ROLE OF CIVIL SOCIETY IN CONFLICT MANAGEMENT IN KENYA:

A COMPARATIVE STUDY OF TANA DELTA AND MT.ELGON

BY

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DECLARATION

I, the undersigned, declare that this research project is my original work and to the best of my knowledge has not been submitted to any other college or university for any academic award.

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This research project has been submitted with my approval as University Supervisor

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Dr. Anita Kiamba   **Date**

DEDICATION

To my very supportive parents Mr. and Mrs. Michael Nyaga Ng'endu, and siblings Catherine Wawira Nyaga, Pauline Mukami Nyaga and Mark Murugi Nyaga, for their unwavering support and encouragement which has motivated to reach where I am today.

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ABSTRACT

Over the years, there has been a growing interest in the concept of civil society and its contribution to peace. There is no commonly agreed definition of what and who this sector actually includes however. According to the London School of Economics Centre for Civil Society, civil society 'refers to the arena of uncoerced collective actions around shared interests, purposes and values. It commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. According to other experts, civil society includes all forms of voluntary activities and participation in different sectors of public life. For others still, the role of civil society is to interact with the political sphere, influence it and increase its responsiveness.

Beyond promoting democratic governance, civil society can also play a potentially important role in conflict resolution. Conflicts tend to arise over non-negotiable disputes over the satisfaction of fundamental basic needs. Therefore conflict resolution means going beyond negotiating interests in order to meet all sides' basic needs. Civil society actors can be instrumental in this respect. CSOs have access to the parties involved in conflict and the ability to bring parties to dialogue. They also induce local populations to get involved in long-term reconciliation efforts. By working directly with local populations on the ground, civil society is also able to assess the situation more effectively than top levels of governance or external actors.

Civil society involvement in conflict and peace gained greater prominence since the Cold War, not least in view of the mushrooming of conflicts in this period. Peace efforts may be divided according to the different stages of conflict, i.e. efforts and activities aimed at conflict prevention, peacemaking, peacekeeping and post settlement reconciliation.

ABBREVIATIONS

ABN   Association for Better Nigeria

ACODE   Advocates Coalition for Development and Environment

APFO   Africa Peace Forum

ARLI   Acholi Religious Leaders Initiative

ASC   Afrika Study Centre

AU   Africa Union

BP   Besieged populations

CAFOB   Coalition of Women's Organizations and NGOs

CCFU   Cross Cultural Foundation Uganda

CEWERU   Conflict Early Warning and Response Unit

CIPEV   Commission of Post-Election Violence

CPMR   Conflict Prevention, Management and Resolution

CSO   Civil Society Organizations

DPC's   District Peace Committee's

ECOWAS   Economic Countries of West Africa

EPR	Emergency Preparedness and Response Unit
FPFK	Free Pentecostal Fellowship of Kenya
GSU	General Service Unit, Kenya
IDP's	Internally Displaced Persons
IMLU	Independent Medico-Legal Unit
IRCT	International Rehabilitation Council for Torture Victims
KCSSP	Kenya Civil Society Strengthening Programme
KNFP	Kenya National Focal Point on Small Arms and Light Weapons
KRCS	Kenya Red Cross Society
LRA	Lord's Resistance Army
MATESO	Mwatikho Torture Survivors Organization
MEPI	Mt. Elgon Peace Initiative
MERA	Mt. Elgon Residents Association
NGO	Non-Governmental Organisation
NSCPCM	National Steering Committee on Peace-building and Conflict Management
PLO	Palestine Liberation Organization

PRP   Peace Rights Programme

SLDF   Sabaot Land Defense Force

SPSS   Statistical Package for Social Sciences

TARDA   Tana and Athi Rivers Development Authority

UJCC   Uganda Joint Christian Council

UN   United Nations

UNDP   United Nations Development Programme

VUJ   Vijana Umoja PAmoja

WKHRW   Western Kenya Human Rights Watch

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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 BACKGROUND TO THE PROBLEM

Conflicts are products of social structure and character of society of which the civil society is an integral part. This raises the issue about the role of the civil society in conflict processes, in terms of its emergence, management, and resolution. Threats to African security remain manifold, and differ significantly by sub-region. The end of the Cold War has impacted African security in a variety of ways: the incidence of inter-state conflict has receded markedly. It is characteristic of conflicts that violent confrontation involves state and non-state actors, and that it spills across borders.

Kenya has been characterised by recurrent violent conflict over scarce resources and land, especially in the country's arid northern regions bordering Somalia and in the Rift Valley. These conflicts have been fuelled by a mix of politics and ethnicity in recent years. In early 2005, the UN supported the government and civil society in developing and launching a programme on 'Strengthening National Capacities for Conflict Prevention and Conflict Transformation in Kenya'. This programme focuses on building the capacities of provincial and local officials for working with civil society to anticipate and respond to potentially violent conflicts. At the national level, the programme supports members of parliament, senior government officials and civic leaders, to acquire skills for negotiating, managing conflict, and forming consensus. The Office of the President has established the National Steering Committee on Peace-building and Conflict Management (NSC). The membership of the NSC comprises representatives from

government, civil society, UNDP (United Nations Development Programme), and donors. The Kenyan government has invested significant resources and staff in the work of the NSC, making conflict management a top national priority[1].

In Africa, an increasingly vibrant civil society has been strongly involved in peacemaking and Peace building activities[2]. Civil Society Organizations (CSOs) in various regional and international initiatives stress their relevance and growing importance to on-going peace building efforts, for example in Kenya and Uganda. While many challenges to CSOs in the region persist, progress has been made in a number of countries. For example; In Rwanda and Burundi, women's organizations are at the forefront of the reconciliation and integration efforts, an aspect demonstrated in their Post Genocide Activities. The churches have sought to construct a viable and hospitable post-conflict environment through humanitarian intervention during and after the genocide. They were also centrally involved in promoting integration and assuaging the distressed population. Women's groups have mostly been in the forefront of demobilization and reintegration of former combatants in Burundi. An All-Party Burundi Women's Conference in 2000 confronted issues such as gender based violence and focused on Peacebuilding actors in their responsibilities to protect women and children in conflict situations. The conference discussed women's rights, sex discrimination, and women's participation in political life. The Coalition of Women's Organizations and NGOs (CAFOB) also agitated positively to be represented in the male-dominated negotiations at Arusha. The concerted efforts of Ugandan

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[1] Kathleen Cravero & Chetan Kumar; Sustainable development through sustainable peace: Conflict Management in developing societies; The commonwealth Ministers Reference Book; Bureau for crisis prevention and recovery, UNDP; 2005

[2] Phillip Annwitt; Global Security and Regional Responses: Conflict Management in a Fractured World; Geneva Centre for Security Policy: 2010

CSOs as both pressure and opposition groups were instrumental in the government's agreement to return to a multiparty political system by 2006. Between 1985 and 1995, civil society actively engaged government in demanding democratic reforms, which eventually led to the freeing of political space. Civic and human rights education programs by CSOs, especially in the constitution-making process, helped create higher levels of awareness among Uganda people about their civic and political rights. CSOs in Uganda were at the forefront of exposing human rights violations and advocating for a peaceful resolution of the conflict in the north. Through their lobbying, government offered amnesty to the Lord's Resistance Army (LRA) leaders in 1998 and 1999 – although the amnesty law was amended in 2003 to exclude the LRA leader, Joseph Kony, which subsequently led to considerable reversals in the mediation process. The Church of Uganda and the Uganda Joint Christian Council were particularly instrumental in the peacemaking efforts. While the Church has provided humanitarian assistance to the victims of the LRA rebellion and the general population in northern Uganda, the Council was in the forefront of advocating for reconciliation[3]. In Kenya, peace building and conflict management interventions by civil society organizations have involved faith-based and Non-Governmental organizations. Civil society interventions have focused on reconciliation and building new relationships amongst the warring communities. Such activities include dialogue, negotiations, and problem solving workshops, information, education and communication. These have set precedence to the coexistence in places where violence was the norm[4].

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[3] Arthur Bainomugisha and Mashood Issaka; The Role of Civil Society in Peace building in the Great Lakes Region; International Peace Academy ; March 2004, New York

[4] Office of the President ,Ministry of state for Provincial Administration and Internal Security; National Policy on Peacebuilding and Conflict Management; September 2009

The civil society can be part of the problem of conflict creation or escalation. Since civil societies are set in the social character of society they also reflect the social contradictions in society. For instance, In Nigeria, the process of annulling the June 12, 1993 presidential elections by the vicious military junta of General Ibrahim Babangida could not have been possible without the involvement of some civil society groups. An association called ''Association for Better Nigeria'' (ABN) played a lead role in the annulment process.

Uganda also provides an example of the role civil society has played in advocating for a peaceful resolution to conflict and the monitoring of the peace process, more specifically in the Northern Region of the country. In particular this concerns the use of independent media as an advocacy tool for the peace message. Religion also played a critical role in the reconciliation process in northern Uganda, with the Acholi Religious Leaders Initiative (ARLI) advocating for peace in the region. More recently, the involvement in the reconciliation process of the Uganda Joint Christian Council (UJCC) has made participation through religion more national as their members include religious leaders from all over Uganda[5].

Programs on strengthening the capacity of civil society organisations become evident through this cooperation with partners and governments, in an effort to manage conflicts. This therefore brings an importance in examining the role of civil society organisations further.

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[5] Jackee Budesta Batanda; The role of Civil Society in advocating for transnational justice in Uganda; Institute for Justice and Reconciliation; 2009

1.2   STATEMENT OF THE REASEARCH PROBLEM

Although conflict is endemic in society, it is not easy to define. Conflict relates to the cultural setting, what may be considered wrong and divisive in one culture may not be considered so in another. On another hand, conflict management methodologies differ from culture to culture. A conflict arises when two or more parties have incompatible goals about something. This incompatibility of goals also defines more complex conflicts, be they organisational, communal or international. The effect of conflict, wherever it is located, is to dislocate valued relationships, and to cause stress on the structure on which relationships are based. The way in which conflict is perceived determines to a large extent how it is responded to and managed. It is therefore important to learn how to manage conflict properly. The requirement that conflict management must be peaceful is one of the bedrocks of the international legal and political system. In international law, the charter of the United Nations not only forbids the use of force or the threat of the use of force in the conduct of relations between states, but it also specifies a menu of methods for peaceful settlement of disputes.

Given the realities that characterises most conflicts in Africa, it has become clear that effects of conflicts go beyond the jurisdiction of a certain state, thus, need for a holistic approach to conflict management. The holistic approach here means the methods that involve the collective participation of various stakeholders like state and non-state actors, in the management of conflicts. Africa suffers from conflict situations that will spill across borders and affect different neighbouring regions. Non-state actors such as CSO's, play an important role in conflict management through their ability to build links, facilitate reconciliation and address the root causes of conflicts. They also build intercommunal links in their attempts in conflict management. The participation of these non-state actors in Peacebuilding activities can have a

broader conflict context, beyond the direct effects they have on the parties to conflict.   Conflicts tend to arise over non-negotiable disputes over the satisfaction of fundamental needs. Therefore conflict Management means going beyond negotiating interests in order to meet all sides' needs. Civil society actors can be instrumental in this respect. CSOs have access to the parties involved in conflict and the ability to bring parties to dialogue. They also induce local populations to get involved in long-term reconciliation efforts. By working directly with local populations on the ground, civil society is also able to assess the situation more effectively.

Civil society organisations encompass actors and organisations in society which are nongovernmental and not-for-profit. Such organisations will have diverse forms, goals and purposes, but all have the potential to improve the quality of life of the citizens in the countries where they operate. NGOs are understood as a subset of civil society. They involve citizens acting collectively in the public sphere to express their interests and ideas, achieve mutual goals, advance demands on the state and hold state officials accountable. Hence, the aim of civil society organisations is to support democratic and pluralistic societies, create opportunities for public involvement and political participation and allow citizens to influence decision-making.

There are various strands of the civil society organisations that can be part of conflict management. These include human rights' groups, women associations, the press, trade unions, students' organisations and the modern NGOs, both local and international. Civil society organisations in Africa, in collaboration with their international partners can organise for emergency relief for those groups of people, participate in the process of peace negotiation by popularising peace deals, put pressure on belligerents, and Mobilise popular support for the peace process. Civil society in the conflict situation is extremely relevant in the process of

Conflict management. These can be through assisting in the process of demilitarisation, demobilisation and adaptation to civil life for demobilised combatants. Civil society can also undertake post war rehabilitation projects, especially in restoring basic social services like primary health care, education amongst others. They also create awareness and consciousness through enlightenment about the futility of war and the primacy of dialogue in political and social interactions. They also ensure the principles of popular participation, rule of law, fairness, justice, and equal citizenship for the people, which are the fundamental issues that usually form the basis of conflicts in Africa. The press, human rights' groups, students' and labour movements can play key roles in this regard. Civil society plays an important role in conflict management. Conflicts tend to arise over non-negotiable disputes over the satisfaction of fundamental needs. Therefore conflict management means going beyond negotiating achievement of interests in order to reach a resolution of needs.

As such, what is the Role of the Civil Society in Conflict Management? An assessment of this topic will be the focus in the study in subsequent chapters.

1.3   RESEARCH QUESTIONS

1) What role does the Civil Society play in conflicts

2) How does the civil society participate in conflict management

3) How is the civil society involved in conflict management

1.4   RESEARCH OBJECTIVES

1) To Evaluate the role of civil society in conflict management

2) To find out the civil society participates in the conflict management

3) To examine how the civil society has been involved in the conflict management

1.5   LITERATURE REVIEW

The literature review will review the role of civil society in Conflict Management through their various processes. It will seek to understand the civil society as an autonomous body driven by the purposes of representing the needs of the society, the concept of conflict management and what it entails, and the various strategies that civil societies apply in the process of conflict management. This will also include assessing the role that civil societies have played in conflict management globally, and in both Kenya and Uganda, as its case studies. This segment aims at evaluating the relationship between these variables in various countries, and successes achieved through the processes.

