

Paper Laid
By Hon. A. Bwalya MP (Lomb)
On Thurs. 13.10.2016
(pro)
MW

ETHNIC AND DIVERSITY AUDIT OF PUBLIC UNIVERSITIES IN KENYA



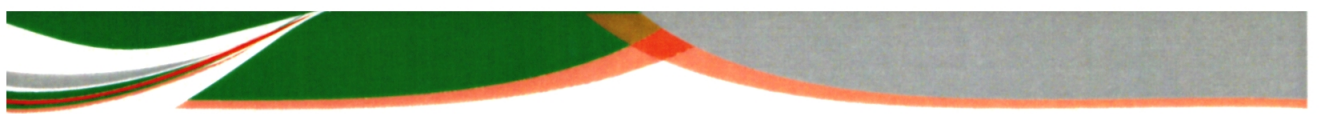
Uni Vol. II





ETHNIC AND DIVERSITY AUDIT OF PUBLIC UNIVERSITIES IN KENYA

Uni Vol. II



Published by National Cohesion and Integration Commission
P.O. Box 7055-00100,
Nairobi, Kenya.
www.cohesion.co.ke

Copyright © 2016
National Cohesion and Integration Commission

All rights reserved. Except for the quotation of short passages and sections, for which due acknowledgement must be made, this publication may not be reproduced nor reprinted without prior permission of the publisher.

ISBN No. 978-9966-044-13-6

NCIC Publication No. 3/2016

Table of Contents	
Abbreviations	v
Foreword	vi
Acknowledgements	vii
Executive Summary	viii
CHAPTER ONE	1
PUBLIC UNIVERSITIES IN KENYA	1
Introduction	1
Problem Statement	2
Objectives.....	3
Rationale	3
Summary of the Book.....	4
CHAPTER TWO	5
HIGHER EDUCATION AND SOCIAL COHESION	5
Introduction	5
Defining National Cohesion and Integration.....	5
Social Functions of Education.....	6
Higher Education and Social Cohesion	8
History of Universities in Kenya and their role in the Cohesion Project.....	11
Legal Provisions for Representation of Diversity in Universities	12
CHAPTER THREE	20
RESEARCH DESIGN AND METHODOLOGY	20
Introduction	20
Research Design	20
Study Population.....	20
Sampling and Sample Size.....	20
Data Collection Instruments	20
Ethnic Diversity in Kenya.....	21
Quality Control	24
Data Analysis.....	24

CHAPTER FOUR	25
FINDINGS	25
Introduction	25
Ethnic Representation in Public Institutions of Higher Learning in Kenya.....	25
Comparison with the National Population.....	26
Over-representation.....	26
Under-representation and Exclusion	27
Trends in Representation (2012 vs 2016)	27
Compliance with the NCI Act	31
Comparison with Previous Status of Compliance	33
Big Employers	36
Relationships, Causes and Compliance	37
Vice Chancellor/ Principal’s Ethnic Group and the Majority of Senior Staff.....	37
Vice Chancellor/ Principal’s Ethnic Group and the Majority of Staff.....	37
Ethnic General Representation vs Representation among Senior Staff.....	37
Relationship between the Ethnic Group of Majority of Employees in Public Universities with Dominant Community in the Location	40
Comparison of Ethnic affiliation of Vice Chancellors of Public Universities: 2012 vs 2016	41
Gender representation of Principals of Universities	42
Significant Correlations	43
CHAPTER FIVE: REPRESENTATION IN INDIVIDUAL UNIVERSITIES	48
INSTITUTIONS THAT COMPLY WITH THE NCI ACT, 2008	48
Multimedia University of Kenya	48
Technical University of Kenya.....	50
Egerton University	51
The University of Nairobi.....	53
Co-operative University College of Kenya.....	55
PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT CONTRAVENE THE NCI ACT	57
Kirinyaga University College.....	57
Kibabii University.....	58

Murang'a University College	59
Jaramogi Oginga Odinga University of Science and Technology (JOOUST)	60
Rongo University College	62
Kisii University	63
Meru University of Science and Technology	64
Dedan Kimathi University of Technology	65
Masinde Muliro University of Science and Technology (MMUST)	67
Kabianga University College	68
Machakos University College.....	70
Maseno University	71
Karatina University.....	72
Moi University	74
South Eastern Kenya University	75
Chuka University	77
University of Eldoret.....	78
Garissa University College	79
Jomo Kenyatta University of Science and Technology (JKUAT)	80
Kenyatta University	83
Maasai Mara University	84
Taita Taveta University College	86
Laikipia University	87
Embu University College.....	88
Pwani University.....	89
Technical University of Mombasa	91
CHAPTER SIX	94
CONCLUSIONS AND RECOMMENDATIONS	94
Introduction	94
Emerging Issues	94
Conclusions	95
Recommendations.....	95
References.....	97

Abbreviations

CEDAW	Convention on the Elimination of All forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CUCK	Co-operative University College of Kenya
CUE	Commission for University Education
DKUT	Dedan Kimathi University of Technology
ICT	Information and Communication Technology
JKUAT	Jomo Kenyatta University of Agriculture and Technology
JOUST	Jaramogi Oginga Odinga University of Science and Technology
KIT	Kimathi Institute of Technology
KU	Kenyatta University
KUCT	Kimathi University College of Technology
MDGs	Millennium Development Goals
MMU	Multimedia University
MMUST	Masinde Muliro University of Science and Technology
MPUC	Mombasa Polytechnic University College
MRUC	Murang'a University College
MUCST	Meru University College of Science and Technology
NCI Act	National Cohesion and Integration Act
NCIC	National Cohesion and Integration Commission
SEKU	South Eastern Kenya University
SPSS	Statistical Package for Social Sciences
TTUC	Taita Taveta University College
TUK	Technical University of Kenya
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UoN	University of Nairobi
USAID	United States Agency for International Development
VC	Vice Chancellor

Foreword

With a broad mandate of promoting equality of opportunity in the public sphere in matters ethnic relations, the National Cohesion and Integration Commission (NCIC) considers Universities key establishments for the achievement of social cohesion in Kenya.

Over the last four years, the Commission has witnessed a significant improvement in compliance levels of institutions of higher learning. Having conducted a baseline survey in 2012 that revealed a skewed representation towards the 'big five' communities in Kenya, the NCIC undertook another audit to check the status of compliance in the said institutions is improving. The findings of this study demonstrate great efforts by Universities towards compliance with the legal obligations, particularly those relating to the NCI Act Section 7(2).

However, while expectations seem to be forming that public Universities could be moving towards compliance in the years to come, there remains a risk of instilling negative ethnicity in institutions that are otherwise supposed to impart values and integrate people into the broader society, for Universities not only contribute to the development of scholarship, but also to the betterment of society. The study reports that out of 31 public universities and constituent colleges, only five have complied with the provisions of the law.

With the upsurge in the crisis facing Kenya's coexistence as a nation, we call upon institutions of higher learning to play a firmer and greater role in moving the country towards national cohesion. Universities have a platform with diverse membership that provides a rich environment to explore social change. It is the conviction of the Commission that this change should be contextualized in the sense of adding value to social cohesion through representation of Kenya's diverse communities in employment of staff. There is need to develop deliberate, proactive, and practical policies to transform ethnic diversity into a positive force for inclusive employment in Universities.

NCIC believes that this study demonstrates the potential that institutions of higher learning can make the 'tribe' irrelevant in the allocation of employment opportunities as a scarce, yet important resource in Kenya. Despite the Universities' best and honest efforts, there is need to spend valuable energy to craft more practical and sophisticated ways for inclusion of both minority and marginalized communities in employment. For this reason, the Commission calls upon relevant stakeholders to develop strategies that Universities can adopt to realize inclusivity and diversity in their spaces.

Hon. Francis Ole Kaparo, EGH, SS
COMMISSION CHAIRMAN

Acknowledgements

The National Cohesion and Integration Commission (NCIC) greatly acknowledges and appreciates the efforts of all individuals, groups, and institutions that in one way or another, participated in the preparation and compilation of this report.

First, the Commission recognizes all Vice Chancellors, Principals, and the university leadership at large, for facilitating the process of gathering data in a timely manner.

The Commission is indebted to the Commissioners who offered strategic leadership in the course of the development of this Report. Specifically, it appreciates the support of the Research Committee of the Commission, comprising of Comm. Linda Ochiel, Comm. Dr. Nasongo Wamocha and Comm. Prof. Naituli Gitile for their constructive criticism and progressive guidance without which this Report would not have come to fruition.

A special word of appreciation goes to a dedicated team of staff who, under the direction of the Commission Secretary Hassan Mohamed, birthed the concept, undertook preliminary literature review, prepared data collection instruments, conducted the survey, analyzed the data, and prepared the Report. These include: Dr. Sellah King'oro, Jescah Otieno, Naomi Gichuru, Fatma Hashim, Christine Muyaki, and Austin Cheboi.

Finally, the Commission also wishes to express its gratitude to the Ministry of Education, and all other stakeholders for co-operation at all stages of the report including consultation sessions for the study.

There are many other people who supported this study in one way or another. While it is impossible to mention all of you, we greatly appreciate you.

Hassan S. Mohamed, OGW

COMMISSION SECRETARY

Executive Summary

This report, the 'Ethnic and Diversity Audit of Public Universities and Constituent Colleges', is the second Audit undertaken in public universities and constituent colleges. The first was done in 2012. It is based on an analysis of the data that was submitted to NCIC by 22 universities and nine constituent colleges on their employees and their ethnic affiliation as at May 2016. The employees, through the universities and constituent colleges, had been provided with forms to fill for self-identification and ethnic affiliation as required by the law.

This study noted a general improvement in representation of diversity within public universities and constituent colleges from the status recorded in 2012.

The study revealed that the largest ethnic group recruited in the service of these institutions is the Kikuyu which forms 23.6%. This is within the limits of the threshold set up by the law.

When the proportion of ethnic communities in employment is compared with their proportion in national population, it is noted that some communities have a higher proportion within university employment. These include the Kikuyu, Luhya, Kalenjin, Kisii and Luo communities among others.

The study also revealed that some communities were under-represented in university employment. These include Turkana, Maasai, Kenyan Somali, Kamba and Mijikenda among others.

On the other hand, it was also evident that university employment excluded certain communities such as the Dasenach and the Gosha.

Nevertheless, the general trend showed that representation of diversity in universities has improved with the inclusion of certain communities that were totally excluded in 2012 such as the Orma. Additionally, minority communities such as the Ilchamus have increased their numbers in employment.

Based on the analysis of the 22 public universities and nine constituent colleges, the findings indicate an increase in the number of institutions that complied with section 7(2) of the NCI Act from three in 2012 to five while 26 institutions contravened the provisions of Act. Consequently, employment distribution in these institutions is skewed as they drew more than 33.3% of their employees from one ethnic group.

The complying institutions include Multimedia University, The Technical University of Kenya, Egerton University, The University of Nairobi and Cooperative University College.

The findings highlighted the fact that an institution can improve if it develops and implements strategies to ensure diversity. For instance, the University of Nairobi marked a great improvement from 34% in 2012 to the current 30.1%.

On the other hand, a University can deteriorate if it does not observe its recruitment trends continuously to ensure inclusivity. A case in point was the Technical university of Mombasa which complied in 2012 as its highest ethnic group (Mijikenda) was 28.2%, but contravened the Act in 2016, following an increase of the said ethnic community to 34.5%.

A comparison of the compliance levels of institutions of higher learning between the status in 2016 and that in 2012 revealed that thirteen (13) institutions improved compliance by reducing the proportion of the majority ethnic community in their employment. The most improved institution is Meru University, which reduced the proportion of the Meru from 83% in 2012 to 70.9% in 2016, even though it is still not compliant with the NCI Act.

On the other hand, the study found out that nine institutions deteriorated as they continued employing members of staff from the ethnic group already forming the majority of their staff. The worst performing institution is Kabianga University which added an extra 10.7% in 2016 to the already existing 58.1% in 2012, of majority staff drawn from the Kalenjin community.

The study found out that the total size of employment in public universities and constituent colleges was 29,835. Following the NCIC study in 2011 on Diversity in the Civil Service, it is worth noting that university employment is about a quarter of the size of employment in mainstream government.

The research established a strong correlation between the ethnic group of the Vice Chancellor/ Principal of institutions of higher learning and the majority ethnic group among senior staff. This was evidenced by the

finding that in 15 of the 31 surveyed institutions, the VC/Principal and the highest group among senior staff share a similar ethnic group.

Similarly, a relationship was noted between the ethnic group of the VC/Principal and the ethnicity of the majority of members of staff. 50% of the institutions of higher learning recorded a similar ethnic group for both their VC/Principal and the dominant ethnic group in their staffing.

The study noted a negligible statistical difference between the ethnic representation in general university staffing and ethnic diversity among senior staff of these institutions. In fact, only four (4) out of 31 institutions record a difference in this regard. These include Garissa University, Maasai Mara University, Taita Taveta University and Embu University who have the majority among general staff from one ethnic group while the majority of the senior staff are drawn from another.

The relationship between the majority of employees in public institutions and the dominant ethnic group in the location of the university remains homogenous. This is similar to the finding that the Ethnic and Diversity Audit of public universities revealed in 2012.

While most vice chancellors and principals were from the dominant ethnic group within the location of the university/ college in 2012, the trend analyzed in the research indicated that six (6) of the institutions changed the ethnic group of their vice chancellor/ principal. These institutions are Multi Media University, Egerton University, The University of Nairobi, Maasai Mara University, Masinde Muliro University and the University of Eldoret.

The study revealed a strong Pearson correlation between ethnicity and level of education. As such, people from certain ethnic groups are likely to have higher academic qualification than those from other ethnic groups.

Consequently, people from certain ethnic groups are likely to get higher rank/jobs in certain departments than others. This was also illustrated by the strong Pearson correlation between ethnicity and departmental heads.

CHAPTER ONE

PUBLIC UNIVERSITIES IN KENYA

Introduction

The National Cohesion and Integration Commission (NCIC) was established under the National Cohesion and Integration Act No. 12 of 2008 which was enacted after the 2007 post-election crisis and subsequent political negotiations. The Commission's object and purpose, as provided in Section 25 of the Act, is to facilitate and promote equality of opportunity, good relations, harmony and peaceful coexistence among persons of the different ethnic communities of Kenya and advise the Government on all aspects thereof.

One key mandate of the Commission is to ensure that there is ethnic diversity in public employment. Thus, the NCI Act provides that; "All public establishments shall seek to represent the diversity of the people of Kenya in the employment of staff. No public establishment shall have more than one third of its staff from the same ethnic community."

Similarly, the Constitution of Kenya, 2010 outlaws any discrimination on the basis of differences such as ethnicity, race, age, disability and gender. It extols the virtues of diversity and places emphasis on the need to live in peace and unity as one indivisible sovereign nation. The Constitution also calls for ethnic diversity in the public service. In Article 232 (1) (h), "representation of Kenya's diverse communities" is identified as one of the values and principles of the public service. In Article 232 (1) (i) & (ii), 'affording adequate and equal opportunities for appointment, training, advancement, at all levels of the public service of ... the members of all ethnic groups" is provided for. Significantly, this representation is required above merit and fair competition in paragraph (g) of the same Article.

The Constitution has therefore noted the fact that there are regions that have been disadvantaged in the past and that a recruitment policy based

purely on merit or competition may not give Kenyans a public service that represents the face of the country.

Inclusiveness, equality and protection of marginalized groups are also underlined as Kenya's national values and principles of governance in Article 10, thus binding all state and public officers when interpreting and applying the law as well as when making public policies.

Based on its mandate and backed by this broad legal framework to enhance appreciation of ethnic diversity and national unity, NCIC has conducted the ethnic audit of Public Universities and Constituent Colleges to establish the ethnic diversity in these institutions.

Problem Statement

University education is a critical pillar of human development world over. Besides, it is perceived as a process by which individuals are prepared to assume their respective responsibilities within a social setting and it is a powerful tool for achieving social mobility (Otunga, 1998).

Universities in Kenya ought to serve the diverse array of ethnic groups who according to Indangasi et. al (2008), compete for national resources such as land, political power, natural resources, social and economic power. Chacha (2002) contends that in so doing, universities world over should be characterized by quality and excellence, equity, responsiveness and effective as well as efficient provision of services, good governance and excellent management of resources.

Consequently, good governance requires that these institutions of higher learning embrace equality in sharing opportunities, non-discrimination and inclusivity as espoused in Article 10 of the Constitution of Kenya.

Additionally, section 3(1k) of the University Education Act, 2012 holds that university education should promote equalization for persons with disabilities, minorities and marginalized groups.

As a matter of fact, the challenges tearing Kenya apart are pivoted on the tendency of manipulating ethnic identities for private interest and/or gain.

It is on this background that the NCIC sought to perform an ethnic and diversity audit of all public universities and their constituent colleges. This

exercise is important in addressing the perception by the Kenyan citizenry that some ethnic groups have been favoured by the political elite in public appointments – as stated in the ‘Report of the Independent Review Commission on the General Elections held in Kenya on 27th Dec, 2007’, famously referred to as “The Kriegler Report, 2008”.

Objectives

This project seeks to:

1. Examine the ethnic diversity of employees in public universities and constituent colleges.
2. Assess the compliance of public universities and their constituent colleges with the National Cohesion and Integration Act, 2008
3. Provide information that would be used to develop inclusive employment policy in public institutions in Kenya.

Rationale

1. Freedom from discrimination is a fundamental right espoused in the NCI Act, 2008; the Kenyan Constitution, 2010 and other international legislations such as the UN Declaration on the elimination of all forms of discrimination.
2. Bringing equality and equity to the workplace has significant economic benefits. Employers who practice equality and equity have access to a larger and more diverse workforce.
3. Diversity in the workplace promotes understanding and appreciation of the social-cultural differences resulting in enhanced unity. Such a project therefore, foregrounds the need for inclusive employment as a way of promoting unity in diversity
4. A UNESCO task force on higher education in developing countries (UNESCO, 2000) argues that higher education is essential to developing countries, if they are to prosper in a world economy where knowledge has become a vital area of advantage. This implies that different groups within a society such as ethnic communities could use knowledge to narrow their income gap between them.
5. This is the second ethnic and diversity audit of public universities and constituent colleges. It helps understand the progress made by these institutions within the period since the last audit was undertaken in 2012. As a result, institutions of higher learning can also understand the effectiveness of some of the strategies they have adopted over the three year period as well as learn from the best practices of others.

