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INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

CIVIL SOCIETY AND PEACEBUILDING IN KENYA, (2008-2012)

BY

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DECLARATION

I declare that this project work is my original work and has never been presented to any university.

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This Research Project Report has been submitted for examination with my approval as the University Supervisor.

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ABSTRACT

The emergence and persistence of intra-state conflicts has necessitated diversification of actors to ensure effective resolution and management strategies aimed at peacebuilding. One of the actors engaged in peacebuilding is the civil society. The civil society in Kenya and elsewhere has been presented as working for the greater good of the people at the lowest level of society. This study examines the role and effectiveness of the civil society peacebuilding in Kenya with a focus on Nakuru County, against the tenets of the human needs theory specifically those touching on security, identity and wellbeing.

The study contends that in order to assess the effectiveness of the civil society in peacebuilding, one must understand the causes of the conflict, the roles and challenges the civil society groups face. Nakuru County has been used as a case for this study because of its cosmopolitan population and that it has been experiencing conflicts, especially the violent type in almost all electoral cycles since the re-introduction of multipartyism in Kenya in 1991. Civil society activity has also been high in this County during the period under study.

The study further argues that whereas the civil society has a role to play in peacebuilding particularly in service delivery, protection and advocacy, on the whole it has been ineffective because of failure to undertake the most relevant role during the most appropriate phase of the conflict cycle. However, the civil society has been effective in respect of specific roles such as advocacy. The study argues on the need for collaboration between the state actors and the civil society because the civil society plays more of a supportive role than a substantive one in peacebuilding.

LIST OF ABBREVIATIONS

AU	Africa Union
CBO	Community Based Organization
CIPEV	Commission of Inquiry into the Post Election Violence
CJPC	Catholic Justice and Peace Commission
FBO	Faith-Based Organization
FGD	Focus Group Discussion
F4P	Football for Peace
HNT	Human Needs Theory
IDP	Internally Displaced Person
NCCK	National Council of Churches of Kenya
NGO	Non-Governmental Organization
PeaceNet	Peace and Development Network
PEV	Post-Election Violence
TRC	Truth and Reconciliation Commission
UN	United Nations
WCC	World Council of Churches

DEDICATION

This research project report is dedicated to my loving mother and caring father: Rose and Anthony Mutungi. They both had an invaluable hand in instilling in me at an early age the values of commitment and hard work.

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CHAPTER ONE

INTRODUCTION

The history of political pluralism in Kenya dates back to the 1920s, shortly after the country was declared a British colony. Various political organizations initially with an ethnic character were formed to pursue different interests of the founders and their supporters. However, the major issues that nearly all these pre-independence political outfits agitated for were the return of their land and the attainment of political freedom from the colonial masters, the British. In post-independence Kenya, the political scene oscillated between a one party state and multipartyism between 1963 and 1990. However, since 1991, the country adopted multipartyism with a constitutional provision that elections be held after every five years.

The electoral cycles have been beset by varying degrees of violence in different parts of the country. However, the 2007/2008 Post Election Violence (PEV) following the announcement of the presidential election results remains the most fatal having claimed about 1133 lives besides leaving a trail of destruction of property and displacement of populations upwards of 500,000 in a span of two months. The PEV was internationalized by the media and the flow of displaced people to neighbouring countries of Tanzania and Uganda. This attracted the international community to intervene in ending the conflict. In the early stages of the conflict, the parties in conflict were unwilling to cede ground and agree to negotiations prompting the country's development partners to threaten the withdrawal of their support from the process as well as freezing of any aid or assistance to the country.

The African Union (AU) with the support of Kenya's development partners took a leading role in supporting the parties to the conflict resolve it. The AU appointed a panel of eminent persons comprising Kofi Annan, Benjamin Mkapa and Graca Machel to mediate the

conflict. These efforts were further augmented by the civil society whose role will be explored later in the subsequent discussions.

It is important to point out that, though the information being conveyed by the media was that the entire country was at war, not all regions directly experienced violence. The violence was concentrated in the major towns and their environs such as Nairobi, Nakuru, Eldoret, Mombasa and Kisumu, all of which are cosmopolitan. A few other areas also experienced violence of varying intensity. Following the initiation of the mediation process and the political settlement of the violence through the signing of the National Accord by the key leaders of the parties in conflict, various stakeholders and particularly the civil society took an active role in driving the peacebuilding process in the country.

This study endeavours to establish the role, effectiveness and challenges faced by the civil society in the peacebuilding process in Kenya. For purposes of this research, the focus shall be on Nakuru County because of its cosmopolitan population and the fact that it recorded the highest number of deaths, precisely 263 out of 1133 as given by the Commission of Inquiry into the Post Election Violence (CIPEV).¹ Moreover, the county had the highest number of Internally Displaced Persons (IDPs) and it also witnessed an influx of civil society interventions whose effectiveness in peacebuilding is the focus of the study. It is also noted that the county has witnessed violent conflicts in almost every electoral cycle since 1992 and hence the potential for the same in future cycles cannot be underestimated. It is anticipated that the findings of the study will generate recommendations that will further the cause for peace as driven by the civil society in Kenya.

1.0 Background to the study

Conflicts are an endemic phenomenon associated with an inevitable co-existence in all societies. They are an expression of tensions and incompatibilities between different

¹ Republic of Kenya, 2008, Commission of Inquiry into the Post Election Violence, Nairobi, Government Printer, p. 308.

individuals or groups of people with regard to their respective needs and values. Moreover, conflicts, whether violent or latent militate against advancement of society through overt and covert destruction of both human and material resources. However, the period preceding, during and after the settlement of conflict provides opportunities that can be maximized to restore relations between the parties to the conflict, thus consolidating peace.

