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INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

DETERMINANTS FOR EFFECTIVE CONFLICT RESOLUTION RESPONSES IN KENYA: A CASE OF NAIROBI COUNTY

 \mathbf{BY}

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DECLARATION

This research paper is my original work and has not been presented for any academic

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DEDICATION

I dedicate this research project to Robert Deche; my husband and my children Subira and Victor for their love and support.

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I want to thank the All-Powerful God for taking me so far and for giving me the strength and stamina, knowledge and vitality that helped me finally come up with this research project. I want to thank my family for continuing their support and understanding when, during the difficult course time, I was not there for them.

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ABBREVIATIONS

ASALs Arid and Semi-Arid Lands

CAR Central African Republic

CBD Central Business District

CBO Community Based Organisation

DRC Democratic Republic Of Congo

GHA Greater Horn of Africa

GOK Government of Kenya

GSU General Service Unit

IMF International Monetary Fund

JLM Jeshi La Mzee

KANU Kenya National African Union

KDF Kenya Defence Forces

KENSUP Kenya National Slum Upgrading Programme

LASDAP Local Authorities and the Action Plan for the Provision of Local

Authority Services

LATF Local Authority Transfer Fund

NGO Non Governmental Organization

NIUPLAN Nairobi Integrated Urban Development Master Plan 2014-2030

SONU Student's Organization of Nairobi University

SPCNM Space Planning Concept for Nairobi the Metropolitan Region

SPSS Statistical Programme for Social Sciences

USAID United States Aid

DEFINITION OF TERMS

Conflict: The indirect pursuit of mutually exclusive goals by eliminating or weakening the opposition.

Conflict Management: The process of mitigating conflict while preserving the positive gains of conflict.

County: The administrative unit within a given geographical area of the country.

County Government: This is a county's public administration they are a state's largest political unit and mostly work to enforce state laws.

ABSTRACT

County government is vital to the county's conflict management. Legislation has been put in place but rampant conflicts have occurred in Nairobi County despite these. The study sought to identify factors in Nairobi City County for effective conflict resolution responses. This study is essential because Nairobi City County is a strategic area for Kenya's capital city being the national government and therefore peace and security are essential in our quest to initiate and advance socio-economic development projects. They were evaluated and included evaluation of Nairobi City County's conflict resolution response strategy, reviewing resource mobilization for conflict resolution responses in Nairobi County, and assessing leadership culture's contribution to conflict resolution responses in Nairobi County. The study's theoretical basis is anchored on three theories, including the theory of social conflict, management theory, and the theory of conflict transformation. Secondary data were used for the purposes of this research work to collect information from various relevant sources. Secondary data is distributed either by county governments in the form of publications; Different publications of foreign governments or international bodies and their subordinates; scientific and commercial journals; magazines, books, and newspapers; Articles and publications by various industry and business organizations, banks and stock exchange; investigator reports. The study found that political violence, especially in informal settlements, is the most prevalent type of violence. The research also shows that more class influences extremism. However, there are other types of violence that are cumulatively more important than political violence, such as domestic, ethnic, economic and landlord tenants, and policies that should be included in these accounts. The study concludes that Nairobi County is highly prone to conflict due to the political significance of the region, entrenched culture of political violence, and social tensions related to unemployment among young people, inequality and landlessness.

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CHAPTER ONE

INTRODUCTION

1.0 Introduction

Chapter one addresses the context of the study, the issue statement, the research priorities, the research problems, the study justification, the nature of the analysis, and the chapter summary.

1.1 Background of the Study

Dispute has been prevalent in the society. Conflict is some kind of dispute, friction or disagreement between individuals or groups where one or more members of the opposing group either oppose or reject the beliefs, the behavior or reactions of one or more members of a group and their decisions. From a different point of view, conflict can be viewed as a situation in which two identifiable groups actively oppose each other because they are following agendas against each other, mainly due to structural violence. Conflicts in many parts of the world are common phenomena, particularly those with scarce natural resources. Nevertheless, in pursuit of a better understanding of conflicts, past research describes the nature of different forms of conflict that arise regularly in phases, including; latent conflict, perceived conflict, felt conflict, and visible conflict. If friction rises as a result of lack of interaction, encouragement or increased

¹ Adams, J. (1999). Management of risk and uncertainty. London: Adam Smith Institute.

² Brunborg, Helge & Henrik U., The demography of conflict and violence: An introduction. *Journal of Peace Research.*, 2005

³Zartman, "Ripeness: The Hurting Stalemate and Beyond", in Stern, P., C., Druckman, D. (eds). International

competition, conflict can be expected or predicted and is considered latent conflict, which means the beginning of unrest, although it has not yet produced any visible effects⁴.

Identifying the conflict occurs in various categories of human interaction is critical. The thesis should highlight four areas of supreme importance for this analysis. These are; I.e. intrapersonal conflict where the conflict starts in the heads or minds of the people. The person engages in a state of 'precarious thought 'regarding various kinds of divergent motivations, thoughts, or decision-making. It is represented by the inner dialog of the owner⁵.

Normally, the second level, i.e. interpersonal conflict, occurs because of the difference between people. This is also called 'dyadic confrontation '6.

Then the above conditions result in 'social conflict, 'where people behave as individuals, group members, or as representatives of businesses, societies, organizations, or sects. This results in disagreements between groups and intergroups⁷.

The third level is encountered between and within members of the same community, i.e. intergroup conflict. The group may experience conflicts either based on intellectual disagreement or emotional reactions to a situation⁸.

⁴ Ramsbotham, Woodhouse, Miall, Contemporary Conflict Resolution, 3rded., Polity Press: Cambridge,

⁵ Ahuja, V. (1998). Land degradation, agricultural productivity and common property: Evidence from Cote d'Ivoire. Environment and Development Economies 3: 7-34.doi:10.1017/S1355770X98000023.

⁶Clark S C 2002. Communicating across the work/home boarder. Community, work and family.

⁷ Ahuia, V, op cit.

⁸Dana, D. 2001: Conflict Resolution, New York, McGraw – Hill.

Forth level i.e. intergroup conflict where there is tension between two or more groups of 'loyal members' each. This includes interpersonal conflict, emotional stress and/or violence.

It is also wise for the research to consider two specific types of conflicts: A constructive conflict in which people are sincerely interested in finding a pleasant solution to the problems that occur among them. Dysfunctional conflicts the differences and disagreements affect the performance of the parties involved creating an environment of competition that leads mostly to protests, collective actions, standoffs and various negative acts and reactions by the stakeholders involved.

Preventive diplomacy is usually preferred in conflict resolution efforts as the most effective method that avoids the continuation of stages of conflict growth. Preventive diplomacy is an effort to avoid conflicts among groups, to prevent the development of established disputes into Conflicts and, if they occur, limit the spread of the latter.

Conflict happens when latent conflict becomes apparent in the sense that at the point of a disagreement it's out in the open where the dispute can be settled or turned into a crisis. The process of escalation is unpredictable and complex as new problems or players may emerge to the dispute that may change goals and/or strategies along the way. Based on the level of violence, the actual crisis process is sometimes split into stages, ranging from minimal violence to massive violence. External actors may attempt to stabilize the situation during times of crisis management or successful peace-making.

Global environmental changes, coupled with an exponential population, have resulted in an unprecedented need for resources that leads to conflict-induced competition⁹. This illustrates how climate-related changes in the environment result in unfavorable resource rivalry in communities becoming a major cause of conflict. The research notes that climate change has contributed to instability in the Greater Horn of Africa (GHA) due to conflicts of low intensity, as demonstrated by rising drought frequency from one in seven years. Natural resource extraction and other environmental pressures are crucial in all stages of a conflict, from outbreaks and ongoing aggression to weakening opportunities for tranquility. ¹⁰In the last sixty years, at least 40% of intra-state disputes have been concerned with natural resources. A report on Sudan noted that in recent years conflicts have escalated due to a decrease in natural resources caused by severe drought ¹¹.

Kenya is experiencing numerous, overlapping conflicts that sometimes correspond with electoral cycles that cause political violence¹². These conflicts cases include urban militia activity; ethnic violence in some parts of the country; spillover fighting in neighboring Somalia with repercussions for northeastern instability; and the coastal region's confluence of separatism and Islamist insurgency.

The extreme post-election violence of 2007-2008, this resulted in over 1,100 deaths and a widespread dislodgment of populations, particularly in the Great Rift Valley¹³. The crisis situation in Kenya is triggered by a multiplicity of factors ranging from race, political

⁹Sterzel, T., Conflicts and patterns of vulnerability on drylands, PCT Publishers, 2012

¹⁰Sharamo, R., The politics of pastoral violence: A case study of Isiolo County, Northern Kenya. Brighton: Future Agricultures, 2014

¹¹United Nations Development Programme / United Nations Department of Economic and Social Affairs:

[&]quot;The challenges of Restoring Governance in Crisis and Post-Conflict Countries, February 2010

¹² Dowd. C., & Raleigh, C., ACLED country report: Kenya. ACLED, 2013

¹³ Cox, Osborn, & Sisk, (2014).Religion, Peacebuilding, and Social Cohesion in Conflict-affected countries. University of Denver,2014

competition, resource rivalry, and governance and leadership feelings of exclusion. While conflicts in Kenya involve several different types of scholars, these are grouped into four main categories: pastoral conflicts, migrant conflicts, pastoralist and agricultural conflicts, and, last but not least, ethnic conflicts¹⁴.Research also states that the current pressure on the world has changed the dynamics of conflict¹⁵.For example, the 1999-2001 drought resulted in a severe shortage of water which, combined with pasture shortage, ignited rivalry that resulted in disputes between rival groups. Some causes of conflict include historical rivalry, land disputes, political incentives, deep-seated cultural values, idleness among young people and the recent spread of illegal weapons¹⁶.

In recent times, the spread of modern small arms, marketing of animal raids, banditry and predation, there has been a persistent conflict about land ownership rights and cultural practices, more violent, more sophisticated and more destructive, especially pastoral communities in northern Kenya in particular.¹⁷ Such disputes led to the loss of lives, property loss and home relocation, among other issues. It is also well known that the prevalence of modern automatic weapons in pastoral societies has affected the degree and impact of armed violence¹⁸.

Nairobi City County has experienced past incidents of conflicts arising from violence associated with ethnically and/or regionally oriented political competition, perceived the

¹⁴ Ibid

¹⁵International Crisis Group, "Kenya in Crisis Report No. 137, February 2008, p.14.

