

**“ADMINISTRATION POLICE AND PEACEBUILDING IN KENYA: A CASE  
STUDY OF MOLO SUB COUNTY, NAKURU COUNTY; 1992-2012.”**

**Mwangi Zacharia Kuria**

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of Master of Arts Degree in Armed Conflict and Peace Studies, University of  
Nairobi.**

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**DECLARATION**

This Research Project is my original work and has not been presented for the award of a Master's degree in any other university.

Signed.....Date.....

C50/76572/2012

Mwangi Zacharia Kuria

**DECLARATION BY SUPERVISORS**

This Research Project has been submitted for examination with our approval as the university supervisors:

Signed.....Date.....

Dr. Mary Ciambaka Mwiandi, PhD.

Senior Lecturer

Department of History and Archaeology

Signed.....Date.....

Dr. Herbert Amatsimbi Misigo, PhD.

Senior Lecturer

Department of History and Archaeology

## **DEDICATION**

To all Administration Police officers committed to peacebuilding endeavours.

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## **DISCLAIMER**

The mistakes and errors are the author's personal responsibility.

## DEFINITION OF TERMS AS USED IN THIS STUDY

**Civilians:** Section of the population that do not take part in hostilities during violence

**Baraza:** Public gathering where government officials engage with members of public on socio-economic and political issues affecting them.

**Ethnic cleansing:** Mass slaughter of members of another ethnic community.

**Joint Security Operations:** A multi-agency undertaking to pacify a troubled area.

**Local FM stations:** Media houses broadcasting using Frequency Modulation in local dialect and characterized by a large audience.

**Madoadoa:** Derogatory code word meaning ‘spots’ used to refer to non-Kalenjin communities who migrated from other parts of the country and settled in Rift Valley.

**Majimboism:** Federal system based on notion of ethnic purity which required expulsion of all ethnic groups from land occupied by Kalenjin and Maasai before colonialism.

**Mungiki:** A Movement ‘meaning’ that seeks to uphold the cultural beliefs, traditions and customs of Agikuyu.

**Orderly Room Proceedings:** Internal Disciplinary Procedure conducted against an errant officer.

**Personnel Number:** Numbers allocated to AP officers for purpose of personnel management.

**Security Agencies:** Military, police and related governmental organizations.

**Security Zone:** Area cordoned and controlled by security personnel to screen those entering or leaving as a measure to end violence.

**Village Headman:** The title of a government administrator at the grassroots.

## ACRONYMS AND ABBREVIATIONS

<b>AP:</b>	Administration Police.
<b>APTC:</b>	Administration Police Training College.
<b>BEAP</b>	British East Africa Police
<b>DIG:</b>	Deputy Inspector General
<b>DDR:</b>	Disarmament, Demobilization and Reintegration.
<b>GEMA:</b>	Gikuyu, Embu, Meru Association.
<b>GSU:</b>	General Service Unit of Kenya Police.
<b>HIV:</b>	Human Immune-deficiency Virus that causes infection that leads to Acquired Immuno-Deficiency Syndrome (AIDS).
<b>IBEA:</b>	Imperial British East Africa.
<b>IDPs:</b>	Internally Displaced Persons.
<b>KADU:</b>	Kenya African Democratic Union.
<b>KNCHR:</b>	Kenya National Commission on Human Rights.
<b>KNA:</b>	Kenya National Archives.
<b>KP</b>	Kenya Police
<b>NGO:</b>	Non-Governmental Organization.
<b>ODM:</b>	Orange Democratic Movement.
<b>PNU:</b>	Party of National Unity.
<b>PUEA:</b>	Presbyterian University of East Africa

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## ABSTRACT

This research examines role of Administration Police in post-conflict peacebuilding as part of reconstruction efforts among rural communities with focus on Molo Sub County between 1992 and 2012. It investigates causes of protracted ethnic violence, peacebuilding initiatives undertaken, impact of the initiatives and challenges faced.

The study is enlightened by two theories namely; Social Contract theory by Jean-Jacques Rousseau whose argument is that people's moral or political obligations depends on a contract among them to create their society. Communities in Molo have established a contract with the government, whose primary duty is providing public safety and security, by participating in elections to exercise their democratic rights. Elected leaders take oath of office to uphold and defend the constitution. Heterogeneous Nations World theory advanced by Johan Galtung posits that in a heterogeneous nation there is diversity among the people with regard to complexion, language, religion and physical features and generally varied socio-economic and political fortunes. Conflicts are more easily absorbed due to tolerance and coexistence compared to homogeneous societies.

This Paper sheds light on history of modern policing to explore the function of Administration Police as state agents of security provision. It traces origin, evolution and development of the Agency, engagement in peacebuilding and identifies its locus standi in the society. The Paper adopted qualitative method of collecting data by analyzing relevant resources in libraries. Gaps identified were filled by obtaining primary data through oral interviews from respondents that were selected randomly.

The study finds that in Molo Sub County, Community-Based Peace Initiatives that directly engage with targeted recipients were most successful and sustainable due to public participation and local ownership. Disposition of Administration Police officers on the ground place them strategically to engage with disputant communities in peacebuilding, despite officers working under difficult circumstances. This is reinforced by the legal and institutional framework that explicitly mandates them to do so.

**Map 1: Political Map of Kenya**



Source: [http://www.nationsonline.org/oneworld/map/kenya\\_map2.htm](http://www.nationsonline.org/oneworld/map/kenya_map2.htm). Accessed on 11/12/2017



**Map 2: Map of Molo Constituency**



Source: <https://softkenya.com/kenya/wp-content/uploads/2011/03/Molo-Constituency.png>. Accessed on 11/12/2017.

## CHAPTER ONE

### INTRODUCTION

#### 1.1 Introduction

Worldwide, government of the day needs a coercive instrument to control resources and other factors of production. This apparatus, namely police must possess monopoly of legitimate force to enable effective governance whose primary obligation is public safety and security. Hence police agency has a double and contradictory function because it can be both agent of the people and of ruling class, thus a tool of social control.<sup>1</sup>

Every nation-state has a police service or services comprising well-organized men and women whose power transcend all matters affecting societal health. This machinery provides internal security that entails crime prevention and detection.<sup>2</sup> Thus overall objective of police involves law enforcement, public order and peace preservation.<sup>3</sup> Therefore, police is an executive arm of government critical for governance.

Genesis of modern policing can be traced back to the historical development of police in Europe where it started informally as a collective, local, voluntary and communal undertaking among rural society. This concept transformed alongside evolution of states, became formalized through development of political authorities and was later imposed in Africa through Colonialism.<sup>4</sup> Thus traditional policing preceded modern policing in Europe and same scenario was replicated in Africa during colonialism.

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<sup>1</sup> Cyril Robinson and Richard Scaglione, "The Origin and Evolution of the Police Function in Society: Notes toward a Theory", *Law & Society Review*, Vol.21, No.1, 1987, pp.109-154. Accessed: <http://www.jstor.org/stable/3053387> on 16/01/2015.

<sup>2</sup> Cyril Robinson and Richard Scaglione, "The Origin and Evolution of the Police Function in Society: Notes toward a Theory", *Law & Society Review*, Vol.21, No.1, 1987, pp.109-154.

<sup>3</sup> Egon Bittner, "The Police on Skid-row: A Study of Peacekeeping," *American Sociological Review*, Vol.32, No.5 1967, p.699. Accessed: <http://www.dourish.com/classes/ics235aw05/readings/Bittner-PoliceOnSkidRow-ASR.pdf> on 24/09/2016.

<sup>4</sup> Bruce Baker, "Multi-Choice Policing in Africa", *Nordiska Afrikainstitutet*, 2008), pp.5-10 Accessed: <http://www.diva-portal.org/smash/get/diva2:275037/FULLTEXT01.pdf> on 26/09/2016.

In pre-Colonial Kenya, communities had their traditional policing models charged with social order, safety and security of the people.<sup>5</sup> Modern state policing started informally then gradually transformed into a formal endeavour.<sup>6</sup> The country has had a dual policing model since 1902; Kenya Police who initially focused on coast traders, railway routes and urban policing, and Administration Police on hinterland rural policing.<sup>7</sup> Evolution of modern policing in Kenya shared similarities with that of Europe.

This study investigates role of Administration Police in rural post-conflict peacebuilding, as part of the reconstruction process to prevent recurrence of violence and solidify peace. It highlights history of the Agency to shed light on origin, mandate, development and transformation to the present. It also investigates ethnic violence in Molo with regard to causes, response by government agencies and consequences. Peace initiatives adopted, impact and challenges faced by AP entity are also explored and conclusion drawn.

This chapter therefore, provides an overview of the study which sheds light on policing institutions that have shaped provision of state security in the country, with a bias towards Administration Police Agency. This forms foundation for the study.

## **1.2 Background to the Study**

Development of modern policing in Kenya is inter-woven with advent of Colonialism in the late 19<sup>th</sup> Century that established a dual policing model. For the Kenya Police the idea was borrowed from Sir William McKinnon, a British Merchant who employed energetic men to protect his businesses at the coast.<sup>8</sup> Proclamation of the British East Africa Protectorate in 1895 caused British Foreign Office to order opening of the first Police station at Mombasa in 1896. Same year IBEA Company established an armed Force at

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<sup>5</sup> Ruteere Mutuma, Marie-Emmanuelle Pommerolle, "Democratizing Security or Decentralizing Repression? The Ambiguities of Community Policing In Kenya", *Journal of African Affairs*, Vol.102, No.10, 2003. Accessed: <http://afraf.oxfordjournals.org/content/102/409/587.short> on 29/10/2016.

<sup>6</sup> Janine Rauch and Elrena Spuy, "Police Reform in Post-Conflict Africa", *Research Paper*, 2006, p.80. Accessed: [http://www.nipsa.in/uploads/resources\\_file/1028\\_Police\\_reform\\_IDASA.pdf](http://www.nipsa.in/uploads/resources_file/1028_Police_reform_IDASA.pdf) on 20/09/2016.

<sup>7</sup> Janine Rauch and Elrena Spuy, "Police Reform in Post-Conflict Africa", *Research Paper*, 2006, p.80. Accessed: [http://www.nipsa.in/uploads/resources\\_file/1028\\_Police\\_reform\\_IDASA.pdf](http://www.nipsa.in/uploads/resources_file/1028_Police_reform_IDASA.pdf) on 20/09/2016.

<sup>8</sup> Republic of Kenya, *The Kenya Police Service Strategic Plan: 2003-2007* (Nairobi: Government Printer, 2003), pp.1-4.

the coastal town to protect its interests, namely trade, railways and the affluent class.<sup>9</sup> Initially it was named Colonial Police Force then renamed British East Africa Police and eventually called Kenya Police.<sup>10</sup>

Initially personnel were drawn from Indian Police whom Legal Framework such as Penal Code and Criminal Procedure Code guided service delivery. Regional Commissioners recruited Africans on a small scale and formed indigenous troops called Askaris in East Africa and Middle East, to serve Colonial Authorities namely Italy, Britain, Portugal, Germany and Belgium keen to advance their interests.<sup>11</sup> Job description entailed guarding shops and banks in addition to safeguarding regime's territorial and other economic interests. Personnel were also deployed alongside military to serve in the First and Second World Wars.<sup>12</sup> This temporarily disrupted transformation of state policing.

The inception of Administration Police can be traced back to 1902 when Colonial Government enacted Village Headman Ordinance that empowered the administrator to employ youths from local communities who became Native Police personnel and assisted him in executing his duties.<sup>13</sup> Job description of the Native Police Force entailed conflict resolution, collection of taxes and enforcing other laws to modernize African informal economy. However the Agency became unpopular with local communities who viewed personnel as traitors serving interests of colonial regime.<sup>14</sup>

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<sup>9</sup> Republic of Kenya, "Report of the National Taskforce on Police Reforms", *Ransley Report* (Nairobi: Government Printer, 2009), pp.13-18.

<sup>10</sup> Hans-Martin Sommer, "The History of the Kenya Police 1885-1960", *Research Report*, p.2-11. Accessed [https://www.academia.edu/4406247/History\\_of\\_the\\_Police\\_in\\_Kenya\\_1885-1960](https://www.academia.edu/4406247/History_of_the_Police_in_Kenya_1885-1960) on 21/06/2015.

<sup>11</sup> Republic of Kenya, "Report of the National Taskforce on Police Reforms", *Ransley Report* (Nairobi: Government Printer, 2009), pp.13-18.

<sup>12</sup> Hans-Martin Sommer, "The History of the Kenya Police 1885-1960", *Research Report*, p.2-11. Accessed [https://www.academia.edu/4406247/History\\_of\\_the\\_Police\\_in\\_Kenya\\_1885-1960](https://www.academia.edu/4406247/History_of_the_Police_in_Kenya_1885-1960) on 21/06/2015.

<sup>13</sup> Jospeter Mbuba, and Florence Mugambi, "Approaches to Crime Control and Order Maintenance in Transitional Societies: The Role of Village Headmen, Chiefs, Sub-Chiefs and Administration Police in Rural Kenya" *African Journal of Criminology & Justice Studies*, Vol.4, No.2, 2011, pp.4-8. Accessed: [www.umes.edu](http://www.umes.edu) on 24/02/2014.

<sup>14</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009* (Nairobi: Government Printer, 2004), pp.12-13.

Ratification of Police Ordinance in 1906 formalized British East Africa Police. In 1911 a training centre was founded in Nairobi and the first Inspector General appointed to head all police components. BEAP was renamed Kenya Police Force in 1920 with Europeans and Asians holding officer cadre and Africans filled lower ranks.<sup>15</sup> In 1929 Tribal Police Ordinance was enacted and changed Native Police to Tribal Police Force that was later changed to Administration Police Force in 1958 after enactment of Administration Police Act.<sup>16</sup> The same year a training facility was set up in Ruring'u, Nyeri and the training of personnel was centralized.<sup>17</sup> Colonial regime established two police forces whose evolution occurred separately but both advancing government interests.

In 1969 section 17 of the AP Act that provided for officers to access public goods and services such as meals at hotels and bus or railway transport at the expense of tax payer, was repealed due to what was said to be abuse of the privileges by AP officers. These special privileges not enjoyed by other public servants served to motivate the personnel.

The training college was relocated from Jomo Kenyatta International airport to the current base at Embakasi in 1972. This was to create more space for expansion in order to accommodate the increasing population of AP officers.<sup>18</sup> Both Kenya Police and Administration Police Agencies are charged with distinct but complementary mandates.<sup>19</sup> Each entity is vested with distinctive core functions harmonized to avoid conflict or overlap. They are provided for in the National Police Service Act and other laws. Orientation of each entity remains unchanged despite transformation over the years.

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<sup>15</sup> Republic of Kenya, "Report of the National Taskforce on Police Reforms", *Ransley Report* (Nairobi: Government Printer, 2009), pp.13-14.

<sup>16</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009* (Nairobi: Government Printer, 2004), pp.12-13.

<sup>17</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.12.

<sup>18</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009* (Nairobi: Government Printer, 2004), pp.10-14.

<sup>19</sup> Chtalu Bruce, "The challenges related to police reforms in Kenya: A Survey of Nairobi County, Kenya" *Master's Thesis*, (Nairobi: Kenyatta University, 2011), pp.1-2 Accessed <http://ir-library.ku.ac.ke/bitstream/handle/123456789/12075> on 03/07/2015.

Recurrent ethnic-based turmoil has been witnessed on the eve of General Elections, attributed to politicization of socio-economic issues. Affected parts of the country include Rift Valley, Nyanza, Coast and major urban centres leaving behind grievous consequences. Molo Sub-County was among the violence hotspots that became hallmark of electioneering period. Violence Instigators employed Organized Criminal Gangs such as militias and vigilante groups to commit atrocities on civilians.<sup>20</sup> The context of ethnic violence was synonymous with electioneering period after which there was relative calm.

Administration Police officers were deployed in joint security operations to neutralize or avert violence before, during and after hostilities. When local officers were overwhelmed reinforcement was availed from outside the Sub-County, with security operations achieving relative success. Over the years AP officers continued to engage with local communities to preserve peace through arbitration of disputes, normal policing duties, supporting other governmental agencies and peacebuilding undertakings.

### **1.3 Statement of the Research problem**

Since inception, mandate of Administration Police has been to provide public security, tranquility, order and preserve public peace to ensure harmonious coexistence among recipient communities; through law enforcement. However, despite presence of the personnel violence occurred in Molo in different cycles. Many researchers have conducted studies on police and peacebuilding. Nevertheless, little is transcribed regarding Administration Police and Peacebuilding in the Kenyan context.

Over the years Administration Police entity has undertaken conflict resolution and peacebuilding in partnership with other actors namely government and non-governmental agencies from local and international levels to consolidate peace, but these appear not successful in the backdrop of recurrent skirmishes. Sustainable peace thus remain elusive and violence unpredictable.

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<sup>20</sup> Peter Kagwanja, "Facing Mt. Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of Succession in Kenya, 1987-2002", *Journal of African Affairs*, Vol.102, No.3, 2003, pp.25-26. Accessed: <http://www.kenyanpundit.com/wp-content/uploads/2008/04/kagwanja-on-mun.pdf> on 04/10/2015.

Undeniably there is deficiency of academic information on the contribution of personnel in post-conflict reconstruction efforts. Even though researchers have studied involvement of AP personnel in security operations, not much is availed on their participation in building sustainable peace and challenges faced. Moreover there is lack of categorical research on how the peacebuilding initiatives have impacted on communities living in Molo Sub County. Therefore it is imperative to examine the gaps with a view to unearth the role of AP in peacebuilding.

The study is based on appreciation that despite presence of Administration Police officers at the local level, violent inter-ethnic conflicts remained pervasive in Molo and little is known about their contribution to peacebuilding.

#### **1.4 Objectives of the Study**

The general objective of the study is to examine role of Administration Police in peacebuilding in Molo Sub-County.

The specific objectives are:-

- (i) Examine the causes of conflict in Molo Sub-County since 1992.
- (ii) Examine impact of the conflict in Molo Sub-County.
- (iii) Examine the role of Administration Police in peacebuilding in Molo Sub-County.
- (iv) Examine the impact and challenges of the peacebuilding initiatives by Administration Police.

#### **1.5 Justification of the Study**

Several studies discuss Administration Police and peace operations in Molo but not comprehensively about their role in post-conflict peacebuilding. Where cited, it is not discoursed on their contribution but as ordinary functions of the organization. Hence there is no in-depth inquiry on the precise role executed by personnel in the undertaking.

This study hence endeavoured to seal these gaps through research and providing scholarly material on role of Administration Police in Peacebuilding in Molo.

The legal framework provides for Administration Police to engage in peacebuilding as a core function, epitomized by the citation; ‘coordinating with complementing Government agencies in conflict management and peacebuilding’.<sup>21</sup> This research project provides scholarly insight on peacebuilding function of Administration Police with the aim of plugging gaps in existing literature.

### **1.6 Scope and Limitations of the Study**

This research was limited to the function of Administration Police in post-conflict peacebuilding and hence did not delve deep into other pillars of peacebuilding. Personnel comprise security machinery deployed before, during and after violence and continue to offer services to the communities in the aftermath and beyond.

This study covered the period from 1992 to 2012 because during this period armed conflict occurred and episodes co-incided with the eve of general elections. Multipartyism had just returned the year before and what followed was vicious ethnic-based violence. Molo Sub-County in the Central region of former Rift Valley Province was chosen because it has been a hotbed of the ferocious conflicts and serves as a representative sample of the country.<sup>22</sup> The research was specially conducted in Molo Central Location to enhance accuracy of the findings, and focused on post-conflict period after belligerent parties have ceased hostilities and reconstruction commenced.

Several challenges were faced in the course of undertaking the study. Weather patterns were unfamiliar but this was countered by getting adequate information about the area and planning for the study accordingly. Another challenge was concerns about personal safety but the region turned out to be relatively safe to conduct the research. A section of

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<sup>21</sup>Republic of Kenya, “The National Police Service Act, 2011”, *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2011) Section 27 (i). Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 14/04/2014.

<sup>22</sup> Marie-Aude Fouere and Susan Mwangi, (ed.), *Kenya's Past as Prologue: Voters, Violence and the 2013 General Election* (Nairobi: Twaweza Communications, 2014), pp.166-168.



respondents demanded payment but the Researcher explained to them that the study was an academic undertaking and gave them a token to appreciate their contribution.

In addition, respondents particularly IDPs had high expectations and expected him to provide solutions to their problems. He explained to them that the study findings will inform formulation of policies and programmes to address their concerns. These will assist authorities in planning and executing strategies to that effect.

Financial constraints were addressed by adhering to a strict budgetary regime supplemented by savings, research grant from employer and proceeds from investments. Language barrier was expected but did not occur because respondents understood both national and official languages, English and Kiswahili. However, these challenges did not affect quality of data collected. Moreover, Research Ethics funneled this study.

## **1.7 Literature Review**

Many researchers have written scholarly work on diverse features of the police. Literature materials reviewed are significant to the study because they give valuable understanding into function of police in the society while several have focused on role of police in peacebuilding. Scholars have discussed engagement of police in post-conflict rebuilding as part of the security sector. However, there is lack of comprehensive examination on the function of police during reconstruction efforts.

Bosnia-Herzegovina's civil war ended after signing of the 1995 Dayton Agreement that established a fragmented federation entity, with eleven different and independent ethnic police forces.<sup>23</sup> Thomas Muehlmann posits that this multi-ethnic policing comprise ten regional and one federation level each commanded under a different law. Vices plaguing the forces include non-cooperation, political patronage and corruption. Officers implicated in war atrocities continued serving and others engaged in crime which eroded

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<sup>23</sup> AFP, "Bosnia divided, 20 years after Dayton deal", *Daily Nation*, 20/11/2015, p.32

public confidence.<sup>24</sup> He delves into police reforms as a strategy for transforming Agencies to conform to dynamic needs of post-conflict society but fails to explore peacebuilding aspect. In Kenya, there is research done on police and crime control but little has been done about AP in peacebuilding. This research sought to address this gap.

Ray Murphy, a scholar in post-conflict peacebuilding is the author of a book, *UN Peacekeeping in Lebanon, Somalia and Kosovo: Operational and Legal Issues in practice*. He argues that civil war in Kosovo weakened police agency and military reinforced where soldiers performed both police duties and judicial functions. The weak police force failed to exert legitimate force over the citizenry; and other state institutions did not regain efficiency which hampered public safety and security; but military and civilian police duties should be demarcated.<sup>25</sup> Post-conflict peacebuilding by the civilian police is not accorded much attention. This gap established foundation for doing the study in Kenya, in the light of post 2007 election violence that weakened AP and Kenya Police with a view to plugging them.

James Dobbins posit that in post-conflict East Timor, United Nations Peace Enforcement Mission in 1999 was successful and United Nations temporarily engaged in executive policing, where it replaced the state due to a weak police system. International community recruited locals, trained them and eventually handed over authority to the government when the situation improved.<sup>26</sup> A new police force was created from scratch to boost public trust and confidence but its peacebuilding role is not addressed. In Kenya there is little research done to expose the role of AP in building sustainable peace and this research seeks to bridge this gap.

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<sup>24</sup>Thomas Muehlmann, "Police Restructuring in Bosnia-Herzegovina: Problems of Internationally-Led Security Sector Reform", *Journal of Intervention and State Building*, Vol.2, No.1, 2008, pp. 1-22.

Accessed: <http://dx.doi.org/10.1080/17502970701810856> on 24/03/ 2015.

<sup>25</sup>Ray Murphy, *UN Peacekeeping in Lebanon, Somalia and Kosovo: Operational and Legal Issues in practice* (New York: Cambridge University Press, 2007), pp.1-25

<sup>26</sup> James Dobbins, et al, *The UN's Role in Nation-Building: From the Congo to Iraq* (Santa Monica: Rand Corporation, 2005). pp. xv-179. Accessed: <http://www.rand.org> on 03/03/2014.

In their book, “Peacebuilding and Police Reform”, Tor Holm and Espen Eide argue that in 1991 a weak police force led to collapse of the peace process in post-conflict Cambodia. United Nations temporarily took over administration of the country. Police reform programmes were de-linked from those of military, because functions of both entities become blurred during and after conflict.<sup>27</sup> However the role of police in post-conflict peacebuilding is not discussed in detail. The 2007/08 post-election violence in Kenya weakened the policing component and the military reinforced police operations. Contribution of AP in post-conflict reconstruction is not exhaustively addressed, a gap this research seeks to fill.

Ray Murphy argues that end of Lebanese civil war in 1992 coincided with initiation of peacebuilding as an international agenda for peace by United Nations Organization. However, the body lacked a peacebuilding strategy for the country and it was left alone after losing its pre-war strategic significance and the root causes of conflict were not addressed.<sup>28</sup> The author highlights international peacekeeping process but fails to explore police engagement in post-conflict peacebuilding. This provided foundation for this research to explore police contribution to peacebuilding in post-conflict societies.

In his article, ‘Security Sector Reform and Peacebuilding in Nepal: A Critical Reflection’, Shiva Dhungana posit that the Comprehensive Peace Accord of 2007 stripped the despotic monarch of absolute power and gave it to the people. This included control of security forces where police were mandated to maintain peace and order but there was no provision for vetting officers.<sup>29</sup> However he does not delve deep into post-conflict peacebuilding and consequently police involvement in the undertaking. This research seeks to unearth function of AP in peacebuilding.

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<sup>27</sup> Espen Eide and Tor, Holm (ed.), *Peacebuilding and Police Reform*, (New York: Frank Cass, 2000), pp.1-20.

<sup>28</sup> Ray Murphy, *UN Peacekeeping in Lebanon, Somalia and Kosovo: Operational and Legal Issues in practice*, (New York: Cambridge University Press, 2007), pp.25-46.

<sup>29</sup> Shiva Dhungana, “Security Sector Reform and Peacebuilding in Nepal: A Critical Reflection” in *Journal of Peacebuilding & Development*, Vol.3, No.2, 2007, pp.70-77. Accessed [http://www.ncf.org.np/upload/files/715\\_en\\_JPD-article-dhungana-vol-3-No-2.pdf](http://www.ncf.org.np/upload/files/715_en_JPD-article-dhungana-vol-3-No-2.pdf) on 25/03/2015.

Andrew Selth in his article “Myanmar’s Police Forces: Coercion, Continuity and Change”, posits that police popularity in the public domain diminished in 2007 when during the “saffron revolution”, suppressive security agencies caused deaths, injuries, arrests and detention of protestors.<sup>30</sup> He delves into changing fortunes of police, notably emerging from being eclipsed by the army, expansion, structure and organization; and international relations with other police organizations but fails to deeply investigate police involvement in post-conflict peacebuilding as a component of reconciliation process. In Kenya APs are involved in peacebuilding process during conflict aftermath.

Gavin Cawthra and Robin Luckham put forward that in post-conflict Sri Lanka after 2009, police force was plagued by corruption, negative ethnicity and political patronage. Efforts to make police and military more accountable were frustrated by activities of an armed opposition. Consequently the state was accused of ‘politicide’ against civilians, violation of human rights and limited democratic space which impeded reconstruction efforts.<sup>31</sup> The peacebuilding component is not deeply explored and this gap provided a base on which the study is premised. In Kenya AP entity has been made accountable to the public through police oversight bodies among them the Independent Policing Oversight Authority established in 2011.

In their book, “Anomie and Violence: Non-truth and Reconciliation in Indonesian Peacebuilding”, John Braithwaite argue that after violence ended in Indonesia in 2004, state security agencies were accused of bias during hostilities instead of acting as peace agents. Police were accused of supporting militia activity, corruption and human rights violation, highly politicized and hired to commit atrocities.<sup>32</sup> The authors have not comprehensively investigated police involvement in post-conflict peacebuilding. This study investigated the role played by AP in post-conflict reconstruction efforts.

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<sup>30</sup> Andrew Selth, “Myanmar’s Police Forces: Coercion, Continuity and Change”, *Journal of International and Strategic Affairs*, Vol.34, No.1, April 2012, pp.53-79. Accessed: [muse.jhu.edu](http://muse.jhu.edu) on 26/06/2016.

<sup>31</sup>Gavin Cawthra and Robin Luckham (ed.), *Governing Insecurity: Democratic Control of Military and Security establishments in Transitional Democracies*, pp.3-28.

<sup>32</sup>John Braithwaite, et al, *Anomie and Violence: Non-truth and Reconciliation in Indonesian Peacebuilding* (Canberra: Australian University Press, 2010), pp.1-12.

Barry Ryan is the author of the article “Quasi-pluralism in a Quasi-peace: South Serbia’s Multi-ethnic Police”. He discusses the Dayton peace settlement and asserts that it was signed in Paris on December 14, 1995 marking the end of civil war. Community-Oriented Policing was initiated to boost post-conflict reconstruction. Initially police reform contributed to the peace settlement ending major hostilities. However, police lacked proper training and sufficient measures to build trust and confidence among the populace.<sup>33</sup> The scholar does not exhaustively examine role of police in post-conflict peacebuilding and this study attempted to explore Community-Based Policing as a strategy by AP in consolidating peace among communities ravaged by violence.

According to Albrecht Schnabel and Hans-Georg Ehrhart in their book, “Ethnic-military relations in Macedonia”, since end of violence in 2001 security sector reform has been influenced by ethnic-military relations. Inter-ethnic reconciliation processes should have preceded security sector reform where both internal and external security forces have critical roles to play in the success of post-conflict peacebuilding. Civilian police as part of internal component must be under democratic control and reformed to become an asset, not liability to the public.<sup>34</sup> However, the writers do not delve deep into the function of police in post-conflict peacebuilding, providing this research with groundwork to inquire into the role of AP in peacebuilding after violence is over and reconstruction commenced.

Tor Holm and Espen Eide in their book, “Peacebuilding and Police Reform”, affirm that in Haiti military and police were one entity called ‘security forces’, with personnel changing uniform according to duty. In 1994 Aristide government abolished the forces and established the Haitian National Police in which a few soldiers were incorporated to

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<sup>33</sup>Barry Ryan, “Quasi-pluralism in a Quasi-peace: South Serbia’s Multi-ethnic Police” *Journal of International Peacekeeping*, Vol.14, No.2, 2007, pp.282-297. Accessed: <http://repository.keele.ac.uk/> on 12/11/2014.

<sup>34</sup>Albrecht Schnabel and Hans-Georg Ehrhart, *Ethnic-military relations in Macedonia*, (New York: United Nations University Press: 2005), pp.1-23.

provide strategic leadership. Police engaged in crime, eroding public confidence.<sup>35</sup> Peacebuilding is discussed but role of police in the undertaking is not examined in detail and this research aimed at exploring function of AP in post-clashes rebuilding work.

The two authors further argue that in post-conflict El Salvador, Peace Agreement of 1990-1992 called for screening of police officers to ascertain human rights records. United Nations assisted the government in police reforms. Military dominated police and resisted reforms.<sup>36</sup> They assert that it's difficult to separate military from police when the two have a history of close links. Contribution of police in post-conflict peacebuilding is not given much attention and this research investigated role of AP in this undertaking.

In Stephen Baranyi's book, "Paradoxes of peacebuilding: Post-9/11" he posit that when Guatemala's interior war ended in 1996, United Nations-backed Peace Accords between Government and rebels called for reconversion of army, police and dissolution of Civil Defence Patrols plus other paramilitary corps. However, police officers' involvement in organized crime eroded public confidence.<sup>37</sup> Peace-building after civil war is briefly discussed but involvement of police not accorded adequate attention. This gap informed the study which inquired contribution of AP in post-conflict peacebuilding.

Writers Cawthra Gavin and Luckham Robin in their book, "Governing Insecurity: Democratic Control of Military and Security establishments in Transitional Democracies", postulate that end of Apartheid regime in South Africa was marked by signing of National Peace Accord in 1991, and police reforms were initiated but military remained untouched. Officers were accused of human rights abuses and other crimes resulting in low public confidence.<sup>38</sup> However, function of police in post-Apartheid

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<sup>35</sup>Espen Eide and Tor Holm (ed.), *Peacebuilding and Police Reform* (New York: Frank Class, 2000), pp.1-10.

<sup>36</sup>Espen Eide and Tor Holm (ed.), *Peacebuilding and Police Reform* (New York: Frank Class, 2000), pp.1-10.

<sup>37</sup> Stephen Baranyi (ed.), *Paradoxes of peacebuilding: Post-9/11* (West Mall: UBC Press, 2008), pp.1-51

<sup>38</sup> Cawthra Gavin and Luckham Robin (ed.) *Governing Insecurity: Democratic Control of Military and Security establishments in Transitional Democracies*, (London: Zed Books Ltd, 2003), pp.1-41. Available: [www.zedbooks.demon.uk](http://www.zedbooks.demon.uk) .

peacebuilding is not investigated deeply. This study probed into involvement of AP in post-violence rebuilding work.

Author Roland Paris in his book, “At War's End: Building Peace After Civil Conflict”, explores the major post-civil war peacebuilding undertakings in Namibia between 1989 and 1999. The first mission was deployed in 1989 where local police were put under oversight of United Nations, to supervise their conduct and disarm former combatants.<sup>39</sup> However the role of police in post-conflict peacebuilding is not probed deeply and this deficiency formed a foundation to undertake the inquiry.

In his article, “Illiberal Peacebuilding in Angola” Ricardo Oliveira put forward that after Angolan civil war ended in 2002 the government applied an alternative to contemporary peacebuilding, Illiberal Peacebuilding epitomized by despotism and disregard of the rule of law in post-war reconstruction governance. In this process the state invested heavily in the police force using it to ruthlessly advance the regime’s agenda, control of the political economy.<sup>40</sup> This in his view seems to have succeeded alongside Lebanon, Sri Lanka, Rwanda, and Eritrea. However he does not examine deeply contribution of police in post-conflict peacebuilding. This study explored role of AP in post-conflict reconstruction.

According to Helene Maria Kyed, when the civil war in Mozambique ended in 1992 the government assisted by United Nations commenced police reforms with paradoxical results, because efforts to reconstitute state authority relied on embracing tradition as an alternative sphere of authority. Police officers embraced witchcraft plus spiritual matters.<sup>41</sup> She asserts that officers endeared themselves to the populace, but traditional healers were unhappy because their place in society was undermined. He fails to exhaustively address police involvement in post-conflict peacebuilding. This inquiry explored function of AP in post-violence reconstruction work.

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<sup>39</sup> Roland Paris, *At War's End: Building Peace after Civil Conflict* (New York: Cambridge University Press, 2004), pp.1-17.

<sup>40</sup> Ricardo Oliveira, “Illiberal Peacebuilding in Angola”, *Journal of Modern African Studies*, Vol.49, No.2, 2010, pp.1-314. Accessed: <https://www.cambridge.org> on 27/08/2014.

<sup>41</sup> Helene Kyed, “State Policing and invisible Forces in Mozambique”, *Africa*, Vol.84, No.3, 2014, pp.424-443. Accessed: <http://journals.cambridge.org/AFR> on 31/07/2014.

Jennifer Hazen in her article, “Violence in Liberia: Falling between Peacebuilding and Peacekeeping”, puts forward that the 2003 Peace Agreement that ended civil war provided for disbanding and complete reconstruction of police force assisted by United Nations Mission in Liberia. This proved difficult because the starting point was zero and the new Liberian National Police is still weak, corrupt, highly politicized and hence unable to adequately deliver security services.<sup>42</sup> She mentions peacebuilding in passing while emphasizing on state building and does not address role played by police in post-conflict era. The study provides groundwork on which to conduct the research.

In his article, “Who do people turn to for Policing in Sierra Leone?”, Bruce Baker posits that after civil war ended in 2002; government institutions including police had collapsed. Consequently localized policing agencies with overlapping spheres of influence, terms and conditions of service emerged and operated more as gangs than professional police institutions.<sup>43</sup> Unlike for military, the country’s constitution does not provide functions for police and hence it has lost authority in much of the country. He leaves out police function in post-conflict peacebuilding but provides groundwork for this research in order to expose role of AP in the conflict aftermath as peace builders.

Matthew Kirwin argues that in Cote d’Ivoire state institutions had collapsed including the state police that was no longer functioning when civil war ended in 2002, hence a new force was created from scratch. In his article, “The Security Dilemma and Conflict in Côte d’Ivoire”, he observes that the new Ivorian Police is still weak and plagued by political patronage, ethnicity and corruption hence inefficient in service delivery.<sup>44</sup> However the writer does not deeply examine involvement of police in post-conflict peacebuilding, leaving knowledge gap that the study sought to fill. This book therefore establishes foundation for this research in order to fill this gap.

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<sup>42</sup>Jennifer Hazen, “Violence in Liberia: Falling between Peacebuilding and Peacekeeping”, *Conflict Trends*, 2011, pp.1-30.