Definition of Terms and Concepts

Compliance: Compliance means acting in accordance with a request or a command, rule or instruction. In this context, compliance means the process by which an organization ensures that it observes and complies with the statutory laws including the Constitution, the NCI Act, and the CGA.

Ethnic Group: The definition of ethnic group is borrowed from the NCI Act which holds that it is a group of persons defined by reference to colour, race, religion, or ethnic or national origins, and references to a person's ethnic group refers to any ethnic group to which the person belongs.

Inclusion: This study borrows from Miller & Katz's (2002) definition of inclusion. They defined it more than just the state of included; to a sense of belonging, feeling respected, valued for who you are, feeling a level of supportive energy and commitment from others so that you can do your best.

Summary of the Book

This study has six chapters. Chapter one forms the background of the study. It looks into the problem statement, objectives and rationale of the ethnic audit of universities and lays out the organization of chapters.

Chapter two is the literature review which evaluates the social functions of education, higher education links with social cohesion, the history of universities in Kenya and their role in enhancing national cohesion and the legal provisions for representation of diversity in Kenyan Universities.

Chapter three lays down the research methodology used to undertake this study. It highlights the research design, sampling procedure, data collection, analysis & presentation and the ethical considerations which NCIC paid attention to in the course of the study.

Chapter four presents the findings of the study by illuminating the general representation of ethnic groups in university employment and other findings arrived at from the data submitted by public universities.

Chapter five looks into the status of each public University or constituent college, mentioning whether it has contravened or complied with section 7(2) of the NCI Act.

Finally, chapter six gives a summary of the study, presents the conclusion and proffers strategies of improving the representation of diversity within Universities.

CHAPTER TWO

HIGHER EDUCATION AND SOCIAL COHESION

Introduction

This chapter analyzes the observations and opinions related to this study as presented by various scholars. It discusses the concept of national cohesion and integration with respect to higher education and attempts to demystify the social value of education. The chapter lays out the literature review on the following themes:

- a) Defining national cohesion and integration
- b) Demystifying the social value of education
- c) Positioning the role of higher education in building cohesive societies
- d) Delineating the history of university development in Kenya with a specific focus on how they have contributed towards cohesion building or rendered the society redundant
- e) An interrogation of the general aims of university education in Kenya

Defining National Cohesion and Integration

118 countries at the World summit for social development in Copenhagen in 1995 not only agreed to “create an economic, political, social, cultural and legal environment that will enable people to achieve social development” (Commitment 1) but to also facilitate social integration (commitment 4) in doing so.

In the two decades that followed, the world indeed experienced rapid economic growth in China, India, Indonesia and other emerging countries (UNDP, 2014). Nevertheless, this growth has brought to the fore issues of social integration, inclusive economic growth and social inclusion. In China for instance, the Prime Minister Hu Jintao in 2004 launched the concept of a “harmonious society” with the aim of creating a better balance than had been the case in the social development that China had experienced so far.

The world embraced the concept of social cohesion which Larsen (2013) defines as the belief held by citizens of a given nation-state that they share a moral community, which enables them to trust each other.

Durkheim (1858-1917) categorizes the solidarity found in pre-modern societies that is established among people who are similar in material solidarity i.e. similar work, housing and food; and non-material solidarity encompassing similar beliefs, morality and feelings. The non-material also known as the conscience collective is the academic origin of the term “social cohesion”.


NCIC (2014) has defined social cohesion using six components i.e. trust, peace, prosperity, identity, equity and diversity. This definition incarnates the shift between pre-modern to modern societies which expands the definition of social cohesion beyond similar beliefs, morality and feelings as espoused by Durkheim (1858-1917). No wonder, for modern (or post-modern) societies, the most important aspect is not that citizens believe they share the same religion, family values, attitude towards a variety of ideals; for the everyday operation of highly differentiated societies, the most important aspect of social cohesion is that citizens believe they share the norm of not cheating each other.

The European Committee for Social Cohesion (2004) crowns this argument by observing that social cohesion is the capacity of a society to ensure the welfare of all its members, minimizing disparities and avoiding polarization.

As a result, national cohesion is seen as oneness, harmony and integrity of a people with a sense of belonging and direction to achieve certain common goals, aims, objectives, and values.

Social Functions of Education

Education is realized under different systems and implementations all over the world, but even so it is an important activity affecting all humanity on account of its results (Halis, 2015). In these times when humanity focuses on economic facts as the sole basis for determining how they engage and rationalize daily life, the responsibility of education for forming the basis of perception about what being human and society mean gains more importance.



Taneja (2008) argues that it is beyond doubt that this situation corrupts the moral values which affect the way of thinking and feeling and also disrupts most values which shape human life and relationships such as justice, equality, love, respect, tolerance, cooperation and trust.

Under such circumstances, the most influential and sole means which inverts, stops and slows down the risks which threaten both the subjective existence of human and the social existence is education. One of the social functions of education is to impart values and integrate people into the broader society. Values may be imparted by being incorporated in the substantive curriculum (Chandra, 2004).

However, as they say, we learn by emulation. Kempner et al. (1996) posit that the development within the young of the attitudes and dispositions necessary to the continuous and progressive life of a society cannot take place by direct conveyance of beliefs, emotions, and knowledge. It takes place through the intermediary of the environment. The environment consists of the sum total of conditions which are concerned in the execution of the activity characteristic of a living being. The social environment consists of all the activities of fellow beings that are bound up in the carrying on of the activities of any one of its members.

As a result, educational institutions should also practice these values as a sure way of imparting them to future generations. This study focuses on how institutions of higher learning have been practicing the value of sharing resources equitably among different parts of the population.

One of the values relating to skewed employment may be traced back to the nature of society, the predominance of elaborate extended families and the belief that family comes first. Consequently, it can be that jobs, contracts or general preference are extended to family first rather than competence. While concurring with this notion, Wax (2005) argues that opportunities often stem from blood ties.

Nevertheless, contemporary arguments such as Obama's (2006) go against this propagation holding that such nepotism stifles innovation and fractures the fabric of the society. Instead of opening businesses and engaging in commerce, people rely on patronage and payback as a means of advancing. However, when people are judged by merit, not connections, then the best and brightest can lead, people work hard and the entire

economy grows. As a result, everyone benefits and more resources are available for all, not just select groups.

Higher Education and Social Cohesion

With the increase in the crisis facing Kenya's coexistence as a nation, institutions of higher learning are called upon to play a firmer and greater role in moving the country towards national cohesion. The main question being addressed in this section is whether higher educational institutions have any role to play in the cohesion project within a country.

There is a general belief in the notion that a university must not only contribute to the development of scholarship but also to the betterment of society.

Most scholars such as Altbach et. al. (2007) argue that the traditions of empirical analysis, independent reasoning, and informed debate that are emblematic of the University are increasingly understood as integral to the development of a rational and self-critical society in which a shared sense of citizenship can bridge divisions based upon race, ethnicity, religion and other factors. In the Kenyan context, one starts on the question whether the aforementioned emblems of higher education exist in our universities ever at all. Stories of the banning of books during the *Mwakenya* era, banning of philosophy as an area of study, introduction of intelligence gathering within the classroom, minimal research by professors in exchange for making money through parallel programmes and ethnicization of academic discourse among other factors seem to have deprived the Kenyan University these hallmark pillars.

Nevertheless, the Institute of Higher Education Policy (1998) established a strong correlation between higher education and social connectedness, appreciation of diversity, civic participation and trust in social institutions. Universities can also enhance cohesion by giving objective critic of public policy and administration, as well as refocusing attention to the core areas of concern.

Another implication of higher education as espoused by Chandra (2004) relates to the formation and socialization of shared values among higher education's various constituent groups. Universities have a platform with diverse membership that provides a rich environment to explore social change. However, social change has to be contextualized in the sense of

adding value to social cohesion as Jobbins (2012) has argued for universities' participation in demolishing apartheid in South Africa.

Universities also promote debate on the various social concerns facing the country. Besides, proffering solutions for existing problems, such debate promotes independence of thought, encourages dissenting points of view and a tradition that allows those views to be voiced. In a sense, this openness of debate should inculcate a culture of political tolerance which seems to be on the downward trend in Kenya. Universities have become the personification of political intolerance as student elections are accompanied by destruction of property and violent acts against each other.

In a UNESCO Symposium of Higher Education (Fulbright New Century Scholars, 2006), social cohesion was recognized as a reasonable goal for universities and eleven characteristics necessary for cohesion to occur were identified. Table 1 below outlines the eleven characteristics.

Table 1: Characteristics Necessary for Cohesion

Serial	Characteristics
1	Publicly available standards of student and faculty conduct
2	A transparent process of adjudication for misconduct
3	Students & faculty broadly representative of wider population
4	A curriculum which reflects social problems
5	Empirical research particularly on social issues
6	Commitment to forging linkages with the wider community
7	Multiple sources of finance aside from government
8	Proactive leadership that defends the role the university
9	Public debate over sensitive issues
10	Academic freedom for open debate
11	Institutional autonomy so that it takes responsibility for its own policies

This study focuses on characteristic number three which highlights the fact that students and faculty must be broadly representative of the wider population. While discussing the cases of South Africa and the US, Heyneman et. al (2007) notes that when minority access is prioritized both among students and faculty, social cohesion can be significantly improved. Diversifying university students and faculty determines what issues will be discussed and researched. This is not to say that having inclusive student and faculty access policies is challenge free. For instance, bringing speakers of minority languages to universities may heighten debates on

the language of instruction and mixing people of different backgrounds may exacerbate patterns of intolerance. Nevertheless, it is without doubt that excluding minorities and ignoring inequalities within students and faculty presents a greater danger to social cohesion.

Chacha (2002) argues that universities all over the world are supposed to be characterized by quality and excellence, equity, responsiveness and effective and efficient provision of services, good governance and excellent management of resources. The subject of this study focuses on two of these criteria i.e. equity and good governance in terms of recruitment and equality of sharing that employment among institutions of higher learning.

From the afore-analyzed readings, there seems to be a general consensus that universities ought to improve the life situation of the community at large and not just of its recipients.

In spite of the potential for universities to play a deliberate role in social cohesion, analysis of higher education in different countries reveals numerous pitfalls thereof. As a matter of fact, some scholars have developed counter arguments to this notion based on the experiences that Universities have exhibited. Heyneman for instance rejects the idea that universities have any social role except preparing students for careers. He argues that in some cases universities have become models of immoral or unprofessional behavior such as corruption.

In concurrence with Heyneman, Anassi (2004) argues that Universities have been politicized so much because in the past Vice Chancellors were more of politicians than academicians. He further notes the existence of moral corruption in Kenyan universities where lecturers demand sexual favours from their students for them to pass their papers. Anassi finally contends that corruption will compromise the quality of educational programs being offered by universities.

There are instances when governments impose curricula or policies that support the consolidation of political power among favored groups at the expense of the less dominant. A case in point is the apartheid education imposed on South African Universities in 1948. The NP Prime Minister affirmed the government's introduction of apartheid at the Universities as an 'essential measure' and was concerned about the presence of black students at white universities terming it as 'an intolerable state of affairs... which gives rise to friction, to an unpleasant relationship between Europeans and Non-Europeans.' (Ashby, 1960)

Without emphasizing the source of challenges, the findings of this study shall enable the reader to know whether universities in Kenya have lived up to their social functions or they have been models of immoral and unprofessional behavior as argued by Anassi (2004).

History of Universities in Kenya and their role in the Cohesion Project

Higher education in Kenya can be traced back to 1922 when the then Makerere College in Uganda was established as a small technical college which grew into an inter-territorial institution admitting students from Kenya, Uganda and Tanganyika and Zanzibar, as well as Zambia and Malawi. In 1949 Makerere College entered into a special relationship with the University of London in order to enable its students to study for the degrees of the latter university (Nyaigotti, 2004).

This lasted until 1951 when the Royal Technical College was established in Nairobi. The college opened its doors to the first students in April 1956. In 1961, the Royal Technical College was transformed into a university under the name University College of Nairobi giving University of London degrees. In 1970, the University of Nairobi was established through an Act of Parliament (University of Nairobi Act, 1970). The high demand for university education in the 1980s and 1990s led to the increase in the number of universities from one public university college in 1970 to seven public universities in 2007 (Onsongo, 2007). Today, there are twenty two public universities with nine constituent colleges.

This growth has not been devoid of challenges. Chege (2009) argues that the Jomo Kenyatta and Moi regimes suppressed discourse in higher education through harassment, arrests, detention without trials and alleged execution of university lecturers and students. Scholars like Ngugi wa Thiong'o, Maina wa Kinyatti and Abdilatif Abdalla joined political prisoners in detention for criticizing the administration. In Moi's era, scholars such as Alamin Mazrui, Edward Oyugi, Willy Mutunga and Mkangi Katama were detained without trial and later forced to flee into exile.

The irony of the post-Moi era is that bad governance has been perpetuated but the intelligentsia has adopted an indifferent attitude in the face of wide freedoms granted by the Constitution. As a matter of fact, university

campaigns are dominated by ethnic rivalry, money and propaganda instead of issues which have traditionally defined university politics as observed by Chege (2009).

Chege argues that political class in Kenya has used higher education to perpetuate their hegemonies. He also emphasizes that Kenya is need of a new crop of intellectuals to redirect national discourse by countering the ethnic fetish that dominates the national psych.

Legal Provisions for Representation of Diversity in Universities

Introduction

Education is largely the primary means of social mobility, national cohesion and socio economic development. The government has since shown commitment to the education sector through various initiatives like constituting taskforces and Commissions to review the education sector and make recommendations. Globalisation has made nations interdependent with each other and this has enabled people to interact and exchange cultures beyond the geographic boundaries. This interaction has been manifested through free movement of human capital, increased trade and enhanced communications. Rapid growth of ICT in the recent decades has been an enabler of global relations and expansion of markets beyond the national borders that has led to, in part, the strengthening of relationships among nations with the consequence of world peace.

The education sector enjoys focus at the national, regional and global levels, recognising its importance in the growth and stability of the world economy. The Kenyan government has continued to reform the education sector to respond to emerging dynamism both at the national and global level. This includes signing and ratifying various international treaties on education.

By virtue of Article 2(6) of the Constitution, treaties or conventions ratified by Kenya are to form part of the law of Kenya. Accordingly, a number of conventions relating to education which Kenya has ratified, form part of the education legal framework of the country. Kenya has ratified two key regional conventions which make provision for education. These are; the African Charter on the Human and Peoples Rights, Article 17, which provides that every individual shall have a right to education; and the African Charter on the Rights and Welfare of the Child, Article 11, which

provides detailed provisions on the right to free and compulsory basic education for the child and, state's obligation towards that right.

Under the the UN Conventions, Kenya has ratified the International Convention on Social and Economic Rights, Article 13, which declares the recognition of the right of all to education and the objectives thereof, and the Convention on the Rights of the Child, Articles 28, 29 and 30, which secure the rights of a child to free and compulsory basic education. Key international instruments defining the right to education include:

❖ *The Universal Declaration of Human Rights*

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

❖ *The International Covenant on Economic, Social and Cultural Rights*

Article 13

The States Parties to the present Covenant recognize the right of everyone to education.

❖ *The United Nations Convention on the Rights of the Child (CRC)*

Article 28

States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity.

❖ *UNESCO Convention Against Discrimination in Education*

Article 4 enjoins upon the States Parties to the Convention the obligation to: "undertake furthermore to formulate, develop and apply a national

policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education.”

- ❖ *The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*

Article 10 States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women

- ❖ *The Millennium Development Goals (MDGs)*

Goal No. 2 The right to achieve universal primary education by 2015. The successor to the MDGs is the Sustainable Development Goals which, under Goal 4; ensures inclusive and quality education for all and promote lifelong learning.

- ❖ *The African Charter on Human and Peoples Rights*

Article 17 1. Every individual shall have the right to education.

- ❖ *The African Charter on the Rights and Welfare of the Child*

Article 11: every child has a right to education which includes the promotion and development of the child’s personality, talents and mental and physical abilities to their fullest potential.

The Vision 2030

Kenya has made notable progress in education and training policy development since independence. Education and Training sector is governed by policies contained in the sessional paper no 1 of 2005 on education training and research.

Kenya Vision 2030 recognizes that education and training of all Kenyans is fundamental to the success of the Vision. In order to realize the national development goals, relevant and quality education and training is required to meet the human development needs of a rapidly changing and a more diverse economy.

Kenya implements vision 2030 through five-year medium term rolling plans. The vision identifies education as the vehicle to transform Kenya

into a globally competitive economy. With the expected growth of the economy to position the country as a middle income economy by 2030, the country is now more than ever leveraging on the value creation arising from investment in the education sector to grow a pool of human resource capital, that will drive the economy.

The first medium term plan, 2008-12, provided for the promulgation of the constitution in 2010, under the political pillar, and integrated the various aspects of basic education into one fold, in order to promote wide accessibility and harmonise the curricula. The second medium term plan, 2013-17, has identified priority areas, including harmonisation of various legislations and addressing the challenges that face the education sector. A major challenge remains in ensuring and enhancing access, equity and education standards, especially in marginalized regions and deprived urban areas.

The Constitution of Kenya, 2010

The Constitution of Kenya, 2010 enshrines the national values and principles of governance in Article 10. These values and principles include: patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people, human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized, good governance, integrity, transparency and accountability and sustainable development. All these values underpin the principles of national cohesion and integration.