¹⁶ USAID, Management Systems International, and Pact-Kenya. (2009). Regional Enhanced Livelihoods in Pastoral Areas (RELPA), Existing Approaches and Best Practices

¹⁷ Mahmoud, Conflict, and Constraints to Peace among Pastoralists in Northern Kenya. In Understanding Obstacles to Peace - Actors, Interests, and Strategies in Africa's Great Lakes region, 2011

¹⁸ Mkutu, Small Arms and Light Weapons Among Pastoral Groups in the Kenya- Uganda Border Area. African Affairs, 2006

unfair distribution of resources, poverty and criminal gang activity as a capital city in the county¹⁹.Recent years have associated the emergence of conflicts in Nairobi County with, among other things, the rapid expansion of the city and the development of informal settlements that host criminal gangs, the poor and the unemployed youth. Kibra informal settlement, for example, has expanded rapidly over the years with a population of approximately 800,000 people, mainly poor and unemployed. ²⁰ One of the main determinants of conflict resolution is the participation of investors, public sector reforms, government policies and legislation, peacebuilding efforts, and resource allocation.

1.2 Statement of the Problem

Since the first multi-party politics, Kenya has experienced high-intensity conflicts due to numerous factors including: race, political manipulation, competition for scarce resources, violence caused by the spread of small arms and poverty, and the collapse of the social fabric that unites society. Nevertheless, rising attention is being paid to the demographic consequences of violence and conflict in developing countries, such as Kenya, as is the case in Kenya. Both agencies need to be in touch with each other nationally and internationally, and this is important for Nairobi as the Republic of Kenya's capital. Nevertheless, these good relations are undermined by regular dysfunctional intergroup conflicts arising from disputes and disagreements that lead to poor public relations between them²¹.Internal conflicts have changed over time, adding elements that never before were included; radicalizing people into violence, forming

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¹⁹ International Crisis Group, "Kenya in Crisis Report No. 137, February 2008, p.14.

²⁰Kenya National Bureau of Statistics, Report, 2010

²¹ Duffield MR 1997. Post modern conflict, Aid policy and Humanitarian Conditionality: A discussion Paper Prepared for the Emergency Aid Department. (DFID).

militia groups, and increasing the occurrence of ethnic tension among populations. Resolving these needs quick and efficient responses that make a study of determinants necessary and critical to maintaining lasting peace between Kenyan nation communities for effective responses to such conflicts. As Nairobi County is Kenya's capital, the effects of any dispute will be felt across the country. Therefore, this study will seek to provide information on the Nairobi County conflict in order to propose solutions for consideration.

1.3 Research Questions

The following questions would be answered by this research;

- i. What are some of the strategies of conflict resolution responses applied in Nairobi County?
- ii. To what extent are resources sufficient for conflict resolution responses in Nairobi County?
- iii. What is the contribution of leadership culture for conflict resolution responses in Nairobi County?

1.4 Research Objectives

1.4.1 General Objective

This study's overall objective is to determine the efficacy of approaches to conflict resolution in Nairobi County.

1.4.2 Specific Objectives

Following the study, the specific goals to be achieved are;

- To evaluate the strategy for conflict resolution responses in Nairobi County.
- To scrutinize resource mobilization for conflict resolution responses in Nairobi County.
- iii. To evaluate the contribution of leadership culture to conflict resolution responses in Nairobi County.

1.5 Literature Review

This research examines both empirical and theoretical literature in order to further improve conflict awareness and explain the issues that make up the subject matter of the study. The study's theoretical context was influenced by, among others; theories of social conflict, management theory, and theories of conflict transformation. The empirical literature review was carried out around the study's specific constructs. The discussion is organized into sub-sections including: theoretical literature, conceptual framework, empirical literature, and outline of chapters.

1.5.1 Theoretical Literature review

This section contains various theories used to link and explain the broad variables that inform determinants of effective responses to conflict resolution. Past studies indicate

that' the essence of conflict ' is natural, necessary, inevitable, and ordinary. ²²Studies also show that there is tension in all sorts of relationships and social settings, but it all depends on how we approach it, which decides whether the conflict is going to be' constructive or harmful.' Conflict can be seen as a discord, a feeling, real or perceived interests, a set of behaviors, or world views that are inconsistent. These theories are not only relevant but also applicable in the Kenyan conflict environment and thus help the researcher explain the study topic. Several hypotheses have been tested as follows;

1.5.1.1 Conflict Theory

The theory of war, that Karl Marx proposed (1818-1813), Suggests that society is in perpetual conflict due to limited resource competition. This argues that social order is preserved not by agreement and obedience, but by dominance and power. Those with power and wealth strive in any way to secure on to it, especially by eliminating the powerless and poor, according to the theory of conflict. A fundamental premise of conflict theory is that individuals and groups work in society to maximize their own advantages²³.

The Marxist approach to conflict highlights a materialistic historical interpretation, a theory of study in dialectics, a critical approach to the existing social structure, and a radical or at least reformist political program. The materialistic view of history begins with the belief that the work people do is the most important social determinant, particularly the work resulting in providing life, clothes, food, and shelter necessities. Marx felt the manner in which labor is socially conducted and the technologies used in

²² Hogg, R (1998).

²³https://www.investopedia.com/terms/c/conflict-theory.asp. Accessed 30,July 2019

development will have a significant effect on all other society aspects. He argued that human labor is the result of all the quality of civilization. Therefore, Marx saw that women and men worked were committed to socializing and creating better conditions of their lives.

This theory attempts to explain that in modern society the cause of disputes is the existence of social and economic inequalities among members of society. Indeed, the fact that in terms of resource endowments there is no social and economic equality leads to conflicts. Today, while conflict problems are ramified and varied, fundamental competition's basic premise remains the same. In another analysis, the most obvious fact is the existence of conflict, the usual function of the ongoing community is to settle or avoid disputes for order to achieve peace²⁴.

While it is understood that social theories often vary, they agree on the following; that society is an environment in which groups compete for dominance, conflict control means that one group is capable of temporarily suppressing its rivals, civil law determines and upholds a particular order which benefits certain groups at the expense of others, and that people have different interests, things they want and try to acquire that are not specified by societies but specific to all of them²⁵. This explains that conflicts are inevitable, at least in one sense, and should be managed using appropriate means when they occur.

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²⁵ Ibid.

²⁴ Mbugua, Inter-communal conflicts in Kenya: The real issues at stake in the Tana Delta (Issues Briefs N.1). Nairobi: International Peace Support Training Centre, 2013

1.5.1.2 Conflict Management Theory

The theory tries to explain conflicts from a management perspective. According to this concept, violent disputes are seen as a problem that can be solved. Overall conflict management should aim at reducing the conflict effects at all stages, achieving and sustaining substantial conflicts are moderate and using the correct approach to conflict management to address the roles and interests of all parties adequately. ²⁶ Integrating means opening up, dialog and resolving discrepancies with a view to selecting an effective resolution for both groups²⁷. This approach to conflict management is positively linked to individual and organizational outcomes.

Studies have outlined numerous conflict resolution measures and concluded that a leader needs to take some time to collect evidence leading to conflict, cultivate strategies in advance of the conflict, move quickly through blame-free response and learn through dialogue. ²⁸ The Locus of Control research of Mellissa Taylor It relates directly to individual communication skills, particularly as it relates to interpersonal conflicts. He also says that it is necessary to solve constructive and inclusive problems. We should be non-confrontational and still have the power to achieve the result by using non-verbal signals²⁹. Violent disputes are based on collective values and interests, and it should be accepted that they cannot be reconciled. Violence occurs as well as the distribution of power from existing institutions and historical relationships.

²⁶ Stewart & Brown, Research Centre for Constructive Conflict Management. British Journal of Sociology of Education, 2008

²⁷ Ibid

²⁸ Wall &Callister, Conflict and its management. Journal of Management, 1995

²⁹ Taylor, Does Locus of control predict young adult conflict strategies with supervisors? An examination of communication on conflict control orientation and organization communication conflict management, 2010

Conflict resolution encourages pressure use to build an organization and settlement. Another study argued that involvement of stakeholders will lead to collective learning to resolve any conflict. The report promoted the need for ethical and transparent participation of public members and leaders to address conflict situations in full³⁰. On the other hand, conflict resolution scholars oppose these powerful political views of the dispute, arguing that people cannot sacrifice their basic needs in party or identity disputes³¹. Nonetheless, we believe that conflict can be resolved if parties can be encouraged to consider, assess, challenge and reframe their positions and interests. In order to promote new thinking and new relationships, conflict resolution requires the involvement of professional but helpless third parties who deal with the groups unofficially. We try to examine the origins of disputes and find creative ideas that may have been rejected by the parties in dealing with deep-rooted positions.

1.5.1.3 Conflict Transformation Theory

Conflict transformation theorists claim that what is required in contemporary conflicts is more than framing positions and deciding win-win outcomes. The very essence of the parties and relationships can be integrated into a model of conflict relationships that stretches beyond the initial conflict location. Consequently, conflict transformation is a process of relationship engagement and modification, preferences, discourses and, where possible, the precise society constitution which allows violent conflict to continue³².

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³⁰ Batched, The Elusive Intangible Intelligence: Conflict Management and Emotional Intelligence in the workplace. The western Scholar, fall, 2000: 7-9

³¹ Ibid

 $^{^{\}rm 32}$ Mkutu, Small Arms and Light Weapons Among Pastoral Groups in the Kenya- Uganda Border Area. African Affairs, 2006

Constructive disagreement is viewed as a vital factor of change or catalyst. Persons with appropriate human and material resources are impacted within the opposing groups, within community or country, and outsiders play long-term complementary roles peacebuilding phase.

Such ideas therefore propose a systematic and comprehensive approach to conflict resolution, stressing support for groups within the opposing culture and not outsiders³³. It also acknowledges that disputes are slowly changed by a series of smaller or larger improvements and different actions that can be used by a number of actors to play important roles; it includes processes such as conflict prevention and conflict resolution. Whereas conflict transformation requires the transformation of relationships that promote aggression, conflict management approaches aim merely to handle and resolve conflict, and conflict resolution strategies are aimed at shifting the opposition from a zero-sum situation to a positive outcome.

1.5.2 **Empirical Literature Review**

1.5.2.1 Political conflicts and strategies of conflict resolution.

In 2010, there were two waves of political violence in Kyrgyzstan. April saw the First Violent Wave; the second and most damaging episode took place in June. The immediate causes of violence were sharp rises in energy and heating costs in April 2010. From 5 April to 8 April, demonstrations in Talas, Bishkek and other cities resulting to the deaths of approximately 90 people by the security forces.

³³ CEWARN, The conflict early warning and response mechanism. Inter-governmental Authority on Development (IGAD), 2005.

During the Talas uprising, demonstrators seized offices of government that were then immediately taken by security forces. In 2010 a number of key factors have helped the attacks in Kyrgyzstan. Frustration with Kurmanbek Bakiev's corrupt and inept government and a sluggish economy may have contributed to the fatal incidents in April³⁴. The triggers of violent behavior became more nuanced in June. Economic turmoil has exacerbated ethnic tensions at community level. The political leader's channeled resentment in destructive ways through appeals to ethnic nationalism³⁵. Also contributing to the escalation of violence was the poor capacity and understanding of the authority of security institutions.