<sup>43</sup> Bruce Baker, “Who do people turn to for Policing in Sierra Leone?” *Journal of Contemporary African Studies*, Vol.23, No.3 (Sept. 2005), pp.1-371. Accessed: [www.rolc.sc.edu](http://www.rolc.sc.edu) on 07/11/2014.

<sup>44</sup> Matthew Kirwin, “The Security Dilemma and Conflict in Côte d’Ivoire”, *Nordic Journal of African Studies*, Vol.15, No.1 (2006), pp.1-48. Available: [www.njas.helsinki.fi](http://www.njas.helsinki.fi). Accessed on 28/09/2014.



Maddalena Campioni and Patrick Noack in their book, “Rwanda Fast Forward: Social, Economic, Military and Reconciliation Prospects”, posit that after the genocide of 1994, government institutions including police had collapsed. The government appointed women to prominent positions of leadership and responsibility such as cabinet, parliament, judiciary and police to help in reconciliation of the communities.<sup>45</sup> The author does not examine in detail the function of police in peacebuilding in the conflict aftermath and hence this study endeavoured to investigate the undertaking.

In their book, “Peace Building and Conflict Management: A Joint Case Study of North Rift Region of Kenya”, Terry Mwaniki, Peter Mbuchi, Mark Lereruk and Fred Mwei, recognize Administration Police in Kenya among key stakeholders in conflict resolution and peacebuilding as agents of government. Disposition of officers at the grassroots provides them with a platform to engage with communities they serve in conflict resolution mechanisms to foster peace and harmonious co-existence. At the strategic level, AP entity has adopted peacebuilding as a policy direction.<sup>46</sup> The function of AP in post-conflict peacebuilding is however not discussed in depth but the book provides foundation to conduct the study aimed at filling the gaps.

In his book, *Undercurrents of Ethnic Conflict in Kenya*”, John Oucho argues that inter-ethnic conflicts in the country are due to underlying socio-economic and political issues dating back the colonial era. Government of the day was able to contain violence hence prevented full blown civil war.<sup>47</sup> He analyzes post-conflict environment and asserts that wounds and scars inflicted by violence have been expeditiously treated and national reconciliation effected but there is need to prevent recurrence of violence. However he does not delve deep into contribution of AP in post-conflict peacebuilding, providing a gap this study seeks to fill.

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<sup>45</sup> Maddalena Campioni & Patrick Noack (ed.), *Rwanda Fast Forward: Social, Economic, Military and Reconciliation Prospects* (England: Palgrave Macmillan Publishers, 2012), p.252.

<sup>46</sup> Terry Mwaniki, et al, *Peace Building and Conflict Management: A Joint Case Study of North Rift Region of Kenya* (Nairobi: Paulines Publications Africa, 2007), pp.1-20.

<sup>47</sup> John Oucho, *Undercurrents of Ethnic Conflict in Kenya* (Boston: Koninklijke Brill, 2002).

James Karori in his article, “Analysis of Inter-ethnic Conflicts and Peace Building between 1992 And 2010 in Molo District, Kenya” argues that ethnic violence in Molo has been recurring every five years since 1992 and coincided with General Elections due to unresolved socio-economic and political issues, with land being an emotive issue.<sup>48</sup> These re-ignited skirmishes after ballot vote with police failing to neutralize hostilities. The author does not delve deep into post-conflict peacebuilding role of police. This gap informed this research in order to shed light on the involvement of AP in the undertaking.

In view of the above, role of police in post-conflict peacebuilding has not been given much attention. Most of the existing researches did not delve deep into the contribution of police during the reconstruction period. Consequently the role of Administration Police in post-conflict peacebuilding among rural communities in Kenya is not exhaustively exposed. Therefore it was necessary to undertake this study in order to unearth the overarching contribution of the Agency and subsequently plug these gaps.

In this regard, all the reviewed literature provided treasured awareness pertinent to the areas covered by the study. This laid a strong foundation for the research. The Researcher was able to capture the bigger picture about the subject of study and hence raise relevant issues and concerns in order to make an original contribution to existing knowledge.

## **1.8 Theoretical Framework**

This study was framed within two theories namely; Social Contract and Heterogeneous Nations World theories. Social Contract theory was coined by French Philosopher and Political Theorist, Jean Jacques Rousseau who posits that individuals’ obligations depend on a contract among them to establish their society.<sup>49</sup>

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<sup>48</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp.91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/ 2015.

<sup>49</sup> Esther Ng’ang’a, “Evaluating the resettlement of IDPs in Molo area, Nakuru”, *Project Paper*”, University of Nairobi, 2013, pp.17-20.

The parties may be individuals, voters versus rulers, persons versus supernatural being or between and among family members. People surrender their civil liberties for a common good and social order within the rule of law.<sup>50</sup> Ratification of Kenyan constitution through a referendum in 2010 is a tangible form of Social Contract.

Human beings were born free but everywhere they are in chains. Social Contract binds individuals with common interests where each surrenders his/her will and conforms to the will of majority, expressed by voting in free and fair elections. Results reflect will of the majority and form basis of moral duty to all including minority to abide by the contract.<sup>51</sup>

This theory helped the study to investigate role played by Administration Police in building sustainable peace among post-conflict rural communities. The concept was useful in that it provided bearing for studying contribution of AP officers in peacebuilding in Molo Sub County in the violence aftermath. It assumes a bottom-up approach towards peacebuilding undertaking and advances that need for social order and inborn constraints provide natural basis for morality.<sup>52</sup>

Heterogeneous Nations World Theory was advanced by Johan Galtung, a Norwegian sociologist and mathematician who argued that in a heterogeneous nation there is diversity among the people in terms of skin colour, facial characteristics, religion, language, customs, traditions and ethnic affiliation among other traits. Thus different ethnic groups with diverse, social, economic and political fortunes are present.<sup>53</sup>

Galtung posit that natural borders should be avoided in order to facilitate free flow of individuals and migration of persons should be encouraged.<sup>54</sup> Heterogeneous societies are more prone to conflicts that are easily absorbed compared to homogeneous societies. In a

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<sup>50</sup> Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986), pp.1-7.

<sup>51</sup> Jean-Jacques Rousseau, *The Social Contract* (Hertfordshire: Wordsworth Editions, 1998), pp.1-19

<sup>52</sup> Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986), pp.1-7.

<sup>53</sup> Johan Galtung, *Theories of Peace: A Synthetic Approach to Peace Thinking* (International Peace Research Institute: Oslo, 1967), pp.84-89.

<sup>54</sup> Johan Galtung, *Theories of Peace: A Synthetic Approach to Peace Thinking* (Oslo International Peace Research Institute:, 1967), pp.84-89.

functioning heterogeneous society there is tolerance and coexistence, as people get used to living together with other kinds of people who even if they dislike learn to tolerate them and adjust themselves to develop patterns of coexistence. This helps to avoid contradictions that cause conflict.<sup>55</sup> Therefore a society should be open to accommodate people from other places rather than be closed by preventing them from entering their territory. This results to diversity and tolerance and helps absorb conflict.

Communities in Molo are characterized with varying degrees of social, economic and political achievement, co-existed peacefully and learned to tolerate their socio-economic and political diversity until re-introduction of multipartyism. Majority of those who have achieved considerable socio-economic mileage are migrants perceived to have done so at the expense of indigenous communities, hence accused of ‘abusing their hospitality’. This theory therefore helped to understand causes, nature of violence, conflict prevention, resolution and strategies to build sustainable peace.

These two theories are complementary because they endeavour to realize sustainable peace through conflict prevention and reconciliation. They provided meaning, direction and context and helped in exploring function of police in post-conflict peacebuilding. Therefore they provided foundation for exposing role of AP in post-conflict peacebuilding among communities at the grassroots.

### **1.9 Research Hypothesis**

This study was premised in the following hypotheses;

- (i) Negative ethnicity is the major cause of armed conflict in Molo Sub-County.
- (ii) The conflict caused Internally Displaced Persons in Molo Sub County.
- (iii) Administration Police officers have played a major role in peacebuilding efforts in Molo Sub County.

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<sup>55</sup> Johan Galtung, *Theories of Peace: A Synthetic Approach to Peace Thinking* (Oslo: International Peace Research Institute, 1967), pp.84-89.

- (iv) The efforts of Administration Police officers led to reduction of armed conflict in Molo Sub-County.

### **1.10 Methodology**

This research employed several instruments in the course of collecting both primary and secondary data. Primary data is the raw or original data collected by the Researcher for the purpose of research. Sources include interviews, archives, and official publications such as reports, legal instruments, strategic plans and photographs. Secondary data is the data that was collected by other actors other than the Researcher. Sources comprise dissertations/thesis, books, scholarly journal articles and newspapers.

Secondary data was acquired in the early phases by reading and analyzing the materials from the University of Nairobi's Jomo Kenyatta Memorial Library, Kenya School of Government Library, Kenya National Library, Ministry of Information (Kenya News Agency) Library and Kenya National Archives. Internet provided access to scholarly material such as electronic books, journal articles, reports, newspapers, photographs and video clips. Gaps found in secondary data were filled by primary data which is the raw data, collected through interviews, questionnaires, observation and listening at informal discussions with respondents. I also interrogated relevant photographs, correspondence and video clips.

First I selected the topic then developed a Research Proposal which after approval by the supervisors I applied for and obtained a Research Permit from the Ministry of Education, Science and Technology. To get respondents two methods were applied; Purposeful sampling and snowballing techniques.<sup>56</sup> In purposeful sampling I deliberately chose samples that in my judgment had required characteristics relevant to the research to serve as representative sample.

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<sup>56</sup> C.R. Kothari, *Research Methodology: Methods and Techniques* (New Delhi: New Age International Publishers (P) Ltd, Second Edition, 2004), pp.15,59.

I then applied snowballing technique where informants mentioned other persons known to them who had required information for the study, and then I interviewed them. This enhanced relevance of data collected by ensuring it was from reliable sources. Later I contacted Chief of Molo Central Location Mr. Hassan Waweru, and used him as the entry point because he was strategically placed to know local residents and guide in identifying informants. He introduced me to the informants and helped to build rapport with them.

A total of 100 respondents comprising members of the National Police Service namely; serving and retired Administration Police and Kenya Police officers, civil servants, teachers, business community, media, NGOs, CBOs, Peace and Security Committee, Community Policing, ordinary residents; and survivors of the violence were targeted. They formed a representative sample for local communities living in the locale. The respondents were chosen because they live and work in the area, witnessed the ethnic violence and hence a rich source of primary data.

In-depth Interviews were conducted using unstructured questionnaires to give room for respondents to provide supporting information to the study. This enabled me to probe issues and capture in-depth information that augmented quality of discussions. This was supplemented with note taking. Mobile phone interviews were conducted with respondents who could not be reached physically due to inevitable factors.

Focus group discussion was held with a group of integrated IDPs during their weekly meetings held every Thursday at Molo town Social Hall, comprised of male and female adults of mixed ethnicity. The session lasted for one and a half hours during which I chaired the discussion and used guiding questions to give direction. I also listened to unguided inter-personal conversation among respondents to capture spoken words.

Direct and participant observation during interviews and the Focus group discussion was done to capture unspoken word expressed through facial expressions, gestures, body language and other forms of non-verbal communication by the respondents. The environment was also observed to detect occurrences and other factors that enriched the

study. Aim was to ensure quality of the information gathered is maintained. However the respondents rejected request by Researcher to tape-record them forcing him to take notes.

To maintain reliability of the report, win confidence and assure their safety, respondents were at liberty to allow their names to be cited. Those who wished to remain anonymous were accorded pseudo-names. I ensured they were given adequate background information to enable them make informed decisions about participation in the study. The Researcher also engaged a Research Assistant to aid in executing the study whose job description was to administer questionnaires and as a guide in the field. After collecting data, it was analyzed qualitatively to capture attributes that helped in understanding the research topic. It was presented descriptively to give the Researcher an opportunity to present stories as they were told for better understanding and then conclusion drawn.

## CHAPTER TWO

### HISTORY OF THE ADMINISTRATION POLICE FORCE IN KENYA: 1902-2012

#### 2.1 Introduction

This chapter delves into origin and development of the police component of state security apparatus. The historical background highlights origin of policing institutions in Kenya with respect to Administration Police, and briefly Kenya Police Agencies and their role in society. It looks into past of Administration Police and how it has undergone transformation over the years, in its endeavour to align itself with the dynamic needs of Kenyan society. It also explores developments that occurred during both pre and post-colonial periods that have shaped the modern day entity.

#### 2.2 Historical Background

History of Kenya Police dates back to colonial period when a British Merchant, Sir William McKinnon of IBEA Company provided security for his stores at the coast and employed guards to perform this task in the late 19<sup>th</sup> Century. The concept of organized police was consequently mooted.<sup>57</sup> This marked the genesis of modern day policing.

Establishment of Colonial State in Kenya is credited to Imperial British East Africa Company after it was chartered by British government between 1888-1895, to carry out trade ventures in British East Africa. It achieved this through military conquest of traditional African societies along the trading routes between the coast and interior. British government took over the territory and changed its name to British East Africa Protectorate in 1895. A basic administrative system was subsequently founded charged with control of Africans and implementation of policies of the government.<sup>58</sup> Later, the system of administration was renamed Provincial Administration.

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<sup>57</sup> Hans-Martin Sommer, "The History of the Kenya Police 1885-1960", *Research Report*, pp.1-7. Accessed [https://www.academia.edu/4406247/History\\_of\\_the\\_Police\\_in\\_Kenya\\_1885-1960](https://www.academia.edu/4406247/History_of_the_Police_in_Kenya_1885-1960) on 21/06/2015.

<sup>58</sup> Ludeki Chweya, "Democratization and Civil Service In Kenya, *PhD Thesis* (Kingston: Queens University, 2003), p.53-55. Accessed: <http://www.collectionscanada.gc.ca/obj/s4/f2/dsk4/etd/NQ81007.PDF> on 10/12/2017.



In 1896 colonial regime established the first police station in Mombasa. Personnel were known as Askari who played a crucial role in the conquest of colonial territories and subsequently served as battalion and internal security forces. IBEA Company employed policemen to protect shops, storehouses and banks but later deployed them to guard railway lines.<sup>59</sup> In 1902 the various police affiliations were merged to form British East Africa Police.<sup>60</sup> Focus of BEAP on urban areas, railways and affluent residential areas created a gap in policing African settlements.<sup>61</sup> This gap necessitated establishment of a police force to bridge the deficit of delivering policing services to the rural communities.

Consequently Colonial Government established Native Police through ratification of the 1902 Village Headman Ordinance whose purpose was to modernize African's informal economy. The administrator appointed strong men known as 'toughs' from the local community as Native Police personnel to assist in discharging his duties.<sup>62</sup> Females were however, not enlisted in the formative years of the Force.<sup>63</sup>

In 1906 Kenya Police was formalized by the Police Ordinance.<sup>64</sup> In 1920 BEAP changed to Kenya Police Force comprised of General Duty officers, General Service Unit, Railways and Harbours, Criminal Investigations Department, Intelligence, Air Wing, Anti-stock Theft Unit and Dog Unit. In 1929 Native Police was replaced by Tribal Police Ordinance that created the Tribal Police Force. This was repealed by enactment of

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<sup>59</sup> Hans-Martin Sommer, "The History of the Kenya Police 1885-1960", *Research Report*, pp.1-7. Accessed [https://www.academia.edu/4406247/History\\_of\\_the\\_Police\\_in\\_Kenya\\_1885-1960](https://www.academia.edu/4406247/History_of_the_Police_in_Kenya_1885-1960) on 21/06/2015.

<sup>60</sup> Jospeter Mbuba and Florence Mugambi, "Approaches to Crime Control and Order Maintenance in Transitional Societies: The Role of Village Headmen, Chiefs, Sub-Chiefs and Administration Police in Rural Kenya" *African Journal of Criminology & Justice Studies*, Vol.4, No.2, 2011 Accessed: [www.umes.edu](http://www.umes.edu) on 24/02/2014.

<sup>61</sup> Kenya National Archives, "The Tribal Police Ordinance, 1929: Correspondence, General", *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/16/252/1, 1930-1944), Folio 6. Accessed on 18/06/2015.

<sup>62</sup> Jospeter Mbuba and Florence Mugambi, "Approaches to Crime Control and Order Maintenance in Transitional Societies: The Role of Village Headmen, Chiefs, Sub-Chiefs and Administration Police in Rural Kenya" *African Journal of Criminology & Justice Studies*, Vol. 4, No.2, 2011, pp. 4-8.

<sup>63</sup> Oral Interview with Benson Wasike, Senior Superintendent of Police, Kitui County Commander, Administration Police Service on 03/07/2015.

<sup>64</sup> Chtalu Bruce, *The challenges related to police reforms in Kenya: a Survey of Nairobi County, Kenya* (A Master's Thesis, Kenyatta University, 201), p.1.

Accessed: <http://ir-library.ku.ac.ke/bitstream/handle/123456789/12075> on 03/07/2015.

Administration Police Act in 1958 that gave rise to the Administration Police Force.<sup>65</sup> This amplifies a rapid transformation of AP as compared to Kenya Police Force.

Penal Code defines a police officer as a member of Kenya Police Force or Administration Police Force.<sup>66</sup> The police law provides that a police officer means Administration Police officer or a Kenya Police officer, and includes officers of the Directorate of Criminal Investigations and reservists.<sup>67</sup> Both are state security agencies established under the Legal Framework; Kenya Police by now defunct laws, Police Act Chapter 84 and Administration Police by Administration Police Act Chapter 85 Laws of Kenya.<sup>68</sup> Therefore Administration Police officers are legally police officers endowed with powers, immunities and privileges that appertain to their rank and appointment.

Enactment of Administration Police Act in 1958 replaced Tribal Police Ordinance. Consequently training of personnel was centralized at Ruring'u in Nyeri.<sup>69</sup> The Statute provided for Establishment and Administration of the Force. Powers and Duties of officers included basically supporting Provincial Administrators to execute their mandate, obeying and executing orders and warrants, preserve peace, prevent crime and apprehend suspected offenders with or without warrant, undergo training as ordered by District Commissioners and also act as messengers in the public service.<sup>70</sup>

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<sup>65</sup> Jospeter Mbuba and Florence Mugambi, "Approaches to Crime Control and Order Maintenance in Transitional Societies: The Role of Village Headmen, Chiefs, Sub-Chiefs and Administration Police in Rural Kenya" *African Journal of Criminology & Justice Studies*, Vol.4, No.2, 2011, p.4. Accessed: [www.umes.edu](http://www.umes.edu) on 24/02/2016.

<sup>66</sup> Republic of Kenya, "The Penal Code Cap.63 Laws of Kenya", (Nairobi: Government Printer, 2009), Section 4.

<sup>67</sup> Republic of Kenya, "The National Police Service Act, 2011", Kenya Law Reports (Nairobi: National Council for Law Reporting, 2011) Section 27 (i). Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 14/04/ 2014.

<sup>68</sup> Jospeter Mbuba and Florence Mugambi, "Approaches to Crime Control and Order Maintenance in Transitional Societies: The Role of Village Headmen, Chiefs, Sub-Chiefs and Administration Police in Rural Kenya" *African Journal of Criminology & Justice Studies*, Vol.4, No.2, 2011, p.4 Accessed: [www.umes.edu](http://www.umes.edu) on 24/02/2016.

<sup>69</sup> Republic of Kenya, Administration Police Strategic Plan: 2004-2009, (Nairobi: Government Printer, 2004), p.12.

<sup>70</sup> Republic of Kenya, "Administration Police Act, Chapter 85 Laws of Kenya", (Nairobi: Government Printer, 2003), Sections 1-26.

AP officers were deemed to be public officers and empowered to lay information or complaint before a subordinate court and enter premises suspected to harbour criminals, illegal goods or activities. They also had power to stop vehicles or vessels suspected of being used to commit crime, search and impound them if they violate the law. Officers also could use firearms within the confines of the law. The law also provided protection from liability for act done in the line of duty, and assault by offenders.<sup>71</sup>

Officers were subject to disciplinary procedures. Offences against discipline included violating provisions of the Act, such as failure to obey a lawful order. Errant officers were punished by the District Commissioner, District Officer or any public officer authorized in writing by Provincial Commissioner; and subjected to Orderly Room Proceedings. Punishment included reprimand, confinement to barracks, fines, stoppage of salary increment and reduction in rank or dismissal.<sup>72</sup>

Administration Police officers performed their duties under supervision, command and control of Administrative officers who held officer ranks.<sup>73</sup> District Commissioners were the AP Commanders in the district under the direction of Provincial Commissioners. Hence command of the Force was decentralized, except in case of complaints, security operations cutting across districts or need for logistical support that exceeded local capacity.<sup>74</sup> If transferred to another district, officers were either re-issued with a new Certificate of Appointment or re-endorsed by the recipient District Commissioner.<sup>75</sup>

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<sup>71</sup> Republic of Kenya, "Administration Police Act, Cap. 85 Laws of Kenya", (Nairobi: Government Printer, 2003), Sections 1-26.

<sup>72</sup> Republic of Kenya, "Administration Police Act, Cap. 85 Laws of Kenya", (Nairobi: Government Printer, 2003), Sections 1-26.

<sup>73</sup> Ministry of Information, "Captioned Photo showing British Central Provincial Commissioner inspecting a Guard of Honour mounted by Tribal Police recruits at Kiganjo Police College," *Kenya News Agency* (Nairobi: 1958), Photo No. E 905/17. Accessed on 18/06/2015.

<sup>74</sup> Republic of Kenya, Administration Police Strategic Plan: 2004-2009, (Nairobi: Government Printer, 2004), pp.9-12.

<sup>75</sup> Republic of Kenya, "Administration Police Act, Cap. 85 Laws of Kenya", (Nairobi: Government Printer, 2003), Sections 1-26.

Minister for internal security was accorded the title of Commandant of the Force with powers to amend the schedule of ranks periodically.<sup>76</sup> He could issue general instructions and information through Standing Orders or other channels. However the government would appoint a uniformed officer to serve as a Commandant subject to the command and direction of the Minister, through the Permanent Secretary.<sup>77</sup>

The Administration Police being a paramilitary organization emphasize on infantry maneuvers during operations. Thus the training endeavour to impart officers with skills aimed at enabling them to adapt to their work environment that mostly involves combat operations in the jungle.<sup>78</sup> The Force was also deemed to be a reserve army that could be deployed by the president in case of war or emergency in defence of the country.<sup>79</sup>

Initially duration of basic course for recruits was three months and then extended to 6 months.<sup>80</sup> Thereafter it was lengthened to 9 months.<sup>81</sup> In 2009 the Ransley Task Force on police reforms recommended that basic training be extended to 15 months and academic qualifications considered to upscale quality of personnel. It also reported that majority of Kenyans were opposed to merger of Kenya Police and Administration Police, and that Administration Police be separated from Provincial Administration and commanded by a Commandant General.<sup>82</sup> This however did not occur because in 2010 the constitution established the National Police Service headed by Inspector General of police.

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<sup>76</sup> Republic of Kenya, “Administration Police Act, Cap. 85 Laws of Kenya”, (Nairobi: Government Printer, 2003), Section 3.

<sup>77</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), pp.4-7.

<sup>78</sup> Administration Police, *Five Year Review: Highlights of 1<sup>st</sup> AP Strategic Plan (2004-2009)* (Nairobi: Government Printer, 2009), pp.10-11.

<sup>79</sup> Republic of Kenya, “Administration Police Act, Cap. 85 Laws of Kenya”, (Nairobi: Government Printer, 2003), Section 5. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 03/12/2014.

<sup>80</sup> Kenya National Archives, “The Tribal Police Ordinance, 1929: Correspondence, General”, *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/16/252/1, 1930-1944), Folio 2.

<sup>81</sup> Oral Interview with Lenah Ndinda, Senior Superintendent of Police, Kisasi Sub-County Commander, Administration Police Service, Kitui County on 22/06/2015.

<sup>82</sup> Republic of Kenya, “Report of the National Task Force on police reforms”, *Ransley Report*” (Nairobi: Government Printer, 2009), pp.73-254.

Enactment of the Constitution of Kenya, 2010 created National Police Service as one of the national security organs comprised of Kenya Police and Administration Police.<sup>83</sup> Subsequent enactment of National Police Service Act, 2011 repealed both Police Act and Administration Police Act. Both Administration Police and Kenya Police Forces were transformed to Services and put under the central command of Inspector General, each headed by a Deputy Inspector General.<sup>84</sup> The first Inspector General was appointed in December 2012 and the Deputy Inspectors General assumed office in February 2013.<sup>85</sup> This changed policing landscape and consequently provision security in the country.

### **2.2.1 Colonial Period**

Following enactment of the Ordinance in 1902, Headman was mandated with opening up of Reserves, areas inhabited by the indigenous African communities to modernize local economy. Colonial government though the Headman planned to bring the Africans into the tax bracket, money system, dispute resolution and regulate movement of the Africans, domestic animals, agriculture and general law enforcement.<sup>86</sup>

Recruitment criteria were biased towards males who were physically fit, tall, dark complexion, muscular and athletically endowed with minimum consideration for academic qualifications.<sup>87</sup> They were required to be morally upright and shave their beard always.<sup>88</sup> These warriors, equivalent of the Village Constable in England, became Native Police as the Force was then known; and would in the course of duties bully fellow

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<sup>83</sup> Republic of Kenya, “The Constitution of Kenya 2010”, *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2010). Article 243. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 22/08/2012.

<sup>84</sup> Republic of Kenya, “The Constitution of Kenya 2010” *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2010), Articles 238-247. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 22/08/2012.

<sup>85</sup> Fred Mukinda, “Police bosses sworn in”, *Daily Nation*, 13/02/2013. Accessed: <http://www.nation.co.ke/news/-/1056/1692866/-/opxe6o/-/index.html> on 22/02/2015.

<sup>86</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009* (Nairobi: Government Printer, 2004), pp.1-4

<sup>87</sup> Kenya National Archives, “The Tribal Police Ordinance, 1929: Correspondence, General”, *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/16/252/1, 1929), Folios 4 (A)-6.

<sup>88</sup> Kenya National Archives, “Matters Concerning Tribal Police”, *Colony and Protectorate of Kenya* (Nairobi: KNA, bb/43/24, 1963), Folios 3, 5, 8,9,13. Accessed on 08/07/2015.

Africans creating bad blood with locals.<sup>89</sup> Aspects of British Common Law and Indian Penal Code were being enforced but contradictions between formal and informal African economies led to conflict of value systems, norms, incompatible cultures and laws.<sup>90</sup>

Basic training of recruits was localized where the package offered was simple, covering firearms skills and making arrests.<sup>91</sup> Nature of training was paramilitary aimed at hardening personnel to endure challenges in their work environment. This was mandated to the respective Regional Agents subject to the direction of Provincial Commissioners most of who were ex-soldiers. Each district was unique in terms of personnel recruitment, training, uniform and kitting.<sup>92</sup> Kenya Police and King's African Rifles Personnel assisted in training which focused on basic recruits' instruction, promotion and prosecution courses to serve the African Courts.<sup>93</sup> Initially salaries were determined and paid by Regional Authorities and not the central government.<sup>94</sup> No specific body was tasked with the salaries and remuneration.

In 1929 enactment of Tribal Police Ordinance provided the first legal framework and transformed Native Police to Tribal Police Force, a localized Force meaning that each community had their own entity. Recruitment focused on morally upright male youths. Initially salaries were determined and paid by Regional Authorities and not the central government, but no specific body was tasked with the function. A Tribal Police Reserve

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<sup>89</sup> Kenya National Archives, "The Tribal Police Ordinance, 1929: Correspondence, General" *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/16/252/1, 1929), Folio 4 (A). Accessed on 8/07/2015.

<sup>90</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), pp.9-12.

<sup>91</sup> Kenya National Archives, "Tribal Police Ordinance, 1929: Correspondence, General", *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/L/306/3, 1929), Folios 4, 4B, 4C. Accessed on 08/07/2015.

<sup>92</sup> Administration Police, *Five Year Review: Highlights of 1<sup>st</sup> AP Strategic Plan, 2004-2009* (Nairobi: Government Printer, 2009), pp.10-11.

<sup>93</sup> Republic of Kenya, *Administration Police Strategic Plan: 2009-2013*, (Nairobi: Government Printer 2010), pp.10-12.

<sup>94</sup> Kenya National Archives, "*Tribal Police Ordinance, 1929: Correspondence, General*", Colony and Protectorate of Kenya-Legal Department (Nairobi: KNA, AG/L/306/3, 1929), Folios 4A, 4B, 4C. Accessed on 08/07/2015.

Component served as backup in case of emergency.<sup>95</sup> Staff was generally unarmed and deployed to work within their home districts, supervised by Administrative officers.<sup>96</sup>

In 1933 Tribal Police Ordinance was amended to increase the number of personnel serving in African Reserves considered hostile to colonial regime. They were armed with manual firearms and duties included policing Africans which entailed patrols, border security, conflict resolution and arresting offenders.<sup>97</sup> Other duties comprised tax collection, manning outposts and trespass issues.<sup>98</sup> They engaged in joint security operations with Kenya Police and Game Rangers against threats to internal security such as Shifta menace and poachers.<sup>99</sup> Uniform was a coalesce of designs from military insignia and Kenya Police combined with respected symbols of authority from local cultures.<sup>100</sup> Personnel were called ‘Kangas’ and ‘Dubas’ by local community; Kanga was the name for the personnel serving in Turkana in the North Rift region while Dubas referred to officers in North Eastern region.<sup>101</sup>

Sociologists John Paul and Michael Birzer argue in their article, “Images of power: An Analysis of the militarization of Police uniforms and messages of service”, that police uniform and accessories symbolize authority and reflect perceptions of worth and value ascribed to the public. They give identity and cause power inequalities while serving as instruments of social control through application of legitimate force. Uniform commands

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<sup>95</sup> Kenya National Archives, “Tribal Police Ordinance, 1929: Correspondence General, 1930-1944”, *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/L/306/3, 1929), Folios 4A, 4B, 4C. Accessed on 08/07/2015.

<sup>96</sup> Kenya National Archives, “The Tribal Police Ordinance, 1929: Correspondence, General”, *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/16/252/1, 1930-1944), Folio 8A. Accessed on 08/07/2015.

<sup>97</sup> Kenya National Archives, “Tribal Police Ordinance, 1929: Correspondence, General”, *Colony and Protectorate of Kenya* (Nairobi: KNA, AG/L/306/3, 1929), Folios 4A, 4B, 4C, 26A. Accessed on 08/07/2015.

<sup>98</sup> Kenya National Archives, “Matters Concerning Tribal Police”, *Colony and Protectorate of Kenya* (Nairobi: KNA, bb/43/24, 1963), Folios 3, 5, 8,9,13. Accessed on 08/07/2015.

<sup>99</sup> Kenya National Archives, “Security Instructions and Operations against Shifta”, *Colony and Protectorate of Kenya* (Nairobi: KNA, BB.PC/EST/2/12/25, 1970-1982), Folios 16, 56, 60, 64, 66, 67, 75,82,83,90. Accessed on 08/07/2015.

<sup>100</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), pp.9-12.

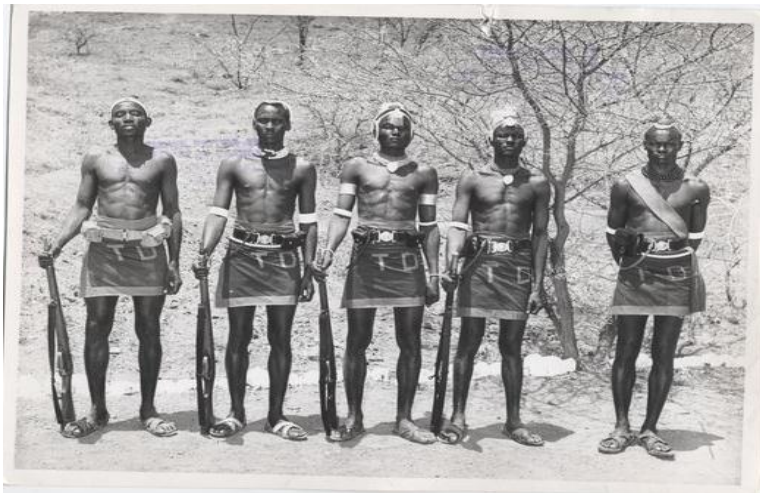
<sup>101</sup> Kenya National Archives, “Concerning Matters Concerning Tribal Police”, *Colony and Protectorate of Kenya* (Nairobi: KNA, bb/43/24, 1963), Folios 3, 5, 8,9,13. Accessed on 08/07/2015.

respect and possesses power to seduce public into subservience, exerting symbolic violence on the masses.<sup>102</sup> Uniform hence symbolize power and identity that impose authority over citizens hence without it, police lack identity and psychological influence.

The Administration Police uniform is hence a symbol of authority, powers, privileges and immunity bestowed upon them by the state through the existing laws that enable the officers to discharge their core function of public safety and security.<sup>103</sup> Alongside their counterparts in the Kenya Police, Administration Police officers are the most visible arm of the state and hence when performing their duties they reflect the image of government; and consequently how they treat citizens echoes the way government treat its people.<sup>104</sup>

### **Figure 1: Turkana Tribal Policemen in official uniform**

Notice the mixture of traditional regalia and colonial uniform/items; and the initials T.D. meaning Turkana District. The male youths were recruited from the local community by the Headman to assist him perform his duties on behalf of the government.



Source: [www.administrationpolice.go.ke](http://www.administrationpolice.go.ke)

<sup>102</sup> John Paul And Michael Birzer, “Images of power: An Analysis of the militarization of Police uniforms and messages of service”, *Journal of Free Inquiry In Creative Sociology*, Vol.32, No.2, 2004, pp.121-122. Accessed: <http://ojs.library.okstate.edu/> on 16/10/2015.

<sup>103</sup> Vera Okeyo, “I am a policeman at heart”, *Daily Nation*, February 3, 2015. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 12/11/2015.

<sup>104</sup> Espen Eide and Tor Holm (ed.), *Peacebuilding and Police Reform*, (New York: Frank Cass, 2000), pp. 1-20.



Today uniform includes working dress designed to blend with jungle, combat and ceremonial attire for important events. Police dress is issued by the government being part of government stores whose possession without lawful authority constitutes a criminal offence.<sup>105</sup> This gives Administration Police identity in the course of duty.<sup>106</sup>

### **2.2.1.1 African war of liberation**

End of Second World War in 1945 had socio-economic and political ramifications for the British administration in the Kenya Colony. Among these was the returnee African war veterans who shared their war-time experiences with fellow Africans that served to demystify Europeans as ordinary human beings. Africans abandoned their politics of accommodation and began agitating for independence. The spirit of territorial nationalism gained impetus and ex-soldiers championed formation of Mau Mau movement among other socio-political groupings to advance their freedom agenda.<sup>107</sup>

Around 1948 African struggle for independence intensified in Central Kenya region driven by Mau Mau freedom fighters. Colonial Government in a bid to neutralize the agitation embarked on rapid expansion of Tribal Police Force by increasing their numbers, arming them with firearms and increasing their deployment around the boundaries of Central Province; to prevent spillover of the freedom war to the rest of the country. Tribal police also participated in brutal crackdown on Mau Mau troops and other independence movements countrywide.<sup>108</sup> During this time there was a proposal to merge Tribal Police with Kenya Police in the Northern Province due to working conditions termed as harsh but this was opposed by government of the day.<sup>109</sup>

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<sup>105</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), pp.12-14.

<sup>106</sup> Kenya National Archives, "Confidential matters concerning the Tribal Police", *Colony and Protectorate of Kenya* (Nairobi: BB/43/24, 1963), Folio 13. Accessed on 08/07/2015.

<sup>107</sup> Bethwell Ogot and William Ochieng, *Decolonization & Independence in Kenya, 1940-93* (Nairobi: East African Educational Publishers, 1995), pp.xi-xii.

<sup>108</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), pp.9-12.

<sup>109</sup> Kenya National Archives, "Matters Concerning Tribal Police", *Colony and Protectorate of Kenya* (Nairobi: KNA, bb/43/24, 1963), Folios 3, 5, 8,9,13. Accessed on 08/07/2015.

