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Religious Organization in Peacemaking: The Role of NCCK in Management
of electoral violence in Kenya, 2007-2008

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Masters of Arts in International Conflict Management

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Declaration

This project is my original work and has not been submitted for a degree award in any other university.

__________________            ________________
Thomas Leremore                           Date      Sign:

This project has been submitted with my approval as university supervisor.

__________________            ________________
Professor Maria Nzomo                  Date      Sign:
Dedication

This dissertation is dedicated to all those who believe in the strength of religion to unite rather than divide people. Those who true to their faith believe that the greatest commandment is to show love even to stranger.
Acknowledgement

The writing of this dissertation has been very challenging and without the support, patient and guidance of the following people, this study could not have completed. To them I owe my deepest gratitude. To my supervisor Professor Maria Nzomo who found time to guide me despite many other academic and professional commitments, her wisdom, knowledge, and commitment to the highest standards inspired and motives me. Also, great appreciation goes to my colleagues at IDIS and my family who in various ways inspired and encourages me throughout the process. To all I say may God bless you.
Abbreviations

NCCK National Council of Churches in Kenya
WCC Word Council of Churches
AACC All African Conference of Churches
IRSCL Interreligious Conference of Churches
MCC Mennonite Central committee
USIP United State Institute of Peace
PCEA Presbyterian Church of east Africa
CPK Church Province of Kenya
AIC Africa Inland Church
NCEC National Convention Executive Council
NARCO National Rainbow Coalition
KANU Kenya Africa National Union
UNCHR United National Commission on Human Rights
TJRC Establishment of Truth, Justice and Reconciliation Commission
CIPEV commission of Inquiry into Post –Election Violence
ODM Orange of National Movement PNU Party of National Unit
NAP National Agenda for peace
CPBD community Peace Building and Development
Kenya witnessed violent post-electoral conflict in 2007-2008 periods. Violence arose out of dispute electoral outcome and it took the intervention of the third parties to settle the conflict. Among the parties involved was the National council of Churches in Kenya (NCCK) which remains among the largest faith based organization in Kenya. This study has evaluated its contribution to the management of this conflict.

Data for the study have been collected using interviews and case study methodologies. Regarding Interviews, semi structured interview schedules were used and purposive sampling method was utilized in the analysis. This involved collecting of data from secondary source such as mass media, books, scholarly journal, policy papers and internet sources. The methodologies have been qualitatively analyzed and inference made against the studies objectives and hypotheses.

The study has established that though religious organization have played a very important role in conflict management in Kenya, their contribution during the 2007-2008 Post electoral violent conflict was marginal. The National council of Churches in Kenya (NCCK) was severely divided, lacked the neutrality needed of track two actors, intervened when the conflict was not ripe for resolution and lacked the requisite leverage to make it an attractive mediator to the parties in conflict.

On the strength of the finding the study concludes that religious organization must be neutral when managing conflict, present a united voice, adopt the methodology of settlement/resolution, and base their engagement on the right epistemological understanding of conflict and methods of management.
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Chapter One
Background to the Study

1.1 Introduction

The resurgence of conflict in part inspired by religious beliefs especially after the cold war has led to increased interest in religion and its connection to conflict. However, the focus on religion has mainly been in the relation to its promotion and escalation of violence. At a global level, the one-sided approach projects on apocalyptic clash of civilisation as different civilisations – with their differences rooted in their religious values – come into increased contacts, ultimately sharpening their differences as individuals and groups searching for meanings retreat to reconstruction of defensive identities around religious and communal principles.¹

This one sided approach overlooks the potential role of religion as a force of peacemaking.² Yet religion is a powerful constituent of cultural norms and values, deeply implicated in individual and social conceptions of peace, because it addresses some of the most profound existential issues of human life such as freedom/inevitability, fear/security, right/wrong, and sacred/profane.³ Also all religions have developed laws and ideas, symbols and rituals of civilisation with cultural commitment to critical peace related values, including an openness to or even love for strangers, the suppression of unbridled ego and acquisitiveness, respect for human rights, unilateral gestures of forgiveness and humility, interpersonal repentance and acceptance of responsibility of past errors as means of reconciliation and the

¹ We have used the term from S. Huntington, ‘The Clash of civilization’ Foreign Affairs, 72, 1993, pp.22-49.
drive for social justice.⁴ Essentially, religious institutions wield a lot of authority which can be used for peacemaking or for “inciting “rebellions against perceived injustices.

Globally, the contribution of religious institution towards pursuit of peace and social justice well documented. In Europe, the rise of Protestantism heralded in a new era of great social-political transformation and enlightenment in place of the oppressive feudal system since it rejected the catholic ordained doctrine which implicitly supported feudal structures and their exploitative dynamics.⁵ In Eastern Europe, especially Poland, the church remained the dominant voice against the highly authoritarian communist system since all other spaces for political mobilization had been violently banned.⁶ In Latin America, the dominant Catholic Church played a pivotal role in fighting injustices whether from leftist or rightist regimes and guerillas during the Cold War. Through a localized philosophy of religion referred to as liberation theology, the church not only educated the congregants but also actively engaged in supporting groups fighting for justice.⁷

In Africa, the involvement of religious organisations in the fight for justice, humanitarian assistance and peacemaking has been prominent. In various states, the religious groups were in the forefront during the agitation for democratisation. Also they constitute the largest number of actors involved in providing humanitarian relief in disasters and conflict zones. Significantly, they are active peacemakers. Organisations such as the World Conference of Churches (WCC) and All African Conference of Churches (AACC) initiated and mediated the 1972 Sudan peace process leading to an agreement. Indeed they remained the only credible and legitimate

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⁴ Ibid, P.13
interveners in a highly polarised identity based conflict. During the Mozambican peace process, a little known Catholic order the Community of Sant’Egidio played a central role in facilitating the mediation process. 

Developing on this understanding and on the basis of the actual and potential role of religion on peace making the study will examine the role of the National Council of Churches in Kenya in management of the electoral conflict which transformed into violent conflict in 2007 – 2008; a conflict which exhibited alarming signs of a civil war. The examination is important for the Kenyan society is highly penetrated by different religious traditions, from key urban areas to the remotest parts with majority of the population being Christians. Also religion has played a key public role in Kenya’s social-political development.

1.2 Statement of the Problem

Religious actors in Kenya have a historical connection dating back to colonial periods to the national politics. Christian missionary groups played an important social function of legitimising the colonial control as a civilising mission. The connection persisted after independence with religious groups either supporting or opposing the nature of governance. Ultimately, religious organisations have become an important and legitimate actor in Kenya’s social-political discourse. Indeed, during the period of authoritarianism, when secular opposition groups were banned, religious organisations claiming moral authority to condemn the excesses of the state remained the only ‘safe’ political space of opposing governance techniques and consciencitizing the public about alternative forms of government. This critical transformational


role which religions actors can and do play in Kenya evidence the power of religious actors to define, influence and limit the acceptable public action within the state and society.

The powers of religious actors derive from their moral legitimacy, a belief that peacemaking is a critical manifestation of their faith, their relationships with key constituencies and so on. These elements provide religious actors with immense potential as conflict managers and when translated into practical action can and do generate solutions to conflict. However, there exist a challenge in the execution between these potential and the actual role religious organisations play in conflict management. This was the case during the management of 2007-8 violent electoral conflict where religious organisations were not visible despite their continued involvement in the national political processes.

The study examines the resources available to religious organisations and the attributes they possess and the factors which hinder their effectiveness as conflict managers. To do so it focuses on the role of National Council of Churches of Kenya, a key religious organisation, in the management of violent conflict related to the 2007 – 2008 elections. It examines whether the NCCK played any role in managing this conflict, the nature of such a role and the factors which limited or enabled its involvement.

1.3 Objectives of the Studies

The main objective of the study is to examine the role of religious actors in conflict management using the NCCK response to Kenya’s electoral related conflict as a case study.

Specific Objectives

The specific objectives of the study are:

1. To examine whether religions actors have a unique set of resources which give them an advantage as conflict managers?
2. To examine the shortcomings of religious actors as conflict managers.


1.4 Literature Review

The literature review is divided into three sections. The first section reviews the literature on how religion has been conceptualized as a cause of conflict and a resource in conflict management. The second section reviews the literature on religious actors involved in peace making, their strength and weaknesses while the final section focuses on the literature on religious actors and peacemaking in Kenya. Before proceeding to this task, a general observation can be made that, the term conflict management and peacemaking are used interchangeably. This is informed by the fact that the end goal of any conflict management effort to make peace. Also, the use of the term is informed by the idea that conflict is a process which moves from ‘peaceful’ condition to crisis, to overt behavioural violence and if successful managed to peace again. This process can be halted at any stage using appropriate interventions. Hence, management entails both peace and conflict management.

1.5 Religion and Conflict

The role of religion in peacemaking has been overlooked in the field of international relations and the related field of international conflict management. The major international relations paradigms like realism, liberalism and globalism have placed emphasis on military and economic factors as well as rational calculations as explanatory variables of international processes.\(^\text{11}\) Within these approaches, it is assumed that human enlightenment and progress into modernity has moved religion from the public to private spaces and hence it [religion] has no

\(^{11}\) J. Fox, ‘Religion as an Overlooked Element of International Relations’ op cit, p.73
role to play in understanding international processes. The secularization thesis has failed to realize that in most non-western societies religion continues to have a prominent role within the public sphere. Importantly in the post-cold war period, the western societies have witnessed the resurgence of religion in the public discourse. In effect there is increased de-secularization of the public spaces.\textsuperscript{12}

The end of cold war has led to increased interest in the relationship between religion and conflict. Despite this, much of the literature on religion and conflict has mainly focused on religion as cause or escalator of conflict. The first influential article which focused on religion and which inspired resurgence in the study of religion and conflict, and peacemaking was Samuel Huntington’s article titled \textit{Clash of Civilizations}. The article argued that ‘the fault lines between civilisations will be the battle line of the future. He further identified the major fault lines to be between western Judeo-Christian, Japanese (Buddhist), Islamic, Hindu and Slavic Orthodox civilizations.\textsuperscript{13} All this civilizations have their differences on their religious based value system. The view was reinforced by sociologist Castells, who argued that the forces of globalization (westernization) have created a dysfunction between the local and global, power and experience for most individuals and social groups. Consequently ‘the search for meaning takes place then in the reconstruction of defensive identities around communal and religious principles”\textsuperscript{14} These identities are posited to be in conflict making clash of civilization inevitable. A view which has been reinforced the resurgence of religious inspired extremist ideology.

\textsuperscript{13} S. Huntington, ‘The Clash of Civilizations’, op cit, pp.22-49
Harpviken and Eggen, attributes the role of religion in inspiring identity based conflict to its definition of unambiguous identities. They argue that, religion may lead to conflict because it defines unambiguous identities, hence making the fault lines between various groups of people. The fault lines are more pronounced when such exclusion coincide with other identity markers such as ethnic identities.\(^\text{15}\)

A more balanced view on the relationship between religion and conflict has been provided by Appleby, in his book, which is arguably the most influential work on religion and conflict. He coined the word the ‘ambivalence of the sacred’ arguing that the role of religion in conflict is ambiguous.\(^\text{16}\) This is because religion is a source not only of intolerance, human rights violations and extremist violence, but also non-violent conflict transformation, the defence of human rights, integrity in government, reconciliation and stability in divided societies.\(^\text{17}\) Basedan and Juan have further developed the view that the relationship between religion and conflict/peace is ambivalent and identifies the factors which determine whether it will escalate or de-escalate conflict.\(^\text{18}\)

An equally influential study has been done by Gopin. He develops the ‘ambivalence of the sacred’ thesis by noting that, religion contains infinite values which can either inspire conflict or peace.\(^\text{19}\) Elsewhere, he argues that, religion has untapped potential for peacemaking. This is because, religion forms a powerful constituent of cultural norms and values which are deeply


\(^{19}\) M. Gopin, *Between Eden and Armageddon: The Future of World Religions, Violence and Peacemaking*, op cit, p.11
implicated in individual and social conceptions of peace, because it addresses some of the most profound existential issues of human life. [Also], it has developed laws and ideas that provide civilization with cultural commitments for critical peace related values”.

A related study has been done by Thistlethwaite and Stassen. The authors observe that religion has justification for violence and has been used to legitimise conflict. For instance, messianic Zionism has been used to perpetrate religious Zionism in Israel. The evangelical Zionist Christians have justified Israeli occupation of Jerusalem, in preparation for the new Jerusalem as revealed in the book of revelation. In Islam the narrow interpretation of holy war (Jihad) has justified Islamic fundamentalism and so on. Yet, the authors argue that these three abrahamic faiths have many teachings and ethical imperatives that promote peace and present the means to achieve it. They include mandates to strive for political, social and economic justice, tolerant inter-communal existence and pacifist conflict resolution.

From the review of religion and conflict, it is evident that there exist two perspectives on religion. One perspective holds that religion is a cause and escalator of conflict while the other treats its relations to conflict as ambivalent. Hence, it is arguable that within the scholarship of religion and conflict, two notions are present. Religion represents both the notions of ‘holy war’ as well as the ‘peaceable kingdom’. The next section reviews literature on how religion has contributed to ‘peaceable kingdom’, its strengths and weaknesses.

1.6 Religion and Conflict Management/Peacemaking

The role of religion and religious actors in peacemaking has attracted increased attention from scholars in the field of conflict management. The scholars focus on how religion and

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religious actors can contribute to peacemaking and whether religion has unique reservoir of conflict management resources, its strengths and its obstacles. Haar and Bussutil, notes that religion is both explanatory, explaining why things are the way they are and normative prescribing how things should be. The explanatory and normative frameworks of religion if deployed in the service of peacemaking gives religion a unique role in the whole process of peacemaking as track two actors.\textsuperscript{22} The same view is shared by Eggen and Harpviken, who argue that

‘religion represent decisive sources-and-resources for restraining war or bringing an armed conflict to an end through its normative rationales for restraint that exceed the bounds of traditional diplomacy. By identifying and bolstering a normative commitment embraced in a transcendental framework that implies long term commitment religious normative system entails the possibility to buttress and foster a shared framework of peacemaking.’\textsuperscript{23}

Other scholars have focused on the specific strengths of religious actors in peacemaking. Johnson and Cox, in their support for faith-based diplomacy argue that religious leaders potentially have significant resources for influence. They have a well established and pervasive influence in the communities; a reputation as an apolitical force for change based on a respected set of values, unique leverage for reconciling parties and the capability to mobilize local, national and international support for a peace process.\textsuperscript{24} Harpviken and Eggen have added other attributes such as religious actors being middle range actors. This gives them access to grass root and top - level leadership.\textsuperscript{25}

\textsuperscript{23} K. B. Harpviken and H. Eggen, \textit{Mapping the Terrain}: the Role of Religion in Peacemaking, Op cit, pp. 5-10.
\textsuperscript{25} K. B. Harpviken and H. Eggen, \textit{Mapping the Terrain}, Op cit, p.18
Rechyler, along the same view argues that, in addition to above resources, religious actors have a large constituency to influence, for over two thirds of people belong to religion. This gives them capacity to mobilize and cultivate attitudes of forgiveness and reconciliation.\(^{26}\)

Little, characterises most of religious actors as insiders in the sense that they are living in the communities. As peacemakers they are trusted to have the long term interests of the people at heart. They are seen as authentic and therefore have a standing to speak with all sides, and when they do so, the expectation is that they can be trusted to act with integrity and fairness even though they may have strong views one way or the other on the conflict.\(^{27}\)

An important role of religion has been identified in post-conflict peace building especially regarding reconciliation. Proponents argue true healing and reconciliation is not just simply a matter of the head, but more so of the heart. Since religion has an infinite reservoir of forgiveness it is best placed in promoting genuine reconciliation. Importantly religion prioritises on redemption rather than retribution providing individuals with a space where they can rediscover their humanity.\(^{28}\)

Drawing on these resources, Sampson and Lederach notes that religious leaders are increasingly playing active role as educators, advocates, observers, pursuers of transitional justice, changing of attitudes and negative stereotypes, educating the conflicting parties, healing trauma and injustices, disseminating new ideas such as democracy and human rights, drafting people committed to do peace work, challenging structures that perpetrate structural violence, mediating and facilitation, reaching out to government to include peace building in their