There have been several proposals for conflict management measures in Kyrgyzstan. Well-respected elders and spiritual leaders at the grassroots level could ease interethnic tensions by mediating³⁶. Mass text messaging and new media are powerful instruments to disprove rumors, combating disinformation, and defusing tensions when violence begins to spread. What was clear from the uprising in June 2010 is that software was used mainly for malicious purposes. During the June unrest, cell phones were used for spreading false news and recruiting rioters. There is no reason why technology, especially when used as part of a well-designed national conflict prevention strategy, cannot be used for constructive purposes.

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³⁴ International Crisis Group, "Kyrgyzstan: A Hollow Regime Collapses," Crisis Group Asia Briefing No. 102, April 27, 2010.

³⁵ International Crisis Group, "The Pogroms in Kyrgyzstan," Crisis Group Asia Report No. 193, August 23, 2010.

³⁶ Rafis Abazov, "Kyrgyz Conflict Mediation Infrastructure Must Be Rebuilt," Central Asia Newswire, August 9, 2011.

Increasing incentives for the elite to negotiate an agreement rather than using violence to settle the dispute is one solution to violent conflicts involving contentious leadership. There is no doubt that a large part of Africa's international conflict resolution policy, mainly through international military and security interventions, is behind increasing the cost of terrorism. Although international military intervention is often driven by humanitarian concerns, the facts on the ground are also altered, increasing the cost of continued fighting for all soldiers. In this zone, there is a lot of development. In mid-2014 Libya, Western Sahara, South Sudan, Darfur, Abyei, Côte d'Ivoire, DRC, Liberia, and CAR, The UN has engaged in nine active African peace operations. The EU carried out military operations in Tunisia, CAR and Somalia in October 2014, as well as humanitarian security activities in Djibouti, Mali, Tanzania, Niger, DRC, and Libya. Since its long-established president's death, Côte d'Ivoire has experienced significant political turmoil, Félix Houphouet-Boigny, in 1993. Around 2002 and 2004, the civil war contributed to the country's division: the government maintained southern influence, while the North was occupied by anti-government forces. In Ouagadougou, the warring parties, the state and the Nouvelles rebel forces signed a new peace agreement, Burkina Faso in March 2007. Presidential elections were delayed several times until they took place at the end of 2010.

Another approach is to restrict access to violence-funding tools. Paul Collier and AnkeHoeffler researched a wide range of civil wars in sub-Saharan Africa and establish a link among Africa's "poor economic performance" and the outburst of terrorism. We also related rebel organizations ' development with the availability of retrievable natural

resources to support the formation of insurgent groups³⁷. Although their work has been criticized for its methods and assumptions, it has had a major political role in calling for greater transparency and accountability for initiatives such as Publish What You Pay by the World Bank, NGOs and national aid agencies³⁸. Whether the causal connection between Collier and his colleagues is correct or not, it is clear that compliance checks restrict resource accessibility, suspension or sanctions of aid might potentially change the equation for both insurgents and governments to advance their causes using violent methods. It can be prohibitive to fund the costs of war without easy access to convertible resources.

The crisis, promoted by the exploitation of natural resources in the Democratic Republic of Congo, and Power struggles have been described as one of the most severe humanitarian crises in the world and one of the most violent wars in Africa. For at least six African countries and various militant non-state organizations have been active in the DRC conflict over the past five years. Multiple opposition parties have committed multiple violations of international humanitarian law and human rights at home and abroad, including widespread abuse of youth and children in Congolese. The situation in the DRC is also the product of years of poor leadership and political insecurity.³⁹

Internal conflicts in Kenya have continuously shifted, the essence of which can be traced from the historical perspective. The origins of some of the conflicts that have historically led to violence in Kenya are the struggle to maintain power balance and distribute

³⁷Collier, Paul, and AnkeHoeffler. 2002. "On the Incidence of Civil War in Africa." The Journal of Conflict Resolution 46, No. 1: 13–28.

³⁸Nathan, Laurie. 2008. "The Causes of Civil War: The False Logic of Collier and Hoeffler." South African Review of Sociology 39 (2): 262–75.

³⁹International Rescue Committee (IRC) report, Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey, Conducted September to November 2002, reported April 2003.

economic resources in Kenya⁴⁰.Degree and nature disputes year after year, vary from place to place, but they remain constant and intertwined with politics. Nonetheless, recent years 'partisan politics seem to be the most influential conflict cause due to opportunities for political deals that contribute to ethnic violence.

Political entrepreneurs use ethnic identity as the basis of political mobilization and exploit ethnic grievances. Throughout Kenya, there are four forms of recurring conflict and violence, including: a fight for the benefits of devolution, even to the point of sabotaging it; the use of violence to move constituencies of voters; vicious attempts to prevent others from becoming part of the economy; and ethnic identity formation through the system of economic privilege and clienteles' process⁴¹. Sometimes, incentives for political gains for terrorism are higher than incentives for peace⁴².

While Kenya is regarded as a stable state, closer examination shows an unprecedented increase in domestic and cross-border violence. In a multi-ethnic state like Kenya, people have a strong link with their cultures, follow fundamentally different values and compete with one another to access or manage resources, build acrimony and conflict between community members⁴³. The key manifestations of these disputes are political, cultural, ecological, land clashes, natural resource degradation, religious differences, and lately terrorism. The country remained divided according to ethnic, national, political,

⁴⁰Scott-Villers, Roots, and routes of political violence in Kenya's civil and political society: A case study of Marsabit, Brighton, IDS, 2014

⁴¹ Sharamo, R., The politics of pastoral violence: A case study of Isiolo County, Northern Kenya. Brighton: Future Agricultures, 2014

⁴² Ibid.

⁴³ CEWARN, The conflict early warning and response mechanism. Inter-governmental Authority on Development (IGAD), 2005.

economic and socio-cultural lines. As a result, Kenya has undergone intermittent disputes between various communities.

Pastoralists in northern Kenya have suffered a great deal from internal conflicts, including a variety of stakeholders, community-based organizations, religious organizations, and civil society groups have made substantial efforts to address their particular climate of conflict. The resource-based conflicts in Arid and Semi-Arid Lands (ASALs) have completely skewed the development and undermined the civil management of this vast and rough countryside⁴⁴.

Kenya's dawn of multi-party politics brought new facets of the conflict into its wake. The resource-based conflicts in Arid and Semi-Arid Lands (ASALs) have completely skewed development and undermined the civil management of this vast and rough countryside. During elections, ethnic and political tensions in Kenya became more apparent, as expressed in the general elections of 1992 and 1997. The severity of these conflicts culminated in a fragmented national structure after the 2007 general election, resulting in the loss of nearly 1,300 lives and more than 350,000 internally displaced people⁴⁵. The wars impacted not only the economy of Kenya, but also the neighboring countries, including Uganda, Rwanda, Burundi, and Sudan.

⁴⁴ USAID, Management Systems International, and Pact-Kenya. (2009). Regional Enhanced Livelihoods in Pastoral Areas (RELPA), Existing Approaches and Best Practices.

⁴⁵Daily Nation, Ethnic Violence in Kenya, Nation Printing Press, 2009

1.5.2.2 Resources mobilization for conflict resolution responses

In the mid-1990s, in an analysis of the UN's monetary policy in El Salvador, the word 'peace conditionality' was coined⁴⁶. The study suggested that donors can and should link reconstruction and development assistance following a negotiated peace agreement with actionable steps to implement the agreement in post-conflict situations and establish peace. In the case of El Salvador, the government's inability to implement important aspects of the 1992 peace agreement – Including adequate funding for elevated-priority peace measures such as the former Combatant Land Transfer Plan and the formation of a National Civil Police – puts the peace process at risk.⁴⁷ Therefore, IFIs proposed that the conditionality of peace be applied by the IFIs to enable the government to leverage domestic capital to meet its obligations.

It is also possible to implement conditionality of peace at local level. For example, in its "Open Cities" project in Bosnia, the UN High Commission for Refugees has provided rehabilitation assistance to communities, a commitment to the right to return home for refugees and internally displaced persons. The aim was the use of funds to remunerate local authorities who wanted to implement the Dayton Agreement, reprimand those who opposed it and promote delay in getting out of the barrier⁴⁸.

⁴⁶ Boyce, James, K. (2002a) Adjustment Toward Peace: Economic Policy and Post-War Reconstruction in El Salvador, report prepared for the United Nations Development Program, San Salvador, May. P.18

⁴⁷ De Soto, Alvaro and Graciana del Castillo (1994) 'Obstacles to Peacebuilding,' Foreign Policy 94 (Spring), pp. 69-83.

⁴⁸ Boyce, James, K. et al. (2002a) Adjustment Toward Peace: Economic Policy and Post-War Reconstruction in El Salvador, report prepared for the United Nations Development Program, San Salvador, May. P.18

It is imperative to highlight these "quick impact" solutions as infrastructure reconstruction; for total sustainability, long-term programs must include distribution of agricultural tool kits or social investment. To order to enforce enforcement, the peace agreements will categorically state all rewards and penalties. It should be closely linked to the future continuation and expansion of services such as full compliance with the fine details of the peace agreement. To be sure, the Cold War's end has shed light on the prospects of successful sanctions against miscreant regimes and states. The ongoing Cold War issue of "black knights" has almost disappeared. A broad international coalition, as was the case in Haiti (1991-94), Yugoslavia (1992-95), and Iraq (1990), is likely to support sanctions efforts⁴⁹.

Intense diplomatic pressure and other resources should be focused on early and successful conflict resolution and peace-making once a conflict escalates into a violent confrontation. A guide to third-party involvement is to establish a "mature" situation in the conflict, a rule of dispute management which means that the conflict is ready to be resolved. More typically, because of what is defined as a dangerous stalemate in the literature, at a time when the parties no longer believe that they can use coercion to obtain coercion leverage and are able to evaluate additional options. It is characterized by the belief of the warriors that the prospects and costs of the ongoing conflict are more costly than the prospects and costs of a settlement. Maturity is the fundamental equivalence of the power of the parties, even though their power sources differ. If each side's power can prevent defeat but not lead to victory, a hurtful stalemate will result that favors conflict resolution. A third party is required to determine that he or she wants to participate

⁴⁹Stremlau, J. Sharpening International Sanctions: Toward a Stronger Role for United Nations. Washington, DC: Carnegie Commission on Preventing Deadly Conflict. November 1996.

effectively in a conflict.⁵⁰. He further states, however, that in a multidimensional, multifactional conflict such as that in the Democratic Republic of Congo and Somalia, a mutually harming stalemate is becoming more troubling as it generates increased opportunities for defection. Unpretentious agreements have proved conceivable when the fear of continuing trouble is equal to the fear of reaching an agreement.

1.5.2.3 Contribution of leadership culture to conflict resolution responses

Leadership is the method of persuasion or example by which a person leads a group to achieve goals that the leader holds or that the leader and his supporters share, even though in many cases they use tribal politics. How great is the impact of the political leaders on the possibility of an ethnic civil war? The advocates of elite theory of exploitation contend that leaders promote ethno-nationalism to protect their own grip on power⁵¹. "Elite influence theory (Gagnon 2004, Snyder 2000) squarely blames the elites identified in this study for any political figures holding or vying for political office. While it is unreasonable to expect them to be an exception to the issue of the principal agent, it is rational for them to pursue their personal stake and a clear reason for their fear of democratization⁵².