### 2.2.2 Post-Colonial Period

When Kenya attained independence from British rule in 1963 the Legal and Institutional Framework of Administration Police was inherited from the Colonial Administration by the new African government; principally supporting Provincial Administrative officers who reported to Office of the President, among other functions. Plans to abolish Administration Police together with Provincial Administration were shelved by the independence government that sought to retain institutions of central authority.<sup>110</sup>

In 1967 training was relocated from Nyeri to Embakasi Training School at the current grounds of Jomo Kenyatta International Airport and in 1972 moved to present day Administration Police Training College, a strategy to augment centralization of training and command. This transformed the Force from a localized entity to national security machinery.<sup>111</sup> It was deployed to combat Shifta menace in North Eastern Kenya, poaching and other illegal activities in North Rift and other parts of the country.<sup>112</sup>

In the early years chain of command dictated that highest ranking officer was Commandant of Training College followed by Adjutant, both British. Africans held other ranks the highest being Senior Sergeant Major.<sup>113</sup> Rank of Inspector was introduced in late 1970s and initial batches trained at Kenya Police College-Kiganjo in Nyeri. Later courses for members of inspectorate were moved to Administration Police Training College-Embakasi, Nairobi and Outward Bound School in Loitokitok.<sup>114</sup> Administration Police officers were also deployed along the border to deal with cross border issues.<sup>115</sup>

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<sup>110</sup> Charles Hornsby, *Kenya: A History since independence* (London: I.B Tauris & Co. Ltd, 2013), p.100

<sup>111</sup> Oral Interview with Benson Wasike, Senior Superintendent of Police, Kitui County Commander, Administration Police Service on 3/07/2015.

<sup>112</sup> Kenya National Archives, "Security instructions and operations against Shifta" *Colony and Protectorate of Kenya*, (Nairobi: KNA, BB.PC/EST/2/12/25, 1970-1982), Folios 16-90.

<sup>113</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.10.

<sup>114</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.10.

<sup>115</sup> Kenya National Archives, "Confidential matters concerning Tribal Police", *Colony and Protectorate of Kenya* (Nairobi: KNA, POL.19/5/3/VII/181, BB/43/24, 1963), Folio 3. Accessed on 08/07/2015.

In 1981, the first female officer was enlisted through Departmental Transfer of Services from Kenya Police Force. She was a Chief Inspector and Registered Nurse in Public Health and Midwifery at the time attached to Forces Memorial Hospital, Nairobi; and was posted to the Medical Unit of Training College, Embakasi.<sup>116</sup> In 1987 another batch of female officers was enlisted having been absorbed from KANU Band choir.<sup>117</sup> Thereafter in 2001 the Force started regular recruitment of females alongside their male counterparts.<sup>118</sup> During recruitment number of females enlisted is few. Therefore the agency is male-dominated thus gender gap still wide.

In 1987 Ugandan president Idi Amin declared war on Kenya ostensibly to reclaim former Ugandan territory upto Naivasha, transferred to Kenya in 1902. His counterpart President Kenyatta deployed Administration Police personnel under the command of Chief Inspector Omar Shurie. The officers engaged with Amin's soldiers at the border and repelled them, thwarting their mission. Amin nicknamed them, 'maroon soldiers' meaning soldiers wearing maroon sweaters.<sup>119</sup>

Around 1980 the government introduced remuneration package pegged on education level; lowest being Standard 7, Form 4 (Division IV) and the highest Form 6. In 1986 the 8-4-4 system of education was introduced, remuneration policy abolished and replaced by rank-based salary package. In 1983 there was public outcry on misuse of firearms where officers were accused of being trigger happy leading to unwarranted loss of lives. Consequently officers were required to undergo refresher courses.<sup>120</sup>

During the Mlolongo (queuing) electoral system in 1988 AP officers as a supportive arm of the Provincial Administration assisted District Commissioners who presided over elections as Returning Officers. They served as bodyguards and also provided security

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<sup>116</sup> Oral Interview with Margaret Chege, retired Superintendent of Police and health worker on 26/06/2015.

<sup>117</sup> Oral Interview with Lenah Ndinda, Senior Superintendent of Police, Kisasi Sub-County Commander, Kitui County on 22/06/2015.

<sup>118</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.16.

<sup>119</sup> Oral Interview with Inspector Stephen Karimi based at the Border Patrol School on 07/04/2017.

<sup>120</sup> Oral Interview with Jediel Mutunga, Administration Police Sergeant based at Katulani Sub-County, Kitui County on 10/01/2016.

coverage during the national events.<sup>121</sup> The administrators were directly answerable to the Office of the President ensured the candidates preferred by the regime carried the day.<sup>122</sup> Therefore APs participated in the management of elections and influenced the results.

During the same year there was a proposal that the personnel be disarmed but this proved difficult because officers were engaged in security operations that transcended the border, while others were deployed to guard duties of Very Important Persons, vital and strategic installations.<sup>123</sup> In late 1980s government introduced the District Focus for Rural Development programme which placed enormous responsibilities on the District Commissioners, a scenario that compromised their supervisory role on Administration Police officers serving under them. To counter this state of affairs, the senior inspectors were promoted to Superintendents.<sup>124</sup>

In 2001, a group of officers in the rank of Senior Superintendent of Police were moved to Kenya Police Force in a departmental Transfer of Services and were taken through a conversion course at Kenya Police College-Kiganjo.<sup>125</sup> Other officers have also been seconded to government institutions such as Parliament, University of Nairobi, Kenyatta University, Laikipia University and County Governments.<sup>126</sup> They hence extend AP services to the recipient institutions among them public safety and security.

The first cohort of male and female university graduates was recruited as AP Cadets in 2005 to enrich the Human Capital. They were taken through basic recruits' course of 9

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<sup>121</sup> Oral Interview with Inspector Stephen Karimi based at the Border Patrol School on 07/04/2017.

<sup>122</sup> Korwa Adar and Isaac Munyae, "Human Rights Abuse in Kenya Under Daniel Arap Moi", *African Studies Quarterly*, Vol.5, Issue 1, 2001. p.4. accessed: <http://asq.africa.ufl.edu/files/Adar-Munyae-Vol-5-Issue-1.pdf> on 13/12/2017

<sup>123</sup> Oral Interview with Jediel Mutunga, Administration Police Sergeant based at Katulani Sub-County, Kitui County on 10/01/2016.

<sup>124</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.10.

<sup>125</sup> Oral Interview with Benson Wasike, Senior Superintendent of Police, Kitui County Commander on 03/07/2015.

<sup>126</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi; on 29/11/2015.

months, field attachment for 6 months and thereafter promoted to graduate inspectors at the mid-level management.<sup>127</sup> More graduates have been recruited over the years.

Promulgation of the new constitution in 2010 ushered in a new era in the AP organization. In 2011 National Police Service Commission was created and took up the role of employer, shifting management of Human Capital to the new constitutional body. It handles police matters which include recruitment, training, transfer, remuneration, promotion, discipline and retirement jointly with other state authorities.<sup>128</sup>

Independent Policing Oversight Authority Act, 2011 established the institution that provides civilian oversight over police. It deals with complaints by members of public against police officers and vice versa or by officers against fellow police officers.<sup>129</sup> During the post-independence period Administration Police entity has shed off certain traditional functions to adapt itself to the development focus of modern Kenyan state.<sup>130</sup>

Administration Police has institutionalized a unique approach to policing that places emphasis on public participation mirrored through aspects such as need-based deployment of personnel where the general public, communal organizations and other grassroots leadership identified their security needs and participate in addressing them. This approach enabled development of shared goals and strategies on security issues and appropriate partnerships at the various levels of communities' structures.

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<sup>127</sup> Administration Police, *Five Year Review: Highlights of 1<sup>st</sup> AP Strategic Plan, 2004-2009* (Nairobi: Government Printer, 2009), p.6.

<sup>128</sup> Republic of Kenya, "The National Police Service Commission Act, 2011", *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2011), Section 10. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 07/07/2014.

<sup>129</sup> Republic of Kenya, "The Independent Policing Oversight Act, 2011", *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2011), Sections 1-7. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 28/06/2012.

<sup>130</sup> Republic of Kenya, *Administration Police Strategic Plan: 2009-2013*, (Nairobi: Government Printer 2010), pp.10-12.

## 2.3 Role of Administration Police in Provision of Public Safety and Security

Mandate of Administration Police was derived from relevant laws which include the Chief's Act, 1937 Chapter 128<sup>131</sup>, Police Act, 1961 Chapter 84<sup>132</sup>, Penal Code, 1930 Chapter 63,<sup>133</sup> Criminal Procedure Code, 1930 Chapter 75<sup>134</sup>, Public Order Act, 1950 Chapter 56 and The Evidence Act, 1963 Chapter 80<sup>135</sup> Laws of Kenya among others. The Force also performed role of enforcing law and order and also assisting other ministries and government departments in the exercise of their legal mandate.<sup>136</sup>

Section 8 of the Administration Police Statute spelt out duties of officers that included assisting Chiefs in performing their duties, by stating that; "Every officer shall - When called upon by any chief or sub-chief assist him in the exercise of his lawful duties."<sup>137</sup> These include coordination of government functions among them security. Section 8 of the Chiefs' Act provided for the powers of Chiefs in prevention of crime and violence. It states that;

"Any Chief or Assistant Chief may interpose for the purpose of preventing, and shall to the best of his ability prevent the commission of any offence by any person within the local limits of his jurisdiction".<sup>138</sup>

Officers were also accorded immunity from liability for act done under authority of a warrant. Under the new constitutional dispensation relevant Acts of Parliament have been enacted to provide for Legal and Institutional framework of Administration Police namely; the National Police Service Act, National Police Service Commission Act and

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<sup>131</sup> Republic of Kenya, "Chief's Act, Cap. 84 Laws of Kenya", (Nairobi: Government Printer, 2010), p5.

<sup>132</sup> Republic of Kenya, "Police Act, Cap. 84 Laws of Kenya", (Nairobi: Government Printer, 2010), p5.

<sup>133</sup> Republic of Kenya, "Penal Code Cap.63 Laws of Kenya", (Nairobi: Government Printer, 2009), p.15

<sup>134</sup> Republic of Kenya, "Criminal Procedure Code Cap.63 Laws of Kenya", (Nairobi: Government Printer, 2009), p.17

<sup>135</sup> Republic of Kenya, "Evidence Act Cap.80 Laws of Kenya", (Nairobi: Government Printer, 2010), p.17

<sup>136</sup> Republic of Kenya, *Administration Police Strategic Plan: 2009-2013*, (Nairobi: Government Printer 2010), pp.13.

<sup>137</sup> Republic of Kenya, "Administration Police Act, Cap. 85 Laws of Kenya", (Nairobi: Government Printer, 2003), Section 8(a).

<sup>138</sup> Republic of Kenya, "Chiefs' Act Cap. 128 Laws of Kenya", (Nairobi: Government Printer, 2003), Section 8.

the Independent Policing Oversight Authority Act all of 2011. This development consequently reinvigorated the mandate of Administration Police.<sup>139</sup>

### **Figure 2: AP officers on patrol in Lamu County**

In the aftermath of a terrorist attack between 15-17/06/2014 at Kaisari Village and Mpeketoni Township where 11 people were killed by the assailants. They restored peace in the area. Notice the gender gap; the female officer is leading the males who comprise the majority.



Source: <http://www.ibtimes.co.uk/kenya>. Accessed on 06/12/2016.

### **2.4 Development of the Administration Police Structures**

Administration Police is comprised of components and formations to enhance efficiency and effectiveness in organizational management. On training, Major Shadrack Muiu, an African drawn from the military took over from Major Barrow, a European as APTC Commandant in 1978. This was in line with the ‘Africanization’ of the civil service by the independence government. The same year President Moi presided over recruits passing out parade, the first to be officiated by a head of state. Previously the Regional Agents presided over recruits passing out parades.

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<sup>139</sup> Republic of Kenya, “The Constitution of Kenya 2010”, *Kenya Law Reports* (Nairobi: National Council for Law Reporting, 2010), Article 238-241. Accessed: [www.kenyalaw.org](http://www.kenyalaw.org) on 22/08/2012.

During crisis Ad-hoc units were formed to address specific localized situations. These included; Anti-Shifta Unit-1980 based at Garissa District,<sup>140</sup> Anti-Bandit Unit-1986, based in Tana River and Lamu Districts, Rapid Anti-Bandit Unit-1997, based at Administration Police Training College-Embakasi, later changed to Rapid Deployment Force, then Rapid Deployment Unit.<sup>141</sup>

The Agency has specialized units and formations that include Cash In-Transit, Security of Government Buildings, Directorate of Legal Affairs, Rural Border Patrol Unit, Rapid Deployment Unit, Medical and Band. Training institutions include Border Patrol School-Kanyonyoo in Kitui, Administration Police Training College-Embakasi and AP Senior Staff College-Emali.<sup>142</sup> Unlike Kenya Police Administration Police officers have never participated in international peacekeeping missions.<sup>143</sup>

On logistics the Force initially being an auxiliary arm of the Provincial Administration relied on vehicles and other vessels assigned to the administrators, and other agencies such as Kenya Police and military in executing its mandate. Major expansion of its transport section began around 2005 when it started acquiring branded motor vehicles and speedboats.<sup>144</sup>

Officers are also equipped with anti-riot gear and body armour to protect themselves from hazards in their work environment. The entity also acquired a helicopter for air support of its operations.<sup>145</sup> Other technical equipment in its possession includes radio

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<sup>140</sup> Kenya National Archives, "Security instructions and operations against Shifta", *Colony and Protectorate of Kenya* (Nairobi: KNA, BB.PC/EST/2/12/25, 1970-1982), Folios 16-90. Accessed on 08/07/2015.

<sup>141</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College, Embakasi.

<sup>142</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009* (Nairobi: Government Printer, 2004), pp.12-14.

<sup>143</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi; on 29/11/2015.

<sup>144</sup> Oral Interview with Charles Karege, Senior Superintendent of Police (Chief Logistics Officer), Administration Police Headquarters, Jogoo House 'A' on 16/07/2015.

<sup>145</sup> Fred Mukinda, "APs ready for the skies as two pilots trained", *Daily Nation*, 11/08/2012. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 14/07/2015.



communication equipment.<sup>146</sup> In addition, the security agency has Information and Communication Technology infrastructure comprised of computer systems and the internet, to modernize its operations aimed at enhancing delivery of quality service to the public.<sup>147</sup> Chain of command from the lowest level; Post Commander, Ward Commander, Sub-County Commander, County Commander, Regional Commander upto the Deputy Inspector General of Administration Police who reports to the Inspector General.<sup>148</sup>

Second Schedule of National Police Service Act provides for ranking structure; lowest is Constable, Corporal, Sergeant, Senior Sergeant, Inspector, Chief Inspector, Assistant Superintendent, Superintendent, Senior Superintendent, Assistant Inspector-General, Senior Assistant Inspector-General to Deputy Inspector-General.<sup>149</sup>

## **2.5 Service Charter of Administration Police**

Globally, public service institutions have adopted a Charter that provides framework for defining standards of service delivery and rights of customers. Main purpose is to educate customers and enable them distinguish between mandates of the entity from that of other players in the same field. It also provides a general statement on why the organization exist (mission), vision, core values, activities, goals and logo among other features.<sup>150</sup>

This is aimed at enhancing accountability, transparency, integrity and commitment of the staff which are the founding principles of public administration. These serve as antithesis to unethical practices that include abuse of office, which in return improves productivity among employees. This enhances opportunity for citizens to get value for their money

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<sup>146</sup> Collins Kweyu, "From Moran to top career cop," *The Standard*, April 11/04/2014. Accessed: [www.standardmedia.co.ke](http://www.standardmedia.co.ke) on 14/07/2015.

<sup>147</sup> Administration Police, *Five Year Review: Highlights of 1<sup>st</sup> AP Strategic Plan (2004-2009)* (Nairobi: Government Printer, 2009), pp.1-25.

<sup>148</sup> Republic of Kenya, "Functions and Organization of the AP Service", *Administration Police Service* (Nairobi: Government Printer, June, 2015), pp.1-38.

<sup>149</sup> Oral Interview with Benson Wasike, Senior Superintendent of Police, Kitui County Commander on 03/07/2015.

<sup>150</sup> Luca Schiavo, "Quality Standards in the Public Sector: Differences between Italy and the UK in the Citizen's Charter Initiative", *Journal of Public Administration*, Vol.78, 2000, pp.679-698. Accessed: [http://www.moin.gov.il/SubjectDocuments/maf-amim/schiavo\\_citizen\\_charters\\_in\\_italy\\_and\\_uk.pdf](http://www.moin.gov.il/SubjectDocuments/maf-amim/schiavo_citizen_charters_in_italy_and_uk.pdf). on 13/11/2015.

paid as taxes and other investment endeavours consequently reducing the human cost of public administration in the journey to realize the Millennium Development Goals.<sup>151</sup>

Public institutions in Kenya have developed Service Charters to serve as a contract between them and their customers as one of the measures to enhance service delivery. Consequently government entities embarked on strategies to align themselves with the reform agenda, one of these being development of Service Charters. These tell customers why the organization exists, what to expect under what terms and conditions.<sup>152</sup>

Since inception Administration Police operated without a formal document that informs customers to enhance level of awareness on its role in national security, range of services offered, set standards and commitment to delivering quality service to its customers. In 2006 the Force developed its first Service Charter which outlines the mandate, mission statement, vision, core values, services provided and service delivery points.<sup>153</sup>

The range of services offered is also covered which among others include; Community-Based Policing, crime detection and prevention, Rapid Response to emergencies, enforcement assistance to other government agencies, protective security to Very Important Persons, designated vital installations, security to cash-in-transit and training services to staff of other government agencies. It also outlines promises to the members of the public and other clientele that the security agency endeavours to fulfill.<sup>154</sup>

## **2.6 Administration Police and Partnerships with Complementing Agencies**

Core mandate of police organization is protection of life and property of the people to ensure safety and security from threats. In this endeavour they engage in law enforcement

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<sup>151</sup> Elia Armstrong, "Integrity, Transparency and Accountability in Public Administration: Recent Trends, Regional and International Developments and Emerging Issues", *Journal of Economic and Social Affairs*, United Nations, 2005, pp.1-9. Accessed: <https://pdfs.semanticscholar.org/3950/fce3bbae86a5c6072e275f92eb1d8370880a.pdf> on 13/11/2015.

<sup>152</sup> Lucas Barasa, "Guard against corruption, President Kenyatta tells PSs" *Daily Nation*, June 27, 2013. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 13/11/2015.

<sup>153</sup> Republic of Kenya, *Administration Police Service Charter*, (Nairobi: Government Printer, 2006), p.2. Accessed: [www.administrationpolice.go.ke](http://www.administrationpolice.go.ke) on 26/02/2014.

<sup>154</sup> Republic of Kenya, *Administration Police Service Charter*, (Nairobi: Government Printer, 2006), p.2. Accessed: [www.administrationpolice.go.ke](http://www.administrationpolice.go.ke) on 26/02/2014.

jointly with other complementary Agencies aimed at maximizing achievement of set goals; hence need for nurturing solid working partnerships between police and other agencies such as military, private security firms, CBOs and NGOs among others.<sup>155</sup>

Each Agency has strengths and weaknesses that are complemented by the collaborative partnerships to bring on board benefits such as resourceful problem-solving, information and intelligence sharing, training and quicker revitalization in the aftermath of a disaster. Collaboration, as the goal of the partnerships identify where partners' missions overlap and optimize sharing of resources to achieve common objectives.<sup>156</sup>

Administration Police has over the years cultivated mutual working relationships with other Agencies in areas such as security operations to enhance success in neutralizing security threats.<sup>157</sup> It has established collaborations with partners at both local and international arena to enhance development in capacity building and other aspects. These include police agencies, military, religious community, banking, insurance, private security firms to academia. Main goal is to improve benchmarking and adoption of best practices to align Administration Police with the needs of dynamic Kenyan society.<sup>158</sup>

Administration Police has partnered with institutions of higher learning, religious leaders and other complementing agencies to invest in community-based conflict resolution and peacebuilding.<sup>159</sup> In training the entity has partnered with the corporate sector among which includes Equity bank, Family bank and Kenya Commercial bank. Others are Savings and Credit Cooperative Societies such as Harambee Sacco; Insurance companies such as Jubilee, Madison, Pan Africa and Britam.

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<sup>155</sup> U.S. Department of Justice, "Engaging the Private Sector to Promote Homeland Security: Law Enforcement-Private Security Partnerships", *Bureau of Justice Assistance*, 2005, pp.1-27. Accessed: <https://www.ncjrs.gov/pdffiles1/bja/210678.pdf> on 13/11/2015.

<sup>156</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi; on 29/11/2015.

<sup>157</sup> Kenya National Archives, "Security instructions and operations against Shifta", *Colony and Protectorate of Kenya* (Nairobi: KNA, BB.PC/EST/2/12/25, 1970-1982), Folios 16-90.

<sup>158</sup> Administration Police, *Five Year Review: Highlights of 1<sup>st</sup> AP Strategic Plan (2004-2009)* (Nairobi: Government Printer, 2009), pp.1-25.

<sup>159</sup> Terry, Mwaniki, et al, *Peace Building and Conflict Management: A Joint Case Study of North Rift Region of Kenya* (Nairobi: Paulines Publications Africa, 2007), pp.1-20.

AP agency has established partnerships with Academia to boost educational capacity of staff. Agencies include Kenyatta University, Presbyterian University of East Africa, Laikipia University, Catholic University and University of Nairobi. Teaching staff is engaged to lecture trainees at the training institutions. Officers pursue further studies as part of staff development while others have been seconded as lecturers to universities.<sup>160</sup>

**Figure 3: Memorandum of Agreement with PUEA on 24/09/2015**

The DIG Administration Police Service Mr. Samuel Arachi during signing of MOA. AP officers, spouses and children can pursue higher education at 50% discount on tuition fee.



Source: *Facebook page of administration police*

Local police training institutions have also been brought on board such as Kiganjo Police College-Nyeri, General Service Unit Training School-Embakasi, and Directorate of Criminal Investigations Training School-Nairobi. Internationally the entity has established training and benchmarking programmes with police training institutions in the United Kingdom, Sweden, United States of America, Canada, China and Italy.<sup>161</sup> The organization has an established Chaplaincy Department that takes care of the officers'

<sup>160</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi; on 29/11/2015.

<sup>161</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi; on 29/11/2015.

spiritual matters. It has engaged with external stakeholders in undertaking its programmes such as Deliverance Church, Full Gospel Church, Redeemed Gospel Church and Presbyterian Church of East Africa in hosting crusades and evangelism.<sup>162</sup>

AP entity has Memorandum of Agreement with academic institutions like Presbyterian University of East Africa in which officers are awarded scholarships to undertake theological, Counselling and other courses. Internationally the Agency has a partnership with the International Conference of Chaplaincy based in America that assists in training of chaplains. Chaplaincy operates under the Licence of Full Gospel Church with its consent because it does not have own Licence.<sup>163</sup>

**Figure 4: An invitation card to the Ordination ceremony of Bishop Kilungo, the head of Chaplaincy**

The church consented to the use of its Licence by the AP Chaplaincy Department in conducting its business. Notice the collaboration between Full Gospel church and APS.



Source: *Katulani Sub County Office archives*. Accessed on 12/05/2017.

<sup>162</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service; on 30/11/2015.

<sup>163</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service; on 30/11/2015.

Rationale of these joint ventures is to enhance sharing of complementary attributes between Administration Police and other entities, based on the premise that no organization can exist in isolation from the rest. Consequently these collaborative partnerships have had shared benefits namely; expertise in specialized areas such as criminal investigations, Intelligence-Led Policing, bomb disposal, anti-terrorism, and benchmarking against best practices. Military also trains officers at all levels of management in areas such as peace operations and top command courses. The corporate sector sponsors activities like games and sports, and Trade Fairs.<sup>164</sup>

The partnerships promote Community-Based Policing that present a platform for police to interact with communities. It's based on the premise that crime is predominantly local in nature, thus when it occurs there is a local element connecting it to victim and offender. Police act on information given to strategically handle safety and security issues in their area of jurisdiction.<sup>165</sup> This restores public trust and confidence.

## **2.7 Administration Police and Corporate Social Responsibility**

Globally the public has less confidence in big business than institutions like military and police among others. Firms are under pressure to give back to the community through charities and other activities to address social issues. In this endeavour they behave in socially responsible ways which increases the level of legitimacy in the community.<sup>166</sup> Finances to cover expenses are drawn from profits made in the course of doing business. Public entities are funded by the tax payer hence are obliged to give back to community.

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<sup>164</sup> Oral Interview with Mr. Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi on 29/11/2015.

<sup>165</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service on 30/11/2015.

<sup>166</sup> Lois Mohr, Deborah Webb, and Katherine Harris, "Do Consumers Expect Companies to be Socially Responsible? The Impact of Corporate Social Responsibility on Buying Behavior", *Journal of Consumer Affairs*, Vol.35, No.1, 2000, p.45.

Accessed: <http://nitromart.co.uk/jem/docs/social%20responsibility.pdf> on 09/01/2015.

AP organization is no exemption in engaging with the society in Corporate Social Responsibility just like any other business organization. It has programmes ranging from support to needy and bright learners in education institutions, free medical camps and visits to children's homes where officers offer services and donations to the public. The entity also engages with youth in games and sports.<sup>167</sup> Live Band component stage live concerts in various parts of the country to entertain members of public.<sup>168</sup>

**Figure 5: Female officers chat with a beneficiary at Olympic secondary school in Nairobi on 16/04/2011**

The girl had dropped out of school due to lack of fees but officers led by Mr. Kanyeki came to her aid and contributed towards paying of school fees and personal upkeep till she completed form four.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016

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<sup>167</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service on 30/11/2015.

<sup>168</sup> Republic of Kenya, *Administration Police Strategic Plan: 2004-2009*, (Nairobi: Government Printer, 2004), p.46.

**Figure 6: AP officers during a visit to Ann Kariuki, a gospel musician at Kikuyu, Kiambu County on 11/09/2011**

Spinal injuries from a road accident confined her to a wheel chair. During the event fundraising was held by AP officers jointly with members of community to meet medical expenses in India.



Source: Courtesy of the Researcher. Accessed on 14/05/2017

## **2.8 Challenges faced by the AP entity**

While fulfilling its mandate in the Kenyan society Administration Police as an entity experience challenges that impede realization of the organizational goals. Budgetary allocation is insufficient to meet all the costs emanating from undertaking the programmes.<sup>169</sup> The physical facilities for accommodation, training, research and

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<sup>169</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service on 30/11/2015.



development, office space, and logistics are also inadequate. Human resource is also not enough to sufficiently deliver the package of these partnerships.<sup>170</sup>

These joint undertakings are shrouded in skepticism between entities in the engagement. This results from the gradual transformation of Administration Police in its effort to align itself with the changing needs of society. Mandate of the Agency has continued to expand and cynics have expressed duplication of functions and overlapping mandate with complementing Agencies such as Kenya Police. This resulted to mutual suspicion and consequently resistance in the implementation of scheduled programmes.<sup>171</sup>

## **2.9 Conclusion**

Creation of Administration Police was necessitated by Colonial Government's desire to fill gaps left by Kenya Police in policing rural areas. The Agency engaged in conflict resolution and peacebuilding among rural communities since inception. Conduct of youths enlisted to serve caused conflict with recipient communities. The institution was a tool of social control by the state. However officers have not participated in international peace operations unlike their Kenya Police counterparts. Over the years, the entity has undergone transformation in its legal and institutional framework. Its name has been changed thrice; Native Police, Tribal Police and then Administration Police. It continuously responds to occurrences in the external environment which imply that it is a living entity. Though females have been enlisted the gender gap is still wide. Persons with disabilities have not been considered during recruitment.

Upon inception senior commanders, training manual and other aspects were borrowed from military, a situation that caused the agency to become militarized. Thereafter Administrative officers were deployed to offer strategic leadership. Modern day AP Service has embraced professionalism such as considering academic qualifications during

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<sup>170</sup> Oral Interview with Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi on 29/11/2015.

<sup>171</sup> Oral Interview with Samuel Ndanyi, Senior Superintendent of Police, Director of Studies at the Administration Police Training College-Embakasi-Nairobi on 29/11/2015.

recruitment and as part of staff development. The gender gap is still wide and nature of duty appears not conducive for females. Recruitment does not favour persons living with disabilities. The linkages with local and international institutions give Administration Police a global outlook in its operations and procedures.

## CHAPTER THREE

### THE ETHNIC-BASED CONFLICT IN MOLO SUB-COUNTY: 1992-2012

#### 3.1 Introduction

This chapter examines the violence that plagued Molo Sub County since resumption of multipartyism. What were the causes, response by state security apparatus and thereafter draws conclusion.<sup>172</sup> This is important in establishing a foundation for the study. Between 1992 and 2002 hostilities were largely perpetrated during pre-election period and at some stage in the course of voter registration, political campaigns and party nominations; but the 2007/2008 bloodshed erupted after ballot vote shrouded in tension and announcement of disputed presidential results.<sup>173</sup> Hostilities pitted Kalenjin against non-Kalenjin communities perceived to have voted for the incumbent where targeted communities launched retaliatory attacks to defend themselves.<sup>174</sup>

The section also delves into impact of the conflict where the effects where they lingered on long after cessation of hostilities and took socio-political and economic aspects leaving blemishes on the psychological, emotional, spiritual, biological and physical lives of survivors. They defied passage of time and remains entrenched in the lives of victims.

#### 3.2 Causes of the Conflict

The causative factors include underlying or root causes, latent, immediate or triggers and fuellers of violence. They range from social, political, economic and ecological issues that remain unresolved hence leading to constant conflicts between belligerent parties. Therefore, these have been a source of endemic contradictions between the ethnic communities engulfed in bloodshed thus key ingredients of inter-ethnic violence.

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<sup>172</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>173</sup> Ibid.

<sup>174</sup> Focused Group Discussion with a section of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

### 3.2.1 Poor Political leadership

Kenya is a political country and hence politics is the common thread that transcends almost all spheres of governance that include to a large extent social and economic affairs. Paul Muiru, the author of “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, argue that political power bestows an individual or group of people special privileges such as access to state resources and other trappings of power, bankrolled by tax payers. Ruling class control national resources mostly to their advantage, making struggle to acquire or hold political supremacy potent.<sup>175</sup> In the absence of a progressive political leadership, citizens lack proper direction on how to handle issues of concern in their lives.

Federal constitution at independence granted regional autonomy but changed in 1964 when Kenya became a Republic with central government. Daniel Moi led politicians in his camp to dissolve their party, KADU and joined ruling party KANU led by Jomo Kenyatta.<sup>176</sup> Kenya became a one-party state.

President Kenyatta’s administration appeared to favour communities affiliated to GEMA who thrived in social, economic and political spheres. Top government posts were staffed by members of the ethnic construct. By 1977 they had consolidated control of the state and other ethnic communities were virtually excluded.<sup>177</sup> This hampered national cohesion and integration.

During Daniel Moi’s political rise in both pre and post-independent Kenya, he played a key role in consolidation of Kalenjin ethnic community to ostensibly bargain for their socio-economic and political rights. This climaxed during his leadership from 1967 to 1978 as Vice-President and 1978 to 2002 as President. The label ‘Kalenjin’ is subjective;

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<sup>175</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969 – 2008”, *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.1-2. Accessed: <http://etd-library.ku.ac.ke> on 14/12/2015, pp.69-87.

<sup>176</sup> Republic of Kenya, “Report of the Judicial Commission of Inquiry into Tribal Clashes in Kenya” *Akiwumi Report*” (Nairobi: Government Printer, 1999), pp.21-58.

<sup>177</sup> David Himbara, *Kenyan Capitalists, the State, and Development* (Nairobi: East African Educational Publishers, 1994), pp.26-28.

encompassing several sub-groups initially predominantly pastoralists with linguistic similarities occupying larger part of Rift Valley namely; Marakwet, Tugen, Ogiek, Pokot, Kipsigis, Sabaot, Nandi and Terik.<sup>178</sup>

During Moi era there was a shift in the balance of state benefit away from GEMA communities who appeared to lose socio-economic and political mileage gained during Kenyatta presidency.<sup>179</sup> The government gradually annihilated GEMA hegemony in an apparent bid to eradicate tribalism and promote national unity but occurrences between 1980s and 1990s implied that Moi administration facilitated rise of Kalenjin dominance to replace GEMA supremacy.<sup>180</sup> This compromised national cohesion and further entrenched ethnic schism.

By 1991 agitation for return to multipartyism gained momentum led by politicians Kenneth Matiba, Jaramogi Oginga Odinga and Masinde Muliro among others. Kalenjin communities were unhappy because they perceived this as an attempt to remove president Moi from office and plans were hatched to forcefully eject anti-Moi elements from Rift Valley. In 1998, the pattern of violence recurred driven by the same issues as in 1992.<sup>181</sup>

In 2002 there was relative serenity in Molo that could be explained by several factors; One, President Moi retired from office and chose Uhuru Muigai Kenyatta, a Kikuyu as his favoured successor and Kalenjin supported him. Two, opposition united and fielded a joint candidate, Kibaki, a fellow kikuyu on NARC party ticket. Three, when Kibaki won Uhuru conceded immediately defeat.<sup>182</sup> Kibaki presidency appeared to resuscitate GEMA

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<sup>178</sup> Gabrielle Lynch, *I Say to You: Ethnic Politics and the Kalenjin in Kenya* (Chicago. London: University of Chicago Press, 2011), pp.1-6.

<sup>179</sup> Charles Hornsby, *Kenya: A History since independence*, (London: I.B Tauris & Co. Ltd, 2013), pp.8-10

<sup>180</sup> David Himbara, *Kenyan Capitalists, the State, and Development* (Nairobi: East African Educational Publishers, 1994), pp.27-29.

<sup>181</sup> Republic of Kenya, "Report of the Judicial Commission of Inquiry into Tribal Clashes in Kenya" *Akiwumi Report*" (Nairobi: Government Printer, 1999), pp.21-58.

<sup>182</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

hegemony over other communities.<sup>183</sup> This scenario revived resentment by communities who felt excluded from access to state resources, further widening ethnic gap.

During 2005 constitutional referendum different ethnic communities either supported or opposed the draft constitution. Kalenjin stood out in the Orange camp opposed to the proposed law whereas GEMA and Kisii were among communities in the Banana faction that sought to ratify the anticipated supreme law. Orange camp won the vote by 58 percent when results were announced by the Electoral Commission Chairperson.<sup>184</sup> Orange victory was occasioned by inter-ethnic violence in Kuresoi, Molo.<sup>185</sup> Sporadic attacks targeting communities perceived to have voted for the Wako draft continued in 2006.<sup>186</sup> Immediately after referendum Kibaki sacked cabinet ministers allied to Orange camp, further aggravating ethnic polarization. This scenario had not changed by the time General Elections were held in December 2007.<sup>187</sup>

Politicians in Orange camp formed ODM party whose ticket Raila used to contest for presidency, challenging Kibaki who was seeking re-election on the PNU ticket. Kalenjin saw opportunity to regain power through voting for Raila.<sup>188</sup> Delayed announcement of results was occasioned by tension in Molo where Kalenjin vowed to expel communities perceived to have voted for Kibaki.<sup>189</sup>

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<sup>183</sup> Charles Hornsby, *Kenya: A History since independence*, (London: I.B Tauris & Co. Ltd, 2013), p.10.

<sup>184</sup> Daniel Branch and Nicholas, Cheeseman, "The Politics of Control in Kenya: Understanding the Bureaucratic-Executive State, 1952-78", *Review of African Political Economy*, Vol.33, No.107, 2006, pp.11-12. Available: <http://www.jstor.org/stable/4007109> on 08/08/2016.

<sup>185</sup> James Karori, "Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya", *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 10/05/2015.

<sup>186</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>187</sup> Paul Muiru, "The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969 – 2008", *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.1-2. Accessed: <http://etd-library.ku.ac.ke> on 14/12/2015, pp.69-87.

<sup>188</sup> Daniel Branch and Nic Cheeseman, "Democratization, Sequencing, And State Failure in Africa: Lessons From Kenya", *Journal of African Affairs*, Vol.108, No.430, 2008, pp.1-26. Available: <http://afraf.oxforjournals.org>. Accessed on 07/05/2016.

<sup>189</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

Eventually Kibaki was declared winner by Electoral Commission Chairperson Mr. Kivuitu but Raila disputed the results and refused to seek legal redress. He called his supporters to engage in what initially appeared to be legitimate street protests that snowballed to deadly violence which trickled down to the grassroots.<sup>190</sup> In Molo violence erupted on December 30 where Kalenjii attacked GEMA and Kisii communities who launched retaliatory attacks apparently in self defence.<sup>191</sup>

Peace efforts at the national level by a team of African Union panel of Eminent Personalities that included Benjamin Mkapa, Graca Machel and others led by Kofi Annan resulted in a peace deal that saw Raila and Kibaki sign an agreement to form a Grand Coalition Government where Raila was to be appointed as Prime Minister in the power-sharing agreement.<sup>192</sup> The agreement was ratified after Parliament passed a law to cause creation of the Government of National Unity.<sup>193</sup> For the first time since return of multipartyism in 1992, there was no opposition because of the coalition government.