\(^{27}\) D. Little, Peacemakers in Action: Profiles of Religion in Conflict Resolution. Tenebaum Center for International Understanding, book.google.com, p.11

policies., encouraging disarmament, integration of soldiers and developing of sustained interfaith dialogue.\textsuperscript{29}

In performing these roles, religious actors have contributed to the peacemaking. The role of World Council of Churches and All African Conferences of Churches in the 1972 mediation of Sudan conflict have been provided by Rothchild and Hartzell, who points out the long term commitment of these actors in relief work as a key asset which determined their acceptability as mediators.\textsuperscript{30}

Turray has analysed the critical role played by the Interreligious Council of Sierra Leone in mediation effort, facilitation and reconciliation and the signing of Lome peace agreement. The IRSCL central role according to Turray reflected the fact that both mosques and churches were key players in the spiritual, cultural and socio-economic development of Sierra Leone before and after independence.\textsuperscript{31} The same contributions have been identified by Dicklilch and Rice who observe that during the Bosnian conflict, faith based actors such as Mennonite Central Committee, Quakers Peace and Social Witnesses were pivotal in enhancing and supporting local initiative rather than introducing their own planned programs. This provided them with immense treasury of credibility through individual relationships between staff members and local actors.\textsuperscript{32}

Harpviken and Kjell have illuminated on the contributions of the community of Sant’\textsuperscript{È}gidio in Mozambique peace process. The community used its moral status and perceived


neutrality as a foundation for engaging multiple actors including leaders of the conflict, their allies and constituents.\textsuperscript{33} Focusing on the same, Appleby attributes the success to community’s moral integrity, long term commitment- it had been in providing relief since 1975 – and open ended approach. This made the community gain confidence of both parties and Sant’Egidio representatives were personally familiar with both warring parties and external actors implicitly or explicitly involved.\textsuperscript{34}

Despite these strength which enables religious actors role in peacemaking, scholars have pointed out factors which may hinder their effectiveness. Appleby and Little have brought out the tendency of religious leaders to proselytize, which confuses peacemaking with missionary work. \textsuperscript{35} Eggen and Harpviken have identified doctrinal and factional infighting as the other hindrance. They state that, inter- and intra-confessional debate concerning theological (and political) guidance’s may have direct impact upon the potential peacemaker. \textsuperscript{36} This doctrinal and factional infighting are compounded by what has been labelled by Chapman and Sprong as religious actors sense of self righteousness as the true gatekeepers of [peace]. \textsuperscript{37}

Another key obstacle lies in lack of the right peacemaking tools. A report by United States Institute of Peace pointed at knowledge and skills gap between religious actors commitment to peace and less articulated [methodologies] of peacemaking.\textsuperscript{38} A view shared by Mwagiru, who observes that the churches role in conflict management lacks a broad theoretical vision to guide practice; actors lacks technical mastery of the terms used in conflict management,

\textsuperscript{33} K. B. Harpviken and K. E. Kjellman, ‘Beyond Blueprints: Civil Society and Peace Building’ Op cit, p.11
\textsuperscript{34} R. S. Appleby, Religion as an Agent of Conflict Transformation and Peace Building’ Op cit, p.835
\textsuperscript{36} K. B. Harpviken and H. Eggen, Mapping the Terrain, Op cit, p.28
\textsuperscript{37} A.R. Chapman and B. Sprong, Religion and Reconciliation in South Africa, Op cit, p.270
\textsuperscript{38} USIP, ‘Catholic Contributions to International Peace’ Washington USIP, 2001, p.4
and appreciation of history, yet conflicts have memories that have a bearing on their present.\textsuperscript{39} As a result, their peacemaking practice is in Appleby`s words inchoate, uncoordinated and in the need of greater numbers of adequately trained practitioners, more study and testing and theoretical elaboration.\textsuperscript{40}

Basedan and Juan have identified other key variables hindering religious actors’ effectiveness. One key factor is the relationship between religious actors and parties engaged in conflict. They state, `when religion loses its non-partisan stance, it is most likely to contribute to escalation or lack of credibility as an honest broker.\textsuperscript{41} In addition to church relationship with conflicting parties, the traits and attitudes of religious leaders towards peace or violence are important. The scholars provide support for this by observing that, the presence of Archbishop Desmond Tutu in South Africa or Hassan Al-Turabi in Sudan, explains the different trajectories the conflict took in both countries.\textsuperscript{42}

The review shows that religious actors have participated in conflict management initiatives. However, their engagement and success is dependent on how they deploy their objective capacities into the service of peacemaking. This is determined by subjective elements such as unity of approach, bi-partisanship, person idiosyncrancies of religious leaders, peacemaking capacities (knowledge and skills), demographic structures, and the degree of conflictants dependency and commitment to a certain religious organization. The following section reviews how religious organizations have contributed to peacemaking in Kenya.

\begin{footnotesize}
\begin{enumerate}
\item R. S. Appleby, \textit{The Ambivalence of the Sacred}, Op cit, p.7
\item M. Basedan and A. D. Juan, ibid, p.12
\end{enumerate}
\end{footnotesize}
1.7 Religious Actors and Peacemaking in Kenya

The role of the church in Kenya’s politics is traceable to the advent of colonialism. Throup for instance has shown that during colonial period, the church and state were fused, He characterises the colonial state as quasi – religious due to the pervasive political influence of the Church and its role in augmenting the government role in provision of services. By 1963, when Kenya attained independence, the church was firmly entrenched in development arena with more than 70 percent control in the sphere of education, healthcare, social welfare and economic training.\textsuperscript{43}

The cohabitation persisted during Kenyatta regime, when the church and state had amicable relationship. Throup attributes this to the role of ethnicity. He argues that, ‘one cannot explain the nature of the relationship between the church and state without factoring in the role of ethnicity. Commenting on these relationship during Kenyatta regime he states, ‘the relationships were largely amicable because the CPK, the Presbyterian church of East Africa and Roman Catholics after independence all became increasingly dominated by Kikuyu chairmen and their congregation in Central province, whose lay members held influential positions in the government.\textsuperscript{44}

Active church engagement in opposing government policies which engendered structural violence began during Moi regime especially after 1986, when the entire secular political organisation had either been banned or co-opted by the government. Friedman, notes that ‘playing out its role in severely limited space, the church offered a space for integration and construction of solidarities and because of its capacity to combine both sacred and profane

resources, the church enjoyed a specific myth of power, the power to deliver and the power to define reality’.45

Gifford explains the church role as arising from the fact that it was the only institution which maintained independence while other organisations were co-opted by Moi regime. Importantly the church enjoyed financial autonomy, and organizational capacity which brought together people of all ages, classes, professions, ethnic backgrounds and localities. It also gave the church unparallel insight into the needs and the mood of the people and means to disseminate its moral doctrines and social political view.46

However, Gifford makes a very important observation that, it is not possible to generalise all the churches. Some denominations such as the African Inland Church were sympathetic to the regime, whereas others were divided such as the Church Province of Kenya (CPK). Thus, the most realistic assessment should be based on the role of individual clergy. He states, ‘the role of the church is largely dependent on individual actors, rather than churches themselves, and the role was not played by many, for a large number supported Moi either from ethnic or patrimonial-clientelist considerations or out of theological convictions that political involvement was not the role of the church’.47

The theme of patrimonial influence has been brought out by Throup, who gives an example of the Presbyterian church of East Africa. He observes that, the clergy fearful of destroying the cordial relationship with Moi regime engineered the transfer of the outspoken Revered Timothy Njoya from Nairobi Saint Andrews church to Kirima diocese in his home

45 G. Sabir-Friedman, Ibid, p.30
47 Ibid, p. 41
district Nyeri. Further, they stripped him off his position as a pastor’.48 Reverend Njoya was a fierce critic of Moi regime.

Different authors have looked into the role of the church during the period of political liberalisation. This period can be characterised as the golden era of Church in Kenya’s political discourse. Abuom, Throup, Gifford and Friedman have shown how the church led the challenge against one party authoritarianism, politically instigated ethnic clashes and suppression of opposition political parties. They bring out the role of prominent clergymen, such as Bishop Alexander Kipsang Muge, Rev. Timothy Njoya, Ndingi Mwana ‘nzeeki, David Gitari, Bishop Henry Okullu, Peter Njenga and Maurice Otunga. The clergy used their church positions to advocate for change, condemn the excesses of government such as instigating ethnic clashes and corruption, educate the general public and facilitate opposition politics.49

The public education role was furthered by the National Ecumenical Civic Education. An umbrella organisation established by the National Council of Churches, Church Province of Kenya and Kenya’s Episcopal Conference. Also the Catholic Church, which was more immune to factional infighting, used pastoral letters to advocate and mobilize for change. For instance, in 1992, it issued a pastoral letter, ‘A call for justice love and peace’ which was hailed by the media as marking the end of Moi authoritarian system because, the Bishops spoke in one voice and unlike other denominations, there were no feuds in the Catholic Church.

After multi-party elections the church retreated to its spiritual and material development functions, until around 1997 when the clamour for a new constitution heightened. They pushed for changes through the National Convention Executive Council although as Gifford observes,

Moi, cynically divided its more moderate churchmen from the activist, especially after 1997, Saba Saba day riots. This pre-empted their role as change agent until 2001.  

Ramadhan and Opongi have provided an assessment of the role of the church in advocacy for social – structural justice through constitutional reforms. This was through the formation and facilitation of Ufungamano initiative, which included secular organisations, the Catholics, Evangelicals, NCCK, Muslims and Hindu council. The states that ‘the Ufungamano initiative stands out as one of the most outstanding initiative of religious leaders in the Christians, Muslims, Hindu sections who committed themselves to social justice and the right of every Kenyan to take part in the constitutional review process. The religious leaders were on the forefront in political leadership and forced the government to listen to the will of majority Kenyans. The leaders mobilised their faithful to take seriously the constitutional review process and participation in the transformation of the society.

The Churches role as an agent of societal transformation, however, has been eroded since the Ufungamano initiative. Gifford observes that since 2002 when Moi left power, religious actors have been severely divided along ethnic and political lines. He gives an example of the National Council of Churches of Kenya (NCCK) which transformed from ‘principled’ opposition under Kibaki. This has been attributed to political affiliation between Kibaki regime and the then NCCK secretary general Rev. Mutava Musyimi who harboured political ambitions. The same can be said of Catholic Church which in the Kibaki’s first term enjoyed among its congregation senior politicians including the president and his deputy.

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50 P. Gifford, Christianity, Politics and Public Life in Kenya, Op cit, p.40  
52 P. Gifford, Christianity, Politics and Public Life, Op cit, pp.60
These divisions worsened in 2007 election period. The clergy took partisan positions depending on their ethnic and political affiliations. Clifford provides examples of Catholic Church were Cardinal Njue declared Majimbo system as a disaster. The position was countered by Archbishop Okoth of Kisumu dioceses. In Anglican Church, as Archbishop Nzimbi opposed majimbo, bishops from Nyanza province issued a pastoral letter supporting devolved system of government. The positions were associated with pro-Kibaki and pro-Raila camps, and exposed the clergy as divided. A position reflected by local media with headlines such as ‘When the shepherds led their flock astray’.53

The review of the role of religion actors in Kenya shows that religious actors have contributed to peacemaking through advocacy, facilitation and education. However, there lacks any systematic commitment to peacemaking and the actors are factionally divided. Importantly, the review shows that the actors have not mobilized their potential resources for peacemaking and there lacks a systematic study explaining this state of affairs. The project enters the study on religious actors and peacemaking from this perspective.

1.8 Justification of the Study

The study has both academic and policy justification. Academically, there lack systematic study of the role of religious actors in peacemaking. Religion has usually been associated with causing or escalating conflict. Importantly there is absence of concrete studies on the role of the NCCK in conflict management in Kenya. This is despite the fact that NCCK has been involved in Kenya’s political discourse for a long period. The absence is critical especially regarding the management of electoral related conflicts during the 2007 – 2008 electioneering

53 Ibid, p.60
period. The study will fill this important gap, through contributing to understanding of how NCCK contributed to the management of this conflict.

On policy grounds, there is a need to analyse how religious actors have contributed to and can potentially contribute towards peacemaking. This is an important goal for there lacks of serious inclusion of religious actors in policy making process. Further, the study will help religious actors understand the state of art of their roles as peacemakers and how they can best use their resources towards building a peaceful Kenyan society.

1.9 Hypotheses

The study will test the following hypotheses:

1. Religious actors possess resources which gives them advantages over other actors in conflict management.

2. Religious actor’s contribution to conflict management has been hindered by conflict of interest and lack of right methodologies and skills of conflict management.

3. NCCK did not mobilize its resources towards the management of the 2007 – 2008 electoral related conflict.

1.9.1 Theoretical Framework:

The study will use constructivist peace research theory which is founded on peace research paradigm of conflict analysis and management. Among the major approaches to conflict management, religious actors fit to a large extent with the peace research paradigm. This is because, the strategist approach which is rooted in the realist traditions assumes that states are the only main actors in conflict management and other actors are considered of little consequence since ultimately they are controllable by state. Also it privileges strategy (the deployment of power) as the key to order and envisions no alternative order apart from the one
maintained by power. Essentially, it assumes that ‘peace in any sense other than absence of violence is a chimera’. The key problem with the approach is that the power based nature can only deliver a settlement reflecting power balances among the parties in conflict. Once the power equilibrium is disturbed the settlement unravels.

The world society approach and its sub-field of conflict researcher, though acknowledging other actors apart from the state is more concerned with legitimization of relationships, without focussing on conflict generating structures, as the solution to conflict management. Thus, it treats actors as equal and the role of conflict manager is to provide a supportive framework where actors can legitimize their relationships. In case of non-state actors using this approach, the preferred mode of supportive framework is the problem solving workshop incorporating key actors in conflict. The problem is that, the outcomes of problem solving workshop rarely trickles to down to the grass root levels and are not easily translatable in the real life situations of all actors and constituencies. However, its insistence on the provision of human needs as a key to resolving conflict is important, for it points out to the need to address both values and interests if conflicts are to be resolved.

The peace research is the most appropriate guiding paradigm. This is because it conceptualizes peace as more than absence of violence. There are societies where there is no overt violence, but are characterised by structural violence which hinders individual potential to realize their capabilities. As such, there is a need to address not only violent conflict but also the structures which generates injustices. To do so there is a need to move from a ‘no war no peace society’ to one characterised by positive peace. This is only achieved through addressing the

54 A. J. R. Groom, 'Paradigms in Conflict', Op cit, pp.96, 105-107
55 Ibid, p.108-109
56 Ibid, p.112-114
physical, structural and cultural forms of violence. However there exist differences on how to achieve these goals. On one hand critical peace research theory advocates for revolutionary changes even if this is to be achieved through the use of force. On the other hand constructivist peace research theory advocates for social transformation through a peaceful process capable of addressing the structures that generate oppression whether physical, structural or cultural.  

Hence, along the constructivist peace research theory argument, to effectively address conflicts, there is a need for multi-level participation from all levels involved, that is, from top-decision makers to middle range opinion leaders to grass root constituents. Also, there is a need to approach peacemaking as a long term commitment which focuses not only with immediate issues, but also addresses long standing issues such as exploitative or exclusive governance and institutional arrangements, memories and narratives of dehumanizing the others, deep-rooted sense of historical injustices. Importantly the end goal is justice, since the persistence of injustice can only deliver negative peace.

Constructivist peace research theory is useful and important for the study, for it will help to focus on multi-level roles of religious actors in peacemaking. This is because, religious actors have infrastructures at all levels of the society meaning that they have the capacity to address both the micro(local) and macro (national) generators of conflict. Also the peace researcher paradigm concern with long term commitment reflects the behaviour of religious actors who prior to the conflict are often deeply embedded in the community carrying other tasks; hence they understand the needs of the community and do not leave once the immediate conflict is resolved. Further, the approach focus on addressing the cultural and structural violence reflects the mission of religious actors. Religious actors’ goal is to foster social, political and economic

57 Ibid, p.113
justice, acts of kindness, tolerance, love, embracing of strangers, reciprocity and self and others forgiveness.

1.9.2 Research Methodology

The study is qualitative in nature. It has used both document analysis and interview research methods. The document analysis method has utilized an array of secondary sources related to the conflict, conflict management, religious actors and how they fit in the business of conflict management. The main documents which have been include: The literature materials largely from peer reviewed journal articles and text books in the fields of conflict management politics and religious studies. Information generated has formed a key backbone of the study by providing conceptual grounding of the subject and various debates which informs the field.