The constitution makes the following key provisions with regards to education: It guarantees the Right to Education for all under Article 43; every child has a right to Free and Compulsory Basic Education under Article 53 (b). Children are to be protected from abuse, inhumane treatment and violence under Article 53(1) (d). Youth are entitled to government measures which include affirmative action to ensure that they have access to relevant education and training, access to employ and protection from harmful cultural practices and exploitation under Article 55.

The Universities Act, 2012

Kenya's future as a prosperous and internationally competitive nation will depend on her university education system. As a nation, the economy depends on higher education system to create a sustainable pool of highly trained human resource capital that underpins the national ambitions of

being a knowledge-based economy. To this end, a robust legal system is necessary to consolidate the expected gains arising from investments in higher education.

Previously, higher education in Kenya was not centrally managed. Public universities operated under their own charters created by Acts of parliament. As part of the reforms in the education sector under the second medium term plan and the Constitution, parliament enacted the Universities Act. The Act, repeals previous Acts on university education, and brings all public and private universities under one legislative regime. The Act also transforms the Commission for Higher Education into Commission for University Education with an expanded mandate of regulating both the public and private universities in Kenya and promotion of education standards in the country, including policy development and accreditation of programmes and Institutions of higher learning.

The universities Act further establishes the placement body known as the Kenya Universities and Colleges Central Placement Service, charged with the responsibility of placing government sponsored students in universities and colleges. In performing their functions, they have a responsibility to promote equity and access to university and college education, by among other things, developing criteria for affirmative action for the marginalized, the minorities and persons with disabilities. This body is the successor to the defunct Joint Admission Board (JAB) that acted as a central placement body for public universities only, and their mandate did not include colleges.

Fundamentally, Section 29 of the Universities Act, places responsibility on the Universities to guarantee academic freedom specifically;

- a. Have the right and responsibility to preserve and promote the traditional principles of academic freedom in the conduct of its internal and external affairs;
- b. Have power to regulate its affairs in accordance with its independent ethos and traditions and in doing so it shall have regard to—
 - i. The promotion and preservation of equality of opportunity and access;
 - ii. Effective and efficient use of resources; and
 - iii. Its obligations as to public accountability.

Governance and Management of Public Universities

Kenya's university education system must be focused, efficient and able to create knowledge and deliver accessible, equitable, relevant and quality training to sustain a knowledge economy that is internationally competitive. Public officers have a responsibility to comply with Chapter Six of the Constitution on Leadership and Integrity with the following guiding principles:

- a) Selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
- b) Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;
- c) Selfless service based solely on the public interest,
- d) Accountability to the public for decisions and actions; and
- e) Discipline and commitment in service to the people.

Further, The Public Service (Values and Principles) Act 2015, gives effect to the provisions of Article 232 of the Constitution regarding the values and principles of public service. These values and principles include; high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; transparency and provision to the public of timely accurate information; accountability for administrative acts; and fair competition and merit as the basis of appointments and promotions.

Towards this end, public universities must establish governance structures that comply with the legal requirements for better service delivery. The Universities Act 2012 has created various organs to support proper management of the Institutions. Overall policy formulation and guidance is conducted by the Ministry of Education, with support from various state agencies in the education sector. At the University level, we have a Council which is responsible for employment of staff, approving statutes of the universities, approving budgets and policies of the university.

The university senate is responsible for academic matters of the universities. The Act also establishes the Chancellor of the University, hitherto used to be the head of state, who is the titular head of the

university charged with the responsibility of conferring degrees and diplomas and advising the university council from time to time.

The university Vice Chancellor is the chief executive of the university and the administrative head. He is supported by the deputy vice chancellors and other administrative heads of various functions, who constitute the University Management Board, charged with the responsibility of implementing policies of the council.

Various studies on governance of public institutions have indicated that weak governance structures exist that have led to mismanagement. The structural weaknesses have led to cases of corruption, tribalism, gender discrimination, nepotism and professional misconduct in management of these institutions. Public universities in particular suffer from cases of tribalism and nepotism, where one community, and by extension the region, dominates employment opportunities, against the Constitutional expectation of regional balance.

Legislation on Employment and Labour Relations

The Employment Act, 2012 provides for the legal framework upon which human capital is legislated and in so doing, it defines the fundamental rights of employees, to provide basic conditions of employment of employees, to regulate employment of children, and to provide for matters connected with the foregoing. Key principles of the Act include: Prohibition against forced labour, promotion of equality of opportunity in employment in order to eliminate discrimination in employment; policy statements on sexual harassment, and contractual framework for engagement between employees and the employer.

Legislation on Devolving of Education

The Constitution of Kenya 2010 makes the governance of education a largely a national responsibility. However, The Constitution recognises the importance of the education sector and the need to devolve certain elements for efficient and improved service delivery to the citizenry. Devolution is covered under Chapter 11 and by almost all chapters of the Constitution and the powers and functions of the two levels of Government are listed in the Fourth Schedule.

The Universities Act, 2012, places responsibility on the Commission for University Education to ensure the establishment of public universities in

each of the Counties, giving priority to Counties that do not have universities immediately after following the coming into force of the Act.

The Universities Amendment Bill 2014, currently before parliament, proposes to amend the Universities Act, No. 42 of 2012, so as to provide for liaison and coordination between the Commission for University Education and the county governments on matters of provision of university education at the county level of government. The establishment of public universities in each of the counties should ensure equitable access to university education.

The National Cohesion and Integration Act, 2008

The Constitution 2010 makes provisions that outlaw discrimination against any person on grounds of ethnicity. The obligations to promote equality and non-discrimination, including on ethnic grounds, also stem from an array of international legal instruments and general principles customary international law, which are now part of the law of Kenya, according to Articles 2(5) and 2(6) of the Constitution. Despite these legal obligations, negative ethnic and race relations permeate the public and private domains in various forms that work against the spirit and letter of the Constitution.

The National Cohesion and Integration Act, 2008 was enacted with the intention of encouraging national cohesion and integration by outlawing discrimination on ethnic grounds. The Act outlaws discrimination in various forms including ethnic discrimination by way of victimization, comparison of persons of different ethnic groups and harassment on the basis of ethnicity; discrimination in employment, in membership of organizations and by other agencies, in access to and distribution of public resources, as well as discrimination in property ownership, management and disposal.

Further, the Act established the National Cohesion and Integration Commission (NCIC) and set out its powers and functions. The NCIC is committed to contributing to a legislative and policy environment in which development of all legislation and policies observes and adheres to the national cohesion and integration principles, particularly the principles that give effect to non-discrimination and equality, in conformity with the Constitution.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

Introduction

This chapter reveals the research design and the methodologies used by the study to collect and analyze data.

Research Design

This study largely relies on the positivism philosophical paradigm which adopts the scientific method as a means of knowledge generation. The positivist stance realizes that such methods are neutral and do not have any interference from the researcher.

Study Population

The population is a precise group of people or objects that possess the characteristic that is questioned in a study. The study population for this research includes all public institutions of higher learning in Kenya. This is primarily because the provision in section 7(2) of the NCI Act is directed at public institutions. As a result, private universities were exempt from this study. Currently, Kenya has twenty-two (22) public universities and nine (9) constituent colleges (CUE website).

Sampling and Sample Size

The study used the census sampling technique of all the 22 public universities and 9 constituent colleges.

Data Collection Instruments

The study uses three key data collection instruments:

Questionnaire

The study undertook a survey of all the 22 public universities and their nine constituent colleges. A questionnaire was shared with each individual university to provide specific details of all their employees. These included

the employee's name, gender, job group, designation, highest level of education, department, ethnic group, home county, work county and date of appointment. These variables were closely crafted alongside the Intergrated Payroll and Personnel Database (IPPD) to ease the collation of data by universities since they use the same format in their human resource management operations. Quantitative data from the universities' feedback on the questionnaire was collected between October 2015 and May 2016.

Ethnic Diversity in Kenya

There are more than 42 ethnic communities in Kenya. Language and cultural background are the main criteria used for ethnic identification in Kenya. There are three main language groups in which the ethnic communities in Kenya can be grouped:


- Bantu-speaking
- Nilotic-speaking
- Cushitic-speaking

There are other distinct language groups such as the Arabs, Asians, Europeans and Americans.

For the purpose of including all communities, this audit used the Housing and Population Census, 2009 to operationalize the ethnic categories as follows;

1. Suba
2. Embu
3. Kamba
4. Kikuyu
5. Kisii
6. Kuria
7. Luo
8. Maasai
9. Mbeere
10. Meru
11. Nubi
12. Samburu
13. Taita
14. Taveta
15. Teso
16. Turkana
17. Tharaka

18. Luhya (so stated)
- Bakhayo
 - Banyore
 - Banyala
 - Bukusu
 - Idakho
 - Isukha
 - Tiriki
 - Kabras
 - Marachi
 - Marama
 - Kisa
 - Maragoli
 - Samia
 - Tachoni
 - Batsotso
 - Wanga
 - Tura
19. Kalenjin (so stated)
- Keiyo
 - Nandi
 - Kipsigis
 - Tugen
 - Pokot
 - Marakwet
 - Njems
 - Arror
 - Bung'omek
 - Cherangany'
 - Dorobo
 - El Molo
 - Endo
 - Ogiek
 - Sabaot
 - Samor
 - Sengwer
 - Senger
 - Terik
 - Endorois
20. Mijikenda (so stated)
- Giriama
 - Digo
 - Rabai
 - Chonyi
 - Duruma
 - Kauma
 - Kambe
 - Ribe
 - Jibana
 - Boni
 - Dahalo
 - Pokomo
 - Waata
21. Swahili (so stated)
- Amu
 - Bajuni
 - Chitundu
 - Jomvu
 - Munyoyaya
 - Mvita
 - Ngare
 - Pate
 - Siu
 - Vumba
 - Wachangamwe
 - Wafaza
 - Wakatwa
 - Wakiliffi
 - Wakilindini
 - Wamtwapa
 - Washaka
 - Watangana
22. Kenyan Somali (so stated)
- Ajuran
 - Degodia
 - Gurreh
 - Hawiyah
 - Murile
 - Ogaden
23. Ilchamus
24. Njemps
25. Borana

- 
26. Burji
 27. Dasanech
 28. Gabra
 29. Galla
 30. Gosha
 31. Konso
 32. Orma
 33. Rendille
 34. Sakuye
 35. Waat
 36. Galjeel
 37. Kenyan Arabs
 38. Kenyan Asians
 39. Kenyan Europeans
 40. Kenyan Americans
 41. Isaak
 42. Leysan

Source: Republic of Kenya (2010) 2009 Kenya Population and Housing Census Vol II, Government Printer

The study attributes the label 'Other Kenyans' to individuals who identified themselves by two ethnic groups, called themselves simply as Kenyans or failed to identify themselves.

Quality Control

For data quality control purposes, the following measures were adhered to:

- Involvement of the research committee in the whole process
- Recruitment and training of research assistants who were interning at the Commission
- Testing of the questionnaire
- Supervision of data collection activity by the head of Research, Policy and Planning department
- Data cleaning and coding prior to analysis
- Use of SPSS software for data analysis

Data Analysis

The data was analysed quantitatively. Quantitative data was analysed using descriptive statistics aided by statistical package for social sciences (SPSS) version 20.0. It was presented in frequencies, percentages and tables.

CHAPTER FOUR

FINDINGS

Introduction

This chapter discusses the major findings of this study delineated from the analysis of data collected from 22 public universities and nine constituent colleges.

Ethnic Representation in Public Institutions of Higher Learning in Kenya

The study reveals that the composition of the sum of all employees in institutions of higher learning seems to take cognizance of the principles and values of public service highlighted in Article 232 of the Constitution particularly in regard to representation of the diversity of the people of Kenya within the public service. The largest ethnic group recruited in the service of these institutions is the Kikuyu which forms 23.6%. The table below shows that the universities have employed members from at least thirty eight ethnic groups in Kenya.

Table 2: General Composition of employees in all institutions of higher learning in Kenya

	Ethnicity	Number	Percentage
1	Kikuyu	7050	23.6
2	Luo	4658	15.6
3	Luhya	4562	15.3
4	Kalenjin	4561	15.3
5	Kisii	2470	8.3
6	Kamba	2393	8.0
7	Meru	1348	4.5
8	Mijikenda	632	2.2
9	Embu	419	1.4
10	Taita	370	1.2
11	Maasai	331	1.1

Table 3: Comparison of Census Population % and % of Employment in Public Universities

Ethnic Group	Population Census 2009	Population	No. in the Universities	% in Universities	Percentage Difference in Population Ratio and Employment
		%			
Kikuyu	6,622,576	17.7	7050	23.6	5.9
Luhya	5,338,666	14.2	4562	15.3	1.1
Kalenjin	4,967,328	13.3	4558	15.3	2.0
Luo	4,044,440	10.8	4658	15.6	4.8
Kamba	3,893,157	10.4	2393	8.0	-2.4
Kenyan Somali	2,385,572	6.4	161	0.5	-5.9
Kisii	2,205,669	5.9	2470	8.3	2.4
Mijikenda	1,960,574	5.2	634	2.1	-3.1
Meru	1,658,108	4.4	1348	4.5	0.1
Turkana	988,592	2.6	26	0.1	-2.5
Maasai	841,622	2.2	331	1.1	-1.1
Teso	338,833	0.9	127	0.4	-0.5
Embu	324,092	0.9	419	1.4	0.5
Taita	273,519	0.7	370	1.2	0.5
Kuria	260,401	0.7	46	0.2	-0.5
Samburu	237,179	0.6	31	0.1	-0.5
Tharaka	175,905	0.5	5	0.02	-0.5
Mbeere	168,155	0.4	47	0.2	-0.2

Borana	161,399	0.4	55	0.2	-0.2
Suba	139,271	0.4	48	0.2	-0.2
Swahili	110,614	0.3	111	0.4	0.1
Gabbra	89,515	0.2	3	0.010	-0.2
Orma	66,275	0.2	1	0.003	-0.2
Rendille	60,437	0.1	4	0.01	-0.1
Kenyan Asian	46,782	0.1	48	0.2	0.1
Kenyan Arab	40,760	0.1	20	0.1	0.0
Burji	23,735	0.1	1	0.003	-0.1
Gosha	21,864	0.1			
Taveta	20,828	0.1	22	0.1	0.0
Nubi	15,463	0.01	7	0.02	0.01
Dasenach	12,530	0.01			
Ilchamus				1 0.003	
Njemps	5,228	0	4	0.01	0.0
Kenyan European	5,166	0	113	0.4	0.4
Other Kenyans and Africans					
Americans					
Total			29,835		

12	Somali	161	0.5
13	Other Kenyans	158	0.5
14	Teso	127	0.4
15	Foreigner	113	0.4
16	Swahili	113	0.4
17	Borana	55	0.2
18	Kenyan Asian	48	0.2
19	Suba	48	0.2
20	Mbeere	47	0.2
21	Kuria	46	0.2
22	Samburu	31	0.1
23	Turkana	26	0.1
24	Taveta	22	0.1
25	Kenyan Arab	20	0.1
26	Nubi	7	0.02
27	Tharaka	5	0.02
28	Rendille	4	0.01
29	Njemps	4	0.01
30	Gabbra	3	0.010
31	Ilchamus	1	0.003
32	Orma	1	0.003
33	Burji	1	0.003
	Total	29,835	100

Comparison with the National Population

An analysis against the national population reveals over as well as under-representation of some ethnic communities within university employment.

Over-representation

When the proportion of ethnic communities in employment is compared with their proportion in national population, it is noted that some communities have a higher proportion within university employment. These include the Kikuyu, Luhya, Kalenjin, Kisii and Luo communities among others.



Under-representation and Exclusion

The study also revealed that some communities were under-represented in university employment. These include Turkana, Maasai, Kenyan Somali, Kamba and Mijikenda among others.

On the other hand, the table below illustrates that university employment has also excluded certain communities such as the Dasenach and the Gosha.

Trends in Representation (2012 vs 2016)

The general trend illustrated in the table below shows that representation of diversity in universities has improved with the inclusion of certain communities that were totally excluded in 2012 such as the Orma. Additionally, minority communities such as the Ilchamus have increased their numbers in employment.