1.5.1   CONFLICT MANAGEMENT

Conflict management refers to the interventionist efforts aimed at preventing the escalation and negative effects of conflicts, especially violent ones. Through conflict management, conflicts can be reduced, downgraded or contained. Because it does not resolve the conflict, inadequate conflict management could lead to a reorientation of the issues, reconstitution of the divisions among conflicting parties or even a re-emergence of past grievances. It must therefore be undertaken on a continuous basis. Conflicts are usually managed directly by the society in which they occur. Sometimes, the scope determines that a third party should assume this task, provided it is not a party to a conflict. Such third parties could be civil Society Organisations, Non-Governmental Organisations, and International Non-Governmental Organisations.   In a

successfully managed conflict, there should be an address to underlying problems or issues, which are jointly and voluntarily determined. The conflict management process at least achieves some degree of satisfaction for the parties concerned, and outcomes are mutually agreed upon[6].

Africa has long been associated with violent conflict and political turmoil. Years of instability has left many countries devastated and lagging behind on all indicators of human development. Africa's underdevelopment can be attributed to, among other things, the numerous violent conflicts. Africa's historical circumstances like its colonial past and subsequent subordination in global politics have continued to inhibit its ability to organise its affairs and manage critical processes and tensions that would be manageable in different circumstances[7].

In the realm of peace and security in Africa, the 1990s witnessed dramatic and profound changes throughout the continent. With the conclusion of the Cold War, some of the major tensions between East and West over African battleground were markedly eased. From the olden days to current times, competition and conflict are regarded as inherent phenomena in both nature and society. Contending groups of people and rival nations get involved in violent conflicts either because their interests or values are challenged or because their needs are not met. The deprivation (actual or potential) of any important value induces fear, a sense of threat, and unhappiness. Whether contending groups in a particular society are defined by ethnicity, religion, ideology, gender, or class identities, they have, by definition, different needs, interests, values and access to power and resources. Understandably, such differences necessarily generate social conflicts and competition. What is at issue, therefore, is how to manage and resolve inherent social conflicts before they degenerate into violent expressions and massive destruction.

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[6] Agev D. A, Akpan-Ita E.N, Gana A. B. M:Introduction to Conflict Management and Peace Building for the Military: Konrad Adenauer Foundation: 2004

[7] George Wachira, Dorothy Ndungu: Agenda for Conflict Prevention and Peacebuilding in Africa: NPI-Africa: 2005

Most of the contemporary violent conflicts in Africa underline the reality that the security threats to the state and the population are less external to the continent and less military than they are economic, environmental and social in nature. Since the beginning of the 1990s, the African continent has acquired a dubious honour of being number one in hosting the largest number of armed conflicts and complex emergencies. Conflicts are caused by an array of interrelated factors, involving many actors, and rarely follow any predictable standard pattern. Preventing conflicts is essentially a long-term process. It needs long-term strategies and policies whose impact will prevent the emergency of conditions that give rise to conflict escalation in the first place. These strategies and policies are fundamental to all countries and societies that seek to minimize the possibility of conflict escalation in the long-term. It is vitally important to recognize the fact that carefully designed, and coordinated actions to address the root causes of the conflict should always be based on reliable and accurate early warning analyses. Effective early warning combines historical, social, political and humanitarian information in order to forecast the dynamics of a particular conflict, and the instruments necessary to effectively address it before it reaches crisis proportions. The move toward security regionalism is consistent with the post-Cold War concept of shared responsibility between the United Nations and regional and sub regional organizations, which has put in place institutional mechanisms for managing conflicts in their respective regions[8].

At the end of the Cold War, a New World Order was formed, and Africa was not immune to the dramatic shifts in the world economic and political order. The end of superpower competition on the continent had significant implications for African regional security. One defining features of the new order was the increased scope and intensity of domestic conflicts that spilled over

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[8] Severine M. Rugumamu: Conflict Management in Africa: Diagnosis of Current Practices and Future Prospects: 2002

national borders into neighbouring states. Conflicts such as those in Somalia, Rwanda, Liberia, and Sudan attracted the involvement of international and regional actors in the quest for conflict management and prevention. In the process, the notions of state sovereignty and the norms of external intervention in domestic disputes are reconsidered in international and regional fora. As such, mechanisms must be developed to allow Africans to address conflicts[9].

During the bipolar era, the Cold War competition and rivalries between two ideological blocs largely shaped the security environment of Africa states. On the one hand, it internationalized otherwise local conflicts. The superpower competition for global influence exacerbated and prolonged local and regional conflicts in an extensive bipolar rivalry. Each superpower, fearing the other might provide decisive support and thereby gain political advantage, was driven to assist one or the other party. By the same token, the bipolar structure of the Cold War allowed local disputants to maneuver superpowers to advance their respective interests (Rugumamu, 1997).

On the other hand, the superpower also restrained local African conflicts out of fear of escalation. In their spheres of influence, each superpower suppressed conflicts, concerned that open disputes would create opportunities for the other to intervene in its politically sensitive backyard. By whatever means, the superpowers did exercise a degree of management to counteract increased regional tensions, keep conflicts within bounds, and occasionally even imposing settlements. They restrained their client regimes by stationing troops, extending security commitments, rejecting or limiting the shipment of advanced offensive weaponry, applying political pressure, and using economic rewards and threats of punishment to elicit certain behaviour. In the process, foreign powers imposed an artificial and tenuous stability on

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[9] Edmond J. Keller: African Conflict management and the New World Order: University of California: 1995

the continent by propping up regimes of client states. Unquestionably, this is one of the major ways in which numerous dictators in the Third World in general, and in Africa in particular, were born, bred, and sustained. The blind support by Cold War worriers of many unpopular and oppressive African regimes, inevitably led to aggrieved groups to carry out coups d'etats, start secessionist and irredentist movements, and rebellions against the state. So powerful were the Cold War dynamics that they set in motion serious internal conflicts that have long outlasted the Cold War itself (Lakes and Morgan, 1997).

As earlier pointed out, most of the contemporary violent conflicts in Africa underline the reality that the security threats to the state and the population are less external to the continent and less military than they are economic, environmental and social in nature. Since the beginning of the 1990s, the African continent has acquired a dubious honor of being number one in hosting the largest number of armed conflicts and complex emergencies. In his 1998 Report to the Security Council, UN Secretary General Kofi Annan lamented Africa's insecurity situation:

Since 1970, more than 30 wars have been fought in Africa, the vast majority of them intra-state in origin. In 1996 alone, 14 out of 53 countries in Africa were afflicted by armed conflicts, accounting for more than half of all war-related deaths worldwide and resulting in more than million displaced refugees, returnees and displaced persons. The consequences of these conflicts have seriously undermined Africa's efforts to ensure long-term stability, prosperity, and peace for its people…Preventing such wars is no longer a matter of defending states or protecting allies. It is a matter of defending humanity itself (Annan, 1998).

As the above quotation aptly demonstrates, intra-state conflicts in Africa can no longer be considered as temporary deviations from a stable national or regional security pattern. To some cynic observers, the complex emergencies of Africa seem to be chronic, insolvable problems. Be

that as it may, we do not intend, in this paper, to rehash the causes of violent conflicts in Africa. Suffice it to mention that the sources of continent's conflicts are complex and multifaceted, involving many actors and thus, making them impossible to reduce to a single cause or source: local, national, regional and international forces have combined to fuel almost every war on the continent. To explain why violent conflicts happen, most theories distinguish between structural causes of conflict (or "root causes" or "imbalance of opportunities"), accelerating, and triggering factors. Structural factors include political, economic and social patterns such as state repression, lack of political participation, poor governance performance, the distribution of wealth, the ethnic make-up of a society, and the history of inter-group relations. They increase a society's vulnerability to conflict.

Accelerating or triggering factors often consist of political developments or events that bring underlying tensions to the forefront and cause the situation to escalate. They can include new radical ideologies, repression of political groups, sharp economic shocks, changes in/or collapse of central authority, new discriminatory policies, external intervention, and weapon proliferation (Azar, 1990; Azar and Burton, 1986; and Davis and Gurr, 1997).

It is useful to emphasize that conflicts are caused by an array of interrelated factors, involving many actors, and rarely follow any predictable standard pattern. However, for analytical purposes, the European Commission (1996) and the Development Assistance Committee Task Force of the Organization of Economic Cooperation and Development (OECD, 1998) have adopted a four-stage model of a conflict cycle. The first is referred to as the "normality and peace" stage. At this stage, a country is apparently stable, but may structurally be prone to conflict. Risk assessment studies can identify the main background conditions and provide policy directions for long-term stabilizing measures. Stage two is called "rising tensions". As conflicts

become manifest, tensions and mutual suspicions rise high, but violence remains only sporadic. Conflict analysis should reveal the accelerating factors and show opportunities for short-term preventive initiatives. "Open Conflict" is the third stage. At this stage, there is a high level of violence, and peaceful options are (temporarily) abandoned. Reactive measures seeking to contain violence and protect the civilian population are sought. Proactive measures should identify opportunities for peacemaking and address the factors perpetuating conflict.

The fourth and last stage is referred to as "post-conflict transition". At this stage, hostilities have ceased, but political, economic and social uncertainties prevail. Old and new structural tensions need to be analyzed and addressed in reconstruction and long-term development programmes. This widely used framework deserves some remarks. Firstly, clear progressions from one state to other, though theoretically plausible, they are rare, and most conflicts oscillate between two or three of these stages over the years. Secondly, the determinism inherent in the conflict cycle may draw too much attention to "events management" and allow little space for searching for structural alternatives that can break the cycle. Thirdly and finally, the apparent clear-cut phases of the conflict cycle detract attention from the crucial movements from one state to another. Nonetheless, the stage model is a valid tool for clarifying dynamics of a conflict situation, by delineating underlying structural factors, and developing a comprehensive approach addressing all stages of the conflict cycle in a coherent way (Costy and Gilbert, 1998).

Violent conflict is inevitably political. Even in cases where competition over scarce resources – for example, water – is the primary cause of the conflict, the parties would normally have organised themselves in some kind of political formation to affirm their claim to the resource. In order to manage that dispute, one needs to find a political solution that will satisfy all the parties

to the dispute, that even if all their interests are not being met, they have achieved the most fair, just and sustainable settlement to their dispute possible under the circumstances[10].

Conflict management mechanisms in west Africa and the Great lakes region point to the vital need for an entrenched mutual thought as various emerging structures of global governance contemplate how best to respond to the problems, opportunities and challenges presented by the remarkable transformation in Africa. In this regard, the presence of regional actors whether individual state, regional institutions or NGOs, or the UN, will continue to feature in Africa's conflict management for a long time. The conflict management experiences in West Africa and the great lakes region are significant not because they represent two distinct approaches to the problem, but rather because they show that there is a place for multilateralism whether in form of regional organisations or the UN in security issues. The ECOWAS intervened in Liberia in the 1990s through its multilateral approach and by grounding itself on the interpretation of international law. In general, forcible forms of regional intervention characterised the conflicts in West Africa and the Great lakes region. The conflicts had regional ramification. [11]

Once conflicts escalate into violence, the major concern of neighbouring states, civil society, and the international community is to intervene in the conflict in order to facilitate the mediation process and to help transform structures that produce insecurity and structural violence into positive peace. Civil society remains a key player in the democratisation processes of states that have experienced conflict. Civil society organisations have themselves often been instrumental in the processes leading to transformation. Indeed, consequent reconstruction requires the positive participation of all stakeholders in democratisation and development. The level of public

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[10] ACCORD: Conflict Management for Peacekeepers and Peace builders Handbook: ACCORD South Africa: July 2007

[11] Jane Boulden: Dealing with Conflict in Africa: The United Nations and Regional Organizations: Palgrave Macmillan: New York: 2003

deliberation in some countries, however, along with various social inequalities, often led to a marginalisation of civil society. Since 1945, civil society has been involved in playing a major role in international development matters, including conflict resolution and Peacebuilding. The established character of civil society makes it a crucial mechanism for international peace operations and democratisation processes. It should be noted that civil society in conflict situations has been involved in Peacebuilding but, in some instances, has also been the cause of conflict – in the sense that violence is utilised as a tool of expression and drawing attention to a cause. Indeed, some civil society organisations have metamorphosed either into armed groups or political parties[12].

1.5.2 CIVIL SOCIETY

Over the years, there has been a growing interest in the concept of civil society and its contribution to peace. There is no commonly agreed definition of what and who this sector actually includes however. According to the London School of Economics Centre for Civil Society, civil society 'refers to the arena of uncoerced collective actions around shared interests, purposes and value. It commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. According to other experts, civil society includes all forms of voluntary activities and participation in different sectors of public life. For others still, the role of civil society is to interact with the political sphere, influence it and increase its responsiveness.

More specifically for the purpose of this study, CSOs can be defined as the 'wide area of non-governmental and not-for-profit organisation that have a presence in public life, expressing the

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[12] ACCORD: Peace Agreements and Durable Peace in Africa: ACCORD: 2011

interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations, and which try to prevent the state dominating society[13]. Beyond promoting democratic governance, civil societies play a potentially important role in conflict resolution. Conflicts tend to arise over non-negotiable disputes over the satisfaction of fundamental basic needs. Therefore conflict resolution means going beyond negotiating interests in order to meet all sides' basic needs. Civil society actors can be instrumental in this respect. CSOs have access to the parties involved in conflict and the ability to bring parties to dialogue. They also induce local populations to get involved in long-term reconciliation efforts. By working directly with local populations on the ground, civil society is also able to assess the situation more effectively than top levels of governance or external actors. Civil society involvement in conflict and peace gained greater prominence since the Cold War, not least in view of the mushrooming of conflicts in this period. Peace efforts may be divided according to the different stages of conflict, that is, efforts and activities aimed at conflict prevention, peacemaking, peacekeeping and post settlement reconciliation. After the collapse of the Soviet Union, civil society had a hard time to emerge and consolidate, in so far as Soviet people had no experience in creating civic institutions. The third sector in Georgia started developing in the 1990s, yet it soon proved its strength with the Rose Revolution, in which it exerted considerable influence. This sector created a legal basis for the revolution by exposing mass fraud during the November 2003 parliamentary elections and then mobilizing public participation and protest.