In addition official records of religious organisations have been used. The main records are those related to the NCCK peace program, official statements released by the NCCK leadership regarding the violent electoral conflict and other relevant forms of documentation. The documents have provided insights into the NCCK understanding of its role in conflict management in general and specifically on how it responded to the conflict. The information generated has been augmented by workshops and conferences papers which have been generated through consultations and discussions. The papers are important sources of information since they reflects debates within the NCCK hierarchy regarding how they responded to the conflict and the factors which hindered or enabled their responses.

The final source of secondary data has been newspaper articles, archived audio and audio-visual, internet sites, and periodical publications by religious organisations and other commentators who have responded to the role of NCCK and other religious organisations in conflict management. These sources have provided data on the current affairs which is not
available in the other sources. Such information includes the opinions of various commentators on the violent post electoral conflict, the response of the church in general, the day to day pronouncements by NCCK rank and the reactions they elicited. This information has benefited the study since it documents the conversations of the NCCK with the public, political actors and other organisations as well as how this was received and acted upon by the relevant audiences.

The secondary data has been reinforced by primary data gathered through the interview method using interview schedules. Specifically the study has relied on elites interviewing. This is a specialized treatment of interviewing that focuses on a particular type of respondent who are a part of the leadership of a given organisation. The focus on elite is because they are influential or prominent, and well-informed people in an organization or community. This is more so when it comes to religious organisations since the mass of believers are content in letting the leadership chart the course of religious organisations, develop policies and programs, and be their voices in various issues. Indeed, it is assumed that whenever the leaders of these organisations express their positions and respond accordingly they are doing so on behalf of the faithful.

Purposive sampling was used. The targeted sample of ten respondents was drawn from the representatives of various churches comprising the membership of the NCCK. In additional to requirement that the individuals should be members of the NCCK, their visibility in conflict management and other related activities has been factored in. The visibility was determined on the basis of their appearances in the media, co-signing of the official statements issued by the NCCK and their profiles in the NCCK’s website.

The interviews were organized in an unstructured manner and were based on a flexible interview schedule to allow for the possibility of including questions that may come up during the interview. The interview questions were guided by the conceptual understanding of different
actors in conflict management, the role religious actors can potentially play in peacemaking, their presumed attributes and shortcomings.

Data gathered has been analysed qualitatively. This is because it cannot be subjected to statistical analysis due to the nature of information sought. Importantly, qualitative analysis has allowed for more elaborate and rich explanations. The data analysed has been used to test the hypotheses and make logical inferences.

1.10 Chapter Outline

The study will have five chapters:

**Chapter One** introduces the study through identification and development of the research problem, a theoretical framework and an appropriate methodology.

**Chapter Two** provides a broad review of religious organisations and management of conflict.

**Chapter Three** on post electoral violence in Kenya provides a background of the 2007 – 2008 violence drawing from root, proximate and triggering causes within Kenya’s social, political and economic terrains.

**Chapter Four** analyses the role of NCCK in management of the 2007-2008 electoral violence.

**Chapter Five** concludes the study.
Chapter Two

Religious Organizations and Conflict Management

2.1 Introduction

The chapter builds on the background information on religious actors in conflict management provided in the previous chapter. It situates them within the broader terrain of track two or non-state actors focusing on how non-state actors approach conflict management in terms of methodology, strategies and resources at their disposal. This is important because track two actors have a different understanding of conflict and possess different set of resources. Further it brings out the unique resources which religious actors he focuses on the challenges faced by religious actors in conflict management.

2.2.1 Actors in Conflict and Conflict Management

Conflict is a complex social phenomenon. The complexity is borne out of the reality that individuals and groups do not only possess interests but they also operate in a complex web of interdependence. From simplest dyadic forms of conflict to the most complex ones, persons involved, irrespective of how they are defined are motivated by a given set of interests which are determined by their identities and the regulative framework which they operates in. As such the very identity of an actor determines his interests and the regulatory framework for instance, the international law, provides for his status and by extension the types of resources and instruments he can use to pursue his interests.

In conflict management this understanding has had profound impact on how conflicts are understood and managed. On one hand, conflicts are now understood to involve actors beyond those directly involved in direct engagement. This is because apart from the parties and their

supporters, there are allies, patrons and audiences who have interests in a given conflict. These actors too have other relations making the conflict structure an extremely complex one in terms of numbers of actors involved and multiplicity of interests. They may either be supporting the parties engaged in conflict to continue with the violence or assisting towards a search for a peaceful outcome. On the other hand, it is now recognized that different actors enjoys different normative status (identity) and this has a bearing on the resources they possess and the methodologies they apply in conflict management. The main categories of identities in international system are state (track one) and non-state (track two) actors.

Third parties do not get involved in the business of conflict management for purely altruistic interests. Instead they have interests which are defensive, mixed or offensive. Zartman for instance notes that mediators get involved in conflict so as to increase the prospects of stability, deny their rivals the opportunity to intervene, earn the gratitude of one or both parties or enhance their continued role in future relations with the parties. Wall and Lynn, provides three motivations for third party intervention: One, they feel their assistance will help to diffuse tension and be useful to the parties; two, because they believe they have superior alternatives to continued violence and three, in order to benefit their constituencies and allies and in response to pressure by their constituencies to resolve or diffuse potential conflict. Other interests include an imperative to respond to the growing sense of moral responsibility premised on the recognition that the international community has interest in advancing human rights, democracy

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and the rule of law because strengthening them will contribute to the development of a more peaceful and stable international order. In addition, third parties may get involved either because their charter provides them with such a mandate as is case with organisations of states or because they view conflict management as a vocation.⁶⁴

Third parties conflict managers are categorised as either state (track one), track one and half or non-state (track two) actors. State actors include the states and organisations of states such as the United Nations and the African Union. Track one and half actors include those actors who previously were track one but now operate under unofficial capacity yet they are capable of tapping into and utilizing track one resources. Non-state actors include individuals, institutions and organizations apart from the states and organisations of states. The actors exhibit different philosophies of understanding conflict, the resources at their disposal and strategies they use.

2.2.2 Track One (Official) Actors

Track one actors refers to states and organisation of states.⁶⁵ These actors have different understanding of conflict, methodologies and the strategies they employ during conflict management processes. Concerning conflict, their understanding is influenced by the realist and neo-realist frameworks of international relations. The framework lays claim to objective and timeless laws rooted in the understanding of human nature as inherently violent and aggressive always driven by desire to dominate. This makes violent conflict an inevitable phenomenon in any human society.⁶⁶ Consequently international relations has always comprised of never-ending conflict (potential or actual) between political entities, whether these be empires, city-states or

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⁶⁴ On organisations of state see for instance the United Nations charter; the Constitutive Act of African Union, 2002, Art 3(f), (9) and the AU Peace and Security Protocol, Art 7 (e), (f), (g).
⁶⁵ For explanation on Track one actors see M. Mwagiru, *Conflict in Africa: Theories, Processes and Institutions of Management*, Nairobi: CCR 2006, pp.122-3
nation states. This is because the units are self interested, power maximizers. Ultimately their interactions create an international structure which is anarchical, where actors are forever competing to survive.

The understanding of human nature as inherently aggressive and international system as anarchical means that peace is achievable only through the use of coercion and threats. Any other kind of peace other than absence of violence is a chimera’. This view has had a profound impact on the methodology which state actors use in conflict management and the outcome sought.

On methodology track one actors rely on power strategies to move the conflictants towards ending overt violence. In the words of the former United States Secretary of State Kissinger, track one actors believe that ‘if you have them [conflictants] by their balls their hearts and mind will follow’. Coercive measures such as power based mediation, sanctions and threats of military force become important sources of leverage. The goal of these coercive measures is to make the prescribed solutions appear more attractive to the parties engaged in conflict compared to alternative unilateral strategies. This is because the measures aims at worsening the dilemmas of the conflictants and keep them searching for solutions. The reliance

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on power makes track one actors prescriptive and outcome oriented. Hence they can only settle but not resolve conflict.

In conflict management, settlement and resolution have different meanings. Mwagiru observes that their differences lie in their relationship to power and with power and different visions of the future largely informed by different understandings of human nature. Settlement of conflicts reflects an understanding that the inherent characteristics of actors involved makes it impossible to resolve the conflict and only power based order is possible. On the other hand resolution views human condition as socially learned and hence can be unlearned if the issues in conflict can be addressed in a non-power framework encourages the joint understanding and appreciation of shared goals and value as well as the conflict environment. The aim of resolution is not to achieve negative peace characterized by structural violence and manifested in terms such as cessation of hostilities. Instead, it goes beyond 'putting out fires', to addressing the underlying combustible bones of contention through addressing human needs.

The settlement oriented nature of track one actors means that that they are more concerned with putting an end to direct violence without necessarily addressing the underlying causes of conflict and values informing them. Consequently the process of management becomes a zero-sum bargaining whereby a win for one party corresponds to a loss for the other. The contest of power with the powerful winning more concessions at the expense of the weak, overlooks issues of justice yet at the heart of every conflict, demands for justice is the language of expressing grievances. Further, by relying on power based bargaining, track one actors are only capable of dealing with interests of the parties involved in conflict, yet every conflict has

got interests and values.\textsuperscript{77} Indeed overt violence cannot exist without being grounded on a set of values which justifies and motivates violence.

Ultimately, such rationalised bargaining overlooks the roles of psychological/perceptual factors underlying the conflict. Yet unlike a chess player moving inanimate objects across known space and according to fixed rules, conflict managers are confronted by social actors. These actors have intense feelings of hatreds, frustrations, fears and mistrusts which left unaddressed will fester and possibly cause a relapse to violence.\textsuperscript{78}

In addition to reliance on power track one actors lack the patience to guide conflict management towards resolution. This is because they faced by time and constituent pressures. Usually track one actors are under intense pressure to deliver quick results which meet public expectations.\textsuperscript{79} These pressures make them go for ‘quick fix’ solutions to the conflict. Consequently, the prescribed solutions tend to overlook key underlying issues and the agreements reached can only last as long as the power equilibrium remains. For instance during the Liberian war the pressures for quick fixes led as many as fourteen peace agreements between 1990 and 1995.\textsuperscript{80} All these agreements failed for they did not comprehensively address the underlying issues as mediators were under pressure to be seen to be doing something about the conflict.

The shortcomings of the methodology and strategies employed by track one actors are further compounded by its top-down approach to conflict. Track one actors assumes that by getting the leaders to agree to a peace agreement, the agreement will trickle down to their

\textsuperscript{77} M. Mwagiru, \textit{Conflict in Africa: Theory, Process and Institutions of Management}, Ibid, p.9
\textsuperscript{78} L. Nathan, ‘When Push Comes to Shove’ The Failure of International Mediation in African Civil Wars’, Op cit, p.8
\textsuperscript{79} Ibid, p.8
\textsuperscript{80} Ibid, p.9
This may not be the case especially in a situation characterised by fundamental, non-negotiable issues such as group’s identity, and recognition. These issues require conflict managers to go beyond settlement and address the underlying perceptions and values. Failure to do so means that the peace can only hold as long on power relations remains constant. More so application of coercive strategies runs the risk of strengthening the opposing hardliners at the expense of moderates by providing them with a mobilization cause. This is done by labelling the moderates as puppets of foreign power or accusing them of capitulation. As a result moderates re-entry into the conflict environment become problematic since hardliners have gained an upper hand.

Despite these gaps in track one conflict management, track one remains dominant. This is attributable to the fact that states and organisations of states remain the principal actors in the international system. This provides them with a privileged status for they enjoy better access to resources both material and infrastructural making them attractive as conflict managers. This is more so where there exist power discrepancies among the conflictants and there is a need to empower the weaker party in order to precipitate a hurting stalemate. Further, the reality is that in some conflicts coercion is critical for a settlement and it is only states that have a repertoire of instruments of force to do so.

2.2.3 Track One and Half Actors

Track one and half actors are those individuals who were formerly active in track one but they are no longer serving in official capacities. Nevertheless, they are active in as conflict managers.

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This provides them with a unique identity in the sense that they enjoy privileged access to government and organisation of states policymakers since they are influential former state or organisations of states officials.

These actors enjoy the benefits of track one actors in terms of having resources which they can tap into and use them as a leverage to make the conflictants move towards an agreement. This is because though they are acting unofficially, they are often mandated by states and organisations of states to engage in managing a given conflict. For instance though Koffi Annan is no longer an official actor, his role during Kenya’s post electoral mediation process, exhibited every characteristics of a track one actor. He was outcome oriented since he had a preformulated framework and often resorted to directive strategies to force the protagonists to an agreement. He would issue threats, ultimatums and would draw on the resources from powerful third parties such as the United States, the United Kingdom and European Union to pressurise the parties to make concessions.

On one hand they differ from official actors in the sense that they are not beholden to the interests of a given state. This provides them with a room for manoeuvre and an opportunity to suggest solutions according to the demands of the conflict. However this remains a delicate balancing act since they cannot suggest solutions which greatly diverge from the interests of their patrons. Indeed they are dual actors in the sense that they are not only mediating on the actual conflict but also with interested third parties supporting the mediation process. Also, they are not beholden to bureaucratic trappings and can use track two strategies such as problem solving workshops to move the management process forward. As such depending on the ingenuity of the actor, he can manage to address both interests and values by drawing from the other tracks.

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84 www.voiceafricanews.com
On the other hand, they are unlike independent minded track two actors. This is because track two actors irrespective of the advantages they possess may not have the sufficient influence in the official policy making circles locally and internationally. This reduces their ability to influence the conduct of conflictants since they lack power based resources.

The main limitation of track one and half actors ability is that the actors due to their long engagement in track one diplomacy are often too close to official circles, leading to status quo thinking. This makes them prefers the philosophy and methodologies of track one actors leading to the short comings faced by track one actors. For instance they may be more preoccupied with addressing conflict of interest at the expense of conflict of values, yet they are in a position to address both.

2.2.4 Track Two (Unofficial) Actors

The term track two was coined by Monteville to refer to unofficial, informal interactions between members of adversary groups or nations that aim to develop strategies to influence public opinion and organize human and material resources in such a way that might help resolve the conflict.85 Louise Diamond and John McDonald use track two to refer to non-governmental, informal and unofficial contacts and activities between private citizens or groups of individuals, sometimes called ‘non-state actors.86 McDonald offers a similar definition, suggesting that track two is informal and unofficial interaction between private citizens or groups of people within a country or from different countries who are outside the formal governmental power structure.87

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The unofficial nature of track two makes it adopt a different understanding of conflict and strategies relative to track one.

Track two actors understand conflict not as inherent but a socially learned strategy of acquiring valued interests and needs. This means that conflict is a product of unfulfilled human needs such as participation, dignity and recognition. The argument is that, destructive manifestation of conflict can be traced back to the unmet needs and fears of the conflict parties.\(^88\) Hence, the key is to make parties aware of these underlying needs for identity, security, participation and then use this awareness to redefine both interests and positions.

The notion of conflict as response to unfulfilled human needs has been advanced by Sandole who persuasively argues that,

> “Human needs are connected with survival, personality, development and self maintenance within any social environmental. Needs represents the imperatives of the organism’s self maintaining properties, the organism survive through their fulfilment. [Further] the beliefs and values which the organisms develop and internalize are relevant to fulfilling these needs. Accordingly, the longer we exist in terms of certain beliefs and values, the more relevant they become to need fulfilment and therefore to survival, in effect, the more biological they become and hence not negotiable.”\(^89\)

That human needs are existential makes them non-bargainable and hence not amiable to power-based strategies of track one actors. Indeed one of the main distinctions between track one and two is that the latter rejects the role of power since human needs non bargainable.\(^90\) Instead, there is a need for a process capable of changing the perception of the parties in conflict that their needs can only be met at the expense of others, and to make them understand that each groups

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90 M. Mwagiru, *Conflict in Africa: Theory, Process and Institutions of Management*, Op cit, p.130
fundamentally holds to its needs. As such, what is needed is not a win-lose situation, but a win-win situation, whereby each party needs can be guaranteed.\textsuperscript{91}

These understanding make track two actors process and resolution oriented. Regarding the process, track two actors are not constrained by the bureaucratic requirements prevalent in track one. For instance they do not have formalised structures of interacting and reporting making them more flexible in the sense that they can interact with whoever they want, they do not have to follow rules of diplomatic procedures and other diplomatic etiquette.\textsuperscript{92} These provides a social space where parties in the conflict can relieve their experiences, fears and hatred without time pressures or fear that they will be outmanoeuvred by their opponents once their weaknesses are exposed. Importantly, the process creates a sense of ownership since parties believe they are engaged in developing a mutually agreed future on their own will and through a process they can control.