Gagnon (2004) argues that while ethnicity was originally unresolved for the majority of the population, leaders have been able to skillfully change the public debate from ethnic to political conflict. Informants suggested that the wealthy resorted to violence in order to

⁵⁰ Zartman, I. W. Ripe for Resolution: Conflict and Intervention in Africa. New York: Oxford University Press, 1989.

⁵¹ Gagnon Jr., Valère Philip. 2004. The Myth of Ethnic War: Serbia and Croatia in the 1990s.Ithaca, NY: Cornell University Press.

⁵² Snyder, Jack & Karen Ballentine. 1996. Nationalism and the Marketplace of Ideas.InternationalSecurity21(2), 5—40.

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secure their interests. Asymmetric exposure to modern technologies such as small arms, motorized transport, and long distance communication often reshape the dynamics of violence that have significantly increased the severity of human deaths. Wrongly conceived development schemes and investments implemented without the active involvement of local communities result in unclear mechanism of property rights thus increasing tensions.

In the African context, removed from the emergence of democracy, transformational leadership cannot be spoken about. Since the early 1990s, African democracy has been evolving amid its chaotic transformation from dictatorial,' big man ' regimes. As a good example, the latest is political jockeying for power in Zimbabwe. Gabon and Guinea Bissau include two additional examples of how authoritarianism thwarts democracy. That said, there can be little doubt that the continent is moving slowly through a ' second independence.' The highlight of this transformation was, of course, the 1990 release of Nelson Mandela after 27 years in prison and the negotiated end to the apartheid regime in South Africa⁵³.

The new African state's leadership can be described as a fight between practical democracy and constitutional democracy. The latter is where the local communities interpret and implement democracy on the ground. 'Utilitarism may trace its roots to early Greek thought, but Jeremy Bentham's first definition of modernism, who claimed that the essence of a social contract between the people and their government depended on

⁵³ Joseph, Richard 1997. Democratization in Africa after 1989: Comparative and theoretical perspectives. Comparative Politics, 29 (3), pp. 363–382.

whether it was the greatest good for the largest number of people.¹⁵⁴. That political theory was proposed by moderate John Stuart Mill, who pointed out that the government, was no greater than the individuals who wrote it⁵⁵. In this perspective, it is difficult to take for granted the intrinsic quality of democracy, but it depends on how democracy is used. Therefore comes into play the morality of procedural justice. Procedural justice is about sharing scarce resources and making decisions between opposing groups, but most importantly, it is about power.

Politics can be a conflict catalyst in pastoralist regions, according to the ODI. New electoral constituencies are likely to be created in Kenya before the polls and ethnically dominant communities are more likely to elect a leader from among their own. A new district, for example, Baragoi, was sliced out of Samburu, north of Maralal's main town. It is largely controlled by the Turkana and Samburu, who sometimes clash, which could lead to the marginalization of the Samburu. Local leaders have affected conflict resolution in the region as the leaders of Turkana County and Samburu County are often seen as encouraging the masses to continue the conflict both at county level and far away in Nairobi.

Peacebuilding in Kenya consists of central-government peace negotiations, political and religious representatives, and sometimes outside actors such as NGOs, as well as grass-roots initiatives. Because of the historic rivalry, the nation is still witnessing inter-ethnic conflicts, although socio-cultural practices have diminished significantly. Conflicts in

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55 Ibid

⁵⁴ Ebenstein, William and Alan O. Ebenstein 1991. Great political thinkers: Plato to the present. Chicago, Holt, Reinhart and Winston. P. 596

some countries over regulation and access to pasture andwater, on the other hand, continued and were correlated with extreme climate events⁵⁶.

1.6 Literature gap

A "knowledge hole" in the scientific vocabulary is, according to Cramer (2006), a term referring to "a research question or issue that has not been adequately answered in a given field of study or has not been answered at all. "It is also defined as a phrase indicating a conclusion from a study that failed to answer a key question and also to refer to the missing item in the current research literature, and it is expected that the author of a particular study will complete it with their research approach to publish the thesis of the author. The study deficit can be marked as less quantitative evidence is available on Nairobi County's conflict resolution responses strategies.

1.7 Hypotheses

The following are the hypotheses of the study;

- i. The strategy for conflict resolution in Nairobi County is not sufficient.
- ii. Leadership culture in Nairobi does not contribute to a suitable conflict resolution response in the County.
- iii. Leadership culture has no contribution towards conflict resolution responses in Nairobi County.

⁵⁶Mekhaus, Ken (2008). The Rise of a mediated State in Northern Kenya: The Wajir Story and itsImplication for State Building. Africa Focus, 21(2),23-38

1.8 Justification of the Study

Good civic partnerships are crucial in the contemporary world for organizations and individuals working in independent status together. This research will be crucial in providing different stakeholders with data that will promote successful approaches to conflict resolution in Nairobi County. Therefore, in their search to discharge their respective roles and ensure that disputes are resolved, some stakeholders may find information from this study useful. It is the national government and county governments ' primary legal obligation to ensure that the lives and property of people are safe and secure. Therefore, information from this study will be of interest to state agencies and security sector officials in their quest to proactively address the destructive nature of incidences of internal conflict while promoting good public relations to encourage productive conflict. In turn, this study's findings will also assist scholars and researchers in further work. Academics need to provide data about the nature of contemporary conflicts, which means that this study's information will help them to achieve this goal. In addition, other practitioners such as security consultants may find information from this study useful in their search to provide their clients with appropriate advice and, in general, in the creation of techniques to improve the security of their clients.

Data from this study will also be beneficial for the general public to be able to be responsible enough in their efforts to promote security and peace. Therefore, implementing the findings of this study will greatly benefit the public who expect to continue in a safe and peaceful manner to carry out their everyday undertakings.

1.9 Scope of the Study

The scope of the study focused on the Nairobi County, which is the political, defense, social and economic hub of the Republic of Kenya. The county is neighboring the counties of Machakos, Kajiado, and Kiambu. This estimates 695 km2 of eight constituencies: Dagoretti, Westlands, Kamukunji, Kibera, Embakasi, Kasarani, Makadara, and Starehe. In each constituency, Nairobi County, which hosts the cosmopolitan city of Kenya, has large informal settlements (slums). This research would concentrate on security agencies responsible for ensuring the safety and peacefulness of people. Government security agencies must collect data and protect Nairobi City County.

1.10 Limitations of the Study

This work anticipates other weaknesses in carrying out this study, including; the availability of the targeted respondents may be challenging given that they are performing the protection role. This will be resolved by providing prior notification of the exercise to the respondents to decide on their availability. Second, the nature of the requested data may be unclear, and some respondents may not be prepared to provide the information they want. This will be addressed by communicating to them the value of the research and preserving the confidentiality of the information provided at the same time.

1.11 Research Methodology

The research methodology that will direct this study was discussed in this chapter.

1.11.1 Data collection

For these research purposes, secondary data were used to collect information from various relevant sources. Secondary data is information that can already be used, i.e. it refers to data already obtained and analyzed by someone else. The researcher will look at different sources from where he can get them when using secondary information. Secondary data may be published as data or data not published. Generally published data are available in: various federal, state publications are county governments; magazines, books, and newspapers; various publications of international bodies and foreign governments and their subordinate organizations; pre-publication reports; commercial and scientific journals; studies and publications of various business and industry-related organisations, economists, stock exchanges universities, banks, etc. Historical documents, public records and figures, and other sources of information reported in various fields. There are many sources of unpublished data; they can be found in diaries, unpublished biographies, letters, trade associations, and autobiographies and can also be found with research workers and scholars, labor offices and other private / public persons and organizations⁵⁷.

⁵⁷Dennis, Child. (1980). The Essentials of Factor Analysis, Rinehart & Winston: New York. 117

1.11.2 Data Analysis

Data analysis requires an evaluation of what has been learned and inferences and conclusions are drawn. The essence of the collected data was qualitative and was therefore edited and categorized based on the study's objectives. The data were then analyzed using the technique of content analysis. Content analysis is a communication content measurement tool. The goal is to obtain a qualitative summary of the communication's manifest content. Responses from different respondents will be compared and summarized according to the study's objectives through content analysis.

1.11.3 Data Presentation

The thematically arranged data analyzed by content analysis. The study conducted intertextual comparisons between the various sources and compared the elements considered with relevant literature. The data analyzed were subsequently presented in prose form.

CHAPTER TWO

NATURE OF CONFLICT IN NAIROBI COUNTY

2.0 Introduction

Conflict and violence arise in Nairobi County due to various reasons including security, crime, corruption, evictions, and gangs. At the international, national, county, and subcounty level, the intersection of Kenya's diverse culture and needs makes Nairobi County prone to conflict as a daily reality. However, understanding Nairobi County's intricate and intertwined nature of conflict requires a broad understanding of the county's relationship among the conflicting parties.

2.1 The Concept of Political Conflicts

Some refer to Lijphart's work when studying political conflict, where the concepts refer to institutional characteristics⁵⁸ instead of relationships in assemblies between political parties. But if political decision-making processes are to be understood, it is necessary to concentrate on interactions between parties rather than on institutional features⁵⁹. The traditional definition of political conflict is that it happens when it is difficult to reconcile different interests or disagreements over objectives⁶⁰. These are useful but overly simplistic definitions, since studies using these definitions

⁵⁸ Lijphart, Arendt(1999) Patterns of Democracy: Government Forms and Performance in Thirty-six Countries. New Haven and London: Yale University Press. p.2.

⁵⁹ Houlberg, Kurt, and Lene Holm Pedersen (2015)"Political Consensus and Fiscal Outcomes." Local Government Studies 41(1): 2.

⁶⁰ Bush, Robert A. Baruch, and Joseph P. Folger (1994) The promise of mediation: Responding to conflict through empowerment and recognition. San Francisco: Jossey-Bass. P. 56

overlooked the nature of political conflict and either viewed it as a uniform term, ⁶¹or just focused on one aspect of the conflict. Some argue that political conflict can occur as a confrontational behavior by actors to advance their interests and try to prevent other actors from achieving their objectives. ⁶²Some scholars noted the propensity of researchers to equate one type of conflict with another, and stressed the need for researchers to distinguish between different types of conflict ⁶³.

2.2 Nairobi's political violence and conflicts

Nairobi's history of political conflict and violence dates back to the early part of the century. Violence accompanied the advent of imperialism, and of course, Africans responded with more violence. Nevertheless, the most pronounced period of terrorism was the Mau-Mau uprising when Africans went to violent war with the colonial government⁶⁴.

Violence counter to the colonists and the army, as well as their African collaborators, characterized the Mau-Mau resistance movement just as Africans were oppressed and dominated by the colonial government. The last years before Nairobi's independence was turbulent and isolated areas of Kenya's highlands that served as the colonial government's capital and military base.