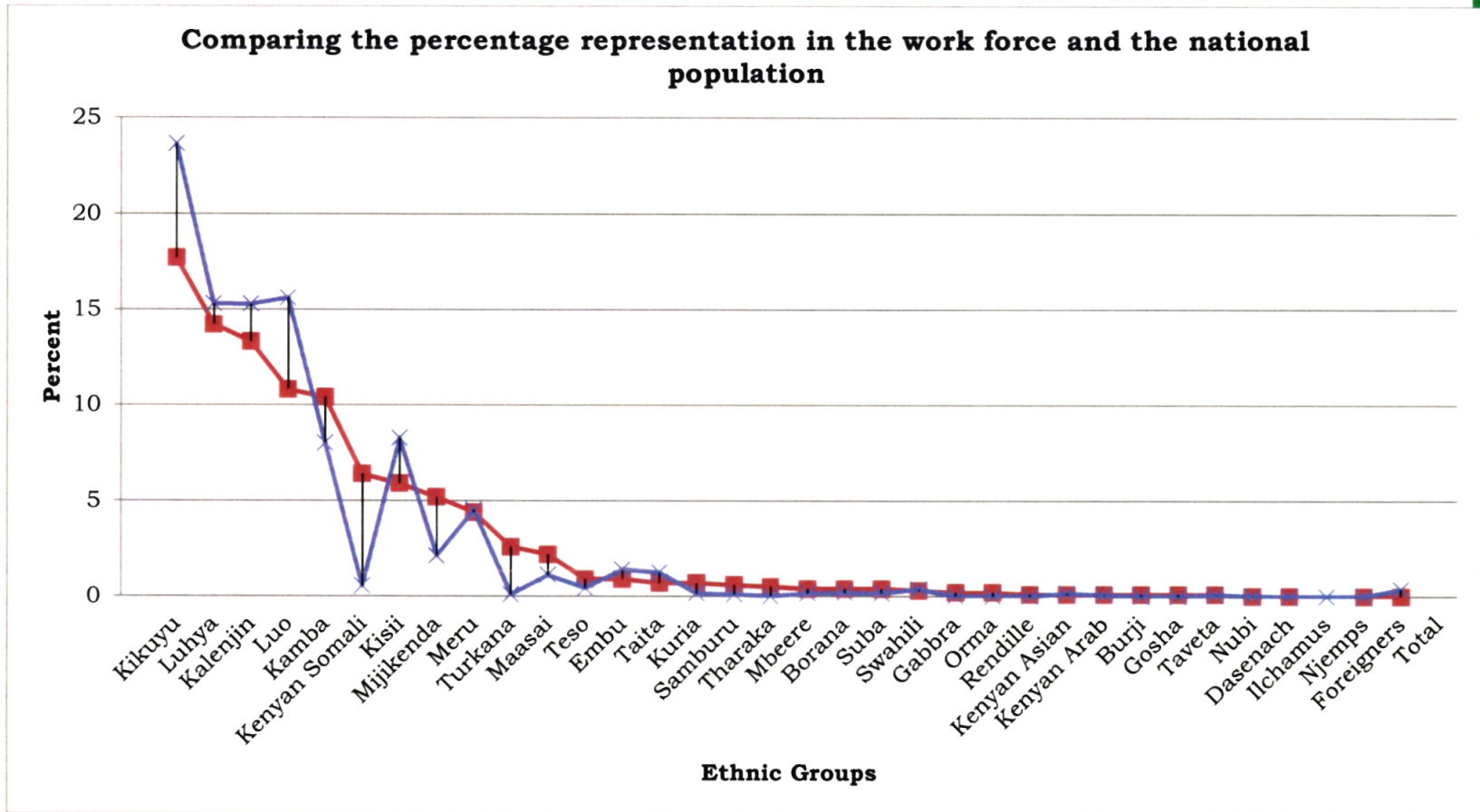


Figure 1: Comparing the percentage representation in the workforce and the national population

Compliance with the NCI Act

Based on the analysis of the 22 public universities and nine constituent colleges, the findings indicated that five institutions complied with section 7(2) of the NCI Act while 26 institutions contravene the provisions of Act. Consequently, employment distribution in these institutions is skewed as they draw more than 33.3% of their employees from one ethnic group. The status of compliance is as shown in Table 4 below.

The complying institutions include Multimedia University, Technical University of Kenya, Egerton University, University of Nairobi and Cooperative University College. The University of Nairobi marked a great improvement from 34% in 2012 to the current 30.1%.

Table 4: Public Institutions of Learning which Comply with the NCI Act

	Name of University	VC/ Principal's Ethnic Group	Majority Ethnic Group in the Entire Staff	Majority Ethnic Group among Senior Staff	% of highest Community	Status of Compliance
1	Multi Media University	Meru	Kikuyu	Kikuyu	21.8	Complied
2	Technical University of Kenya	Luo	Kikuyu	Kikuyu	26.8	Complied
3	Egerton University	Luhya	Kikuyu	Kikuyu	27.1	Complied
4	University of Nairobi	Kamba	Kikuyu	Kikuyu	30.1	Complied
5	Co-operative University College	Luhya	Kikuyu	Kikuyu	33.1	Complied

Table 5 below shows the universities that have contravened section 7(2) of the NCI Act. While the Technical university of Mombasa complied in 2012 as its highest ethnic group was 28.2%, it has contravened the Act following an increase of this ethnic community to 34.5%.

Table 5: Public Institutions of Higher Learning that Contravene the NCI Act

	Name of University	Majority Ethnic Group in the Entire Staff	% of highest Community	Status of Compliance
1	Kirinyaga University College	Kikuyu	82.7	Contravenes
2	Kibabii University	Luhya	79	Contravenes
3	Muranga University College	Kikuyu	76.1	Contravenes
4	Jaramogi Oginga Odinga University	Luo	75.1	Contravenes
5	Rongo University College	Luo	72.5	Contravenes
6	Kisii University	Kisii	72.1	Contravenes
7	Meru University	Meru	70.9	Contravenes
8	Dedan Kimathi University	Kikuyu	70.1	Contravenes
9	Masinde Muliro University	Luhya	69.9	Contravenes
10	Kabianga University	Kalenjin	68.8	Contravenes
11	Machakos University College	Kamba	67.4	Contravenes
12	Maseno University	Luo	63.8	Contravenes
13	Karatina Universtiy	Kikuyu	61.8	Contravenes
14	Moi University	Kalenjin	60.6	Contravenes
15	South Eastern Kenya University	Kamba	57.5	Contravenes

16	Chuka University College	Meru	53.1	Contravenes
17	University of Eldoret	Kalenjin	51.5	Contravenes
18	Garissa University College	Somali	51.4	Contravenes
19	JKUAT	Kikuyu	45.3	Contravenes
20	Kenyatta University	Kikuyu	39.8	Contravenes
21	Maasai Mara University	Maasai	38.8	Contravenes
22	Taita Taveta University College	Taita	38	Contravenes
23	Laikipia University	Kikuyu	37.6	Contravenes
24	Embu University	Embu	37.2	Contravenes
25	Pwani University	Mijikenda	36.8	Contravenes
26	Technical University of Mombasa	Mijikenda	34.5	Contravenes

Comparison with Previous Status of Compliance

A comparison of the compliance levels of institutions of higher learning between the status in 2016 and that in 2012 revealed that thirteen (13) institutions improved compliance by reducing the proportion of the majority ethnic community in their employment. The most improved institution is Meru University which reduced the proportion of the Meru community from 83% in 2012 to 70.9% in 2016.

On the other hand, Table 6 below also illustrates that nine (9) institutions deteriorated as they continued employing members of staff from the ethnic group already forming the majority of their staff. The worst performing institution is Kabianga University which added 10.7% in 2016 to the already existing 58.1% majority staff drawn from the Kalenjin community. This may also be attributed to the fact that the Vice chancellor of the university belongs to the Kalenjin community.

Table 6: Comparison of the Status of Compliance (2012 vs 2016)

	Name of University		% of highest Community (2012)	% of highest Community (2016)	Improvement
1	Meru University	Meru	83	70.9	12.1
2	South Eastern Kenya University	Kamba	67.5	57.5	10
3	Jaramogi Oginga Odinga University	Luo	84.3	75.1	9.2
4	Kisii University	Kisii	79.1	72.1	7
5	University of Eldoret	Kalenjin	58.1	51.5	6.6
6	Dedan Kimathi University	Kikuyu	76	70.1	5.9
7	Chuka University College	Meru	58.4	53.1	5.3
8	Maasai Mara University	Maasai	43.6	38.8	4.8
9	Pwani University	Mijikenda	41.3	36.8	4.5
10	JKUAT	Kikuyu	49.6	45.3	4.3
11	University of Nairobi	Kikuyu	34	30.1	3.9
12	Technical University of Kenya	Kikuyu	29.5	26.8	2.7
13	Maseno University	Luo	65.8	63.8	2
14	Kirinyaga University College	Kikuyu	0	82.7	0
15	Kibabii University	Luhya	0	79	0
16	Muranga University College	Kikuyu	0	76.1	0

17	Machakos University College	Kamba	0	67.4	0
18	Garissa University College	Somali	0	51.4	0
19	Taita Taveta University College	Taita	0	38	0
20	Rongo University College	Luo	0	72.5	0
21	Embu University	Embu	0	37.2	0
22	Co-operative University College	Kikuyu	0	33.1	0
23	Laikipia University	Kikuyu	37	37.6	-0.6
24	Masinde Muliro University	Luhya	68.9	69.9	-1
25	Karatina University	Kikuyu	60.7	61.8	-1.1
26	Egerton University	Kikuyu	25.9	27.1	-1.2
27	Kenyatta University	Kikuyu	38	39.8	-1.8
28	Multi Media University	Kikuyu	20	21.8	-1.8
29	Moi University	Kalenjin	56.3	60.6	-4.3
30	Technical University of Mombasa	Mijikenda	29.3	34.5	-5.2
31	Kabianga University	Kalenjin	58.1	68.8	-10.7

Big Employers

Universities are big employers. The study found out that the total size of employment in public universities and constituent colleges was 29,835. Following the NCIC study in 2011 on Diversity in the Civil Service, it is worth noting that university employment is about a quarter of the size of employment in mainstream government.

Table 7: The Size of Employment in Institutions of Higher Learning

	Name of University	Number of Employees
1	The University of Nairobi	5795
2	Moi University	3198
3	Kenyatta University	2763
4	JKUAT	2450
5	Egerton University	2044
6	Maseno University	1286
7	Technical University of Kenya	1185
8	Kisii University	1033
9	Masinde Muliro University	1030
10	University of Eldoret	917
11	Technical University of Mombasa	753
12	Laikipia University	585
13	Maasai Mara University	531
14	Kabianga University	506
15	Dedan Kimathi University	471
16	Rongo University College	448
17	South Eastern Kenya University	438
18	Karatina University	419
19	Chuka University College	409
20	Machakos University College	402
21	Pwani University	397
22	Multi Media University	390
23	Jaramogi Oginga Odinga University	382
24	Meru University	316
25	Kibabii University	309

26	Co-operative University College	272
27	Muranga University College	259
28	Taita Taveta University College	250
29	Kirinyaga University College	226
30	Embu University	223
31	Garissa University College	148
		29,835

Relationships, Causes and Compliance

Vice Chancellor/ Principal's Ethnic Group and the Majority of Senior Staff

There is a strong correlation between the ethnic group of the Vice Chancellor/ Principal of institutions of higher learning and the majority ethnic group among senior staff. Table 8 below shows that in 15 of the 31 surveyed institutions, the VC/Principal and the highest group among senior staff share a similar ethnic group.

Vice Chancellor/ Principal's Ethnic Group and the Majority of Staff

Similarly, a relationship is noted between the ethnic group of the VC/Principal and the ethnicity of the majority of members of staff. 50% of the institutions of higher learning recorded a similar ethnic group for both their VC/Principal and the highest ethnic group in their staffing.

Ethnic General Representation vs Representation among Senior Staff

There is negligible statistical difference between the ethnic representation in general university staffing and ethnic diversity among senior staff of these institutions. In fact, only four (4) out of 31 institutions recorded a difference in this regard. Table 8 below illustrates that Garissa University, Maasai Mara University, Taita Taveta University and Embu University have the majority among general staff from one ethnic group while the majority of the senior staff are drawn from another.

Table 8: Relationships and compliance among public universities in Kenya

	Name of University	VC/ Principal's Ethnic Group	Majority Ethnic Group in the Entire Staff	Majority Ethnic Group among Senior Staff	% of highest Community	Status of Compliance
1	Kirinyaga University College	Kikuyu	Kikuyu	Kikuyu	82.7	Contravenes
2	Kibabii University	Teso	Luhya	Luhya	79	Contravenes
3	Muranga University College	Kisii	Kikuyu	Kikuyu	76.1	Contravenes
4	Jaramogi Oginga Odinga University	Luo	Luo	Luo	75.1	Contravenes
5	Rongo University College	Luo	Luo	Luo	72.5	Contravenes
6	Kisii University	Kisii	Kisii	Kisii	72.1	Contravenes
7	Meru University	Meru	Meru	Meru	70.9	Contravenes
8	Dedan Kimathi University	Kikuyu	Kikuyu	Kikuyu	70.1	Contravenes
9	Masinde Muliro University	Luo	Luhya	Luhya	69.9	Contravenes
10	Kabianga University	Kalenjin	Kalenjin	Kalenjin	68.8	Contravenes
11	Machakos University College	Kamba	Kamba	Kamba	67.4	Contravenes
12	Maseno University	Luo	Luo	Luo	63.8	Contravenes
13	Karatina Universtiy	Kikuyu	Kikuyu	Kikuyu	61.8	Contravenes
14	Moi University	Kalenjin	Kalenjin	Kalenjin	60.6	Contravenes
15	South Eastern Kenya University	Kamba	Kamba	Kamba	57.5	Contravenes
16	Chuka University College	Meru	Meru	Meru	53.1	Contravenes
17	University of Eldoret	Luhya	Kalenjin	Kalenjin	51.5	Contravenes
18	Garissa University College	Somali	Somali	Luhya	51.4	Contravenes

19	JKUAT	Luhya	Kikuyu	Kikuyu	45.3	Contravenes
20	Kenyatta University	Kikuyu	Kikuyu	Kikuyu	39.8	Contravenes
21	Maasai Mara University	Luhya	Maasai	Kikuyu	38.8	Contravenes
22	Taita Taveta University College	Mijikenda	Taita	Luo	38	Contravenes
23	Laikipia University	Kamba	Kikuyu	Kikuyu	37.6	Contravenes
24	Embu University	Meru	Embu	Kikuyu	37.2	Contravenes
25	Pwani University	Swahili	Mijikenda	Mijikenda	36.8	Contravenes
26	Technical University of Mombasa		Mijikenda	Mijikenda	34.5	Contravenes
27	Co-operative University College	Luhya	Kikuyu	Kikuyu	33.1	Complied
28	University of Nairobi	Kamba	Kikuyu	Kikuyu	30.1	Complied
29	Egerton University	Luhya	Kikuyu	Kikuyu	27.1	Complied
30	Technical University of Kenya	Luo	Kikuyu	Kikuyu	26.8	Complied
31	Multi Media University	Meru	Kikuyu	Kikuyu	21.8	Complied

Relationship between the Ethnic Group of Majority of Employees in Public Universities with Dominant Community in the Location

The relationship between the majority of employees in public institutions and the dominant ethnic group in the location of the university remains homogenous. This is similar to the finding that the Ethnic and Diversity Audit of public universities revealed in 2012.

Table 9: The relationship between the majority ethnic group and the dominant ethnic community in the location of the institution

	Name of University	Majority Ethnic Group in the Entire Staff	Dominant Group around the University
1	Kirinyaga University College	Kikuyu	Kikuyu
2	Kibabii University	Luhya	Luhya
3	Muranga University College	Kikuyu	Kikuyu
4	Jaramogi Oginga Odinga University	Luo	Luo
5	Rongo University College	Luo	Luo
6	Kisii University	Kisii	Kisii
7	Meru University	Meru	Meru
8	Dedan Kimathi University	Kikuyu	Kikuyu
9	Masinde Muliro University	Luhya	Luhya
10	Kabianga University	Kalenjin	Kalenjin
11	Machakos University College	Kamba	Kamba
12	Maseno University	Luo	Luo
13	Karatina Universtiy	Kikuyu	Kikuyu
14	Moi University	Kalenjin	Kalenjin
15	South Eastern Kenya University	Kamba	Kamba
16	Chuka University College	Meru	Meru
17	University of Eldoret	Kalenjin	Kalenjin
18	Garissa University College	Somali	Somali
19	JKUAT	Kikuyu	-
20	Kenyatta University	Kikuyu	-
21	Maasai Mara University	Maasai	Maasai
22	Taita Taveta University College	Taita	Taita
23	Laikipia University	Kikuyu	Kikuyu

24	Embu University	Embu	Embu
25	Pwani University	Mijikenda	Mijikenda
26	Technical University of Mombasa	Mijikenda	Mijikenda
27	Co-operative University College	Kikuyu	-
28	University of Nairobi	Kikuyu	-
29	Egerton University	Kikuyu	Kikuyu / Kalenjin
30	Technical University of Kenya	Kikuyu	-
31	Multi Media University	Kikuyu	-

Comparison of Ethnic affiliation of Vice Chancellors of Public Universities: 2012 vs 2016

In 2012, most vice chancellors and principals were from the dominant ethnic group within the location of the university/ college. One of the recommendations of the 2012 Ethnic and Diversity Audit of Public Universities and Constituent Colleges advocated for the recruitment of university heads by the University Council from ethnic communities that are not dominant in the location of the institution. The trend analyzed in the table 10 above indicates that the Ministry has adopted this recommendation since six (6) of the institutions have changed the ethnic group of their vice chancellor/ principal. These institutions are Multi Media University, Egerton University, University of Nairobi, Maasai Mara University, Masinde Muliro University and the University of Eldoret.

Table 10: VC/Principals' ethnic groups (2012 vs 2016)

	Name of University	VC/ Principal's Ethnic Group		Majority Ethnic Group in General Staff
		2012	2016	2016
1	Kirinyaga University College	-	Kikuyu	Kikuyu
2	Kibabii University	-	Teso	Luhya
3	Muranga University College	-	Kisii	Kikuyu
4	Jaramogi Oginga Odinga University	Luo	Luo	Luo
5	Rongo University College	-	Luo	Luo
6	Kisii University	Kisii	Kisii	Kisii

7	Meru University	Meru	Meru	Meru
8	Dedan Kimathi University	Kikuyu	Kikuyu	Kikuyu
9	Masinde Muliro University	Luhya	Luo	Luhya
10	Kabianga University	Kalenjin	Kalenjin	Kalenjin
11	Machakos University College	-	Kamba	Kamba
12	Maseno University	Luo	Luo	Luo
13	Karatina University	Kikuyu	Kikuyu	Kikuyu
14	Moi University	Kalenjin	Kalenjin	Kalenjin
15	South Eastern Kenya University	Kamba	Kamba	Kamba
16	Chuka University College	Meru	Meru	Meru
17	University of Eldoret	Kalenjin	Luhya	Kalenjin
18	Garissa University College	-	Somali	Somali
19	JKUAT	Luhya	Luhya	-----
20	Kenyatta University	Kikuyu	Kikuyu	-----
21	Maasai Mara University	Maasai	Luhya	Maasai
22	Taita Taveta University College	-	Mijikenda	Taita
23	Laikipia University	Kamba	Kamba	Kikuyu
24	Embu University	-	Meru	Embu
25	Pwani University	Swahili	Swahili	Mijikenda
26	Technical University of Mombasa	Mijikenda	Mijikenda	Mijikenda
27	Co-operative University College	-	Luhya	-----
28	University of Nairobi	Luo	Kamba	-----
29	Egerton University	Kalenjin	Luo	Kikuyu/Kalenjin
30	Technical University of Kenya	Luo	Luo	-----
31	Multi Media University	Luhya	Meru	-----

Gender representation of Principals of Universities

The Universities lack a strong gender representation at the management level. This calls upon a review of the internal policies or practices towards encouraging women in leadership. In reference to the data collected and analyzed for this study, only two (2) ladies head two of the 19 universities.