In addition to being process oriented, track two actors aims at addressing the underlying causes of direct, cultural, and structural violence. Structural violence defines the social, political, economic structures of the conflict situation where unequal power, domination and dependency are perpetuated, while cultural violence refers to the social and cultural legitimisation of direct and structural violence.\textsuperscript{93} This is done by helping the parties involved to explore, analyse, question and reframe their interests and positions, in a non-power based environment, with an aim of fostering new thinking and relationship based on positive-sum constructive outcomes. This way the deep-seated negative perceptions are replaced by a vision and a possibility of social

\textsuperscript{91}C. Reinmann, \textit{Assessing the State-of the-Art}, Op cit, p.9.
\textsuperscript{92}M. Mwagiru, \textit{Conflict in Africa: Theory, Process and Institutions of Management}, Op cit pp.129-30
reintegration, restoration, and redemption, existential security, personal transcendence and transformation.\textsuperscript{94}

Beyond understanding conflict as a manifestation of unfulfilled human needs, track two actors are not held hostage by power calculations. Instead their source of leverage lies in other types of resources, such as moral authority, understanding of the conflict, and established relationships with the parties engaged in conflict.\textsuperscript{95} Thus, they are unencumbered by official objective and national interests, which motivate track one actors to get involved in conflict management. As a result, they are capable of exercising freedom that allows them to create initiatives for lasting peace often in unconventional and surprising ways.\textsuperscript{96} This equips them with two assets: They are capable of addressing the perceptual elements of conflict and effect change of hearts of the actors and constituents engaged in conflict; and they can target the structures of injustice and impact to cadres a vision of justice rooted in faith that they can motivate a political movement.\textsuperscript{97}

From the discussion so far, it is observable that track two actors have different methodology, strategies and resources which they deploy during conflict management. Importantly they understand conflict as a social phenomenon rooted in unfulfilled human needs leading to dysfunctional relationship. As such, any sustainable management must address the value and perceptual elements of the parties and structures which inhibit the realisation of non-

\textsuperscript{94} Ibid, pp.10-11
\textsuperscript{96} Ibid, p.11
bargainable human needs. This is the only way legitimised relationships can be realized making peace sustainable.\(^9^8\)

However, in practice track two actors rarely exploits these strengths and usually tend to imitate the methodologies of track one actors such as use of bargaining strategies. Bargaining entails use of power based resources which track two actors do not posses. Also they lack a clear understanding of the conflict they engage in, terms of its history, the multiplicity of interests involved, the complexity of actors and their relationships and such.\(^9^9\) History of conflict is critical for understanding the conflicts that groups become involved in, because it is history that can help explain people’s motivations, and why they believe what they believe. Besides this, history is important because it justifies the aims of the group, and also affects the strategies of that group. Thus a group’s history and its memory help to explain the group’s understanding of the past, its vision of the future, and its sense of what is right or wrong”.\(^1^0^0\)

2.3 Religious Actors and Track Two Conflict Management

Religion is a social creation which expresses and reinforces social solidarity such that religious beliefs are in sense metaphors for society itself and the sacred nature of social obligation and social cohesion.\(^1^0^1\) This way religion becomes a powerful constituent of cultural norms and values. Hence, it is deeply implicated in individual and social conceptions of peace, because it addresses some of the most profound, essential issues of human life such ad freedom/inevitability, fear/security, right/ wrong, sacred and profane.\(^1^0^2\) As every society is engaged in the never completed enterprise of building a humanly meaningful world, religion

\(^9^8\) On resolution see M. Mwagiru, *Conflict in Africa*, Op cit, p.41
\(^1^0^0\) M.Mwagiru, *The Water’s Edge*, Op cit, p.10.
becomes a construct that endows socially constructed reality with a stability deriving from more powerful sources than the historical efforts of human beings.\textsuperscript{103}

Importantly, all religions have developed laws and ideas that provide civilization with cultural commitment to critical peace related values including empathy, openness to or even love for strangers, the suppression of unbridled egos, and acquisitiveness, respect for human rights, unilateral gestures of forgiveness and humility, interpersonal repentance and the acceptance of responsibility for past errors as a means of reconciliation and drive for social justice.\textsuperscript{104} Consequently religion represents decisive sources-and-resources for restraining war or bringing an armed conflict to an end through its normative rationales for restraint that exceed the bounds of secular diplomacy of conflict management. This is through identifying and bolstering a normative commitment embraced in a transcendental framework which privileges peace values.\textsuperscript{105}

An examination of religious texts shows this commitment to peace. For instance, the bible extols Christians to be peacemakers. It states, ‘blessed are peace makers, for they will be called children of God.’\textsuperscript{106} Elsewhere, Isaiah, says, ‘they shall beat their swords into ploughshares and their spears into pruning hooks. Nations, shall not lift up sword against nation, neither shall they learn war anymore.’\textsuperscript{107} Similar teachings are found in Quran, where it is stated that God is peace for peace (\textit{al – salaam}) is one of the most beautiful names of God. Quran shuns violence as means of settling disputes and repeatedly encourages Muslims to seek peace with other and non-Muslim as the most righteous path. It upholds values for mercy and accountability for all

\begin{thebibliography}{9}
\bibitem{104} M. Gopin, \textit{Between Eden and Armageddon: The Future of World Religions, Violence and Peacemaking}, Op cit, P.13
\bibitem{106} The Holy Bible, Mathew 5, King James Version
\bibitem{107} The Holy Bible, Isaiah 2:4, King James Version
\end{thebibliography}
actions, benevolence (ihsam) justice (adi), compassion (Rahmal), service, faith (amal), love (muhabat) and so on. 108

These values, which are central to all religions, have informed the activities of religious actors in the field of conflict management. The actors believe that by engaging in conflict management activities they are doing so in furtherance of the teachings of their religions. As Bercovitch et al argue religion provides a normative system which relates the individual believer to the transcendent, to the ultimate meaning of existence. 109 This meaning is actualized through never ending pursuit of peaceable kingdom.

One infrastructure which religious actors rely on in conflict management is religious organisation(s). The existence of religious normative system does not always imply presence of a formalised structure. Rather religious actors establish organisations which are intended to enhance their interaction with the outside world. The organisations may be made up of one denomination or may have multiple denominations. How they are constituted determines the extent they can pursue action. A religious organisation made up of multiple denominations is usually subordinated to the competing needs of members compared to the one established by a single denomination and fitted into the church hierarchy.

Religious organisations are those organizations which possess the following characteristics: They have an affiliation with a religious body; a mission statement with explicit reference to religious values; financial support from religious sources; a governance structure

where selection of board members or staff is based on religious beliefs or affiliation and/or decision making process based on religious values.\textsuperscript{110}

In the field of conflict management religious organisations possess attribute which privileges them over other actors. The next section analyses these elements and how they enhances religious actors’ capacity to engage in constructive win-win conflict management. The privileges range from the status of religion as a normative system, the legitimacy of religious actors, access to different levels of society and ability to combine secular and sacred resources

\textbf{2.4 Religion as a Normative System}

Millions of people in all parts of the world belong to a given religion, which influences and provides meaning to them.\textsuperscript{111} As Busutil and Haar observes, religious faiths are comprised of a number of dogmas that constitute a normative system. Every religion rests on a normative basis, that when accepted, serves as a directive of how each individual believer should live his or her life. This normative system relates each individual belief to the transcendent, to the ultimate meaning of existence. It defines objectives and offers conceptual framework and narratives that inspire action and prescribe how things should be.\textsuperscript{112}

The enactment of a normative conviction has social, cultural and political consequences. Religious norms enlighten the adherent about what action is good and desirable, and what is bad and ought to be avoided. Consequently, religious norms also have cognitive implications, because they shape how the adherents understand the world. Accordingly, people locate themselves and their actions in a larger social order by reference to the normative systems

\textsuperscript{112} M. Gopin, \textit{When Religious are a Source of Conflict and Conflict Transformation in International Relations}, August 16, 2001, pp 13 – 19.
defined by their religion. Through a process of socialisation, the communal meaning system informs the individual of the values and norms of the larger group of which it is part, and individuals come to share a particular normative meaning system.\textsuperscript{113}

The normative system is based on values which when constructively harnessed and utilized provides a reservoir of peace. Gopin identifies values of peace present in all religions as including: empathy which is evoked by a painful story of the other party in turn generating a common bond between the enemies leading to a more honest discussion and relationship building; non-violence and pacifism best exemplified in the Eastern traditions of Buddhism, Judaism and Hinduism in the notion of \textit{Ahimsa}; sanctity of life which is central to all religions; interiority which extols adherents to focus on the inner well being of the individual; prayers, meditation, the experience of divine love, guilt feelings, repentance and justice.\textsuperscript{114}

These values have influenced the work of religious actors involved in conflict management system. By using these values as the guiding framework, religious actors are able to tap into already existing reservoir of peace among warring communities. This is because, they are seen to reflect values, with transcendental connection, and also as capable of addressing the needs of the parties involved.

An examination of various religious organisations reveals these values. The catholic church political theology as enunciated in the \textit{pacem in terris} is rooted in objective recognition, respects, safeguarding and promotions of rights of human persons. Further, its doctrinal teachings upholds the principles of non-violence, rooted in the believe that, ‘non violent activists

\footnotesize{\textsuperscript{113}K. B. Harpviken and H. Eggen Roislien, \textit{Mapping the Terrain: The Role of Religion in Peacemaking}. Oslo: International Peace Research Institute, 2005, p.6
\textsuperscript{114}M. Gopin, When Religious are a Source of Conflict and Conflict Transformation in International Relations’, Op cit, pp.13-19.}
who accept the teaching, suffering and invitation of Christ are able to accomplish the miracle of peace and are in a position to discern the often narrow path between cowardice which gives into evil and the violence which under the illusion of fighting evil makes it worse. Further, the doctrine argues that peace for the sake of peace is not worthy pursuit unless it can be founded on principles of justice and adherence to its basic norms of human rights.\textsuperscript{115}

The Quakers, who have long been involved in conflict management efforts, profound a philosophy of conflict management based on believe that God is everyone and individuals are redeemable. Berrigan notes, the belief that the fallen human are redeemable calls upon religious actors to render judgements which are not retributive but redemptive. Mercy is the point because those people who commit most awful actions against others are redeemable too.\textsuperscript{116} Drawing from this belief, the conflict management effort is geared towards a psychological effort to change perceptions both of the conflict and the enemy to the extent that both protagonists gain some hope of a reasonable resolution. Other principles guiding their conflict management work include emphatic listening, so as to allow for deeper understanding of the individuals in conflict and challenge the parties’ false assumption about each other so that they can begin to see the enemy in human terms.\textsuperscript{117}

A renowned Quaker Adam Curle, argues that, humanization of the other is important for ‘the things that separate people are relatively easy to solve, as long as change of people’s

\textsuperscript{117} S. Williams and S. Williams, \textit{Being in the Middle by Being at the Edge: Quaker Experience of Non-official Political Mediation}. London: Quaker Peace & Service in association with Sessions Book Trust, 1994, pp.16-7
perceptions of their enemies, themselves and the whole situation occurs. This is because it
constrains the pressures for war generated by fear, hatred and prejudices.118

The community of Sant’Egidio, famous for its role in Mozambican peace process, has its
philosophy rooted in three core values: prayer (both personal and collective), service to the prior
and friendship.119 Regarding the Mennonite central committee, conflict management is rooted in
the conviction that to be a peacemaker is the most fundamental religious injunction.
Consequently, Mennonites reinforce, values, personality, traits, and modes of engagement that
expresses humility, a studied effort to emulate Jesus, and level of being engaged with others, that
emphasizes listening, care and gentle patterns of interaction.120

These philosophies of conflict management reflect the guiding framework of religious actors
engaged in conflict management. The power of this philosophy lays in individuals ease in
identifying with these values. As such, there exists a prior level of value congruency between
religious actors as third parties and conflictants.

2.5 Legitimacy and Access

Religious actors enjoy legitimacy which is gained out of their prior long involvement
with the communities engaged in violent conflict. This provides them with acceptability by
parties engaged in the conflict, as partners, who understands their situation, values and norms,
Johnston and Cox notes that, they [religious actors] have a well established and pervasive
influence in the community, a reputation as a political force for change based on respected
values, unique leverage for reconciling conflicting parties and the capability to mobilize local,

120 M. Gopin, ‘The Religious Component of Mennonite Peacemaking and its Global Implications’ in Sampson S.
And Lederach, J. P. (eds), From the Ground up: Mennonite Contributions to Peace Building. Oxford: OUP, 2000,
p.237.
national and international support for peace process.\textsuperscript{121} For instance, Appleby observes that, before the community of Sant’Egidio became involved in the Mozambican peace process, they had used their religious identity to demonstrate moral integrity, long term commitment and open-ended approach to conflict, overtime gaining confidence of both parties. Importantly, they had become personally familiar with leaders of both warring parties and other external actors implicitly or explicitly involved in turning to bridge the gap across conflict lines.\textsuperscript{122} The same can be said of the World Council of Churches and All African Conferences of churches during the 1972 Sudan process. These actors, though having Christian identity were credible as facilitators, in a civil war punctuated by religious differences between Muslims and Christian/Animists because of their capability to cultivate legitimacy. Mitchell observes that the WCC/ACC had an inestimable advantage over many other potential intermediaries, both "public" and "private," both resourceful and resourceless. This was afforded by the degree of access they had internally and externally to both African and non-African leaders provided by the church network throughout Africa.\textsuperscript{123}

Apart from the benefits accrued from a prior legitimacy, religious actors enjoys a higher level of access to both the grass root level, they enjoy the social and physical infrastructure, which they can mobilize for peace. Likewise, they can access the top elite, either because, the elites are members of the congregation or on the strength of the large religious constituencies.

\textsuperscript{121} J. Douglas and B. Cox, ‘Faith Based Diplomacy and Preventive Engagement’ In Johnston D. (eds), \textit{Faith – Based Diplomacy: Trumping Real Politik}. Oxford: OUP, 2003, p.1
they represent. This access provides a strategic potential to make a difference in conflict, for it transcends different levels in national and international contexts.

2.6 Possession of both Secular and Sacred Resources

The chapter has so far shown that religious actors draw from sacred resources which ranges from religious rituals and symbols, texts, prayers, forgiveness, meditation and other values in their conflict management activities. This does not mean that they do not draw from profane (non-religious) resources. Rather they enjoy other resources available to track two actors. In this case such resources are categorized as profane.

The secular resources include the capacity to mobilize people through utilization of social and political infrastructure. Religious actors are the only non-state conflict managers who have infrastructures extending to the remotest corner of a given state. They also have the ability to draw expertise and financial resources from their sister organizations locally and internationally. Further, they can use the religious spaces to advance the case for peace especially in a situation where other platforms have been compromised or non-existent.

These way religious organizations are capable of wearing two hats, using the religious hat as a shield as they engage in political activities. For instance, the government can easily thwart activities of non-religious actors, compared to religious ones.

2.7 Challenges Facing Religious Organisations as Conflict Managers

Despite the above privileges, the capacity of religious actors has been faced by a number of challenges either because they are partisan, complicit in the conflict or lacks the right methodology and tools of conflict management. The challenges are elaborated below.

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The relationship between the parties engaged in conflict and religious actors is important. This is because, religion not only possess capacity for peace values, but also a capacity to justify and encourage violence, that is, religion entails both notions of holy war and peaceable kingdom. When religious actors loose the non-partisan status they are most likely to contribute to escalation of violence, and lose their status as honest peace breakers. A good example is the role of the Catholic Church during the Rwandan genocide. The strong and personal institutional ties between the elites of the genocidal regime and the Catholic hierarchy made the church complicit during the genocide. This eroded its capability as honest brokers at time when their positive involvement was needed most.

Further, the religious actors’ capacity to translate the potential peace resources into practical outcome is dependent on the traits and attributes of the leadership (clergy, sheiks, imams, monks and so on). Religious organisations are usually hierarchical with leaders playing a dominant role. Hence, if the leader is not proactive in conflict management, actually supporting the conflict or lacks understanding of conflict methodologies, religious actors are unable to undertake conflict management functions. For instance, Archbishop Tutu’s commitment in South Africa was critical in conflict management. This can be contrasted to the role of Hassan Al-Turabi in fomenting religious violence in Sudan.

