. For instance, consider the case of a foreigner who has obtained residency status in the United States through a Green Card (Boundless Editor , 2023). This individual is not a citizen of the United States but is legally permitted to live and work anywhere in the country. The resident status grants them certain rights like owning property, receiving social services, and protection under laws of the United States (CS Global Partners editor , 2023). However, while they can participate in the local economy and enjoy many of the same privileges as citizens, they are not entitled to vote in federal elections and can be deported if they commit certain types of crimes (Swenson, 2022). Furthermore, they might still face cultural, language, or other barriers that hinder their full integration into the American society. This illustrates how the residency integration framework can provide legal status and rights within a state, without necessarily implying complete societal integration (DESA, 2009).

Next is the encampment policy, which refers to the confinement of refugees or stateless persons to specific areas, often resulting in marginalization. This policy can pose significant challenges to national identity and cohesion due to its isolationist nature. One stark example of the encampment policy can be seen in the case of the Rohingya refugees in Southeast Asia. The Rohingya people, hailing from Myanmar, have faced decades of systematic discrimination and statelessness, resulting in a massive exodus towards neighbouring countries like Bangladesh (UNHCR, 2022). In response, Bangladesh has established large and overcrowded camps for these refugees (Barbour, 2021). These encampments, such as those in Cox's Bazaar, are isolated and often lack adequate resources, leading to marginalization (OCHA, 2023). While NGOs provide support, the confinement of the Rohingya people to specific areas hinders their integration into the local community and contributes to a sense of segregation (Barbour, 2021). This scenario underscores the challenges of the encampment policy. While it may provide temporary shelter for refugees, it can also exacerbate social divisions, hinder integration, and pose significant challenges to national identity and cohesion.

The citizenship model focuses on granting full membership in a political community, enhancing a sense of belonging and commitment to the nation. Assimilation, on the other hand, promotes the adoption of the dominant culture by minority groups, often leading to the loss of cultural diversity. A good example of the citizenship model in Africa can be found in South Africa. Post-apartheid, South Africa has made significant strides to foster a sense of unity and national identity. The country's constitution emphasizes the importance of equal citizenship, granting full political membership to all individuals, regardless of their racial or ethnic background (Manby, *Citizenship Law in Africa: A Comparative Study*, 2010). This model has been instrumental in promoting a sense of belonging and commitment to the nation, aiming to heal the divisions of the past. It ensures that all citizens have equal rights and responsibilities, fostering a shared sense of national identity (Melber H., 2020). On the other hand, the concept of assimilation can be illustrated by the situation in Rwanda. In the aftermath of the 1994 genocide, there was a strong push towards creating a unified Rwandan identity. This involved the promotion of the dominant culture and language (Kinyarwanda), and the discouragement of ethnic distinctions (Manby, *Who Belongs?*

Statelessness and Nationality in West Africa, 2016). While this approach helped maintain peace and stability, it also led to the suppression of cultural diversity, as it aimed to erase ethnic differences and forge a single national identity (Manby, *Citizenship in Africa: The Law of Belonging*, 2018).

Emancipation envisages the liberation of marginalized groups from societal constraints, fostering equality and inclusivity. Hybridity encourages the blending of cultures, promoting diversity while creating a shared identity. A notable example of emancipation in Europe can be seen through the Jewish Emancipation in the 18th and 19th centuries. This was a process where various nations across Europe eliminated Jewish disabilities, such as quotas, that had previously marginalized Jewish communities (Britannica, n.d.). This movement marked a significant step towards fostering equality and inclusivity in European society. It's important to note that the process of Jewish Emancipation varied from country to country. For instance, in France, the French Revolution played a pivotal role in granting Jews equal rights as citizens (Britannica, n.d.). In contrast, in other regions, the struggle for emancipation was a more prolonged process, spanning several centuries (Britannica, n.d.). The concept of hybridity can be illustrated by the multicultural nature of cities like London or Paris. Over time, these cities have become melting pots of different cultures due to factors like immigration and globalization (Marotta, 2021). This blending of cultures is visible in various aspects of daily life, such as food, music, and language, and contributes to a shared identity that is unique to these cities. For example, in London, the influence of cultures from former British colonies can be seen in its culinary scene, with dishes like Indian curry and Jamaican jerk chicken becoming part of the city's food identity (Voxmediauser, 2016). This cultural hybridity not only promotes diversity but also fosters a sense of shared identity among the city's inhabitants.