Significant Correlations

The study also ran some correlations between five variables i.e. ethnicity, gender, education levels, departmental heads and composition of departments. The following results were observed.

Ethnicity and Level of Education

The study revealed a strong Pearson correlation between ethnicity and level of education. P stood at 0.01 and $t = 0.115$ which is greater than the significance level i.e. > 0.01 . Implicatively, there is a significant correlation between ethnicity and level of education one can attain. As such, people from certain ethnic groups are likely to have higher academic qualification than those from other ethnic groups. In fact, when academic status changes by 21%, ethnicity changes by 21% because the covariance (cov.) = 0.210.

Ethnicity and Departmental Heads

Consequently, people from certain ethnic groups are likely to get higher rank/jobs in certain departments than others. This is illustrated by the strong Pearson correlation between ethnicity and departmental heads where $p=0.027$ which is >0.01 . It is 99% certain that if the way jobs are allocated to heads of department is altered, ethnicity will be reduced by 3%.

People from certain ethnic group are likely to be in specific departments than others, $p=0.014$

Table 11: Correlations

		Gender	Highest_qualification	Departmental_Heads	Department	Ethnicity
Gender	Pearson Correlation	1	-.077**	.006	.012*	.028**
	Sig. (2-tailed)		.000	.357	.045	.000
	Covariance	.236	-.094	.011	.012	.118
	N	26784	26784	26751	26784	26784
Highest_qualification	Pearson Correlation	-.077**	1	.022**	.438**	.010
	Sig. (2-tailed)	.000		.000	.000	.115
	Covariance	-.094	6.176	.222	2.155	.210
	N	26784	26785	26752	26785	26785
Departmental_Heads	Pearson Correlation	.006	.022**	1	.044**	.027**
	Sig. (2-tailed)	.357	.000		.000	.000
	Covariance	.011	.222	16.320	.354	.950
	N	26751	26752	26752	26752	26752
Department	Pearson Correlation	.012*	.438**	.044**	1	.014*
	Sig. (2-tailed)	.045	.000	.000		.025
	Covariance	.012	2.155	.354	3.914	.237

	N	26784	26785	26752	26785	26785
Ethnicity	Pearson Correlation	.028**	.010	.027**	.014*	1
	Sig. (2-tailed)	.000	.115	.000	.025	
	Covariance	.118	.210	.950	.237	76.872
	N	29,835	29,835	29,835	29,835	29,835

** . Correlation is significant at the 0.01 level (2-tailed).

Regression Coefficients

In order to establish the direction of the relationships attained while running correlations, the study undertook some regression coefficients in regard to whether ones academic qualification and the department they may work in could be determined by their ethnicity.

Table 12: Regression tables (academic qualifications/ department/ ethnicity)

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	4.046	.070		57.500	.000
	Ethnicity	.003	.002	.010	1.575	.115

a. Dependent Variable: Highest_qualification

Coefficients^a


Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.579	.056		46.047	.000
	Ethnicity	.003	.001	.014	2.241	.025

a. Dependent Variable: Department

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	38.941	.140		277.860	.000
	Highest_qualification	.027	.024	.008	1.107	.269
	Department	.037	.030	.008	1.233	.218

a. Dependent Variable: Ethnicity



The regression tables above indicate that a slight increase of informed departmental staffing, $B=-0.037$, can easily predict a reduction in negative ethnicity by the same value, *ceteris paribus*.

For null hypothesis to hold, p should be equal to 0.01 or less i.e. that department staffing, academic qualification, job allocation per departments has no effect on ethnicity, but since respective $P=0.014, 0.01, 0.027 > 0.01$, it's therefore true to say that the null hypothesis doesn't hold.

In summary, there is real negative ethnicity in terms of employment of workers/staff at the university in various departments in consideration of their academic qualification- hence need to reconsider this factors to restore positive ethnicity in the country.

CHAPTER FIVE

REPRESENTATION IN INDIVIDUAL UNIVERSITIES

INSTITUTIONS THAT COMPLY WITH THE NCI ACT, 2008

This section highlights the institutions that have complied with Section 7(2) of the NCI Act which provides that a public establishment shall not recruit more than one third of its employees from one ethnic group.

Five (5) Universities complied with the provision. They include:

1. Multimedia University of Kenya
2. Technical University of Kenya
3. Egerton University
4. The University of Nairobi
5. Cooperative University College of Kenya

Multimedia University of Kenya

Multimedia University (MMU) was established in 1948 when the institution was founded as Central Training School (CTS) to serve as East African Post Training School before changing to Kenya Posts and Telecommunications Corporation (KPTC). In 2008, it was upgraded to Multimedia University College of Kenya as a constituent college of Jomo Kenyatta University of Agriculture and Technology.

The University has 390 staff members as per the data shared on 7th January 2016.

The Vice Chancellor Prof. Kaberia Festus M'Mucheke is Meru. MMU does not only comply with the NCI Act but also records the least percentage of the majority group i.e. 21.8%. This implies that it has space to accommodate more people from minority communities. The University has recruited staff from communities traditionally referred to as minorities such as the Teso and the Kuria.

Table 13: Ethnic Distribution of Multimedia University General Staff

	Ethnic Group	Number	Percentage
1.	Kikuyu	85	21.8
2.	Luo	68	17.4

3.	Luhya	61	15.6
4.	Kisii	38	9.7
5.	Kamba	37	9.5
6.	Meru	32	8.2
7.	Kalenjin	31	7.9
8.	Embu	18	4.6
9.	Taita	8	2.1
10.	Kuria	3	0.8
11.	Maasai	3	0.8
12.	Mijikenda	2	0.5
13.	Teso	2	0.5
14.	Other Kenyan	2	0.5
	Total	390	100

The study also analyzed the distribution of senior staff within Multimedia University and found out that 29.5% belong to the Kikuyu community. The table below indicates that the University has eleven ethnic groups within its senior staff composition. Given that Kenyan communities are more than 42, MMU should embrace an inclusive policy particularly among its faculty members by opening up for more ethnic groups.

Table 14: Ethnic Distribution of Multimedia Senior Staff

	Ethnic Group	Number	Percentage
1.	Kikuyu	31	29.5
2.	Luo	21	20.0
3.	Luhya	14	13.3
4.	Kamba	9	8.6
5.	Kisii	8	7.6
6.	Kalenjin	7	6.7
7.	Meru	6	5.7
8.	Embu	4	3.8
9.	Taita	3	2.9
10.	Teso	1	1.0
11.	Other Kenyan	1	1.0
	Total	105	100

Technical University of Kenya

Technical University of Kenya (TUK) grew out of the Kenya Polytechnic. The Kenya Polytechnic was founded in 1961. The foundations of the Kenya Polytechnic were intricately connected to the University of Nairobi.

The University has 1,185 staff members as per the data shared on 24th November 2015.

The Vice Chancellor, Prof. Aduol, is Luo. The Technical University of Kenya also complies with the provisions of Section 7(2) of the NCI Act because the majority of its employees composed of 26.8% belong to the Kikuyu community..

Table 15: Ethnic distribution of TUK General Staff

	Ethnic Group	Number	Percentage
1.	Kikuyu	318	26.8
2.	Luo	293	24.7
3.	Luhya	179	15.1
4.	Kamba	128	10.8
5.	Kisii	85	7.2
6.	Kalenjin	57	4.8
7.	Meru	51	4.3
8.	Borana	13	1.1
9.	Embu	13	1.1
10.	Maasai	11	0.9
11.	Mjikenda	10	0.8
12.	Taita	7	0.6
13.	Teso	5	0.4
14.	Samburu	3	0.3
15.	Suba	2	0.2
16.	Kuria	2	0.2
17.	Tharaka	2	0.2
18.	Foreigner	2	0.2
19.	Kenyan Asian	1	0.1
20.	Kenyan Somali	1	0.1
21.	Mbeere	1	0.1
22.	Swahili	1	0.1
	Total	1185	100

TUK has a relatively diverse senior staff, with twenty (20) ethnic groups being represented in this category. Nevertheless, 28.1% belong to the Kikuyu community while 25.2% belong to the Luo community. This raises the question of whether tyranny from the bigger communities may be a factor at play in the sharing of public employment in this institution.

Table 16: Ethnic representation of TUK Senior Staff

	Ethnic Group	Number	Percentage
1.	Kikuyu	126	28.1
2.	Luo	113	25.2
3.	Luhya	60	13.4
4.	Kamba	41	9.2
5.	Kisii	40	8.9
6.	Meru	28	6.3
7.	Kalenjin	16	3.6
8.	Embu	4	0.9
9.	Maasai	4	0.9
10.	Mijikenda	3	0.7
11.	Teso	2	0.4
12.	Suba	2	0.4
13.	Foreigner	3	0.6
14.	Taita	1	0.2
15.	Samburu	1	0.2
16.	Kuria	1	0.2
17.	Kenyan Asian	1	0.2
18.	Mbeere	1	0.2
19.	Swahili	1	0.2
	Total	448	100

Egerton University

Egerton University is the oldest institution of higher learning in Kenya. It was founded as a Farm School in 1939 by Lord Maurice Egerton of Tatton, a British national who settled in Kenya in the 1920s. In 1950, the School was upgraded to an Agricultural College offering diploma programmes. The Egerton Agricultural College Ordinance was enacted in 1955. In 1979, the Government of Kenya and the United States Agency for International Development (USAID) funded a major expansion of the institution. In 1986, Egerton Agricultural College was gazetted as a constituent college of the University of Nairobi. The following year, 1987, marked the establishment of Egerton University through an Act of Parliament (<http://www.egerton.ac.ke/>).

An ethnic audit of the University revealed that the University has 2044 members of staff. Egerton University has also complied with the provisions of section 7(2) of the NCI Act which requires that not more than one third of a public institution's employees should belong to one ethnic group. It has recorded a high of 27.1% from the Kikuyu community.

Table 17: Ethnic distribution of Egerton university general staff

No.	Ethnic Group	Number	Percentage
1.	Kikuyu	554	27.1
2.	Kalenjin	508	24.9
3.	Luhya	297	14.5
4.	Luo	287	14.0
5.	Kisii	168	8.2
6.	Kamba	104	5.1
7.	Meru	34	1.7
8.	Mijikenda	30	1.5
9.	Somali	21	1.0
10.	Maasai	17	0.8
11.	Foreigner	7	0.4
12.	Teso	6	0.3
13.	Taita	4	0.2
14.	Turkana	3	0.2
15.	Borana	2	0.1
16.	Swahili	2	0.1
	Total	2044	100

An analysis of the ethnic composition of senior staff at the University reveals that the legal provisions on representation of diversity have been observed. The majority ethnic group in the University's senior staff is the Kikuyu at 25.9%.

Table 18: Ethnic Distribution of Egerton University Senior Staff

No.	Ethnic Group	Number	Percentage
1.	Kikuyu	153	25.9
2.	Kalenjin	115	19.5
3.	Luo	92	15.6
4.	Luhya	85	14.4
5.	Kisii	59	10.0

6.	Kamba	33	5.6
7.	Mijikenda	17	2.9
8.	Meru	13	2.2
9.	Maasai	6	1.0
10.	Somali	6	1.0
11.	Foreigner	6	1.0
12.	Swahili	2	0.3
13.	Taita	2	0.3
14.	Kenyan Asian	1	0.2
	Total	590	100

The University of Nairobi

The history of The University of Nairobi goes back to 1956. It became an independent University in 1970 when the University of East Africa was split into three different Universities: Makerere University in Uganda, the University of Dar-es-Salaam in Tanzania, and the University of Nairobi in Kenya.

Following an audit of the employee data provided by the University, the study established that it has 5,795 members of staff.

The Vice Chancellor, Prof. Peter Mbithi, is Kamba. The University complies with section 7(2) of the NCI Act as it has 30.1% members of staff from the Kikuyu community forming its majority group. Nevertheless, there is a huge gap between the first community i.e. the Kikuyu and the second group i.e. the Luo who form 17.6% of the employees. In spite of this, The University of Nairobi has included 42 ethnic groups of Kenya in its employment. The data however did not identify the ethnic group of about 150 employees. They were simply labeled as 'other Kenyans' because they either identified themselves by two ethnic groups, they identified themselves simply as Kenyans or they did not .

Table 19: Ethnic distribution of the University of Nairobi general staff

	Ethnic Group	Number	Percentage
1	Kikuyu	1744	30.1
2	Luo	1019	17.6
3	Luhya	834	14.4
4	Kamba	649	11.2

5	Kisii	460	7.9
6	Kalenjin	270	4.7
7	Meru	233	4.0
8	Other Kenyans	110	1.9
9	Embu	104	1.8
10	Taita	79	1.4
11	Mijikenda	58	1.0
12	Foreigners	40	0.7
13	Kenyan Asian	26	0.4
14	Maasai	26	0.4
15	Mbeere	26	0.4
16	Somali	24	0.4
17	Teso	22	0.4
18	Suba	20	0.3
19	Swahili	16	0.3
20	Samburu	7	0.1
21	Borana	6	0.1
22	Kuria	5	0.1
23	Kenyan Arab	4	0.1
24	Taveta	4	0.1
25	Rendille	2	0.03
26	Tharaka	2	0.03
27	Turkana	2	0.03
28	Ilchamus	1	0.02
29	Njemps	1	0.02
30	Nubi	1	0.02
	Total	5,795	100.0

Ethnic representation in the University's senior staff also followed the trend of the general composition of staff. The majority of the senior staff who form 27.7%, are from the Kikuyu community. Commendably, the UoN has included minority communities such as the Turkana, Nubi and Kenyan Asian among others in its senior staffing portfolios.

Table 20: UoN senior staff distribution by ethnic representation

No.	Ethnic Group	Number	Percentage
1	Kikuyu	481	27.7
2	Luo	399	23.0
3	Luhya	234	13.5
4	Kamba	154	8.9
5	Kisii	126	7.3
6	Kalenjin	64	3.7
7	Meru	65	3.8
8	Embu	27	1.6
9	Kenyan Asian	38	2.2
10	Mijikenda	17	1.0
11	Taita	16	0.9
12	Other Kenyans	15	0.9
13	Somali	13	0.7
14	Swahili	12	0.7
15	Suba	8	0.5
16	Foreigners	40	2.1
17	Maasai	7	0.4
18	Mbeere	6	0.3
20	Teso	5	0.3
23	Kenyan Arab	2	0.1
25	Tharaka	2	0.1
27	Kuria	1	0.1
28	Nubi	1	0.1
29	Taveta	1	0.1
30	Turkana	1	0.1
	Total	1735	100

Co-operative University College of Kenya

The Co-operative University College of Kenya (CUCK) is a leading centre for quality co-operative education, training, research and consultancy in Kenya. It was initially a Constituent College of Jomo Kenyatta University of Agriculture and Technology (JKUAT). The Predecessor College was a Semi-Autonomous

Government agency (SAGA) under the Ministry of Co-operative Development and Marketing.

The University college has 272 staff members.

The Principal, Prof. Douglas Shitanda, is Luhya. Cooperative University complies with the NCI Act. The composition of the general staff indicates that the Kikuyu ethnic group comprises of the largest percentage of the work force at 33.1%.

Table 21: Ethnic Distribution of Cooperative University College General Staff

	Ethnic Group	Number	Percentage
1	Kikuyu	90	33.1
2	Luhya	46	16.9
3	Kisii	30	11.0
4	Luo	27	9.9
5	Kamba	19	7.0
6	Meru	16	5.9
7	Kalenjin	16	5.9
8	Embu	15	5.5
9	Mijikenda	8	2.9
10	Taita	4	1.5
11	Maasai	1	0.4
	Total	272	100

However, representation of the senior staff contravenes the NCI Act. The Kikuyu ethnic group is the largest with 36.2% of the work force, thus exceeding the threshold by 2.9%.

Table 22: Cooperative University College Ethnic Representation of Senior Staff

	Ethnic Group	Number	Percentage
1	Kikuyu	21	36.2
2	Luhya	10	17.2
3	Luo	7	12.1
4	Meru	4	6.9
5	Kalenjin	4	6.9

6	Kisii	4	6.9
7	Kamba	3	5.2
8	Embu	3	5.2
9	Taita	1	1.7
10	Mijikenda	1	1.7
	Total	58	100

PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT CONTRAVENE THE NCI ACT

This section mentions the public institutions of higher learning that flout the provisions of section 7 (2) of the NCI Act.

Kirinyaga University College

Kirinyaga University College was established by the Kenya Government through the Kirinyaga University College Order, Legal Notice No. 108 of September 2011 as a constituent college of Jomo Kenyatta University of Agriculture and Technology. As a successor to the Kirinyaga Technical Institute (KTI), the University College aims at becoming a world class university of science and technology specializing in industry oriented innovation and entrepreneurship in engineering, science, technology and ICT.

Kirinyaga University College has 226 members of staff. It contravenes the NCI Act with the largest group composed of 82.7% from the Kikuyu community.

Table 23: Kirinyaga University College general staff ethnic distribution

No.	Ethnicity	Number	Percentage
1.	Kikuyu	187	82.7
2.	Embu	13	5.8
3.	Kamba	6	2.7
4.	Luo	6	2.7
5.	Meru	5	2.2
6.	Luhya	5	2.2
7.	Kalenjin	2	0.9
8.	Taita	1	0.4
9.	Tharaka	1	0.4
	Total	226	100.0

Similarly, the composition of senior staff of Kirinyaga University College is skewed towards the Kikuyu community who encompass 80.6%.

Table 24: Kirinyaga University College senior staff ethnic distribution

No.	Ethnicity	Number	Percentage
1.	Kikuyu	50	80.6
2.	Kamba	4	6.5
3.	Embu	3	4.8
4.	Luhya	2	3.2
5.	Luo	2	3.2
6.	Meru	1	1.6
	Total	62	100.0

Kibabii University

The establishment of Kibabii University College (KIBUCO) is traced to the origins of Kibabii Teachers' Training College which is the precursor to the current Kibabii University College. The Kenya gazette notice of 12th August 2011 established Kibabii University College as a constituent college of Masinde Muliro University of Science and Technology via Legal Notice No.115 of August 2011.