The other issues relates to the gap between the expressed commitments to peace and skills to realize the same. Appelby observes that, religious actors role in conflict management is at times ‘inchoate and fragile, uncoordinated, and in need of greater number of adequately

127 See Ibid, p.12
trained practitioners, more study and testing and theoretical elaboration.\textsuperscript{128} Mwagiru also along similar lines observes that, ‘in terms of designing and defining conflict management strategies the religious approach is wanting. This is because the approach is yet to be rationalised well, the religious practitioners, lacks technical mastery of conflict management terms, and at times religious actors are held hostage by doctrinal fighting. Further, religious actors lack appreciation of history and every conflict has a history. Without a history of the conflict, it is near impossible to draw up a vision of the future. In addition, religious actors have at times adopted track one conflict management methodologies, though they lack the resources and status that track one conflict managers do.\textsuperscript{129}

Lastly Appleby and Little have brought out the tendency of religious leaders to proselytize, which confuses peacemaking with missionary work. He advocates that, religious actors must adapt a language of second orders. That is, ‘they must be able to speak a second-order language that transcends religious or ethnic boundaries and foster collaboration with secular and governmental agencies and representatives. [To do so] they need discernment – a spiritual discipline as well as political skill to avoid miscalculating the situation or promise the wrong things at the wrong time’.\textsuperscript{130} Proselytization runs the risk of exacerbating conflict especially when the conflict concerned has religious dimensions.

From the review in this chapter we make the following observations: religious actors are track two actors who lacks the necessary carrots (power) to influence the parties involved in conflict to agree to a peaceful settlement. However this does not imply weakness. Unlike other

\textsuperscript{128} S. Appleby, 2000, p.7
\textsuperscript{129} M. Mwagiru, \textit{Conflict in Africa: Theory, Process and Institutions of Management}, Op cit, pp.138-141
official two actors, religious organizations pursue peace based on a fundamental value system rooted in peace since all religions calls upon its adherents to be peacemakers. And considering that almost everyone belongs to a religion, the potential for peacemaking is immense. Also since they already have developed structures penetrating the societies they operate and established goodwill due to the spiritual and charitable contributions, they have privileged access and legitimacy.

These attributes gives religious actors an advantage in terms of resources over other actors and partially confirms our first hypothesis that ‘religious actor possess resources which give them advantages over other actors in conflict management’. However, it should be noted that these advantages are undermined by the very operations of religious groups as peacemakers and hence the partial confirmation of this hypothesis. More often, in social conflicts religious groups are involved in a partisan way making their acceptability as neutral third party difficult. Additionally, though they may genuinely want to contribute to peacemaking, they are hampered by lack of right methodologies and analytical understanding of the conflict they are dealing with as well as over-reliance on persons in leadership.
Chapter Three

The 2007-2008 Post-Election Violence in Kenya

3.1 Introduction

The previous chapter has brought out the terrains under which the religious based actors operate as conflict managers. In the broader categorisation of conflict managers, religious organisations are track two actors. This means that, they lack the coercive resources available to track one actor to influence the parties in conflict towards peaceful outcomes.\(^{131}\) The lack of coercive resources, however, does not mean religious actors cannot move the parties towards peace. This is because they possess other resources, both profane and sacred, which uniquely equips them to address values and perceptions of conflict parties. Values and perceptions in conflict are important, for pressures facing societies do not automatically lead to violent conflict. Rather, they must be couched in a moral or social discourse, which sanitizes violence from the normal, moral/social constraints and justifies the perpetration of violence against those labelled as ‘others’.\(^{132}\)

This chapter concerns with the 2007 – 2008 post-electoral violence in Kenya. It argues that, though the violence has been closely connected to the disagreement over electoral outcomes, it was a culmination of various processes which have influenced the patterns of social, political and economic interactions in post-colonial Kenya. The 2007-2008 electoral dispute was the powder keg which ignited the already dry wounds of real and perceived grievances. Essentially, in order to understand the 2007-2008 violence, it needs to be historicized through locating it within the terrains of Kenya’s post-colonial political trajectories. The chapter is

\(^{131}\) See Chapter Two.

divided into three sub-sections. Subsection one gives a brief conceptualisation of conflict. Subsection two provides insights into the patterns of post-colonial state formation and subsection three examines the outcomes of these patterns and how they relate to the 2007-2008 violent post-electoral conflict. The analysis is important for it brings out issues which would have been addressed by religious actors before and after the electoral violence.

3.2 The Concept of Conflict

In general speak violent conflict is often viewed negatively. It is seen as a social phenomenon which is dysfunctional, disruptive of normal life and desirable social interactions. As such, it should be eliminated. In more enlightened discourses conflict is viewed as a pervasive and inevitable social phenomena whether in simple or complex society, and irrespective of time and space. It reflects heterogeneity of interests, values and beliefs that are incompatible. As such conflicts can be seen as a social relationship that is determined by perceived and articulated contradictions about perceptions, judgements and expectations. This way conflict is constituted of three elements: conflict about perceptions of how things are (conflict about facts); conflict about how things should be (conflict of values) and conflict about who is entitled to what and when (conflict of interests).

The very definition of conflicts indicates that, they do not just happen. Instead, there exists continuity from peace to violent conflict. The trajectory is determined by how different groups with incompatible interests respond to these incompatibilities. When groups engage in

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135 W. Heinrich, Building the Peace: Experiences and Reflections of Collaborative Peace Building: The Case for Somalia, Op cit, p.3
constructive interactions, the spiral towards violent conflict can be reversed, but when groups prefers zero-sum approach to their incompatibilities, violence becomes a rational strategy; a pursuit of interests by other means. Importantly conflict is a key dynamics of social change for it points out what ails a given society. Reuck observes that,

‘[It] is a symptom which accompanies the birth of much that is new in society and frequently attends to the demise of whatever is outworn. It also sometimes signals the presence of ills in body politic. It has therefore both destructive and constructive aspects. It can be both a warning and a promise: it heralds progress and growth as well as decay.’\(^{136}\)

The element of continuity means that violent conflicts have a past. Mwagiru observes that conflicts have memories. They reflect past intra and intra group interactions. History is important in understanding conflict because, it is the history that can help explain people’s motivations and why they believe in what they believe. Further, history justifies the aims of the group, and also affects the strategies of that group.\(^{137}\) Thus, for violence to make thinkable, it must be historicized, for violence is not its own meaning.\(^{138}\)

### 3.3 Historicizing the 2007-2008 Post-Electoral Violent Conflict

Kenya attained independence from colonial administration in 1963. The attainment of independence did not mark a point of discontinuity on governance policy. Rather it reflected continuities under changed cast of leaders. The inherited colonial legacies were not radically transformed and their inbuilt challenges that have had profound effects on the patterns of group interactions whether in economic, political or social realms.


The key challenge concerns the nature of state formation. Kenya as a state is largely an artificial construct, owing its origins to colonialism in Africa. Its artificial construction involved arbitrary imposition of international boundaries cutting across linguistic, ethnic, religious ties simultaneously lumping together and separating social groups which before existed as independent entities.\textsuperscript{139} This was done in total disregard of prior interactions among such groups, which were now expected to live together in an imagined political community based on ‘Kenyan’ identity.

Consequently, the Kenyan state was not a product of evolutionary development, which would have brought together social groups voluntarily through some sort of legitimate social contract. Hence upon attainment of independence, the main task was how to create a legitimate nation – state out of disparate social groups. The task was further, compounded by the colonial policy of divide and rule, which balkanized social groups in to ethnic homelands and weaved narratives of social distinctiveness of such groups.\textsuperscript{140} In such an environment the celebrated Kenyan nationalism was a facade promoted directly or indirectly by colonialists in order to incorporate African elites sympathetic to colonial interests.

Thus Nationalism as state ideology began by delegitimizing popular local struggles, by questioning the genuineness of its leaders, their maturity and the morality of their methods of struggle: the morality of violent resistance like Mau Mau. State nationalism was therefore a last minute attempt to face the popularity of nationalist resistance that was overwhelming colonial forces. Through state nationalism, the colonial state reconstituted itself in response to popular

\textsuperscript{140} A good exposition is found in M. Mamdami, Citizens and Subjects: Contemporary Africa and the Legacy of Late Colonialism. Kampala: Fountain Publishers, 1996
pressures; first, by ‘detaching [nationalism] from any moorings in the popular struggles of the 1940s and criminalising all other struggles anchored in civil society as immoral, immature and divisive, barbaric or atavistic\(^\text{141}\).

To address the challenges, the immediate post-colonial Kenyatta regime, rather than effecting fundamental changes on techniques of government, continued with the colonial modes of governances characterised by excessive centralization, bifurcation of rural and urban segments, lack of independent institutions, heavy handed techniques of controlling, personalization and ethnicisation of state-building project.\(^\text{142}\) Indeed once the independence goal was achieved the facade of nationalism crumbled. African leaders did not search for ways of welding together the sense of belonging to diverse communities. Instead they retreated to ethnic cocoons showing more concern to personal accumulation than nation-state building.

The outcome was an extremely weak state in terms of legitimacy, yet legitimacy both vertical and horizontal is critical in sustaining the state. The ethnicisation of state building project around the Kikuyu ethnic elite led to politics of exclusion and domination of other ethnic groups and privileging of the Kikuyu elite. Consequently, the government came to be seen as a Kikuyu government, rather than a Kenyan one. These eroded the vertical legitimacy of the state, as sub-national cultural identities were transformed in political identities, creating alternative


sites of political participation, since access to resources was largely determined by one’s ethnic identity.\textsuperscript{143}

Further, ethnic bias and subsequent politicisation of social identities undermined horizontal social relations as ethnic groups, became the main basis of inter-group interactions.\textsuperscript{144} Eventually, the moral ethnicity which celebrates unity in diversity, was transformed into negative ethnicity, whereby, identity became a marker of inclusion and exclusion, and a source of narratives justifying prejudice and stereotypes against the ‘others’.\textsuperscript{145} During Kenyatta regime resentment developed against Kikuyus for the state was construed to be benefiting Kikuyus and marginalising other ethnic groups.

The political practices persisted and were perfected during Moi regime, which simultaneously pursued strategies of \textit{de-kikuyunization} and \textit{Kalejinisation} of state. Wamwere observes that,

‘He (Moi) started cleaning or purging the civil service that was dominated by the Gikuyu. He replaced most of them with the Kalenjin. By 1983, the Gikuyu were a minor force in both the civil service, the army and in politics. He played one Gikuyu leader against the other until they exhausted themselves. Like Kenyatta, he realized that one cannot succeed in African politics unless he had trusted generals from the ground. He perfected this art. There [was] open Kalejinisation of most sectors both private and public. Funds were channelled to develop the infrastructure in Kalenjin land.\textsuperscript{146}


Importantly, unlike Kenyatta who had an economically strong Kikuyu coalition, Moi came from a region of low capitalist penetration and therefore had a weak economic class to start with. He needed first to construct a capital base for his coalition before proceeding to use them as an alternative to the Kikuyu coalition. Since there were no fresh areas of accumulation, Ajulu rightly argues that ‘Moi’s embryonic accumulators were compelled to ‘loot’ from the old accumulators. In other words, the new coalition had to be constructed upon the dissolution of the already entrenched Kikuyu capital. To justify this mode of accumulation, Moi built his regime around anti-Kikuyu ideology. Beyond the sustained dissolution of Kikuyu elite capital, the Kleptocratic regime made up primarily by non-productive forces resorted to massive looting of public resources. Moi regime became synonymous with public land grabbing and grand financial corruption as a key source of patronage resources. For instance between 1994 and 1996, the parliamentary account committee concluded that close to 1,500 billion shillings (US$18.75) was either lost or irregularly expended.

Ultimately, upon the end of authoritarian one party rule in 1991, the multiparty politics drawing from patterns of political practices developed by Kenyatta and perfected by Moi regime, inevitably took ethnic angle. All the political parties had an ethnic rather than ideological basis, and political competition largely had an ethnic base. Jonyo observes that, all political parties were built on ethnic foundations. The ruling party was associated with Kalejin and other smaller

149 Ibid, p.199
tribes such as Maasai, Samburu and Turkana. The Democratic Party and Ford Asili were predominantly Kikuyu, while Ford-Kenya was associated with Luhya and Luo.\textsuperscript{150}

3.4 Linking the Impact of Ethnicisation of State-Building to the Post-Electoral Violence

The ethnicisation of state formation and politicisation of cultural identities has had several outcomes which explain the post-election violence. One, it has entrenched ethnic based approach to politics, and this encourages elite factional competition to spiral drawn to ethnic competition.\textsuperscript{151} Consequently, the political discourse is largely underpinned by ‘we versus them’, rhetoric whereby political elite instrumentally manipulate identity differences, to retain or attain power. In some cases this is instrumental manipulation of ethnicity has encouraged violence against the ‘enemies’

In 1992 general elections, for instance, the threatened Moi regime instigated tribal clashes in the so called KANU zones, in order to intimidate the opposition, which was wrongly labelled Kikuyu, from voting. The ethnic clashes were couched in Majimbo terms, with KANU political elites, especially in Rift Valley province, characterising the long settled non-Kalenjin ethnic groups as ‘foreigners’. A leading KANU operative Joseph Misoi, the then MP for Eldoret North constituency was quoted saying, with the introduction of multiparty system, the survival of the smaller ethnic groups is (sic) threatened and the only way to safeguard their interests is as through \textit{majimboism}\textsuperscript{152}. \textit{Majimboism} meant creation of ethnic homelands.

\textsuperscript{151} See K. Mbugua, Kenya Crisis: Elite and Factional Conflicts in Historical Context, Conflict Trends.  
\textsuperscript{152} \textit{Kenya Times}, 20\textsuperscript{th} May, 1993
In 1997, similar clashes erupted again, in Rift Valley, Western and Coast provinces, with an aim of killing the opposition vote. Ajulu points out this strategy in Coast province by noting that,

‘the Coast violence was a strategy unleashed by the state to achieve two main objectives. One of these was to create an environment which would have served as a convenient pretext for declaration of state of emergency, and thereby postponing the December elections until such a time that the government had regained the initiative from the opposition. The other, of course, had to do with undermining of demographic strength of the opposition parties in a number of constituencies at the Coast in the run up to the election. The large populations of the Luo, Kikuyu and Luhyia have often been considered as a crucial swing factor in the Coast electoral calculations.’

The opposition was defined not on the basis of individual political opinion, but on one’s ethnic identity. Between 1992 and 1998, more than 2000 people had been killed and 600,000 displaced as a result of these political instigated ethnic clashes.

Though the ethnic based strategy were largely absent during the 2002 general elections when the opposition presented a united front against incumbent KANU regime, this did not mean the end of ethnic-based political competition. Indeed, the facade of unity and peaceful elections is largely explained by the fact that both the then main political parties KANU and National Rainbow Alliance, (NARC) had fronted Kikuyu presidential candidates reducing the effectiveness of `we versus them` rhetoric.

Thus, when the only uniting goal of victorious NARC’ – the goal of removing KANU from power was achieved, the alliance started to crumble and ethno-based politics re-emerged. Mbugua observes that, once the goal of removing KANU was achieved, the dominant elite

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reverted to old tactics such as political patronage, repression and ethnicity to ward off challenges.\textsuperscript{155} These tactics revived elite and communal conflicts. The conflicts were amplified by the 2005 constitutional referendum, and 2007 electoral campaigns which were ethnic rather than issue based.

