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**“DYNAMICS AND ESCALATION PROCESS
IN THE KENYAN 2008 POST ELECTION CONFLICT”**



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1. Introduction

Violence that gripped Kenya during the first months of 2008 was sparked by the announcement of the Presidential election results. The results were widely regarded as having been severely manipulated on 30th December 2007. Incumbent President Mwai Kibaki, who leads the party of National Unity (PNU), was announced to have won the election over Raila Odinga, the candidate of the opposition Orange Democratic Movement (ODM). The ensuing violence between supports of the opposing parties went on for several weeks causing over 1000 deaths and displaced over 300,000 persons.

(Litscher, 2008:48)

This paper explores the dynamics and escalation to de-escalation of the Kenyan 2007 post election conflict. Miall, Woodhouse and Ramsbotham (1999:15) contends, that a schematic life-cycle of conflict sees a progression from peaceful social change to conflict formation to violent conflict, then to conflict transformation and back to peaceful social change. The Kenyan 2007 post election conflict is a good example that followed the cycle as propounded by Miall et al. The paper mainly concentrates on the escalation process of the conflict. It is arranged into five main subsections. First, the paper introduces a brief historical background of Kenyan politics as traced by Dagne (2008:8). Second, conditions that encouraged the conflict will be explained in the light of Debraj (2008:163) and Nasongo, Achoka and Wamocha (2009: XXX). Such conditions include: ethnicity, land ownership disputes, constitution and political structural problems, failures of the National Rainbow Coalition government amongst other causes. The main trigger is the disputed Presidential results as observed by Litscher (2008:48).

Third, the paper adapts a conflict escalatory theoretical approach. In this section, the aggressor defender model, the conflict spiral model and the structural change model will be expounded and integrated to the Kenyan conflict. Pruitt and Rubin (1986:92); Anstey (1999:35) and Maiese (2003:2) will be cited in explaining the models. Fourth, the paper will exemplify the dynamic escalation of the Kenyan conflict. A definition of escalation will be provided, followed by key elements of escalation in the Kenyan conflict. Such elements include: increase of issues and demand from small to large and specific to general, shift in tactics from light to heavy and few too many participants (Deutsch 1973:351). Communication and its

implication to the escalation of the Kenyan conflict will also be addressed in the light of (Mayer 2000:9; French & Tillet 2006:21). Psychological escalation dynamics including: emotions, anger, negative perceptions and stereotypes, zero sum-thinking as well as the issue of deindividuation to dehumanisation will also be covered in this section. Last, the paper will provide a brief de-escalation of the Kenyan 2007 conflict.

2. Brief Historical Background of Kenyan Politics

Kenya, a nation of about 36.9 million people, became independent in December 1963 after a prolonged and bloody uprising against, Britain, with over 13,000 casualties (Dagne 2008:8). Kenya resisted the Marxist-Leninist ideologies of 1960s and 1970s. Kenya's first President was Jomo Kenyatta, a Kikuyu by ethnicity like President Kibaki the third and current President. In 1978 Kenyatta died and his Vice President Daniel Arap Moi took over. President Moi governed Kenya under one-party rule until 1992. According to Dagne (2008:9) many non-Kikuyu ethnic groups initially hoped that Moi's Presidency would redistribute the benefits that they felt had unfairly accrued to the Kikuyu under Kenyatta regime.

In 1997, Kenya held its second multi-party elections. President Moi was re-elected with 40% of the votes cast, while nearest rival, Mwai Kibaki won 31%. International and Kenyan election observers said that while there were some irregularities, the results of the elections reflected the wishes of most Kenyans (Dagne 2008:9). In 2002 the opposition formed a stronger coalition, known as National Rainbow Coalition (NARC) that ousted President Moi from power by wide margins. President Kibaki defeated Uhuru Kenyatta, son of the late Jomo Kenyatta the first President. On December 27, 2007, millions of Kenyans went to the polls in Kenya's fourth multi-party elections. They had hopes of strengthening democracy and most important, bringing change in the inequitable resource distribution as well as in ethnic biasness along Ministerial representations.

3. Conditions That Encouraged the Escalation of Kenya 2007 Post Election Conflict

The onset of conflict critically depends on the political system in place (Esteban and Debraj 2008:163). Amongst other issues, the main cause of the Kenyan conflict was imbedded on the political structure of the country and the disputed Presidential election results of December 2007. Litscher (2008:48); Nasongo, et al. (2009: XXX) and Kwaja (2009:41) acknowledges

that, the main trigger of the Kenyan violent conflict was the disputed Presidential election plus the quest for political power of political parties. However, other vital peripheral issues have also been traced and linked to the conflict. Amongst them include: (1) the colonial leadership legacy that encroached into the post colonial government trough, leadership policies that influenced constitution rules and land ownership, (2) the international financial institutions and economic conditionality's that were imposed on Kenya in the 1990s, (3) ethnicity, (4) failures of the National Rainbow Coalition (NARC) government and general problems like high unemployment rates and inequitable resources distribution.

3.1 The constitution and political structure

The Kenyan constitution traces its roots from the colonial era. Some of its policies were inherited from the former colonial leadership rules. Other policies were reformulated by the former leaders to suite their own power monopoly desires. According to Nasongo, Achoka and Wamocha (2009: XXX) in reference to the Ecumenical Centre for Justice and Peace (2003), the first President of Kenya Mzee Jomo Kenyatta, preoccupied himself with constitutional amendments directed at consolidation of absolute [Presidential] powers. For instance, Jomo Kenyatta made the following amendments: first, he reformulated Act No. 28 of 1964 which made the President the head of state, and commander in the chief of the armed forces. Also in the same Act No. 28, the President was given the power to appoint and dismiss Ministers and the vice President without consultations. In addition, the act empowered the President to take away the power of the police service commission and the central land control board among other constitutional office.