There was political influence in the violence as the following excerpt attests;

In 1992, 1998 and 2007/08 politicians incited communities to turn against neighbours with whom they had coexisted peacefully. Major platforms utilized were political rallies, informal gatherings and media. Leaders nurtured perceived historical injustices relating to land alienation by colonialists, settlement by migrant communities from outside Rift Valley and desire to attain or keep power. This coincided with return of multipartyism.<sup>194</sup>

The violence was dynamic and complicated because politicians were interested in swing votes to win an election. Hence leaders aspired to have their supporters form the bulk of voters who cast the vote as a bloc. In this endeavour they planned to evict the

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<sup>190</sup> Daniel Branch and Nic Cheeseman, "Democratization, Sequencing, And State Failure in Africa: Lessons From Kenya" *Journal of African Affairs*, Vol.108, No.430, 2008, pp.1-26. Available: <http://afraf.oxforjournals.org>. Accessed on 05/07/2016.

<sup>191</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>192</sup> Kenya National Commission on Human Rights, *On The Brink of The Precipice: A Human Rights Account Of Kenya's Post-2007 Election Violence* (Nairobi: KNCHR, 2008), pp.20-30.

<sup>193</sup> Republic of Kenya, "The National Accord and Reconciliation Act", (Nairobi: Government Printer, 2008), Sections 1-3.

<sup>194</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

communities perceived to vote for their opponents.<sup>195</sup> Political leaders and aspirants marshaled their ethnic communities to cast votes in one basket to enhance victory.<sup>196</sup>

Most violence perpetrators in Molo were youthful supporters of political parties, aspirants for political offices, hired goons and militia whose aim was to deny opponents opportunity to vote.<sup>197</sup> Their activities entailed disrupting campaign rallies and convoys, obstruction of nomination, evicting people from their homes, threats, intimidation, looting, abduction, arson and destruction of property, attacks, and propaganda.<sup>198</sup>

### **3.2.2 Conflict over Land Resources**

Communities settled in Molo have diverse historical backgrounds on how they moved to the area. Indigenous communities are predominantly Kalenjin namely Kipsigis and Ogiek who practised mixed farming and hunting and gathering respectively. ‘Migrant’ communities moved to the Sub County in search of socio-economic opportunities.

In Molo land ownership is both public and private. Land defines a person’s or groups socio-economic standing, home and sense of achievement. Henrik Urdal in his article, “People vs. Malthus: Population Pressure, Environmental Degradation, and Armed Conflict Revisited” argues that rapid population growth exerts pressure on available resources such as land, water, forests and pasture. This increases the risk of vicious conflicts due to competition over scarce resources.<sup>199</sup> Therefore, land is an emotive issue in Molo.

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<sup>195</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>196</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>197</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>198</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>199</sup> Henrik Urdal, “People vs. Malthus: Population Pressure, Environmental Degradation, and Armed Conflict Revisited”, *Journal of Peace Research*, Vol. 42, No. 4, 2005, pp.417-434. Accessed: [http://file.prio.no/publication\\_files/cscw/population-pressure-environmental-degradation-and-armed-conflict-revisited.pdf](http://file.prio.no/publication_files/cscw/population-pressure-environmental-degradation-and-armed-conflict-revisited.pdf) on 09/04/2016.



The genesis of ethnic-based land disputes can be traced back to Colonial Era.<sup>200</sup> The regime alienated huge tracts of land in Central and Rift Valley regions and allocated the same to Colonial Settlers, creating ‘White Highlands’. Displaced Africans became squatters and some in Central and other parts of the country migrated to Rift Valley in search of socio-economic opportunities.<sup>201</sup>

Land issues were termed as emotive and majority of squatters were in central Kenya because the communities practised mixed farming, and had settled in villages whereas communities in Rift Valley were basically pastoralists who practised a nomad lifestyle. Therefore in his view, Kalenjin communities did not become squatters when colonial authorities established White Highlands but rather were pushed out of their grazing areas and they moved to new places with their livestock.<sup>202</sup>

After independence President Kenyatta facilitated creation of Land Buying Companies that enabled GEMA communities to acquire land from Settlers in Rift Valley where they settled in large numbers. Likewise Daniel Moi also facilitated Kalenjin to form own Land Buying Companies apparently to counter the wave of land acquisition by non-Kalenjin.<sup>203</sup> Others were settled there by the government under the Settlement Schemes Policy.<sup>204</sup>

Indigenous communities perceived that Kenyatta government gave GEMA communities land for free, an assertion that was disputed by a respondent who argued that they contributed money to buy land. In these undertaking leading figures were politicians Dickson Kihika Kimani and Godfrey Gitahi Kariuki who created Mutukanio Land

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<sup>200</sup> Peter Kagwanja and Roger Southall (ed.), *Kenya's Uncertain Democracy: The Electoral Crisis of 2008* (New York: Routledge, 2010), pp.1-2.

<sup>201</sup> Republic of Kenya, “Report of the Truth, Justice And Reconciliation Commission” *TJRC Report*, (Nairobi: Government Printer, 2013), Vol.1. Accessed: <http://www.nation.co.ke/page/search/DailyNation/-/1148/1148/-/view/asSearch/-/r4tvx4z/-/index.html> on 25/06/2016, pp.vi-vii.

<sup>202</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>203</sup> Muchiri Karanja, “How Kenyatta-Era Scramble Sowed Seeds of Land Clashes”, *Daily Nation*, December 12, 2009. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 13/12/2015.

<sup>204</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

Buying Company, where members contributed money to buy shares used as a formula to subdivide the land among shareholders.<sup>205</sup> This initiative immensely benefitted them.

The original communities in the Rift Valley believed that land belonged exclusively to them and hence perceived settlement of migrant communities from outside as historical injustice.<sup>206</sup> Consequently Land Policies after independence set in motion the causative factors for ethnic hostilities in Molo and entire Rift Valley that characterized inter-ethnic violence.<sup>207</sup> Communities in Molo hence have had perennial land-based conflicts.

A section of Kisii community also migrated to Molo during Colonialism in search of socio-economic opportunities. Over the years they leased land for cultivation, traded in farm produce and over time bought land from Kalenjin in large numbers and prospered in other business ventures.<sup>208</sup> During violence they were targeted as Kalenjin sought to reclaim their ancestral land and other socio-economic rights.<sup>209</sup>

The traditional inhabitants also felt marginalized due to perceived inequalities in land allocation. Politicians capitalized on this to claim their communities were short-changed.<sup>210</sup> Despite the constitution providing for right to own land and other property anywhere in the Republic, creation of ethnic-specific districts resulted to the notion of ‘insiders’, indigenous communities versus ‘outsiders’ in this case migrants.<sup>211</sup> This resulted to ethnic animosity.

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<sup>205</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>206</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969 – 2008”, a *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.70-88. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>207</sup> Muchiri Karanja, “How Kenyatta-Era Scramble Sowed Seeds of Land Clashes”, *Daily Nation*, December 12, 2009. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 13/12/2015.

<sup>208</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>209</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 7/07/2016.

<sup>210</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>211</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *The Waki Report*” (Nairobi: Government Printer, 2009), pp.vii-24.

To underscore this, violence erupted in 2007 in Molo although Kalenjin did not have ‘own’ presidential candidate. Nyanza had Raila, a Luo; Central had Kibaki, a Kikuyu and Eastern had Kalonzo, a Kamba. Kalenjin saw an opportunity to reclaim their land if Raila won, largely voted for him and hence felt frustrated when Kibaki triumphed.<sup>212</sup> This was an ingredient to violence that erupted following declaration of Kibaki victory.

Over time Kalenjin communities also complained that migrant communities monopolized local business sector but the latter argued they had every right as citizens to own property and engage in socio-economic activities anywhere in Kenya.<sup>213</sup> Migrants worked hard to overcome challenges that pushed them out of their ancestral land, hence their achievements were genuine.<sup>214</sup> All communities thus consider Molo their homeland that has to be defended at all costs as it confers them identity and social security.<sup>215</sup>

According to Ndung’u Report, public land was irregularly dished out to politically-correct individuals and institutions after independence throughout 1980s and 1990s. Culprits included top civil servants, Land Boards, judiciary, politicians and ordinary citizens close to power.<sup>216</sup> Over the years population increased and the demographic pressure ballooned land issues. Communities in Molo attach a lot of worth to land as a source of livelihood, making it an emotive issue.<sup>217</sup> Consequently the diverse communities laid claim to the right of ownership further aggravating the land tussle.<sup>218</sup>

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<sup>212</sup> Oral interview with Peninah Wambui, a resident of Molo on 24/05/2015.

<sup>213</sup> Focused Group Discussion with a section of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>214</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>215</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.85-88. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>216</sup> Republic of Kenya, “Report of the Presidential Commission of Inquiry into illegal and/or Irregular Allocation of Public Land”, *Ndung’u Report* (Nairobi: Government Printer, 2004), pp.8-14.

<sup>217</sup> Kenya National Commission On Human Rights, “On The Brink Of The Precipice: A Human Rights Account Of Kenya’s Post.2007 Election Violence” (Nairobi: KNCHRC 2008), pp.20-30.

<sup>218</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

In Molo land issues took centre stage in the violence when they were negatively politicized to create a wedge between Kalenjin on one hand and non-Kalenjin communities on the other. Perceived land injustices were cited to justify perpetrating inter-ethnic violence since early 1990s.<sup>219</sup> However, successive governments failed to resolve land problems and this diminished hopes for reforms among the communities and set the stage for 2007/08 Post Election Violence.<sup>220</sup>

This is partly because institutions charged with land management were inefficient and individuals felt encouraged to employ violence in resolving land issues affecting them.<sup>221</sup> The respondents confirmed that targeted communities launched retaliatory attacks to defend their land. However they could not match the prowess of attackers who appeared well trained, organized, coordinated and facilitated to execute their mission though similar effects of varying degrees were witnessed on both divisions of belligerents.<sup>222</sup>

### **3.2.3 Institutional Weaknesses**

Organizations charged with governance, faith matters or other aspects of human interaction are important in social, economic and political co-existence of people. They could be public or private with mandated obligations in the society. In Kenya Weak state institutions plus stalled or failed constitutional experimentation are a recipe to bloodshed as they cannot deliver their mandate efficiently and effectively.<sup>223</sup> Over the years imperial presidency weakened other state institutions that could provide checks and

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<sup>219</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>220</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org) . Accessed on 05/10/2015.

<sup>221</sup> Republic of Kenya, “Report of the Presidential Commission of Inquiry into illegal and/or Irregular Allocation of Public Land”, *Ndung’u Report* (Nairobi: Government Printer, 2004), pp.8-14.

<sup>222</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>223</sup> Peter Kagwanja, Roger Southall (ed.) *Kenya's Uncertain Democracy: The Electoral Crisis of 2008* (New York: Routledge, 2010), pp.1-2.

balances when handling matters pertaining to governance.<sup>224</sup> Consequently, their legitimacy was gradually compromised and on many occasions laws were bypassed by the Executive. Parliament, judiciary, police, correctional and electoral institutions in addition to the general civil service seemed to be controlled by the Executive.<sup>225</sup>

Ann-Charlotte Nilsson in her book, “Children and Youth in Armed Conflict”, argue that breakdown of state institutions such as police, judiciary and other organs compromise capacity of the government to provide public safety and security, and consequently there is violation of human rights, corruption, and impunity. During violence it is unlikely that perpetrators will be brought to book, a situation that encourages them to carry out their mission without fear of being prosecuted.<sup>226</sup>

Mongoljingo Damdinjav, et al advance that when these entities lack credible restraints on state actors particularly the executive, the result is excessive discretion in the absence of effective accountability mechanisms. They attribute five factors as the major causes of institutional weakness namely; powerful executive, corruption, negative ethnicity, poor law enforcement and violence.<sup>227</sup> Therefore poor governance weakens institutional capacity to deliver their mandate.

Weak non-state institutions also contributed to violence. The family, school and church failed to instill and nurture values for peaceful coexistence such as honesty and hard work. Family unit has declined due to modern day socio-economic pressure. Most parents

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<sup>224</sup> Mongoljingo Damdinjav, et al, “Institutional Failure In Kenya And a Way Forward” *Journal of Political Inquiry*, Spring Issue, 2013, pp.2-3. Accessed: [http://www.jpinyu.com/wp-content/uploads/2015/01/institutional\\_failure\\_in\\_kenya\\_and\\_a\\_way\\_forward1.pdf](http://www.jpinyu.com/wp-content/uploads/2015/01/institutional_failure_in_kenya_and_a_way_forward1.pdf) on 27/07/2016.

<sup>225</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), pp.1-30.

<sup>226</sup> Ann Nilsson, *Children and Youth in Armed Conflict* (Boston: Martinus Nijhoff, 2013), pp.1137.

<sup>227</sup> Mongoljingo Damdinjav, et al, “Institutional Failure In Kenya And a Way Forward” *Journal of Political Inquiry*, Spring Issue, 2013, pp.1-2. Accessed: [http://www.jpinyu.com/wp-content/uploads/2015/01/institutional\\_failure\\_in\\_kenya\\_and\\_a\\_way\\_forward1.pdf](http://www.jpinyu.com/wp-content/uploads/2015/01/institutional_failure_in_kenya_and_a_way_forward1.pdf) on 27/07/2016

are no longer able to exercise responsible parenthood. The school system has also failed to instill values for responsible citizenship.<sup>228</sup>

During electioneering period the church leadership failed to take a neutral position. On the eve of Constitutional referendum church leaders opposed the proposed draft, but results implied that most members voted for the draft contrary to the opinion of church leaders. Consequently moral values have decayed leading to pervasive corruption and other social ills that impede national cohesion.<sup>229</sup> Therefore in the absence of checks and balances and other accountability mechanism, violence masterminds have fear of being held to account for their deeds.

### **3.2.3.1 Weak Police Organizations**

The country has had dual policing model where both Kenya Police and Administration Police established to deliver security services to the society through law enforcement. Each has unique history, orientation and complementary mandates. Hence administration of the two entities is distinct to each thus failure to harmonize their operations and procedures resulted in overlaps and uncoordinated service delivery.

Scholar Frank Remington argues in his article, “The Role of Police in a Democratic Society”, that the primary obligation of police is provision of public safety and security through existing law enforcement mechanisms. This involves making decisions that are social, political and psychological, and affected by the democratic nature of society.<sup>230</sup> He asserts that nature of police work makes it often unpopular in the public domain.

Police is part of the components of criminal justice system that collectively enhance law and order to uphold the rule of law through employment of legitimate force. Law enforcement is directly linked to overall governance matters. Weak police system

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<sup>228</sup> Oral Interview with Charles Waithaka, an Administration Police officer based at the Training College, Embakasi and resident of Molo on 09/07/2016.

<sup>229</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>230</sup> Frank Remington, “The Role of Police in a Democratic Society”, *Journal of Criminal Law and Criminology*, Vol.56, No.3, 1965, pp.361-362. Accessed: <http://scholarlycommons.law.northwestern.edu> on 25/01/2016.

signifies broader problems in other state institutions of governance and impacts on their efficiency and effectiveness.<sup>231</sup> Police efficiency and effectiveness determines functionality of other institutions as it exerts legitimate force over the citizenry.

For many years Commissioner of Police was a presidential appointee while Administration Police Commandant was the Minister for internal security, himself a politician but a uniformed officer was appointed by the president to serve as commandant.<sup>232</sup> These top commanders lacked security of tenure and hence could be hired or fired at will. They lacked independent command and control of their officers and were thus subject to political patronage which impeded professionalism.

Police work was highly politicized and officers were used to suppress those perceived to oppose government of the day such as proponents for multipartyism. Towards this achievement they mounted a brutal crackdown against dissidents such as riot combat, arrests and were accused of using torture.<sup>233</sup> This eroded public trust and confidence in both Kenya Police and Administration Police which impeded quality service delivery.

In Molo, multiparty elections in 1992 and 1997 were marred by cycles of ethnic violence but the post 2007 election violence was diffused further eroding the government's monopoly over violence. Police were overwhelmed by the violence magnitude.<sup>234</sup> Therefore Weak police systems failed to employ legitimate force on the citizenry and lacked professionalism in serving the nation resulting to lack of public trust and confidence.

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<sup>231</sup> Kenneth Watkin, *Fighting at the Legal Boundaries: Controlling the Use of Force in Contemporary Conflict*. (New York: Oxford University Press, 2016), pp.592-593.

<sup>232</sup> Julius Sigei, "How Kenya is changing under new Constitution", *Daily Nation*, Friday August 28, 2015. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 10/12/2015.

<sup>233</sup> Jacqueline Klopp and Elke Zuern, "The Politics of Violence in Democratization: Lessons from Kenya and South Africa", *Journal of Comparative Politics*, Vol.39, No.2, 2007, pp.127-146. Accessed: <http://www.jstor.org> on 10/12/2015.

<sup>234</sup> Peter Kagwanja and Roger Southall (ed.), *Kenya's Uncertain Democracy: The Electoral Crisis of 2008* (New York: Routledge, 2010), pp.1-2.

### 3.2.3.2 Overarching Provincial Administration

Since independence Kenyan administrative system encompasses units headed by respective government officials. Before promulgation of the Constitution in 2010, the basic unit of administration was the Sub-Location, Location, Division, District and Province headed by an Assistant Chief, Chief, District Officer, District Commissioner and Provincial Commissioner respectively.

Thereafter a new administrative structure was established with units of service delivery the lowest being Sub-Location, Location, Ward, Sub-County, County and Region headed by Assistant Chief, Chief, Assistant County Commissioner, Deputy County Commissioner, County Commissioner and Regional Commissioner respectively. Primary function is coordination of National Government functions in their areas of jurisdiction.<sup>235</sup>

The prefectural system of administration established by Colonial government was strengthened by Moi and used to direct political activity where administrators acted as representatives of the president and agents of ruling party Kenya African National Union. This led to a bureaucratic executive state where the officials lacked autonomy.<sup>236</sup> Thus political patronage was the hallmark of Provincial Administration which caused it to be seen as predatory thus not professional ostensibly to safeguard interests of the executive.

In their Paper, “The Politics of Control in Kenya: Understanding the Bureaucratic-Executive State, 1952-78”, Daniel Branch and Nicholas Cheeseman argue that the main function of Provincial Administration is to facilitate political control in both rural and urban areas.<sup>237</sup> Provincial Commissioners and District Commissioners were Presidential

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<sup>235</sup> Republic of Kenya, “National Government Co-Ordination Act, 2013” (Nairobi: Government Printer, 2013), Sections 14-15.

<sup>236</sup> Daniel Branch and Nic Cheeseman, “Democratization, Sequencing, And State Failure in Africa: Lessons From Kenya” *Journal of African Affairs*, Vol.108, No.430, 2008, pp.1-26. Available: <http://afraf.oxforjournals.org>. Accessed on 07/05/2016.

<sup>237</sup> Daniel Branch and Nicholas Cheeseman, “The Politics of Control in Kenya: Understanding the Bureaucratic-Executive State, 1952-78”, *Review of African Political Economy*, Vol.33, No.107, 2006. Available: <http://www.jstor.org/stable/4007109>. Accessed on 08/08/2016.



appointees without autonomy and security of tenure. Politicization of the institution weakened it as it lacked integrity.<sup>238</sup> This eroded public trust and confidence.

### 3.2.3.3 Fragile Electoral System

Since independence management of elections in Kenya was the preserve of the provincial Administrative Officers. They in most cases executed orders issued by the executive, rather than upholding the will of electorate. District Commissioners served as Returning Officers during elections and hence they were influenced by the ruling elite and this compromised free and fair elections.

In 1991 the Electoral Commission of Kenya was established and took over management of elections. However, the new body was highly politicized and ensuring free and fair elections proved to be an uphill task.<sup>239</sup> Poor management of electoral processes contributed to bloodshed in Molo.<sup>240</sup> Therefore poor management of elections set the stage for the post 2007 electoral violence.

Ben Reilly argues in his book, “Democracy in Divided Societies: Electoral Engineering for Conflict Management”, that aspirants for elective offices capitalize on ethnic issues by engaging in extreme rhetoric. They exploit ethnic identities as a political tool and position themselves as the ambassadors of their communities’ rights.<sup>241</sup> When mismanaged, elections are recipe for violence due to failure to uphold will of the voters.

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<sup>238</sup> Republic of Kenya, “Report of the Judicial Commission of Inquiry into Tribal Clashes in Kenya” *The Akiwumi Report*” (Nairobi: Government Printer, 1999). Accessed: [http://www.hrw.org/sites/default/files/related\\_material/Akiwumi%20Report.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi%20Report.pdf) on 20/04/2015.

<sup>239</sup> Michael, Chege; Gabriel, Mukele and Njeeri, Kabeberi, “The Electoral System and Multi-Partyism in Kenya”, *Seminar Papers*, 2007, pp.36-38. Accessed: [http://www.hss.de/fileadmin/kenia/downloads/Publ\\_ElectoralSystem.pdf](http://www.hss.de/fileadmin/kenia/downloads/Publ_ElectoralSystem.pdf) on 19/05/2016.

<sup>240</sup> Kenya National Commission On Human Rights, *On The Brink Of The Precipice: A Human Rights Account Of Kenya's Post-2007 Election Violence*, (Nairobi: KNCHRC, 2008), pp.20-30.

<sup>241</sup> Ben, Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge University Press: New York, 2001), pp.1-5.

### 3.2.3.4 Frail Judiciary

Power to appoint Chief Justice and Judges was the prerogative of President. This technically undermined judicial autonomy which compromised outcome of court proceedings on election petitions. Between 1992 and 1997, presidential election candidates who lost to the incumbent challenged results in courts to no avail.<sup>242</sup> Over the years, public confidence in the judiciary as a neutral arbiter in election-related complaints fizzled out and legitimacy of elections was stained.

Despite Raila disputing Kibaki's victory in the 2007 presidential ballot vote he declined to seek legal redress in courts citing lack of judicial independence from Executive. His camp feared the state could manipulate the judicial process and outcome hence give a judgment in favour of President Kibaki, a stance that fuelled protests that resulted in a bloody aftermath in Molo.<sup>243</sup> The standoff between PNU and ODM after election results were declared led to tension that eventually exploded to violence.

### 3.2.4 Negative Ethnicity

One of the findings of Truth, Justice and Reconciliation Commission was that between 1895 and 1963 British Colonial Government in Kenya sowed seeds of negative ethnicity in their endeavour to entrench divide-and-rule style of administration, apparently to prevent Africans from uniting to fight for their rights. They capitalized on and fanned tribalism whose ramifications continue to haunt the nation in post-independence era.<sup>244</sup> There was rise of nationalism by leaders from different communities who agitated for socio-economic and political rights of their people, characterized by formation of ethnic-

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<sup>242</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>243</sup> Kenya National Commission On Human Rights, *On The Brink Of The Precipice: A Human Rights Account Of Kenya's Post.2007 Election Violence* (Nairobi: KNCHR 2008), pp.20-30

<sup>244</sup> Republic of Kenya, "Report of the Truth, Justice and Reconciliation Commission" *TJRC Report*, (Nairobi: Government Printer, 2013), Vol.1. Accessed: <http://www.nation.co.ke/page/search/DailyNation/-/1148/1148/-/view/asSearch/-/r4tvx4z/-/index.html> on 25/06/2016, pp.vi-vii.

based political and welfare movements to champion their agenda.<sup>245</sup> Politics thus became ethnically driven as each community apparently claimed for their share of the national cake. This resulted to leaders operating in political cocoons to protect their interests in the name of defending community rights.

Koigi Wamwere in his book, “Negative Ethnicity: From Bias to Genocide” defines ethnicity as the situation where a person or group of people belong to and identify with a certain social group with common practices. He terms negative ethnicity as ethnic abhorrence and bias that becomes noticeable when an individual or group of people consider they are superior or inferior to others due to their culture, education, diet, physical appearance or other attributes.<sup>246</sup> This leads to prejudices by one ethnic community against another which impedes national cohesion and integration. This leads to a volatile situation that can easily spark ethnic clashes.

Donald Horowitz in his book, “Ethnic Groups in Conflict” argue that ethnicity is at the core of any country’s politics and is a potent source of challenges to national cohesion. Those ethnic conflicts permeate security forces.<sup>247</sup> The level of ethnic diversity determines prospects of violence hence increase in ethnic variety levels leads to higher prospect of ethnic violence and vice versa. This affects distribution of socio-economic opportunities which can be tilted to favour certain groups at the expense of others.<sup>248</sup>

Therefore, ethnicity itself does not cause violence but politicization is the problem. Colonial administration advanced divide and rule policy aimed at ensuring African communities did not unite to fight for their rights.<sup>249</sup> Different communities with unequal

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<sup>245</sup> Walter Oyugi, “Politicized Ethnic Conflict in Kenya: A Periodic Phenomenon”, *Seminar Paper*, 2000, pp.3-4

<sup>246</sup> Koigi Wamwere, *Negative Ethnicity: From Bias to Genocide* (Seven Stories Press: New York. Melbourne. Toronto, 2003), pp.20-32.

<sup>247</sup> Donald Horowitz, *Ethnic Groups in Conflict*, (Berkeley: London: Los Angeles: University of California Press, 1985), pp.1-6.

<sup>248</sup> Jose Montalvo and Marta Reynal-Querol, “Ethnic Polarization, Potential Conflict, and Civil Wars”, *Seminar Paper*, 2005, pp.1-3. Accessed: <http://repositori.upf.edu/bitstream/handle/10230/1007/770.pdf> on 20/03/2016.

<sup>249</sup> Francis Materu, *The Post-Election Violence in Kenya: Domestic and International Legal Responses* (Hague: T.M.C. Asser Press, 2015), pp.17-18.

socio-economic fortunes were put together in the same colony which worsened negative ethnicity.<sup>250</sup> This entrenched ethnic schism which the independence government inherited and the vice has haunted the post-independence state and impede national cohesion.<sup>251</sup>

By 1992 Central region of Rift Valley Province was largely inhabited by Kikuyu, Embu Meru, Luo, Luhya and Kisii.<sup>252</sup> Their numerical strength aroused mistrust and anxiety among Kalenjin on resumption of multipartyism as they felt Moi Presidency was threatened. Leading opposition politicians from these communities fronted clamour for pluralism and their Kalenjin counterparts initiated violence to evict their supporters before the General Election was conducted.<sup>253</sup> Ethnicity was politicized and cast in negative perspective to create a wedge between Kalenjin and non-Kalenjin communities.

**Figure 7: Table showing belligerent communities involved in the armed conflict in Rift Valley Province, 1992 and 1998**

DISTRICT	AREA	ETHNIC COMMUNITIES
NAKURU	Molo	Kipsigis and Ogiek vs Kikuyu and Kisii
	Njoro	Kipsigis and Ogiek vs Kikuyu
	Olenguruone	Kipsigis and Ogiek vs Kikuyu and Kisii
KERICHO	Londiani	Kipsigis vs Kikuyu, Kisii, Luo, Kamba and Luhya
	Fort Tenan	Kipsigis vs Kikuyu, Kisii, Luo, Kamba and Luhya

Source: Akiwumi Report, p.24

<sup>250</sup> Phillip Ochieng, “How does it benefit anyone to be a Kikuyu or Luo?”, *The East African*, 14/07/2008. Accessed: [www.theeastafrican.co.ke](http://www.theeastafrican.co.ke) on 13/12/2015.

<sup>251</sup> Republic of Kenya, “Report of the Judicial Commission of Inquiry into Tribal Clashes in Kenya” *Akiwumi Report* (Nairobi: Government Printer, 1999), p.26.

<sup>252</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>253</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report* (Nairobi: Government Printer, 2009), pp.78-91.

Consequently Molo District became a hotbed of bloody inter-ethnic hostilities where victims were targeted due to their ethnic standing.<sup>254</sup> Political Leaders were accused of fanning ethnic hatred to gain mileage.<sup>255</sup> Ethnicity was negatively politicized and used as a divisive tool between Kalenjin and non-Kalenjin communities. The latter were forcibly ejected from Molo so that Kalenjin could reclaim their ‘birth right’ namely land, jobs and investment opportunities ‘grabbed by the foreigners’.<sup>256</sup>

This scenario compares with Rwandan case where during the infamous genocide, Hutu extremists negatively labeled Tutsi Inyenze meaning Cockroaches which are unwanted pests; and Hutu moderates as traitors who deserved to be decimated.<sup>257</sup> In Kenya negative labeling was applied to distinguish members of a given community from those of a different ethnicity by employing derogatory terms in Molo District. Kalenjin community employed the terms madoadoa (non-Kalenjin outsiders) and labeled them Bunyot (enemy).<sup>258</sup> Kikuyu tagged Kalenjin Nduriri meaning uncivilized who were backward.<sup>259</sup>

Derogatory ethnic labels were commonly used during the electioneering period further entrenching inter-ethnic distrust.<sup>260</sup> Negative ethnicity was catalyst to the violence where communities treated each other with contempt and viewed one another through the lenses of negative ethnicity in all aspects of their lives.<sup>261</sup> This antagonism laid the ground for and fuelled ethnic-based bloodshed that left behind a trail of death and destruction.

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<sup>254</sup> Republic of Kenya, “The Commission of Inquiry into Post-Election Violence”, *Waki Report* (Nairobi: Government Printer, 2009), pp.80-82.

<sup>255</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

<sup>256</sup> Oral Interview with Irene Ochogo, a business woman and resident of Molo on 19/05/2015.

<sup>257</sup> Christoforos Pavlakis, “The Role of the "hate Media" in Rwanda's Genocide”, *Seminar Paper*, University of Copenhagen, July 2008, pp.1-8 Accessed: <https://books.google.co.ke> on 28/12/2015.

<sup>258</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>259</sup> Koigi Wamwere, *Negative Ethnicity: From Bias to Genocide* (Seven Stories Press: New York. Melbourne. Toronto, 2003), pp.22-24.

<sup>260</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>261</sup> Oral Interview with Milka Wangari, a Journalist and resident of Molo on 20/05/2015.

In 2007 Kalenjin attacked members of those ethnic communities perceived to have voted for Kibaki, namely Kisii, Kikuyu, Meru and Embu. Voting patterns largely assumed an ethnic configuration in all cases since 1992. Victims were targeted due to perceived political inclination despite their constitutional right to vote for candidates of their choice but Kalenjin viewed this locus standi as undermining their political interests.<sup>262</sup>

### **3.2.5 Disregard to the Rule of the Law**

During the post-independence period individuals, groups and institutions gradually developed a habit of operating in total disregard of existing laws and escaped prosecution. This heightened after re-introduction of multipartyism where politicians made rabble-rousing remarks, against non-Kalenjin migrant communities in the Rift Valley during gatherings premised on Majimboism debate aimed to evict them.<sup>263</sup>

Waki Commission reported that this trend led to diffusion of violence countrywide which became a lifestyle; meaning that perpetrators could use it as a means to advance their interests without fear of legal consequences.<sup>264</sup> Culprits included prominent politicians, powerful civil servants and the business community who got scot free.<sup>265</sup> This was occasioned by weakened government institutions especially police and judiciary, which failed to enhance rule of law and consequently violence became entrenched.<sup>266</sup>

Since 1992 violence was planned before General Elections to eject communities perceived to hold divergent socio-political and economic ideologies from those of Kalenjin. Local politicians and affluent business persons footed the bill in facilitating

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<sup>262</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>263</sup> James Karori, "Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya", *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015

<sup>264</sup> Republic of Kenya, "Report of the Judicial Commission of inquiry into Post-Election Violence" *Waki Report*" (Nairobi: Government Printer, 2009), pp.1-26.

<sup>265</sup> Kimani Njogu, *Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya*, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>266</sup> Peter Kagwanja and Roger Southall, (ed.) *Kenya's Uncertain Democracy: The Electoral Crisis of 2008* (New York: Routledge, 2010), pp.2-3.

raiders from outside Molo who came in to reinforce their local kinsmen without fear of legal action against their conduct further cementing impunity.<sup>267</sup>

Post-Election Violence of 2007/2008 in Molo was similar to the inter-ethnic hostilities of 1990s and became hallmark of institutionalization of the culture of impunity, where the pattern of attacks echoed that of past violence. Bands of armed militias most of which mushroomed during violence of 1990s were never demobilized, exposing gang members to the beck and call of pro-violence leaders.<sup>268</sup>

Disrespect to those in authority and breaking the law without culprits being prosecuted gradually entrenched impunity as a lifestyle and they became ‘sacred cows’. Most violence perpetrators were not subjected to the criminal justice system, with those arrested being released under mysterious circumstances.<sup>269</sup> This appeared to motivate the culprits to continue perpetuating bloodshed.

The Kenya National Commission on Human Rights reported that violence of 1990s and failure by authorities to prosecute perpetrators established framework for bloodshed in subsequent scenarios, entrenching a culture of impunity that characterized ingredients for the post 2007 election hostilities.<sup>270</sup> Therefore violence became politicized, institutionalized and perpetrators in most cases escaped punishment.

### **3.2.6 Poverty**

Ability of people to provide for their needs is related to their purchasing power, determined by the economic strength at individual or group level. When people, especially the energetic adults lack money or other means to afford their needs and wants, they are predisposed towards violence by the masterminds.

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<sup>267</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>268</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report* (Nairobi: Government Printer, 2009), pp.1-24.

<sup>269</sup> Oral Interview with Samwel Matiru, a business person and resident of Molo on 20/05/2015.

<sup>270</sup> Kenya National Commission On Human Rights, “On The Brink Of The Precipice: A Human Rights Account Of Kenya’s Post-2007 Election Violence” (Nairobi: KNCHRC, 2008), pp.20-30.

The period between 1992 and 2002 was marked by shrinking of macro-economy, consequently reducing the Gross Domestic Product and generally weak micro-economic status. The gap between rich and deprived increased as the number of people living below poverty line amplified. Communities at the grassroots competed for available socio-economic opportunities such as jobs, land and trade.<sup>271</sup> Poor persons thus are easily employed into violence in return for payment.

In his article “Livelihood Conflicts: Linking poverty and environment as causes of conflict”, Leif Ohlsson argues that poverty is the major cause of armed conflict. Environmental degradation causes decline in arable land, water and other resources leading to loss of livelihoods; a common denominator of the causes of conflict and civil wars globally.<sup>272</sup> Increased poverty levels intensify violent competition for resources by individuals or group of people in efforts to improve their welfare.

Due to poverty, communities look for a ‘tribal king’ to deliver them from shackles of destitution. Poor people form majority of voters in Molo who cast ballot in the hope that their aspirations and concerns will be addressed by elected leaders.<sup>273</sup> Therefore poor communities easily follow the rhetoric of war-mongers when the promise of remuneration seems too good to ignore.

By 2007 Kibaki government had managed to turn around the macro-economy to 7 percent growth rate. However effects of improved economy were not felt at the micro-economic or individual level, amongst ordinary Kenyans. Opposition politicians capitalized on the situation and painted Kibaki regime as corrupt and insensitive about the poor. They created a perception that government had lost touch with the plight of

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<sup>271</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities And Social Science*, Vol.19, No.7, 2014, pp.91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

<sup>272</sup> Leif Ohlsson, “Livelihood Conflicts: Linking poverty and environment as causes of conflict”, *SIDA*, 2000, p.3. Available: [www.sida.se](http://www.sida.se). Accessed on 13/08/2016.

<sup>273</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.



ordinary Kenyans, and fronted themselves as their saviours.<sup>274</sup> This eroded public trust confidence in the government and its popularity with masses took a nose dive.

Poverty levels were high in Molo making provision of basic needs by individuals and families difficult. Local politicians incited their people against neighbours of different ethnicity that they were the cause of their problems, raising tensions among resident communities.<sup>275</sup> Many residents appeared struggling to make ends meet and homesteads of households riddled with poverty came into sight during the field visit.

Inequalities in income distribution led to imbalances in the standards of living and the poor youths became vulnerable to mobilization by violence masterminds who promised them goodies such as monetary gain, land and jobs.<sup>276</sup> Thus economic marginalization and other inequalities seen through ethno-graphic lenses fuelled the violence episodes.

### **3.2.7 Youth unemployment**

Local youths in Molo were mobilized to mete out violence on targeted communities especially on the eve of elections.<sup>277</sup> Youths formed the bulk of raiders who committed atrocities on Kikuyu, Kisii, Luo and Luhya communities perceived to support opposition hence keep them away from voting in 1992 and 1998.<sup>278</sup> Young people being energetic were easily lured into participating in violence.

In 2007/08 violence was again apparently used to achieve the same goal of ejecting ‘foreigners’, executed by youthful attackers most of who belonged to Organized Criminal Gangs hired on short notice despite having been banned by the government. These

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<sup>274</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities and Social Science*, Vol.19, No.7, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

<sup>275</sup> Oral interview with Alice, a farmer and resident of Molo on 18/05/2015.

<sup>276</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>277</sup> Oral Interview with Alex Kiptoo, a civil servant and resident of Molo Location on 14/05/2015.

<sup>278</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

combatants were reportedly promised goodies such as land and employment by their paymasters.<sup>279</sup> However this assertion was not proven during the field visit.