Consequently, as a commentator observed, on post-election violence,

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the crisis in Kenya is not electoral in itself. It is as a result of how the election has been presented and it has been presented as a conflict between the Kikuyu – accused of stealing country’s fortunes and monopolizing power – and a coalition of other tribes. The ODM alliance appears incapable of convincing the elite Kikuyu that Raila’s presidency will not signify their end as they thought. The Kikuyu thought that if ODM wins, the tribe will be destroyed, they will be dispossessed of their properties and those who have settled in various parts of the country will be decimated.\textsuperscript{156}
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The fears were not without merit, for the opposition ODM had deliberately tapped into long standing grievances against kikuyu best exemplified by presentation of \textit{majimbo} as a key campaign pledge, to be implemented if ODM won the elections. Through \textit{majimbo} or devolution of power is a reasonable policy of enhancing state’s response to people’s needs, its historical connotations presented a different picture of creating ethnic homelands. Sievers, has argued that,

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‘majimbo is a term with problematic connotations. In coast and North Eastern provinces, it presented an opportunity to these historically neglected regions. In Rift Valley it offered an opportunity to reverse the land redistribution created after independence. Many Kalejin understood it as an invitation to conclude the business left unfinished in the 1990s.\textsuperscript{157}
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Cussac projects the same view that, \textit{majimbo} posed multifaceted meanings. Thus even if they (ODM) denied it, some in the ODM shared the ethnic vision of \textit{majimbo}.\textsuperscript{158}

\textsuperscript{156} ‘Sweet Jesus, Give Me Tears to Cry for My Country’. \textit{Sunday Nation}, (Nairobi), 6\textsuperscript{th} January, 2007.
3.5 The Transformation of Politics into Means of Personal Aggrandizement

Related to the historical legacy of ethnicized political discourse is the warped view of politics as some kind of business, whereby ascension to political power translate to private economic fortunes. Since independence, those in political power, has always expropriated public resources for personal ends. It is no coincidence that the Kenya’s political elite doubles as the economic elite. In absence of robust private sector or indigenous capital, the post-colonial political elites resorted to primitive accumulation, though expropriation of public resources. Further, they have pursued economic policies which favour their co-ethnics, creating a real and perceived situation that the route to development of an ethnic group is through controlling of state power.\(^{159}\) Southall similarly observes that, because the government [is] the driver of the accumulation process and the most important dispenser of patronage and resources control over the state [is] the central preoccupation of politics.\(^{160}\)

Consequently, the political competition has been reduced to a zero-sum contest with the winner taking everything and the looser risks marginalisation. In such an environment Rothschild argues, politics matters because the state control access to scarce resources and the future income streams that flow from them. Individual and groups that possess political power can often gain privileged access to these resources and thus increase their welfare. Because the state set the terms of competition between groups it becomes an object of struggle. Accordingly, the pursuit of particularistic objective often becomes embodied in competing visions of just,


legitimate or appropriate orders. In this environment it is our turn to eat conditions political behaviour.

In various elections, the very risk of dominant elite being voted out and hence loosing privileged access to state resources has encouraged manipulation of state institutions in favour of the incumbent and use of all means, even illegal ones, to retain power. Ajulu, commenting on 1991 – 1992 politically instigated ethnic clashes notes that, confronted with the prospects of an open political process, in which political institutions would have to be rendered more accountable, the ruling party largely responded by politicising ethnicity and launching a series of ethnic cleansing as witnessed in Rift Valley. Further, he argues, as long as those in power equate ceding of political power with a threat to their material wealth and their security and those of their families they will be willing to use all means at their disposal to resist change of status quo.

At mass level the belief that the state is a dispenser of resources has encouraged labelling of certain ethnic groups as guilty owing to their economic wellbeing. The warped believe that, someone is well off, because he comes from the favoured ethnic group has encouraged false myths of sub-national citizenship. Nowhere is this thinking more prevalent than on the issue of land ownership in Rift Valley province. The land question has been identified as a key cause of violence in the Rift Valley province, which was the epicentre of post-election violence. Though not denying that senior kikuyu elite during Kenyatta regime allocated themselves large tracts of land in the province, majority of kikuyu land owners who were victims of post-election

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violence had either settled in there before independence or acquired the land through `willing seller willing buyer` basis.\textsuperscript{164}

Despite that every Kenyan has a right to legally acquire and own private property anywhere in the country, the indigenous Kalejin community labelled non-kalejin communities, especially the kikuyu`s as `foreigners. Consequently, in 1992, 1997 and 2007, the `foreigners` were targeted, on the basis that they had occupied Kalejin ancestral lands, and had been ungrateful to the generosity of the host community, by voting differently from the kalejins.\textsuperscript{165} This justified the forced mass dispossession and displacement of foreigners as a mechanism of reversing historical injustices.

Elsewhere, the myth of historical injustices exhibited collective selective amnesia, especially in the ODM electoral campaigns, whereby the 24 years of Moi authoritarian rule was overlooked. Instead Kenyatta and Kibaki regimes were seamlessly joined to create a myth that kikuyu economic domination is attributable to kikuyu elite control of the government and by removing them from power, the problems facing Kenya will disappear. A view represented by a commentator that

`you will realize that your (kikuyu) fathers and mothers had an unfair advantage vis-a-vis other Kenyans. During Kenyatta reign, he transferred all of the white settlers land to kikuyu. Please don`t give me that rubbish of I worked hard and own a business. Please acknowledge the sins of your ancestors, and then propose solutions. Non-Kikuyus sat on the sidelines while Kamaliza (Kenyatta) and his Kikuyu henchmen raped the country denying other Kenyan jobs and land.\textsuperscript{166}

\textsuperscript{165} Ibid, p.8
3.6 The Culture of Impunity

The chapter so far has brought out the historical dynamics which explains the post-election violence. One thing is clear that since the beginning of multiparty politics, there has been violent conflict around the electioneering period. Before and after 1992, 1997, there were violent conflicts which targeted members of specific ethnic communities. This raises the questions of why a violent electoral related violence has persisted within Kenyan political discourse. Alternatively put, why do leaders continue to use violence, as a strategy of attaining political power?

This continuity is explained as manifestation of the entrenched culture of impunity. The United Nations Commission on human rights has defined impunity as,

‘the impossibility, _de jure or de facto_, of bringing perpetrators of violations to account – whether in criminal, civil, administrative or disciplinary proceedings – since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty sentenced to appropriate penalties, and to making reparations to their victims’.  

Further, the document notes that, impunity arises from failure by states to meet their obligations to investigate violations, to take appropriate measures in respect of the perpetrators particularly in the areas of justice by ensuring that those suspected of criminal responsibility are prosecuted, tried and duly punished; to provide victims with effective remedies and to ensure that they receive reparation for the injuries suffered; to ensure the inalienable right to know the truth about violations and to take other necessary steps to prevent recurrence of violations.  

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168 Ibid, p.443
In Kenya, the decay in the justice, law and order sector, has allowed individuals implicated in organizing, financing and perpetration of political violence to escape prosecution and punishment. Since 19992, various Commissions of Inquiry have brought out incriminating evidence linking some political leaders to the political violence. The Parliamentary Select Committee to Investigate Ethnic clashes in Western and other parts of Kenya (Kiliki Committee), the Judicial Commission of Inquiry on the Tribal Clashes (Akiwumi Commission) and Task Force on establishment of Truth, Justice and Reconciliation Commission, provided information and names of individuals who were involved in organising and financing political violence.169

Despite this evidence, there has been no successful prosecution of individuals mentioned. Indeed, during the presentation by the Attorney General-whose office is tasked with prosecutions- to the Waki Commission, he provided various reasons why there has been no prosecution of individuals implicated in the findings of various Commissions of Inquiry. The reasons included: Government dismissal of findings as biased and prejudiced, lack of enough evidence, lack of capacity and resources on the part of the investigating authorities, self censorship or fear on the part of the investigators who are susceptible to pressure and manipulation and such other reasons.170 These reasons reflected unwillingness rather than inability to prosecute and reflected the partisan nature of Kenya’s judicial system. It has been characterised as lacking independence, impartiality and is riddled by corruption. Also it is largely

169 See, the Parliamentary Select Committe to Investigate Ethnic Clashes in Western and Parts of Kenya 1992(Kiliki Committee) and the Judicial Commission of Inquiry on the Tribal Clashes (Akiwumi Commission), and the Task Force on the Establishment of Truth, Justice and Reconciliation Commission.
controlled by the executive branch and justice is bought and sold to the rich and powerful. This makes the rule of law seriously dysfunctional as it caricatures legality and betrays public trust.

Consequently, political actors have been aware that they can get away with their crimes. Subsequently, impunity has thrived. The situation was captured by Wamwere that,

‘negative ethnicity is today immune to eradication because of the impunity that perpetrators of its violence enjoy for all their crimes. Today some of those politicians are ministers in government. Because perpetrators and masterminds of ethnic violence were not punished they never stopped unleashing violence and death whenever they thought it politically expedient to do so.\(^{171}\)

The position is shared by a commentator who noted that the 2007 violence is the effect of the casual attitude with which Kenyans handled the 1992 and all other consequent tribal clashes. There was a total lack of initiatives that would have ensured that this kind of warfare would never happen again in spite of our differences.\(^{172}\)

Additionally, the partisan nature of judicial system meant that despite the presence of legal mechanisms for settling electoral disputes, the aggrieved party – ODM – rejected the legal options. It argued that, the judicial process was biased, slow and non transparent.\(^{173}\) Had the judiciary proven its ability to deliver justice quickly and in a transparent manner, the ODM leaders would have been hard pressed to explain their rejection of a legal process.

The same institutional decay was pointed out regarding the security agencies. Despite presence of actionable intelligence on organisation, financing and logistics of the planned post-election violence there lacked a coherent national security policy to deal with the looming threats. Regrettably, the police forces, which are required to provide security to all Kenyans, fell

short of their mandate.\textsuperscript{174} For instance, the evidence collected by Kenya National Human Rights and Waki Commission shows that police were partisan depending on their ethnic or political affiliation. In Rift Valley, the Kalejin officers deliberately neglected or failed to offer protection to non-kalejin, while in Naivasha, Kikuyu officers were reluctant to protect non-kikuyus.\textsuperscript{175} The failure meant that there lacked pre-emptive actions such as arresting the organizers of the violence or credible deterrence to make the cost of engaging in conflict higher than its expected utility.

3.7 Normalisation of Political Violence

Despite the presence of all this factors, for violence to take place there is a need for violence to be normalized through a system of norms, values and attitudes which allow or even stimulate the use of violence.\textsuperscript{176} This requirement has been captured by various scholars. Brown observes in relation to ethnic based conflict that,

\begin{quote}
‘ethnic groups have histories of themselves in relation to others. The history tends to be highly selective in their coverage of events. Distorted and exaggerated with time these histories present one’s own group as heroic, while other groups are demonized, grievances are enshrined and other groups are portrayed as inherently vicious and aggressive. These myths once embellished and amplified by opportunistic politicians create escalatory pressures and moral justifications of group actions.'\textsuperscript{177}
\end{quote}

Consequently, as Lemarchand argues, the society is exonerated of moral constraint, and killing becomes a moral duty.\textsuperscript{178}

The process of moral exoneration was prevalent during political campaigns either during direct public campaigns or through the media. The main theme aimed at dehumanizing the others. The Party of National Unity hierarchy directly and through the media, characterised the

\textsuperscript{174} See, CIPEV Report.
\textsuperscript{175} KNHRC, \textit{On the Brink of Precipice}, Op cit, p.61
\textsuperscript{177} See M. E. Brown, ‘Causes and Implications of Ethnic Conflict’, Op cit, p.11.
\textsuperscript{178} R. Lemarchand, Patterns of State Collapse and Reconciliation, Op cit, p.178.
Kikuyu as like mongoose which is ready to eat chickens. All other tribes, that is, Luo, Kisii, Luhya, are all animals in the forest; they cannot be able to lead this country like Kikuyus’.  
Also they profiled Raila and the Luo community as uncircumcised and hence unfit to lead. On the other hand, the Kikuyus especially in Rift Valley were characterised as *madoadoa* [stains] or weed that needed to be uprooted. Also they were portrayed as thieves, land grabbers, domineering and unscrupulous and that the time had come for the people of the milk [Kalejin] to clear the weed [Kikuyu]. This dehumanizing of others, morally exonerated various groups and perpetration of violence became a moral duty to one’s own ethnic group in some cases girded by rituals to enforce the warriors’ commitment to their community.  

In an environment so much poisoned by perceived or real historical injustices, culture of impunity, ethnicized political competition, decay of state institutions, moral justification for violence against ‘enemies’, political practices which encourages control of state resources for the benefit of private and co-ethnic interests, violence was expected. The announcement of the results of general elections on 30th, December, 2007, by the electoral commission of Kenya declared president Kibaki as the winner with 4.58 million votes against Raila’s 4.35 million votes.  

In response violence broke out in Nairobi, Kisumu, Mombasa, Eldoret, Kericho, Taveta, Wudanyi, Kilifi, Narok, Busia, Bungoma, Kakamega, Kuresoi, and Molo. Within three weeks of the violent conflict, over five hundred people had died. By the third week, over six hundred
people had been killed, and 250,000 were internally displaced in the post-election violence. By the end of the first month of the conflict, over eight hundred people had been killed, and more than 300,000 people internally displaced.  

Drawing from the detailed analysis of the 2007-8 violent electoral conflict, it becomes clear that though characterized as electoral violent conflict, electioneering period only provided a trigger. Prior to the elections, multiple and latent conflict dynamics were present. This is because foundationally, the process of nation-building since independence has been an ethno-national project which has tended to exclude communities lacking power to influence the government. As a result politics of ethnicity and marginalization had led to deep seated feelings of resentment and animosity. Importantly, it created a perception that the only way to protect ‘ethnic interests’ is by capturing political power at the centre hence the ‘no-barrel held’ approach as long as groups capture of the centre.

This approach to politics (marginalization, exclusion and ethnic orientation) subsequently engendered a culture of impunity, normalization of political violence and a value system which treats political power as an instrument for personal enrichment and influence. Thus any actor who sought to manage the 2007-2008 violent electoral conflict needed to be alive to these realities. The conflict was not only about interests (capturing political power) but also dysfunctional value system which had inbuilt potential for violence. To effectively manage it, the need for right methodologies, diagnosis and strategies was critical and this makes it imperative to examine whether NCCK possessed these elements. An imperative dealt with in the following chapter.

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Chapter Four

The Role of the NCCK in the Management of Electoral Violence in Kenya, 2007-2008

4.1 Introduction

The post-election violence has been traced to the patterns of social and political practices in Kenya. The practices as indicated in the previous chapter are rooted in the trajectory which the state building project took. Rather than attempting to build a state which accommodates different ethnic groups, the process was ethnicized. Consequently the ethnic identity of those in power has determined who benefits from the government resources leading to political competition based on ethnic rivalries and a logic that by capturing the state means access to its largesse for private purpose. Further, the social and political practices have engendered the culture of impunity. Since no high profile leader has been punished for employing violent political strategies, the use of violence has become a part of electoral competition. As such, the 2007-2008 electoral violence was nothing new but reflected the dysfunctional nature of political competition in Kenya and perceptions of injustices which were attributed to given ethnic groups. \(^{184}\)

This chapter focuses on the role the NCCK played in the management of the violence. Towards this end the chapter has three sections. The first section focuses on the NCCK contributions to the reform agenda especially the struggle for political pluralism. The second section focuses NCCK conflict management mechanisms and the final section analyses how the NCCK responded to the post-electoral violence. The Chapter integrates primary and secondary data

\(^{184}\) See Chapter Three which analyses the post electoral violence in Kenya
4.2 NCCK and the Struggle for Political Reforms in Kenya

The role of the church in Kenya’s politics is traceable to the advent of colonialism. Throup has argued that during colonial period, the church and state were fused. He characterises the colonial state as quasi – Anglican due to the pervasive influence that Anglican Church had. Also the church augmented the government role in provision of services. By 1963, when Kenya attained independence, the church was firmly entrenched in development arena controlling more than 70 percent in the sphere of education, healthcare, social welfare and economic training.¹⁸⁵

The cohabitation persisted during Kenyatta regime, when the church and state had amicable relationship. Throup attributes this to the role of ethnicity. He argues that,

‘one cannot explain the nature relationship between the church and state without factoring in the role of ethnicity. Commenting on the relationship during Kenyatta regime he states , ‘the relationships were largely amicable because the CPK, the Presbyterian church of East Africa and Roman Catholics after independence became increasingly dominated by Kikuyu chairmen and their congregation in Central province, whose lay members held influential positions in the government.’¹⁸⁶

Active church engagement in opposing government policies which engendered structural violence began during Moi regime especially after 1986, when the entire secular civil society political organisation had either been banned or co-opted by the government. The involvement of the church in struggle for reforms from this period is attributable to various dynamics.

First, the authoritarian political system provided the church with the opportunity of to engage in the struggle for democratisation. The deteriorating socio-economic conditions, lack of respect for human rights and the oppressive one party state provided the church with a just cause

which it could use to condemn the excesses of the government. Reflecting this view, one of the most vocal clergy at the time, Rev. B. Njoroge Kariuki stated ‘The church has a duty beyond the rescue of victims of oppression. It must try to destroy the cause of oppression. The church will have to enter the political arena to do this’\textsuperscript{187}. In a sense therefore, the clergymen were concerned that civil liberties had been curtailed and saw it as their duty to contribute to bringing about change.