Second, Mzee Jomo Kenyatta also reformulated Act No. 16 of 1966 to give the President power of constituting and abolishing offices for the republic of Kenya by making appointment to any such offices and terminating any such appointments. Third, Act No. 45 of 1966 was amended to provide for the printing and issue of the constitution in one document, election of the President by popular vote. Also it linked Presidential and Parliamentary elections. Fourth and the worse amendment that directly influenced the Kenyan conflict was Act No. 5 of 1969. It gave the President mandate to appoint the electoral commission. This act played a big role in triggering the 2007 post election conflict. Alongside Act No. 5 of 1969 was, Act No. 5 of 1975 which was amended by President Jomo Kenyatta to give the President power to pardon persons found guilty of election offences.

Considering the above constitutional reformulations that were in function up to the 2007 elections, Nasongo et al. (2009: XXX) are right to argue that the ultimate effect of the amendments was to dilute the process and practice of democracy. Nasongo et al. observed that through the amendments the Presidency thus acquired imperial powers. Hence, the President wielded power and prerogative to allocate national resources as it pleased him. Being a Kikuyu by ethnic origin, the first President probably favoured the Kikuyu ethnic group in post colonial resources allocation. For this reason, the rest of Kenya communities viewed the Kikuyu ethnic community with envy. Nasongo et al. (2009: XXX) consequently, write that “it may therefore be right to argue that Mzee Jomo Kenyatta (the first President of Kenya) laid the foundation of tribalism in Kenya.” Tribal line differences manifested in ethnicity also triggered the Kenyan 2007 post election conflict.

3.2 Land ownership as a factor that contributed the 2007 Kenyan conflict

Many conflicts in the numerous parts of the developing world can be traced to disputes over land ownership, land use and land degradation (Amman & Duraiappah 2001:1). Giving examples of the social unrest witnessed in Guatemala (Murga, 1997), Nicaragua (Pawelson & Stock, 1990), Kenya (Kanyinga, 1998; Okoth-Ogenda, 1996), South Africa (Bullard and Waters, 1996) and India (Conroy et al., 1998), Amman and Duraiappah argue that all the above disputes had common themes: land ownership and rights of use disputes, polarisation of economic and political institutions by a small elite and privileged class, and degradation of natural resources. Factors that leads to, growing inequality and poverty among certain communities. Despite the fact that Amman and Duraiappah (2000:1) are referring to the first and mild land disputes that took place in the Rift Valley Province of Kenya, in the late nineties. The recent 2008 conflict that affected the whole Kenyan nation was also highly attributed and influenced by the former land disputes that were not resolved satisfactorily.

Amman and Duraiappah (2001:1) elaborates the origin of land disputes by drawing attention to the evolving theory of institutional failure and information asymmetries among communities. The theory by North and Bates propos, that the indigenous land ownership and land use systems were dismantled and replaced by the private land ownership systems by colonial powers. The best lands were reserved exclusively for the colonists while the marginal lands were left to the indigenous populations.

With the arrival of the independence, the land previously owned by the colonists was distributed by the new governments. In some countries the distribution was equitable, while in others [for instance Kenya] a similar process of exploitation condoned by the colonists continued, but with the privileged classes taking advantage of the distribution programme (Amman and Duraiappah 2001:1). Even where, there was equitable distribution programme implementation, the initial distribution patterns quickly collapsed with special groups buying out the poorer land owners, usually at a very low prices. Many of these land owners either moved to the cities in search of employment or moved into marginal agricultural areas. The latter movements began a whole new process of environmental degradation as marginal lands came to be used intensively at rates far beyond the capacity of these areas.

The latter scenario led to increasing levels of absolute and relative poverty together with a widening equity gaps that established a rich environment for social unrest and consequently latent conflicts. Amman and Duraiappah (2001:1) are right to states that “pushed into a vicious spiral and seeing no solution, many of the marginalised groups resorted to demonstrations which were often violent, causing casualties and damage.” Amman and Duraiappah views portray a typical example of what happened in Kenya in the end of year 2007. As the 2007 post election escalated, an emerging issue that arouse was the fact that the indigenous inhabitants started to claim their ancestral lands.

Litscher (2008:48) concur with the above views by observing that, “one important root causes of the 2007 conflict in Kenya was insecurity in the case of Kenya’s land property rights.” Litscher further comments that, according to Senior Property Rights and Land Tenure Specialist Gregory Myers at the US Agency for International Development, the Kenyan government has for a long time annexed large areas of land under customary tenure, typically without informing or consulting the customary tenants. Such circumstances are the ones that triggered the 2007 Kenyan conflict since people thought that with liberation of a new government then land reform would take place. In addition, Litscher (2008:48) recounts that under President Jomo Kenyatta, the first President, a Kikuyu by ethnicity, the traditional owners of the annexed land were mostly Kalenjins. This explains why the 2007 conflict was more pronounced between the Kalenjins and the Kikuyu tribes respectively. This problem was aggravated with the fact that the legal system had continually failed to resolve land disputes or secure customary tenant’s rights to their land. Consequently, causing deep rooted

tensions that had ethnic dimensions and turned violent on a large scale after the disputed Presidential elections results.