Leif Ohlsson notes that globally, violence militias are filled by large cohorts of destitute male youths. He asserts that young women constitute a smaller fraction of these militias and in livelihood conflicts youths of both gender become the first casualties and thus first to lose their livelihoods.<sup>280</sup> Waki Commission of inquiry into Post-Election Violence noted that over the years Kenya witnessed an exponential population growth of people between 18 and 35 years of age. Most possess low levels of academic qualifications while others lack any form of education and are thus illiterate. Majority therefore remains unemployed and lack skills for meaningful engagement to generate income.<sup>281</sup>

According to United Nation's Commission for Human Security report of 2013, when poverty denies people means to purchase their basic needs, the level of human security goes down. They become vulnerable to criminality and violence.<sup>282</sup> Therefore poor people easily engage in violence as compared to people with higher standards of living.

Youth bracket became vulnerable to criminality and were recruited into militias and organized criminal gangs such as Mungiki, Sungu Sungu and Kalenjin warriors by violence architects.<sup>283</sup> Prominent politicians, wealthy business persons and influential civil servants were accused of bankrolling them both at national and local levels and

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<sup>279</sup> Republic of Kenya, "Report of the Judicial Commission of inquiry into Post-Election Violence" *Waki Report* (Nairobi: Government Printer, 2009), pp.22-36.

<sup>280</sup> Leif Ohlsson, "Livelihood Conflicts: Linking poverty and environment as causes of conflict", *SIDA*, 2000, pp.3-4. Available: [www.sida.se](http://www.sida.se). Accessed on 13/08/2016.

<sup>281</sup> Republic of Kenya, "Report of the Judicial Commission of inquiry into Post-Election Violence" *The Waki Report* (Nairobi: Government Printer, 2009), pp.22-36.

<sup>282</sup> United Nations, "Report on Human Security Now" *Final Report* (New York: Commission on Human Security, 2013), p.73. Accessed: [www.un.org/humansecurity/files/chs\\_final\\_report\\_english.pdf](http://www.un.org/humansecurity/files/chs_final_report_english.pdf) on 06/12/2017.

<sup>283</sup> Republic of Kenya, "Summary of A Study on Organized Criminal Gangs In Kenya", *National Crime Research Centre*, 2012, pp.24-25 Accessed: [www.frank-cs.org/cms/pdfs/KE/NCRC/NCRC\\_Organized\\_Crime\\_Kenya\\_30.8.13.pdf](http://www.frank-cs.org/cms/pdfs/KE/NCRC/NCRC_Organized_Crime_Kenya_30.8.13.pdf) on 11/06/2016.

enlisted their support to suppress opponents, personal security, attain or keep power.<sup>284</sup> In this regard poverty leads to destitution that makes affected persons exposed to violence.

### **3.2.8 Abuse of Government Employment Criteria**

Following the introduction of District Focus for Rural Development in late 1980s, there was an interpretation that local residents had an upper hand in recruitment for government positions and other opportunities over those from outside their district, with naming of districts along ethnic affiliations compounding the situation. District of birth was used to eliminate candidates seeking employment or other socio-economic opportunities in a given district.<sup>285</sup>

Local job seekers and candidates seeking admission to learning institutions perceived that they were the only ones who ought to be considered. A local youth was unable to secure a job due to what he believed was discrimination against his home background, having migrated to Molo from outside the Rift Valley.<sup>286</sup> A case in point is the teaching jobs. In 1998 the Teachers Service Commission (TSC) ceased to automatically employ teachers upon graduation from universities and colleges, until 2001 when the government agency started replacing those who had left the profession due to natural attrition.<sup>287</sup>

TSC advertised few vacancies and invited qualified but unemployed teachers to submit applications. Recruitment was localized where applicants were subjected to interviews and names of successful candidates forwarded to the Head Office for employment. Those who graduated earlier got an upper hand over the recent graduates.<sup>288</sup> The few vacancies availed intensified competition among job seekers where locals were given preference over those from outside the districts.

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<sup>284</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report* (Nairobi: Government Printer, 2009), pp.22-36.

<sup>285</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>286</sup> Oral Interview with Andrew Ngugi, a Social Worker and resident of Molo on 20/05/2015.

<sup>287</sup> Oral Interview with Peter Mwaura, a teacher and resident of Molo Location on 26/05/2015.

<sup>288</sup> Oral Interview with Peter Mwaura, a teacher and resident of Molo Location on 26/05/2015.

There was discrimination against a candidate's home background and those from outside the district found it difficult to secure jobs locally. During skirmishes non-Kalenjin teachers and civil servants were targeted due to their place of origin. Inadvertently the Commission's Code of Regulations spelt out that a teacher could be employed to serve anywhere in the country.<sup>289</sup> Jobseekers traverse the country seeking jobs thus creating a competitive environment at the grassroots.

Prospective teachers from other parts of the country flocked into the Rift valley to the annoyance of the locals in Molo who felt that they had the right to be employed over those from outside.<sup>290</sup> Violence architects hence sought to forcibly eject the migrant teachers plus other civil servants and also dissuade future job seekers from venturing into Molo district in search of employment.<sup>291</sup> Stiff competition for the few public sector jobs available therefore was a catalyst for the chaos witnessed. Gradually, this scenario caused frustration and despair among the unemployed youth.

### **3.2.9 Local Media**

In 1992 media industry was dominated by state-owned Kenya Broadcasting Corporation Radio and Television with wide coverage, and in the print category government owned 'Kenya Times' newspaper but there were other privately-owned newspapers such as 'Daily Nation' and 'The Standard'. Therefore reporting of the violence and other issues was seen as skewed to favour the government's position.<sup>292</sup> This implies that information and messages reaching the audience in Molo were to some extent influenced by the state.

By 2007 the industry had already expanded with many privately-owned firms in practice. Local vernacular FM stations such as Kameme, Inooro, and Bahasha broadcast in Kikuyu language whereas Kass and Radio Injili transmitted in Kalenjin and Swahili dialects;

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<sup>289</sup> Oral Interview with Charles Onsare, a teacher and resident of Molo Location on 22/05/2015.

<sup>290</sup> Oral Interview with Peter Mwaura, a teacher and resident of Molo Location on 26/05/2015.

<sup>291</sup> Paul Muiru, "The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008", *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.79-81. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>292</sup> Kenya National Commission On Human Rights, "On The Brink Of The Precipice: A Human Rights Account Of Kenya's Post.2007 Election Violence" (Nairobi: KNCHRC 2008), pp.20-85.

giving diverse opportunities to their local listeners for airing their views that included breakfast shows characterized by live talk-shows and call-in programmes where ethnic bigots spread propaganda and hate speech. In most cases editing was not done to censor the content aired.<sup>293</sup> This fueled ethnic tensions on the eve of elections when combatants were psyched to engage in bloodshed.

In the countdown to 2007 General Election local media houses were ethno-politically biased in their conduct of business. Their subjective coverage of issues polarized listeners. Violence protagonists incited their audience should victory fail to go their way.<sup>294</sup> A local vernacular radio station was reported to have been used during violence to coordinate attacks in Molo and the larger Rift Valley.<sup>295</sup> However, the Researcher could not authenticate these claims during the field visits.

Media scholars Daya Thussu and Des Freedman argue that Mass Media is a powerful tool in articulating issues affecting the society and determines world peace, thus the adage ‘naming things negatively adds to the misfortunes of the world’. In their book, “War and the Media: Reporting Conflict 24/7” they assert that media reports can fuel or minimize hostilities depending on whether they are objective or subjective.<sup>296</sup>

Further, reporting on findings of opinion polls by various Research Firms such as Steadman (now Synnovate), Infotrack, Consumer Insight and Strategic PR were disseminated via media platforms. Their activities intensified in the countdown to 2007 General Election where the issue of who would emerge victor in the presidential contest generated immense interest among politicians and their supporters.<sup>297</sup> On different occasions they released contradicting results, fuelling anxiety in camps seen to be unpopular with the said respondents.

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<sup>293</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.

<sup>294</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.

<sup>295</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>296</sup> Daya Thussu and Des Freedman, (ed.), *War and the Media: Reporting Conflict 24/7* (London. Thousand Oaks. New Delhi: Sage Publications, 2003), pp.1-20.

<sup>297</sup> Kenya National Commission On Human Rights, “On The Brink Of The Precipice: A Human Rights Account Of Kenya’s Post.2007 Election Violence” (Nairobi: KNCHR, 2008), pp.29-30.

Reporting before, during and after casting the ballot degenerated to misinformation and the line between position of a biased media house and politicians became blurred.<sup>298</sup> In January 2008 as violence continued the government briefly banned live broadcasts which it said were not edited before being aired, hence used by violence instigators to incite citizens against each other.<sup>299</sup> This angered a section of politicians and their supporters who argued it was a strategy to muzzle freedom of the media.

### **3.2.10 Destruction of Ecological system**

For many years Ogiek community, a sub-tribe of the larger Kalenjin ethnic community were forest dwellers who relied on the forests for their livelihood, being hunter-gatherers.<sup>300</sup> They established shrines meant for religious ceremonies and other events for spiritual matters.<sup>301</sup> Ogiek men hunted wild animals for meat and reared bees for honey while women gathered wild fruits for food and sold surplus at the local markets.<sup>302</sup> The forests thus formed a natural ecosystem that created strong bond with the community. In the early 1990s, increased forest activities by local communities and business class depleted the forest cover.

In his Paper, “The political ecology of war: natural resources and armed conflicts”, Phillippe Billon argues that resources in the environment motivate armed conflict and shape strategies for power struggles with natural resources taking centre stage. Belligerents could be fighting over minerals such as oil, diamonds and forest products including wild game, timber, logs, charcoal and other valued plant parts.<sup>303</sup>

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<sup>298</sup> Kenya National Commission On Human Rights, “On The Brink Of The Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence” (Nairobi: KNCHR, 2008), pp.29-30.

<sup>299</sup> Kimani Njogu, Healing the wound: Personal narratives about the 2007 Post Election Violence in Kenya, (Nairobi: Twaweza Communications, 2009), pp.1-11.

<sup>300</sup> Lonar Kibet, “Swazuri reveals plans to recognize forest settlers”, *The Standard*, 28/07/2016, p.2.

<sup>301</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.83-86. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>302</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.

<sup>303</sup> Phillippe, Billon, “The political ecology of war: natural resources and armed conflicts”, *Seminar Paper*, 2001. Accessed:

Henrik Urdal predicts in his article, “People vs. Malthus: Population Pressure, Environmental Degradation, and Armed Conflict Revisited” that the exponential world population growth will soon strain resources available leading to environmental degradation, food insecurity and armed conflicts.<sup>304</sup>

During the late 1980s and 90s non-Kalenjin communities who included Kikuyu, Meru Embu, Luhya, Luo and Kisii started venturing into Molo and Mau forests, the dwelling of Ogiek where they embarked on felling trees for timber, charcoal and firewood on a commercial scale.<sup>305</sup> They also smuggled sandal wood, a valuable but prohibited commodity and operated saw mills in the area.<sup>306</sup> The cool, wet climate, fertile soils and a favourable altitude attracted them to clear land for cultivation.<sup>307</sup> As depletion of forest cover intensified it negatively impacted on the lives of Ogiek who became aggrieved.

Feeling threatened and left with no option, Ogiek adopted coping mechanisms. First they tried growing food crops such as maize, potatoes, peas and beans like their non-Kalenjin farming neighbours with little accomplishment due to lack of basic skills. When this strategy failed they started livestock rustling against their neighbours which led to sour relations.<sup>308</sup> Uncontrolled activities in the forest diminished Ogiek’s sources of food and shrines that served as venues for their cultural rites. They were unhappy because they

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<http://libvolume4.xyz/geography/ba/semester5/politicalgeography/politicalgeographyofresourceconflicts/politicalgeographyofresourceconflictspdf1.pdf> on 28/12/2015.

<sup>304</sup> Henrik Urdal, “People vs. Malthus: Population Pressure, Environmental Degradation, and Armed Conflict Revisited”, *Journal of Peace Research*, Vol.42, No.4, 2005, pp. 417-418. Accessed: [http://file.prio.no/publication\\_files/cscw/population-pressure-environmental-degradation-and-armed-conflict-revisited.pdf](http://file.prio.no/publication_files/cscw/population-pressure-environmental-degradation-and-armed-conflict-revisited.pdf) on 09/04/2016.

<sup>305</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>306</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>307</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.83-86. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>308</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, *Masters Thesis* (Nairobi: Kenyatta University, 2012), pp.83-86. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

termed this as looting of their resources by ‘outsiders’ forcing them to adopt other unfamiliar survival mechanisms like farming with little success due to lack of skills.<sup>309</sup>

In the backdrop of diminishing resources, Ogiek men could not adequately cater for their families and women reportedly engaged in prostitution with non-Kalenjin men in the forest. Wives also left impoverished spouses and got married by affluent Kipsigis and non-Kalenjin men. In retaliation, aggrieved Ogiek men launched attacks on their adversaries injuring, robbing them and confiscated their trade gear; power saws and pangas.<sup>310</sup> Ogiek teamed up with Kipsigis to forcibly evict non-Kalenjin communities and in 2007/08 they were joined by Luo and Luhya communities in the conduct of hostilities.<sup>311</sup> However during the field visits the Researcher could not confirm whether Ogiek women engaged in prostitution.

### **3.2.11 Contradictions in Culture and Traditions**

Culture refers to people’s way of life with respect to their social and economic aspects of their lives. Differences in cultural values, beliefs, practices, diet, clothing can be a source of conflict when community members fail to tolerate and accommodate each other in a multi-cultural setting. This is worsened by prejudices where one group feel superior or inferior to the other.

Allan Hanson in his book, “Meaning in Culture” argues that people’s beliefs, value systems, attitudes, religion, language and other aspects of a community’s way of life have their own existence since human existence and is dynamic. Cultural institutions, patterns of human behaviour and interaction form bedrock of society that constitutes a strong

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<sup>309</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.

<sup>310</sup> Paul Muiru, “The Social, Cultural and Economic Impact of Ethnic Violence in Molo Division, 1969-2008”, Masters *Thesis* (Nairobi: Kenyatta University, 2012), pp.83-86. Accessed: [www.etd-library.ku.ac.ke](http://www.etd-library.ku.ac.ke) on 14/12/2015.

<sup>311</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.



social bond among a group of people. This creates identity and sense of belonging among the group members.<sup>312</sup> Therefore cultural conflicts are ingredients of armed conflict.

Molo being a multi-ethnic society is comprised of diverse cultures that encompass attributes associated by certain groups that made communities look down upon those considered lower level of modernization.

### **3.2.11.1 Religious antagonism**

Lewis Coser in his book, “The Functions of Social Conflict” argues that group antagonism is inevitable and terms it ‘ultimate residue of tragic conflict of value and human helplessness’. Religious differences comprise problems of social order that become insoluble and compared with physical illness, and are predisposed towards violence.<sup>313</sup> Thus a society that experience religious incompatibilities is sick hence need treatment, constitutes bedrock of bloodshed and compromises peace and tranquility.

Primarily, religion serves to maintain social cohesion in the community through shared beliefs, value systems and norms among members who subscribe to the faith and enhances social cohesion and integration. However divisions among the faithful in Molo negated this outcome. There are different denominations ranging from Muslims, Catholic to Protestants. The latter is sub-divided into various groupings among them Anglican Church of Kenya, Seventh Day Adventist, African Inland Church, African Independent Pentecostal Church of East Africa and Kenya Assemblies of God, among others.<sup>314</sup>

Each ethnic community is predominantly affiliated to a given division and members worshipped in their vernacular during services, which bred ethnic schism rather than cohesion. Conflict masterminds exploited these gaps to preach hatred among the congregants who were easily influenced to engage in bloodshed.<sup>315</sup> Therefore despite the ideals of religion, presence of ethnic-based worship services generated ethnic division

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<sup>312</sup> Allan Hanson, *Meaning in Culture* (Oxon: Routledge, 2004), p.2.

<sup>313</sup> Allan Hanson, *The Functions of Social Conflict* (New York: Free Press, 1956), pp.21-22.

<sup>314</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>315</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

that served little towards uniting the different communities in the locale. This comprised fertile breeding ground for ethnic disharmony that caused and fuelled violence.

### **3.2.11.2 Conflicts in Rites of passage Oathing ceremonies**

The common rite of passage where violence was propagated was traditional circumcision ceremonies where initiates were secluded in forests for a given period of time. During this they were indoctrinated with valued ingredients of culture and informed that they have now become protectors of the community. They had to play this role at all costs.<sup>316</sup> This energized the youth to defend rights of their community if and when it becomes necessary to do so.

### **3.3 Response to Violence by the Government**

In September 1993 the government responded to violence in Molo Division of Nakuru District and declared it a 'Security Zone'. Security personnel who among them included Administration Police officers cordoned the area and controlled movement of people; goods and services into and outside Molo ostensibly to neutralize the clashes.<sup>317</sup> Consequently violence ended although cases of stock theft, housebreaking, burglary and other forms of criminality were reported.<sup>318</sup> However subsequent episodes of violence imply that underlying causes were not adequately addressed.

When violence flared up again during electioneering period of 1997 (though of a lower magnitude compared to 1992) the state reacted by deploying additional security personnel to reinforce Administration and Kenya Police officers on the ground, who

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<sup>316</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>317</sup> Africa Watch, "DIVIDE AND RULE: State-Sponsored Ethnic Violence in Kenya", Human Rights Watch, 1993. Accessed: <https://www.hrw.org/reports/1993/kenya1193.pdf> on 16/05/2017, pp.2-3

<sup>318</sup> Daily Nation, "Report of the Judicial Commission appointed to inquire into tribal clashes in Kenya", *Akiwumi Report: Special Report*, p.59 Accessed: [http://www.hrw.org/sites/default/files/related\\_material/Akiwumi.Rift%20Valley.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi.Rift%20Valley.pdf) on 29/08/2015.

embarked on joint operations to end the bloodshed.<sup>319</sup> The clashes ended and affected communities resumed their lives though negative peace prevailed.

In the aftermath of 2007/08 Post Election Violence, government established additional Administration Police and Kenya Police Posts and outposts to increase police presence, narrow the gap between public and police service delivery points and enhance response to incidences. This served to instill confidence among local communities and assure them the government is committed in providing them with protection from security threats.<sup>320</sup>

At these facilities report desks were operationalized where community members could make formal reports on crimes, Gender-Based Violence and other security concerns. Suggestion boxes were installed at strategic points where members of public could drop-in written information on crime, suspects and other data vital for enhancing security.<sup>321</sup>

Administration Police officers provide security coverage during table banking meetings by local women groups, where members contribute money as savings that is loaned out to others who utilize it and pay later.<sup>322</sup> Officers also provide security during national exercises such as Population and Housing census, general elections, national exams, immunization and public celebrations.<sup>323</sup> Administration Police officers responded to incidences and distress calls rapidly, a strategy that saved loss of lives and property.<sup>324</sup>

Waki Commission reported that the performance of Military, Kenya Police, Administration Police and the Provincial Administration agencies in Molo was poor as they failed to foresee, get ready for and defuse the violence. Morale of police officers was

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<sup>319</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>320</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub County Commander, Molo on 05/07/2016.

<sup>321</sup> Oral Interview with Elisha Otero, Administration Police officer based at Molo on 22/05/2015.

<sup>322</sup> Oral Interview with Naomi Tuet, a civil servant and resident of Molo Sub-County on 27/05/2016.

<sup>323</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub County Commander, Molo on 05/05/2016.

<sup>324</sup> Oral Interview with Amos Mirau, Secretary District Peace Committee and resident of Molo on 11/06/2015.

low because of poor terms and conditions of service hence they were not motivated to perform their duties in the wake of the violent conflict.<sup>325</sup>

Often individual members of the security machinery were also guilty of acts of violence and gross violations of the human rights of citizens as depicted in the following excerpt;

“On 16th March, 1992, while the District Commissioner, John Abduba, was holding a baraza at Boroni Primary School which incidentally was attended by only non-Kalenjin, the Kalenjin started torching houses nearby. They were coming in large numbers from Ndoinet forest and the presence of security men did not deter them. The police managed to arrest a handful of them, but that did not deter the others who continued looting and burning houses belonging to the non-Kalenjin.”<sup>326</sup>

Allegations of partisanship among the two police forces and provincial administration in responding to the violence were made before the Commission. In Sachang’wany, for example, police shot in the air on 6th January 2008 to disperse a group of Kikuyu youths who tried to put out a fire that was consuming Janet Mulinga’s Nursery School which had been set ablaze by Kalenjin youth”.<sup>327</sup>

Police officers were accused of bias when dealing with violence, a stance that compromised their moral obligation as custodians of public safety and security. It was reported that officers participated in the violence by supporting members of their own ethnic community before, during and after the hostilities. Atrocities committed include burning houses, murder, rape and defilement. They were also politically divided.<sup>328</sup> However it was not possible to obtain evidence to support her views.

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<sup>325</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), p.86.

<sup>326</sup> Daily Nation, “Report of the Judicial Commission appointed to inquire into tribal clashes in Kenya”, *Akiwumi Report: Special Report*, p.47 Accessed: [http://www.hrw.org/sites/default/files/related\\_material/Akiwumi.Rift%20Valley.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi.Rift%20Valley.pdf) on 29/08/2015.

<sup>327</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), pp.80-91.

<sup>328</sup> Oral Interview with Beatrice, a business person and resident of Molo on 19/05/2015.

Police officers too were accused of supporting raiders as exemplified in the quote;

“Mwaka wa 1992, niliona askari ambao nawajua kwa majina wakiwa pamoja na wale walitushambulia”.<sup>329</sup> (Translation: “In 1992, I saw some police officers well known to me by their names in the company of assailants”).

During post 2007 election violence police officers from Elburgon police station were seen accompanying raiders in burning houses. When youths of targeted communities tried to prevent them, officers formed a buffer zone between the belligerent parties and shot in the air to scare away the victims. Public outcry apparently forced their transfer.<sup>330</sup>

In February 1992 leaflets warning targeted non-Kalenjin to leave Molo were handed over to officers at Molo police station before violence started but police did little to avert bloodshed. In some instances officers arrived late at scenes of clashes and exhibited laxity. Provincial Administrative officers though themselves not police officers directed security operations and also chaired security committees which technically weakened police response to the violence according the assailants a field day. In almost all the scenarios there was poor response to incidents of attacks by the security agencies.<sup>331</sup>

In 1992 Administration Police officers deployed to quell the violence were given instructions not to shoot raiders but instead shoot in the air to scare them, which saw attackers, who seemed to have known this, unleash violence without fear. Administration Police officers were the first to respond to violence situations, due to nature of deployment attributed to distribution of more Administration Police posts in Molo compared to those of Kenya Police. Honourable Orwa Ojonde in the aftermath of post

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<sup>329</sup> Oral Interviews with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>330</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>331</sup> Daily Nation, “Report of the Judicial Commission appointed to inquire into tribal clashes in Kenya”, *Akiwumi Report: Special Report*, pp.2-46. Accessed: [http://www.hrw.org/sites/default/files/related\\_material/Akiwumi.Rift%20Valley.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi.Rift%20Valley.pdf) on 29/08/2015.

2007 electoral violence observed that, “Were it not for the Administration Police the country would have been reduced to ashes.”<sup>332</sup>

Chiefs were accused of failing to share information with their seniors and other agencies, and even when they reported, authorities failed to take decisive action to neutralize hostilities. Civilians were reportedly killed by police. A case in point was the murder of a Kalenjin woman in Molo that led to arrest of the officers responsible for her death who were then arraigned in court. Though they were later acquitted due to lack of evidence this demoralized other officers.<sup>333</sup> Chiefs were accused of conniving with assailants. They shared intelligence with attackers and facilitated them with logistics and accommodation. Some chiefs were also reported to have accompanied raiders on several occasions.<sup>334</sup> However the respondents could not substantiate their claims during the field visits.

Security agencies exhibited exemplary performance such as when leaflets were circulated in Molo town, 1992. Immediately a Baraza was convened to warn perpetrators and arrested attackers promptly. This stopped violence within Kamwaura area but the leading officers, two District Officers and Police Station commander were immediately transferred, implying that their action annoyed certain senior officials.<sup>335</sup>

Police officers and Provincial Administrators were hailed for their good response to cases of violence, an action which saved lives and property.<sup>336</sup> In 1992 a young man was among a group of fleeing victims who had been marooned by raiders but were rescued by two Administration Police officers on patrol, and escorted them to safety in Molo

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<sup>332</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>333</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report* (Nairobi: Government Printer, 2009), pp.55-60.

<sup>334</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>335</sup> Daily Nation, “Report of the Judicial Commission appointed to inquire into tribal clashes in Kenya”, *Akiwumi Report: Special Report*, pp.45-46. Accessed:

[http://www.hrw.org/sites/default/files/related\\_material/Akiwumi.Rift%20Valley.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi.Rift%20Valley.pdf) on 29/08/2015.

<sup>336</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

town.<sup>337</sup> Administration Police officers also did a good job during the 2007/08 violence. They repulsed assailants burning houses and attacking victims and intensified patrols.<sup>338</sup>

During the 2007/08 Post Election violence five police officers were confronted by a large group of marauders which prompted the security team to ask for reinforcement from military. This was compounded by inadequate resources and overlapping jurisdiction between Kenya Police and Provincial Administration where Administration Police fell.<sup>339</sup>

In their Paper, “Shaping a Security Governance Agenda in Post-Conflict Peacebuilding”, Alan Bryden, Timothy Donais and Heiner Hänggi argue that safety and security concerns are at the core of post-conflict peacebuilding undertakings. Thus it is crucial to adequately address security issues such as organized criminal gangs, resurgence of hostilities and other threats as a first step towards sustainable peace.<sup>340</sup> Therefore without ample security there can be no sustainable peace, tranquility, development or justice.

In the aftermath government established Kuresoi South District that was hived off from Molo in 2008 and thereafter Kuresoi North was created apparently to bring government services closer to the people. Consequently, more personnel were posted to the new administrative units.<sup>341</sup> This was a milestone in enhancing public safety and security.

### **3.5 Conclusion**

Before 1992 communities coexisted in relative peace and tranquility with majority having migrated into Molo from other parts of the country. Violence masterminds argued multipartyism was the cause of violence. Politics weave through other causes of ethnic

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<sup>337</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>338</sup> Oral Interview with Irene Ochogo, a business person and resident on 05/05/2015.

<sup>339</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), pp.89-91.

<sup>340</sup> Alan, Bryden and Timothy, Donais, et al, “Shaping a Security Governance Agenda in Post-Conflict Peacebuilding”, *Policy Paper*, No.11, 2005, pp.1-23. Accessed: [http://www.operationspaix.net/DATA/DOCUMENT/5626-v~Shaping\\_a\\_Security\\_Governance\\_Agenda\\_in\\_Post-Conflict\\_Peacebuilding.pdf](http://www.operationspaix.net/DATA/DOCUMENT/5626-v~Shaping_a_Security_Governance_Agenda_in_Post-Conflict_Peacebuilding.pdf) on 26/01/2016.

<sup>341</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

violence. Political leadership is thus important in dealing with armed conflict and politicians played an influential role in the ethnic violence. Children were enlisted as combatants in the armed conflict, which affected their proper growth and development.

Environmental degradation caused dependent communities to suffer the consequences. They waged violence on perceived culprits and survival tactics embraced bore little fruit due to lack of skills. Negative ethnicity mirrored these issues in bad light with each community feeling superior or inferior towards the other, breeding prejudice, negative labeling, suspicion and mistrust. Mixed marriages collapsed leading to broken families.

Disregard to the rule of law became a lifestyle where the culprits escaped legal reprisals. Poverty is occasioned by loss of livelihood where individuals are unable to meet basic needs thus breed violence. Youth component of the population comprised majority of combatants. When poverty struck they lost hope in life and were easily conscripted in militias to engage in violence facilitated by powerful individuals in the society.

Government policy on employment apparently aimed at enhancing equity in distribution of public jobs was abused in order to deny or avail vacancies unfairly to job seekers. This bred intolerance between resident communities and 'outsiders'. Media is a powerful tool utilized by perpetrators, both journalists and clients to incite, mobilize and coordinate attacks. Local FM stations broadcasting in particular ethnic dialect proved influential.

State security machinery was overwhelmed by violence which compromised their locus standi as custodians of public safety and security. There was no effective DDR programme in efforts to build sustainable peace, which exposed the combatants to easy mobilization by violence architects in successive episodes of hostilities.



## CHAPTER FOUR

### IMPACT OF ETHNIC CONFLICT IN MOLO SUB COUNTY

#### 4.1 Introduction

This chapter examines how effects of the violence influenced lives of the local communities in their social, economic and political spheres. Outcome of the violence include injuries, loss of lives and property, destruction of property, impaired mental health, rise if IDPs, food insecurity, broken social relations, disruption of education, loss of land, insecurity and emergence of spoilers. Conclusion is then drawn.

The chapter reveals that these effects lingered on long after hostilities ceased and have defied passage of time and the scars serve as constant reminder to the victims of the violence. In the conflict aftermath lives of victims changed.

#### 4.2 Injuries

Victims of the violence sustained injuries resulting from wounds such as cuts gunshots and fractures inflicted by the combat weapons.<sup>342</sup> Arrow heads were designed in such a way that once the arrow pierced the body, it could not be pulled out without tearing flesh and was to be removed through surgical operation. Victims were maimed with two men losing limbs and other body organs leading to disability.<sup>343</sup> Affected persons showed the Researcher scars of healed wounds sustained from the conflict. Among the casualties were three Administration Police officers who sustained injuries during violence which though healed; scars remain visible in their lives.<sup>344</sup> There were cases of partial disability due to fractures, dislocation and other severe injuries.<sup>345</sup> However, records of affected officers were not available to the Researcher during the field visit.

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<sup>342</sup> Macharia Gaitho, "Ruto off the hook but cause of cyclic poll chaos not addressed, *Daily Nation*, 06/04/2016, p.12.

<sup>343</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>344</sup> Oral Interview with Joseph Mwangi, Superintendent of Police Sub County Commander, Molo on 05/07/2016.

<sup>345</sup> Oral Interview with Stephen Kemboi, Administration Police officer based at Molo on 09/05/2015.

#### 4.2.2 Loss of Lives

In Molo deaths resulted from injuries inflicted during conduct of hostilities. Raiders targeted male gender of their victims, killing men and young boys on sight in what could be attributed to the cultural orientation of males as protectors of the community. To deceive the enemy male children were dressed in girls' attire as the targeted communities fled violence hotspots. However there were cases where women were murdered in disregard of the traditional of not harming women and children. Both divisions of belligerents suffered casualties of dissimilar magnitude.<sup>346</sup> Pregnant women had their bellies ripped open in a malicious attempt by raiders to ascertain sex of the fetuses, with males being targeted.<sup>347</sup>

As violence escalated Administration Police officers were overwhelmed by raiders and several were killed by marauding gangs during security operations.<sup>348</sup> The citation here below confirms this scenario;

“Three AP officers succumbed to fatal injuries from wounds due to poisoned arrows especially during night time, machetes and other weapons. They were interred in their respective homes. However, officers jointly with other security agencies eventually managed to contain the violence.”<sup>349</sup>

Waki Commission observed that savage attacks were executed using traditional weapons among them bows, arrows, pangas and spears in the 1992 and 1998 clashes. During 2007/08 Post Election violence firearms were employed, further aggravating the situation.<sup>350</sup> In 1992 and 1998 raiders used poisoned arrows, machetes and spears but

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<sup>346</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>347</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 05/07/2016.

<sup>348</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 05/07/2016.

<sup>349</sup> Oral Interview with Amos (Not his real name), a serving Administration Police officer on 10/07/2016.

<sup>350</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), pp.80-91.

during 2007/08 violence, guns and petrol bombs were used in committing atrocities.<sup>351</sup> However the Researcher could not independently confirm these claims.

An Administration Police officer was murdered by attackers as quoted here below;

“Mwaka wa 1992 Niliona askari mmoja AP amedungwa mshale wa sumu mkono na wavamiaji ambao walikuwa wengi kushida askari. Bunduki yake ilianguka chini na wapiganaji wakamrushia mishale mingi zaidi. Alikufa muda mfupi baadaye, mwili wake ulifura na ukawa mweusi.<sup>352</sup> (Translation: In the year 1992 I saw an AP officer shot in the arm with a poisoned arrow by raiders whose number exceeded the police. His firearm fell down and they shot him with more arrows. He died shortly afterwards, his body was swollen and turned black.)

**Figure 8: Table showing the number of people killed in Molo violence.**

<b>YEAR</b>	<b>NUMBER OF PEOPLE KILLED</b>
1992	1,500 <sup>353</sup>
1998	200 <sup>354</sup>
2007/08	150 <sup>355</sup>

Since 1992 violence victims comprised majority of deaths registered in the local chief’s office most of who were interred at the graveyard that became congested.<sup>356</sup> However, none of the Administration Police officers killed during clashes was buried in the graveyard.<sup>357</sup> The bodies could not be buried in their farms due to the prevailing circumstances.

<sup>351</sup> Oral Interview with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>352</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>353</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities and Social Science*, Vol.19, No.7, 2014, pp.91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015. p.93

<sup>354</sup> Michael Cowen, Liisa Laakso, *Multi-party Elections in Africa* (Oxford: Palgrave Publishers, 2002), p.165

<sup>355</sup> Republic of Kenya, “Report of the Judicial Commission of inquiry into Post-Election Violence” *Waki Report*” (Nairobi: Government Printer, 2009), p.89

<sup>356</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>357</sup> Oral Interview with Joseph Mwangi, Superintendent of Police Sub County Commander, Molo on 05/07/2016.

The County Government was in the process of procuring more land to relocate the cemetery.<sup>358</sup> The Chief of Molo Central Location confirmed that plans were at an advanced stage to acquire land for new burial ground.<sup>359</sup> The Researcher was informed that the dead were buried without postmortem being done to ascertain cause of death.<sup>360</sup> During a field visit the Researcher in the company of Research Assistant for a walk around the graveyard near the Sub County Hospital observed that it was filled up.

#### **4.2.3 Impaired Mental Health**

Violence causes psychological and socio-economic conditions that require psycho-social support to help survivors recover after conflict. It percolates into individuals and family units in the aftermath where victims become misfits.<sup>361</sup> This negatively impacts on cognitive, affective and psychomotor functioning which impinges on those around the victim. Collin Feltham argues that events in the surroundings impact on individual's wellbeing and these factors determine state of psychological health.<sup>362</sup> Mental effects of armed conflict cause psychosomatic health needs on survivors.

Survivors exhibited indicators of poor mental health such as violent behaviour, depression, outbursts alcohol abuse and self-pity.<sup>363</sup> A section of AP officers who participated in security operations suffered from mental torture due to experiences during violence; murder injuries, property damage and narratives by survivors traumatized them.

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<sup>358</sup> Magdalene Wanja, "No space to bury the dead five years later", Daily Nation, 29/07/2016. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 24/11/2016.

<sup>359</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>360</sup> Oral Interview with Rashid, a police officer based at Molo on 10/08/2015.

<sup>361</sup> Catherine, Panter-Brick (ed.), "Conflict, Violence and Health", *Journal of Social Science & Medicine*, Vol.70, No.1, January 2010. Accessed: <http://www.cpcnetwork.org/wp-content/uploads/2014/04/Miller--Rasmussen-2009.pdf> on 27/12/2015, pp.7-16.

<sup>362</sup> Colin Feltham (ed.), *What's the Good of Counselling & Psychotherapy?: The Benefits Explained*, (London. Thousand Oaks. New Delhi: Sage Publications, 2002), pp.8-19.

<sup>363</sup> Oral Interview with John Gathu, Chairperson of 'Goshen 108' IDPs and resident of Molo on 11/06/2015.

Coping mechanisms adopted included alcoholism and drug abuse.<sup>364</sup> Violence survivors adopted diverse coping mechanisms but the effects of violence persisted in their lives.

The Researcher came across two AP officers with Post Traumatic Stress Disorder due experiences during violence; horrible scenes of mutilated victims and dead bodies. However post-conflict Counselling services were not adequately provided to officers.<sup>365</sup> They encountered horrifying scenes of violence ranging from murder, destruction of property and torture of victims by assailants but they were not adequately provided with Counselling services after security operations.<sup>366</sup> This affected their mental health.

The Research Assistant identified two victims who developed mental sickness and lived a life of begging in the streets. Victims could be heard repeatedly shouting that raiders have come to attack them when in reality that was not the case.<sup>367</sup> Children developed phobia due to what they witnessed during the fighting and suffered from bouts of nightmares which made them wake up at night and start screaming. This affected their social, emotional and psychological wellbeing.<sup>368</sup> They would also draw scenes of violence and engaged in plays depicting violence episodes where they imitated raiders and victims.<sup>369</sup>

During post-conflict period, former combatants could be seen behaving as if shooting with an arrow at an invisible target and shouting incoherently while appearing to be engaging in violence. Others yelled that they committed atrocities on civilians and exhibited signs of mental illness.<sup>370</sup> This implies that even combatants are traumatized by violence alongside other actors.