In playing this role the church had a unique advantage since the government was reluctant to target it directly and the then president Moi portrayed himself as a devout Christian making it impossible to directly attack the institution he had so closely identified himself with. As a result during the process of centralisation, the church remained among the few institutions that managed to keep a degree of corporate independence from the state. It is this organisational resource that was put to critical use in the struggle against oppression in the 1980s and 90s. In retrospect, a retired Archbishop Gitari observed that at that time, ‘we became the spokesmen of the people because it was so dangerous [in the 1980’s] for an individual to attack the government. This was different when it came to the clergy because the government would find it very difficult to arrest Bishop Okullu or Bishops Muge or myself. If they arrested me, within a very short time the whole world would be protesting’\textsuperscript{188}.

The relative immunity made the church a space of integration and construction of solidarities and because of its ability to combine both sacred and profane resources, the church in Kenya came to enjoy a specific type of power: The power to deliver and the power to tame and

\textsuperscript{188} \textit{Weekly Review} (Nairobi),\textsuperscript{8th} May, 1992, pp.21-22
define reality. It is from this position that its most important ministers spoke out.189 From the pulpit the clergy would attack the government without the fear of been nabbed by the then much feared special branch. For instance during the clamour for multipartyism, Okullu recalls a sermon he gave where he said,

‘I stand before you as an old man in body but young man at my heart..... I remember so clearly the ideals our people stood for in our nationalist struggle... democracy, social justice, truth, peace, personal integrity, human dignity, equality before the law, and above all, the just government of men..... Kenyans are rightfully frustrated with this government, and there is no other way of putting it that we want to elect a new and proper government.190

In 1992 the church under the NCCK umbrella delivered a highly critical message to president Moi in reaction to government’s complicity in the ethnic clashes which were ongoing in Rift valley and western provinces. During a meeting in statehouse the clergy stated that,

As religious leaders....we have to tell you plainly that you were wrong in your assessment of the situation. Unless you change the present policies Kenya will not be KANU but a cemetery of thousands of the sons and daughters.... whether you like it or not, the truth is that people have lost confidence in you and those close to you......At present you seem to be securing the interests of a small clique of rich and powerful men who are surviving at the cost of life, blood and misery of thousands small people.191

Had such a bold message originated from secular leaders, the chances of retribution were very high. However the church did not escape from the divisions which existed in the wider society. Indeed except for Bishop Muge, the rest of the vocal clergy such as Bishops Henry Okullu, and David Gitari of the Anglican Church and Reverend Timothy Njoya of the Presbyterian Church were easily labelled as individuals opposing Moi regime on the basis of

191 Daily Nation (Nairobi), 2nd May, 1992, p.1
their ethnicity. Bishops Njoya and Gitari were always open to the charges that they were fighting to preserve the Kikuyus and Okullu was accused of promoting narrow Luo interests. More so within same denominations there existed differences between the members of the clergy who were sympathetic to the regime and those who expressed outright opposition. For instance in the Presbyterian church of East Africa, the clergy fearful of destroying the cordial relationship with Moi regime engineered the transfer of Revered Timothy Njoya from Nairobi Saint Andrews church to Kirima diocese in his home district Nyeri. Further, they stripped him off his position as a pastor'.

Reverend Njoya was a fierce critic of Moi regime. Also Moi regime managed to create a wedge between the mainstream churches. Moi came to regard the mainstream denominations as “the enemy”, and he closely aligned himself to the evangelical churches and was a staunch member of the African Inland Church and never missed Sunday service even as his repressive regime assassinated rival politicians, detained others without trial and tortured those who threatened his power base.

Despite the central role the church had played during the quest for political pluralism, they were edged out by political parties once the constitution was repealed to allow multi party politics. Consequently after the 1992 general elections the church retreated to its traditional role of spiritual, social and economic development. However the NCCK which was and is the dominant church based organization continued with its peace programs. From 1992 it established a conflict resolution mechanism in response to the politically instigated violence before and after 1992 general elections.

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194 An interview conducted with an Anglican church clergy on 27th, May, 2010
4.3 The Conflict Resolution Mechanisms of the NCCK

The NCCK community peace building and development project was initiated as the council’s response to the clashes experienced in Western Kenya with the advent of multi-party politics in 1992. This project was therefore started in 1992 as an emergency response to the suffering of the victims of clashes at the time by addressing immediate relief needs of people displaced due to ethnic violence. Afterwards, a rehabilitation component was introduced to ensure people’s livelihood would be restored. From 1995 onwards, the project started to focus on peace and reconciliation as a major condition for resettlement and rehabilitation as well as sustainable peace. The focus of this work further shifted to activities aimed at contributing to peace building in Kenya.

The project which has focused more on grass root efforts has been instrumental in strengthening inter-ethnic interaction, community understanding of the conflicts, and local capacity for peace to prevent further conflicts. As a result of the lessons and experience gained from implementing the community peace building and development project, the Council in 2000 established the National Agenda for Peace (NAP), with the mandate of investigating and addressing the underlying causes of conflict right across the country. The experience of CPBD had shown that conflicts have origins that go beyond the actual conflict zones.

In the year 2003, the NCCK peace work was consolidated under the framework of the NCCK Peace Program (NPP) that combines the efforts which were separately undertaken by its Community Peace Building and Development (CPBD) and the National Agenda for Peace

197 Ibid
(NAP) Projects. The goal was to mobilize all Kenyan communities for peace advocacy, reconstruction, reconciliation and stability.\(^{198}\)

A respondent noted that the establishment of the conflict resolutions reflected the organization convictions that their faith call upon them to be soldiers of peace. He stated,

‘The church has a proper and specific responsibility which is identified with her mission of giving witness before the world of the need for love and justice contained in the gospel message, a witness to be carried out in church institutions themselves and in the lives of Christians. This is because God calls upon us to be peacemakers and to be reconciled with ourselves and our neighbours before we can be reconciled with him’\(^{199}\)

The position is a reflection of the view expressed by Mwagiru that religious actors get involved in the business of conflict management as a vocation.\(^{200}\)

In the task of conflict resolution the NCCK focus has been on peace advocacy, reconstruction, reconciliation and stability. A respondent noted that their main concern is mainly reconciliation of divided groups. A respondent observed that their focus on reconciliation reflects their understanding that any individual is capable of committing wrongs against others and what is needed is not retribution but empathy and restoration of relationships.

A respondent observed that,

‘A lot of people have argued that a peaceful and harmonious world is not realizable and possible, since conflict is normal, natural and inevitable. This understanding limits peace to the absence of conflicts in terms of crisis, wars, poverty and disease, among others. This kind of peace is not real and does not last and is achieved through terror, threat, intimidation, the changing of environment, development of conflict resolution skills, negotiation and disarmament, etc. Lasting peace, which is real, true and unchangeable

\(^{198}\) Ibid

\(^{199}\) An interview with an NCCK official conducted on 27\(^{th}\) May, 2010

comes first from within, and involves a long process of dealing with the self and with relationships. This cannot be realized through violence. There is urgent need to work for justice such that relationships between peoples are based on premises of justice and solidarity. Jesus did not resist or conquer violence with a stronger violence but triumphed on the cross with his love.  

The organisation’s understanding of peace is close to the seminal way of understanding conflict developed by conflict researchers who understands that beneath the overt violence there exists unfulfilled human needs and unless these needs are addressed and new relationships based on mutual positive-sum reciprocation established sustainable peace is not possible.

Burton argues that conflicts should not be suppressed but rather accepted as inevitable, thus bring the willingness to manage them. Suppression of conflicts leads to settlement and as long as conflicts are settled, it exists underneath once the balance of settlement forces are altered, conflict will re-emerge. Peace is not only the absence of violence but as well the elimination of structural sources of conflict. This means that all parties directly involved in the conflict. As part of resolving conflicts internal conflicts, social and political system that gives reasonable social and political space to all groups should be constructed. This is not only essential in resolving conflict but as well in establishing post-conflict relationships. According to Banks, conflict is based on the needs and values of people which determine their physical survival, spiritual aspirations, possessions, belongingness and identity. The point of departure for peace is the needs and values of ordinary people.

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201 An interview with an a pastor of a church which is a member of NCCK conducted on 25th May, 2010
The difference between the NCCK and conflict researchers understanding of peace is that NCCK utilizes sacred resources to bring peace. For instance concerning reconciliation a respondent succinctly stated that,

‘Reconciliation is first and foremost the work of God. Christians believe, of course, that salvation comes from God and not from our efforts. In thinking of reconciliation in that light, what becomes apparent—especially in social situations after conflict—is that the magnitude of the damage which has been done is ultimately beyond any human effort at correction. Only God has the perspective that can ultimately sort everything out. Thus, Christians hold to the idea that it is God who through Jesus Christ brings about reconciliation, not ourselves. We are but agents of God’s activity—“ambassadors for Christ’s sake” in Paul’s words in second Corinthians 5:20. For this reason, reconciliation is as much a spirituality for Christians as it is a strategy. It is only by living in communion with God that we can come to recognize the action of God toward reconciliation in our world. To assume that reconciliation is something which comes entirely from our efforts results in the psychological and physical burnout so common among those who work in post-conflict situations’.206

The respondent view is in line with the arguments put forward by Gopin, one of the leading scholar on how religious values can be integrated into conflict resolution theory. Gopin argues that, there are two essential benefits to exploring a relationship between religion and conflict resolution theory. First, there is a vast reservoir of information in sacred texts on peacemaking and conflict and on prosocial and antisocial values that affect conflict. Second this literature contains a long history of individual struggles with the inner life, which have either led toward or away from a violent disposition. By understanding and applying these teachings one goes beyond the secular limits of peace and connects it to the transcendental.207

206 An interview with an official of NCCK peace program on 25th May, 2010
This connecting of peacemaking to a transcendental framework equips the peacemakers with a unique set of resources relative to other actors. This is because, ‘religion represent decisive sources-and-resources for restraining war or bringing an armed conflict to an end through its normative rationales for restraint that exceed the bounds of traditional diplomacy. By identifying and bolstering a normative commitment embraced in a transcendental framework that implies long term commitment religious normative system entails the possibility to buttress and foster a shared framework of peacemaking.208

Despite this holistic understanding of peace, the NCCK after the 1992 general elections remained inactive in the field of peacemaking at national level. Indeed from 1992 its involvement with national politics waned until 1997 when the clamor for a new constitutional dispensation before the 1997 elections intensified. Out of this struggle for a new constitution, the Ufungamano Initiative for Constitution Reform was born on December 15, 1999.209 This initiative was led by a Steering Council of the religious leaders with strong backing from the civil society and the political opposition. The initiative embarked on its own process of reviewing the Kenyan constitution but it did not achieve much for Moi in 2001 replaced the faith led process with one closely connected to the political class. Importantly at this time most of the religious leaders who had been at the forefront demanding reforms were giving ways to others, often far less politicized.210

One year after the Ufungamano initiative was scuttled by Moi regime a new government succeeded Moi after the 2002 general elections. Majority of the newly elected leaders had close working relationship with the NCCK hierarchy. This left NCCK in a moral dilemma. Under

209 Ibid
President Moi's regime, political divisions were clear-cut. Moral authority was clearly held by the opposition and the NCCK shared similar concerns with the opposition. Thus when the opposition won the elections and formed the subsequent government NCCK moved from principled opposition during Moi administration to principled cooperation towards Kibaki’s.\footnote{Ibid, p.42}

At the same time another dynamic was at play. NCCK hierarchy since its inception had been dominated by members of the Gikuyu, Embu and Ameru (GEMA) communities and this made it hard for the leadership to criticize the GEMA dominated Kibaki administration. Gifford observes that, the NCCK under the chairmanship of Rev. Mutava Musyimi-who had accepted an appointment to head a rather toothless anti-corruption body when new corruption scandals were revealed routinely pronounced on public issues, on everything from the need to fight corruption to the need to stop ethnic killings. These calls went on the public record, but did not achieve a great deal. Kibaki routinely called on the churches to act as the conscience of the nations.\footnote{Ibid, p.44} The NCCK had lost its identity as a neutral religious body which did not shy from challenging the government. To many it had been co-opted by the ‘Mount Kenya Mafia’. A respondent observed that,

\begin{quote}
‘the close relationship between Rev. Musyimi and Kibaki government eroded the moral capital of NCCK. History shows that the effectiveness of NCCK has largely depended on the Secretary General rather than the institution itself. As such when the reverend went silent in the face of decay in Kibaki regime, NCCK could not escape the allegations that it was partisan and comfortably in bed with Kibaki regime’.\footnote{An interview with an official of NCCK conducted on 27\textsuperscript{th}, May, 2010}
\end{quote}

Thus by the time Kenya was moving towards the 2007 elections NCCK moral legitimacy and impartiality had been weighed and found wanting. This is because despite the accusations that

\begin{itemize}
  \item \footnote{Ibid, p.42}
  \item \footnote{Ibid, p.44}
  \item \footnote{An interview with an official of NCCK conducted on 27\textsuperscript{th}, May, 2010}
\end{itemize}
NCCK had become too close to the government it failed to use the 2005 proposed constitution referendum to redeem its soiled image. In the run-up to the referendum on the new draft constitution for the country in 2005, the Church in general seemed to find its political voice once again, but its agenda was narrowly focused on resisting the inclusion of Islamic courts in the new constitution, rather than focusing on the justice issues that they had become closely associated with. The NCCK, Catholics and newer evangelical churches combined to form a new body called the ‘Kenyan church’ and actually moved to court to challenge the constitutionality of *kadhi* courts.\(^{214}\) This was hardly the prophetic voice that the Church had come to be associated with.

A respondent pointing out to this missed opportunity noted that,

> ‘While not denying the Church the right to articulate its views on issues of concern to it, the expectation that it would rise and speak more forcefully on broader issues of justice in the constitutional debate largely went unmet. Instead its own forceful and largely insensitive articulation of its opposition to Islamic courts alienated the Muslim community, its erstwhile partner in fighting for constitutional reform in the last years of the Moi regime’\(^{215}\)

Further as the 2005 referendum campaign continued the NCCK became divided. At the beginning of the referendum campaigns, a vocal segment of the NCCK mobilized to reject the draft and publicly and forcefully stated their positions. However, with time, many key GEMA leaders backtracked and counseled their followers to ‘vote with their conscience’. This was interpreted by the “No” camp to indicate that the GEMA church leaders’ change of heart was ethnically motivated. The NCCK was thus seen as divided and serving narrow political interests depending on the ethnic group to which its leaders belonged. The prophetic voice of the Church

\(^{214}\) ‘Why you must vote no!’ *Daily Nation* (Nairobi), 18\(^{th}\), November, 2005

\(^{215}\) An interview with NCCK official conducted on 28\(^{th}\), May, 2010
to act as the conscience of society was lost, and the Church did nothing to evaluate its own role even after the people voted to soundly reject the draft constitution. Consequently, NCCK and the church in general lost whatever remaining public good will as witnessed by various critical articles appearing in the media afterwards.\textsuperscript{216} A situation further exacerbate by the open partisan politics prior to the 2007 elections.