In Armenia civil society is relatively more active. Domestic CSOs are active in designing programmes on issues such as democracy building, humanitarian assistance, healthcare, and

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[13] Nona Mikhelidze and Nicoletta Pirozzi ; Civil Society and Conflict Transformation in Abkhazia, Israel/Palestine, Nagorno-Karabakh, Transnistria and Western Sahara; MICROCON; 2008

trafficking. In these spheres they have gained recognition from the wider society. However their effectiveness in influencing government policy is limited, as the level of public participation in their activities is low. Their scarce influence on official authorities was proved also during the last presidential election of 2008, when the view of civil society activists had little bearing on the electoral campaign and results. Armenian trade unions also play a limited role in political life, whereas business associations seem to be more active. The main problem facing the third sector in Armenia is related to financing questions, as civil society remains dependent on foreign donors or Diaspora funding.

Civil society in Morocco have existed in different forms since independence, but it is only in the 1980s and 1990s that, along with economic liberalization, it evolved and reached its current structure. Today, there are several associations that are different in their aims and fields of action: economic development, human rights, women rights and the fight against corruption. However, civil society organizations (CSOs) are often perceived as "potential competitors" by political actors, who usually try to either exploit or undermine their capacities, by getting involved in their structures or linking them to political parties. The King's attitude towards CSOs is mixed, depending on the kind of decision he has to take: in some cases the King has opted for the building of a broader consensus through an active participation of civil society; in other occasions he has completely excluded any involvement of these organizations. In recent years, the government of Morocco has adopted a number of reforms in the area of freedom of association and assembly. According to the European Commission, these changes 'have led to the emergence of a more active and dynamic civil society.

Conflict resolution in Israel has traditionally been considered the exclusive competence of the government and the military, which has retained a monopoly on these critical issues at least until

the 1970s. Israeli elites were considered as the only legitimate actors to deal with peace and war, and the state was organized on the basis of centralist and collectivist tendencies. Activities carried out by CSOs were viewed as against the state's interest and as such discouraged, while political parties were the only recognized channels for public expression and demands. Open civil discontent towards this traditional security thinking erupted in the mid-1970s. During these years, the largest right-wing fundamentalist group to date, Gush Emunim (Bloc of the Faithful), and the largest peace movement to date, Peace Now, on opposing ends of the Zionist camp, were both founded, together with smaller CSOs, in this period[14].

A number of African civil society organizations, particularly those working at the grassroots, continue to play important roles in promoting and building peace. In Sudan, civil society groups have spearheaded some of the most significant advances towards peace, in particular at the local level. In Sierra Leone, CSOs have also played an important role in the peace process and the formulation of the country's security sector reform policies. One can also cite the role of CSOs in the negotiations leading to the transitional government in the DRC, as well as in the peace negotiations in Somalia. The role of women's groups in conflict mediation in South Africa, Somalia, Mozambique and the Mano River Union (where the Mano River Women's Network has played a pivotal role in spearheading peace efforts) deserves particular mention. CSOs have also played more diffuse roles in peace education, curriculum development, early warning, delivery of relief, and disarmament activities[15].

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[14] Nona Mikhelidze and Nicoletta Pirozzi; Civil Society and Conflict Transformation in Abkhazia, Israel/Palestine, Nagorno-Karabakh, Transnistria and Western Sahara; MICROCON; 2008

[15] The African Union; Civil Society Participation in Conflict Prevention in Africa: An Agenda for Action; African Union; 2008

The importance of CSOs in CPMR was underscored by the Carnegie Commission on Preventing Deadly Conflicts in 1997 when it noted that "NGOs, an institutional expression of civil society, are important to the political health of virtually all countries, and their current and potential contributions to the prevention of deadly conflict, especially mass violence within states, is rapidly becoming one of the hallmarks of post-Cold war era." Intra-state conflicts undermine the states in which they occur, and the conventional international strategies and mechanisms to resolve interstate conflicts that is, diplomatic efforts for mediation and reconciliation are ineffective. It has therefore been opined that they "can be handled more readily by unofficial interventions," of CSOs. Historically, civil society in Sudan had been active in social and political life. For example, trade union, professional associations, journalists, lawyers, academics, women's organizations and the like have been active in setting the agenda for human rights and democracy. In fact, non-violent and organized civil society protests had overthrown military dictatorships in 1964 and 1985 and sought democratic changes with other political parties. However, in 1998 the military regime dissolved trade unions, professional and women's organizations and intensified its assault on civil society and democracy activists and ethnic minorities. As a result, the number of civil society, particularly women's civil organizations, declined and fewer people were involved in voluntary work. Union membership had also declined and political and social activists had been made illegal. Nevertheless, this did not last long owing to a number of factors. First, people felt that the government was not doing enough to address their social and political problems especially the issue of poverty, unemployment, education, democracy, conflict resolution and peace. Second, the government was more concerned about establishing civil society organizations, which support the government and turn a blind eye to its corruption, rather than encouraging the growth of grass-roots organizations,

which represent the interest of the masses, especially the poor and marginalized. Third, the brutality of the civil war and its human costs in the South brought the issues of peace, human rights and democracy to the forefront. As such, civil society organizations became increasingly more concerned with the related problems of conflict resolution and peace building at the local, regional and national levels. They realized that violent conflicts were the major obstacle to development[16].

The end of the Cold War saw an increase in intra-state conflicts, which correspondingly, made civil society organisations start engaging in the area of conflict prevention, management and resolution (CPMR). CSOs emerged from the 20th Century as key players in the effort to prevent, mitigate and resolve conflicts in Africa. According to Shaw, this resulted largely due to a "regime vacuum" in Africa, whereby national regimes have become less and less effective in peace-building and peace keeping. Consequently, African civil society has taken it upon itself to address violent conflict, and international development donors and agencies have increasingly turned toward CSOs for peace-building.

The involvement of the CSOs in the field of Conflict Prevention, Management and Resolution (CPMR), is what to some, is known as Track Two diplomacy. First used by Joseph Montville in 1981, in his search for a term that encompassed the unofficial efforts made outside governments which brought about diplomatic resolution of conflicts, "track two" or "citizen" diplomacy refers to "private citizens discussing issues that are generally reserved for official (state) negotiations." Track two diplomacy transcends the narrow power-based approaches of traditional diplomacy by replacing the nation state as the primary referent of conflict, with all interest groups. Instead of only having favourable discussions based on strategic interests with just heads of state-a

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[16] Amira Osman; Sudanese Women in Civil Society and their roles in post-conflict reconstruction; DIIPER & Department of History, International and Social Sciences; 2009

fundamental characteristic of track one missions, track two diplomacy seeks to include all parties to the conflict. The concept of track two diplomacy stems from the belief that war can be avoided if contacts between people are initiated to build linkages of friendship and understanding. The contacts result in conflict transformation whereby those engaged in conflict are encouraged to engage in constructive dialogue. With the enormity of the challenges involved in conflict prevention, particularly its early warning dimensions, together with the limited capacity of the Africa Union (AU), they imply that more stakeholders be involved in peace and security agenda. Civil societies are strategic stakeholders in the actualization of this agenda because of their proximity to the grassroots (from where they can provide first hand information on conflict situations), and their expertise in conflict analysis. As such, this gives room for the wide spectrum of non-state actors captured by civil society to make effective contributions.

Conflict may be defined as a struggle or contest between people with opposing needs, ideas, beliefs, values, or goals. Conflict on teams is inevitable; however, the results of conflict are not predetermined. Conflict might escalate and lead to non-productive results, or conflict can be beneficially resolved and lead to quality final products. Learning to manage conflict is integral to a high-performance team. Conflict management is the principle that all conflicts cannot necessarily be resolved, but learning how to manage conflicts can decrease the odds of non-productive escalation. Conflict management involves acquiring skills related to conflict resolution, self-awareness about conflict modes, conflict communication skills, and establishing a structure for management of conflict in your environment.

Conflict Management and Prevention has been found to be reactive rather than proactive. Furthermore, it has been found to be very costly both in terms of human and financial resources. On the other hand, the conflict prevention approach has been found to be less expensive in terms

of saving on financial resources, cutting down on the loss of human lives and protecting the sources of livelihood of those involved in conflict. It, however, requires vigilance, constant monitoring and, above all, in-depth understanding of the dynamics of conflict (including identifying potential conflict spots and preventing the possibility of relapse into conflict after an initial settlement). These tasks are better performed by CSOs due to their closeness to the grassroots. CSOs can, therefore, assist in redressing the balance between conflict prevention and management in the activities[17]. When disputes between states do escalate, a variety of responses and entry points for conflict management are available to the international community - diplomatic missions, presidential hotlines, Security Council sessions, UN envoys, dispute settlement mechanisms in regional bodies like the African Union or through international covenants and agreements, the use of third party good offices, and so on. State parties to the conflict more often than not conclude that their chance of keeping damage to acceptable levels and getting a tolerable settlement are better through such means than through military remedies. In the absence of reliable and effective official, government-level responses to local conflicts, non-governmental organizations (NGOs) and other elements of civil society have had to become much more active in exploring avenues of constructive intervention in support of conflict management and the promotion of alternatives to violence. Many non-governmental organizations, notably churches and development and human rights agencies, have long-standing and substantial links directly to communities in conflict - a set of relationships that have not traditionally been seen as an aid to diplomacy but which in the current circumstances of significant communal conflict have the potential to play, and in some cases already are, an

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[17]The Africa Union: Civil Society Participation in Conflict Prevention in Africa: An Agenda for Action: Africa Union: 2008

increasingly active peacemaking role. That role is not typically an involvement in peacemaking through negotiation[18].

Since the end of the Cold War, global security has become ever more multifaceted: threats have proliferated from the inter-state to the domestic and from the international to the transnational levels. The security agenda has broadened with the emergence of non-traditional threats such as terrorism, illegal migration, epidemics, and climate change. Conflict intensity has declined markedly, and inter-state conflicts have virtually disappeared. However, high-intensity inter-state wars have been replaced by lower-intensity civil conflicts and one-sided violence against unprotected civilians. The management of these threats has gone through tremendous evolutions, both in terms of actors and practices. In particular, states not only act through international institutions, but they also increasingly work alongside non-state actors, bringing conflict management to a new level of complexity. In this context, regional security institutions have become key actors of conflict management, as they are increasingly seen as an appropriate framework for the management of threats that have a strong regional dimension. Two decades after the end of the Cold War, new trends in international security are discernible. Increasingly, post-cold war security is multifaceted. Threats have proliferated. They extend beyond traditional military security to such fields as human rights, economics, ecology, and communication technology. They increasingly spill over state boundaries. Local insecurities easily impact at the national level and beyond, threatening regional and international security. These threats increasingly originate from non-state sources such as organized crime, "terrorists" and pirates. Likewise, non-state armed groups frequently appear as parties in violent conflict. On the other

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[18] The Ploughshares Monitor; Civil Society, Conflict Management, and the avoidance of War; September 1997

hand, conflict management now entails a wide range of actors. In peacemaking and Peacebuilding activities, states work through and alongside regional and international organizations, local and international NGOs, epistemic networks, and private businesses[19].

Managing conflict requires a multi-dimensional, comprehensive, system-wide or integrated approach. One-dimensional or single-facet conflict management programming are superficial and counter-productive, in that it addresses only some aspects of a wider system, and this tends to distort, shift or re-direct tension in the system rather than address the root causes of the conflict in a coherent or comprehensive manner. Most international and regional organizations like the United Nations (UN) and the African Union (AU) have experienced that the need for clear organizational structures and reporting lines have resulted in the fragmentation of their capacity to manage conflict across various departments and units, most often broadly following the *1992 Agenda for Peace* categories of preventive diplomacy (conflict prevention), peacemaking, peacekeeping and Peacebuilding. The prominence given to peace and security issues in the post-Cold War era has further resulted in the establishment of specialised conflict management departments, which resulted in a growing institutional separation between those specializing in conflict management and other departments dealing with development, humanitarian assistance, human rights, rule of law, governance[20].

[21]Kenya, which gained political independence from Britain in 1963, became a one-party state in 1969 when the sole opposition party, the Kenya African Democratic Union (KADU) was banned

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[19] Phillip Annawitt; Global Security and Regional Response: Conflict Management in a Fractured World; Geneva Centre for Security Policy; 2010

[20] Cedric de Coning; Moving beyond the 4Ps-An integrated Conflict Management System for the African Union; Norsk Utenrikspolitisk Institutt; 2008

[21] The Role of Civil Society in Peace building in the Great Lakes Region; Arthur Bainomugisha and Mashood Issaka; March 2004, New York; International Peace Academy

leaving the Kenya Africa National Union (KANU) as the sole political party. Following the death of former President Jomo Kenyatta in 1978, civil society began agitating for democratic transformation. CSOs such as the Green Belt Movement, the Law Society of Kenya, and National Council of Churches of Kenya (NCCK), resisted KANU's one party dictatorship by mobilizing the citizens both in the rural and urban areas to demand political reforms. In a bid to muzzle and control civil society organizations, the KANU government, in 1990, enacted a Non-Governmental Coordination Act, which in effect sought to limit CSO operations. Opposition to the act led to the formation of strong political pressure groups, such as the Forum for Restoration of Democracy (FORD). FORD, together with the Green Belt Movement, the Law Society, and the NCCK, began to organize protests and mass demonstrations for democratic pluralism. The protests ultimately made a major headway in favour of political pluralism. In 1990 and

1991 the government appointed a review committee, which recommended the introduction of multiparty democracy. Multiparty elections were held in 1992 and 1997; KANU won both of these elections but elections monitors and the opposition described them as largely fraudulent. Despite these setbacks, CSOs continued to put pressure on the government for increased accountability, and also exposed cases of corruption and human rights abuses. This ultimately weakened KANU's grip on power and in 2002, civil society groups helped in the formation of a political coalition of opposition alliances, the National Rainbow Coalition (NARC), which defeated KANU.

Mghanga (2010), In Kenya the main cause of conflict is land and land resources. It is claimed that the indigenous people at the coast have been alienated from their natural resources by outsiders both Kenyan and non-Kenyans and this alienation has occasioned a sense of injustices,

which has been the root cause of violent conflict in the region. For instance the Kayabombo conflict in the year 1997 which saw many individuals lose their lives.

It is believed that the main cause of violence is politics. Politicians have been accused of inciting their supporters to fight non supporters. For instance, the politisisation of land and land resources issue and marginalization of people at the coast for definite political goals whipped up various emotions among the people of various ethnic communities living in the province.