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<sup>364</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>365</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub County Commander, Molo on 05/07/2016.

<sup>366</sup> Oral Interview with Inspector Alphonse Anaswa, an Administration Police officer based at Katulani Sub County, Kitui County on 12/07/2016.

<sup>367</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 02/01/2015.

<sup>368</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>369</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>370</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 02/01/2015.

In the violence aftermath, effects are still traumatizing due to Sexually Transmitted Infections like HIV/AIDs that reminded victims about mayhems committed on them. Assailants gang-raped targeted victims who included women and defiled girls, a strategy that catalyzed transmission of infections to alarming levels.<sup>371</sup> This implies that combatants chose to use sex to intimidate their hapless victims.

#### **4.2.4 Destruction of Property**

During the conduct of hostilities combatants engaged in destruction of property belonging to both public and private entities.<sup>372</sup> Public property included government-owned office premises, medical amenities, learning institutions, health facilities and motor vehicles. Private assets destroyed include residential and commercial buildings, learning institutions, motor vehicles and other properties.<sup>373</sup> This crippled service delivery and consequently impacted negatively on the local economy. Wealthy individuals were reduced to paupers.

Houses and business premises belonging to members of rival communities were targeted, looted, vandalized and razed down using petrol and other incendiary substances by raiders and neighbours left behind as owners fled. Livestock theft occurred where cattle, sheep and goats were taken away. Foodstuff plus other crops in deserted homes and farms were destroyed and looted.<sup>374</sup> The quote here-below exemplifies the scenario;

“In addition to homes being razed down, victims lost other assets. I personally lost a three-tonne lorry and a tractor destroyed by raiders. Looters would burn whatever they were unable to carry away including farm animals.”<sup>375</sup>

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<sup>371</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>372</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>373</sup> Macharia Gaitho, “Ruto off the hook but cause of cyclic poll chaos not addressed, *Daily Nation*, 06/04/2016, p.12.

<sup>374</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>375</sup> Oral Interview with Jack (not his real name), a business person, farmer and resident of Molo on 10/06/2015.

Remains of burnt down buildings and vandalized homes were conspicuous during a walk around Molo Township and its environs.

Wealthy persons were reduced to paupers leaving them destitute struggling to afford basic needs. Destroyed were permanent houses, vehicles, livestock, business premises and commodities.<sup>376</sup> Two AP officers also became victims where homes of those serving outside Molo were raided and looted, property destroyed and animals driven away.<sup>377</sup> Destruction was through arson and vandalism. A case in point is an officer's business premises destroyed when raiders attacked Total and Kibunja trading centres reducing them to ashes.<sup>378</sup> Security Agencies among them AP officers were apparently overwhelmed by the high number of raiders who employed destruction of property as a strategy to cripple economic status of victims.

Waki Commission reported that both public and private property which included buildings and machinery were destroyed.<sup>379</sup> Primary and secondary schools were burnt down, others vandalized and school property such as books, furniture and equipment stolen.<sup>380</sup> Violence aftermath was characterized by destruction of property worth millions of shillings, pushing owners to poverty.<sup>381</sup> Burnt remains of business premises were conspicuous in Molo Town and other local trading centres during the field visits.

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<sup>376</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>377</sup> Oral Interview with Joseph Mwangi, Superintendent of Police Sub County Commander, Molo on 05/07/2016.

<sup>378</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>379</sup> Republic of Kenya, "Report of the Judicial Commission of inquiry into Post-Election Violence" *Waki Report*" (Nairobi: Government Printer, 2009), pp.80-91.

<sup>380</sup> Oral Interview with John (not his real name), an education official based at the office of the Director of Education in Molo Sub-County on 11/06/2015.

<sup>381</sup> James Karori, "Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya", *IOSR Journal of Humanities and Social Science*, Vol.19, No.7, 2014, pp.91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

#### 4.2.5 Internally Displaced Persons

Victims of the hostilities fled from their land and homes to townships where they camped in compounds of schools, police station, churches and trading centres. They sought shelter in make shift structures made of polythene sheets, cardboard and other materials.<sup>382</sup> Other groups moved to camps for IDPs, rented houses while others became integrated in homes of relatives and friends.<sup>383</sup> Those in camps faced poor sanitation, lack of space and privacy and infections.<sup>384</sup> This is illustrated by the quote here-below;

“We left our land and homes to unknown destination. It was painful to seek shelter in camps where life became unbearable due to poor shelter, disease and sanitation. We had to share space available in makeshift structures with our grown up sons and daughters which was embarrassing.”<sup>385</sup>

Victims were forcibly ejected from their homes in Keringet, Chepseon, Nyakinyua, Kamwaura and Lagwenda due to ethnicity during 1992 and 1998 for perception that they supported the opposition; and during post 2007 election violence because of their perceived support for President Kibaki. Their adversaries cited perceived historical injustices where migrant communities from other parts of the country acquired land in Molo. They wanted Raila to win so they could get back their land.<sup>386</sup>

Two families of Administration Police officers settled in Molo were affected each time violence broke out. Those who were residents of Molo by birth but working outside Molo had their families uprooted from their land and homes.<sup>387</sup> Officers posted to serve in Molo had bought land, moved their families from their original homes outside Molo and

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<sup>382</sup> Macharia Gaitho, “Ruto off the hook but cause of cyclic poll chaos not addressed, *Daily Nation*, April 6, 2016, p.12.

<sup>383</sup> James Karori, “Analysis of Interethnic Conflicts and Peace Building between 1992 And 2010 In Molo District, Kenya”, *IOSR Journal of Humanities and Social Science*, Vol.19, No.7, July, 2014, pp. 91-102. Available: [www.iosrjournals.org](http://www.iosrjournals.org). Accessed on 05/10/2015.

<sup>384</sup> Daily Nation, “Report of the Judicial Commission appointed to inquire into tribal clashes in Kenya”, *Akiwumi Report: Special Report*, pp.2-23. Accessed: [http://www.hrw.org/sites/default/files/related\\_material/Akiwumi.Rift%20Valley.pdf](http://www.hrw.org/sites/default/files/related_material/Akiwumi.Rift%20Valley.pdf) on 29/08/2015.

<sup>385</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>386</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>387</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 05/07/2016.



settled them; they suffered a similar fate.<sup>388</sup> Families of officers residing within Administration Police camps also had to leave when violence broke out. A section had leased land for cultivation and others engaged in business activities.<sup>389</sup>

In 1992 Mr. X, a senior Administration Police officer serving outside Molo went home in the company of local officers to rescue his besieged family members and found raiders were about to attack people in his homestead. They repulsed them killing three raiders. The officer was consequently interdicted.<sup>390</sup> Victims fled and sought refuge at Molo police station, churches and school compounds where they stayed in temporary structures made using polythene papers, sacks, sticks, cartons and tents donated by UNHCR.<sup>391</sup>

During post 2007 skirmishes a group of victims again sought refuge in his home because they knew he was an Administration Police officer despite serving outside Molo and there was no armed security in his home but were rescued by local officers.<sup>392</sup> By the time of going to the field, camps for IDPs had been closed but victims were still integrated hosted by friends and relatives and others lived in rented rooms. Those who were not in the camps by the time money was paid out were yet to be compensated.<sup>393</sup>

Victims claimed they had not benefited from money paid by the government to IDPs and that authorities paid little attention to issues affecting them. They asked why government only concentrated on those living at camps and demanded that their needs be addressed.<sup>394</sup> They were visibly angry at their plight and wondered whether they will ever reconstruct their lives.

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<sup>388</sup> Oral Interview with Elisha Otero, Administration Police officer based at Molo on 22/05/2015.

<sup>389</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>390</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>391</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>392</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>393</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>394</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

#### 4.2.6 Food deficiency

In the 1993 violence aftermath famine plagued local communities due to decline in food production by 70 percent in Molo South.<sup>395</sup> After 1998 and 2008 Post Election Violence broke out victims fled to place perceived as safe. As they fled the violence, they left food crops in their farms and granaries that was destroyed and looted by raiders and neighbours left behind. The situation was worsened by inability to cultivate farms by affected persons. Victims survived on donations from well-wishers and relief supplies from government. They had difficulties leasing land due to lack of finance and depended on underpaid menial jobs.<sup>396</sup> Therefore violence is a major cause of food insecurity.

“Tulikuwa tunategemea msaada wa chakula kutoka kwa serikali na watu wengine. Mimi nilipatia watoto wale wandogo chakula kwanza na wakati mwingi wale wakubwa walilala njaa.”<sup>397</sup> (Translation: We relied on food donations from government and well-wishers which was not enough for all of us. I always gave priority to the youngest children which saw the older siblings sleep on empty stomachs in most occasions.)

Arbitration of food-based disputes among IDPs became order of the day. Those who earned money from menial jobs sought on a daily basis quarreled with the penniless. These were centred on starving children who could not withstand hunger pangs and visited households of neighbours with food. Eventually their leader managed to convince them to share the little they got with those who failed to get anything.<sup>398</sup>

After violence ended in 2008 victims and survivors faced shortage of food supplies thus forced to travel long distance to buy food. Local shopkeepers closed business denying local communities access to basic groceries such as salt, sugar, tea leaves, cooking oil

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<sup>395</sup> Kenya Human Rights Commission, “The State of Human Rights in Kenya”, A Kenya Human Rights Commission Report, (Nairobi, 1993), p.25. Accessed: <http://resource.khrc.or.ke:8181/khrc/bitstream/handle/123456789/142/THE%20STATE%20OF%20HUMAN%20RIGHTS%20IN%20KENYA.pdf?sequence=1> on 10/12/2017.

<sup>396</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>397</sup> Oral Interview with Jacqueline (Not her real name), a resident of Molo on 20/05/2015.

<sup>398</sup> Oral Interview with John Gathu, Chairperson of ‘Goshen 108’ IDPs-Molo and resident of Molo on 11/06/2015.

and other foodstuff.<sup>399</sup> During the field visits most farms were under cultivation and food security seemed well but respondents maintained having difficulties feeding their families due to lack of land for cultivation and money to buy food.

IDPs regularly visited office of the local chief to enquire whether they could be assisted with relief food rations from the government. However food aid availed was not enough to cater for all their needs. They were hence advised to look for other ways of getting food through farming and seeking menial jobs.<sup>400</sup> In the violence aftermath food sources were limited thus victims and survivors could not adequately feed their dependents.

#### **4.2.7 Sexual Violence**

In his Paper, “Women and Conflict in Mt. Elgon: Assessing Rape as a weapon in Armed Conflict: 1991-2008”, Heri Ryanga argues that during violence women and girls became victims where rape and defilement by assailants took centre stage, used as a weapon and aimed to subdue the ‘enemy’.<sup>401</sup> Records at Molo District Hospital showed that cases of sexual violence increased during violence period than in the duration of relative calm.<sup>402</sup> During violence there is breakdown of law and order and sexual violence increases.

Cases of sexual violence increased during the post 2007 election violence due to breakdown of social order but most were reported after 72 hours hence prosecution of suspects was impaired due to lack of evidence, and timely access to medical services.<sup>403</sup> This is epitomized in the following citation;

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<sup>399</sup> Oral Interview with John Santi, an Administration Police Corporal based at Molo on 22/05/2015.

<sup>400</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>401</sup> Heri, Ryanga, “Women and Conflict in Mt. Elgon: Assessing Rape as a weapon in Armed Conflict: 1991-2008”, *Project Paper* (Nairobi: University of Nairobi, 2013), p.4.

<sup>402</sup> Oral Interview with Kipkorir, a health worker at the Molo District Hospital on 19/05/2015.

<sup>403</sup> Oral Interview with Raphael Barasa, a Police Inspector in charge of Crime branch at Molo Police Station on 11/06/2015.

“Wakati vita ilianza washambulizi ambao wengine walikuwa vijana wadogo walinajisi kina mama na wasichana. Hospitali ilikuwa mbali na hawakuweza kuenda kutibiwa.”<sup>404</sup> (Translation: When clashes erupted attackers among whom were young men raped women and defiled girls. Hospital was far away and they could not access timely medical care.)

Other victims failed to report to police but records to confirm statistics could not be accessed at Molo police station during the field visits.

Waki Commission noted that personnel of security agencies committed sexual violence on civilians.<sup>405</sup> Administration Police and Kenya Police officers were accused of preying upon victims for sexual favours.<sup>406</sup> Officers deployed to quell clashes were accused of taking advantage of vulnerability of women and girls to engage in sex in exchange for protection.<sup>407</sup> An officer deployed alongside others to guard Gacharage IDP camp was accused of sexually abusing an underage girl, prosecuted and jailed for life.<sup>408</sup> Police officers, as partakers in management of violence became perpetrators of sexual abuse.

Sexual violence occurred in homes of victims, IDP camps, police stations and Administration Police posts where perpetrators lured victims into illicit sex. Women were gang-raped and their daughters defiled by the same assailants in full view of other family members, which was dehumanizing.<sup>409</sup> Men and boys were sexually assaulted but not at the same magnitude as women and girls. Civilian men also preyed upon vulnerable women and girls at IDP camps.<sup>410</sup> Therefore civilian victims also committed sexual violence on fellow survivors.

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<sup>404</sup> Oral Interview with Jacqueline (Not her real name), a resident of Molo on 20/05/2015.

<sup>405</sup> Republic of Kenya, “Report of the Judicial Commission of Inquiry into Post-Election Violence”, *Waki Report* (Nairobi: Government Printer, 2009), pp.247-253.

<sup>406</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>407</sup> Oral Interview with Jacqueline (Not her real name), a resident of Molo on 20/05/2015.

<sup>408</sup> Robert Kiplagat, “Administration Police officer gets life imprisonment for defiling 11-year old girl at IDP camp”, *The Standard*, September 16th 2014. <http://www.standardmedia.co.ke/> . Accessed on 06/12/2016.

<sup>409</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>410</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

#### 4.2.7.1 Sexually Transmitted Infections

Megan Bastick, et al in their article, “Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector”, argue that security sector agencies such as police and judiciary are vital in preventing and responding to sexual violence during armed conflict. Perpetrators include combatants, fellow victims and security personnel who target victims based on ethnicity.<sup>411</sup> In Kenya between 1992 and 2008 pervasive sexual violence has occurred in Molo during inter-ethnic violence.<sup>412</sup> Breakdown of social fabric during armed conflict present opportunities for sex predators to unleash sexual violence on vulnerable victims. Offenders could be fellow victims of conflict, security agencies or combatants.

Consequently transmission of Sexually Transmitted Infections that included Syphilis, gonorrhea and life-threatening conditions such as HIV/Aids increased. Both victims and perpetrators who included police officers contracted HIV. Anti-Retroviral Therapy was administered to the infected who decided to live positively.<sup>413</sup> Security personnel deployed in operations become exposed to sexually transmitted infections.

Victims accessed life-prolonging drugs supplied at health facilities free of charge.<sup>414</sup> Those who came forward to seek assistance were supported to lead productive lives. Programmes included psycho-social support such as Counselling, voluntary testing and provision of condoms.<sup>415</sup> However the Researcher could not confirm the number of officers who got infected when participating in security operations during violence.

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<sup>411</sup> Megan Bastick, et al, “Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector, *Global Report* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2007). Accessed: *sexualviolence\_conflict\_full.pdf* on 17/07/2016, pp.7-10.

<sup>412</sup> Barasa Nyukuri, “The Impact of Past and Potential Ethnic Conflicts on Kenyan's Stability and Development”, *Seminar Paper*, 1997, pp.1-30.

<sup>413</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>414</sup> Oral Interview with Kipkorir, a health worker at the Molo District Hospital on 19/05/2015.

<sup>415</sup> Oral Interview with Bianca Nzuki, Assistant Superintendent of Police based at the Administration Police Aids Control Unit, Administration Police Headquarters, Jogoo House ‘A’ on 18/07/2016.

#### 4.2.7.2 Unwanted pregnancies

Victims who conceived after rape by assailants refused to breastfeed the newborns while others abandoned the infants, arguing they reminded them of the torment experienced and were thus traumatized.<sup>416</sup> The babies imposed indelible marks in the victims' lives giving them mental anguish because they were forcefully conceived.<sup>417</sup> However, the Researcher did not come across cases where Administration Police officers were accused of forcefully impregnating women or girls.

Among the consequences of these pregnancies were increased cases of single parenthood. Single women failed to get marriage partners due to stigmatization. Affected underage girls who assumed early motherhood were also disgraced and failed to get partners on attaining adulthood. Their growth and development was hampered as they failed to complete schooling and thus could not access competitive social and economic opportunities.<sup>418</sup> Therefore effects of sexual violence 'refused' to fade away and thus became a constant reminder of the atrocities committed by assailants.

#### 4.2.8 Broken Social Relations

In his book, "The functions of social conflict", Lewis Coser argues that group conflicts destroy communal relationships.<sup>419</sup> In Molo survivors lost loved ones to the violence. Events that strengthened social ties like weddings, merry-go-rounds, and other forms of social interaction were curtailed.<sup>420</sup> Administration Police officers were also affected when they lost colleagues, friends and relatives in the violence.<sup>421</sup> Key players in the violence were therefore affected directly or indirectly.

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<sup>416</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>417</sup> Oral Interview with Alice, a farmer and resident of Molo on 18/05/2015.

<sup>418</sup> Oral Interview with Mark Mbugua, a Head teacher and resident of Molo on 19/05/2015.

<sup>419</sup> Allan Hanson, *The Functions of Social Conflict* (New York: Free Press, 1956), pp.35-36.

<sup>420</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>421</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

Functioning family units became destitute and disintegrated as victims fled the violence. They lost loved ones through murder, children got lost while others were abandoned by parents and guardians during flight. Marriages broke down as couples became separated and others divorced as hostilities escalated. Families of Administration Police officers suffered the same fate which strained their social relations.<sup>422</sup> Those who were lucky reunited with their loved ones later while others joined street life.<sup>423</sup> Violence led to family breakdown.

A local family broke down after violence when the husband indulged in alcoholism and neglected his family.<sup>424</sup> AP officers who participated in security operations during violence developed various coping mechanisms to deal with trauma. Those who engaged in alcohol and drug abuse had their workplace relations with colleagues and seniors strained due to reduced productivity, absenteeism while others deserted duties and were consequently subjected to Orderly Room Proceedings.<sup>425</sup> However, the Researcher could not confirm cases of dismissals and other disciplinary action during the field visits.

The number of child-headed households increased due to death, separation or divorce of parents and guardians during violence. Girls were most affected compared to boys due to sexual exploitation leading to early marriages and unplanned-for pregnancies. Sexual immorality occurred at IDP camps leading to strained marriages and divorce when spouses rejected unfaithful partners or those who fell victim to violence.<sup>426</sup>

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<sup>422</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>423</sup> Karanja, Njoroge, "Tears of joy as displaced Molo families reunite", *The Standard*, 09/01/2009. Accessed: [www.standardmedia.co.ke](http://www.standardmedia.co.ke) on 14/12/2015.

<sup>424</sup> Oral Interview with mama John (not her real name), an elderly mother and Integrated Internally Displaced Person living in Molo Township on 11/06/2015.

<sup>425</sup><sup>425</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>426</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

Those who lost spouses became widowed which affected their socio-economic, psychological and emotional wellbeing.<sup>427</sup> Families and dependents of Administration Police officers who died during violence were devastated by loss of spouses, parents and relatives.<sup>428</sup>

An Administration Police officer married to a spouse whose ethnic community was considered belligerent divorced her due to pressure from his ethnic community, a trend that was witnessed among civilians. Wives raped by assailants were also divorced by their husbands citing shame.<sup>429</sup> An adult lady who was married to a man from a rival community divorced during the 1992 clashes and moved with her two children. They were not re-united with her husband even after violence ended. She vowed not to allow her children to get married to spouses from her former husband's ethnic community.<sup>430</sup>

Couples in mixed marriages divorced due to the ethnic antagonism as epitomized in the following excerpt;

“When violence erupted in 2007 she sought refuge in her in-laws’ home who instead of accommodating chased her away telling her the marital ties were broken. She sought refuge at the nearby Administration Police camp.”<sup>431</sup>

In the violence aftermath there was increase in the number of civil disputes among victims compared to those involving non-victims, a situation attributed to trauma from violence.<sup>432</sup> In its report, Akiwumi Commission indicated that ethnic turbulence caused fear, suspicion and insecurity which impeded social cohesion and integration, detrimental to rule of law which is the cornerstone of socio-economic and political growth.<sup>433</sup> Since

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<sup>427</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>428</sup> Oral Interview with Joseph Mwangi, Superintendent of Police Sub County Commander, Molo on 05/07/2016.

<sup>429</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>430</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>431</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>432</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>433</sup> Republic of Kenya, “Report of the Judicial Commission of Inquiry into Tribal Clashes in Kenya” *Akiwumi Report*” (Nairobi: Government Printer, 1999), pp.3-20.



1992, pervasive inter-ethnic hatred and mutual suspicion hindered freedom of movement and social interaction.<sup>434</sup> Therefore violence left citizens polarized along ethnic lines.<sup>435</sup>

The violence broke friendships between people of divergent ethnic background and neighbours who had lived together in peace, suddenly turned against each other.<sup>436</sup> Conflicts between and among those displaced became rampant due to scarce resources.<sup>437</sup> Inter-ethnic turmoil also permeated Administration Police organization which affected workplace relationships and the spirit of team work.<sup>438</sup>

#### **4.2.9 Disruption of the Education Sector**

During violence schools were closed as teachers, other staff, pupils, students, parents and guardians and education officials fled for their safety. Learners failed to continue with education in the new places they sought refuge.<sup>439</sup> Flight of victims led to overstaffing in schools considered as 'safer' when targeted teachers sought transfers.<sup>440</sup>

Schools hit by the conflict suffered from shortage of teaching staff leading to unattended classes. Children of resident AP officers were affected during violence and fled to safer areas. They had to wait until the situation returned to normalcy to resume schooling.<sup>441</sup>

There were cases where learners repeated classes in new schools because they missed

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<sup>434</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>435</sup> Kennedy Onyango and Evelyne Maina, "The role of institutional reforms in promoting sustainable peace in Kenya" *International Journal of Current Research and Academic Review*, Vol.3, No.4, 2015. Accessed: <http://www.ijcrar.com/vol-3-4/Kennedy%20Oluoch%20Onyango%20and%20Evelyne%20Maina.pdf> on 20/09/2016.

<sup>436</sup> Oral Interview with James Kareru, an Accountant and resident of Molo on 30/12/2015.

<sup>437</sup> Focused Group Discussion with a group of 'Goshen 108' IDPs at Molo Township Social Hall on 11/06/2015.

<sup>438</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>439</sup> Karanja, Njoroge, "Tears of joy as displaced Molo families reunite", *The Standard*, 09/01/2009. Accessed: [www.standardmedia.co.ke](http://www.standardmedia.co.ke) on 14/12/2015.

<sup>440</sup> Oral Interview with John (not his real name), Education official based at the office of the Director of Education in Molo Sub-County on 11/06/2015.

<sup>441</sup> Oral Interview with John (not his real name), Education official based at the office of the Director of Education in Molo Sub-County on 11/06/2015.

exams and the authorities could not admit them in higher classes without examination results.<sup>442</sup> Violence disrupted Smooth learning leading to dropout cases.

Operations of Parents-Teachers Associations, Boards of Governors, Teachers' Unions, Ministry of Education, Teachers Service Commission and other local bodies related to management of education were impaired.<sup>443</sup> This was supported by the following excerpt;

“The quality of education declined when it became difficult to enhance service delivery to learners and that meant sponsors, parents, guardians and the government did not get value for their money.<sup>444</sup>

#### **4.2.10 Exceptional Sale of Land and land grabbing**

In the 1992 violence aftermath victims sold their land at throw away prices in a desperate attempt to establish new homes, because they did not envisage return to normalcy. The same trend was witnessed in 1998 and 2008. Thereafter, land prices increased due to relative calm in the area.<sup>445</sup> This is embodied by the quotation here below;

“Ni kukosa matumaini ya kuishi kesho ndio tuliuzia majirani mahasimu mashamba baada ya vita vya kikabila kwa sababu hatukuona kama ingewezekana kurudi kwa amani”<sup>446</sup> (Translation: It is lack of hope for tomorrow that made us sell our land to our rival neighbours immediately after ethnic clashes ended because we did not envisage return to normalcy where peace and tranquility prevailed.)

However many could not afford land in other places because money raised was barely enough for the venture and they remained landless.<sup>447</sup> Violence victims left their land and did not feel safe to return after violence was over. Others sold their land cheaply but

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<sup>442</sup> Oral Interview with David (Not his real name), serving police officer on 07/07/2016.

<sup>443</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>444</sup> Oral Interview with J. Rono, a Quality Assurance and Standards in Education, Ministry of Education; and resident of Molo on 19/05/2015.

<sup>445</sup> Oral Interview with John Gathu, Chairperson of ‘Goshen 108’ IDPs-Molo and resident of Molo on 11/06/2015.

<sup>446</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

<sup>447</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

failed to afford land elsewhere and became squatters.<sup>448</sup> The value of land differed from place to place, implying that there were cases where victims sold land cheaply and failed to purchase the same in preferred places due to high prices.

A serving Administration Police officer working outside Molo was looked upon by his immediate family members, relatives and friends for assistance. During clashes in 1992 he rescued them, sought resettlement elsewhere and vowed never to return. As victims fled neighbours left behind took over their land. Other victims were forced to sell their land at low prices determined by neighbours from aggressor community.<sup>449</sup> Government authorities failed to take charge in land matters leading to anarchy in land transactions.

#### **4.2.11 Insecurity**

In Molo Township rural-urban migration of violence victims led to increased population that exerted pressure on available resources. Those who failed to get accommodation lived in camps and on the streets. Children started begging and as they grew up became hardened criminals. Others moved to Njoro, Nakuru and Nairobi in search of better life where they joined bands of criminals.<sup>450</sup> Violence disrupts peace and tranquility where victims were forced to engage in criminality in order to survive.

Journalist Muchemi Wachira reported that after violence erupted a section of the victims joined street families in the urban settings. Their increase in number spilled over to Nakuru town and other urban areas where they became a security threat.<sup>451</sup> Criminal gangs conscripted children to commit crimes at a pay, increasing insecurity in towns.<sup>452</sup> Violence survivors increased the number of street families in Molo town and coincidentally cases of mugging became rampant.<sup>453</sup> Adults used children to commit

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<sup>448</sup> Oral Interview with Hassan Waweru, Chief of Molo Location and resident on 11/06/2015.

<sup>449</sup> Oral Interview with Amos (Not his real name), a serving Administration Police officer on 10/07/2016.

<sup>450</sup> Oral Interview with Andrew Ngugi, a Social Worker based at Molo Township on 20/05/2015.

<sup>451</sup> Muchemi Wachira, "Town of tents is the Legacy of old rivalries", *Daily Nation*, 04/05/2011. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 14/12/2015.

<sup>452</sup> Benard Ogembo, "Street boys being hired by gangs", *Daily Nation*, 10/11/2015, p.18.

<sup>453</sup> Oral Interview with Elisha Otero, an Administration Police officer based in Molo on 22/05/2015.

crime by employing them to spy targets and pass through narrow spaces in buildings during breakings.<sup>454</sup> Local youths engaged in criminality to earn a living.<sup>455</sup>

As fighting escalated, violence took a new dimension where Organized Criminal Gangs emerged from both sides of the ethnic divide. Youths from Kalenjin community, as they engaged in hostilities stole livestock and other property from their victims and teamed up with other criminals from Kikuyu side. They formed a syndicate in which exchange of loot for sale in new markets away from home occurred and shared the proceeds.<sup>456</sup> Consequently, increased rate of insecurity forced flight of investors from Molo and other violence hotspots to areas they considered safer resulting to stunted growth of the local economy.<sup>457</sup> Closed business premises were conspicuous during the field visits.

#### **4.2.12 Rise of Spoilers**

In all violence episodes there emerged a class of people who enjoyed the conduct of hostilities because they benefitted from the conflict. These were those who thrived on the violence among them Organized Criminal Gangs who earned income by taking part in bloodshed while others were hired to provide security. Political leaders keen to use numerical strength of their supporters appeared to have enjoyed after winning votes to secure a vacancy in desired political offices.<sup>458</sup>

A section of workers of humanitarian organizations were reported to thrive on the predicament of victims and survivors. These included CBOs, church-based entities and NGOs. They were not committed in return to normalcy and instead appeared to enjoy benefits from the continuation of violence. Therefore to them, continuation of the conflict was a blessing in disguise.

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<sup>454</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub County Commander Molo on 28/01/2016.

<sup>455</sup> Oral Interview with Selina, Area Assistant Chief and resident of Molo on 11/06/2015.

<sup>456</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>457</sup> Oral Interview with Raphael Barasa, a Police Inspector in charge of Crime branch at Molo Police Station on 11/06/2015.

<sup>458</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

### **4.3 Conclusion**

Effects of violence defied passage of time and scars constantly remind survivors of the violence. They became traumatized due to lack of adequate Counselling services to offer psycho-social support to victims who developed diverse coping mechanisms that were both beneficial and harmful. Women developed better coping mechanisms as compared to men. Participants in the violence who included combatants, victims, survivors and Administration Police officers suffered physically, emotionally and mentally. Post-Traumatic Stress Disorder weighed heavily on affected persons, a situation which impaired productivity by the affected persons.

The impact transcends social, economic and political spheres of life among affected communities. There was rise of child-headed households of parents who died during violence hence orphaned kids took up role of parenting their siblings. Government services were disrupted and institutions such as security agencies and judiciary became weak thus unable to discharge their mandate effectively.

Breakdown of social order constitutes fertile ground for sexual violence as a constituent of Gender-Based Violence where sex was used as a weapon on civilians aimed at waging terror on them. Consequences left behind scars that reminded victims and their communities about the atrocities both immediate and long-term. In the child-headed households girls were more affected than boys when men exploited them sexually. Persons living with disabilities were more affected compared to the others.

During violence and in the aftermath, civilians committed atrocities on their fellow targeted victims ranging from property theft, sexual violence and looting of farm produce. Armed conflict leads to humanitarian crisis where social, economic and political spheres of life become affected. Spoilers resisted and undermined efforts geared towards realization of sustainable peace. They thrived on persistence of bloodshed.

## CHAPTER FIVE

### ADMINISTRATION POLICE AND PEACE INITIATIVES IN MOLO SUB COUNTY

#### 5.1 Introduction

Frank Remington in his article, “The Role of Police in a Democratic Society”, posit that the primary function of police is protection of people’s lives and property from threats to safety and security.<sup>459</sup> This entails a law enforcement strategy suitable to the public, and includes crime management approaches often unpopular with masses.<sup>460</sup> Decision making process is social, political and psychological influenced by the democratic nature of society.<sup>461</sup> The state plays a vital role in maintaining domestic peace by providing institutionalized agencies and processes of social change.<sup>462</sup> Therefore policing is a major social responsibility to enhance peaceful coexistence among the population.

Post-conflict peacebuilding endeavours to patch up broken relationships between belligerents with enduring purpose of reconciliation and reconstruction. This entails rehabilitation of physical and relational destruction along with addressing root causes of violence to prevent future recurrence.<sup>463</sup> In Molo Administration Police officers in addition to law enforcement engage with local communities in programmes aimed at conflict prevention, peaceful coexistence, safe and secure environment. This chapter investigates these initiatives, challenges faced, way forward and draws conclusion.

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<sup>459</sup> Frank Remington, “The Role of Police in a Democratic Society”, *Journal of Criminal Law and Criminology*, Vol.56, No.3, 1965, pp.361-365. Accessed: <http://scholarlycommons.law.northwestern.edu> on 25/01/2016.

<sup>460</sup> Robert Adlam and Peter Villiers, *Police Leadership in the 21st Century: Philosophy, Doctrine and Developments* (Winchester: Waterside Press, 2003), pp.105-109.

<sup>461</sup> Frank Remington, “The Role of Police in a Democratic Society”, *Journal of Criminal Law and Criminology*, Vol.56, No.3, 1965, pp.361-365. Accessed: <http://scholarlycommons.law.northwestern.edu> on 25/01/2016.

<sup>462</sup> Paul Muiru and Martha Muraya, “Lost Opportunity: Peace Building Initiatives in Molo Division, Nakuru County, Kenya”, *International Journal of Arts and Humanities*, Vol.2 No.3, 2016. Accessed: <http://ijah.cgrd.org/images/vol2no3/2.pdf> on 24/07/2016.

<sup>463</sup> Gibson Steven and Agnes Lando,(ed.), *Impact of Communication and the Media on Ethnic Conflict* (Hershey PA: Information Science Reference, 2016), pp.296-297.

## **5.2 Peacebuilding Initiatives**

During field visits the Researcher found out that Administration Police officers have established working relationships with local communities, complementing Agencies and other stakeholders based on mutual understanding and interdependence to enhance social order in the backdrop of perennial ethnic-based violence. This includes programmes geared towards a cohesive society where sustainable peace is nurtured.

### **5.2.1 Mentorship Programmes**

Administration Police organization has established mentorship programs for school-going children and the youth. These are executed through the Peace Ambassadors Kenya, Peace Cops and Community Policing activities. In the aftermath of 2007/2008 Post Election Violence AP entity partnered with the Global Peace Foundation and Dr. Manu Chandaria Foundation, among other stakeholders and executed a project entitled, “Youth Action for Peace and Development” at Mutate MRM Primary School in Molo that had been burnt by combatants.<sup>464</sup>

The local AP leadership partnered with university students among them Egerton and Moi, developed a community outreach programme to engage with pupils and guide them with the aim of promoting education levels in Molo. Education is an important tool to empower youths with desired knowledge, values, skills and attitudes to enable them compete in the job market and also access other socio-economic opportunities.<sup>465</sup> This would have the outcome of enhancing the peace agenda.

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<sup>464</sup> <https://gpykenya.wordpress.com/2012/03/>. Accessed on 14/05/2017.

<sup>465</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016

### 5.2.2 Peace Education and Training

Molo Social hall is utilized in hosting peace workshops attended jointly by youths from all communities and police officers.<sup>466</sup> Regularly community leaders, Administration Police, Kenya Police officers and staff of other agencies attend joint training sessions on peace agenda, organized by the government through Ministry of Youth and the private sector. Facilitators are drawn from the local offices such as National Government Administration, Kenya Police and Administration Police.<sup>467</sup>

The education office also releases facilitators to offer peace training Participants who are educated on the need to cultivate peaceful coexistence and disregard negative ethnicity. Political leaders support these initiatives.<sup>468</sup> Participants get sensitized on peacebuilding and acquire skills to pursue the endeavour through tolerance to ethnic diversity.

Community members, security officers, government employees and other agencies attended seminars and workshops on conflict resolution and peacebuilding.<sup>469</sup> NGOs such as American-based Mercy Corps and Smart Vote sensitized communities on peace matters and participation in electoral processes.<sup>470</sup> These programmes were aimed at empowering citizens to enable them make informed decisions during elections.

Educational forums were held to teach targeted groups on peace agenda such as youths, women and elderly. These were aimed at empowering participants with knowledge and skills in conflict resolution and peacebuilding.<sup>471</sup> The programmes are sponsored by

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<sup>466</sup> Oral Interview with Simon Ndung'u, Youth Officer based at Molo on 25/05/2015

<sup>467</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Molo Sub County Commander on 28/01/2016

<sup>468</sup> Oral Interview with Margaret B., a civil servant based in Molo and local resident on 25/05/2015.

<sup>469</sup> Oral Interview with Jane Mbugua, Assistant Chief, Tayari, Molo on 27/05/2016.

<sup>470</sup> Oral Interview with Jackson Agunza, Reverend and Chairperson Molo Divisional Peace Committee and resident of Molo on 04/01/2016.

<sup>471</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.



government jointly with other stakeholders.<sup>472</sup> Churches also organize forums to educate and train stakeholders on peace agenda.

**Figure 9: Officers and the youth during a peace workshop at Molo Social Hall on 02/09/2010.**

They were sensitized on peacebuilding and urged to desist from engaging in violence. At the end of the sessions they vowed to pursue efforts to consolidate sustainable peace.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

### **5.2.3 Games and Sports**

Molo Sub County Commander initiated games and sports that comprise football, volleyball, pool and athletics to reach out to the youth and energetic adults who formed the bulk of combatants during violence. He also reached out to community leaders to join hands in organizing tournaments.<sup>473</sup> Officers formed teams and engage with joint youth teams whose membership is drawn from all the local communities in friendly

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<sup>472</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>473</sup> Oral Interview with John Santi, an Administration Police Corporal based at Molo on 22/05/2015.

competitions regularly.<sup>474</sup> This help to utilize youthful energy positively to reduce their vulnerability to being employed into armed conflict.