3.3 Ethnicity

Quoting Jinadu (2007b), Kwaja (2009:042) and Litscher (2008:48) concur that politics in Kenya in the run up to the 2007 elections was no doubt influenced by ethnic concerns; voters, parties and policies were distinctly placed along ethnic cleavages. The incumbent, Mwai Kibaki, was a Kikuyu by ethnicity and his main rival-who is the front-runner-Raila Odinga, was a Luo. The Kikuyu ethnic group had been seen to have benefited both during Mzee Jomo Kenyatta regime and in Mwai Kibaki's era. All other ethnic groups that were represented by Raila Odinga ganged against the Kikuyu ethnic group. Justifying Kwaja (2009:039) argument that a central feature of the postcolonial state and society in Kenya is, its fragmentation along ethnic-fault-lines. This led to a perception that other ethnic groups apart from the Kikuyu ethnic, have been discriminated against in terms of access to political power and equitable distribution of economic resources.

From independence in 1963 under the leadership of Kenyatta, ethnic manoeuvring and mobilization has been an instrument for power politics in Kenya, (Munene in Kwaja 2009:039). Munene explicitly describes ethnicity background in Kenya. He notes that ethnicity in Kenya is tied in complex and contradictory ways to the enduring legacies of uneven regional development. During colonial rule Central Kenya, the home land of the Kikuyu, became the heartland of the settler economy. While Nyanza the Luo homeland, Western Kenya and part of the Rift Valley languished as a labour reserve that furnished both unskilled and educated labour to the centres of colonial capitalism. Consequently, the Kikuyu bore the brunt of colonial capitalist dispossession and socialization. In addition, they were in the vanguard of the nationalist struggles that led to decolonization. Hence, they came to dominate the post-colonial state and economy. According to (Munene in Kwaja 2009:039) capitalist development and centralisation of power reinforced domination of the Kenyan economy by the Central Province and the Kikuyu ethnic group. This process withstood the twenty-four year reign of President Moi, a Kalenjin from the Rift Valley and was reinvigorated under President Kibaki's administration.

From Kwaja's view it is vivid that ethnicity is deeply grounded in Kenya. It unfolds in the political struggle, search for neo-colonial liberation, the desire for justice and equitable

resource distribution. Such are the circumstances that elicited violence in the Kenyan 2007 post election conflict. Kwaja (2009:041) substantiates the above argument by quoting the Human Rights Watch investigation that revealed that; “after Kenya’s disputed elections, opposition party officials and local elders planned and organized ethnic based violence in the Rift Valley, Western and Nyanza Province.” The attacks targeted mostly Kikuyu and Kisii people in and around Eldoret and Kisumu towns. Majority of other ethnic groups ganged against the Kikuyu and Kisii ethnics, escalating into the worse ethnic violence that Kenya had ever encountered.

3.4 The international donor conditionality imposed during President Moi regime

In the light of Nasongo et al. (2009: XXX) President Daniel Moi perfected the art of autocratic rule in Kenya. Inheriting Jomo Kenyatta’s ruling dogma that were directly uprooted from the colonial leadership, President Moi perpetuated ethnicity during his 24 years tenure by electing Kalenjins to positions of authority. Inequitable resource division was also evidenced during his term. Corruption sky rocketed while the economy sunk to the lowest level, recording 0.3 growth rate in the year 2000 (Nasongo et al. 2009: XXX). Majority of Kenyan’s felt deprived and discriminated. Hence, they always desired a change through election in hope of neo-colonialism liberation. The desire for change became part and parcel of the majority Kenyan’s. And with time coupled with the emergence of the multiparty system; Kenyans learned their rights and could fight for what they knew was right.

Nasongo et al. (2009: XXX) also contends that the international donor conditionality’s imposed on Kenya in 1990 was a contributor to the 2007 conflict in Kenya. In reference to Somerville 2002, Nasongo et al. observes that, the International donor conditionality’s imposed on Kenya in the 1990s regarding structural adjustment; cost sharing; retrenchments; liberalization of pricing policy and employment freeze as measures to grow the economy ushered great suffering to the vulnerable groups, exacerbated unemployment, and raised poverty to acute levels. The only solution thought of by the majority was only linked to regime changes and voting in of performing candidates. Thus, the poor, unemployed and desperate Kenyan who invested their hope in change of regime through the ballot box were acutely frustrated with the outcomes of the disputed Presidential election that was to accompany a positive economic change. The ultimate outcome was violent conflict.

3.5 Failures of the National Rainbow Coalition (NARC) Government

The NARC government, governed by President Mwai Kibaki and which was in place by the time of 2007 post election violent conflict, failed to deliver what it had promised Kenyan citizens. During the 2002 general elections, the country was ripe for leadership change. Voters overwhelmingly voted in the NARC government with Mwai Kibaki becoming the third President of Kenya. “NARC promised to rectify all the historical anomalies and injustices visited on the nation by previous regimes” (Nasongo et al. 2009: XXX). As such, Kenyans looked forward to a kind of second liberation. However, this was not forthcoming in the aftermaths of 2002 elections.

Nasongo et al. (2009:XXX) gives the following examples of failures: First, the promised constitutional review was held captive by conservative power players, leading to a constitutional draft document that was rejected at the 2005 referendum second, the Anglo leasing scandal (an economic crime) was committed by high ranking key players in the government, further aggravating the hopes of ensuring zero tolerance to corruption as promised by the NARC government and third ethnicity reared its head with the entrenchment of the interests of ethnic communities associated with Mount Kenya [a Kikuyu and Gema ethnic region]. The rest of the communities felt excluded from the centre of government including core resources development. Hence, causing a boiling latent conflict that exploded during the disputed Presidential election. In addition, Nasongo et al. (2009: XXX) observe that the pre 2002 general election Memorandum of Understanding between President Kibaki and Honourable Raila Odinga was ignored leading to a schism within NARC where the Liberal Democratic Party (LDP) teamed up with Kenya Alliance of National Unity (KANU) to frustrate the government.