In Uganda, CSOs were at the forefront of exposing human rights violations and advocating for a peaceful resolution of the conflict in the north. Through their lobbying, government offered amnesty to the Lord's Resistance Army (LRA) leaders in 1998 and 1999 – although the amnesty law was amended in 2003 to exclude the LRA leader, Joseph Kony, which subsequently led to considerable reversals in the mediation process. The Church of Uganda and the Uganda Joint Christian Council were particularly instrumental in the peacemaking efforts. While the Church has provided humanitarian assistance to the victims of the LRA rebellion and the general population in northern Uganda, the Council was in the forefront of advocating for reconciliation.

An equally important feature of CSOs in the Great Lakes region is the propensity to reach outside national borders to engage in conflict mediation. The Africa Peace Forum (APFO) of Kenya has been deeply involved in the conflict management initiatives in Somalia and Sudan, while the Mwalimu Nyerere Foundation, a Tanzania-based organization, has been active in mediation efforts in Burundi and Rwanda. In the DRC, civil society groups were engaged in the peace negotiations, including those in Arusha (Tanzania), Lusaka (Zambia), and Pretoria (South Africa) that ended with the signing of the *Global and Inclusive Agreement on Transition in the Democratic Republic of the Congo* in December 2002. These collaborations testified to the positive outcomes of state/civil society cooperation in participatory Peacebuilding initiatives.

1.6 JUSTIFICATION OF THE STUDY

Academia provides the means for intellectual exploration of the concerns and experiences that influence students' perspectives about significant issues in their lives including those that divide them such as ethnicity and ethnocentrism. In Kenya academics have constituted the core of change agents against the excesses of the past regimes. They have been the formulators and vehicles of ideological dissemination, representative of the majority and sympathetic to the cause of ordinary people. Other major contributions have been made by the radical lecturers who have created a critical mass amongst their students who have not only questioned the excesses of dictatorial regimes, but participated in enhancing democracy. The presence of academics in a number of civil society organizations and their subsequent entrance to competitive elective politics are all measures that have enhanced democratization process. Former student leaders at the university started outfits such as 'Kituo cha Sheria', a Kenyan CSOs, in collaboration with their lecturers as a means of silently organizing against repression. Later, several civil society organizations interested in governance and widening the democratic space emerged. As a way of enhancing the role of academia in contributing to democratization, university curricular should address concepts of justice, equality, opportunity, liberty with a view to instilling democratic principles/ and or aspirations in society. These must be regarded and understood as means of forging unity in diversity and giving every Kenyan a chance to achieve their wild dreams. This engagement is central to the development of civic responsibility and social awareness[22]

Building Strong Civil Society Networks in the region will benefit from networking with international partners. Their collaborations would help amplify CSO voices in advocacy of

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[22] African Research and Resource Forum; Discourses on Civil Society in Kenya; 2009; African Research and Resource Forum; Morven Kester (EA) Ltd

human rights and democracy. Stronger national, regional, and international networks would create additional synergies capable of providing practical alternatives to autocratic government policies. Such networks could more successfully place pressure on governments for policy changes. Collaborations could also facilitate the sharing of information and resources, which would enhance the capacity and efficiency of individual CSOs. An enhanced supportive role from the international community to civil society groups that promote good governance could facilitate broader democratization in the sub-region. The Kenyan and Ugandan experiences demonstrate the potential of CSOs to foster democratic transitions. Despite the harassment and intimidation of civil society groups by the former Kenyan president, Daniel arap Moi, and the frustration they faced under Museveni's government in Uganda, the support of external actors has helped pressure the governments into introducing political reforms that opened the space for multi-party activism, or efforts towards it, in the two countries.

CSOs – without sacrificing their independence – should endeavour to develop strategic alliances and partnerships with governments to impact public policy and decision-making. Relations between the state and CSOs in the region have historically been antagonistic, with civil society groups pressing government for political reforms and demanding new leadership. The confrontational nature of these relationships often hampers the ability to influence policy decisions nationally and regionally. APFO in Kenya and Advocates Coalition for Development and Environment (ACODE) in Uganda, are examples of organizations that have established productive relations with their respective governments, but yet have been careful to not compromise their institutional independence[23].

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[23] Arthur Bainomugisha and Mashood Issaka; The Role of Civil Society in Peace building in the Great Lakes Region; International Peace Academy New York; March 2004

1.7 CONCEPTUAL FRAMEWORK

The study will apply a conceptual framework to explain the engagement of Civil Society Organisations in conflict Management. CSOs are independent entities involved in conflict management, who do so through voluntary dialogue processes involving warring parties. Understanding The Conflict Transformation Approach provides a platform in explaining the participation of CSOs in conflict management as Track II diplomacy actors.

1.7.1 CONFLICT TRANSFORMATION APPROACH

John Paul Lederach is Professor of International Peacebuilding at the University of Notre Dame, South Bend, Indiana, and concurrently Distinguished Scholar at Eastern Mennonite University. He has written widely on conflict resolution and mediation. Dr. Lederach's theories of elective methods of conflict resolution have been influential in the fields of political science, peace studies, international relations and conflict transformation. His approach is elective approaches to conflict intervention which he calls Conflict Transformation. His works have been published widely in English and Spanish. At international level, this has involved input into peace processes in, for example, Somalia, Northern Ireland, Nicaragua, Colombia and Nepal. In 2000, he received the Community of Christ International Peace Award. John Paul Lederach is a conflict theorist and practitioner advocating for the pursuit of conflict transformation. Conflict transformation, as described by Lederach, does not suggest that we simply eliminate or control conflict, but rather recognize and work with its "dialectic nature." By this he means that social conflict is naturally created by humans who are involved in relationships, yet once it occurs, it changes (i.e., transforms) those events, people, and relationships that created the initial conflict. Thus, the cause-and-effect relationship goes both ways--from the people and the relationships to

the conflict and back to the people and relationships. Conflicts change relationships in predictable ways, altering communication patterns and patterns of social organization, altering images of the self and of the other.

Lederach sees advocacy and mediation as being different stages of the conflict transformation process. Activism is important in early stages of a conflict to raise people's awareness of an issue. Thus activism uses nonviolent advocacy to escalate and confront the conflict. Once awareness and concern is generated, then mediation can be used to transform the expression of conflict from "mutually destructive modes toward dialogue and interdependence. Peacemaking also involves systemic transformation--the process of increasing justice and equality in the social system as a whole. This may involve the elimination of oppression, improved sharing of resources, and the non-violent resolution of conflict between groups of people. Each of these actions reinforces the other. In other words, transformation of personal relationships facilitates the transformation of social systems and systemic changes facilitate personal transformation[24].

Activism and advocacy are a means employed by Civil Society Organisations in Conflict Management and also in Track II diplomacy. Track-II talks are convened specifically to foster informal interaction among participants regarding the political issues dividing their nations and to find ways of reducing the tensions or resolving the conflict between them. As such, Track-II exercises provide participants with a setting that is conducive to achieving such objectives. Track-II diplomacy has been defined as discussions held by non-officials of conflicting parties in an attempt to clarify outstanding disputes and to explore the options for resolving them in settings or circumstances that are less sensitive than those associated with official negotiations. Track-II talks prove exceptionally successful; they can lead to secret formal negotiations, as

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[24] Lederach, John Paul; Preparing for Peace: Conflict Transformation Across Cultures; Syracuse University Press; 1995.

occurred in mid-1993, during the later stages of the Oslo talks between Israel and the Palestine Liberation Organization (PLO). Civil Society Organisations take on the Track II Approach in their involvement in conflict management. CSOs come in to facilitate and / or initiate a dialogue in cases of conflict situations. Civil Society Organisations mobilize efforts in attempts to reaching conflict resolution. They do so by involving the warring parties, and facilitating a dialogue process[25]

1.8   RESEARCH HYPOTHESES

1) Civil societies play a role in conflict management

2) Strengthening Civil Societies can contribute to Conflict management

1.9   RESEARCH METHODOLOGY

This chapter describes and gives details on how the many research methods will be used by the researcher to conduct the study. Research methods are the techniques used for conducting of the study. Research techniques therefore refer to the process by which the researcher uses in performing the research operations.

RESEARCH DESIGN

The study will use both formal and informal methods to obtain information from respondents. A survey will be used to obtain information from the respondents. This will be also be followed by interviews to key informants by the researcher.

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[25] Hussein Agha, Shai Feldman, Ahmad, Zeev Schiff: What are Track – II Talks; MIT Press; November 2004

The study will use both quantitative and qualitative whereby a questionnaire will be designed and then taken to respondents

Babie (1989:237) argues that survey is the most appropriate way of obtaining descriptive and exploratory and explanatory information.

RESEARCH SITE

The sites for this study will be held in Nairobi County. This is because it will be easy to obtain information from respondents who originate from both western Kenya (Mt. Elgon) and those from coastal region (Tana Delta). Also, the key informants who are basically the civil societies who have taken the task to bring peace in the two region will be used are available in Nairobi county as majority of them have their regional Headquarters based here in Nairobi.

The research will also be done in Nairobi because accessing these two regions may be costly and time consuming.

TARGET POPULATION

Mugenda (2003) defines target population as that population in which the researcher wants to generalize the results of the study. The study is targeting both victims of conflict and the civil societies who have participated in peace building in the past[26]

The study aims at interviewing people and civil societies that have interacted with the aim of bringing peace. According to IEBC 2012 register, the Tana Delta region in coastal region had a total population of 69,246 registered voters while in Mt. Elgon, there were 50,972 registered voters. A total of 120,221 is the targeted population.

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[26] Olive Mugenda, Abel G. Mugenda; Research Methods: Quantitative and Qualitative Approaches; 1999

The study will use both probability and non-probability sampling will be used to get in depth information for the study.

PURPOSIVE SAMPLING

This method will be used because the respondent will be picked from a group since they will be informative and they have the required characteristics being studied. The researcher will obtain information where victims of conflict can be found and then a stratified random sampling will be used to sample the respondents. A stratified random sampling will be used because the expected respondents should only be the groups that have origins of the Tana delta and Mt.Elgon and an individual found in the area but does not come from the two regions will not be eligible as a respondent.

SAMPLE SIZE

Mugenda (2003), defines, sample size as the population that is representative to the entire population that share the same characteristics. In the study the study the researcher will go through the available materials to obtain the total population for the two regions under the study and which were previously affected by the conflicts.

Then after target population is obtained, formulae given below will be used to obtain the sample to be studied

$$n = \frac{Z^2 \times (P \times Q)}{D^2}$$

Where Z= the required standard normal deviation at the desired confidence level

p= is the proportion in the target population expected to have characteristics being studied

q=1-p

d =the level of statistical significance set

n=the desired sample size (should the target population exceed 10,000)

$n = (1.96)^2 \times (.50 \times .50) \div 0.05^2$

=385

In this case the target population is above 10,000

And therefore to obtain the expected sample size,

$n' = \dfrac{n}{1+ (n/N)}$

$n' = \dfrac{385}{1+ \dfrac{385}{120{,}221}}$

= 383.884

= 384 respondents

DATA COLLECTION

The study will use primary data by using questionnaire. The questionnaire will be distributed to the respondents. The questionnaires will be dropped and picked by well-trained research assistants. This method will ensure that only those who qualify to respond to questionnaire will receive them thereby making sure that there is consistency in the data collection. The

questionnaire will be both structured (closed ended) and unstructured (open ended). There will be two types of Questionnaires; one for the publics and one for the civil society.

DATA ANALYSIS

Once the questionnaires are administered, the raw data collected will be systematically organized in a way that will facilitate the analysis the data will be cleaned, coded and then analyzed statistical packaged Statistical Package for Social Sciences (SPSS) will be used to analyze the data. This will be done by assigning numerical values to the quantitative data. Descriptive statistics will be used to summarize and organize the data in a manner that is effective and appropriate

INFERENTIAL STATISTICS

This is a statistical tool that is used compare the relationship between two or more variables in the study, the will attempt to know how many civil organizations were used to create or to manage in the two separate cases. This tool enables the researcher to analyze how one influences the other. In this case, differential statistics will help the researcher analyze which factors influence the civil organizations respond to some conflicts.

1.10 CHAPTER OUTLINE

The study will focus on "The Role of Civil Societies in Conflict Management: A Case Study of Tana Delta and Mt.Elgon

The researcher will introduce the study by giving an overview and understanding of the relationship between Civil Society and Conflict Management. The Introductory part of the study will include a brief historical summary of the evolution of Civil Society in Conflicts and their

Management; the summary will discuss both Global, Regional and National participation of Civil Societies in Conflict management.

The Introduction will be preceded by a Statement of the study. Problem Statement here will focus on indicating the gaps identified in the study. This explains the need for the study.

Research questions highlight what I seek to answer in the study, the Objectives explain my focus in the research study, and the Hypothesis describes my assumptions of the conclusion in the study.

Literature review gives an in-depth research of literary and scholarly work that has been done in this area of study. The focus will be on understanding the civil society as an autonomous body, understanding conflict management and their strategies, and expounding on the role that civil society play in conflict management processes.

The justification of the study has been drawn from both an academic and policy point of view. It outlines the importance of involving both the academia and policy players in considering civil societies in conflict management, and the need for knowledge and information sharing on CSOs role in conflict management.

The research will apply a conceptual Framework on "The Conflict Transformation Approach" in understanding Conflict Management and the participation of civil societies as track II actors in conflict management.

An explanation of the modes of data collection, analysis will be done here. This will inform the study from the deductions from both Qualitative and Quantitative data.

CHAPTER TWO

A HISTORICAL ACCOUNT OF CONFLICTS IN KENYA AND THEIR MANAGEMENT

2.1. INTRODUCTION

Violent conflicts in Kenya predate colonialism during slave trade and continued during colonialism and the struggle for independence. Conflict in pre-independence days was mainly between the colonial administration and the forces of the freedom struggle. The liberation movements in Kenya at the time applied mass action and violence to demand for their independence. The colonial administration on the other hand responded with impunity by meting out violence, arrests and detentions which generated a cycle of violent conflicts in the run up to independence. Prior to this, there had been violent experiences during slave trade and the resistance to colonization undertaken by different communities. Some communities also violently resisted the building of the Kenya - Uganda railway. The struggle for independence however had a specific agenda, that of freedom from colonial rule and the return of African land and political leadership to Kenyans.