The University has 309 general staff and the Vice Chancellor is Prof. Odeo Isaac Ipara who is from the Teso ethnic group.

Kibabii University contravenes the provision of the NCI Act on ethnic inclusion in employment. Its majority ethnic group is the Luhya whose composition is 79.0% of the entire establishment.

Table 25: Kibabii university college general staff ethnic distribution

	Ethnicity	Number	Percentage
1.	Luhya	244	79.0
2.	Kalenjin	20	6.5
3.	Luo	13	4.2
4.	Teso	9	2.9
5.	Kisii	9	2.9
6.	Kikuyu	5	1.6
7.	Kamba	4	1.3

8.	Meru	2	0.6
9.	Embu	1	0.3
10.	Mijikenda	1	0.3
11.	Turkana	1	0.3
	Total	309	100.0

The ethnic representation of senior staff at Kibabii University college follows the trend of its general composition. The Luhya form majority part with 71.3%.

Table 26: Kibabii University Senior staff ethnic distribution

	Ethnicity	Number	Percentage
1.	Luhya	62	71.3
2.	Kalenjin	7	8.0
3.	Luo	7	8.0
4.	Kisii	4	4.6
5.	Teso	3	3.4
6.	Kikuyu	2	2.3
7.	Mijikenda	1	1.1
8.	Meru	1	1.1
	Total	87	100.0

Murang'a University College

Murang'a University College (MRUC) was established in September 2011 via Murang'a University College order legal notice No. 129 of September 2011 as a constituent College of Jomo Kenyatta University of Agriculture and Technology. MRUC is the successor of Murang'a College of Technology.

The University has 259 staff members.

Murang'a University College contravenes the NCI Act. The composition of the general staff indicates that the Kikuyu who make up the highest ethnic representation comprises of 76.1% of the work force.

Table: Ethnic distribution of MRUC General Staff

	Ethnicity	Number	Percentage
1	Kikuyu	197	76.1
2	Luhya	23	8.9
3	Luo	9	3.5
4	Kalenjin	6	2.3
5	Kamba	6	2.3
6	Kisii	6	2.3
7	Meru	6	2.3
8	Embu	2	0.8
9	Teso	2	0.8
10	Borana	1	0.4
11	Turkana	1	0.4
	Total	259	100

The Kikuyu ethnic group also comprises of 60% of the senior staff.

Table 27: Ethnic Composition of MRUC Senior Staff

	Ethnic Group	Number	Percentage
1	Kikuyu	27	60.0
2	Luhya	5	11.1
3	Kisii	3	6.7
4	Meru	3	6.7
5	Kalenjin	3	6.7
6	Luo	2	4.4
7	Kamba	1	2.2
8	Turkana	1	2.2
	Total	45	100

Jaramogi Oginga Odinga University of Science and Technology (JOOUST)

JOOUST is the successor of Bondo University College (BUC) which was established by the Government of Kenya as a Constituent College of Maseno University through a Legal Order No. 56 of 11th May 2009.

The University has 382 general staff and the Vice chancellor is Prof. Stephen Gaya Agong who is from Luo ethnic group.

JOOUST has contravened the NCI Act as the dominant ethnic group, the Luo, make up 75.1% of the general workforce which is higher than the 33.3% stipulated by the Act.

Table 28: JOOUST general staff ethnic distribution

No.	Ethnicity	Number	Percentage
1.	Luo	287	75.1
2.	Luhya	43	11.3
3.	Kisii	18	4.7
4.	Kalenjin	9	2.4
5.	Kikuyu	8	2.1
6.	Kamba	5	1.3
7.	Meru	3	0.8
8.	Teso	3	0.8
9.	Kuria	2	0.5
10.	Taita	2	0.5
11.	Kenyan Asian	1	0.3
12.	Turkana	1	0.3
	Total	382	100.0

The senior staff also contravene the NCI Act as the largest community comprise of 76.7% from the Luo community

Table: JOOUST senior staff ethnic distribution

No.	Ethnicity	Number	Percentage
1.	Luo	89	76.7
2.	Luhya	10	8.6
3.	Kisii	8	6.8
4.	Kalenjin	2	1.7
5.	Kikuyu	2	1.7
6.	Kamba	1	0.9
7.	Kenyan Asian	1	0.9
8.	Kuria	1	0.9
9.	Teso	1	0.9
10.	Turkana	1	0.9
	Total	116	100

3.	Kalenjin	25	11.4
4.	Luo	21	9.5
5.	Kikuyu	10	4.5
6.	Kamba	8	3.6
7.	Meru	1	0.5
8.	Taita	1	0.5
	Total	221	100.0

Meru University of Science and Technology

Meru University College of Science and Technology (MUCST) was established through Legal Notice No. 103 of 18th July 2008 as a constituent college of Jomo Kenyatta University of Agriculture and Technology.

Meru University College has a total of 315 members of staff. The Vice Chancellor Prof. Japhet Kithinji Magambo is Meru. The University College has contravened the NCI Act. The largest community in its employment is the Meru at 70.9%.

Table 33: Meru University general staff general distribution

	Ethnicity	Number	Percentage
1.	Meru	224	70.9
2.	Kikuyu	30	9.5
3.	Luhya	14	4.4
4.	Embu	9	2.8
5.	Kamba	8	2.5
6.	Kalenjin	7	2.2
7.	Kisii	6	1.9
8.	Luo	6	1.9
9.	Borana	4	1.3
10.	Mbeere	3	0.9
11.	Mijikenda	1	0.3
12.	Maasai	1	0.3
13.	Foreigner	1	0.3
14.	Taita	1	0.3
15.	Teso	1	0.3
	Total	316	100

The ethnic composition of senior staff at Meru University is better than its general composition since the Meru form 53.3% of its employees in this cadre.

Table 34: Meru University senior staff ethnic distribution

	Ethnicity	Number	Percentage
1.	Meru	48	53.3
2.	Kikuyu	17	18.9
3.	Kamba	4	4.4
4.	Borana	3	3.3
5.	Kalenjin	3	3.3
6.	Kisii	3	3.3
7.	Luhya	3	3.3
8.	Luo	3	3.3
9.	Embu	2	2.2
10.	Mijikenda	1	1.1
11.	Mbeere	1	1.1
12.	Taita	1	1.1
13.	Teso	1	1.1
	Total	90	100

Dedan Kimathi University of Technology

Dedan Kimathi University of Technology started as a community project in 1972 then known as Kimathi Institute of Technology (KIT), opening doors to its first students in 1978. KIT rapidly emerged as a leading institution in the country in the training of Certified Public Accountants. It was upgraded to University status in 2007, and renamed Kimathi University College of Technology (KUCT), a constituent college of Jomo Kenyatta University of Agriculture and Technology.

This institution became a full university status after being granted a charter in December 2012 and renamed Dedan Kimathi University of Technology (DKUT).

The University has 471 members of staff as per the data shared on 8th January, 2016. The Vice Chancellor Prof. P. Ndirangu Kioni is a Kikuyu.

Dedan Kimathi University has contravened section 7(2) of the NCI Act. The dominant ethnic group, the Kikuyu, comprises of 70.1% of the total workforce.

Rongo University College

Rongo University College is a public institution which was established through Legal Notice NO.70, Kenya Gazette Supplement NO.51, on 17th June 2011. It is situated on the precincts of the former Moi Institute of Technology, (MIT), which began in 1981 as a technical training college for Certificate, Diploma and Higher National Diploma programmes.

The university has 448 general staff and the Principal is Prof. Samuel Gudu who is from the Luo ethnic group.

Rongo University has contravened the NCI Act. The dominant ethnic group which is Luo, takes up 72.5% of the general staff workforce.

Table 29: Rongo university general staff ethnic distribution

	Ethnicity	Number	Percentage
1.	Luo	325	72.5
2.	Kisii	42	9.4
3.	Kalenjin	31	6.9
4.	Luhya	23	5.1
5.	Suba	19	4.2
6.	Kuria	3	0.7
7.	Kamba	2	0.4
8.	Embu	1	0.2
9.	Kikuyu	1	0.2
10.	Meru	1	0.2
	Total	448	100

The senior staff encompasses of Luo as the majority at 57.8% of the workforce.

Table 30: Rongo University senior staff ethnic distribution

	Ethnicity	Number	Percentage
1.	Luo	37	57.8
2.	Kisii	12	18.8
3.	Luhya	6	9.4
4.	Suba	3	4.7
5.	Kalenjin	2	3.1
6.	Kamba	1	1.6

7.	Kikuyu	1	1.6
8.	Kuria	1	1.6
9.	Meru	1	1.6
	Total	64	100

Kisii University

Kisii University was founded in 1965 as a Primary Teachers' Training College. On 23rd August 2007, Kisii University College was established through a Government Legal Notice No.163 of 2007 as a Constituent College of Egerton University. On 6th February 2013, Kisii University was awarded a Charter to become the 13th Public University in Kenya.

Kisii University contravenes the NCI Act as the majority ethnic group, the Kisii, comprise of 72.1% of its entire recruitment.

Table 31: Ethnic distribution of Kisii university general staff

	Ethnicity	Number	Percentage
1.	Kisii	745	72.1
2.	Kalenjin	77	7.5
3.	Luo	74	7.2
4.	Luhya	52	5.0
5.	Kikuyu	47	4.5
6.	Kamba	23	2.2
7.	Kuria	8	0.8
8.	Taita	3	0.3
9.	Maasai	2	0.2
10.	Meru	2	0.2
	Total	1033	100

57.9% of senior staff at Kisii University is composed of employees from the Kisii community.

Table 32: Ethnic distribution of Kisii university teaching staff

	Ethnicity	Number	Percentage
1.	Kisii	128	57.9
2.	Luhya	27	12.2

Table 35: Ethnic composition of DKUT general staff

	Ethnicity	Number	Percentage
1.	Kikuyu	330	70.1
2.	Meru	28	5.9
3.	Kisii	23	4.9
4.	Luhya	20	4.2
5.	Kamba	19	4.0
6.	Kalenjin	17	3.6
7.	Luo	12	2.5
8.	Embu	5	1.2
9.	Samburu	4	0.9
10.	Foreigner	6	1.3
11.	Kenyan Arab	1	0.2
12.	Kuria	1	0.2
13.	Borana	2	0.4
14.	Kenyan Asian	1	0.2
15.	Taita	1	0.2
16.	Teso	1	0.2
	Total	471	100

The representation of the largest ethnic group, the Kikuyu, comprises of 58% of the senior staff.

Table 36: Ethnic composition of DKUT senior staff

	Ethnicity	Number	Percentage
1.	Kikuyu	98	58.0
2.	Kisii	13	7.7
3.	Meru	11	6.5
4.	Luhya	11	6.5
5.	Kamba	10	5.9
6.	Kalenjin	10	5.9
7.	Luo	7	4.1
8.	Foreigner	5	3.0
9.	Samburu	1	0.6
10.	Kenyan Asian	1	0.6

11	Kenyan Arab	1	0.6
12	Kuria	1	0.6
	Total	169	100

Masinde Muliro University of Science and Technology (MMUST)

Masinde Muliro University of Science and Technology (MMUST) became a fully accredited public university in 2007. Before being elevated to full university status, it became a constituent college of Moi University in 2002. The school was established in January 1972, known as Western College or WECO, a college of Arts and Applied Sciences awarding certificates and diplomas in technical courses.

MMUST has 1,030 members of staff. The Vice chancellor is Prof. Fredrick A. Ochieng' Otieno. The University has contravened the NCI Act. The dominant ethnic group, the Luhya, makes up 69.9% of the general workforce.

Table 37: MMUST general staff ethnic distribution

No.	Ethnicity	Number	Percentage
1.	Luhya	720	69.9
2.	Luo	108	10.5
3.	Kalenjin	75	7.3
4.	Kisii	38	3.7
5.	Kikuyu	37	3.6
6.	Kamba	16	1.6
7.	Teso	9	0.9
8.	Foreigner	9	0.9
9.	Turkana	4	0.4
10.	Meru	3	0.3
11.	Somali	2	0.2
12.	Suba	2	0.2
13.	Taita	2	0.2
14.	Other Kenyan	1	0.1
15.	Kenyan Asian	1	0.1
16.	Embu	1	0.1
17.	Mijikenda	1	0.1
18.	Kuria	1	0.1
	Total	1030	100

The Luhya encompass 51.5% of the senior management of Masinde Muliro University.

Table 38: MMUST Senior Staff Ethnic Distribution

No.	Ethnicity	Number	Percentage
1.	Luhya	172	51.5
2.	Luo	65	19.5
3.	Kalenjin	30	9.0
4.	Kisii	21	6.3
5.	Kikuyu	16	4.8
6.	Kamba	8	2.4
7.	Foreigner	8	2.3
8.	Teso	4	1.2
9.	Meru	2	0.6
10.	Suba	2	0.6
11.	Kenyan Asian	1	0.3
12.	Embu	1	0.3
13.	Mijikenda	1	0.3
14.	Kuria	1	0.3
15.	Somali	1	0.3
16.	Turkana	1	0.3
	Total	334	100

Kabianga University College

Kabianga Farmers Training Centre which is located in Kabianga Division in Kericho West was established in 1959. Its objective was to serve as an Agricultural Training facility for farmers from the South Rift and beyond. Kabianga Farmers Training Centre became Kabianga Campus of Moi University in May 2007. In May, 2009, the University Campus was elevated to a University College and on 1st March 2013 it was awarded charter by H.E Hon. Mwai Kibaki and became a fully fledged University.

The University has a total of 506 members of staff. The Vice Chancellor Prof. Wilson K. Kipng'eno is a Kalenjin.

Kabianga University College has contravened section 7 (2) of the NCI Act by recruiting 68.8% of its staff from one ethnic community, the Kalenjin.

Table 39: Ethnic Composition of General Staff at Kabianga University College

	Ethnicity	Number	Percentage
1.	Kalenjin	348	68.8
2.	Luo	59	11.7
3.	Luhya	39	7.7
4.	Kikuyu	19	3.8
5.	Kisii	19	3.8
6.	Kamba	9	1.8
7.	Meru	3	0.6
8.	Teso	3	0.6
9.	Kuria	2	0.4
10.	Embu	1	0.2
11.	Maasai	1	0.2
12.	Mijikenda	1	0.2
13.	Foreigner	1	0.2
14.	Somali	1	0.2
	Total	506	100

The University College has also skewed its senior staff composition towards the Kalenjin community which forms 50% of the senior staff.

Table 40: Ethnic Distribution of Kabianga University Senior Staff

	Ethnic Group	Number	Percentage
1.	Kalenjin	81	50.0
2.	Luo	30	18.5
3.	Luhya	19	11.7
4.	Kisii	13	8.0
5.	Kikuyu	10	6.2
6.	Kamba	3	1.9
7.	Teso	2	1.2
8.	Embu	1	0.6
9.	Kuria	1	0.6
10.	Mijikenda	1	0.6
11.	Foreigner	1	0.6
	Total	162	100

Machakos University College

Machakos University College is a Constituent College of Kenyatta University. Founded in 1957 as Machakos Technical Rural Training School, it has undergone several transformations. In 1958, it became the Machakos Technical and Trade School, Machakos Technical School in 1967 and Machakos Technical Training Institute in 1987. On 16th September, 2011 the institution was upgraded to its current status through the Legal Notice No. 130.

Machakos University College has 402 members of staff. The Principal, Prof. Francis Mathooko, is from the Kamba community.

Machakos University College has contravened the stipulation of section 7(2) in the composition of its staff since the majority group, the Kamba, forms 67.4%.

Table 41: Ethnic Composition among General Staff at Machakos University College

	Ethnic Group	Number	Percentage
1.	Kamba	271	67.4
2.	Kikuyu	46	11.4
3.	Luo	21	5.2
4.	Kisii	18	4.5
5.	Luhya	16	4.0
6.	Meru	13	3.2
7.	Embu	7	1.7
8.	Kalenjin	7	1.7
9.	Mijikenda	1	0.2
10.	Maasai	1	0.2
11.	Taita	1	0.2
		402	100.0

Ethnic analysis among Senior Staff also shows a skewed majority of the Kamba community who take up 49.7%.

Table 42: Staff Composition among Senior Staff at Machakos University College by Ethnicity

	Ethnic Group	Number	Percentage
1.	Kamba	73	49.7
2.	Kikuyu	28	19.0
3.	Luo	13	8.8
4.	Kisii	10	6.8
5.	Meru	8	5.4

6.	Luhya	6	4.1
7.	Embu	3	2.0
8.	Kalenjin	3	2.0
9.	Maasai	1	0.7
10.	Taita	1	0.7
11.	Mijikenda	1	0.7
		147	100.0

Maseno University

Maseno University's history begun with the merging of Maseno Government Training Institute (GTI) with Siriba Teacher's Training College to form Maseno University College as a Constituent College of Moi University. This led to its subsequent gazetting in October 1990 crowning the two institutions' several decades of meritorious existence. It became a full-fledged University 11 years later, in 2001.

The Vice Chancellor Prof. Julius Omondi Nyabundi, is a Luo. The University has 1,286 general staff as per the data shared on 10th December 2015.

Maseno University contravenes Section 7(2) of the NCI Act. The representation of the Luo ethnic group comprises of 63.8% of the total workforce.

Table 43: Ethnic Distribution of Maseno University General Staff

	Ethnic Group	Number	Percentage
1.	Luo	821	63.8
2.	Luhya	276	21.5
3.	Kisii	55	4.3
4.	Kalenjin	56	4.4
5.	Kikuyu	19	1.5
6.	Kamba	16	1.2
7.	Teso	9	0.8
8.	Meru	8	0.6
9.	Swahili	4	0.3
10.	Taita	4	0.3
11.	Foreigner	6	0.6
12.	Samburu	2	0.2

13.	Borana	1	0.1
14.	Kenyan Asian	1	0.1
15.	Kuria	1	0.1
16.	Maasai	1	0.1
17.	Turkana	1	0.1
	Total	1286	100

The representation of the Luo ethnic community among senior staff stands at 64.0% which is far above the stipulated 33.3%.