Another failure of the NARK government was revealed in the perceptions that the draft constitution was meant to enhance the imperial powers of the Presidency (Nasongo et al. 2009: XXX). As a result LDP and KANU were able to rally the county to vote against the government supported draft constitution during 2005 referendum. Having lost the referendum, President Mwai Kibaki reacted by dissolving and reconstituting the cabinet in exclusion of the Orange Democratic Movement (ODM) politicians. As a result, events leading to the 2007 general election witnessed high voltage campaigns by the ODM to remove President Kibaki from Power. This induced more tension in the country and anxiety of a revolutionary change that ripened the 2007 post election violent conflict.

4. Escalatory Theoretical Approach

This paper adapts three escalation theoretical models in discussing the Kenyan conflict. The aggressor defender model, the conflict spiral model and the structural change model will be applied.

4.1 Aggressor defender model

According to Pruitt and Rubin (1986:92) the aggressor defender model describes a state where by on one hand, one party is active in perusing its ends, escalating its use of contentious tactics progressively as its efforts are frustrated. While on the other hand, the other party only reacts, increasing levels of response in accordance with the activity of the aggressor. In this regard (Anstey 1999:35; & Maiese 2003:2) agrees with the same opinion. Maiese (2003:2) argues that in the aggressor-defender model, the aggressor is viewed as having a goal that places it in conflict with the defender. The aggressor begins with mild tactics and moves to heavier tactics with the failure of mild strategies. The defender responds, escalating its efforts in response to the aggressor's escalatory actions.

It is important to note that while aggressor-defender model reflects some cases of escalation, suggesting that escalation moves simply in one direction, with the defender always reacting to the aggressor's action, in many instances escalation is better understood as a circular process in which each side reacting to the other's behaviour (Maiese 2003:2). However, this does not mean that the aggressor defender model is limited in explaining escalation. Pruitt and Rubin (1986:98) contend, that many escalation cases exhibits the aggressor-defender process.

Impacts of the aggressor-defender model can be traced in the Kenyan 2007 conflict. The 'aggressor' being the PNU party that was holding the governmental machinery and hence, had a strong political muscle spearheaded with President Mwai Kibaki who had an ultimate goal of being re-elected and maintaining power. The 'defender' was the ODM party always responding to the moves, tactics and actions taken by the PNU party and hence, escalating the conflict. A good example is observable when the PNU part aggressively maintained that it had worn the Presidential elections. The ODM party, 'the defender' kept on coming up with new defensive mechanisms day after day. First, they wanted a re-run of the Presidential election and later, they proposed for a coalition with executive premiership held by Honourable Raila Odinga. They wanted a Prime Minister who holds strong powers than the

President. After a month of push and pull in the aggressor-defender scenario, in late February 2008 Honourable Odinga accepted to be the Prime Minister and the leader of government business (Dagne 2008:1).

4.2 Conflict spiral model

Conflict spiral model by Pruitt and Rubin 1986 contends that, escalation results from a vicious, self-reinforcing circle of action and reaction between the adversaries (Anstery1999:35; Maiese 2003:3 & Jeong: 2008:159). Mischel and Desmet in Deutsch and Coleman (2000:266), terms the condition as a situation accompanied by spiral of reciprocal provocations. Hocker and Wilmot (2007:21) assert that escalatory spirals are characterised by: a heavy reliance on overt power manipulation, threats, coercion, deception and self-perpetuating misunderstandings, discord, and destruction. Because each reaction is more severe and intense than the action that precedes it, each retaliation or defensive action in the spiral provokes a new issue or grievance. These dynamics explains the movement from lighter tactics to heavier tactics, as well as the expansion of issues in conflict (Maiese 2003:3). Anstey (1999:35) further observes that the spiral may be retaliatory (punitive) or defensive (self-protective) in character. And, unlike the one-way flow of the aggressor-defender model, the conflict spiral model, is a two-way causation process, each party reacting to the action of the other. However, Pruitt and Rubin (1986:98) maintain that conflict spirals should not be seen as an improved version of, or replacement for the aggressor-defender model. In controversies where an aggressor-defender analysis is useful, the conflict spiral model frequently provides additional insights.

In a retaliatory spiral, each party punishes the other for actions it finds hurtful. It is driven by blame, anger and vengeance (Jeong 2008:159). This leads one party to blame the other for harm suffered, and to desire punishment. While in a defensive spiral, each party reacts so as to protect itself from a threat it finds in the others self-protective actions. Retaliatory spirals are typically driven by blame and anger, while defensive spirals are driven by fear (Maiese 2003:3). It is also vital to note that retaliation may be in response to events of the distance past, or to the opponent's most recent atrocious acts (Maiese 2003:3) quoting Bartros and Wehr.

Both retaliatory and defensive spirals were evident in the Kenyan conflict. An upward retaliatory spiral could be seen on one side, when President, Mwai Kibaki declined to sign the

MOU in 2005. The Raila camp in resentment retaliated by defecting from the coalition that they had formed with President Kibaki. On the other side President Kibaki retaliated by appointing a new cabinet that sidelined the Raila camp from Ministerial appointments. This further escalated the situation calling for a constitutional referendum as the retaliatory spiral continued to escalate. Spiralling ignited new issues as ethnicity, tribalism and corruption that worsened the situation by the time of general elections. This fulfilled Jeong (2008:159) argument that, "in a mutually damaging interaction, a growing list of grievances is further expanded, while each retaliation action stirs a new provocation."