⁶¹Katz, Richard S., and Peter Mair.(1995) "Changing Models of Party Organizations and Party Democracy: The Emergence of The Cartel Party", Party Politics 1(1), 19,

⁶² Mack, Raymond W., and Richard C. Snyder (1957) "The analysis of social conflict –Toward an overview and synthesis". Conflict resolution, 1(2), 212-248

⁶³ Blalock, Hubert M. (1989) Power and Conflict: Toward a General Theory. Sage Publications: Newbury Park, California

⁶⁴ Kagwanja, P. (2001) The right to return: the internally displaced persons and the culture of impunity in Kenya (Kenya Human Rights Commission, Nairobi, Kenya)

The murder of all prominent politicians, J.M. Kariuki, Tom Mboya, and Gio Gama Pinto, triggered violent protests against the government. Tom Mboya's murder has caused tension and violence. The Mau-Mau had been using violence against colonists and the government.

2.2.1 Political Violence in Nairobi 1988 – 1992

A significant violent confrontation between Matatu drivers and KANU youth wingers took place in Nairobi towards the end of 1988.. The battle began when youth wingers threatened Matatu holders on strike. The former was sponsored by touts who organized their lot throughout Nairobi in an effort to retain their revenue-generating operation and committed the wingers to crime. While the police interceded to restore order, in the two-week fight, many people were seriously injured. It is important to note that members of the public have become increasingly unhappy with the KANU youth winger operations, especially in Nairobi.

In regulation (sic) of law and order, the wingers became more dominant than even the military. Some of them began to indulge in excesses including cheating and committing murders in due course. The struggle between KANU's touts, Matatu holders, and youth wingers continued during 1989. One death allegedly committed by a KANU youth winger was registered at Nairobi's Machakos bus station. In response, the government issued a stern warning to the wingers without the police agency who were carrying out their positions.

2.2.2 Political Violence in Nairobi 1993 – 2001

Although the dispute between the touts and the KANU youth wingers over the city's bus termini control continued until 1990, intense agitation and eruption of organized political violence started earnestly towards the end of that year when more people took on the demand for many parties. The clergy and a few politicians joined forces to fight for the nation against the government's adoption of multi-party politics. More youth wingers were actively hired by the KANU government to threaten and beat multi-party supporters to discredit multi-party politics advocates. For example, on 7 July 1990, KANU youth and police in Kamukunji in Nairobi multi-party protesters have killed twenty people and wounded thousands.⁶⁵

1991 Media accounts have been riddled with numerous incidents of bullying by youth wingers; Bullying or abuse of real or alleged multi-party lawyers in selected areas of Nairobi. By mid-1991, in the year, too, KANU conflicts arose and became more pronounced. The disagreements broke out in large part about the redistribution of party positions at district level. Individual KANU leaders in Nairobi and elsewhere recruited and armed young people in most of Kenya's districts who led protests and committed crime to defeat rivals. There have been no reports of suicides. After the revocation of section 2(A) of Kenya's constitution, more political parties arose in an

⁶⁵Kagwanja, P. (2005) 'Power to Uhuru': Youth identity and generational politics in Kenya's 2002 elections African Affairs (105/418, 51–75)

effort to gain political power. As the government sought to interfere with opposition parties 'political activities, it caused further political violence.

KANU youth wingers and the Police and hired youth were violently disrupting opposition party meetings and rallies in Nairobi. In response to such widespread rallies and intimidation activities, rising opposition party mobilized its young winger to counter KANU attacks and simply provide security while conducting its duties. This explains why the highest incidences of violence were reported by the late 1991 Kamukunji rally of the joint opposition.

During the fight between the GSU, police and KANU Youth wingers on one side against a combined force of youth wingers, members of opposition parties and sympathizers, tens of people were murdered and hundreds wounded. Property valued millions of Kenya shillings were pillaged in the city and farms. As the general elections of 1992 drew closer, confrontations erupted that triggered divisions within and between parties. The initial FORD split into Ford-Kenya and Ford-Asili in general. This caused tension to see each other as the traitor between the two sides. It was reported that youth wingers from the opposing camps were engaged in battles in Nairobi, a venue where most of the opposition meetings took place, over the struggle for legitimacy and supremacy.

Hired youths disrupted the activity at a Ford-Kenya / Ford-Asili meeting in Ufungamano House and severely beat selected politicians who were accused of betraying the cause of the opposition. The destruction of party offices and the burning of party membership cards by opponents were other cases of political violence

reported in Nairobi. They also invaded the homes of selected politicians and either stolen or vandalized land. There have also been occasional struggles over campaign money, particularly among young wingers from various political parties. There were two deaths in Nairobi and most of the affected parties have taken swift action to reduce violence. Student protests have also led to the volatile atmosphere of political violence.

The Nairobi University Students Organization (SONU) had just been re-launched in Nairobi. Students went to the streets to demand their rights and the government's immediate resignation. They aggressively confronted the General Services Union (GSU) and police joint force. Therefore, in an atmosphere of tension, violence, and suspicion, the 1992 general elections were held. Despite claims by opposition leaders that the polls had been rigged, KANU won and formed the government With the 1992 elections, Moi retained influence and through greater engagement in the political system, critics note that the Moi government succeeded in suppressing political opposition⁶⁶. A few by-elections were held in the affected parts of the country in 1993 as a result of defections. Nevertheless, Nairobi was not affected. In most of Nairobi, the period from 1992 to 1995 general elections were fairly peaceful. Nevertheless, as the 1997 general elections approached, there were more demands for constitutional

⁶⁶Africa Watch, Divide and rule, 1. See also Kenyan National Assembly, Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya, Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya, Nairobi, 1992.

changes. In Nairobi, particularly between students at the University of Nairobi and the police, pockets of violent confrontations were reported.

The general elections of 1997 have been violent. In Nairobi, which was primarily an opposition region, political rallies were disrupted. Individuals have been injured and property has been lost. KANU won the elections at the end of the exercise and formed the government again in its campaign in the midst of demonstrations of corruption and using state machinery. This time, it was more or less a repeat of the 1992 series.

Following the 1997 general elections, the opposition joined forces with other groups to pressure the government to allow people to amend the constitution. The State was reluctant to do so, and the state violently disrupted the rallies organized by the opposition to rally the people for this cause, especially in Kamukunji and Nairobi's Central Park. The battle for constitutional reform emerged as two parallel groups, the Ufungamano Committee and the Parliamentary Select Committee. The latter was an organization mandated by the Kenyan National Assembly to study and amend the Kenyan Constitution, while the former was voluntarily set up by some parliamentary and civil society opposition members to play a similar role. Everybody believed they were portrayed by the men.

Supporters of the two constitutional reform parties clashed violently during the conduct of their affairs in Nairobi. Members of the Ufungamano Group intentionally tried to disrupt the Parliamentary Select Committee's sessions in Nairobi in one of those violent incidents in 2000. In a meeting at the University of Nairobi in Taifa Hall, the well-organized fights between the two sides hurt scores of people. During such

events, as perpetrators of violence, the activities of Nairobi University students and Jeshi La Mzee (JLM), a political militia, became more and more significant.

The phenomenon of "Youth for Hire" has started to play a prominent role. The JLM militia group supported the Select Committee of State and Parliament while the family of the student was divided between the initiative of the State and Ufungamano. The newly formed Mageuzi (Change) movement's activities significantly increased political violence in much of 2000. The marches and conferences organized by both groups were violently interrupted in Nairobi and other cities, resulting in the detention, injury and killing of the parties involved. The violence began in the year 2001 for a long time. As the nation prepared for the general election in 2002, political violence tends to take on a different and more troubling dimension..

The country's political and socio-economic circumstances have prompted many politicians in Nairobi to finance a series of paramilitary groups to win the general elections of 2002 and maintain political power. A large group of young people also appear to have seen the economic gain from political violence and are just waiting to be recruited. This trend poses a major threat not only to the process of democratization but also to the forthcoming elections, considered another pivotal point in the political history of the country as they see the inauguration of the nation's third president.

2.2.3 Nairobi Post-election Violence 2007

Post-election violence began on 30 December 2007 with the announcement and subsequent swearing-in of the results of President Kibaki's presidential election. Violence is believed to have begun in Mathare, a region ruled by the Kikuyu ethnic

group of President Mwai Kibaki, and in Kibera, a constituency of Prime Minister Raila.

The violence erupted into the New Year as the supporters of Raila were stopped by police from marching to Uhuru Park in the Central Business District of Nairobi to dispute the results of the vote. The second wave of violence followed President Kibaki's declaration of a partial cabinet and Kalonzo Musyoka's nomination as Vice President of ODM-Kenya on January 9, 2008. The third phase was the killing on 29 January 2008 of the late Embakasi MP Hon Malitus Mugabe at the Woodley Estate in Nairobi⁶⁷.

Major protests took place in the CBD as the police concentrated in the slums and Uhuru Park and took longer to respond to rowdy youth demands in the Kenya National Human Rights Commission's CBD Information revealed that initial violence in areas where they were a minority tended to target Kikuyu and coordinated attacks in places where the bulk of them were. Neighborhoods were captured and governed by gangs of tribal allegiance as riots broke out, fire, theft, and property destruction became commonplace.

A study from Human Rights Watch in 2008 reveals that in unjustified conditions, Nairobi police shot demonstrators. The same report shows that there were 9 people killed and 19 injured by local human rights activists in the Kibera slum. In Mathare, residents reported killing and dumping bodies into the Nairobi River. The Independent

⁶⁷ Kenya National Commission of Human Rights Report, 2008).

Legal and Medical Unit confirmed that about 50 bodies were killed by gunshot wounds inflicted by police in the mortuaries in Nairobi.⁶⁸

2.2.4 Violent crimes in the county

In the 1980s, there was a crime upsurge throughout Nairobi County that consisted of a road mugging, car jerking, and bank robberies. This wave emerged from tough political and socio-economic times, with the IMF's structural adjustment programs⁶⁹.

Police records indicate that crimes, including murders and kidnappings, muggings, bank robberies, and home robberies, have been varied. The offenses are targeted at high-ranking individuals and businesses. The spate of robberies then challenged the Kenyan police's ability to deal with violent crime in the city 70 .

There was a correlation between the country's political repression's economic development and levels of crime. Between 1990 and 2000, Maasa Morans, Kalenjin Warriors, Kisii Chinkororo, Kuria SunguSungu, Kaya Mbombo from the sea, Luo Taliban and the Kikuyu Mungiki were one of the unparalleled criminal gang activity with the common ones on the Kenyan scene. The murderous gangs took over 3,000 lives and between 1991 and 1998 displaced over half a million Kenyans⁷¹. The leaders used their rivals to mutilate, torture and bully the gangs.

⁶⁸ Government of Kenya, 2008ii

⁶⁹ Gimode, E. (2001) "An anatomy of violent crime in Kenya: The case of Nairobi 1985–1999." Africa Development 26 (1&2): 295-335.