Although there were other levels of group conflicts amongst Kenyans themselves, these were overshadowed by the freedom struggle. Post-independent Kenya has continued to experience intermittent conflicts of different nature, magnitude and intensity depending on special circumstances underpinning the conflicts and the environment in which they evolve. The nature, dynamics and root causes of these conflicts seem to be determined by the varying geographical

features and inherent social, economic, cultural patterns obtaining in different parts of Kenya, and governance systems, which manifest certain conflict environments and trends of violence.[27]

Kenya has experienced different types of conflicts in its past and present history. These conflicts range from internal disputes between different groups in Kenya, to cross-border confrontations with groups from neighboring countries, and coupled with the spill-over effects from regional conflicts in the Horn of Africa. These conflicts manifest themselves violently and non-violently. The causes of these conflicts are many and complex ranging from poor governance, poverty, competition for scarce resources and identity based rivalries. The conflicts have caused extensive damage to life, property and adversely impacted on economic development in the country. The impact of violent conflicts has manifested itself psychologically, physically and emotionally going beyond the material, and affecting heavily the lives of hundreds of thousands of women, children and men. Conflicts have political, economic, social and cultural costs including the lowering of economic productivity, weakening of political institutions, incapacity to provide essential services, destruction and depletion of natural resources, loss of food production and capital flight. It may be possible to measure the costs of conflict in economic terms through the assessment of the loss of potential foreign and domestic investment due to fear of crime and insecurity, loss of income from tourism and loss of income from sectors such as agriculture. Other direct consequences of violent conflict are large numbers of refugees from neighboring countries living in Kenya, as well as internally displaced persons (IDPs) and besieged populations (BP).Violent conflicts in Kenya are further complicated by the prevalence of small arms and light weapons particularly in urban centers where crime is becoming a major

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[27] National Steering Committee on Peacebuilding and Conflict Management; National Policy on Peacebuilding and Conflict management; August 2006

impediment to human security, as well as the pastoralist areas in northern and north- eastern parts of Kenya, that border countries in the Horn of Africa which are undergoing civil wars, as well as drought and poor land tenure systems. However, it is much more difficult to measure intangibles such as the trauma experienced by individuals and groups, their consequent lack of trust in the existing institutional forms of governance, conflict resolution and management. Ethnic clashes have also been blamed for the rise in conflicts in Kenya; they pit one or more ethnic groups against each other. First experienced in the advent of multiparty democratic elections in 1991, politically instigated ethnic violence has remained the most infamous manifestation of violence in Kenya. Attributed to political incitement, tribal tensions and polarizations, consequent clashes and riots occur with virtually every political campaign. These conflicts are characterized by incitement by politicians; the political parties formed along tribal lines, use of militia youth groups such as Kamjesh, Baghdad boys, Chinkororo, Congo by force, KANU youth wingers and Mungiki to carry out violent attacks on opposing communities, destruction of property, loss of life and displacement of populations to influence voting patterns. Indeed many people displaced by politically instigated ethnic clashes of 1991/92 in Rift Valley province have never been resettled or gone back to their own farms. Ethnicity remains a key indicator of conflict in Kenya and impacts economic development through the increase in corruption and the use of nepotism and cronyism to conduct government business, including implementing development strategies based on tribal and political affiliations contrary to the Constitution of Kenya. Politically instigated ethnic tensions undermine good efforts in all sectors of social and economic development in Kenya. Mungiki in particular have strategies that specifically target women for violence.

2.2. STATE VERSES NON STATE ACTORS IN CONFLICT MANAGEMENT IN KENYA

Nearly all the existing conflict management and Peacebuilding approaches in Kenya were initiated as a result of prolonged massive violence that affected large ethnic populations. As a result, many of such interventions exist primarily in those parts of the country that are referred to as conflict prone areas. Factors dependent on social, economic, political and cultural contexts of these areas have over time determined the type of approaches taken in the interventions. The life of these interventions in terms of active Peacebuilding structures have apparently been pegged to the availability of external funding which itself is driven by the violent phase of the conflicts.

The government is a major player in conflict management and peacebuilding in Kenya. However, the concern for government in the face of conflict is first and foremost violence prevention. This is evident when the government has formed commissions/enquiries from time to time to investigate causes of violent conflict in the country such as the Akiwumi Commission to investigate politically instigated ethnic clashes of 1990/91.Unfortunately, the recommendations of these enquiries are often not implemented. Other government interventions in recent years have included the constitutional reform process to usher in a new constitution following public demand for a new constitutional dispensation. In addition, the State has formed structures and institutions to promote security and prevent violence in society. The major state approaches in conflict management and peacebuilding include Disarmament and Development Interventions, Conflict Early Warning, Judicial System. It should however, be noted that state interventions in

conflict management are short-term and reactive, with little implementation of visionary policies, hence, the engagement of civil society organizations[28].

Parties involved in conflict have preferred to avoid the courts and instead resort to informal traditional peace processes that are flexible enough to their needs including their cultural values and the need for fast and cost effective justice. These processes also allow for the participation of all affected persons in the conflict rather than those injured and the use of traditional peacebuilding rituals and negotiations to achieve justice that is recognized by the communities involved. The government has recognized the value of these traditional processes and has provided logistical and administrative support to enable them to respond to conflict situations. This has occurred in North Eastern and North Rift Provinces. In the past, states in the region have dealt with such conflict, when they have chosen to deal with it at all, through the use of military force. While repossession continues to occur (with varying frequency and severity depending on the country), states and civil societies in the sub-region have come to the realization that the use of force is costly and counterproductive, and that an approach that seeks to engage communities themselves in identifying the specific causes of local conflict and in taking preventive or remedial action to address, or at least, mitigate conflict is likely to be more constructive and to have more durable effects.

Civil society interventions have focused on reconciliation and building new relationships amongst the warring communities. Such activities include dialogue, negotiations, and problem solving workshops, information, education and communication. These have set precedence to the coexistence in places where violence was the norm. Several initiatives including conflict early warning have played a central role in facilitating a negotiated end to violent conflict among the

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[28] National Steering Committee on Peacebuilding and Conflict Management; National Policy on Peacebuilding and Conflict management; August 2006

Somali clans in North-Eastern Kenya; among the pastoralist and agro-pastoralist communities in the North-Rift region and among the farming communities in Western part of Kenya. In all the cases, the civil society has involved as many conflict actors as presented by each context and included the government, elders, professional elites, women, religious leaders and the youth. Through constant advocacy by the civil society, the government security machinery and the provincial administration in particular, now recognizes the involvement of community institutions in security matters previously considered the sole preserve of the state. Peace Committees have become increasingly involved in dealing with crime and violent conflict triggers. The civil society interventions have tried to put in place institutions and structures that promote dialogue and relationships in the communities that have been divided by conflict. However, the activities of the civil society have been in response to violence and have only reached victims of violent clashes especially those that were affected by the 1992 clashes in Nyanza, Western, Coast and Rift Valley Provinces and violence due to cattle rustling in Kerio Valley and North Eastern Province or conflicts among the pastoralists. They are yet to establish proactive conflict response mechanisms that can benefit part of the Kenyan society found in the latent conflict stage. Valuable experiences have been noted in the achievements of the women initiated peacebuilding processes in Wajir and north-rift region. Grassroots women mobilized community resources, victims and perceived perpetrators of violent conflict, to module community based response mechanisms that paved way for reconciliation amongst warring clans and tribes. The initiatives also gave direction for replicable peacebuilding approaches as spearheaded by local women. Faith-based peacebuilding and conflict resolution initiatives have been undertaken by various organizations, which are active throughout the country. Primarily, they focus on community mobilization and increased dialogue through effective communication.

The initiatives have also founded several inter-religious networks across the country with the main aim of addressing the religious differences that affect religious tolerance and peaceful coexistence. Faith-based organizations (FBOs) have also teamed up with the government and the civil society to form peace committees. The media has from time to time highlighted the problem of insecurity in the country as a result of the proliferation of illicit small arms. In this regard, they have echoed the plight of those affected by the proliferation. They have also disseminated the findings of research work done on insecurity in parts of the country as well as presented cases in print and electronic media. However, the media could demystify the whole issue of insecurity by illuminating the secret lifecycle of violent conflicts in the Kenya. They could also illuminate the gap between legislation and enforcement of security operations. There have been efforts to identify and strengthen structures that are sensitive to contextual conflict handling and development priorities of given areas. As a result, ad hoc government and community committees, civil society networks and like-minded stakeholders' forums have emerged in the conflict prone areas in the country where peace work has been active. While some of the structures and institutions have emerged from the post conflict external interventions and the community coping mechanisms, some have been built on the knowledge of existing traditional conflict handling methods. Existing calm in some districts conflicts can be attributed to the enforcement of resolutions agreed upon in fora facilitated using traditional conflict handling methods. The cattle rustling menace in Kuria on the Kenya Tanzania border was reduced by similar enforcements. Cultural historical factors have played a real role in fuelling and resolving conflicts in Kenya[29]. Depending on level of development of a given region, impacts of conflicts generated or fuelled by cultural factors have also been varied. Cultural perceptions, beliefs,

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[29] National Steering Committee on Peacebuilding and Conflict Management; National Policy on Peacebuilding and Conflict management; August 2006

values and practices by community groupings and individuals have cut across ownership of land, livestock and economic base. They have been used as justification for war, leadership competition, religious practices and social roles. In terms of conflict management and peacebuilding, the intermediary roles being played by the organizations involved have been either negatively affected or positively informed by these social-cultural factors. Generally, non-state initiatives have formed the foundation upon which the local conflicts have been addressed by both the government and the communities. They however, lack a standardized framework on conflict handling and cannot be sustained.

The last few years have seen a tremendous increase in the number of agencies working on peace and conflict issues at local, national and regional levels. This can be attributed to the high incidences of conflicts within the region and a similar urgency in responding to the conflicts by various actors. A fundamental problem that has arisen is the duplication of efforts in setting up conflict management initiatives especially in Arid and Semi-Arid conflicts prone Districts. In an attempt to strengthen, coordinate, and integrate various conflict management initiatives, the government and the civil society organizations (CSOs) have jointly come up with a structure known as the National Steering Committee (NSC) on Peacebuilding and Conflict Management. NSC was established in 2001 within the Office of the President, and became operational in November 2002 with the placement of a Secretariat. It brings together government officials and representatives from civil society organizations. Its Secretariat also services the Kenya National Focal Point on Small Arms and Light Weapons (KNFP); and, the Conflict Early Warning and Response Unit (CEWERU). It is also responsible for co-ordination of issues related to community policing. The Office of the President through NSC embarked on the process towards

the development of a national policy on peacebuilding and conflict management in 2004, when an initial framework was developed. In its operations, NSC works closely with the Arid Lands Resource Management Project, the National Operations Centre and the Disaster Emergency and Relief Coordination Unit.

The Government desires to establish a policy framework that articulates its vision and strategy for peace-building and conflict management in Kenya. Such a policy framework will have a national outlook, with a regional perspective, and encompass the work and operations of all stakeholders, including civil society organizations and the private sector. It will aim at re-focusing peace building and conflict management efforts and practices toward measures that increase the potential for peaceful co-existence and human security as precursors for sustainable development, and a just and peaceful society[30].

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[30] National Steering Committee on Peacebuilding and Conflict Management; National Policy on Peacebuilding and Conflict management; August 2006

CHAPTERTHREE

CONFLICT MANAGEMENT IN THE MT. ELGON REGION

3.1. CONFLICTS IN PASTORAL AREAS

The more frequent and often violent conflicts in Kenya are found in the pastoralist environment and cross-border regions in North Rift, North Eastern, and parts of Eastern and Coast provinces. These areas are characterized among others by unpredictable weather conditions leading to periods of hunger, necessitating migration for grazing and water, and periodic droughts which push people into more confined areas, forcing them to compete for decreasing amounts of fodder and water. Thus, scarce natural resources, worsening environmental conditions and increased populations have resulted in stiffer competition for land, pasture and water. This has precipitated conflicts over access and use of water in the area, frequently degenerating to bloody clashes within and among the neighboring pastoralists and communities across the border. These conflicts are aggravated by a number of salient factors including social and political alienation, economic marginalization and the proliferation of small arms emanating from regional conflicts in the Sudan, Somalia and Ethiopia; leading to increased banditry and making commercial raids of livestock more viable. In the course of competition for resources, men and women are affected differently. Where violent conflict ensues, men go out to fight, focusing their energies more on ensuring that their interests are protected than on ensuring livelihood security for their families. Often, families become displaced and this comes with attendant human rights abuses including the rape of women, and women becoming heads of households, thus distorting the traditional

order. In some instances, during resource based conflict, rape two noteworthy features of conflict in pastoralist areas are Cattle Rustling - used a tool of terror, and this comes with the additional risk of HIV infection; Raids and Banditry, which are more pronounced in the North Rift region, parts of Eastern and North Eastern provinces of Kenya. These are areas inhabited by people who practice a nomadic lifestyle and have cross border interactions with members of their communities and others that live in the neighbouring countries. Their conflict environment has been influenced by their cultural activities, political transitions of neighbouring countries and a history of economic marginalization. This environment has given conflict here the character of negative narratives that are connotative of a protracted violent situation that is only short of being referred to as war[31].

3.2.   CONFLICTS IN MT. ELGON: AN OVERVIEW

Violence in Mt. Elgon started well before the 2007 elections, following a history of recurrent and resource based conflicts with identity dimensions. 2005 saw the creation of a militia group called the Sabaot Land Defence Force (SLDF) led by late Wycliffe Matekwei. From 2006 until they were pulverized by military and police during a joint operation (Okoa Maisha) in March 2008, this group was responsible for killings and brutal violence in the area. Therefore, Mt. Elgon suffered, as also some other parts of Kenya, from both pre- and post-election violence. Mt. Elgon district (today Cheptais and Mt. Elgon Districts) alone produced some 63.000 IDPs, a significant number for a district that had a population of about 170.000.

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[31] National Steering Committee on Peacebuilding and Conflict Management; National Policy on Peacebuilding and Conflict management; August 2006

Despite the scale of the conflict, the Mt. Elgon conflict has not been properly investigated. The Commission of Post-election violence (CIPEV) did not even attempt to understand what had happened in the Mt. Elgon area, it simply stated that it "…were of such magnitude that the Commission could not delve into them…" This so called „Waki-report" of 2008 further settled for a brief description of the context in the following way:

"Western Province is home to the mountainous and agriculturally-rich Mt. Elgon district, which

is at the centre of a long standing dispute over land and cattle rustling between the Sabaot and

other ethnic communities – Bukusu, Ndorobo, Teso, Kikuyu and the Luo. The dispute has pitted

security forces of the Government of Kenya against a proscribed militia group, the Sabaot Land

Defence Force (SLDF)."