Defensive spiralling could be traced when the ODM party under the leadership of Raila Odinga discovered that the PNU had won Presidential elections unjustly. The ODM supporters were plunged into violence to protest against the PNU government that was reportedly supported and defended by the Kenyan security forces (Dagne 2008:7). As the defensive escalatory spiralling gained ground, the ODM party had no choice than to seek more protection from the African Union, Human Rights organizations and the United Nations Organisation. President Kibaki on anticipation of violence and Presidential results disputes, he hurriedly arranged for his swearing in as the elected President on 30th December 2007 after 5:00pm East African time, despite the fact that international and domestic election observers had declared the election as rigged and deeply flawed (Dagne 2008:3; Kwaja 2008:43 & Nasongo et al. 2009:XXX). To the PNU party and its President Mwai Kibaki, it was a defensive mechanism of maintaining power. However, this action spiralled the situation escalating into; violent conflicts, recorded death of over 1200 people, 350,000 Internally Displaced Persons (IDPs) and property of enormous value destroyed (Nasongo et al 2009:XXX).

4.3 Structural change model

According to the structural change model; the experience of conflict and the tactics used to pursue it produce residues that affect, change the parties and communities involved (Pruitt & Rubin in Maiese 2003:3). Kriesberg and Thorson (1991:45) are of the opinion that, conflicts can be structural or non structural. If structural, conflicts may be concerned with change in, or maintenance of existing political, economic, social or other systems. In the light of Anstey (1999:35) the structural change model builds on the conflict spiral model, arguing that conflictual tactics produce residual changes in the parties, consequently encouraging further escalation. Quoting (Pruitt & Rubin 1986:92), Anstey (1999:35) observes three types of

changes in conflict situations: psychological, group and community changes. As the conflict escalates, the issues in contention between the adversaries also proliferate. Emerging issues are vital in conflict analysis. This justifies, Rubin, Pruitt and Kim (1994:82) argument that the structural change model has the unique ability to explain why escalations tend to persist and recur.

The Kenyan post election conflict was accompanied with several structural changes, both in the contending political parties, in the community, and in the psychological feelings of the whole Kenyans and the political leader. Structurally, three years before the peak of escalation and after the announcement of the disputed Presidential results, party's mergers and defections were evident. Initially the Raila camp was in a coalition with President Kibaki's party, but after the negligence of the MOU, the Raila camp defected and merged with William Rutto lead KANU party, forming the strong majority ODM party. During the post election violence the splitter party from ODM, (ODM Kenya) lead by Kalonzo Musyoka merged with President Kibaki's PNU party. Kalonzo had been promised the post of a Vice President which he holds up to the moment. The structural changes in the parties divided the country into ethnical groups, a factor that escalated causing ethnic violence that left over 1200 people dead.

Structural changes also occurred in the Kenyan society, and with the escalation, the changes spread to the neighbouring countries. Dekha (2008:4) writes that within three days Rwanda, Burundi, Eastern DRC, Congo, South Sudan, Somalia and Uganda-all were paralysed economically since they depend on the Kenyan Mombasa sea port for business and it was paralysed with the violent escalation of the disputed Presidential results. Internally, Woods (2008:2) notes that the Kenyan economy that had grown by 6.5 percent in 2007 was again destroyed within days. Socially, other ethnic groups refrained from interacting with the Kikuyu ethnic group. Psychologically, all Kenyans were disturbed, a condition that triggered negative perceptions against the Kikuyu ethnic group and aggressive violent behaviour.

5. The Escalation of Kenyan Conflict

In a report entitled "countdown to deception: 30 hours that destroyed Kenya" a group of election observers described the severe manipulations at the tallying centre in Nairobi's Kenyatta International Conference Centre: For some constituencies, a turnout of over 100 per cent was claimed, and the results accepted. From other constituencies, results were announced

without any documentation. Observers even witnessed results being made up regardless of the reports from certain constituencies. It was also reported that officers in charge of bringing the results to Nairobi had been threatened. A few hours before the announcement of the final results, all party agents and observers were evicted from the building. Within less than an hour of the public announcement of the election results, Mwai Kibaki [a Kikuyu by ethnicity] was sworn in as President.

(Litscher 2008:48)

This section discusses the escalation of the Kenyan conflict. The above quotation by Litscher (2008:48) features the events that triggered the escalation to the peak. Before getting into how the conflict escalated, it is important to define and explain the concept of escalation. And then, connect it with the Kenyan context. Escalation refers to an increase in the intensity of a conflict and in the severity of tactics used in pursuing it. It is driven by changes within each of the parties, new patterns of behavioural interactions between them, and the involvement of new parties in the struggle (Kriesberg 1998:24; Miall et al. 1999:15; Fisher in Deutsch & Coleman 2000:173; Maiese 2003:1; Zartman & Faure 2005:3). Jeong (2008:157) sums up by stating that, "escalation is characterized by an increase in quantity, intensity, and scope of coercive exchange among protagonists."

Brecher (1996:215) at length observe that escalation has several meanings in the context of crisis, conflict and war. To some it is a pre-war process that leads to war; for others it is an intra-war process that enlarges the scope, increases the intensity, or crosses a limit, of an on-going war; and for a few the concept has even broader application, extending across the spectrum from non-violent crisis, through conventional war, to total nuclear war. However, Brecher sums up the various definitions and asserts that escalation refers to three distinct processes: (a) change from embryonic to full-scale crisis; in terms of stress, from low to peak stress; (b) change from non-violent to violent crisis; and (c) change from no/low violence to severe violence.