⁷⁰ Nation, 2001:306

⁷¹Kagwanja, P. (2005) 'Power to Uhuru': Youth identity and generational politics in Kenya's 2002 elections African Affairs (105/418, 51–75)

Depending on whether they are social, financial or illegal, gang actions have different tipping points. During political campaigns, political gang-related disputes continue to plunge into violence, and the ensuing violence is reflected in clashes between rival gangs, often with an election sponsor, also between law enforcement personnel and gangs, or violent protests often accompanied by harassment and public pillage.

Despite efforts to restore law and order, economic gang wars continue to plunge into violence in areas that gangs have taken over, not only were people paying exorbitant sums of money allegedly for products, but also becoming the issue as they undermine any attempt to provide such services. Members of the gang have created apprehension in validating the need to provide these services. To justify their illegal supply of these facilities, water and electricity connections to different parts of the city have been cut in the wake of gangs and law enforcement disputes, gangs and legal service providers. Criminal elements of gang activity, such as Taliban, Mungiki, SunguSungu, continue to burst into widespread violence caused by members being detained or by law enforcement agencies capturing or killing suspects. The resulting violence consists of horrific retaliatory killings of innocent civilians.

2.3 Nairobi County's spatial aspects of conflict and violence

2.3.1 Conflicting the county's administrative and management system

Nairobi County is divided into eight electoral districts, including: Makadara, Dagoretti, Kamkunji, Langata, Starehe, Kasarani, Westlands, and Embakasi. The

municipal divisions are further split into 75 wards with the Governor's highest governance and the lowest in the district of the Councilor.⁷²

The county's decision-making process is bureaucratic and non-participatory, although in the county assembly there are limited consultations on minor projects. Insufficient participation limits the efficacy of the governing system which affects the city's provision of service and distribution of resources.

The county government's main sources of funding include tax sales, property rates, and central government grants through the annual budget allocation of funds. Other schemes such as roads, housing, education and safety are funded directly by the national government through the national ministries concerned⁷³.

The bureaucratic structures were fraught with tension in the management of country relations with the invisible hand of the national government. This is apparent as the wards are traditionally governed by elected county assembly members, but there are local administration heads who oversee these areas as well. The chiefs refer to the Deputy Sub-County Commissioners, but not to the County Assemblies ' elected members. Administrative districts correspond with constituencies headed by elected parliamentarians, but there is no process to coordinate district officers 'work with parliamentarians' work. Not only is the lack of sophistication of the government and

⁷²Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

⁷³ Participation in LASDAPs is a mandatory requirement of the Local Authority Transfer Fund Act number 8 of 1998.

management processes contradictory, but the county is unable to cope with its internal conflicts⁷⁴.

Conflicts resulting from city government and administration lead to violence for various reasons, particularly during regulatory enforcement actions, with the political leadership of the administration at loggerheads. Illegal settlers, merchants, etc. are squatting on public land in informal areas. In many cases, attempts by Nairobi County to assert control overgrowth in these areas are often met with hostility not only from local people but also from members of their counties. Most residents of the city, formal traders, and council officers feel it is necessary to ban informal traders because they flout regulations on trading. For several factors, though, they are accepted from political patronage to valid citizenship claims and the right to earn a living. Occasionally, as part of the cleaning exercise, the traders were excluded from the CBD For all kinds of reasons, such as major international conferences. This leads to the conflict leading to widespread violence marked by fights between traders and [police] Askaris County.⁷⁵.

2.3.2 Nairobi's country land violence and conflicts

After the post-election violence of 2007/8, it was decided that one of the major factors that fuelled post-election violence were unresolved land-related issues, hence the need to deal terminally with them. The state had set up the process of land reform, and in the new constitution of the Republic several land values were enshrined. The new

⁷⁴ Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

⁷⁵Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

constitutional amendments were intended to address historical injustices in the field of public, private and collective land access, use and disposal ⁷⁶. Chapter Five of the Republic of Kenya Constitution, 2010 seeks to address carefully the Security of private land and security of investors and stakeholders and that social and public land speculators are excluded.

Nairobi's land problem is doubly reflected in expulsions and tenure insecurity. The threats come from individuals with private and public land interests who unlawfully use them for their socio-economic benefit. There are permanent squatters on public land in terms of social reproduction whose tenancy had not been secured. This has contributed to instances where, as with the Nubian population of the Kibera region, for more than a century, people squatted on public land without being able to secure their tenancy. For more than 50 years, people have been squatting in some settlements without understanding their tenure, such as in Kiambiyu⁷⁷. In the country's most informal settlements, the situation is the same, making growth and living in these areas impossible for either the government or the people.

Politicians have used this informality and lack of tenure security to entrench themselves in power, resulting in conflict and violence. It is rife in Nairobi, widespread displacement in the neighborhood was considered hostile to an election candidate, land grabbing and illegally resettling communities supported by individual politicians. It is also understood that squatters are used by politicians to defend illegal

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⁷⁶The constitution of the Republic of Kenya, 2010

⁷⁷ Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

public land. 'Clientel' relationships have been common among politicians and squatters where, politicians will either claim squatter tenancy rights and battle evictions, or even organize land invasions for voting, depending on time.⁷⁸.

Land conflicts tend to fall into tension when land use laws are enforced, including forced evictions. The ensuing dispute takes different forms: from tenant-owner conflicts to tenant struggles and local authorities to fighting between regional governments, owners of structures and tenants.⁷⁹

2.3.3 Conflicts of accommodation and crime in Nairobi

Housing and land, especially for the city's poor, are intertwined. These are also the main causes of disputes. Nairobi's housing conditions are still low. Just 19 percent of residents live in permanent material-built homes. Just 12% of slums have concrete house walls, 45% Stay in households with iron frames, and 98% Get tin roofs over their heads. Eighteen percent of urban residents are homeowners; 82 percent are pay rent; 92 percent of slum residents are pay rent, but 3.6 percent have structured tenant-Landlord dispute is therefore a significant cause of violence in Nairobi.⁸⁰

Another cause of housing conflict in Nairobi is the lack of space and its poor quality although the city has a residence rate of 1.6 people per day; the occupancy rate of informal settlements is 2.6 people per night. ⁸¹ Residential densities, which differ widely in the region, also affect the quality of housing. While high-income

⁷⁸ Ibid

⁷⁹ Ibid. p, 30

⁸⁰ World Bank, 2006. The World Bank Annual Report.

⁸¹ Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

neighborhoods such as Muthaiga and Karen have densities of four people per hectare, low-income neighborhoods such as Korogocho and Kibra have approximate concentrations of up to 800 people per hectare⁸².

Kenya has an immense accommodation shortage, with millions of units of housing shortage. In Nairobi, where the government has stopped providing accommodation, the issue is more severe. Nevertheless, the state has failed to address variables in housing supply, adequate financing, including planned land, skilled labor, affordable materials and technology, and progressive building codes. The economy generated high and medium household income, leaving low income to be spent on its own. Through obsolete planning and building laws, attempts by the poor to house themselves were typically criminalized, restricting development capacity and developing these informal areas. In the city, for example, a few slum upgrade programs have been started. Mathare 4A project, Kenya's National Slum Upgrade Program (KENSUP) pilot Kibra Soweto and upgrade Korogocho's services and infrastructure.

While the government is a vital participant in these programs, it is enlightening that the development partners of the country should drive all these projects. Nevertheless, the measures do not resolve the drawbacks for strengthening informal settlements in the legal framework.

⁸²Huchzermeyer, M., (2011). Tenement cities: From 19th century Berlin to 21st century Nairobi. Africa World Press/The Red Sea Press, Trenton New Jersey.

Poor housing supply has resulted in very expensive housing for the poor, significantly eroding their income and reducing their basic quality of life. Expenditure on living, basic services and goods, such as education and food, is now being consumed on housing and transportation. It is enlightening that those who are unable to obtain basic housing in Nairobi City make up more than 50% of the population. We live in the city's relatively small areas; some experts estimate that this is about 5% of the city's land area, where we live in violent squatters and slums and in relatively wealthy neighborhoods we see the rest of the city.⁸³ It is not beneficial that even in such crowded informal settlements and slums, poor people have to pay rent to slumlords who own more than 90 percent of informal structures. Because the property on which their buildings were constructed is not owned by slum lords, tenants are prohibited from improving their structures. It results in situations of conflict, ranging from fighting between local leaders and government, fights between Provincial Government and resident security forces, and fights, among others, between tenants and landlords. Such conflicts, depending on the date of the conflict and the involved players, take political, economic, and even ethnic lines.

Due to unjust refusal to pay rentals, spikes in rents and political pressure not to pay rents in elections, housing disputes were tipped into violence. Refusal to pay the unpaid tenant's lease or eviction tends to be the real starting point for this type of conflict. Across various informal communities across Nairobi; the ensuing crime takes

⁸³Syagga, Mitullah & Karirah-Gitau, 2001. Nairobi Situational Analysis: A consultative report.

different forms. In Kibra, for example, travails between landlords and local militias tend to take form, *siafu*.

Conflicts involving tenure instability tend to lead to violence during expulsions, or in some cases during renter housing renovations, often interpreted as meaning that tenants want to displace the structure's owners; the latter's tenure is sometimes unsafe. Violence may take the form of the forced removal of parts of the slum by thugs or unexplained fires. Occasionally there are intense fights between tenants and contract eviction teams.

Long-term tenants contested the possession of land and slum housing pits against different individuals or companies that were formally or informally allocated land. Sometimes well-organized groups of squatters take over the land and settle there, claiming. Often, evictions are usually the tipping point for violent confrontations between expulsion groups and perpetrators, the police of the government, the police of the local authorities, etc.

2.4 Ethnic conflicts in Nairobi County

Ethnic / tribal conflicts arise among people living together from different tribes. Although there have been a number of factors that could contribute to tribal or ethnic conflict. There was a strong consensus among all focus groups that political tensions and politicians had a crucial role in inflaming emotions that fuelled conflict among different ethnic groups. Ethnic / tribal violence in Kawangware, Mukuru, and Kibera was probably the most common type of violence. But this was mostly among the Luhyas, Kikuyu, Nubi and Luos communities. The protagonists in all settlement

conflict were the Luos, Kikuyu, and Luhyas, while the Nubi family seemed to be in Kibera alone.

Prominent politicians who incite their communities against other opposed groups and create bad blood between communities living together in informal settlements in Kibra are also responsible for ethnic and tribal abuse. It has been said that tribalism has grown a little higher by influencing school kids to the point of naming their classmates around tribal blocks and even abusing one another. Participants across the settlements are worried about the worsening of this situation as negative attitudes and stereotypical views among school children are nurtured by people from different ethnic groups.

The youth argued that another important consideration in tribal and ethnic violence was regional politics, where politicians rely on their filial and national ties to compete for political positions. Competitive politics inevitably sets different ethnic groups against each other by building on tribal and family relationships. Young people strongly believed in Kanungaga that political violence would result from such policies. The aim of Kenya's institutional reforms was to achieve cohesion and peace. Other legislation enacted in Parliament has seen the implementation of institutional and structural governance reforms, including the introduction of the devolved government system, the establishment of the National Police Service, the consultative nature of policy-making, strengthening of human rights and freedoms at all levels of government. Via legislation, some of the underlying issues that precipitate the incidence of conflict situations in Nairobi are resolved by the authorities.