Reactions to this omission has recently led the East African Court of Justice to issue a ruling accusing the Kenyan Government of failing to investigate, prosecute and punish those responsible for executions, acts of torture, cruelty, inhuman and degrading treatment of over 3,000 Kenyan residents in Mt. Elgon area. At the same time the Human Rights Watch recommends in a recent report that the Mt. Elgon conflict is investigated by ICC, as they deem it to be within ICC jurisdiction[32].

he SLDF originally took up arms in 2005 to defend land seized during the controversial Chebyuk settlement scheme, a government plan to re-settle landless people that was marred by corruption and arbitrary land-grabbing. In recent months SLDF forces were co-opted by opposition politicians to ensure particular candidates would win seats in the region in the hotly contested December 2007 parliamentary elections.

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[32] Linda Forsberg & Lorentz Forsberg; Mid-term Evaluation of the Peace and Rights Programme FPFK Kitale, Kenya; April 2012

The SLDF atrocities have largely been linked to the 2007 election, as militia members sought to intimidate opponents of their favored Orange Democratic Movement candidates prior to the poll, and punish supporters of rival parties afterwards. In April 2007, Mwatikho and Western Kenya-Human Rights Watch (WKHRW) warned of the atrocities committed by the SLDF, including killings of civilians, torture, extortion and rape, but Kenyan authorities initially failed to respond. During that year, the SLDF set up its own "administration" in the Mt. Elgon area. Residents of these areas complained that, following this, the SLDF seized and destroyed property, purportedly as "taxation." The Kenyan government claimed that an operation in Mt. Elgon district was led by the police and supported by the military. However, research by Human Rights Watch, Mwatikho and WKHRW, suggested that, starting in March 2008, the Kenyan military mounted intense counter-insurgency operations in the area and the conflict amounted to an internal armed conflict. That meant that all parties should respect fundamental principles of international humanitarian law (the laws of war)[33].

The population of Mount Elgon lives in a precarious condition, dependent on local communities and humanitarian assistance. They dwell in poor and temporary shelters, schools or churches where they are exposed to cold nights and insecurity. While their material needs are great—with people lacking access to basic medical services, clothing, sufficient food, cooking utensils—most of all, the population aims to live in security. So far, the Kenyan authorities have only responded with more indiscriminate violence. As long as the only response to the conflict is more violence without addressing its causes, the situation in Mount Elgon is unlikely to improve substantially.

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[33] Human Rights Watch ; Kenya: Army and Rebel Militia Commit War Crimes in Mt. Elgon: End Murder, Torture, and Rape of Civilians; April 3, 2008

Despite the efforts of MSF and other organisations like Human Rights Watch, the Independent Medico-Legal Unit5 and the Kenya National Commission on Human rights as well as the reporting on the crisis in the Kenyan media, there has been no tangible improvement in the daily lives of the civilians of Mount Elgon[34].

3.3. CIVIL SOCIETY'S CONFLICT MANAGEMENT STRATEGIES IN MT. ELGON

CSOs' efforts have been geared towards conflict management across the country and more particularly in marginalized rural and pastoralist areas. Since the early 1990s, CSOs have played a central role in facilitating and implementing conflict management and peace-building strategies. These non-state actors constituted a peace-building sub-theme, which played a pivotal role in opening up the society and in overall development. The activities of these actors are, however, more peace-time oriented than focused on issues of crisis and conflict. On the onset of the SLDF violence, Mwatikho Torture Survivors Organization (MATESO), a human rights organization and International Rehabilitation Council for Torture Victims (IRCT) in Kenya, were at the forefront in documenting the cases in Mt. Elgon and treating the victims of torture, besides offering psychological counseling. In June 2008, jointly with Independent Medico-Legal Unit (IMLU) center, MATESO documented, treated and counseled 250 torture cases from the Mt. Elgon military operation. Mt. Elgon Residents Association (MERA), in conjunction with the Kenya Red Cross Society (KRCS), organized sports (Mt. Elgon Peace Run and Football) in February 2009 and February, 2012 bringing together all the clans in a bid to reconcile them and

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[34]MSF; Mt. Elgon: Does Anybody care? MSF takes stock after one year in the heart of the crisis in Mount Elgon; May 2008

bring lasting peace in the region. The events were successful in drawing participants and spectators from both clans and other minor communities in the region. These events were used to sensitize the communities on peace and sustainability in the region. In addition, the KRCS society has been engaged in tracing the missing persons in order to restore family links within the community following disappearances due to SLDF and military operations. The society recorded success in the exercise since many families were reunited. The KRCS initiated cash for work programme from 2008-2013 in the areas that were adversely affected by the conflict. This entailed construction of roads joining two communities in a bid to bring peace in the region. In 2013 KRCS society initiated projects in schools and health facilities in order to attain long term solutions to conflict, which required the emergency preparedness and response (EPR) unit. These Projects were meant to disengage people from conflict and encourage them towards development activities.

The Afrika Study Centre (ASC) with its theme of 'cross-border people to people reconciliation and restorative programme' aimed at creating space for restorative peace in Mt. Elgon region. With the support of Cross-cultural Foundation Uganda (CCFU), they organized six negotiations aimed at addressing the issues confronting widows in the society. The first discussion took place on 1st May, 2013 at the Marcus Garvey University, upper Mooni campus, in Mbale, Uganda. It brought together widows and women from around Mt. Elgon region. Most of the widows were drawn from Cheptais District since they were adversely affected by the SLDF and military operations. The discussion provided psychological healing to the widows as they were able to share the challenges they face in the community. MERA also organized a peace tour for the ex-SLDF members, SLDF widows, and leaders to Lira, Uganda to witness the atrocities inflicted on civilians by the Lord Resistance Army (LRA). In addition, widows of former SLDF members

formed the ambassadors of peace movement comprising over 500 women mainly focused on agricultural activities and preaching peace in the region. However, these ambassadors lack a forum for preaching peace to the rest of the community. More so, the widows have been involved in frequent fights and quarrels amongst themselves, making the realization of peace elusive.

The National Steering Committee on Peace building and Conflict Management (NSC), through the support of Act Kenya, organized a Mt. Elgon leaders' consultative meeting in February 2011 attended by the then MP and two former MPs. This culminated in the formation of the District Peace Committee's (DPC's) in Cheptais and Mt. Elgon districts in Bungoma County. The DPCs have been conducting various peace-building initiatives in the region like the Cheptais-Sirisia boundary meeting held in April, 2013, aimed at ending the conflicts between the Sabaot and Bukusu experienced every electioneering year. For example, the 1992/1997 ethnic clashes witnessed in the region led to a strained relationship between the two communities. In addition, a joint water project was initiated to encourage peaceful coexistence between the two communities. Intra-community meetings facilitated by MERA, which has been involved in peace efforts and mediation, led to intra-community discussions culminating in the Mabanga Peace Conference. The community elders, political leaders, religious leaders, government officials and other stakeholders held the first-ever meeting comprising the six Sabaot clans between 22nd and 28th May, 2011 at Mabanga Agricultural Training College (ATC) in Bungoma. The conference paved way for subsequent discussions between the Soy and Ndorobo clans. A community meeting between the Soy and Ndorobo elders was held on 16th August, 2011 to address issues leading to conflicts between the two clans. The discussion enabled the communities to open up and discuss causes of conflicts between the two communities. For instance, the Mosop cited

discrimination in the allocation of CDF funds since the former area MP hailed from the Soy clan. Other issues included non-inclusiveness of the CBOs from the groups by NGOs like PACT Kenya and FPFK. The Peace Rights Programme (PRP) also supports inter-community discussion meetings as a follow-up activity after the Mabanga Conference in an effort to reconcile the Sabaot, Teso and the Bukusu, who have been involved in conflicts over natural resources as demonstrated by the 1992/1997 ethnic clashes between the Sabaot and minority tribes. It is, however, difficult to attain peace among these three communities since the land conflict in Mt. Elgon has not yet been resolved. The Sabaot International Cultural Day, which brought together all communities within the Elgon Region in Kenya and Uganda, was organized for the first time in 2010 at Cheptais High School, Kenya by MERA and Teso peace and human rights development initiative. The choice of the venue was important since it was the most affected area, especially since the military operation was centered in Cheptais District (GoK, 2012; HRW, 2008). The cultural day brought together communities which had undergone similar conflicts in the regions around Mt. Elgon and across the Ugandan border. A similar event was organized in November 2012 at Kapchorwa in Uganda. The event brought together communities which had a history of conflicts. These were the Teso from Uganda and Kenya; the Bukusu from Kenya and Bagisu (Bamasaba) from Uganda; the Pokot from Kenya and Uganda; the Sabaot from Kenya and the Sebei from Kenya and Uganda. The two cultural events were used to preach peace among the different communities and to promote cultural understanding among cross-border communities.

Across the Mt. Elgon region, efforts to rehabilitate the ex-militia boys are on-going. These include the USAID Pact funded and Act implemented, Kenyan Civil Society Strengthening Program (KCSSP) and Mt. Elgon Integrated Peace and Development project (Simiyu, 2008;

HRW, 2008). These efforts are viewed as a reckoning force to reintegrate the youth and promote reconciliation and community cohesion. Mt. Elgon Peace Initiative (MEPI), Vijana Umoja Pamoja (VUP) and Amani CBO are the guarantees expected to transform the lives of the youth in the region through their well-crafted interventions: songs, theatrical performances and providing civic education to the community in order for them to access justice in addressing human rights abuses. Peace and Rights Programme (PRP) started in 2009 by the Free Pentecostal Fellowship in Kenya (FPFK) engaged in various peace building activities and promotion of human and community rights. Examples of these activities include reintegration of SLDF ex-combatants into the community. This, however, is impeded by inadequacy of skills to support livelihoods. Other interventions have been organized by faith-based organizations (FBOs). For instance, in 2008, the Oxfam and the Pastor's Forum organized a pulpit exchange programme bringing together religious leaders form the warring clans in order to preach peace and reconciliation among the community members. The CSO network in conjunction with PACT Kenya and DPC, held a consultative national peace policy that brought together 50 people per division in Kapsokwony on 26th Aug 2011.

The INGOs have also been supporting peace-building initiatives in the region. For instance, Saferworld supported the Mt. Elgon DPC and the Provincial Administration to hold peace consultations in Kopsiro and Chaptais divisions of Mt. Elgon in order to initiate a process of peace consultations at the grassroots level with various actors in the district. The forums brought together government representatives, members of the community from various locations, Mt. Elgon DPC, internally displaced persons' (IDPs) representatives, and humanitarian and development agencies working in the area. Saferworld and its partners (PeaceNet and the Catholic Justice and Peace Commission) have made steps to bring women on board in peace

initiatives and in December 2011, it supported the Mt. Elgon DPC to hold a peace forum that brought together women from various divisions of Mt. Elgon District. The forum aimed to get women's perspectives of peace and security in Mt. Elgon and to stimulate debate on the need for them to actively participate in peace-building and conflict transformation by developing women-specific peace initiatives in the district. The workshop discussed various initiatives that women would take forward in order to overcome the cultural barriers that have hindered them from taking active roles. USAID/PACT International through the Kenya Civil Society Strengthening Program (KCSSP) PACT supports the work of local CSOs working on peace building and advocacy. *Kewap-Ng'etuny* women group was one of the women initiatives at peace-building initiated to address the boundary disputes in Kaimugul sub-location in Kopsiro division. The intervention was centered on resolving the boundary disputes through non-violent approaches of using the Sigowet thorny shrub to solve the land boundary disputes through fencing to reduce land conflicts. It also envisioned awareness creation on electoral process through voter education in the region to reduce the propensity to political incitement given that politics has frequently been cited as a trigger to the Mt. Elgon conflict. The initiative has had some drawbacks since the Ministry of Lands has not clearly demarcated the land in Kopsiro division and this will greatly hinder peace in the region given that the root cause[35].

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[35] Dr. Joseph Osodo, Prof. Israel Kibirige, Cherotich Mung'ou; The role of state, non-state actors in peacebuilding in Mt. Elgon region Kenya; March 2014

CHAPTER FOUR

CONFLICT MANAGEMENT IN THE TANA DELTA REGION

4.1. INTRODUCTION

The Pokomo and Orma/Wardei inhabitants of Tana River district have had per-ennial conflict since time immemorial. Conflicts were usually caused by a combination of factors. Economic competition triggered many, mainly when pastoralists allowed their animals to graze on planted farms, But environmental factors were also important, such as droughts that increased the movements of pastoralists from the hinterland to the riverine areas. British colonial intelligence reports reveal that the Pokomo and the Orma have had a long history of conflicts, partly because raids and conflict caused similar actions in revenge. Conflicts in the Tana delta have also appeared since the first multi-party elections of 1992. There were clashes between the Pokomo and Orma in 1991, 1992 and 1995. The conflict revolved around cattle raiding, land and grazing rights. The Orma and Wardei pastoralists accused the Pokomo farmers of restricting their access to water points and grazing fields. In turn, the Pokomo blamed the pastoralists of grazing on their farms and destroying their crops. The pastoralists were also against the government-supported land adjudication process. Land that had been taken away from the communities during the colonial times became government land. Some of this land has been alienated by political elites from other regions. This hampers community access to alternative grazing areas during the dry season. However, the 2012 violence was blamed on politicians who sought to drive away parts of the population who they believed would have voted for their rivals in the general election of

March 4, 2013. An influx of small arms and light weapons in past years has upped the stakes. Raiders armed with guns, machetes and arrows made several tit-for-tat attacks with devastating effects on the local communities. Kenya's political elites and their supporters have in the past unleashed violence and intimidated voters with the objective of spreading fear to dissuade opponents from voting. The clashes in the Tana River area involving the Orma and Pokomo communities claimed more than a hundred lives in August and September 2012. While the communities have clashed over resources in the past, of interest was the scale and style of this most recent violence. A local politician was charged with incitement but acquitted after a local court found him innocent.