Administration Police teams engage with those of local youth regularly in both indoor playoffs such as darts, pool and outdoor sports tournaments that include football, volleyball and athletics. They also team up with other Agencies such as Kenya Police and the Sports Ministry to strengthen the initiative.<sup>475</sup> There is mutual cooperation and teamwork that is important in creating synergy to maximize set goals.

Those who won were celebrated and awarded gifts. Child-friendly activities were facilitated by AP and Kenya Commercial Bank where children received gifts.<sup>476</sup> Inclusion of children was important in order to sensitize them at an early age the need to preserve peace among their communities so that when they grow up they do not become easy prey to violence masterminds.

Peace rallies were organized where police and community attendants got sensitized on the need for school activities to continue without disruption, because children had the right to interact through games and sports without barriers. During these events football matches were organized where school-going children from both sides of ethnic divide formed teams and played tournaments in Molo town and return matches in Kuresoi.<sup>477</sup> This reduced ethnic tension and promoted harmony through reconciliation.

The peace strategies provide AP officers with new ways of building positive social links to local communities. Officers encourage dialogue between belligerents when conflict arises.<sup>478</sup> Therefore games and sports serve as a reconciliation instrument vital to lasting

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<sup>474</sup> Oral Interview with Simon Ndung'u, Youth Officer based at Molo on 25/05/2015.

<sup>475</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Commander Molo on 28/01/2016.

<sup>476</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>477</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>478</sup> Richard Giulianotti & Gary Armstrong, "Sport, the Military and Peacekeeping: History and Possibilities", *Seminar Paper*, Vol.3, No.32,2010, pp.379-394. Accessed: <https://dspace.lboro.ac.uk> on 26/01/2016.

peace. These were aimed at arresting youthful energy that is utilized to perpetuate violence.

Games and sports is a critical tool for tapping youth energy. Administration Police officers were facilitated to engage in tournaments on volleyball, football and athletics.

**Figure 10: AP officers engage local youth during a volleyball tournament at Molo Railway grounds after hosting an AP Open Day.**

The combined community youth team comprised of youths from belligerent communities thus brought them to play together as a team. In the course of the tournament there were break intervals where peace agenda was discussed. All agreed to stop engaging in violence.



Source: Administration Police Strategic Plan: 2009-2013. Accessed on 06/12/2016.

#### 5.2.4 Conflict Resolution

Administration Police officers engaged with community members in resolving controversies among them jointly with other Agencies such as Kenya Police, National Government Administrative Officers, Judiciary and community leaders. Common disputes are related to land such as boundary, succession and sale. Others are debts and family issues but those of criminal nature are subjected to legal processes.<sup>479</sup>

Officers engaged in arbitration of disputes where parties were assisted in resolving conflicts amongst themselves. Government officials such as administrative officers, CBOs, elders and other opinion leaders participated.<sup>480</sup> Administration Police officers engaged in arbitration more than arrests and prosecution.<sup>481</sup> Negotiations form key pillar of dispute resolution whose outcome is binding to all.<sup>482</sup> These conflict resolutions are community-based and recipient communities own them.

In the aftermath of 2007 Electoral Violence Molo District Administration Police Commander teamed up with Chemi Chemi ya Ukweli, a youth-based non-violence movement and engaged disputant communities in conflict resolution activities. They held competitions in drama, comedies and other forms of entertainment geared towards peaceful co-existence.<sup>483</sup>

Touts had engaged in perpetrating violence thus comprised a constituency with enormous potential in peacebuilding. Violence had paralyzed public transport as owners withdrew vehicles hence Matatu crew and owners from both sides of belligerent divide were brought on board with an aim of resuscitating the essential public services.<sup>484</sup> They were

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<sup>479</sup> Oral Interview with John Gikwa, an Administration Police officer based at Molo on 19/05/2015.

<sup>480</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

<sup>481</sup> Oral Interview with Amos Mirau, Secretary District Peace Committee and resident of Molo on 11/06/2015.

<sup>482</sup> Oral Interview with Edward Kimani, a local businessperson and resident of Molo on 21/05/2016.

<sup>483</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>484</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

receptive and agreed not to allow their trade to be ruined by negative ethnicity thus ceased from engaging in bloodshed. Blocked roads were re-opened and vehicles provided with joint armed security escorts by police officers until the situation returned to normalcy.<sup>485</sup> When key players in the violence were brought on board, peace efforts were successful and sustainability of the initiative is key to enhancing sustainable peace.

### **5.2.5 Community-Based Policing**

Functions of Administration Police include general law enforcement that entails assisting needy members of public, protection of life and property, arresting suspected offenders, conflict resolution and peacebuilding. Among strategies employed are foot and mobile patrols, guard and sentry duties that increase police visibility on the ground where they engage with community members. They have also embraced Intelligence-Led Policing that incorporates proactive measures to combat threats to safety and security.<sup>486</sup>

Administration Police officers have established a working partnership with community members based on mutual trust and confidentiality. They share information on safety, security and other issues affecting them, and establish joint problem-solving mechanisms. Community members participate voluntarily as a civic responsibility to enhance public safety in the area and security at the grassroots.<sup>487</sup> Administration Police and Kenya Police officers engage in the undertaking as a core function.

Administration Police officers by virtue of their disposition on the ground engage with communities round the clock. They live with them in villages where they are deployed to man posts and outposts hence respond easily to occurrences. The local commander teamed up with other members of security committee and traversed Molo on community

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<sup>485</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>486</sup> Oral Interview with Kipng'etich Rop, an Administration Police officer based at Kuresoi Sub-County Headquarters on 22/05/2015.

<sup>487</sup> Oral Interview with Elisha Otero, an Administration Police officer based at Molo on 22/05/2015.

policing endeavours.<sup>488</sup> This served to narrow the gap between officers and community members which in return facilitated information sharing and crime deterrence; and provide structures for conflict resolution and peacebuilding aimed at safe neighbourhood.

Police officers utilize any opportunity where they interact with community members to implement ideals of community policing. They can no longer afford to operate without involving members of community as they are the consumers of security service. Through these engagements the two entities get to know each other better and there is easy flow of information between them. The modern police officer must embrace community policing.<sup>489</sup> Any engagement between police and community members, whether formal or informal is a golden opportunity to practice Community-Based Policing.

**Figure 11: An officer addresses community members during a community policing event held at Molo Location in October 2010.**

The officer facilitated an interactive session on peacebuilding. By the end of the discussions communities agreed to set aside their differences and live together in peace.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

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<sup>488</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/08/2016.

<sup>489</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

## 5.2.6 Corporate Social Responsibility

Local leadership of Administration Police initiated a voluntarily programme to help needy members of community irrespective of ethnic affiliation. Officers and members of community are mobilized to raise funds and other forms of assistance.<sup>490</sup> Towards this they liaise with community leaders to identify deserving cases. Donations include food, money and clothing items distributed to needy members of public.<sup>491</sup> Officers were encouraged to donate what they have in excess, do not use or need.<sup>492</sup> This goes beyond community expectations about AP in providing safety and security, and helped to inculcate ethnic tolerance.

In the aftermath of 2007/08 electoral violence Mr. Gitahi Kanyeki the local AP commander organized for fundraising to construct a house for a female IDP. She sought shelter with her children in a makeshift camp at Pipeline site and the house leaked when it rained.<sup>493</sup> He mobilized officers and reached out to the local Salvation Army Church to facilitate a fundraising event that saw a decent house constructed for her. His wife, Mama Ciru attended the opening ceremony.<sup>494</sup> This served to instill family values.

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<sup>490</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>491</sup> Oral Interview with Stephen Kemboi, an Administration Police officer based at Molo on 19/05/2015.

<sup>492</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

<sup>493</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>494</sup> Photograph showing a uniformed police officer standing next newly-built house at Molo on 21/08/2010.

**Figure 12: Mr. Kanyeki with children during opening ceremony of the house constructed by AP officers for the family at pipeline IDP camp in Molo on August 21, 2010.**

The officer coordinated a joint fundraising activity involving AP officers and the church. This sent a message to local communities that APs care for wellbeing of the family unit, critical for a peaceful society.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

They established a working relationship with Kenya Commercial Bank to reach out to needy community members including children.<sup>495</sup>

### **5.2.7 Peace Campaigns**

After ethnic violence ended in 2008 the District Administration Police Commander initiated a Peace Caravan to which he dedicated his official vehicle and jointly with Kenya Police, Provincial Administration and the District Peace Committee, led officers

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<sup>495</sup> Photo showing Gitahi Kanyeki, Superintendent of Police, District Administration Police Commander donating foodstuff to children in Molo on 30/08/2009.



in traversing Molo on a peace mission.<sup>496</sup> This initiative later evolved into a sustained multi-Agency undertaking supported by Administration Police Headquarters, Nairobi.<sup>497</sup>

Community members regularly teamed up with Administration Police, Kenya Police officers and other stakeholders in facilitating Peace Caravans, public forums and Focused Group discussions to foster peace among local communities. They also engaged in both inter and intra-community dialogue to resolve issues affecting them.<sup>498</sup> District Administration Police Commander jointly with Officer Commanding Police Division, local administrators and community members dealt with livestock theft which plagued local communities especially in Kapsita.<sup>499</sup> Conflict resolution is vital in peacebuilding.

Religious leaders were overwhelmed by bloodshed and in the aftermath officers and the clergy facilitated peace rallies and crusades. They first engaged in intra-community peace efforts targeting members from one ethnic community and after winning their support they targeted the other disputant communities. Thereafter joint events where members were drawn from both sides of the ethnic divide were held in Molo and Kuresoi.<sup>500</sup>

Clerics took a leading role during the “Operation Rudi Nyumbani” to prepare the ground for Internally Displaced Persons in camps to return home. Communities were prevailed upon to desist from ethnic enmity and live peacefully. Aggressor community visited displaced persons in the makeshift camps and encouraged them to return home.<sup>501</sup> They even helped them carry their belongings back home.<sup>502</sup>

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<sup>496</sup> Oral Interview with Elisha Otero, an Administration Police officer based at Molo on 22/05/2015.

<sup>497</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

<sup>498</sup> Oral Interview with Anne Njeri, Secretary Location Peace Committee and resident of Molo on 18/05/2015.

<sup>499</sup> Oral Interview with Amos Mirau, Secretary District Peace Committee and resident of Molo on 11/06/2015.

<sup>500</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>501</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>502</sup> Focused Group Discussion with a group of ‘Goshen 108’ IDPs at Molo Township Social Hall on 11/06/2015.

**Figures 12: AP Officers display peace messages in Molo on the eve of 2010 constitutional referendum; on 02/08/2010**

The officers conducted a peace preaching mission in Molo and Kuresoi to sensitize communities that was important to conduct the referendum in a peaceful atmosphere, and to entrench a culture of peace thereafter. The AP agency contributed funds towards facilitating activities of the youth group.



**Figure 13: Members of Sirikwa Youth Group display peace messages during the same event**



Sources: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

In 2008 the local AP commander invited Professor Wangari Maathai, a renowned environmentalist and crusader of human rights to tour Molo and Keringet. The celebrity obliged and during her visit, local communities promised not to engage in violence

again.<sup>503</sup> Engagement in these campaigns was voluntary and other targeted cadres were youth and elders due to their influential role during violence.<sup>504</sup> Women were targeted due to their ability to persuade perpetrators to desist from violence.

**Figure 14: Professor Wangari Maathai (in dark glasses) participates in a peace drive in Molo on 26/09/2011**

Notice the officer placed his gun on the ground and holding national flag as a sign of dedication to peaceful coexistence. By close of the function members of public present unanimously agreed to cultivate sustainable peace.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

In 2012 Mr. Francis Kooli, the local AP Commanders teamed up with youths in institutions of higher learning, namely colleges and universities. They founded Peace

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<sup>503</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>504</sup> Oral Interview with George Muriu, a resident of Molo on 22/05/2015.

Ambassadors Youth Movement, a non-profit making organization that engage with Molo youths to promote peace and cohesion in order to tame the culture of violence.<sup>505</sup>

The theme is Mobilizing, Organizing, Engaging, Empowering and Celebrating the Youth. Programmes include peace walks, rallies, mentorship, trainings, environmental conservation, leadership development and blood donation. Membership includes local, regional and international youth clubs. Outstanding members were recognized through Awards such as the Queen's Young Leaders Award.<sup>506</sup> Local media were brought on board where FM Stations aired programmes on peacebuilding.<sup>507</sup> Peace messages reached many people in and beyond Molo in vernacular languages easy to comprehend.

### **Figures 15: A Poster publicizing a peacebuilding event**

The programme activities were geared towards coaching, mentorship and cultivating a culture of peace among the youth.



Source: <https://web.facebook.com/pg/PeaceAmbsKenya/photos/?08851550>. Accessed on 14/08/2016.

<sup>505</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>506</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>507</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

### 5.2.8 Disarmament

In 2008 Administration Police, Kenya Police commanders and local administration jointly with coordinator of the Inter-Communal Peace Initiative at the ministry of Special Programmes initiated a programme to disarm former combatants. Those who surrendered illegal firearms voluntarily were pardoned.<sup>508</sup> However culprits who failed to honour the amnesty had their homes raided, were arrested and prosecuted.<sup>509</sup>

The District Security and Intelligence Committee reached out to local leaders and formed a team to mop up illegal firearms. Acting on information from members of public they recovered assorted firearms and suspects subjected to the Criminal Justice System. They also conducted door to door and local media campaigns against illicit weapons.<sup>510</sup> Illegal firearms in the hands of criminals are an impediment to peacebuilding.

Locational Peace and Security Committees comprising APs, Chiefs, Assistant Chiefs and village elders played a leading role in mobilizing community members to support the campaign against illegitimate arms. The initiative led to recovery of assorted arms used during the conduct of hostilities.<sup>511</sup> This reduced fear among affected communities and boosted their confidence in efforts to consolidate peace.

### 5.2.9 Public Forums

Administration Police jointly with other security agencies regularly held forums to engage with community members and deliberate on issues of concern. These forums provide a platform to communicate with community in matters pertaining governance such as security, policies and other information necessary for public consumption. Chiefs

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<sup>508</sup> George Sayagie, "Residents give up 1m poll chaos weapons", *Daily Nation*, 18/08/2010. Accessed: [www.nation.co.ke](http://www.nation.co.ke) on 06/12/2016.

<sup>509</sup> Oral Interview with Claire Nafuna, an Administration Police officer based at Molo on 22/05/2015.

<sup>510</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

<sup>511</sup> Oral Interview with John Nyaga, Assistant County Commissioner based at Molo on 20/05/2015.

play a key role mobilizing members of public.<sup>512</sup> Members of local security committee, communities, leaders and other stakeholders attended these interactive forums that are an essential tool for promoting cohesion.<sup>513</sup> These forums provide a platform that serve as a meeting point for engaging with public on matters pertaining governance.

They are known as Barazas and provide an interactive platform for articulating the government's agenda and members of public air their concerns on issues of interest.<sup>514</sup>

This is confirmed by the citation;

“I regularly attend the forums where officers address community members on the need to uphold peace. People have appreciated these barazas whose attendance is voluntary.”<sup>515</sup>

**Figure 16: An officer addresses a public forum in Molo on 21/09/2009.**

The officers held plenary discussions on peacebuilding with members of community across ethnic divide. Consequently participants agreed that violence was expensive hence peace was important for socio-economic development.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

<sup>512</sup> Oral Interview with Anne Njeri, the secretary to the District Peace Committee and resident of Molo on 18/05/2015.

<sup>513</sup> Oral Interview with Evans Kemboi, a civil servant based at Molo on 27/05/2015.

<sup>514</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

<sup>515</sup> Oral Interview with Judith Kwamboka, businessperson based at Molo on 26/05/2016.

Strategies were formulated on how to deal with issues raised by the public, owned by communities and implementation agreed upon.<sup>516</sup> Chiefs organize the forums because they are strategically placed to mobilize community members. The schedule varies from weekly, monthly, occasional to impromptu Barazas when there are urgent issues.<sup>517</sup>

The corporate sector such as companies attended Barazas where they to promoted their products. These included manufacturers, insurance, banking and microfinance institutions as among those who utilized the gatherings held in open air.<sup>518</sup> Therefore the forums enhance public participation in governance and other issues affecting communities.

**Figure 17: An officer entertains children during a public event co-hosted by AP and Kenya Commercial Bank at Molo Township on 30/08/2009.**

Guest speakers urged community members to open savings accounts for the future of their children. They resolved that investing in the children's future was more important in shielding them from engaging in ethnic violence.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

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<sup>516</sup> Oral Interview with Alex Rono, a Civil Servant and resident of Molo on 14/05/2015.

<sup>517</sup> Oral Interview with John Nyaga, Assistant County Commissioner based at Molo on 20/05/2015.

<sup>518</sup> Oral Interview with Kenneth Onsare, a resident of Molo on 20/05/2015.

### 5.2.10 Religious Events

The local AP Commander led officers in engaging with public through community functions where worship services are held either in churches or open air. Occasionally officers from Administration Police Headquarters, Departments of Chaplaincy and Community Outreach Programmes visit Molo to preach peaceful coexistence among local communities.<sup>519</sup> Leadership is important in the success of the programmes.

Chaplaincy officers visited local communities to foster peace and have severally visited Molo where they team up with colleagues serving in the area together with community members. In this undertaking they visit churches for worship and also organize for open-air crusades. Bishop Benjamin Kilungo, the head of Chaplaincy services at AP Headquarters coordinates a programme where officers host crusades occasionally at Molo, in collaboration with local churches.<sup>520</sup> This help to demystify the AP organization by exposing the other side of officers as agents of peace.

Molo town Catholic Church organize meetings whose main agenda is conflict prevention through peacebuilding. Administration Police officers are invited to participate in activities which include peace debates, crusades, walks, workshops, conferences and community projects. The sessions are interactive and participants exchange ideas on how to promote peace and ethnic cohesion.<sup>521</sup>

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<sup>519</sup> Oral Interview with Elisha Otero, an Administration Police officer based at Molo on 22/05/2015.

<sup>520</sup> Oral interview with Reverend Benjamin Kilungo, Superintendent of Police, Chief Chaplain of the Administration Police Service on 30/11/2015.

<sup>521</sup> Oral Interview with Simon Ngatia, a Youth Officer based at Molo on 25/05/2015.



**Figure 18: Mr. Gitahi Kanyeki participates in a PCEA church function in Molo on 22/05/2011**

The event brought together community members, teachers and students who were sensitized on sustainable peacebuilding.



Source: Courtesy of Mr. Gitahi Kanyeki. Accessed on 31/08/2016.

### **5.3 Conclusion**

Administration Police endeavour to enhance social cohesion, safety and security that are key to post-conflict peacebuilding. Effective service delivery entrench public trust and confidence in police officers. Officers engage in conflict resolution jointly with other players to enhance restorative justice among affected parties, and resort to retributive justice where the situation demands.

A working partnership between Administration Police officers and communities enhanced information sharing and shared benefits of peace and tranquility. Officers have established mechanisms to give back to the community where they contribute to assist needy members of public. Peace campaigns were undertaken to entrench peaceful inter-community relations. Amnesty offered during disarmament exercise encouraged those who possessed illicit arms to surrender them without fear of prosecution.

Games and sports provide a neutral ground where hate and other forms of ethnic intolerance cease to exist. Recreation activities offer platform for participants to interact and appreciate each other. Partakers also learn and raise the value of diverse cultures in the locality and in return they shed off retrogressive cultural beliefs. Celebrities of high moral standing shape opinion of masses and are key stakeholders in conflict resolution and peacebuilding.<sup>522</sup> Due to her reputation Professor Wangari was able to convince warring communities to desist from ethnic intolerance and uphold peace. Thus Women play an influential role in conflict resolution and peacebuilding.

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<sup>522</sup> Gibson Steven and Agnes Lando,(ed.), *Impact of Communication and the Media on Ethnic Conflict* (Hershey PA: Information Science Reference, 2016), p.297.

## **CHAPTER SIX**

### **IMPACT AND CHALLENGES OF THE PEACE INITIATIVES IN MOLO**

#### **6.1 Introduction**

This chapter examines effects of the peacebuilding initiatives undertaken by Administration Police in Molo Sub County during the study period. It studies impact of these initiatives on the lives of local communities with respect to Social, Economic and Political spheres, in order to evaluate whether there is value addition in the quality of their lives. It also sheds light on challenges faced by AP Officers and other stakeholders in the course of advancing the peace agenda, way forward and draws conclusion.

#### **6.2 Impact of the Peace Initiatives by APs in Molo**

Communities in Molo have been the targeted recipients of these approaches intended to achieve sustainable peace and tranquility in a safe and secure environment, where all people engage in their socio-economic and political endeavours without fear. In this undertaking Administration Police as a state security agency engaged with them in the initiatives geared towards consolidating peace.

##### **6.2.1 Improved Peace and Security**

Enhanced policing services had the effect of return to normalcy where the rule of law is upheld. Community members resumed their business without fear of criminals.<sup>523</sup> Improved service delivery by Administration Police and related security agencies contributed to a safe neighbourhood.<sup>524</sup> Safety and security was enhanced because criminal offenders were arrested and prosecuted accordingly. There was relative peace

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<sup>523</sup> Oral Interview with Kipng'etich Rop, an Administration Police officer based at Kuresoi Sub-County Headquarters on 22/05/2015.

<sup>524</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub-County Commander Molo on 28/01/2016.

among the communities previously engulfed in ethnic antagonism.<sup>525</sup> Peaceful environment is key ingredient of sustainable peacebuilding.

Security situation improved occasioned by reduced number of reported crimes which implied a low rate of crime.<sup>526</sup> Crime reduction was attributed to intensified patrols by Administration and Kenya Police officers in addition to information sharing, resulting to peaceful neighbourhood.<sup>527</sup> Incidents of breakings, burglary and stealing went down hence the area was rated safer than it was before.<sup>528</sup> This is exemplified in the quote below;

“Molo is today safer than in the past. Rate of crime has declined and we can see police officers moving around in uniform and firearms. Women and children no are longer required to be escorted by men when moving from one place to another due to reduced fear of crime and violence.”<sup>529</sup>

### **6.2.2 Enhanced Police Community Relationships**

Community policing had improved relationship between Administration Police officers and community members. The gap between these two entities was narrowed which led to mutual trust and confidence.<sup>530</sup> The bond between officers and the public improved and they enjoyed goodwill from residents.<sup>531</sup> Law abiding community members identified criminals and reported them to police officers who acted promptly.<sup>532</sup>

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<sup>525</sup> Oral Interview with Naomi Onsare, a Social Worker and resident of Molo on 16/05/2015.

<sup>526</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Molo Sub County Commander on 05/07/2016.

<sup>527</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>528</sup> Oral Interview with Kenneth Kinyanjui, a Barber and resident of Molo on 20/05/2015

<sup>529</sup> Oral Interview with Jeremiah Sammy, a resident of Molo on 21/05/2015.

<sup>530</sup> Oral Interview with Peter Mwaura, a teacher and resident of Molo Location on 26/05/2015

<sup>531</sup> Oral Interview with Amos Mirau, Secretary District Peace Committee and resident of Molo on 11/06/2015.

<sup>532</sup> Oral Interview with George Njoroge, a resident of Molo on 28/05/2015.

Due to the football and volleyball tournaments between Administration Police officers and youths, the youngsters became friendly to law enforcement agencies.<sup>533</sup> Public perception improved and community members viewed officers as friends rather than adversaries.<sup>534</sup> This narrowed the gap between these two entities and consequently police engaged in proactive policing rather than react after occurrence of incidences.<sup>535</sup> This assertion is epitomized by the following citation;

“Watu sasa hawaogopi hawa askari wa AP hata kama ni kabila gani. Wanatembea kwa maboma ya watu kwa harusi, mazishi na mikutano ya familia. Pia tunawapea chakula na maziwa. Wengine wamenunua mashamba, wamejenga nyumba na kuoa hapa.”<sup>536</sup> (Translation: People no longer fear Administration Police officers irrespective of their ethnicity. They visit homes when there are weddings, burials or family gatherings. We also give them food and milk. They have bought land, built homes, others married and settled here.)

### **6.2.3 Enhanced Social Cohesion**

Following peace campaigns led by Administration Police, people developed positive attitude towards AP officers and police work in general. They also changed how they think about themselves and about people from other ethnic groups.<sup>537</sup> People of diverse ethnic background interacted, appreciated each other and lived in harmony.<sup>538</sup> Inter-ethnic conflicts reduced and peace was enhanced.<sup>539</sup>

Youths across ethnic divide engaged with each other in activities such as games and sports, business and farming due to the peace programmes that targeted them.<sup>540</sup>

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<sup>533</sup> Oral Interview with Samwel Matiru, a Trader and resident of Molo on 20/05/2015.

<sup>534</sup> Oral Interview with Moses Gachiri, Graphic Designer and resident of Molo on 20/05/2015.

<sup>535</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Molo Sub County Commander on 05/07/2016.

<sup>536</sup> Oral Interview with R. Mugure, an administrator and resident of Molo on 19/05/2015.

<sup>537</sup> Oral Interview with Margaret B., a civil servant based in Molo and local resident on 25/05/2015.

<sup>538</sup> Oral Interview with Jane Mbugua, Assistant Chief, Tayari in Molo on 27/05/2016.

<sup>539</sup> Oral Interview with Alex Kiptoo, a civil servant and resident of Molo Location on 14/05/2015.

<sup>540</sup> Oral Interview with Jeremiah Sammy, a resident of Molo on 21/05/2015.

Intermarriages across ethnic board increased characterized by increased cases of engagements among young adults.<sup>541</sup> Enhanced communal life reduced ethnic tension.

During peace campaigns after violence members of community across ethnic divide teamed up and built houses for violence victims among other inter-community interactions. The well-endowed donated building materials while others provided free labour. Administration Police officers were mobilized to support building a house for a family affected by post 2007 election violence.<sup>542</sup> This led to a sense of acceptance and tolerance among communities in multi-ethnic Molo and between the communities and Administration Police officers.

#### **6.2.4 Increased Economic Development**

Improved security situation due to efforts by Administration Police officers and other security agencies led to enhanced peace and economic development. Volume of business activities ranging from transport, farming, wholesale and retail trade, and production in light industries increased as investors injected more capital into the local economy.<sup>543</sup> During the field visits the Researcher observed high volume of trade in farm produce that included animals and animal products such as milk, food crops, cash crops and other consumer goods and services.

Members from all ethnic communities initiated programmes to till land in groups. They visited homes of one member and spent a day working in the farm then moved on to the next until all members' farms were completed, without ethnic segregation. This led to increased food production.<sup>544</sup> It also strengthened the bond between and among members.

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<sup>541</sup> Oral Interview with John Gathungu, a trader and resident of Molo on 19/05/2015.

<sup>542</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>543</sup> Oral interview with Peninah Wambui, a resident of Molo on 24/05/2015.

<sup>544</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

Construction of permanent residential and commercial buildings in farms and trading centres was vibrant. In Molo town new commercial buildings were under construction and local youths were hired in big numbers. This was attributed to enhanced peace and security that increased confidence of investors in the local environment that their investments were safe.<sup>545</sup> An AP officer whose business premises were destroyed at Total reconstructed and started rising from the ashes.<sup>546</sup> Consequently, there was increase in employment opportunities for the youth and energetic adults.<sup>547</sup> During field visits the Researcher observed a busy construction industry for commercial and residential buildings.

### **6.2.5 Improved Political Leadership**

Political leaders from all ethnic communities in Molo were conscious about peaceful coexistence. They supported the various peace programmes initiated in the area by Administration Police officers and attended public forums and peace rallies where they preached peace. They also contributed funds towards the programmes.<sup>548</sup> Politicians became more committed to consolidating peace and conducted their business with a sense of civility, preaching tolerance and urged communities to accept each other because all people in Molo had a right to settle in the area.<sup>549</sup>

After the post 2007 election-related violence and subsequent reconstruction efforts, the political class supported efforts by Administration Police officers to restore and consolidate peace in Molo. In their undertakings both incumbents and aspirants for political offices mobilized their supporters in peacebuilding endeavours through rallies,

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<sup>545</sup> Oral Interview with J.K. Rono, an Education Official, Quality Assurance and Standards and resident of Kuresoi on 19/05/2015.

<sup>546</sup> Oral Interview with Charles Waithaka, an Administration Police officer residing in Molo based at the Training College, Embakasi on 09/07/2016.

<sup>547</sup> Oral Interview with Kenneth Mokaya, a Civil Servant and resident of Molo on 15/05/2015.

<sup>548</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>549</sup> Oral Interview with Reverend Jackson Agunza, Chairperson Divisional Peace Committee and resident of Molo on 04/01/2016.

fundraising, gatherings and other social events.<sup>550</sup> Political goodwill is important in the success of peacebuilding and other community-based initiatives.

### **6.3 Challenges faced by AP Officers**

In post-conflict reconstruction there are diverse sets of issues at different levels that impact negatively on effectiveness of peacebuilding, ranging from political, institutional to operational challenges.<sup>551</sup> Administration Police officers and other stakeholders experienced myriad impediments to realization of the set goals and objectives.

#### **6.3.1 Scarcity of Resources**

In Molo Sub County AP officers faced financial constraints when undertaking these initiatives. Due to limited financial allocation there was insufficient money to pay allowances to Administration Police officers and community members who participated in peacebuilding endeavours. They engaged in extra work in pursuit of sustainable peace in addition to police work.<sup>552</sup> This demoralized officers and other stakeholders who felt they engaged in peacebuilding at their own expense. The programmes and other events geared towards peacebuilding were thus not adequately facilitated which affected successful implementation.<sup>553</sup> This state of affairs was underscored by the citation;

“Resource mobilization is a big problem to adequately fund peacebuilding initiatives. There lacks a fund dedicated to financing programmes geared towards achieving sustainable peace. This impeded successful implementation of programmes at the grassroots.”<sup>554</sup>

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<sup>550</sup> Oral Interview with John Gathungu, a Trader and resident of Molo on 19/05/2015.

<sup>551</sup> Neclâ Tschirgi, “Post-Conflict Peacebuilding Revisited: Achievements, Limitations, Challenges”, *Seminar Paper*, 2004, p.1. Accessed: [http://s3.amazonaws.com/academia.edu.documents/38587415/Post\\_Conflict\\_Peacebuilding\\_IPA.pdf](http://s3.amazonaws.com/academia.edu.documents/38587415/Post_Conflict_Peacebuilding_IPA.pdf) on 24/11/2016.

<sup>552</sup> Oral Interview with Joseph Mwangi, Superintendent of Police Sub County Commander, Molo on 05/07/2016.

<sup>553</sup> Oral Interview with Gitahi Kanyeki, Acting Assistant Inspector General, former Sub County Commander Molo, Internal Affairs Unit, Jogoo House on 31/08/2016.

<sup>554</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.



There was shortage of vehicles and fuel for mobility when engaging in peacebuilding activities.<sup>555</sup> Administration Police officers lacked adequate transport because police vehicles were few and the area of coverage was wide.<sup>556</sup> There was only one official vehicle for the Administration Police in the entire Sub County. This implied that officers could not rapidly respond to occurrences and other peacebuilding undertakings.

Communication was a problem because mobile phone network coverage caused weak signals. Administration Police officers stationed at posts and outposts lacked radio communication gadgets for transmission of messages and information. This hampered effective coordination of operations and reporting of incidences and officers resorted to using personal mobile phones even for official communication, at their own expense.<sup>557</sup>

Poor housing conditions for Administration Police and Kenya Police officers were a hindrance to quality service delivery. There was lack of proper accommodation and Units plus tents that provided housing for officers were not conducive due to cold and wet weather in Molo, and these further demoralized officers.<sup>558</sup> Poor housing contributed to increased stress levels which hindered productivity of officers in the line of duty.

### **6.3.2 Lack of Adequate Information**

Despite the sessions organized for sensitizing community members, Administration Police officers and other stakeholders in Molo, there still existed gaps in knowledge and information on conflict resolution and peacebuilding. Mr. Kooli noted that due to this handicap a section of AP officers lack modern techniques in bringing up new strategies in peacebuilding.<sup>559</sup> This leads to ignorance of new knowledge and ideas and perpetuation of traditional ideals of policing.

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<sup>555</sup> Oral Interview with Lameck Mutahi, a Janitor and resident of Molo on 15/05/2015.

<sup>556</sup> Oral Interview with Kenneth Mokaya, a Civil Servant and resident of Molo on 15/05/2015.

<sup>557</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>558</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>559</sup> Oral Interview with Francis Kooli, a Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

This incapacitated them in taking initiative and sustaining vibrant strategies to foster sustainable peace. Low capacity of Administration Police Personnel has weakened their clout in peacebuilding matters.<sup>560</sup> This contributed to negative attitude by community members towards Administration Police officers and other players in peacebuilding.<sup>561</sup>

### **6.3.3 Lack of Trust and Confidence**

Despite local AP leadership investing efforts in peacebuilding there were cases where the relationship between Administration Police and communities was characterized by suspicion and mistrust.<sup>562</sup> The problem was conduct of a section of officers before, during and after violence. There were cases where they were deemed to be impartial during violence and appeared to support people from their own ethnic communities.<sup>563</sup>

Erosion of mutual trust among citizens was attributed to negative attitude towards officers due to experiences during violence episodes.<sup>564</sup> There existed poor relationship between Administration Police and Kenya Police officers on one side and members of public on the other due to real or perceived issues.<sup>565</sup> This emanated from cases where officers harassed community members while discharging their duties which caused fear among the population.<sup>566</sup>

Administration Police officers and community members failed to keep secret information shared hence leaking it to unauthorized people. Errant community members also blackmailed those dedicated to peacebuilding.<sup>567</sup> Consequently information sharing was impaired where people withheld crucial information that could assist service delivery to

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<sup>560</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>561</sup> Oral Interview with Irene Ochogo, a business woman and resident of Molo on 19/05/2015.

<sup>562</sup> Oral Interview with Edward Thuku, a civil servant and resident of Molo on 15/05/2015.

<sup>563</sup> Oral Interview with Odongo (Not his real name), an Administration Police officer based at Molo on 25/05/2016.

<sup>564</sup> Oral Interview with Peter Mwaura, a teacher and resident of Molo on 26/05/2016.

<sup>565</sup> Oral Interview with J.K. Rono, an Education Official, Quality Assurance and Standards and resident of Kuresoi on 19/05/2015.

<sup>566</sup> Oral Interview with Alice Ngugi, a farmer and resident of Molo on 18/05/2015.

<sup>567</sup> Oral Interview with Amos Mirau, Secretary District Peace Committee and resident of Molo on 11/06/2015.

promote peacebuilding.<sup>568</sup> This state of affairs was accredited to fear among community members towards Administration Police and Kenya Police officers, which negatively affected interaction between officers and community members.<sup>569</sup>

#### **6.3.4 Resistance to the Course of Peacebuilding**

In the course of engaging in peacebuilding, a section of Administration Police officers were opposed to non-military or non-paramilitary activities geared towards consolidating peace. They held the opinion that Administration Police Agency being a paramilitary police component should only engage in combat operations in addition to patrols and other activities of policing, not engage officers in activities with civilian dimension.<sup>570</sup> Hence there was refusal to accept conflict resolution and peacebuilding as the way forward in enhancing sustainable peace and hence preventing violence in future.

This state of affairs was also attributed to the spoilers who thrived and derived benefits from conflict situation. They ranged from self-centered politicians, staff of humanitarian organizations to those who still embraced retrogressive cultural and traditional practices; those who believed in solving their socio-economic and political issues through violence.<sup>571</sup> Spoilers want armed conflict to continue hence they undermine peace efforts in a bid to maintain status quo where they continue enjoying the proceeds of violence.

#### **6.3.5 Increased Population**

The population of local communities in Molo increased tremendously since 1992 and impacted negatively on service delivery by Administration Police officers and other security agencies as the personnel became overstretched.<sup>572</sup> Administration Police and Kenya Police officers were few compared to ballooning civilian population and were

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<sup>568</sup> Oral Interview with Ngigi, a health worker and resident of Molo on 06/06/2015.

<sup>569</sup> Oral Interview with Milka Wangari, a Journalist and resident of Molo on 20/05/2015.

<sup>570</sup> Oral Interview with Odongo (Not his real name), an Administration Police officer based at Molo on 25/05/2016.

<sup>571</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>572</sup> Oral Interview with Samwel Matiru, a trader and resident of Molo on 20/05/2015.

overwhelmed when violence erupted.<sup>573</sup> Thus police to civilian population ratio was high as indicated in the table here-below;

**Figure 19: showing Population and Housing Census in Molo**

Year	Population
1989	164,258
1999	235,076 <sup>574</sup>
2009	542,103

Source: <https://www.knbs.or.ke/population/>

Lack of proper education, unemployment and hope for the future among the youth compounded the situation making them vulnerable for mobilization and conscription by criminal gangs to engage in violence. Population increase was a factor that directly contributed to ethnic violence as it exerted pressure on available resources, human resource capacity of Administration Police being one of them.<sup>575</sup>

Rapid population growth increased competition for social and economic opportunities for the youth and men of productive age bracket. A section of youths engaged in criminality to earn livelihood and easily joined militias when promised jobs and land by the violence masterminds. This posed security challenge to AP officers and other security agencies on the ground.