The new constitution aims to lead the nation to a more prosperous and sustainable future premised on respect for the constitution and more equitable resource allocation through committed governance in general⁸⁴. The constitution is very inclusive and provides marginalized groups with parliamentary seats and prohibits discrimination. In addition, governance and security reforms are aimed at improving service delivery and making governance much more transparent and fair not only in Nairobi but across the world.

2.5 Chapter Summary

From the pre-independence era, political violence has undergone some historical development and has transformed itself to suit the sponsor and perpetrator phase. There are specific tipping points for politicians and criminal gang activities in Nairobi County. Depending on the situation, they are able to shift disputes and change them. It has socio-economic and political factors that need to be recognized today. Socioeconomic factors such as high rates of unemployment, unequal distribution of wealth, land disputes, and widespread poverty have often been identified as "root causes" of political violence in Nairobi.

⁸⁴Alfred Omenya and Grace Lubaale. Understanding the tipping point of urban conflict: the case of Nairobi, Kenya Working Paper 6 May 2012.

CHAPTER THREE

CONFLICT RESOLUTION RESPONSES IN NAIROBI COUNTY

3.0 Introduction

Chapter three addresses the responses made by the authorities to resolve conflicts in Nairobi in an appropriate way. The following parts of this chapter address legislative responses, consultative responses, enforcement-related responses, and prevention-related responses. The section deals with the Responses to Conflict Resolution Process and Responses to Conflict Resolution.

3.1 Framework for Conflict Resolution Responses

3.1.1 Legislation

The constitution's adoption in 2010 has contributed to numerous country-wide structural changes aimed at achieving stability and peace. Other legislation enacted in Parliament has seen the implementation of institutional and structural governance reforms, including the introduction of the devolved government system, the establishment of the National Police Service, the consultative nature of policy-making at all levels of government, and the enhancement of human rights and freedoms. The authorities have been able to tackle some of the underlying issues that precipitate conflict situations in Nairobi through legislation⁸⁵.

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⁸⁵Republic of Kenya (2010) Constitution of the Republic of Kenya. Nairobi: Government Press.

The new constitution is aimed at a country that values the latter, ensuring an equal distribution of resources through the transition of governance. However, the devolution of governance has resulted in the inclusiveness of marginalized people within society, thereby enhancing the practicability, transparency and fairness among citizens not only in Nairobi City but throughout the state.

3.1.2 Public Sector Reforms

The government has introduced numerous changes over the past decade aimed at achieving unity in order to deter conflict. This was after the post-election unrest in 2007/2008 in particular. The introduction of the decentralized government system was intended to ensure equity and equity in the distribution of resources and power. As seen during the 2013 general election campaign, judicial reforms have played a major role in preventing conflict among citizens⁸⁶.

Nairobi's National Government and County Government have worked together to regenerate Nairobi City, including addressing the underlying issues that lead to resident conflict. The incidence of general insecurity has decreased over the past three years, especially, and people are encouraged to embrace diversity and engage through racial, religious, social and ethnic background. In the complexities of local conflicts in Kenya, the county government, which is a result of the 2010 constitution, has played a

⁸⁶ Cox, F. D., Orsborn, C. R., & Sisk, T. D. (2014). Religion, peacebuilding, and social cohesion in conflict-affected countries. University of Denver.

http://www.du.edu/korbel/sie/media/documents/faculty_pubs/sisk/religion-and-social-cohesion-reports/kenya

major role. County governments regulate 15% of assets and have the power to assign jobs and participate in business through contracts to improve the country's economy⁸⁷.

3.1.3 Collaboration between government and Citizens to Resolve Conflicts

Over the past five years, through consultations, all levels of government have stepped up collaborative efforts in an attempt to proactively resolve certain underlying issues. Such meetings provided a platform for the national and county government and people of Nairobi County to find solutions to conflicts. As a result of these consultations, the *Nyumba Kumi* initiative has greatly enhanced the cohesion and coexistence of different communities and ethnic groups in order to live together harmoniously in the city estates. This initiative allows citizens to know each other in the first place and discuss issues of concern as Kenyans without having unnecessary perceptions of each other. This program was broadly successful in bringing people together, participating freely without prejudice or intimidation, and resolving issues in a secure and stable atmosphere⁸⁸.

3.1.4 Enhanced Stakeholder Engagement in Policy Formulation and Implementation

During planning and implementation, the public as one of the stakeholders in policymaking has received considerable involvement from the national and county

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⁸⁷Scott-Villers, P., Ondicho, T., Lubaale, G., Ndung'u, D., Kabala, N., & Oosterom, M. (2014). Roots and routes of political violence in Kenya's civil and political society: A case study of Marsabit county (IDS Evidence Report N. 71)

⁸⁸Ibid

governments. Such growth has strengthened government ownership of policies and programs and has given rise to a sense of policy accountability and transparency at all levels. This has helped to provide constructive approaches to conflict-catalytical problems.

Statistics have shown that while tensions between groups are still present due to perceptions of exclusion, they have reduced significantly compared to previous years, with most people reporting that there are advance consultations during planning when the public offers their input before government programs are introduced⁸⁹.

3.2 Conflict Resolution Responses

There is evidence that since the various conflict resolution responses were started, the prevalence of violent conflicts has decreased considerably. Despite the tragic political violence of 2007/08, continued efforts by the authorities to resolve conflicts have helped bring peaceful coexistence between groups living in Nairobi's low-income areas⁹⁰.Nairobi residents can now work together in peace, despite occasional shocks that characterize the growth of urban centers / cities, especially in the developing world. Nonetheless, more concerted efforts would be needed to keep development on a positive trend, especially at this time when the government is keen to introduce Nairobi City's 24-hour economy.

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⁸⁹ Kituku, Building a culture of peace in Kenya: Baseline report on conflict-mapping and profiles of 47 counties in Kenya. Nairobi: CRECO, 2012

⁹⁰Halakhe.Ethnic violence, elections and atrocity prevention in Kenya (Occasional Paper Series N.

^{4).} Global Centre for the Responsibility to Protect, 2013.

It is also clear that some of the negative feelings between the different ethnic groups are fading away based on expectations. Residents recognize the diversified nature of Kenyan society courtesy of the various stakeholders ' past consultative and engagement efforts, including the top political leadership. The virtually open hostility and derogatory ethnicity-based discrimination has significantly decreased due to ongoing attempts by officials to bring people together and work for the common good.

Destruction of property historically associated with violent conflicts of political violence in 2007/2008 has significantly reduced with no physical destruction of government infrastructure, houses of people, schools, cars, etc. Due to increased trust in peace and security throughout the region, the business environment is becoming increasingly conducive and attractive.

Certain urban life stresses whose effects would otherwise have been worse in the face of current conflict situations such as; high youth unemployment, urban poverty, general instability, anti-social behaviors, and drug and substance abuse are now being handled by similar responses. Other actors have enhanced activities aimed at curbing the youth's intake of drugs and substances, particularly in informal settlements whose success depends directly on whether the environment is peaceful, harmonious and safe. In addition, youth self-employment projects and other related commitments have been positively affected by ongoing efforts to ensure that conflict situations in Nairobi City are resolved.

3.3 Chapter Summary

The numerous responses from the authorities and other stakeholders to conflict resolution have been successful to a large extent. Communities are now peacefully coexisting, there is unity and understanding, and other social issues that affect society are being adequately addressed. It is envisaged that solutions to conflict resolution will be continued to resolve all the underlying issues in their entirety. There is still youth unemployment, alcohol and substance abuse and other socio-economic challenges facing Nairobi residents, but hope to be resolved in the long run if the authorities continue their efforts to respond to conflict.

CHAPTER FOUR

CHALLENGES FACED BY NAIROBI COUNTY GOVERNMENT IN CONFLICT MANAGEMENT

4.0 Introduction

This section seeks to describe the main challenges in Nairobi County's conduct of conflict management. The major challenges were the electorate and the resistance to change. Often the challenges are shaped by the County's end-state strategy.

4.1 The Nairobi County Electorate

Studies have found that the cosmopolitan Nairobi County electorate was an obstacle in enforcing the county's conflict management strategies. The county government lacks the capacity to meet people's needs in Nairobi County and presenting a challenge in the ownership of any methods for conflict management.

Providing equal services and employment to all Nairobi County electorates was a challenge. This helps the public oppose the County government's efforts to settle the county's disputes. There has been an increase in demonstrations and lawsuits against the county government. These were the catalyst for county conflicts. The county government needs more resources to meet the electorate's demands. This scarcity results in contradictions that are raised in the principle of reliance on human needs.

4.2 Resistance to change

Many voters have a negative attitude about improvements in conflict management approaches implementation. Resistance to change includes reactions to new approaches to issues or courses of action⁹¹. Resistance is either individual or group-level active or passive action. Change resistance affects the adoption and implementation of county-level conflict management strategies. Ownership aspect is important to any strategy's success.

Change resistance interferes with the rate at which strategies will be implemented and implemented in a holistic way. It affects the views and attitudes of the different stakeholders, thus derailing the process of implementing the likely strategies in place and relationships at different levels between key stakeholders. The key players include county assembly leaders who have been a significant obstacle to resolutions passage and policies execution. The split interests interfere with the cycle of conflict management⁹².

The inclusion of the deceased Nairobi City Council members has affected the focus on modern approaches to conflict management in Nairobi County. They have problems of attitude that affect their perception of the need for new approaches. The effective implementation of conflict management strategies at the county has affected this nature of resistance.

⁹¹Micheal j. (2012). Peace Building and Conflict Management. University of Trier/Germany. 2012

⁹²Nairobi City County (2014). The Project on Integrated Urban Development Master Plan for the City of Nairobi in the Republic of Kenya. Final Draft Report

High numbers of county government employees 'complaints have impacted their working relationship to the County's performance in implementing conflict management techniques ⁹³. Legal hurdles have adversely affected the devolution approaches.

4.3 Nairobi's urban planning, city development and housing issues

Kenya's 2030 dream of a strategy to make Kenya a middle-income country discusses economic, social and political pillars aimed at a safe and secure environment⁹⁴.Urban planning in Nairobi County was a challenge. Planning nature does not support a safe environment and therefore a conflict catalyst. The Nairobi Metropolitan Region Space Planning Concept (SPCNM) was formulated in 2013 to provide the rapidly growing region with population, settlement patterns, settlement hierarchy, and land-use patterns⁹⁵.

The aim of the 2014-2030 Nairobi Integrated Urban Development Master Plan (NIUPLAN) is to provide a guidance structure for the 2014-2030 management of urban development in Nairobi County by integrating urban development sectors and achieving the 2030 Kenya Vision goals for Nairobi County. Nairobi's challenge of urban planning, governance, and housing is based on historical colonial issues. This is demonstrated by the materialization of bad relations in different governance regimes⁹⁶.