Table 44: Ethnic Profiling of Maseno University Senior Staff

No.	Ethnic Group	Number	Percentage
1.	Luo	259	64.0
2.	Luhya	69	17.0
3.	Kisii	22	5.4
4.	Kalenjin	18	4.4
5.	Kamba	11	2.7
6.	Kikuyu	9	2.3
7.	Swahili	3	0.7
8.	Foreigner	5	2.3
9.	Teso	2	0.6
10.	Kenyan Asian	2	0.6
11.	Kuria	1	0.2
12.	Borana	1	0.2
13.	Meru	1	0.2
14.	Taita	1	0.2
15.	Turkana	1	0.2
	Total	405	100

Karatina University

Karatina University was founded in 2007 as a Moi University campus for central Kenya, called the Moi University Central Kenya Campus. Three years later, in 2010, it was upgraded to a constituent college of Moi University, and renamed Karatina University College. In 2013, the institution was declared a University in its own right, and was renamed Karatina University.

Karatina University has a total of 419 employees as per the data submitted on 17th November 2015. The Vice Chancellor, Prof. Mucai Muchiri, is Kikuyu. Karatina University contravenes the NCI Act Section 7(2). The representation of the largest ethnic community, the Kikuyu, makes up 61.8% of the general staff.

Table 45: Karatina University General Staff Ethnic Distribution

	Ethnic Group	Number	Percentage
1	Kikuyu	259	61.8
2	Meru	33	7.9
3	Kamba	27	6.4
4	Luhya	27	6.4
5	Kalenjin	21	5.0
6	Luo	18	4.3
7	Kisii	12	2.9
8	Embu	7	1.7
9	Mbeere	3	0.7
10	Samburu	3	0.7
11	Somali	3	0.7
12	Maasai	2	0.5
13	Taita	2	0.5
14	Mijikenda	1	0.2
15	Teso	1	0.2
	Total	419	100

Similarly, the University's senior staff is composed of 60.4% from the Kikuyu community.

Table 46: Ethnic Balancing among Karatina University Senior Staff

	Ethnic Group	Number	Percentage
1.	Kikuyu	102	60.4
2.	Kamba	12	7.1
3.	Luhya	12	7.1
4.	Meru	11	6.5
5.	Kalenjin	9	5.3
6.	Luo	9	5.3
7.	Kisii	7	4.1
8.	Embu	3	1.8
9.	Mijikenda	1	0.6
10.	Teso	1	0.6
11.	Maasai	2	1.2
	Total	169	100

Moi University

Moi University was established by the Government in mid-1984 following recommendations for a second university in Kenya by the Mackay Report and further contextual analysis done by a joint Kenyan and UNESCO team.

Data submitted by the University revealed that it has 3,198 members of staff.

Moi University contravenes the NCI Act since majority of its employees belong to the Kalenjin community at the proportion of 60.6%.

Table 47: Ethnic distribution of Moi University General Staff

No.	Ethnicity	Number	Percentage
1.	Kalenjin	1938	60.6
2.	Luhya	428	13.4
3.	Luo	243	7.6
4.	Kikuyu	203	6.3
5.	Kisii	135	4.2
6.	Kamba	82	2.6
7.	Meru	32	1.0
8.	Teso	32	1.0
9.	Maasai	26	0.8
10	Mijikenda	16	0.5
11	Swahili	12	0.4
12	Embu	7	0.2
13	Taita	7	0.2
14	Turkana	7	0.2
15	Somali	6	0.2
16	Foreigner	12	0.4
17	Kenyan Arab	4	0.1
18	Kenyan Asian	4	0.1
19	Borana	2	0.1
20	Samburu	1	0.0
21	Suba	1	0.0
	Total	3198	100.0

Employment in senior staffing of Moi University is skewed towards the Kalenjin who form 40.0% of the category.

Table 48: Ethnic distribution of Moi university Senior staff

No.	Ethnicity	Number	Percentage
1.	Kalenjin	337	40.0
2.	Luhya	180	21.4
3.	Luo	99	11.7
4.	Kikuyu	82	9.7
5.	Kisii	53	6.3
6.	Kamba	34	4.0
7.	Meru	12	1.4
8.	Mijikenda	7	0.8
9.	Swahili	5	0.6
10.	Teso	5	0.6
11.	Foreigner	12	2.4
12.	Somali	4	0.5
13.	Asian	3	0.4
14.	Maasai	3	0.4
15.	Kenyan Arab	2	0.2
16.	Embu	2	0.2
17.	Taita	2	0.2
18.	Borana	1	0.1
19.	Total	843	100.0

South Eastern Kenya University

South Eastern Kenya University is a fully-fledged Public University which was awarded Charter on 1st March, 2013 and is the successor to the South Eastern University College (SEUCO) which was a Constituent College of the University of Nairobi.

SEKU has 438 members of staff. The Vice Chancellor of the University, Prof. Geoffrey Muluvi, belongs to the Kamba community.

SEKU contravenes the provision of the NCI Act. It has hired 57.5% of its staff from the Kamba community.

Table 49: Ethnic profiling of Staff at SEKU

	Ethnic Group	Number	Percentage
1.	Kamba	252	57.5
2.	Kikuyu	54	12.3
3.	Kisii	33	7.5
4.	Luhya	31	7.1
5.	Kalenjin	22	5.0
6.	Luo	19	4.3
7.	Meru	15	3.4
8.	Embu	7	1.6
9.	Mijikenda	2	0.5
10	Taita	2	0.5
11	Turkana	1	0.2
		438	100.0

SEKU's senior staff composition is also skewed towards the Kamba community who form 49.1% of this cadre.

Table 50: Ethnic Composition of senior staff at SEKU

	Ethnic Group	Number	Percentage
1.	Kamba	79	49.1
2.	Kikuyu	29	18.0
3.	Kisii	14	8.7
4.	Luhya	13	8.1
5.	Luo	10	6.2
6.	Kalenjin	6	3.7
7.	Meru	4	2.5
8.	Embu	2	1.2
9.	Mijikenda	2	1.2
10	Taita	1	0.6
11	Turkana	1	0.6
		161	100.0

Chuka University

Chuka University is a public institution established through a legal notice No. 161 of 2007. It was a constituent College of Egerton University and the successor of the former Egerton University Eastern Campus College, Chuka. The Campus College was established on 27th September 2004, by Egerton University Council to enhance access to high quality and affordable University education to the people living in the Eastern region and Kenya at large.

The Vice chancellor is Prof. Erastus N. Njoka who belongs to the Meru community. Data submitted by Chuka University shows that members belonging to the Meru community form 53.1% of the entire staff population. This goes against the provision of section 7(2) of the NCI Act.

Table 51: Ethnic composition of general staff at Chuka University

	Ethnic Group	Number	Percentage
1.	Meru	217	53.1
2.	Kikuyu	83	20.3
3.	Luhya	25	6.1
4.	Kamba	18	4.4
5.	Kalenjin	18	4.4
6.	Luo	17	4.2
7.	Kisii	16	3.9
8.	Embu	12	2.9
9.	Taita	2	0.5
10	Suba	1	0.2
		409	100.0

The senior officers in Chuka University draw a majority from the Meru community who form 37.3%.

Table 52: Ethnic Profiling of Chuka University's Senior Staff

	Ethnic Group	Number	Percentage
1.	Meru	69	37.3
2.	Kikuyu	51	27.6
3.	Luhya	16	8.6
4.	Luo	14	7.6
5.	Kalenjin	10	5.4
6.	Kisii	10	5.4
7.	Kamba	9	4.9

8.	Embu	5	2.7
9.	Suba	1	0.5
		185	100.0

University of Eldoret

University of Eldoret was founded in 1946 by the white settlers as a Large Scale Farmers Training Centre. In 1984, it was converted to a teachers' training college and renamed Moi Teachers' Training College to offer Diploma Science Teachers Training. Due to the double intake crisis, the College was taken over by Moi University as a Campus in 1990, renaming it Chepkoilel Campus. From 1990, the University made it a campus of natural, basic and applied science programmes.

In August 2010 the President, through Legal Notice No. 125 of 13 August 2010 upgraded the campus into a University College with the name Chepkoilel University College, a Constituent College of Moi University. Upon the award of Charter by the President on March 2013, the University College was renamed University of Eldoret.

The University has 917 members of staff. Its Vice Chancellor is Prof. Akenga Teresa who belongs to the Luhya community. It has contravened the NCI Act since the largest group comprises 51.5% of the employees. They are drawn from the Kalenjin community.

Table 53: Analysis of Ethnic Composition of Staff at the University of Eldoret

	Ethnic Group	Number	Percentage
1.	Kalenjin	472	51.5
2.	Luhya	162	17.7
3.	Luo	92	10.0
4.	Kikuyu	67	7.3
5.	Kisii	43	4.7
6.	Kamba	29	3.2
7.	Teso	14	1.5
8.	Maasai	8	0.9
9.	Meru	7	0.8
10.	Mijikenda	6	0.7
11.	Taita	5	0.5
12.	Foreigner	3	0.3

13.	Embu	2	0.2
14.	Kenyan Asian	2	0.2
15.	Somali	2	0.2
16.	Kenyan Arab	1	0.1
17.	Borana	1	0.1
18.	Turkana	1	0.1
		917	100.0

The University of Eldoret has 384 senior staff members. Of these, 42.4% are drawn from the Kalenjin community.

Table 54: Ethnic composition among senior staff at the University of Eldoret

	Ethnic Group	Number	Percentage
1.	Kalenjin	163	42.4
2.	Luhya	75	19.5
3.	Luo	49	12.8
4.	Kikuyu	31	8.1
5.	Kamba	16	4.2
6.	Teso	5	1.3
7.	Maasai	6	1.6
8.	Meru	3	0.8
9.	Mijikenda	3	0.8
10.	Taita	2	0.5
11.	Foreigner	3	0.8
12.	Embu	1	0.3
13.	Kenyan Asian	2	0.5
14.	Somali	2	0.5
15.	Arab	1	0.3
16.	Turkana	1	0.3
17.	Kisii	21	5.5
		384	100.0

Garissa University College

Garissa University College was founded in 2011 as a constituent college of Moi University, in the facilities of the former Garissa Teachers Training College.

The Principal, Prof. Ahmed Warfa belongs to the Somali community.

The University has 148 members of staff. Garissa University contravenes the NCI Act as the majority of staff who belong to the Somali community form 51.4% of employees.

Table 55: Ethnic distribution of Garissa university college general staff

	Ethnicity	Number	Percentage
1.	Somali	76	51.4
2.	Luhya	16	10.8
3.	Kalenjin	12	8.1
4.	Luo	10	6.8
5.	Kisii	9	6.1
6.	Kikuyu	7	4.7
7.	Kamba	6	4.1
8.	Meru	4	2.7
9.	Borana	3	2.0
10.	Gabbara	3	2.0
11.	Swahili	2	1.4
	Total	148	100.0

Among the senior staff, the University's majority ethnic group is the Luhya who encompass 26.9%.

Table 56: Ethnic distribution of Garissa university college senior staff

	Ethnicity	Number	Percentage
1.	Luhya	7	26.9
2.	Kisii	5	19.2
3.	Luo	5	19.2
4.	Kamba	3	11.5
5.	Kalenjin	2	7.7
6.	Kikuyu	2	7.7
7.	Borana	1	3.8
8.	Somali	1	3.8
	Total	26	100.0

Jomo Kenyatta University of Science and Technology (JKUAT)

The Jomo Kenyatta University was started in 1981 as Jomo Kenyatta College of Agriculture and Technology (JKCAT).

On 1 September 1988, retired President Moi, declared JKUAT a constituent College of Kenyatta University through a legal notice, under the Kenyatta University Act (CAP 210C). The name of JKUAT officially changed to Jomo Kenyatta University College of Agriculture and Technology (JKUCAT). It was finally established as a university through the JKUAT Act, 1994 and inaugurated on 7 December 1994.

Jomo Kenyatta University of Agriculture and Technology has a total of 2,452 employees as per the data sent on 17th November 2015.

The Vice Chancellor, Professor Mabel Imbuga, is Luhya.

The Jomo Kenyatta University of Agriculture and Technology contravenes the NCI Act since the Kikuyu ethnic group make up 45.3% of the general staff.

Table 57: Ethnic Distribution of JKUAT General Staff

	Ethnic Group	Number	Percentage
1	Kikuyu	1109	45.3
2	Luhya	345	14.1
3	Luo	243	9.9
4	Kisii	199	8.1
5	Kamba	190	7.8
6	Meru	120	4.9
7	Kalenjin	113	4.7
8	Embu	37	1.5
9	Maasai	18	0.7
10	Foreigner	20	0.8
11	Taita	12	0.5
12	Mijikenda	12	0.5
13	Somali	7	0.3
14	Swahili	7	0.3
15	Borana	5	0.2
16	Samburu	4	0.2
17	Kuria	3	0.1
18	Kenyan Asian	2	0.1
19	Kenyan Arab	1	0.0
20	Burji	1	0.0

21	Nubi	1	0.0
22	Rendille	1	0.0
	Total	2450	100.0

The composition of senior staff at JKUAT has majority employees from the Kikuyu community which stand at 38.2%.

Table 58: JKUAT Senior Staff Representation by Ethnic Group

	Ethnic Group	Number	Percentage
1	Kikuyu	312	38.2
2	Luhya	122	14.9
3	Luo	103	12.6
4	Kamba	76	9.3
5	Kisii	66	8.1
6	Kalenjin	45	5.5
7	Meru	41	5.0
8	Embu	9	1.1
9	Swahili	6	0.7
10	Mijikenda	5	0.6
11	Foreigner	10	1.2
12	Maasai	4	0.5
13	Taita	4	0.5
14	Borana	3	0.4
16	Kenyan Asian	2	0.2
17	Kuria	2	0.2
18	Somali	2	0.2
19	Kenyan Arab	1	0.1
20	Burji	1	0.1
21	Nubi	1	0.1
22	Rendille	1	0.1
23	Samburu	1	0.1
	Total	817	100.0

Kenyatta University

Following an Act of Parliament of 1970, Kenyatta College became a constituent College of the University of Nairobi. Consequently, the name changed from Kenyatta College to Kenyatta University College. The University status was achieved on August 23, 1985, when the Kenyatta University Act received Presidential assent making the Institution a full - fledged University. The Act became operational on September 1, 1985 and the new University was inaugurated on December 17, 1985.

The acting Vice Chancellor is Prof. Paul Wainaina. Kenyatta University has 2,763 members of staff. 39.8% of these staff belong to the Kikuyu community.

Table 59: Ethnic distribution of KU general staff

	Ethnicity	Number	Percentage
1.	Kikuyu	1100	39.8
2.	Luhya	366	13.2
3.	Luo	289	10.5
4.	Kamba	287	10.4
5.	Kisii	182	6.6
6.	Meru	173	6.3
7.	Kalenjin	171	6.2
8.	Embu	62	2.2
9.	Foreigner	33	1.2
10.	Mijikenda	30	1.1
11.	Taita	19	0.7
12.	Borana	11	0.4
13.	Mbeere	11	0.4
14.	Somali	6	0.2
15.	Kuria	5	0.2
16.	Other Kenyans	5	0.2
17.	Teso	5	0.2
18.	Maasai	4	0.1
19.	Samburu	3	0.1
20.	Kenyan Asian	1	0.0
	Total	2763	100.0

Table 60 below illustrates that the Kikuyu form the majority of employees within the senior management of Kenyatta University at 34.2%.

Table 60: Ethnic distribution of KU senior staff

	Ethnicity	Number	Percentage
1.	Kikuyu	317	34.2
2.	Luo	127	13.7
3.	Luhya	126	13.6
4.	Kamba	98	10.6
5.	Kalenjin	62	6.7
6.	Kisii	60	6.5
7.	Meru	57	6.2
8.	Foreigner	28	3.0
9.	Embu	20	2.2
10.	Mijikenda	10	1.1
11.	Somali	5	0.5
12.	Taita	4	0.4
13.	Borana	3	0.3
14.	Kuria	3	0.3
15.	Other Kenyan	2	0.2
16.	Mbeere	2	0.2
17.	Samburu	1	0.1
18.	Teso	1	0.1
	Total	926	100.0

Maasai Mara University

Maasai Mara University is one of the youngest Universities in Kenya. The Vice-Chancellor is Prof. Mary Walingo from the Luhya community. The University has 531 members of staff. It contravenes the NCI Act since the largest number of employees from 38.8% and are drawn from the Maasai ethnic group.

Table 61: Ethnic distribution of Maasai Mara University general staff

No.	Ethnicity	Number	Percentage
1.	Maasai	206	38.8
2.	Kalenjin	92	17.3
3.	Kikuyu	62	11.7
4.	Luo	47	8.9
5.	Kisii	41	7.7
6.	Luhya	40	7.5

7.	Kamba	16	3.0
8.	Kuria	7	1.3
9.	Meru	7	1.3
10.	Embu	3	0.6
11.	Samburu	2	0.4
12.	Somali	2	0.4
13.	Teso	2	0.4
14.	Nubi	1	0.2
15.	Rendille	1	0.2
16.	Other Kenyan	1	0.2
17.	Kenyan Asian	1	0.2
	Total	531	100.0

Table 62 shows that the senior staffing of Maasai Mara University is fairly distributed with most of the members belonging to the Kikuyu and Luhya communities at 17.9% each.