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<sup>573</sup> Oral Interview with Kenneth Mokaya, a Civil Servant and resident of Molo on 17/08/2015.

<sup>574</sup> <https://www.standardmedia.co.ke/article/1144027988/party-forms-taskforce-on-boundaries-review>. Accessed on 11/12/2017

<sup>575</sup> Clionadh Raleigh and Henrik Urdal, "Climate change, environmental degradation and armed conflict", *Journal of Political Geography*, Vol.26, No.6, 2007, p.675.

Accessed:

[https://www.researchgate.net/profile/Henrik\\_Urdal/publication/222697507\\_Climate\\_Change\\_Environmental\\_Degradation\\_and\\_Armed\\_Conflict/links/0fcfd50b32baaef6bd000000.pdf](https://www.researchgate.net/profile/Henrik_Urdal/publication/222697507_Climate_Change_Environmental_Degradation_and_Armed_Conflict/links/0fcfd50b32baaef6bd000000.pdf) on 09/04/2016.

When violence broke out, Administration Police officers were in most cases the first responders to incidences of ethnic animosity due to their disposition on the ground. When hotspots were many in number officers became overwhelmed and by the time reinforcement arrived a lot of damage had already happened.<sup>576</sup>

### **6.3.6 Drugs and Substance Abuse**

Alcoholism was a major hindrance to success of peacebuilding initiatives in Molo. Irresponsible drinking by members of community in the productive age bracket, police officers and other government officials impacted negatively on socio-economic development hence impede ethnic cohesion and integration.<sup>577</sup>

Illicit brews like “chang’aa” were easily available due to local production and supply which endangered health and lives of consumers because many became addicted. Families, careers and other productive engagements broke down due to the menace. These vices reduced productivity by energetic persons relied upon by their families. Youths addicted to these alcoholic drinks become unable to engage in meaningful activities.<sup>578</sup> In addition AP officers and other personnel of security agencies who indulge in excessive drinking cannot effectively engage in peacebuilding endeavours.

### **6.3.7 Corruption**

Lack of integrity by a section of Administration Police and Kenya Police officers and involved in bribery led to dishonest conduct thus reduced public confidence. This put their integrity to test during their conduct of business which has slowed down progress in peacebuilding. There were also cases involving community members.<sup>579</sup> This is exemplified in the following quote;

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<sup>576</sup> Oral Interview with Francis Kooli, Senior Superintendent of Police, former Sub County Commander, Molo on 14/08/2016.

<sup>577</sup> Oral Interview with Samwel Matiru, a trader and resident of Molo on 20/05/2015.

<sup>578</sup> Oral Interview with Daniel (not his real name), a resident of Molo on 07/07/2016.

<sup>579</sup> Oral Interview with Samwel Matiru, a trader and resident of Molo on 20/05/2015.

“One day during the Post 2007 Election Violence, members of public complained to authorities that raiders wearing police uniform were transporting stolen livestock to Nairobi using a lorry. Police officers responded and arrested a senior Administration Police officer deployed to quell the violence with a team of junior officers, but engaged in the vice instead of security operations. Cases of livestock theft subsided.”<sup>580</sup>

This jeopardized moral standing of officers as custodians of public safety and security.

Corruption in police, other government officers and Non-Governmental officials especially those working with Humanitarian Organizations slowed down progress of post-conflict reconstruction activities geared towards return to normalcy and peacebuilding. Administration Police officers participated in the ‘Operation Rudi Nyumbani’ aimed at facilitating displaced persons return home. Corruption resulted to undeserving cases being compensated and those who deserved to be paid the allowances left out.<sup>581</sup> This injured confidence of donors and put an indelible mark on government.

Both Kenya and Administration police officers solicited for bribes from brewers of “Chang’aa”, illicit brew along Molo River. Officers patrolled the area dressed in civilian clothes instead of official uniform which made their identity difficult.<sup>582</sup> This concealed their visibility which negated the aspect of police visibility in crime prevention.

### **6.3.8 Religious Conflicts**

There were various denominations in Molo whose existence served to divide instead of uniting the communities. Followers of the Pentecostal Church of East Africa were predominantly Kikuyu and even sermons delivered in vernacular. African Inland Church was predominantly Kalenjin and local dialect was employed during worship services. This negated ethnic cohesion at the expense of consolidating peace. The Seventh Day Adventist was cosmopolitan and the language of communication was mostly Kiswahili, which united followers. Different ethnic communities affiliated themselves and identified

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<sup>580</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>581</sup> Oral Interview with Onyi (Not his real name), a resident of Molo on 25/05/2016.

<sup>582</sup> Oral Interview with Onyi (Not his real name), a resident of Molo on 25/05/2016.

with other churches namely Salvation Army.<sup>583</sup> Religious differences also serve as recipe for inter-ethnic turmoil.

Peter Kagwanja posit that a traditional religion, Mungiki had a large following with the youth comprising majority in the lower social and economic group among them street families, squatters, IDPs and those working in the informal sector; namely hawkers, Jua Kali and casual labour. Membership spans across Molo, Olenguruone, Londiani, Elburgon and Narok, among other places in the country. The movement's doctrine seeks to uphold Kikuyu cultural practices and traditions such as Female Genital Mutilation, social justice and equality of all people.<sup>584</sup> The religious movement was also employed during ethnic violence ostensibly to 'protect their community from the enemy'.<sup>585</sup> It is these radical beliefs and practices that Mungiki sought to impose on other people that bred conflict with followers of other religious groups, thereby impeding social cohesion.

### **5.3.9 Poor Infrastructure**

The road network in Molo is comprised of the tarmacked Nakuru-Eldoret Highway passing next to the township. It is in good condition hence serviceable thus facilitates easy movement of goods and people. However, the Molo-Njoro road is largely worn out hence poses to motorists due to mechanical damage to vehicles and reduced speed of transport. There are other feeder roads that are impassable during rainy weather because vehicles get stuck in mud. These include Ngusu river, Soini, and Mutamaiyo roads in Sachang'wan Ward; Chandra, Giteru farm, Ndenderu and Muchowri roads in Turi Ward; Kapsita and Mariashoni roads in Elburgon Ward, and Kivunja, Mootoand

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<sup>583</sup> Oral Interview with Robert Anyona, a Civil Servant and resident of Molo on 22/08/2016.

<sup>584</sup> Peter Kagwanja, "Facing Mt. Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of Succession in Kenya, 1987-2002", *Journal of African Affairs*, Vol.102, No.3, 2003, pp.29-36. Accessed: <http://www.kenyanpundit.com/wp-content/uploads/2008/04/kagwanja-on-mun.pdf> on 04/10/2015.

<sup>585</sup> Oral interview with Onyi (Not his real name), a resident of Molo on 19/05/2015.

Mbondeni roads in Molo Ward.<sup>586</sup> In the light of cool and wet climate in Molo, movement of people and commodities is impaired.

There existed poor roads in Molo which undermine undertaking of peacebuilding activities. Rough roads impeded movement of people and caused mechanical damage to vehicles. Apart from the highway and main roads that are tarmacked others are not hence all-weather.<sup>587</sup> The condition of feeder roads is most affected during rainy seasons as they become impassable and motor vehicles get stuck in the mud.<sup>588</sup> Response to emergencies and incidences by security agencies is thus poor.

**Figure 20: Community members give a helping hand to an AP vehicle that got stuck in the mud during a peacebuilding mission in Molo on 25/07/2010.**

The officers led by Mr. Kanyeki had attended a peace meeting. Their vehicle got stuck along Kuresoi-Tinet road, one of the roads that became impassable during rainy season. This impeded movement of people, goods and services.



Source: Courtesy of Gitahi Kanyeki. Accessed on 31/08/2016.

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<sup>586</sup> Oral Interview with Joseph Mwangi, Superintendent of Police, Sub County Commander, Molo on 05/05/2016.

<sup>587</sup> Oral Interview with Julius Kipng'etich, Administration Police officer based at Kuresoi on 20/05/2015.

<sup>588</sup> Photo showing community members assisting in pushing an Administration Police car stuck in Mud, in Molo during a peacebuilding mission dated 25/07/2010.



There were places where mobile phone network coverage was poor.<sup>589</sup> Police radio communication infrastructure did not adequately cover all areas. These impaired effective communication resulting to poor coordination of security operations.<sup>590</sup> During the field visits the Researcher observed the poor state of roads especially the stretch connecting Molo town and Nakuru-Eldoret Highway.

### **5.3.11 Poor Disarmament, Demobilization and Reintegration of Ex-Combatants**

In post-conflict peacebuilding undertaking Disarmament, Demobilization and Reintegration agenda is critical to restore sustainable peace. Gangs and militias mobilized by violence masterminds find it difficult to reintegrate into the mainstream community life after armed conflict and consequently impaired in supporting reconstruction efforts among them reconciliation and peacebuilding. DDR is aimed at supporting transition from violence to peace during which combatants undergo conversion to civilian life.<sup>591</sup>

Waki report indicated that failure by government and other stakeholders to undertake adequate DDR programmes on militias and gangs after 1992 and 1998 in Molo such as Mungiki and Kalenjin Warriors made members vulnerable to easy mobilization by violence masterminds in 2007/08.<sup>592</sup> These youths and energetic adults who committed atrocities were combatants during 1992 and 1998. They were bankrolled by politicians and prominent members of the business community.<sup>593</sup>

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<sup>589</sup> Oral Interview with John Gathungu, a trader and resident of Molo on 19/05/2015.

<sup>590</sup> Oral Interview with David (Not his real name), a serving police officer on 07/07/2016.

<sup>591</sup> Erin Martz, *Trauma Rehabilitation After War and Conflict: Community and Individual Perspectives* (New York: Springer, 2010), pp.177-181.

<sup>592</sup> Republic of Kenya, "Report of the Judicial Commission of inquiry into Post-Election Violence" *Waki Report*" (Nairobi: Government Printer, 2009), pp.79-89.

<sup>593</sup> Oral interview with Onyi (Not his real name), a resident of Molo on 19/05/2015.

### **5.3.12 Lack of National Policy Framework**

The Researcher established that at the national level, there is no Policy in place to provide guidelines on conflict management and peacebuilding. The National Policy on Peacebuilding and Conflict Management is still a Draft thus yet to be adopted.<sup>594</sup> The Researcher confirmed that the draft policy is yet to be ratified and operationalized. Therefore, approaches to conflict management and peacebuilding lack synergy as they remain uncoordinated, without a firm institutional framework and linkages among stakeholders.<sup>595</sup> In this regard the AP Officers in Molo operate without the policy framework important in funding, coordination, linkage and partnerships with other key players. The Commander hence applied initiatives in driving the peacebuilding agenda.

### **5.4 Conclusion**

The peacebuilding initiatives mentioned above have impacted positively on communities in Molo leading to enhanced peace and security. Targeted groups and players have been receptive and expressed commitment in achieving sustainable peace. Consequently normalcy has been realized and people engage in nation-building undertakings.

Decreased reporting of incidences implies reduced crime rate and subsequently cohesive existence of local communities, lowering ethnic tension. This can be attributed to improved relationship by Administration Police officers and communities. Economic development gave rise to increased opportunities among them job creation, trade and industry for youth and energetic adults who form the bulk of combatants during violence. Challenges faced impede realization of peacebuilding agenda hence slow down progress towards a cohesive society. Local and international actors have joined hands in promoting peacebuilding in Molo.

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<sup>594</sup> Oral Interview with Peter (Not his real name), Data analyst, National Steering Committee on Peacebuilding and Conflict Management based at Office of the President, Bruce House, 14<sup>th</sup> Floor on 15/12/2016.

<sup>595</sup> Oral Interview with Jackie (Not her real name), Data analyst, National Steering Committee on Peacebuilding and Conflict Management based at Office of the President, Bruce House, 14<sup>th</sup> Floor on 15/12/2016.

## **CHAPTER SIX**

### **CONCLUSION**

The research shows that Colonialism introduced modern government with police being a critical tool of governance. Advent of Administration Police resulted from gaps emanating from Kenya Police organization with which it has distinct but complementary mandates, and both possess monopoly of legitimate force. Gaps left by Kenya Police in policing rural hinterland parts of the country during colonialism necessitated creation of Administration Police.

Basically it was charged with assisting other state institutions to deliver their legal mandate, alongside other policing functions. Administration Police is a component of the executive arm of government mandated to provide public safety and security alongside other. Both agencies started as informal, localized entities then gradually transformed into formal national agencies.

Role of police in the society, mainly provision of public safety security is universal and basically remained the same over the years. Police officers are recruited from civilian communities, trained and upon completion are deployed to serve the same communities. Hence they are still part of the communities and feel to be so. Police uniform have the psychological effect of imposing upon the public and is, among other items adorned by officers, symbol of power and authority. Generally, police institution serves as a tool of social control by the state.

Administration Police and military have a shared history of interdependence, being intertwined with early development of Administration Police where army played the role of “Big Brother”, by helping to provide strategic leadership and shaped the future of modern day Administration Police institution. Similarly Administration Police has a shared history of mutual coexistence with the Administrative arm of government, the former Provincial Administration under which it operated until promulgation of the

constitution. Both Administration Police and Kenya Police institutions are governed by strict code of discipline to uphold professionalism in the line of duty.

The Agency has engaged in conflict resolution and peacebuilding among rural communities since origin. However conduct of personnel during significant internal security operations caused conflict between them and recipient communities. As an internal security component, Administration Police Service is a living entity that has undergone transformation hence continuously responds to occurrences in its internal and external environment. It was militarized since inception and initially top commanders drawn from the army. Thereafter Administrative Officers were deployed to offer strategic leadership. The institution has established partnerships with other complementing agencies in efforts to upscale service delivery to consumers of its services.

Administration Police Agency comprises one of the organs of National Police Service, a national security organ that forms the executive and most visible arm of government. It has embraced professionalism but despite efforts by government to implement affirmative action, gender gap is still wide implying that the agency is still male dominated. Recruitment criteria continue to be reviewed but retention of human capital remains a challenge because officers continue to leave the institution in apparently search and pursuit of greener pastures. To complement its competencies, the organization has established working partnerships with other agencies.

Disposition of Administration Police on the ground gave them advantage to undertake peacebuilding due to the high volume of contact with local communities. This is exemplified by the quote; “85 percent of Administration Police officers are deployed to serve communities at the grassroots.”<sup>596</sup> This implies that the bulk of personnel are stationed at the lowest level and engage with citizens and complementing agencies on peacebuilding.

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<sup>596</sup> Speech by Samuel Arachi, Deputy Inspector General in-charge of Administration Police during Course closing ceremony at Administration Police Senior Staff College-Emali on 30/08/2016.

The study focused on the contribution of Administration Police Agency to post-conflict reconstruction efforts geared towards consolidating peace among communities ravaged by ethnic violence in the countryside. The period covered was twenty years between 1992 and 2012 with locale being Molo Sub County. Inter-ethnic differences among communities in Molo existed during colonial times but on a lower scale.

These contradictions became more glaring and grievous after return of multiparty democracy during 1992 electioneering period. Push factors in ancestral homeland of communities in other parts of the country mostly Central, Eastern and Nyanza regions among them unemployment, persecution and landlessness co-incided with pull factors in Molo namely employment opportunities, agriculturally rich land for cultivation coupled with conducive climate to attract migration of population into Molo.

Migrant communities appear to achieve socio-economic and political milestones faster compared to indigenous communities. Thus there is need to encourage free movement, occupation, development and settlement of people in other parts of the country. In this case people should move out of their ancestral lands and explore the world beyond the horizon where they exchange ideas and other traits to trigger development. Thus host communities need to be receptive and accommodating.

Closed communities deny themselves opportunities to learn attributes from migrants and remain tied to the shackles of historical baggage that impede progressive thinking. Heterogeneous societies are more resilient because violence dissipates quickly compared to homogenous societies and Molo Sub County being a multi-ethnic setting has managed to rise up from the ashes after each episode of violence.

Kenya is a political country where the ruling class are predominantly politicians exercising power and authority over state institutions. Therefore politics is the 'engine oil' of the country weaving through social and economic spheres. Politics transcend all other causes of armed conflict, meaning that there is a political hand in all ethnic-based

violence situations. It is apparent that ethnic violence was instigated by the fear of losing political power and the desire to acquire the same by leaders and their supporters.

This could be attributed to the fact that holders of political offices enjoy powers, privileges, immunities and other trappings of power and authority accorded to those positions. When politicized, socio-economic issues ignited and fuelled violence with devastating outcomes. Thus political leadership is key in causing, managing and fuelling violence.

Violence revolved around resources with land issues taking centre stage. The high agricultural value makes the non-renewable resource an emotive issue on which communities involved attach great value as it defines an individual or group social and economic status. This when mixed with politics lead to grave consequences.

Deforestation of Mau forest caused environmental degradation and dependent communities bore the brunt. Consequently they waged violence on perceived culprits and also embraced unfamiliar survival tactics such as farming with little success. Cultural diversity caused contradictions among communities where traditional practices, language, religion, and other aspects were politicized.

Negative ethnicity mirrored these issues in bad light with each community feeling superior or inferior towards the other, breeding prejudice, negative labeling, suspicion and mistrust. Inter-marriages were affected where husbands divorced wives from 'enemy' community. Violence kingpins stirred perceived historical injustices and incited communities against each other where attacks were based on one's ethnic background. There is need for government jointly with other stakeholders to invest more efforts towards enhancing national cohesion and integration at the grassroots.

Culture of impunity where culprits conducted themselves without fear of legal reprisals became a lifestyle. This, among other factors resulted to weak state institutions that failed to discharge their mandate effectively. Police efficiency and effectiveness determines functionality of other institutions as it exerts legitimate force over the citizenry. Poverty

is occasioned by loss of livelihood where individuals become unable to meet basic needs thus breed violence. Youth component of the population comprise majority of combatants. When poverty strikes they lose hope in life and are easily conscripted in gangs or militias to engage in violence facilitated by powerful individuals in the society.

Government policy on employment apparently aimed at enhancing equity in distribution of public jobs was abused in order to deny or avail vacancies unfairly to job seekers. This became contentious among resident communities and was an ingredient in the skirmishes. Conduct of media is critical before, during and after violence because they shape opinion and hence thinking of fans, making it a tool of choice by violence masterminds. Practitioners, personalities and perpetrators employed media houses to incite, mobilize and coordinate attacks. Local FM stations broadcasting in particular ethnic dialect became a helpful instrument of violence.

Internal state security apparatus was overwhelmed by violence either due to capacity issues leading to failure in anticipating, planning for or external interference that impede appropriate response to violence and were reinforced by military. Outcome of violence continued to traumatize victims and survivors due to scars that defied passage of time. This was compounded by lack of effective Counselling programmes to assist clients cope with the aftermath. Administration Police officers who served in Molo during violence episodes also suffered directly and indirectly.

Human rights abuses occurred during violence with sexual violence carrying weighty effect on physical, mental, sexual and reproductive health of victims, family members and the society at large, with consequences both immediate and long-term. Failure to comprehensively address underlying causes of ethnic violence led to a cycle of violence coinciding with electioneering period where violence became institutionalized, breeding a culture of impunity which climaxed in the 2007/08 Post Election Violence.

Before colonialism Africans owned land as communities hence was not demarcated along individual ownership. During Colonialism land was alienated, allocated to white settlers and demarcated accordingly. Among the causes of ethnic violence land stands out as an emotive issue, where concerned parties attach immense value and its possession defines an individual's socio-economic standing. Thus persons may go to great length to guard custody and other rights of land that must be defended by all means. In this regard it appears that management of land matters is influenced by politics of the day. This was compounded by weak state institutions.

Rift Valley region hosted migrant communities from other parts of the country due to attractive climate, fertile soils conducive for agriculture employment, trade and other socio-economic opportunities. The increased population exerted pressure on the local environment hampering availability of resources to the chagrin of indigenous communities. This constituted breeding ground for vicious ethnic violence.

During violence the moral fabric of society breaks down and perpetrators do not feel guilty when committing atrocities on their innocent civilians. Worse still, violence victims turned against each other, as evidenced by those whose looted property of fellow IDPs. This scenario could also be attributed to breakdown of social structures of society.

Belligerent communities became resilient in that each time violence was over they resumed normal lives with relative flexibility, a characteristic of heterogeneous societies. Consequences of violence are devastating to the affected persons. The scars linger on and defy passage of time hence remain embossed in their lives after violence.

Administration Police officers who participated in security operations also bore the brunt of bloodshed. They comprised statistics of violence victims and survivors. Even those whose families resided in Molo were not spared the devastating agony of skirmishes. Therefore when armed conflict occurs it affects everyone irrespective of age, occupation or cultural affiliation.



In the violence aftermath, survivors adopted diverse coping mechanisms to deal with the trauma. As direct participants in armed conflict combatants were equally traumatized by experiences witnessed during violence. They also developed coping mechanisms and needed assistance just like survivors.

Despite IDPs not falling directly within its mandate, UNHCR stepped in to assist IDPs on humanitarian grounds by donating tents to those in camps and other forms of assistance to the affected. However compensation paid to those displaced was not sufficient to enable them start over their lives again.

In its endeavour to discharge its mandate in society of providing public safety and security, Administration Police adopted non-military approaches to consolidate peace in post-conflict societies despite itself being a paramilitary entity. These initiatives were community-based in that there was broad consultation with and participation by the targeted communities, a strategy that entrenched sense of ownership and consent that is vital for community-based programmes and other undertakings to succeed.

In this context community policing is enhanced and both police and community become co-producers of security, peace and tranquility. Management of crime and violence is driven by mutual consultation, proactive strategies and enhanced trust and confidence between the two entities and other stakeholders. Policing thus becomes community-oriented. However Administration Police officers did not surrender their role as custodians of public safety hence reserved monopoly of legitimate force.

Post-conflict reconstruction efforts depend on safety and security without which they cannot be effectively undertaken and success may be compromised. In this regard security agencies are critical players in post-conflict reconstruction in which peacebuilding is a crucial undertaking. Since inception, Administration Police played a role in conflict resolution and peacebuilding among rural communities. In the early years they assisted Village Headman in arbitration of disputes, arresting offenders and preservation of peace among Africans and continued with the same up to date.

Peacebuilding is an international concept and was domesticated in Molo Sub County to solidify peace and prevent future occurrence of violence. Administration Police officers initiated post-conflict peacebuilding approaches to pursue sustainable peace in the area and prevent relapse to violent conflict. Effective service delivery by Administration Police other security agencies and public institutions entrench public trust and confidence. Officers engage in conflict resolution jointly with other players to enhance restorative justice among affected parties, and resort to retributive justice where the situation demands. The entity endeavoured to enhance social cohesion, safety and security that are key to post-conflict peacebuilding.

Working partnership between officers and communities enhanced shared benefits of peace and tranquility in Molo. Officers exercised Corporate Social Responsibility and established mechanisms to give back to the community through contributions to assist needy persons. Peace campaigns undertaken entrench peaceful inter-community relations. The amnesty offered during disarmament exercise encouraged those who possessed illicit arms to surrender them without fear of prosecution. Public forums encourage free interaction between police and community thus reducing fear between the two entities.

The religious community is influential on the local communities and consequently the peacebuilding agenda. Catholic Church stood out among others in championing the peacebuilding agenda. It has established a Justice and Peace commission mandated to take measures to consolidate peace through promoting social justice and cultivating peaceful and harmonious inter-ethnic coexistence.

The youth and young adults comprised majority of combatants during armed conflict. Even children were conscripted to engage in violence. They were brought on board and Administration Police initiated programmes friendly to them. Games and sports provided a neutral ground where hate and other forms of ethnic intolerance were neutralized. These recreation activities offered platform for participants to interact and appreciate each other thus develop positive attitude and appreciate other people's cultures and traditions.

They also provided means of earning income hence a lifeline when participants were awarded prizes in form of cash, trophies or other items. Pushed to the corner by assailants, besieged communities initiated retaliatory attacks ostensibly to defend themselves due to gaps that emerged when security agencies were overwhelmed. With proper planning, coordination and execution of security operations this need not occur.

Opinion leaders influence thinking of the local communities because they influenced attitude towards community issues. Due to their high social standing, local communities listened to them and valued their word. Celebrities of high moral standing shape opinion of masses and are key stakeholders in conflict resolution and peacebuilding.<sup>597</sup> Due to her reputation, environmentalist Professor Wangari was able to convince warring communities to desist from ethnic intolerance and uphold peace.

When the youth and young adults promised her they will desist from engaging in violent ethnic conflicts, it served as proof that they took seriously her campaign against violence. Women are influential in propagating, stopping or preventing violence. Being a woman she employed her strength and played an influential role in persuading combatants to stop engaging in bloodshed and they complied. Her stance solidified post-conflict peacebuilding in Molo Sub County.

Communal events such as wedding ceremonies, funerals and tree planting and public forums among others provided an opportunity for participants to interact and learn more from each other. They exchanged ideas and learnt to tolerate each other. These informal interactions enabled participants to shed off prejudices held against each other.

Environmental issues affect peaceful coexistence among communities due to availability of natural resources vital for survival. Availability of fresh water, pasture and fertile soils determine human and animal migration, population density and settlement patterns. Climate change characterized by global warming impacts negatively on availability of resources. When degradation of surroundings occurs, resource availability reduces

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<sup>597</sup> Gibson Steven and Agnes Lando,(ed.), *Impact of Communication and the Media on Ethnic Conflict* (Hershey PA: Information Science Reference, 2016), p.297.

leading to fierce competition for the little available. This breeds deadly violence as each individual struggle to have a share of the little resources. Towards this end, Administration Police engaged with communities in environmental conservation by planting trees to reverse effects of environmental degradation.

Poverty denies those affected access to basic goods and services essential for survival. Purchasing power is curtailed and this predisposes them to engage in violence for gain. Impeded access to food, clothing and shelter, among others make the people vulnerable to employment by violence bigots in return for payment. Among the population, youths and energetic adults become prime targets for conscription to violence.

Preservation of significant events whether good or bad, serves to remind the people of the occurrences and lessons learnt. In Molo Memorialization of Sachang'wan tragedy constantly remind those affected that communities from both sides of belligerents and security personnel suffered together in the wake of the incident and should hence discard ethnic bigotry and live peacefully with each other.

Drawing from the findings of the study, the peacebuilding approaches impacted positively on socio-economic and political lives of communities in Molo leading to enhanced peace and security. There is relative calmness and targeted groups plus players have been receptive, and expressed commitment in achieving sustainable peace. Consequently normalcy was realized and people engaged in nation-building undertakings. The police institution reinforces other public institutions to boost their service delivery capacity.

Decreased reporting of incidences implies reduced crime rate and subsequently cohesive existence of local communities, lowering ethnic tension. This can be attributed to improved working relationship by Administration Police, Kenya Police officers and communities. Economic development gave rise to increased opportunities among them job creation, trade and industry for youth and energetic adults who form the bulk of combatants during violence.

The political class became more civilized in conduct of their business in the violence aftermath and supported peacebuilding initiatives. Political goodwill is vital in the success of consolidating peace and other reconstruction efforts as well as preventing future bloodshed from recurring.

Peacebuilding endeavours are not without challenges. These when experienced negate the course of realizing sustainable peace hence impede realization of peacebuilding agenda; slowing down progress towards a cohesive, just and progressive society. These can be categorized into 'soft' and 'hard' challenges. The former does not require resources to address but change of mindset while the latter requires both financial and non-financial resources. Approaches by Administration police in peacebuilding led to progressive consolidation of peace in Molo. However, these challenges can be turned into opportunities to reap maximum output in the process of peacebuilding.

Administration Police officers are still rural-oriented while Kenya Police are urban-oriented. The former appear to have greater presence and output in service delivery at the grassroots, among rural communities. They work under harsh conditions as they endeavour to discharge their mandate. As part of citizenry, communities plagued by armed conflict depend on national assistance to realize instantaneous need for security, socio-economic and political progress.

As at now there is no guarantee that armed conflict will not recur in Molo, in future. Therefore, relapse of Molo into ethnic violence will dictate that post-conflict peacebuilding continue to require assistance from higher levels of governance in the coming years to break the cycle of violence. As a result there is need to learn from and further improve on the gains realized so far, and for authorities to invest more resources in post-conflict peacebuilding. This will strengthen capacity of Administration Police and other stakeholders to continue with the course of post-conflict peacebuilding in order to consolidate peace and prevent reversion to ethnic violence.

Moreover, both County and National governments have capacity to invest more resources and other requirements to consolidate peace, cohesion and integration among communities plagued by armed conflict. This fuels the cycle of violence witnessed in different corners of the republic, in order to have safe and secure environment for enhanced social, economic and political advancement. All citizens have the right and desire to live in a safe and secure environment to enable them engage in their social, economic and political chores without fear of criminal elements that breach peace.

Lack of comprehensive DDR programmes caused youthful combatants of 1992 ethnic violence to be easily mobilized alongside new combatants in the successive violence episodes. There is need to formulate and implement sustainable programmes to minimize mobilization and armament of combatants by empowering them to lead productive lives.

Adolescents and young adults were enlisted as combatants. This amounted to these young ones being deployed as child soldiers by the violence masterminds. Women and children comprised the bulk of victims of the violence and in other cases women and girls also participated as combatants during the violence where they supported fellow combatants by taking the role of cooks, porters and gave them moral support. On the other hand they played the role of peace makers where wives, mothers and spouses urged combatants and masterminds to refrain from violence and cultivate peace among belligerent communities.

The findings of the study have unearthed the contribution of AP in post-conflict efforts in Molo Sub County and the country at large. Towards this effect, the hypotheses were proven and set objectives were achieved. Theoretical Framework provided the study with meaning and direction resulting in adding value to existing knowledge.

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Interview with Dorothy Shisiala, an Administration Police officer based at Katulani Sub-County in Kitui County on 31/12/2015.

Interview with Jack (not his real name), businessperson, Molo, 10/06/2015.

Interview with Jackie (Not her real name), Data analyst, Office of the President, Nairobi, 15/12/2016.

Interview with Jackson Agunza, Divisional Peace Committee, Molo, 04/01/2016.

Interview with John Nyaga, Assistant County Commissioner, Molo, 20/05/2015.

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## APPENDICES

### APPENDIX I: INTERVIEW QUESTIONNAIRES

#### A. Interview Questionnaire for Members of the Community

Dear respondent,

I, Zacharia K. Mwangi am a student at the University of Nairobi, Kenya, Faculty of Arts, Department of History and Archaeology. Am conducting a research on the “**Administration Police and peacebuilding in Kenya: The Case of Molo Sub-County, Nakuru County; 1992-2012**”. This is an academic undertaking in partial fulfillment of the requirements for the award of a Master of Arts Degree in Armed Conflict and Peace Studies. I hereby request you to provide the relevant information that will help to make the research successful. Confidentiality and/or complete anonymity would strictly be observed if requested for by the respondent.

Thank you in advance!

#### **PART A: Personal Information**

Name.....

Location.....

Age..... Sex..... Mobile phone No.....Date.....

#### **PART B: Research Questions**

1. What is your occupation?
2. How long have you lived in Molo?
3. Have you ever been a victim of armed conflict?
4. In your opinion what are the causes of the violence?
5. In your understanding what is peacebuilding?
6. What joint peacebuilding activities with the administration police do you engage in?
7. What impact have these peacebuilding initiatives had in your area?

8. Do you think the peacebuilding initiatives by administration police are a good strategy to achieve sustainable peace in Molo?
9. What challenges do you think the administration police officers face in undertaking peacebuilding?
10. Suggest way forward for the challenges?

**B. Interview Questionnaire For Administration Police officers**

Dear respondent,

I, Zacharia K. Mwangi am a student at the University of Nairobi, Kenya, Faculty of Arts, Department of History and Archaeology. Am conducting a research on the “**Administration Police and peacebuilding in Kenya: The Case of Molo Sub-County, Nakuru County; 1992-2012**”. This is an academic undertaking in partial fulfillment of the requirements for the award of a Master of Arts Degree in Armed Conflict and Peace Studies. I hereby request you to provide the relevant information that will help to make the research successful. Confidentiality and/or complete anonymity would strictly be observed if requested for by the respondent (s).

Thank you in advance!

**PART A: Personal Information**

Name.....

Rank.....Station.....

Work experience...Sex..... Mobile phone No.....Date.....

**PART B: Research Questions**

1. For how long have you served in Molo?
2. What do you think are the causes of armed conflict in Molo since 1992?
3. What is the impact of the violent conflict in Molo?

4. Do you engage in joint activities/operation with staff of complementing agencies serving in Molo?
5. In your understanding, what is peacebuilding?
6. What peacebuilding initiatives have the administration police officers carried out in your area of jurisdiction?
7. Do you think these peacebuilding initiatives have had an impact in Molo?
8. Do you think the peacebuilding initiatives by administration police are a good strategy to achieve sustainable peace in Molo?
9. What challenges do you face in undertaking peacebuilding?
10. Suggest way forward for the challenges?

**C. Interview Questionnaire For Members of Staff of Complementing Agencies**

Dear respondent (s),

I, Zacharia K. Mwangi am a student at the University of Nairobi, Kenya. Am conducting a research on the “**Administration Police and peacebuilding in Kenya: The Case of Molo Sub-County, Nakuru County; 1992-2012**”. This is an academic undertaking in partial fulfillment of the requirements for the award of a Master of Arts Degree in Armed Conflict and Peace Studies. I hereby request you to provide the relevant information that will help to make the research successful. Confidentiality and/or complete anonymity would strictly be observed if requested for by the respondent (s).

Thank you in advance!

**PART A: Personal Information**

Name.....

Station.....Designation.....

Age..... Sex.....Mobile phone No.....Date.....

## **PART B: Research Questions**

1. What is your occupation?
2. For how long have you served in Molo?
3. What do you think are the causes of armed conflict in Molo?
4. What is the impact of the violent conflict in Molo?
5. Do you have a working relationship with administration police officers serving in Molo?
6. In your understanding, what is peacebuilding?
7. What peacebuilding initiatives have you carried out jointly with the administration police officers?
8. Do you think the peacebuilding initiatives have had an impact in Molo?
9. What challenges do you face in undertaking peacebuilding jointly with administration police officers?
10. Suggest way forward for the challenges?



## APPENDIX II: PHOTOGRAPHS

### 1. The Researcher with Research Assistant during a field visit.



### 2. The Researcher with Chief Molo Location, Mr. Hassan Waweru in his office.



**3. Researcher with Ms. Selina, Assistant Chief Molo Sub-Location in her office.**



**4. Researcher with members of 'Goshen 108' integrated IDPs during a meeting at Molo Social Hall.**



**5. Researcher with a group of AP officers at Molo Sub County Headquarters.**



**6. Interview session with Chairperson of the Peace Committee in his office.**



**7. Interview session with Secretary of the Peace Committee in his office.**



**8. Researcher with the two officials of the Peace Committee.**



## 9. Mobile Community Policing Unit



## 10. Mobile Peacebuilding Unit




**APPENDIX III: THE RESEARCH PERMIT**

**THIS IS TO CERTIFY THAT:**  
**MR. ZACHARIA KURIA MWANGI**  
**of UNIVERSITY OF NAIROBI, 0-90200**  
**KITUI, has been permitted to conduct**  
**research in Nakuru County**

**on the topic: ADMINISTRATION POLICE**  
**AND PEACE BUILDING IN MOLO SUB**  
**COUNTY, NAKURU COUNTY, KENYA:**  
**1992-2012**

**for the period ending:**  
**22nd December, 2017**

**Permit No : NACOSTI/P/16/25169/15193**  
**Date Of Issue : 22nd December, 2016**  
**Fee Received :Ksh 1000**





*[Signature]*  
**Applicant's Signature**

*[Signature]*  
**Director General**  
**National Commission for Science,**  
**Technology & Innovation**

**CONDITIONS**

1. You must report to the County Commissioner and the County Education Officer of the area before embarking on your research. Failure to do that may lead to the cancellation of your permit.
2. Government Officer will not be interviewed without prior appointment.
3. No questionnaire will be used unless it has been approved.
4. Excavation, filming and collection of biological specimens are subject to further permission from the relevant Government Ministries.
5. You are required to submit at least two(2) hard copies and one (1) soft copy of your final report.
6. The Government of Kenya reserves the right to modify the conditions of this permit including its cancellation without notice

  
**REPUBLIC OF KENYA**

  
**National Commission for Science,**  
**Technology and Innovation**

**RESEACH CLEARANCE**  
**PERMIT**

**Serial No.A 12444**

**CONDITIONS: see back page**