 ⁹³Micheal j. (2012). Peace Building and Conflict Management. University of Trier/Germany. 2012
 ⁹⁴ GOK, 2019

⁹⁵ Nairobi City County (2014). The Project on Integrated Urban Development Master Plan for the City of Nairobi in the Republic of Kenya. Final Draft Report

⁹⁶ Oyugi, M. O. and A. K. A. Owiti (2007). "Land Use Management Challenges for the City of Nairobi." Urban Forum18(1): 94-113.

The continuation of this tradition provides a powerful framework for understanding the power relationships that continue to define housing supply in current times, a dynamic that exposes colonial origins values and their consequences for the contemporary community. The only distinction here is the separation of colonial apartheid along racial lines and economic lines. Four decades post-independence, most scholars refer to the prevailing presence of British architecture and urbanism in Nairobi, despite various attempts to amend the laws and hereditary planning practices considered to have failed to boost the growth of the urban study group in Nairobi⁹⁷.

The historical narrative shows a top-down approach to housing provision in one way. This approach was abandoned because it does not meet the population's needs. This leads to the local population's lack of commitment and ownership in designing and implementing housing programs. The top-down development method was widely criticized for its socio-spatial contribution disparities in developing countries 'contemporary cities ⁹⁸. To date, Nairobi's urban development system remains dominated by government policies impregnated with non-participatory technocratic methods to create urban space ⁹⁹. Such synoptic planning frameworks have had a serious impact on the county's housing plans. Other plans introduced in 1999, such as the Local Authority Transfer Fund (LATF), by the County and National Government, are still to yield benefits. Furthermore, the Local Authority Services (LASDAP)

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⁹⁷ Syagga, EM., 2000: Trends of urban housing strategy for Kenya in the next decade, in R.A. Obudho and J.B. Ojwang (eds), Issues in Management and Development in Kenya, East African Educational Publishers, Nairobi.

⁹⁸ Watson, V. (2009). "The Planned City Sweeps the Poor Away...': Urban Planning and 21st Century Urbanisation." Progress in Planning72: 151-193.

⁹⁹ Omenya, A. and M. Huchzermeyer (2006). Slum Upgrading in the Complex Context of Policy Change: The Case of Nairobi. Informal Settlements: A Perpetual Challenge? M. Huchzermeyer and A. Karam. Cape Town, UCT Press: 290-312.

introduced in 2001 as a tool for promoting participatory budgeting and planning did not yield the expected level of benefits in basic service provision¹⁰⁰.

The method of land management in Kenya also benefits the state and the wealthy as it includes individual titling in a monolithic process. This system is not concerned with the needs of the society's poor. This system also affects the ownership of land in Nairobi County, as it favors the economically, politically, and socially powerful and powerful members of society¹⁰¹. This has broadened the poor rich divide, making it a gateway to tensions between slum residents and the wealthy in gated communities¹⁰². The residents of the slums feel deprived at all times by the government and therefore consider housing projects to serve the interests of the rich¹⁰³.

Regional development bodies under the Ministry of Regional Development, Ministry of Local Government local authorities, Metropolitan Development Ministry of Nairobi and Northern Kenya Ministry have been involved in multiple spatial plans that do not involve proper coordination with other policy makers. The overlap between the different stakeholders of areas of jurisdiction has complicated the strategies resulting in conflicting interests.

Management of the different laws is carried out by several organisations, resulting in a multiplicity of entities in the planning and construction industries, generating

¹⁰⁰ Owuor SO, Charlery B, Chretin M & Schaffner B (2006) Urban planning and management in small and medium-size towns. Les Cahiers d'Afrique de l'Est (supplementary issue), September: 23–48

Olima, WHO (2001) "The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya – Experiences from Nairobi Metropolis" A Paper Presented at the International Seminar on Segregation in the City Held at Lincoln Institute of Land Policy in Cambridge, MA, USA, July 25-28, 2001
 K'Akumu, O. A. and W. H. A. Olima (2007). "The Dynamics and Implications of Residential Segregation in Nairobi." Habitat International31: 87–99.

¹⁰³Huchzermeyer, M. (2008). "Slum Upgrading in Nairobi within the Housing and Basic Services Market; A Housing Rights Concern." Journal of Asian and African Studies43(1):

inconsistencies and complexities that impede the proper functioning of the industry" ¹⁰⁴. The Community Development Plan for Dandora Phase II and the new urban renewal plan for Pumwani are examples of failed projects in Nairobi County.

4.4 Chapter Summary

Findings show that the population, opposition to reform, and urban planning and housing programs were the major challenges facing the implementation of Nairobi City County's conflict management strategy.

¹⁰⁴Kimani M. and Musungu T., Reforming and Restructuring Planning and Building Laws and Regulations in Kenya for Sustainable Urban Development, 46th ISOCARP Congress 2010. p8

CHAPTER FIVE

CONCLUSION, SUMMARY, AND RECOMMENDATION

5.0 Introduction

Chapter five summarizes the results of the overall research study, conclusion and recommendations "Determinants for successful conflict resolution responses in Kenya as a Nairobi County case."

5.1 Summary of the Study

5.1.1 Nature and Dynamics of Conflicts in Nairobi City County

Political violence in Nairobi County is the most recurrent dispute among informal settlements. Ethnicity is the major catalyst for political violence. Certain examples of disputes include cases of domestic violence, conflicts between tenants and landlords. The response to violence in Nairobi County has been to make certain forms of violence invisible mainly through political violence. It makes policy formulation difficult to deal with hidden disputes.

Furthermore, the study shows that conflicts and violence, particularly in informal settlements, are due competition for quantity and space value. This is where poor quality and inadequate space, especially by criminal gangs, are potential areas for violent acts. Bad special features, lack of space and lack of land usage control exacerbate space-related conflict.

The study has allowed us to consider conflict as a much broader concept than crime, allowing us to recognize that a paradigmatic shift in conflict management is required beyond the narrow focus on security and crime.

5.1.2 Conflict Resolution Responses in Nairobi County

The study examined the constitution of Kenya as a response to legislation in order to maintain unity and stability. Further legislation to implement institutional and structural reforms in governance has been enacted in Parliament. Through these laws, the authorities were able to address some of the underlying issues that precipitate conflict situations in Nairobi County. However, the report studied the 2007/08 post-election violence and the policy measures introduced to prevent conflict and violence from arising. With this, Nairobi's National Government and County Government have worked together to resolve fundamental issues that lead to tension within the county between residents.

The public as a stakeholder in policymaking was also active at minimal level in policy formulation and implementation. It brings a sense of equality and transparency to help resolve conflicts that otherwise would have led to confrontation. The report also states that since the start of the multiple conflict responses, there has been a significant reduction in aggression. The Nairobi County residents can therefore work together in peace.

5.1.3 Challenges Faced by Nairobi County Government in Conflict Management

The study emphasizes the importance of understanding the challenges facing conflict management so that mitigating strategies can be established. Findings showed that the population, opposition to reform, and urban planning and housing programs were the major challenges facing the implementation of Nairobi City County's conflict management strategy. To prevent disputes, these problems need to be mitigated.

The county faces rapid growth due in particular to rural-urban migration in informal settlements as the population seeks' greener pastures.' The high population that puts a strain on the existing physical facilities is barely sufficient to support the present population. The report also shows that the aging and insufficient infrastructure that the County's source of dispute has not been properly preserved. This makes some of the population feel' left out' in growth, especially in informal settlements, resulting in property destruction and loss of life, particularly in unplanned events such as rainy seasons.

Poverty, inequality, and dependence have affected society's most vulnerable groups such as youth, women, and troubled people. These categories face different challenges and lack opportunities, thus remaining poor with the main poverty attributed to economic, social and environmental factors and living in informal settlements among the most affected people. This imbalance is marked by Nairobi County's dichotomy with the country's wealthiest homes and biggest slums. Such issues need to be addressed as the county's negative social activity is constantly increasing, including

small crimes, child labor, trafficking, drug abuse, and broken families that significantly increase the county's conflict level.

With land and housing a threat, the county has not met its population's annual housing demand, although it strives through the county estates to meet the demand. While part of the' big four' program, an urban renewal plan seeks to improve the population's provision of accessible and affordable housing. Nevertheless, with the sluggish implementation of housing policies, the situation is compounded by the lax enforcement of building regulations resulting in poor accommodation, property development resulting in landlord-tenant dispute and life loss due to the collapse of buildings on some occasions.

The study found that by voting in responsible leaders, the electorate should exercise their rights and be involved in the decision-making process. Lack of leadership support has become a challenge in implementing conflict management strategy, resulting in conflict due to differences in ideology. These pose challenges when it comes to providing services to those people who need huge resources. This has also led to resistance as a challenge to implementing the strategy for conflict management.

5.2 Conclusion

In conclusion, the report described Nairobi County as a high-risk area of conflict due to its political significance in the country and tensions related to youth unemployment, poverty, and landlessness. There are a multitude of different activities and networks working together with different levels of alignment, focus, and strategy that have

contributed to lack of unity, internal rivalry, and often lead to unintended negative impacts among the organizations involved.

The study also shows that there is sufficient space for participating in peacebuilding as there is evidence of agency and innovation as the County people advocate good governance and build social cohesion in communities. Through formulating and developing equal and equitable county policies, constructive participation, regular meetings, and effective communication processes, any partnership can build trust, trust, friendship, interest, and positive image, thereby effectively addressing the issue of dysfunctional-intergroup conflicts.

The numerous responses from the authorities and other stakeholders to conflict resolution have been successful to a large extent. Communities are now peacefully coexisting, there is unity and understanding, and other social issues that affect society are being adequately addressed. It is envisaged that solutions to conflict resolution will be continued to resolve all the underlying issues in their entirety. There is still youth unemployment, alcohol and substance abuse and other socio-economic challenges facing Nairobi residents, but hope to be resolved in the long run if the authorities continue their efforts to respond to conflict.

5.3 Recommendations

The study recommends the following;

Need for an integrated system of governance with all parties participating in decision-making on matters of conflict management. This brings in ownership issues and proper execution.

Effective communication skills are needed to ensure that all parties involved in County activities are aware of them. It helps to work together and with the group.

Proper County policy formulation and execution should be practiced at all times as it preserves stability by preventing lapse into repression of County residents.

The County government must formulate and develop strategies to achieve successful conflict resolution in order to curb and reduce disputes in their infancy.

Given the lack of adequate housing, the government must consider the high cost of rent. Having realized the heavy capital investment needed for such a project, the government must partner with the private sector to redevelop the Eastland Estates of the City in order to build more homes.

Nairobi County should collaborate in the development, security and service delivery of shared prosperity and conflict management with national government agencies.

More study and research programs need to be promoted to demonstrate and examine the various factors associated with conflict and conflict resolution strategy challenges facing County Governments.

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