The Kenyan conflict was a destructive conflict. Hocker and Wilmot (2007:16) contend that "nowhere can we more clearly see the interlocking effects of moves and countermoves than in destructive conflicts." Adversaries threaten and try to damage each other, develop hostile attitudes and conflicting behaviour leading to an increased magnitude in conflict and drawing in other parties (Kiesberg 1998:24). The moves and interpretation of each party influences those of the opponent party. Consequently, the conflict grows in size and intensity. An

increment in conflict is evidenced by increased intensity of negative attitudes towards the adversary. Silence and conflict issues increase (Maiese 2003:1).

For instance in the Kenyan conflict towards the general election tension increased between the ruling party PNU and the opposition party ODM. Besides this, tension also mounted between the leaders of the two parties and the ethnic origin of both President Kibaki and Honourable Raila Odinga. A single issue of Presidential election turned to multiple issues like ethnicity, call for land and constitutional reforms, and resource allocation inequalities amongst others. The cost of the conflict increased as well as the number of parties involved. United Nations, African Union and other donors had to step in. Threats, coercion and deception became a major characteristic of the adversaries.

5.1 Key elements of conflict escalation in the Kenyan conflict

According to Pruitt and Rubin (1986:3) and Anstey (1999:39) the following transformations occur in conflict escalation: First, contending strategies shift from light to heavy tactics. What starts as a small conflict over a specific issue grows into a large, engrossing conflict over a number of issues. Second, the issue involved shift from the specific to general and third, the parties' goals change from doing well for themselves, to winning, to harm the other side. Last, the number of participants swells.

5.2 Issues and Demands

Small > Large

(Pruitt & Rubin 1986:3); Anstey (1999:39) and Jeong (2008:154) agree that limited issues proliferate as people tend to take sides on the issues. Parties become more polarised and more absorbed in the struggle. Polarization, a process that causes neutral parties to take sides in a conflict causing the adversaries to take increasingly extreme positions that are opposite to each other (Maiese and Norlen 2003:1) unfolds as the issues and demands increase. In this regard, Fisher in (Deutsch & Coleman 2000:175) argue that other players, initially outside the conflict, are drawn into coalitions that increases the intensity of the conflict while eliminating neutrals who serve as useful third-party in resolving the conflict. Trust and respect diminish, while distorted perceptions and simplified stereotypes emerge.

Considering the Kenyan situation, one of the specific initial issues was implementation of a Memorandum of Understanding (MOU) between President Kibaki and Honourable Odinga. In the MOU Odinga was supposed to a Prime Minister with executive powers. However,

when this issue was rejected by President Kibaki, other more pressing issues and demands emerged. The issue of constitution review emerged with the ODM party demanding a constitution that would reduce Presidential powers. Related to the latter issue, ethnicity and unequal resource distribution also prevailed. This increased latent tension between the Kikuyu ethnic and the other ethnic groups. Unequal power distribution manifested in the rejection of the MOU by President Kibaki, fulfilled Folger, Scott and Stutman (2001:152) observation that, power endorsement influences: social categorization, the mystique of power, value attached to certain resources and the degree to which they are used. All these factors brought up new issues in the conflict.

Specific > general

Concrete, specific demands develop into grandiose, all encompassing ones of a generalised nature as the conflict escalates. Also, there is a movement to a general deterioration in the relationship (Anstey 1999:37). The concrete specific demand was the signing of the MOU between President Kibaki and Honourable Raila. However, this demand was generalised escalating into demands of a new constitution with reduced Presidential powers. This scenario, generally made other ethnic groups in Kenya to hate and gang against the Kikuyu ethnic group that was viewed as favoured by the President. As a result, it was generalised that President Kibaki's government was corrupt and incompetent. This boiled up the political climate in the country, which later escalated during the 2007-disputed Presidential election.

5.3 Shift in Tactics

Doing well > Winning > Hurting the other

Anstey (1999:39) paraphrasing Deutsch 1973 observes that, as conflict escalates, so there is a shift from problem solving, persuasion and conciliation toward an increased reliance on strategies of power and the utilization of coercion, treats and deception. A "win-lose" belief develops in the competitive process of escalation (Anstey 1999:39 & Jeong 2008:157). Consequently, parties focus their efforts on maximising their own power while trying to minimise that of the opponents. As escalation continues the costs mount up while, parties goals tend to shift with an ultimate intention of hurting each other.

In the Kenyan 2007 conflict, on one hand the PNU party using the supreme Presidential powers, and neo-colonial constitutional policies sidelined ODM parliamentary members in allocation of Ministerial posts. This was a tactic to punish and deindividuate (categorized

as members who deserve inhuman treatment) the ODM members by reducing their participation directly in governmental issues and the cabinet. On the other hand, the ODM party invested most of its time exposing the failures and corruption, which was gaining its roots in the PNU party. Through the ODM campaigns, the deprived ethnic groups were informed of the failures of the PNU party, a strategy that de-campaigned PNU party and reduced its credibility. The PNU party had its side of the coin as the party in power and hence, it thought it was adjudged to win the elections. On the other side of the coin the ODM after exposing the failures of the PNU to an overwhelming majority also was sure of winning the general elections after making it in the referendum.

Light > Heavy

At the onset of the Kenyan conflict, the issues involved were very light. Just by signing the MOU President Kibaki would have saved the future escalation that arose. During the entrapment period, (a decision making process whereby individuals escalate their commitment to a previously chosen, though failing, course of action in order to justify prior investments), (Deutsch 1973:153 & Maiese 2004:1) shift and tactics used by the PNU and the ODM were very light in nature. However, after the announcement of the controversial Presidential results, tactics changed to use of heavy arms and violent methods. The PNU party used the administration police force to threaten the officers in charge of electoral results. For instance, a few hours before the announcement of the final Presidential results all party agents and observers were evicted from the tallying centre (Litscher 2008:48). It was a forceful tactic that saw President Kibaki sworn in as a President within an hour after announcement of the disputed results. The ODM party felt deprived of their persisting needs and as Spittaels and Hilgert (2008:9) quotes Azar, "in the worst case, persisting needs lead to frustration, frustration leads to aggression and aggression leads to counter aggression." This pushed the opposition party officials and local elders to plan and organized ethnic based violence in the Rift Valley targeting mostly Kikuyu and Kisii people (Kwaja 2009:041). 1000 people were reported dead and over 300,000 displaced. Figures that were documented though, undocumented figures are even thought to double the above numbers.