Table 62: Ethnic distribution of Maasai Mara University senior staff

No.	Ethnicity	Number	Percentage
1.	Kikuyu	25	17.9
2.	Luhya	25	17.9
3.	Luo	23	16.4
4.	Kisii	22	15.7
5.	Kalenjin	18	12.9
6.	Maasai	12	8.6
7.	Kamba	5	3.6
8.	Kuria	3	2.1
9.	Meru	3	2.1
10.	Embu	2	1.4
11.	Kenyan Asian	1	0.7
12.	Teso	1	0.7
	Total	140	100.0

Taita Taveta University College

Taita Taveta University College opened her gates in 2007 as Jomo Kenyatta University of Agriculture and Technology (JKUAT) Taita Taveta Campus and was later upgraded to a Constituent in 2011.

Taita Taveta University College has 250 staff members as per the data shared on 7th January, 2016. The Principal, Hamadi Iddiboga, is Mijikenda.

Taita Taveta University College contravenes section 7(2) of the NCI Act. The dominant ethnic group, the Taita, comprise of 38% of the workforce.

Table 63: Ethnic Composition of TTUC General Staff

	Ethnic Group	Number	Percentage
1.	Taita	95	38.0
2.	Mijikenda	30	12.0
3.	Luo	28	11.2
4.	Kamba	27	10.8
5.	Kikuyu	15	6.0
6.	Kalenjin	15	6.0
7.	Luhya	13	5.2
8.	Taveta	12	4.8
9.	Kisii	7	2.8
10.	Meru	6	2.4
11.	Swahili	1	0.4
12.	Borana	1	0.4
	Total	250	100

The composition of senior staff complies with the NCI Act as the largest ethnic group, the Luo, comprises of 18.0% of the workforce.

Table 64: Ethnic composition of TTUC Senior Staff

	Ethnic Group	Number	Percentage
1.	Luo	11	18.0
2.	Kamba	10	16.4
3.	Taita	8	13.1

4.	Kikuyu	8	13.1
5.	Kalenjin	6	9.8
6.	Mijikenda	4	6.6
7.	Taveta	4	6.6
8.	Kisii	4	6.6
9.	Luhya	3	4.9
10.	Meru	3	4.9
	Total	61	100

Laikipia University

Laikipia University was established as a Campus of Egerton University following recommendations of a Government Committee appointed to look into modalities of absorbing a double intake of students from Secondary Schools. It was meant to offer education courses for graduate teacher-training. The University was awarded the Charter on 19 February 2013 by the then President of the Republic of Kenya Hon. Mwai Kibaki making the institution a fully-fledged University.

Laikipia University has a total of 585 members of staff. The Vice Chancellor Prof. Francis K. Lelo is Kamba.

Laikipia University has contravened the NCI Act. The largest ethnic group employed at the university, the Kikuyu, forms 37.6% of the general staff.

Table 65: Ethnic Distribution of General Staff of Laikipia University College

	Ethnic Group	Number	Percentage
1	Kikuyu	220	37.6
2	Kalenjin	88	15.0
3	Luo	80	13.7
4	Luhya	67	11.5
5	Kisii	36	6.2
6	Kamba	29	5.0
7	Samburu	18	3.1
8	Meru	17	2.9
9	Somali	7	1.2
10	Embu	6	1.0
11	Turkana	5	0.9
12	Taita	4	0.7

13	Mijikenda	3	0.5
14	Borana	2	0.3
15	Maasai	2	0.3
16	Kuria	1	0.2
	Total	585	100

The Kikuyu community is also the largest within the senior staff composition. However, it stands at 33.3%, the exact proportion stipulated by section 7(2) of the NCI Act.

Table 66: Ethnic Distribution of Teaching staff of Laikipia University College

	Ethnic Group	Number	Percentage
1	Kikuyu	33	33.3
2	Luhya	17	17.2
3	Luo	17	17.2
4	Kalenjin	9	9.1
5	Kisii	7	7.1
6	Kamba	6	6.1
7	Meru	6	6.1
8	Samburu	2	2.0
9	Embu	1	1.0
10	Kuria	1	1.0
	Total	99	100

Embu University College

In June 2011 the Embu Agricultural Staff Training College was converted to Embu University College (EUC) through a Legal Notice No. 65 of 17th June, 2011. The objective of the University College is to play a leading role in the development and expansion of the opportunities for higher education and research in Agriculture, Agribusiness, Veterinary Medicine, Forestry, Water and Biological and Physical sciences.

The University has 223 members of staff as per the data shared on 17th November 2015. The Principal, Prof. Daniel Mugendi Njiru, is Meru.

Embu University College contravenes Section 7(2) of the NCI Act. The composition of the general staff comprises of 37.2% of the Embu ethnic group.

Table 67: Ethnic Representation of Embu University College General Staff

	Ethnic Group	Number	Percentage
1	Embu	83	37.2
2	Kikuyu	45	20.2
3	Meru	38	17.0
4	Kalenjin	12	5.4
5	Kisii	11	4.9
6	Luhya	11	4.9
7	Luo	11	4.9
8	Kamba	10	4.5
9	Somali	1	0.4
10	Taita	1	0.4
	Total	223	100

However, the ethnic composition of senior staff complies with the NCI Act. The largest ethnic community, the Kikuyu, comprises of 23.9% of the employees.

Table 68: Ethnic Composition of Embu University senior Staff

	Ethnicity	Number	Percentage
1.	Kikuyu	11	23.9
2.	Meru	9	19.6
3.	Embu	7	15.2
4.	Kisii	5	10.9
5.	Kalenjin	4	8.7
6.	Luhya	4	8.7
7.	Luo	3	6.5
8.	Kamba	2	4.3
9.	Somali	1	2.2
	Total	46	100

Pwani University

Pwani University was a Constituent College of Kenyatta University before it was awarded a charter. The College, formerly Kilifi Institute of Agriculture was established on 23 August 2007. The award of a University Charter makes Pwani

the first University in the region with a mandate to offer a comprehensive array of degree programs.

The University has 397 staff members as per the data shared on 7th January 2016.

The Vice Chancellor, Prof. Mohamed Rajab is a Swahili.

Pwani University contravenes Section 7(2) of the NCI Act. The dominant ethnic group, Mijikenda, comprises 36.8% of the workforce. This exceeds the required threshold of 33.33%.

Table 69: Ethnic Composition of Pwani University General Staff

	Ethnic Group	Number	Percentage
1.	Mijikenda	148	36.8
2.	Luo	48	12.3
3.	Luhya	47	11.8
4.	Kikuyu	44	11.3
5.	Taita	36	9.2
6.	Kamba	23	5.8
7.	Swahili	15	3.8
8.	Kalenjin	12	3.0
9.	Kisii	7	1.8
10.	Foreigner	5	2.1
11.	Meru	2	0.5
12.	Kenyan Asian	2	0.5
13.	Taveta	2	0.5
14.	Kenyan Arab	1	0.3
15.	Nubi	1	0.3
16.	Somali	1	0.3
17.	Suba	1	0.3
18.	Other Kenyan	1	0.3
	Total	397	100.0

Ethnic representation among senior staff at Pwani University complies with the NCI Act. The majority ethnic group forms 21.2% of the staff and are drawn from the Mijikenda community.

Table 70: Ethnic Distribution of Pwani University Senior Staff

	Ethnicity	Number	Percentage
1.	Mijikenda	39	21.8
2.	Luo	28	15.6
3.	Luhya	28	15.6
4.	Kikuyu	28	15.6
5.	Taita	14	7.8
6.	Kamba	13	7.3
7.	Swahili	9	5.1
8.	Kalenjin	7	3.9
9.	Foreigner	5	2.7
10.	Kisii	2	1.1
11.	Kenyan Asian	2	1.1
12.	Meru	1	0.6
13.	Somali	1	0.6
14.	Suba	1	0.6
15.	Other Kenyan	1	0.6
	Total	179	100

Technical University of Mombasa

In 1966, Mombasa Institute of Muslim Education (MIOME) became Mombasa Technical Institute (MTI) which transformed to become the Mombasa Polytechnic in 1976, becoming the 2nd National Polytechnic in Kenya. The government converted the Polytechnic to a University College in 2007, through a Legal Notice No. 160. In 2013 Mombasa polytechnic University College (MPUC) became Technical University of Mombasa after being fully-fledged.

The Ag. Vice Chancellor of TUM is Prof. Laila Abubakar from the Swahili community.

The Technical University of Mombasa has 753 members of staff. The majority of its employees come from the Mijikenda ethnic group which forms 34.5% of the entire staff population.

Table 71: Ethnic distribution of Technical university of Mombasa general staff

No.	Ethnicity	Number	Percentage
1.	Mijikenda	260	34.5
2.	Luhya	92	12.2
3.	Luo	77	10.2

4.	Kamba	75	10.0
5.	Taita	68	9.0
6.	Kikuyu	65	8.6
7.	Kisii	34	4.5
8.	Kalenjin	20	2.7
9.	Swahili	16	2.1
10.	Meru	13	1.7
11.	Kenyan Arab	8	1.1
12.	Taveta	4	0.5
13.	Embu	3	0.4
14.	Mbeere	3	0.4
15.	Nubian	3	0.4
16.	Other Kenyan	3	0.4
17.	Samburu	2	0.3
18.	Suba	2	0.3
19.	Teso	1	0.1
20.	Borana	1	0.1
21.	Maasai	1	0.1
22.	Somali	1	0.1
23.	Kenyan Asian	1	0.1
	Total	753	100.0

The Technical University of Mombasa has 217 staff in its senior management. Only 18.4% come from the Mijikenda ethnic community.

Table 72: Ethnic distribution of Technical university of Mombasa Senior staff

No.	Ethnicity	Number	Percentage
1.	Mijikenda	40	18.4
2.	Kikuyu	36	16.6
3.	Luhya	36	16.6
4.	Luo	31	14.3
5.	Kamba	25	11.5
6.	Taita	15	6.9
7.	Kisii	10	4.6
8.	Swahili	5	2.3
9.	Meru	5	2.3

10.	Kalenjin	4	1.8
11.	Kenyan Arab	3	1.4
12.	Suba	2	0.9
13.	Embu	1	0.5
14.	Maasai	1	0.5
15.	Mbeere	1	0.5
16.	Somali	1	0.5
17.	Kenyan Asian	1	0.5
	Total	217	100.0

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

Introduction

This chapter gives a summary of the study, presents the conclusion and proffers strategies of improving the representation of diversity within Universities.

Emerging Issues

Reducing Tribalism

With the increasing scourge of tribalism in Kenya, the only way to fight tribalism is by making the 'tribe' irrelevant in the allocation of scarce but important national resources including positions in government. When we have a country where merit holds sway in appointments and allocation of other important resources, then we will be able to safely say that we have made headway in the fight against negative ethnicity. This study is a bid to fulfil the Commission's function of ensuring inclusivity and enhancing equal opportunity in sharing of university employment in Kenya. This will then make the tribe irrelevant thus reduce tribalism in Kenya.

Lack of Innovation and Solutions through Research

The lack of diversity in universities is blamed for reduced innovation and inability to find solutions for societal problems such as tribalism through research.

Student and Human Resource Development

Skewed representation of the university staff seems to affect the progress and development of students. In some universities, departments are perceived as being dominated by certain ethnic groups. Students of these ethnicities are also drawn to enroll in the said departments due to the perception that they will have an easier time to undertake their studies.

Perception that Universities should employ Locals

The word 'University' was derived from the term universal which signified the universal nature of universities. The study noted that local leaders and politicians have the perception that universities located in their areas should employ people of the dominant ethnic group in the area. In some instances, these perceptions have been associated with unrest and disturbances facing some of the Universities. It is worth noting that Universities are national institutions that must exhibit the face of Kenya in their employment.

Student Leadership and Ethnicity

The vulnerability of the education sector to the risks of political instability are becoming more evident during student elections which are a replica of what is seen in the national general elections where people vote along ethnic lines. Ethnic composition of the administration has been said to influence student elections.

Tribal Unions

Tribal associations in universities propagate ethnicity by giving members of ethnic groups a platform to converge and in turn engage in supremacy wars. The meeting of members of the same community leaves students divided on ethnic lines despite universities and colleges being universal.

Most students who come from the marginalized communities can't form an association due to lack of numbers. When the election period approaches, tribalism gets to its peak through these welfare associations as each association supports different candidates as a result hatred prevails amongst students. Besides, these groups have been infiltrated by politicians who seek to advance their own selfish agendas.

Conclusions

In conclusion, several public universities and constituent colleges in Kenya have contravened section 7(2) of the NCI Act. This may have been aggravated by history, the political context in which they operate and bad governance. As a result, there is need to develop strategies that universities can adopt in order to realize inclusivity and diversity in this spaces.

While there is a noted improvement in some of the institutions of higher learning, other universities continue to flout diversity legislation despite knowing their status of non-compliance and the requirements spelt out in law.

Recommendations

The study makes several recommendations to various actors;

University policies such as academic freedom and enrollment and hiring policies communicate substantive values about the institution's position on tolerance and inclusion. By representing inclusive principles in teaching, research, and program administration, even if imperfectly implemented, universities promote social cohesion.

Public institutions should draw their leadership from anywhere within the country as long as they have the requisite qualifications.

The use of vernacular speaking in public offices should be discouraged.

Students should form more professional associations in line with their various fields of study than tribal associations to better their professional skills which is the main purpose of anyone in school. The managements of these institutions should totally ban these tribal associations and if not, they should reduce and/or stop giving any kind of financial aid to these associations.

Universities should teach value education which will entrench value systems that will judge people not on the basis of their ethnic orientation but on the content of their character.

International donor agencies such as the World Bank should peg grants to universities to conditions such as success in instituting constitutional changes and other appropriate anti-tribal violence measures.

Universities being the highest learning institutions should spearhead equal opportunities for all in employment.

Recruiting agents for universities should be educated on the need to balance the recruitments as per the face of Kenya.

A strict punitive measure should be put in place to ensure that universities comply with the laid down rules and regulations.

Universities should put in measures or affirmative action to include more minorities, marginalized and embrace diversity.

References

- Altbach Philip G. and Patti McGill Peterson, (2007) *Higher Education in the 21st Century: Global Challenges and Innovative Ideas* Rotterdam: Sense Publishers.
- Amutabi Maurice, *Intellectuals and Democratization in Kenya in Kenya: The Struggle for Democracy* London: Zed Books (2007)
- Anassi Peter (2004) *Corruption in Africa: The Kenyan Experience: A Handbook for Civic Education* Canada: Trafford Publishing
- Ashby Eric, (1960) 'Apartheid in South African Universities' *Higher Education*
- Axelrod, R. and Hamilton, W.D., (1981) 'The Evolution of Cooperation'. *Science*, 211(4489), pp. 1390.
- Chandra S. S. et. al. (2004), *Sociology of Education* New Delhi: Atlantic Publishers and Distributors
- Chege Mwangi, 'The Politics of Education in Kenyan Universities: A Call for a Paradigm Shift' *African Studies Review* Vol 1 from Africa Nairobi: KLB
- Fulbright New Century Scholars, 'Working Group Three: Higher Education and Social Cohesion - A Global Challenge', *Symposium on Higher Education, Statements and Recommendations*, Paris: UNESCO, 2006.
- Halis A. A., (2015) Individual and Social Function of Education in View of the Changing Face of Human Nature and Society available online at <http://dx.doi.org/10.11114/jets.v4i1.1078>
- Henry Indangasi and Masumi Hashimoto (2008) *Daisaku Ikeda and Voices for Peace*
- Heyneman, Stephen P. (2007) Higher Education and Social Cohesion: A Comparative Perspective. In *Higher Education in the 21st Century: Global Challenges and Innovative Ideas*, ed. Philip G. Altbach and Patti McGill Peterson, 55-78. Rotterdam: Sense Publishers.
- Ishmael Munene, 'Our University: Ethnicity and Higher Education and the Quest for State Legitimacy in Kenya' *Higher Education Policy* March 2013 Vol 26 Issue 1
- Jobbins David, (2012) 'Universities Struggle to Shed Apartheid Topography' 28
- Johnson, R. B. & Onwuegbuzie, A. J. (2004) 'Mixed Methods Research: A Research Paradigm whose Time has Come' *Educational Researcher*, 33(7), 14-26.
- Kempner M. K. et. al., (1996) *The Social Role of Higher Education: Comparative Perspectives* New York: Garland Publishing Inc.
- Kurian, George Thomas (1992) *Encyclopedia of the Third World*, fourth edition, volume III, New York, N.Y.: Facts on File
- Larsen C. A., (2006) Social cohesion: Definition, Measurement and Developments Centre for Comparative Welfare Studies, Education and Social Cohesion: Three Universities in Georgia, Kazakhstan and Kyrgyzstan," 2006 Paper presented at the Annual Meeting of the Association for the Study of Higher Education, Anaheim, California, (November).

- Larsen, C.A., (2013) *The Rise and Fall of Social Cohesion. The Construction and De- construction of Social Trust in the USA, UK, Sweden and Denmark*. Oxford: Oxford University Press.
- Mutua Makau, 'Lessons from Kenya' *Chronicle of Higher Education* 54, no. 36 (2008)
October 2012 Issue No. 245
Quarterly Volume 14, Issue 4, pages 345–351, August 1960
- Sifuna Daniel, 'Crisis in the Public Universities in Kenya' in Keith Watson and Cecilia Modgil, Sohan Modgil, (eds) *Educational Dilemmas: Debate and Diversity* London: Continuum International Publishing Group (1997) pp. 219- 229
- Simpa Samson, 'Kenya: University of Eldoret's VC may be a Victim of Tribalism' February 23, 2015
- Taneja V. R., (2008) *Educational Thought And Practice* New Delhi: Sterling Publishers Private Ltd
- Wax Emily, (2005) 'Growing Beyond the Pull of the tribe in Kenya: Nairobi Teenagers Find New Unity in Contemporary Culture Even as old ties Persist', *Washington Foreign Post* Sunday September 18, 2005

One People

One Nation

One Destiny



For further information, contact:

National Cohesion and Integration Commission

KMA Centre, 6th Floor, Mara Rd, Upper Hill

P.O Box 7055 – 00100 Nairobi, Kenya Tel: +254 – 020-2585701/2 Cell: 0702 777 000



info@cohesion.or.ke Website: www.cohesion.or.ke



National Cohesion and Integration Commission



Twitter: @NCIC_Kenya