The same region was in the last few months engulfed in violence with a separatist group, the Mombasa Republican Council (MRC), demanding secession on the grounds of land and other historical injustices, political marginalisation, exploitation and underdevelopment by the rest of the nation. Perceived injustices at the coast include the disproportionate allocation of land there to non-indigenous people amidst high poverty levels in a region which earns the country the highest revenue from tourism. Communities in the Tana Delta and Malindi lost thousands hectares of land which were seized without their consent. They have been displaced without compensation to pave way for the growing of sugar, rice and for mining. This has added new impetus to the conflicts in Tana Delta.

The government's response to the insecurity situation in the Tana Delta region was by beefing up security. After police officers were killed, the government sent 2,000 General Service Unit (GSU) officers to the area. Most of the officers deployed however, were unfamiliar with the physical and human terrain, and their ability to respond was limited by lack of adequate transport. The security agents embarked on mopping up illicit fire arms but with limited success

since the people hid their weapons deep in the forests. As a result, attacks continue in spite of police presence in the area. The government also set up a commission of inquiry to investigate ethnic clashes in the Tana delta. Kenya's experience with commissions of inquiry has been a tale of postponing serious issues of the day. Apart from the Kriegler and Waki commissions of inquiry into the 2008 post-election violence reports, most of past commission reports have not been acted upon.

4.2.   CIVIL SOCIETY CONFLICT MANAGEMENT STRATEGIES IN TANA DELTA REGION, KENYA

The development of negotiating and conflict management institutions (such as the *Gasa* and *Matadeda Council of Elders*) as well as the developing role of more modern State actors shows that the daily sharing of resources and the concomitant competing claims between farmers and pastoralists were managed to a certain extent, with some level of success. However, failures did occur and violence still erupted. The colonial government for instance, designated water corridors for use by pastoralists during the dry seasons as means of managing persistent conflicts. Pastoralists were to strictly follow the designated routes leading to the water corridors. The Oromo and Somali had different water corridors to also manage conflict between the two groups.

The more formal organizations and institutions that were involved in conflict management during the period of uneasy calm were numerous. The list included the Council of Imams and Preachers of Kenya, World vision, The Red Cross Society, the various Council of Elders, Arid Lands Resource and Management Programme (in conjunction with Oxfam). Some success was

achieved, if only be-cause it was felt that the fighting had exhausted the parties involved. The loss to all parties was coming to be felt[36].

The civil society has been active in addressing environmental risks in the Tana Delta through a number of initiatives. The Tana Delta Conservation lobby took the sugar cane plantation issue to the High Court in 2008 but the High Court ruled in favour of the developers in 2009. The Tana and Athi Rivers Development Authority (TARDA) were allocated 40,000 ha by the government. This move is reported to have displaced many local people. Attempts by the local people to seek redress from the national authorities were not fruitful. Conservation NGOs, farmers' organisations and communities have rallied against land grabbing in the delta by seeking court intervention, conducting scientific research and campaigning against land deals through the local and international media[37].

Each year, several violent communal conflicts take place in Kenya. In 2012, conflict over access to land and pasture between the Orma and Pokomo in Tana River caused around 150deaths; eanwhile, conflicts between Degodia and Garre in Mandera and between Borana andGabra in Moyale each caused around 30 deaths. In addition, several conflicts took place at a lower level of violence. Responses to these conflicts included security force deployment, mediation by state, local and NGO actors, and symbolic peace ceremonies[38].

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[36] Karen Witsenburg & Fred Zaal; Spaces of insecurity Human agency in violent conflicts in Kenya; 2012

[37] International Peace Support Training Centre ; Issue brief : Enhancing Capacity for Regional Peace and Security through Peace Operations Training ; April 2013

[38] Emma Elfversson; Third Parties, the State, and Communal Conflict Resolution: A Comparative Study of Evidence from Kenya; April 2013

Following attacks in the Tana Delta, Immediate lifesaving humanitarian needs have been responded to mainly by the Kenya Red Cross Society, the Government of Kenya and local responders. KRCS has been on the ground and provided health services, evacuation of casualties, psychosocial support   and distribution of foods, NFIs, Tarpaulins, Water. WFP/GoK provided Food. UNICEF has also played a role by providing 350 Family kits to the KRCS. In the past, humanitarian agencies have been supporting the people displaced due to the ethnic conflict in Tana Delta since August/September 2012. These agencies provide necessary support on the ground either directly or through partners in the region. These include Government of Kenya, KRCS, Rotary Club, Serving in Missions, Action Aid, American Jewish Services, Karibuni Onlus, DUMA, MSF, WVI, IMC, Nairobi Women Hospital, African leadership and reconciliation ministries (ALAM), WFP, UNFPA, UNICEF, among others[39].

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[39] Tana Delta Renewed Clashes: Inter Agency Kenya Initial Rapid Assessment; January 2013

CHAPTER FIVE

CONCLUSION AND RECOMMENDATIONS

5.1. SUMMARY

This study sought to assess study the Role of Civil Society in Conflict Management in Kenya: A Comparative Study of Tana Delta and Mt. Elgon. The study aimed at looking at the part the Civil societies have played whenever there is conflict in the Various part of the country.

In the study, it was observed that 81.1 per cent of the respondents were female while the remaining 18.9 per cent were male. It appears that most of those respondents who were willing to participate in the study were female.

The study also showed that the distribution of the respondents according to the age group was as follows: 20 percent of the respondents were aged between 26 to 35 years, 20 percent were aged between 36 to 45 years while 57 percent were aged bellow 25 years. This also shows that majority of those who took part in the study were mainly youths aged bellow 25 years.

Majority of the respondents who took part in the study at 42.1 percent were graduates, while the respondents with post graduate, tertiary college, the school and primary school qualifications were at 10.5, 18.9, 18.9 and 9.5 percent respectively. This clearly shows that majority of the respondents are university graduates while the least were respondents with post graduate qualifications.

According to the study which was carried out in two specific regions; Mt. Elgon and Tana River area, the distribution was about 50: 50. In Mt Elgon they were 50.5% while Tana River they were 49.5. This brings about the balance in the study of the two regions.

On the questions to the respondents whether they have ever experienced conflict in either of the regions, 90.5 percent answered in the affirmative while 9.5 percent said NO. This clearly shows that both the two regions are conflict zones.

It was observed that for those who were responded to the duration of the conflict in their region, The respondents that said they lasted for nearly 6 months were 10.5 percent, those that said they lasted for over 2 years accounted for 10.5 while 78.9 percent of the respondents indicated that the conflicts in their areas have lasted for less than Two months. This shows that the conflicts are sporadic taking just a short time.

All the respondents reported that the conflicts resolutions in their areas were conducted by Civil Societies apart from other Agencies. This points out that Civil Societies are the key players in conflict resolution in conflict prone areas.

On the question of the role civil societies played in the Conflict Resolution in Mt Elgon and Tana River, 31.6 per cent reported that civil societies evacuated them from the areas of conflict, 49.5 per cent reported that Civil Societies educated them to stay peacefully with the other communities. Other 18.9 per cent indicated that the civil societies provided assistance to the displaced persons. This means that civil societies used a multi faceted approach to solve conflict in these areas with educating the warring societies being the most effective.

To investigate how collaboration has been used in the conflict resolution in Tana River and Mt. Elgon,10.5 per cent of the respondents felt that it was frequently used,68.4 percent felt that it is least used while the remaining 21.1 per cent were of the opinion that it was most frequently used. This obviously means that collaboration should be considered in conflict resolution.

According to the study, 89.5 per cent of the respondents felt that competition has least been used to resolve conflict while 10.5 per cent were of the opinion that competition has "Rarely" been used to resolve conflict. Therefore competition should not be used as it can fuel more conflict.

In the study, the researcher wanted to find out how often the use of avoidance has been used in conflict resolution, 10.5 per cent of the respondents felt that "Avoidance" has "Frequently been used". 30.5 per cent of the respondents felt that avoidance has "Least" been used while the remaining 58.9 per cent were of the opinion that avoidance has "Rarely" been used in conflict resolution in the areas that previously been affected by conflict. Even as it is rarely used or least used conflict was resolved to a greater extent.

5.2.   KEY FINDINGS

This chapter presents the findings to the study. It specifically focuses on the demographic characteristics of the respondents, distribution of Respondents, attitudes of victims of conflict towards the Civil Societies, support accorded to conflict Victims.

Table 4.2.1:Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	77	81.1	81.1	81.1
Male	18	18.9	18.9	100.0
Total	95	100.0	100.0	

In the research, it was observed that 81.1 per cent of the respondents were female while the remaining 18.9 per cent were male. Both genders were able to respond to the questionnaire presented for the study.

Table 4.2.2:Age group

	Frequency	Percent	Valid Percent	Cumulative Percent
26-35 Years	19	20.0	20.0	20.0
36-45 Years	19	20.0	20.0	40.0
Below 25 Years	57	60.0	60.0	100.0
Total	95	100.0	100.0	

In the study, those whose were between 26-35 years and 36-45 years each had 20 per cent of the respondents while the rest were aged below 25 years.

Table 4.2.3: Highest level of education

	Frequency	Percent	Valid Percent	Cumulative Percent
College/Tertiary	18	18.9	18.9	18.9
Post Graduate	10	10.5	10.5	29.5
Primary	9	9.5	9.5	38.9
Secondary	18	18.9	18.9	57.9
University	40	42.1	42.1	100.0
Total	95	100.0	100.0	

Those who had attained a College/Tertiary and Secondary level of Education each had 18.9 per cent of the respondents. Those who a Post Level of Education accounted for 10.5 per cent of the respondents and were closely followed by those who had a Primary level of Education. 42.1 per cent of the respondents had University degree.

Highestleveoofeducation

Legend:
- College/Tertiary
- Post Graduate
- Primary
- Secondary
- University
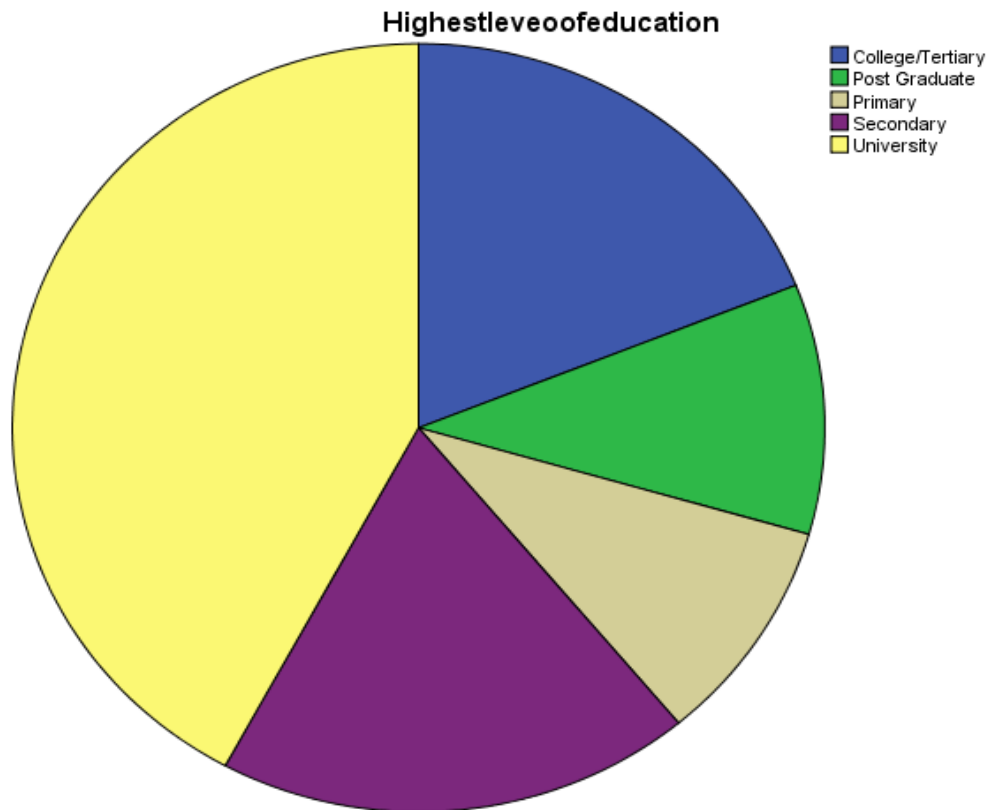
Table 4.2.4:Home of Residence

	Frequency	Percent	Valid Percent	Cumulative Percent
Mt.Elgon	48	50.5	50.5	50.5
Tana Delta	47	49.5	49.5	100.0
Total	95	100.0	100.0	

The study was conducted in both Mt. Elgon and Tana Delat. These were the areas that were picked as a case study. 50.5 per cent of the respondents were from Mt. Elgon the remaining 49.5 per cent were from Tana Delta

Table 4.2.5:Have you ever experienced Conflict

	Frequency	Percent	Valid Percent	Cumulative Percent
No	9	9.5	9.5	9.5
Yes	86	90.5	90.5	100.0
Total	95	100.0	100.0	

In the study, 9.5 per cent of the respondents have never experienced conflict in their places of residence while majority of the residents have experienced conflict in their areas of residence

Table 4.2.6:Length conflict in the affected areas

	Frequency	Percent	Valid Percent	Cumulative Percent
6 months	10	10.5	10.5	10.5
Above 2 years	10	10.5	10.5	21.1
Less than Two months	75	78.9	78.9	100.0
Total	95	100.0	100.0	

It was observed that those who indicated that the length lasted for nearly 6 months and above 2 years each had accounted for 10.5 per cent of the respondents. 78.9 per cent of the respondents indicated that the conflicts in their areas have lasted for less than Two months