Few > Many

As a conflict emerges, it becomes a conflict formation. Parties' interests come into conflict and the relationship they are in becomes oppressive and more evident to others. Adversaries then organise around the conflict structure to pursue their interests as they seek alternatives.

According to Miall et al. (1999:15), adversaries develop hostile attitudes and conflicting behaviour. And so the conflict formation starts to develop, swell and gain attention. As it does so, it may widen, drawing in other parties, deepen and spread, generating secondary conflicts and parties within the protagonists or among outsiders who get sucked in. Jeong (2008:154) holds that, increase in conflict intensity brings about an expanded scope of participation that engages more people. There is often the formation of alliances and coalitions (Kriesberg 1998:173& Fisher in Deutsch & Coleman 2000:175).

The Kenyan conflict did not evade the above escalatory process. At the initial stages, only two parties were involved. On one hand, there was the ODM party and on the other hand was the PNU party. However, when the dispute over MOU arose, escalating the latent conflict, the ODM party merged and formed a coalition with KANU lead by Honourable Ruto. Nearing the 2007 elections, a splitter party from ODM named ODM Kenya, and lead by Honourable Kalonzo Musyoka formed a coalition with PNU fulfilling Kriesberg (1998:173) argument that, coalition are formed as conflict escalates. Also, as the conflict escalated into violence, more secondary parties were drowned into the conflict. According Litscher (2008:49) third parties, got involved to mediate the conflict. They included: a Panel of Eminent African Personalities from the African Union and consisted of former United Nations secretary general Kofi Annan, former Tanzania President Benjamin Mkapa and Graca Machel, President of the Foundation for Community Development (FDC), members from the Geneva – based centre for Human Dialogue (HD), a group known as Concerned Citizens for Peace (CCP) and on 18th February 2008 the United States Secretary of State Condoleezza Rice stepped in. Ban Ki Moon, the secretary of United Nations had to travel to Kenya to evidence the signing of the Peace Accord.

5.4 Communication

Mayer (2000:9);French and Tillet (2006:21) agree that communication can provoke a conflict. Humans are very imperfect communicators and conflicts frequently escalate because people act on the assumption that they have communicated accurately when they have not (Mayer 2000:10). In addition, Mayer observes that, it becomes harder for individuals to communicate about complex matters, particularly under emotionally difficult circumstances. The greater the duress a person is under the harder it is for him or her to communicate and often the more important it is as well (Mayer 2000:10). When the Kenyan 2007 conflict escalated, communication played a major role. Propagandas prevailed trough

communication and it became difficult to tell who the real winner of the disputes Presidential elections was. Fulfilling Deutsch (1973:153) argument that, "during escalation communication between the conflicting parties is unreliable and impoverished."

Communication processes can be direct and indirect, purposeful and accidental, verbal and nonverbal, symbolic and concrete, interactive and one way (French and Tillet 2006:21; Mayer 2000:19). The escalation peak of the Kenyan conflict was characterised by the nonverbal and symbolic forms of communication. For instance, Kenyans were left in a period of silence for a week before announcement and the release of the disputed Presidential results. The silence was symbolic and a premonition to the heavily escalated violence that was triggered by the announcement of the disputed results. Again, fulfilling Anstey (1999:36) quoting Deutsch that, "communication becomes unreliable and impoverished in the process of destructive [escalating] conflict."

5.5 Psychological changes

Escalation is both a cause and a result of significant psychological changes among the parties involved (Maiese 2003:3). Psychological changes manifested in anger, fear, negative attitudes, perceptions and negative stereotypes among the adversaries. It causes and drives further escalation spiralling. Jeong (2008:157) adds that: negative emotions attached to a locked-in struggle encompass a subjective ethical legitimization of violent acts. Fear anchored in the distrust of the other's interest encourages provocation actions prompting escalatory moves and a moral disengagement plus feelings of contempt for opponents. This rationalises harm to, or exploitation of people deemed to be an obstacle to one's own prosperity.

Pruitt and Rubin (1986:99); Anstey (1999:36) and Maiese (2003:3) agrees that parties get into a tendency of blaming each other for any harms suffered and would want least restitution, if not retaliation. They perceive each other as deficient in moral virtues, dishonest, untrustworthy, warlike and hostile. They become angrier, fearful, emotionally aroused and capacity for empathy and trust is undermined leading to a zero-sum thinking. Most notable is a collective orientation of fear, dominated by hatred toward the rival and anger (Bar-Tal 2004:3 quoting Kressel 2002 & White 1984). Other psychological process that drives escalation include: entrapment or the sacrifice trap; selective perception; dehumanisation; simple categorisation and deindividuation.

In the Kenyan situation anger, negative stereotypes, untrustworthy and dishonesty emerged amongst the adversaries. The Luo, Luhya, and Kalenjin ethnic groups distrusted the Kikuyu and Kisii viewing them as though they were the prestige ethnic groups who thought that they are the only to lead Kenya and benefit unfavourably in resource distribution. Concurrently the Kikuyu looked at the other tribes which were against the PNU party as potential enemies, developing negative stereotypes against them. This situation escalated when the Disputed Presidential results were announced. The Kalenjin, Luhya and Luo ethnic groups turned violent, killing the Kikuyu people who lived or had bought land in the Rift Valley, Western and Nyanza Provinces. Likewise, the Kikuyu in the central Province evicted all the Kalenjin, Luo and Luhya ethnic groups that were working in Central Province.