Multiculturalism advocates for the recognition and celebration of cultural diversity within a nation, fostering mutual respect and understanding. From the information gathered, several countries are often cited as successful examples of multiculturalism. Australia is frequently mentioned as one of the world's most successful multicultural nations. Its multicultural success is attributed to Australian society accepting immigration as a nation-building project, leading to a rich cultural diversity that has been embraced and celebrated (Rajadurai, 2018). Brazil is another country recognized for its extraordinary multiculturalism, evident in its mixture of cultures and ethnicities since its early history (Silva, April, 2011). Peru is identified as an exemplary country of multiculturalism, with a highly diverse population coexisting and sharing their unique cultures. In totality, these countries demonstrate how multiculturalism, when embraced and implemented effectively, can lead to a vibrant, inclusive, and harmonious society (Peace Corps, 2023).

Lastly, satyagraha, a concept coined by Mahatma Gandhi, emphasizes nonviolent resistance to injustice, promoting peace and unity. One of the most notable applications of satyagraha was during India's struggle for independence from British rule. Gandhi led a series of nonviolent protests, including the famous Salt March in 1930 (History.Com Editors, 2022). Despite facing severe repression, the protestors did not retaliate with violence. Instead, they remained committed to the principles of truth and nonviolence, eventually leading to India's independence in 1947. Satyagraha is a compelling example of how nonviolent resistance can lead to significant social and political changes. It underscores the power of truth and the potential of peaceful protest in confronting and overcoming injustice.

Each of these frameworks offers valuable insights into possible strategies for managing diversity and fostering a cohesive national identity. Their significance lies in their potential to shape societal

norms, values, and structures in ways that promote harmony and unity. Kenya's adoption of the laissez-faire policy has significant implications for national identity. While this hands-off approach allows for cultural diversity and individual freedom, it has also resulted in the lack of a cohesive national identity. The encampment policy, on the other hand, poses challenges to national identity and cohesion due to its restrictive nature and the marginalization of certain groups.

4.0 CONCLUSION AND RECOMMENDATIONS

Conclusion

This paper investigates why Kenyans, especially those in the public sector, are hesitant to openly discuss National Identity and its impact on National Cohesion. It questions whether a framework exists to guide public conversation on this issue. The study suggests that for National Cohesion to be achieved, a common understanding of national identity is essential. However, since identity is socially constructed and constantly evolving, it often leads to disputes and conflicts.

The research reveals that while the institutional, legal, and policy frameworks addressing national identity and cohesion might be adequate, the problem lies in how national identity is perceived in Kenya as anticipated by the Social Identity Theory. Events like the 2002/08 Post Elections Violence sparked a national dialogue on national cohesion, and the 2010 Constitution provides a framework for tackling related challenges. However, public perceptions on national identity and cohesion are diverse and complex, with many Kenyans eager to engage in discussions on these topics. Many feel excluded and disparaged within their own ethnic communities, sub-groups, or even families.

Since independence, Kenya has taken a laissez-faire approach towards national identity and the influx of refugees. This has allowed many refugees to assimilate into society without official government policy. Despite granting residency to citizens from the East African Community (EAC) region and citizenship to some stateless people, statelessness still poses a threat to national cohesion. The encampment policy, along with issues like illegal immigrants fraudulently obtaining identification documents and altering demographics, presents significant threats to national identity and cohesion. The paper emphasizes the need for public discourse and points out successful framework examples both in Kenya and globally.

Recommendations

To promote national cohesion, the paper recommends that the National Government should consider granting citizenship to all refugees and stateless persons using existing legal provisions in the Kenya Citizenship and Immigration Act, No. 12 of 2011, and permanently close Daadab and Kakuma refugee camps. This will allow the government to take full control of the Refugee Status Determination (RSD) process, redefine national identity, foster national cohesion, and enable a national conversation on identity, cohesion, and regional integration. It also suggests implementing pending provisions of the Constitution, such as the Equalization Fund, and respecting all jurisprudence developed by the Supreme Court on constitutional matters.

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