Lenght_conflict

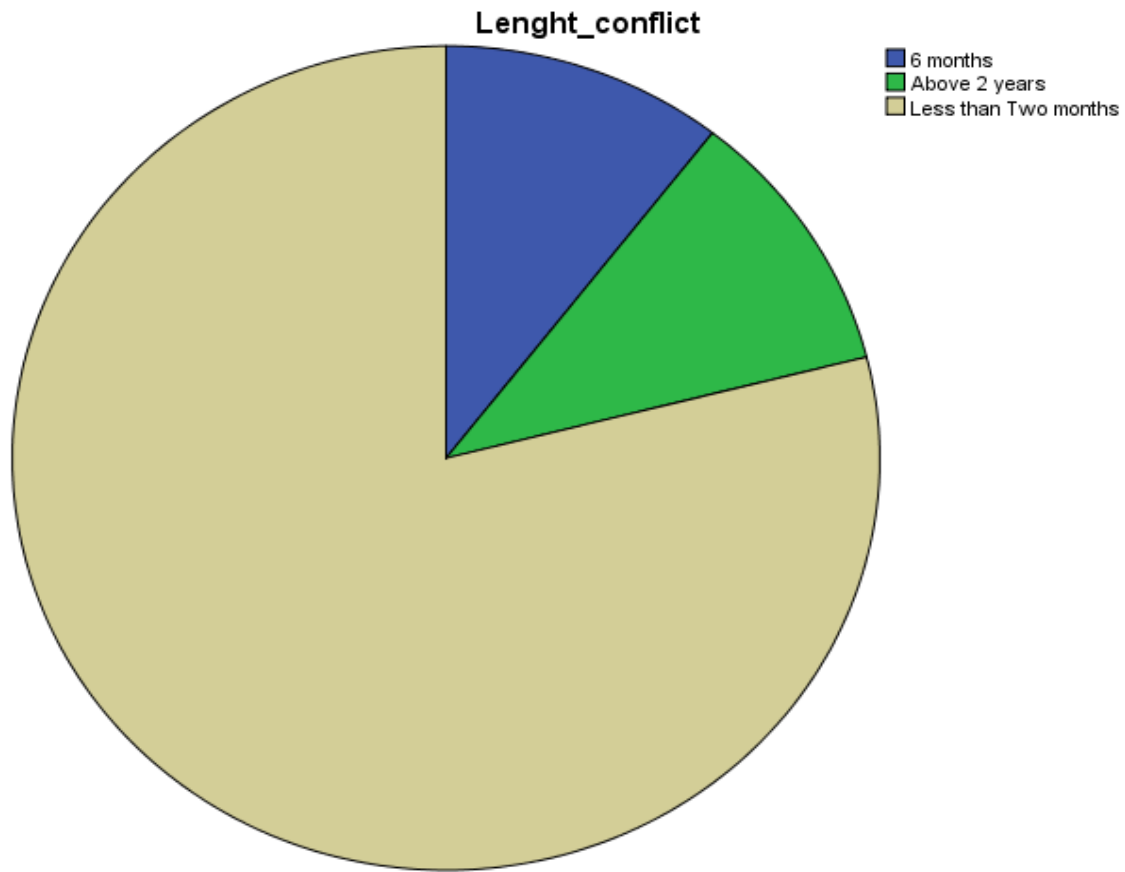- 6 months
- Above 2 years
- Less than Two months

Table 4.2.7: Were the Civil society involved in the conflict resolution?

	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	95	100.0	100.0	100.0

All the respondents reported that the conflicts resolution in their areas were conducted by Civil Societies apart from other Agencies

Table 4.2.8:How long did it take the Civil Society to manage the Conflict in the Affected areas

	Frequency	Percent	Valid Percent	Cumulative Percent
1 Week	36	37.9	37.9	37.9
2 weeks	29	30.5	30.5	68.4
More than One Month	20	21	21	89.5
Three weeks	10	10.5	10.5	100.0
Total	95	100.0	100.0	

Table 4.2.9:What role did the Civil Society play in the Conflict Resolution

	Frequency	Percent	Valid Percent	Cumulative Percent
Evacuating the affected	30	31.6	31.6	31.6
Educating the public	47	49.5	49.5	81.1
Providing assistance to the displaced people	18	18.9	18.9	100.0
Total	95	100.0	100.0	

When asked the role civil societies played in the Conflict Resolution,31.6 per cent reported that they were evacuated from the areas of conflict,49.5 per cent reported that Civil Societies educated them to stay peacefully with the other communities.18.9 per cent indicated that the civil societies provided assistance to the displaced persons

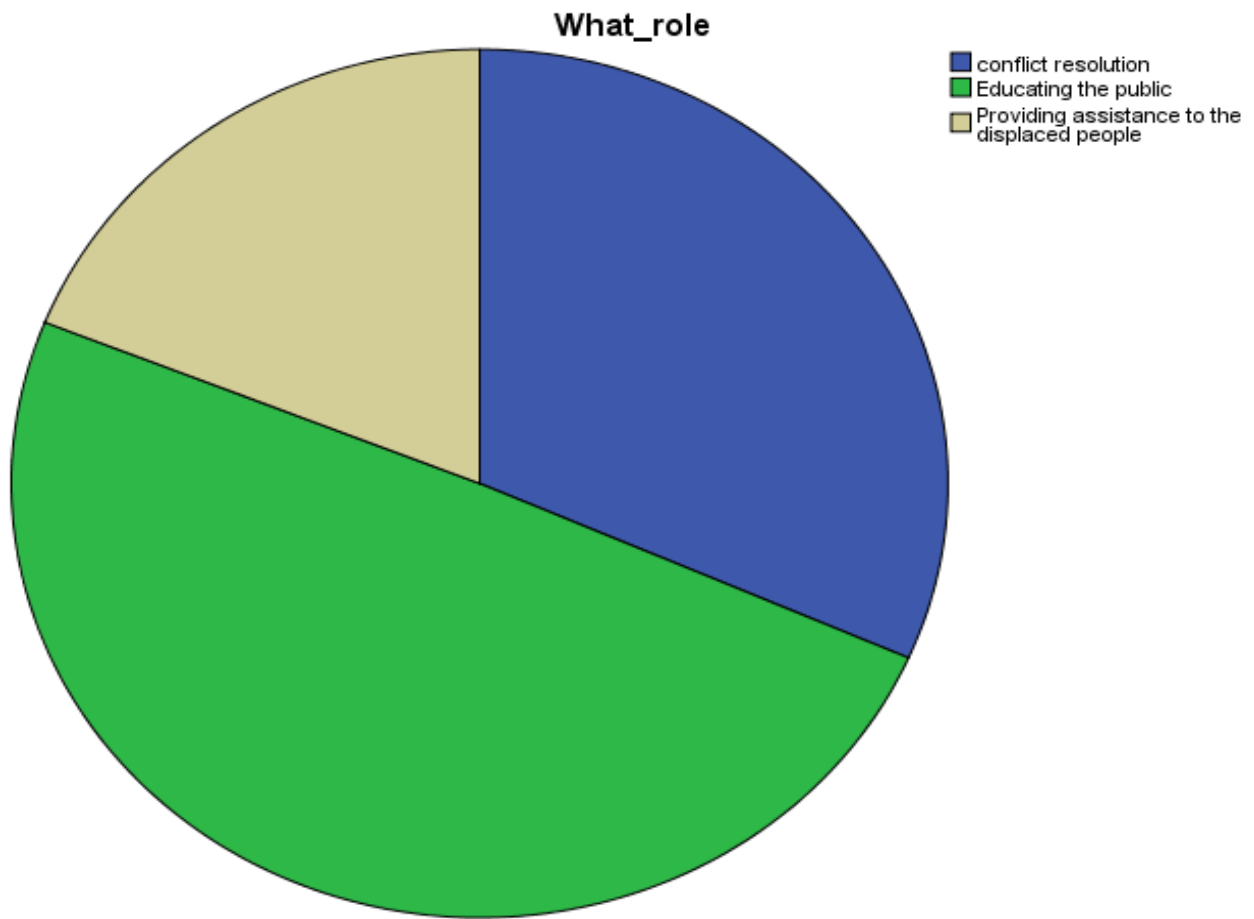

Table 4.2.10:Using Collaboration in Conflict Management to compromise the conflicting parties

	Frequency	Percent	Valid Percent	Cumulative Percent
Frequently used	10	10.5	10.5	10.5

	Frequency	Percent	Valid Percent	Cumulative Percent
Least used	65	68.4	68.4	78.9
Most Frequently used	20	21.1	21.1	100.0
Total	95	100.0	100.0	

The researcher wanted to find out how collaboration has been used in the conflict resolution,10.5 per cent of the respondents felt that it is Frequently used,68.4 felt that it is Least used while the remaining 21.1 per cent were of the opinion that it Most Frequently used.

Table 4.2.11:Using Competition in Conflict Management to compromise the conflicting parties

	Frequency	Percent	Valid Percent	Cumulative Percent
Least used	85	89.5	89.5	89.5
Rarely used	10	10.5	10.5	100.0
Total	95	100.0	100.0	

89.5 per cent felt that Competition has least been used to resolve conflict while 1.5 per cent were of the opinion that competition has "Rarely" been used to resolve conflict.

Table 4.2.12:Using Avoidance in Conflict Management to compromise the conflicting parties

	Frequency	Percent	Valid Percent	Cumulative Percent
Least used	29	30.5	30.5	30.5
Most Frequently used	10	10.5	10.5	41.1

Rarely used	56	58.9	58.9	100.0
Total	95	100.0	100.0	

The researcher wanted to find out the main cause of conflict in their areas. Among those respondents were that there were religious differences which brought suspicion among the living together but had different faiths, Politicians were quoted as the main cause of conflict in the regions where studies were conducted. It was observed from the study that politicians incite their supporters to cause conflict and spread hate messages against other communities in which do not support them.

Land was also widely mentioned as being the main cause of conflict. People cause chaos due to land. Land being a factor of production is very emotive in these regions. Inequality in the resource allocation was also quoted.

Cattle and Ethnicity is the main problem. Communities who steal Cattle makes the victims cause chaos to the people who come from the communities where Cattle rustlers come from. When the attacked communities find that their own has been killed, they tend to revenge by killing the attackers.

The researcher wanted to find out the consequences of conflict in the communities where the study was conducted. It was observed that people loss of lives, destruction to property and retardation of economic development, displacement of people, many farms are left unattended to, famine since many farms were not attended to. Suspicion was also reported because people do not trust their colleagues from other communities, others get imprisoned. Some of the

respondents indicated that in cases where conflict lead to death, some people become widowed, while others become orphaned

The researcher wanted to find out how conflict can be avoided. It was observed that civil education which will open people's eyes that conflict only hurts the common Citizen. It was observed that resolution of land is the most important way of handling conflict since most of the conflicts occur as a result of land related. Going for Leaders of High Integrity and Credibility was also mentioned to be a way of permanently resolving since most of the conflicts occur as a result incitement from the political who incite their supporters against people from ethnic communities. There is need for respect between the communities who are living together. Some of the respondents indicated that "To resolve conflict in this araea there needs fro beefing up security in Tana Delta", preaching peace by the religious leaders was also mentioned to be very important given that most of the locals believe in the Faith based Organizations

5.3. CONCLUSION

- This study pointed to the fact that in Tana River and Mt. Elgon to a greater extent the two areas are conflict prone areas. It also shows that the conflict in the two areas are sporadic and normally takes very short period which could show that this could be caused by short term interest from warring parties.
- The research also found out that the civil societies are the major key players in conflict resolution in these two regions and are unparalleled to any other institution. The Civil

Societies do this by evacuating the victims, educating them to stay peacefully with the other communities and providing assistance to the displaced persons.

- Some of the common ways that could be used in conflict resolution are collaboration which needs to be effected even more in conflict resolution in these regions. Avoidance which was rarely used can also be used in conflict resolution while. However competition as a strategy should not be used as a way to solve conflict in Mt. Elgon and Tana River

5.4.   RECOMMENDATIONS OF THE STUDY

1. A larger number of respondents should be considered when doing the same study so that the level of accuracy can be improved.

2. To remove any doubt or bias each and every one of these two areas should be studied differently.

3. The three ways of conflict resolution; avoidance, competition and collaboration aught to be studied deeply so that there could certainty to the level at which they can contribute to conflict resolution.

4. Other stakeholders in conflict resolution such as the government, the religious community and the locals themselves need to be keenly studied because this study assumes that 100 percent of the conflict was solved by Civil Society alone. This may not be entirely true.

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APPENDIX 1: QUESTIONNAIRE

My Name is **Caroline Murugi Nyaga**, a postgraduate student at the Institute of Diplomacy & International Studies (IDIS) at the University of Nairobi. As part of the degree requirement in my postgraduate program, I'm carrying out a study on **"The Role of Civil Society in Conflict Management in Kenya: A Case Study of Tana Delta and Mt.Elgon."** Therefore I request that you provide information as required by this questionnaire; any information that you will provide will be kept confidential and will be used only for the study and the results then availed to the interested party afterwards. Thanks for your valuable time in filling this questionnaire

Kindly return the completed questionnaire.

Instructions:

- Please respond to all questions.

- Answer the following questions in the spaces provided or tick where applicable

- The information you provide will be treated with utmost confidentiality

1. Name

(Optional)………………………………………….

2. Gender

Male

Female

3. Age group (years)

Below 25 [ ]

26-35 [ ]

36-45 [ ]

46-55 [ ]

Above 55 years [ ]

5. Highest level of education

Primary [ ]

Secondary [ ]

College/Tertiary [ ]

University [ ]

Post graduate [ ]

6. Home residence

Tana Delta [ ]

Mt.Elgon [ ]

7. Has your area experienced conflict?

Yes [ ]

No [ ]

In your own words define conflict?

……

…………..

8. If yes, what was the cause the conflict?

Land related

Politically motivated

Ethnicity

9. How long did the conflict last?

Less than two months

4 Months

6 Months

1-2 Years

Above 2 Years

10. was there a Civil Society that was involved in the Conflict Management?

Yes

No

11. How long did the conflict take to be managed?

1 Week

2 Weeks

3 Weeks ☐

One Month ☐

More Than One Month ☐

12. What role did the Civil society play in the Conflict Management?

Conflict resolution ☐

Bringing parties together ☐

Alerting the public ☐

Educating the public ☐

The following are the ways in which the CSOs used in Conflict Management to compromise the conflicting parties ,Using a Likert scale of 1-5, where; using a mark(√) to rate your choice

1. stands for "least used"

2. stands for "Frequently used"

3. stands for "rarely used"

4. stands for "Not sure"

5. stands for "most Frequently used"

Activity	1	2	3	4	5
Collaboration					
Competition					
Avoidance					
Accommodation					

In your own opinion, what is the main cause of conflict in your area?

……

……

………………………………………………………………………………….

In your opinion, what are the consequences of conflict generally in your area?

……

……

………………………………………………………………………………….

In you opinion, how can conflict be avoided in future?

……

……

…………………………………………………………………………………..