5.6 Dehumanisation and Deindividuation

Dehumanisation and deindividuation was also an evident phenomenon in the Kenyan escalation process. Deindividuation, first proposed by Festinger, Pepitone and Newcomb (1952:382) is a social psychological account of the individual in the crowd. It poses a psychological state of decreased self-evaluation, causing anti-normative and disinhibited behaviour. The psychological state of deindividuation is aroused when individual join crowds or large groups. Deindividuation is characterised by diminished awareness of self and individuality that in turn reduces an individual's self-restraint and normative regulation behaviour.

In the Kenyan context the Kikuyu ethnic group identified themselves with the ruling PNU party, while the Luo, Luhya and Kalenjin ethnic groups were associated with the ODM party. This scenario facilitated ethnicity which escalated into violence amongst the protagonists. Language differences also divided the protagonists into different rival identity groups.

As the conflict escalated, deindividuation turns into dehumanisation. Dehumanisation is a psychological process whereby opponents view each other as less than human and thus not deserving moral consideration (Maiese 2003:1b). Jews in the eyes of Nazi and Tutsis in the eyes of Hutus (in the Rwandan genocide) are two known examples. In the Kenyan context it was the majority Luo, Luhya, Kalenjin and some Kamba ethnic groups against the Kikuyu and Kisii ethnic group. Dehumanisation psychologically demonizes the enemy, make them less than human and hence not worthy of humane treatment. It could lead to increased violence, human rights violations, war crimes and genocide.

Maiese (2003:1b) further asserts that, dehumanization strains, relationships and makes it difficult for parties to recognise that they are part of a shared human community. Such condition leads to feelings of intense hatred and alienation among conflicting parties. The more severe the conflict gets, the more psychological distance between the groups widen resulting in a moral exclusion. Those excluded are typically viewed as inferior, evil or criminals. In the Kenyan situation the rivalling ethnic groups forgot that they were all Kenyan brothers and sisters citizens. The Kikuyu ethnic group were excluded by other tribes and viewed as “thieves” who contributed to the stealing of the disputed Presidential electoral results. Negative stereotypes were used by the adversaries; meaningful communication was delinked and a zero-sum thinking developed. This escalated to the extent that, the Kikuyu ethnic group were evicted by other tribes and directed to go back to their ancestral land in Central Province. Violence that resulted into death, burning of Kikuyu homesteads and premises was a proper outcome of deindividuation that turned to violent dehumanisation. Fortunately, after a month of entrapment, the conflict was ripe for de-escalated as described briefly below. Entrapment is a decision making process whereby individuals escalate their commitment to a previously chosen, though failing, course of action in order to justify or prior investments (Maiese 2004:1).

6. De-Escalation of Kenyan Conflict

Conflicts not only escalate, they also de-escalate after a brief or extended transition (Kriesberg 1998:24). Also, the emotional components, [perceptions, feelings and actions] of conflict occasionally decrease as people increase their awareness of the existence of the dispute and their understanding of its nature (Mayer 2000:6). With a climate (overall felling of the situation by the parties, Folger et al. 2001:216) of an increasing number of death, violence and economic downfall by the end of February 2008, the Kenyan conflict was ripe for de-escalation. Ripeness is a situation in which conflicting parties are prepared for peace making (peace accords); it occurs under conditions of a "mutually hurting" stalement (Kleiboer 1994:110 & Kelly 2007:13 quoting Zartman 2003). In a both qualitative and quantitative research by Rasler (2000:699) it was verified that, while shocks by themselves did not pose de-escalation ripeness, their combined influence with entrepreneurship (economic deterioration), third-party pressure and reciprocity did indeed improve agreement frequency in the long run and hence de-escalation.

After two weeks of third party negotiations, and a severe trends of economic down fall, President Kibaki and Honourable Raila signed a power sharing agreement. The agreement called for the creation of a Prime Minister and two deputy Prime Ministries positions. In addition the agreement known as the National Accord and Reconciliation Act of 2008, called for a new coalition government. On March 18, 2008, the Kenyan Parliament unanimously approved the Agreement. On April 3rd, the parties agreed on a 40-member cabinet. (Dagne 2008:2-3). The agreement cooled the violence accompanied with de-escalating spirals in the conflict.

7. Conclusion

This paper provided a brief historical background of Kenyan politics from independence up to the 2007 conflict. Though the trigger of the 2007 conflict in Kenya was the disputed Presidential electoral results, other significant conditions like: ethnicity, land ownership disputes, substandard constitutional and political structures, failures of the NARC government and conditions from donors among others factors like high unemployment and inequality in resources distribution also contributed to the conflict. The Kenyan conflict was a latent conflict, taking shelter in the constitutional acts. It escalated mildly during the 1992 elections and severely in the 2007 deputed Presidential elections.

Theoretically, the escalation dynamics in Kenyan conflict are well explained by the aggressor defender model, the conflict spiral model and the structural change model. Through early intervention of escalation, dynamical changes like increase in issues and demands, communication breakdown, psychological changes that included deindividuation, dehumanisation, protagonists zero-sum thinking and development of negative stereotypes, Kenyan post election conflict could be transformed or resolved. However, still trough, an in-depth study of the escalation dynamics in the Kenyan context, a lasting solution to the conflict can be reached by reformulating the constitution and trimming Presidential powers.

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