4.4 NCCK’s Response to the 2007-2008 Electoral Violence

The emergence of violence and the eventual descent of lawlessness, in the year 2007, of some parts of the country threatened people and the economy as well.\textsuperscript{217} The 2007 election was conducted on an uneven playing field which saw the post-election period caught up in overt tension, which transformed itself into violent confrontation immediately the presidential electoral results were announced. This was triggered by ODM’s rejection of the electoral outcome.\textsuperscript{218} The situation was worsened when four ECK Commissioners admitted irregularities in the controversial tallying of presidential electoral results.\textsuperscript{219}

It was in this context of free-for-all and election contestants (ODM and PNU) opposed to each other that religious organizations like NCCK emerged to mediate between the two sides.\textsuperscript{220} The NCCK’s role as an agitator for peace emerged from its tradition of Peace Building and Development (CPBD) and the National Agenda for Peace (NAP) Projects.\textsuperscript{221} However, its role was questioned by infuriated citizens owing to lack of neutrality of Church Leaders in the 2007

\textsuperscript{216} For instance see Adams Oloo, ‘The church is not our voice anymore’, \textit{Standard} (Nairobi), 5\textsuperscript{th}, November, 2006; George Ogolla, ‘No longer the beacon of political morality’, \textit{Standard} (Nairobi), 15\textsuperscript{th}, September, 2006
\textsuperscript{217} http://www.peacedirect.org/peacebuilders/past-projects/kenya/ accessed: June 12, 2010
\textsuperscript{220} An interview with an NCCK official, on the Role of NCCK in the Negotiation Process conducted on 25\textsuperscript{th}, May, 2010
\textsuperscript{221} Ibid
election campaigns. A commentator capturing the public mood stated that, ‘the religious leaders [have turned] a blind eye to evil, and by so doing, they have lost the moral ground to preach about God’s kingdom. It is encouraging that the NCCK and hopefully all other religious groups’ now appreciate this and are seeking forgiveness for leading the sheep astray’.222

Whichever the case, NCCK played some minor role. It took the first move of inviting Bishop Desmond Tutu, whose coming did not calm irate people.223 Although NCCK was associated with the coming of Desmond Tutu, its status as non-state actor withered as some civic leaders argued that some of his members were partisan in the 2007-2008 electoral campaigns.224 On the other hand, some people argued that NCCK lacked the necessary conflict management skills. The NCCK was as well accused of having entered into the negotiation before the conflict was ripe.225

The interviewee observations are critical for they point out important elements needed for a third party to be effective as a mediator. One he must assess whether conflict is ripe for resolution. A conflict is ripe when it has reached a mutually hurting stalemate. This can either be a precipice characterised by an impending catastrophe or one that has been encountered narrowly and just missed or a plateau where each party begins to feel uncomfortable and trapped in a costly dead-end. A plateau must be perceived by both parties not as a momentary resting ground, but a hurting stalemate, a flat unpleasant terrain stretching into the future, providing no later possibilities for decisive escalation or for graceful escape.226 In Kenya’s case the parties in

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222 ‘Church embedded long before elections’, Daily Nation (Nairobi), 15th February, 2008
224 Ibid
225 Ibid
conflict had not reached a mutually hurting stalemate by the time the NCCK was offering its mediation services.

A related issue regards the question of impartiality especially when it comes to a non-state actor lacking power based leverage. Smith notes that unlike track one actors who can be impartial as long as they have resources which parties in conflict values, non-state actors cannot afford to be impartial since their neutrality is an important source of leverage.\textsuperscript{227} The NCCK drew much of its influence from the widely held believe among the Kenyans that it had a moral legitimacy to question the actions of political leaders; it was neutral actor and represented the interests of Kenyans. These attributes were lacking due to its partisan position.

A respondent observed that

‘When conflict parties confide in religious peacemakers, this may be because they are seen as impartial. Importantly, the credibility of religious peacemakers may be a consequence of moral commitment. Religious actors have few opportunities to introduce carrots or sticks in order to push negotiations forward, and if and when they do, there is always a risk that their fundamental credibility is undermined. In NCCK case they had taken sides. Their offer to mediate and rhetoric about neutrality and respect of human rights, was like grapevine leaves that cannot orient growth towards light.’\textsuperscript{228}

The third issues regard the NCCK understanding of the issues at the heart of conflict. A clearer understanding of issues involved in conflict is important. Failure to correctly diagnose the conflict may lead to the management of the wrong conflict. Contrary to the claim, the NCCK had a clear understanding of the conflict and issues involved. A respondent stated that,

\textsuperscript{228} An interview with NCCK peace program official conducted on 27\textsuperscript{th}, May, 2010
Conflict is always an indication that somewhere, there is a problem or an issue that requires attention and proper action. It is like pain. Pain is the body’s way of getting our attention. Pain tells us in very clear terms that something is wrong somewhere, and that we must act responsibly. Conflict is therefore, like the pain, a warning signal in our lives. Conflict gets our attention so we can diagnose and heal the real problem. It is the “visible symptom of a deeper problem.”

Another respondent connected the violence to presence of unfulfilled human needs by observing that, “the individual and inter-group violence which broke up in Kenya sprang from unhealed wounds and deep feelings of persecution over the years. It was a reflection of non-fulfilment of the needs of identity, security, development, and meaning and acute feelings of victimization due to historical injustices.”

Despite the clear understanding of the conflict NCCK was a periphery actor in the mediation process. Its main involvement was as a member of the Inter-Religious Forum. The forum issued a statement which called for an end to political conflict, annulment of the elections, comprehensive constitutional review, resolution of land ownership and use, concretization of national over ethnic identity, and promotion of national healing and reconciliation though establishment of peace and justice commission. Apart from this involvement the NCCK played a significant role in five key areas: information collection and dissemination; policy development consultation; policy implementation; assessment and monitoring of the security situation in Kenya; advocacy for the housing and resettlement of Internally Displaced Persons.

Ibid
An interview with an official of a church affiliated to the NCCK conducted on 24th, May, 2010
The Joint Statement is Available at www.marsgroup.kenya.org.
and criticized the Electoral Commission of Kenya for “allowing” double voter registration and transportation of voters across constituencies.\textsuperscript{232}

In acknowledgement of the failure to play a more constructive role, NCCK issued a press statement titled \textit{Hope for Kenya} where it stated,

\begin{quote}
‘We regret that we as church leaders were unable to effectively confront these issues because we were partisan. Our efforts to forestall current crisis were not effective because we as the membership of NCCK did not speak in one voice. We were divided in the way we saw the management of the elections; we identified with our people based on ethnicity; and after the elections we were divided on how to deal with the crisis.’\textsuperscript{233}
\end{quote}

Further it registered their appreciation of the then ongoing African Union mediation process and made key observations with regard to the mediation efforts. Key demands were that members of both negotiating teams stop treating the lives of Kenyans as cheap collateral that can be traded with political gain; urged all parties in the mediation process to ensure effective negotiation so as to get the best for the nation and its people; urged members of both teams to cease making public statements that can undermine the mediation process; called upon parliament to enact necessary legislation to facilitate legal enforcement of the outcome of the mediation process and finally called upon Kenyans to accept and abide by the outcome of the mediation process.\textsuperscript{234}

The absence of NCCK with its tradition of addressing the value system underpinning the conflict meant that the mediation process was a power based one. Parties were subjected to pressure to reach an agreement which reflected balance of power and elite interests rather than genuine change of hearts and minds which are needed to make peace sustainable. Gopin warns of

\begin{flushright}
\textsuperscript{232} Ibid
\textsuperscript{233} Ibid
\end{flushright}
this approach to conflict by noting that, many successful efforts at peacemaking in the past have, in fact, been pacification. They have masked deep causes of conflict, ignored social justice issues, and ultimately failed to generate profound peacemaking. Furthermore, many efforts address the values and assumptions of just a small, elite segment of society . . . These efforts often only have marginal impact.235

There is no doubt that the NCCK has made immense contributions to the political development in Kenya. During the clamor for democratization, it remained a pioneering voice in a very constricted political environment. Apart from demanding political changes, it was also actively involved in provision of humanitarian assistance after the ensuing violent ethnic clashes in response to demands for political pluralism. Equally, peace building as well as documenting of the individual and groups violations has been it other functions, though it has not done so consistently.

In spite of these contributions and an engaged history, the NCCK in 2007-08 was severely compromised. The defeat of Moi regime in 2003 had brought to power previously opposition groups which in the past had shared trenches with the NCCK. This made the NCCK sympathetic to the new government due to shared past and ethnicity between the top leadership in the government and NCCK. As a result it was viewed as partisan by ODM leadership during the violence period and its offer to be involved turned down.

The chapter shows that, despite clear understanding of the dynamics driving the violence, NCCK did not effectively mobilize its resources towards the management of the 2007-08 violent

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electoral conflict. It had intervened before the conflict was ripe for resolution which points to rushed response lacking in clear analysis. Also it had lost one of the most important sources of leverage for unofficial actors-neutrality and hence it could not effectively mobilize its spiritual and moral resources towards peacemaking.

The discussion confirms a part of the second hypothesis that ‘religious actor’s contribution to conflict management has been hindered by conflict of interests…..’ In addition, it confirms the third hypothesis that ‘NCCK did not mobilize its resources towards the management of the 2007-2008 violent electoral conflict’. This is because it was severely compromised.
Chapter Five

Summary and Conclusions

5.1 Introduction

Conflict remains a constant companion of mankind. From the simplest forms of human organizations to the most complex societies there has always been conflict. This is because individuals and groups possess different values and interests. In the process of pursuing and fulfilling these interests and values, there is always a risk of conflict since, values and interests are not always compatible. As such, what matters is not the presence of conflict per se but the strategies actors adopts in response to the incompatibilities between them.

An enlightened understanding of conflict indicates that it is not something that is essentially bad. Rather, it is an important ingredient of social change. It is akin to a pain in the body, which indicates that there is something wrong in either the physiological or psychological processes and hence, there is a need to see a doctor. Along the same lines, conflict, is a symptom which accompanies the birth of much that is new in society and frequently attends the demise of whatever is outworn. It also sometimes signals the presence of ills in the body politic. It has therefore both constructive and destructive aspects. It can both be warning and a promise. It heralds progress and growth as well as death and decay.\(^{236}\)

Within this understanding of conflict, the task is to manage it [conflict] in a way which brings out its constructive potential and at least suppress its destructive elements. However, this is not always the case, since some conflicts degenerates into destructive exchanges between contending groups. In such a situation, third parties steps in with a goal of guiding the conflictants towards a mutually constructive outcome. The third parties interveners have

different identities, interests and resources. The differences equip them with varying capacities of conflict management. This understanding formed the basis of the study, which sought to examine whether religious organizations have different sets of resources and capacities to manage conflict relative to other third party actors.

To undertake the task, the study was divided into five chapters. The first chapter laid down the basis of the study. This was through development of the research problem, reviewing of the relevant literature, theoretical developments and methodologies of the study. The chapter shows that religious remains a central constitutive element of humanity since majority of the people subscribe to a given faith. Despite these, there exist different positions regarding the relationship between religion and conflict. One position holds that religion is a cause or escalator of conflict. This is the view advanced by proponents of ‘clash of civilization’ thesis, who argue that, in post-cold war, world, religious was increasingly replaced secular ideologies, as the main source of identity. \(^{237}\) As such, religious boundaries mark the fault lines of post-cold war conflict.

The second position treats the relationship as ambiguous. The argument is that, all religious contains values for peace and violence. This is because, in the name of God, violence has been perpetrated against ‘others’ who are considered as non-believers. Also, religious values such as those of love, empathy, compassion, embracing of strangers and forgiving have been utilized in the service of peace. Consequently, religion contains both the notion of peaceable kingdom and holy wars and the task is to mobilize religious resources towards creating a peaceable kingdom. \(^{238}\)

The study has adopted the second position, arguing that the most important element in determining the relationship between religion and conflict/peace is the goals influencing the

\(^{237}\) See Chapter One, pp.5-6
\(^{238}\) See Chapter One, pp.6-7
mobilization of religion by various actors. Subsequently, in line with the first hypothesis, we conclude that religious actors when involved in peacemaking possess decisive resources, unavailable to other third parties as conflict managers.

This conclusion is further reinforced by the analysis in chapter two. The chapter has provided an in-depth conceptualization of third party actors in conflict management. Actors are divided into three categories. The first category (track one) is made up of states and organizations of states. The second category (track one and half) is made up of formerly track one actors, who though currently acting as unofficial actors remains influential and have access to resources and strategies used by track one actors. The third category (track two) consists of non-state actors engaged in conflict management. These actors have different philosophies and methodologies of conflict management.239

Within these categories, religious actors fall under track two. However they are different in the sense that, they can tap into resources, unavailable to other unofficial actors. This is because religion is a normative system which connects individuals to the ultimate meaning of existence. Importantly, the normative system contains critical peace related values. In addition religious leaders enjoy moral/spiritual legitimacy due to the nature of their work. Further, they have access to the grass roots and upper echelons of power, owing to their physical and social-infrastructures.240

Chapter three has detailed the 2007 – 2008 electoral related conflict. The analysis is historical in nature informed by understanding that violence does not just erupt, neighbours do not wake up one morning and decides to start hacking each other. Instead, conflicts have

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239 See Chapter Two
240 See Chapter Two, pp.36-46
histories. History helps to explain people’s motivations and why they believe what they believe. Further, history justifies the aims of the group and also affects the strategies of that group.241

A Historical analysis has shown that the conflict is linked to the trajectory of post-colonial state-building, which took an ethnic basis. This way, the state has been closely identified with the ethnic identity of persons holding the reins of power, since it is presumed that control of state power translates into privileged access to state resources, by co-ethnics. This has spawned dysfunctional political value system and practices based on exclusion, ethnicity and corruption, normalization of violence as strategy for political competition, institutional decay and impunity. Consequently, political competition is couched in discourse of fear of ‘others’ and the logic of ‘it is our turn to eat’.242 This way, winning of political power by all means and the culture of violence has become embedded in Kenya’s body politic.

It is against this background that the 2007 – 08 violent electoral conflict should be analyzed and appreciated. Though labeled electoral, claims of electoral rigging was just but a powder keg. To effectively address this kind of conflict issues of values are as important as those of interests. Failure to address values merely provides band aid solutions. Since track one actors uses power based strategies focused on bargaining interests and leaving out values, we conclude that the involvement of unofficial actors is critical. How they fare when involved is also significant.

In order to evaluate how unofficial actors perform in the business of conflict management, chapter four has analyzed how NCCK as a key religious organization responded to the violent electoral conflict. It has developed the involvement of NCCK in the national political discourse, and shown that, the organization acting in concert with other religious actors has been

242 See Chapter Three
critical in condemning the excesses of government and demanding for reforms, especially during Moi regime. Further, the NCCK in response to the 1992 political instigated ethnic clashes has developed a peace program which has been engaged in mobilization, advocacy, reconciliation and reconstruction.

Despite its visibility in the national arena, the chapter shows that NCCK role in 2007 – 2008 management of electoral conflict was marginal. The major reason for its marginality is because, it was viewed as partisan. Yet, as an actor lacking power-based resources, the main source of leverage was its moral credibility. This way, parties involved could have trusted its involvement and at the same time it would have been in a position to mobilize its constituents towards non-violence, since its membership transcended ethnic divisions.

From the analysis in chapter four, we conclude that when conflict parties confide in religious peacemakers, this is because they are seen as impartial (linked to neither conflict party or to involved states). Also the credibility of religious peacemakers is dependent on their moral commitments to a given cause. This is because they have few opportunities to introduce carrots or sticks in order to push negotiations forward, and if and when they do, there is always a risk of resulting to track one strategies yet their strength lies more with their ability to deal with conflict of value not interests.

On the basis of the analysis done in various chapters, the study has achieved its objectives. The first objective was to examine whether religious actors have a unique set of resources relative to other actors. Chapter one and two shows that, religious actors do have resources, unavailable to other third parties. These include the normative status of religion, its transcendental nature, social and physical infrastructure, and continued presence in even before violence broke out, moral legitimacy and access to various levels of leadership.
The second objective was to examine the shortcomings of religious organizations as conflict manager. The study shows that, religious organizations lacks a comprehensive theoretical understanding and methodologies of conflict management since they treat conflict management as a vocation, a form of witness to their faith. Also, at times they are partial though they lack resources which can allow them to be partial.

The third objective was to analyze the NCCK contribution to the management of the 2007 – 2008 violent electoral conflict. The analysis has shown that, despite the NCCK long history of involvement in Kenya’s political discourse its contribution in this conflict was marginal. This is because it lost its credibility as an impartial and trusted actor. Hence it was unable to mobilize its resources towards assisting the conflictants to achieve a peaceful resolution of their differences.

The findings of the study validate the hypotheses. The first hypothesis that religious actors posses resources which advantages them over other conflict managers has been validated by the findings as discussed in chapter two. Also the hypothesis that the religious actors’ contributions to conflict management have been hindered by lack of right methodologies and skills of conflict management has been confirmed. This is because, to religious actors, conflict management is treated as a vocation and hence they have not developed methodologies and conflict management skills required to effectively deal with such conflicts. This has been discussed in chapter two and four which have brought out the challenges facing religious actors as conflict managers. The final hypothesis that NCCK did not mobilize its resources towards the management of 2007 – 2008 violent post-electoral conflict has been validated since its role was marginal. It had lost its impartiality as already discussed.
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