There are various actors such as the state, international community, civil society (both international and domestic), among others who are involved in the process of building peaceful relations in conflict prone societies. It is important to note that the process of building peace especially in multiethnic societies such as Kenya is complex and requires a harmonious coordination and inclusion of all actors, including the consumers of the envisioned peace. The advantage of many actors in peacebuilding remains the provision of resources that are required for re-establishing and strengthening the various sectors that were destroyed by the conflict. It should however be emphasized that the provision of the required resources for peacebuilding by the various actors is not always for altruistic reasons. Anderson contends that most of the assistance for peacebuilding has conditionalities and strings attached to it.² This undermines peacebuilding because it puts the interests of the funders (mainly outsiders) before those of the consumers of the peace who should be involved in the design and implementation of the process.

Overtime, the civil society which is an actor in peacebuilding as noted above, has distinguished itself as an indispensable partner in the peacebuilding process. According to Merkel and Lauth, the civil society performs a variety of functions at the core of peacebuilding such as protection, advocacy, socialization, social cohesion and provision of

² For more information on this argument, see Mary B. Anderson's, 1999, *Do no Harm: How Aid can support peace or war*, Boulder; Lynne Rienner publishers.

services.³ They are also involved in both formal and informal peace education in an attempt to forestall future threats to peace.

However, Paffenholz points out that the relevance and effectiveness of these functions varies according to different phases of conflict, such that whereas some like advocacy and delivery of basic services are important throughout the phases, others such as protection are more relevant during armed conflict and others like social cohesion develop slowly in the post conflict phase.⁴ By engaging directly with the people at the grassroots, domestic civil society groups are assumed to be aware of the various sources and triggers of conflict, the dynamics of the conflict and possible ways of transforming the conflicts in order to achieve sustainable peace. The lack of coercive power makes the civil society a reliable conduit around which populations can rally in a peaceful demand for the fulfillment of whatever grievance they may have besides providing crucial input relevant to peacebuilding. Moreover, other actors tend to partner with the civil society as it may only be through the civil society that they may get expression and appreciation at the grassroots.

Against this background, the study argues here that the civil society has a vital role to play in peacebuilding on account of the various functions they perform. They act as a link between the conflict parties and their likeability is informed by their perceived neutrality and as working for the public good. However, the effectiveness of the civil society in peacebuilding is subject to debates depending on whether such analysis is informed by the liberal or sustainable peace schools of thought which will be reviewed later in the chapter.

In a nutshell, civil society organizations as intermediaries play a major role in translating program design into effective interventions that to a large extent reflect the needs of the people. This study aims at investigating the effectiveness of civil society in

3 A detailed description of these functions is found in Merkel, W., and H. Lauth, 1998, Systemwechsel und Zivilgesellschaft: Welche Zivilgesellschaft braucht die Demokratie? In *Politik und Zeitgeschichte*, Vol.6 (7), pp.3-12.

4 Paffenholz, Thania, (ed.), 2010, *Civil Society and Peacebuilding: A Critical Assessment*, Boulder, Colorado: Lynne Rienner, pp. 425-8.

peacebuilding, the challenges they face and the opportunities that they can capitalize on in the pursuit of peace in Kenya.

1.1 Statement of the problem

Countries emerging from violent conflicts find themselves in difficult situations owing to the social, cultural, economic or political damage occasioned by the conflict. The interdependence between these sectors is synergistic. Based on this realization, state and non-state actors the world over are making considerable social, economic and political commitments towards initiatives aimed at reconciling people who have been involved in conflicts. The initiatives aimed at reconciling parties to a conflict and eliminating any structural impediments to the realization of peace are referred to as peacebuilding.

In cases of internal conflicts such as the post-election violence that beset Kenya in 2007/2008, states are assumed to take the leading role in peacebuilding. However, practical realities such as the state or any of its agencies being party to the conflict warrant the active role of non-state actors such as the civil society. The civil society engagement in peacebuilding and the support they get from other non-state actors is an indicator of the high premium given to peace in the life of a society.

The popular support accorded to the civil society from the grassroots as well as state and non-state actors gives it legitimacy and puts it at a vantage position to advance the cause of peacebuilding. However, the effectiveness of the civil society in building peace in post conflict societies such as Kenya has not been fully researched despite the consensus that these organizations have vital role to play in peacebuilding. In the proposed study, the study will aim at establishing the effectiveness of the civil society in building peace in Kenya as well as the challenges it faced in the period 2002 to 2012.

1.2 Research questions

1. What role has the civil society played in peacebuilding in Kenya?

2. How effective has the civil society been in peacebuilding in Kenya?
3. What challenges has the civil society faced in peacebuilding in Kenya?

1.3 Objectives of the study

1. To identify the role of the civil society in peacebuilding in Kenya.
2. To examine the effectiveness of the civil society in peacebuilding in Kenya
3. To find out the challenges faced by the civil society in peacebuilding in Kenya.

1.4 Literature Review

In this section, the major concepts and variables of interest in the intended study are discussed and the relevant literature reviewed. A review of the concepts of peacebuilding and civil society which are at the core of the proposed study shall be undertaken. The review shall entail an interrogation of the ideas and propositions advanced by various scholars and whose validity or otherwise will be established after collection and analysis of data. The functions of the civil society as propounded by Merkel, Lauth and Edwards shall be used as the lens through which the review of literature will be anchored.

1.4.1 Peacebuilding

The concept of peacebuilding predates literacy and its definition depends on the individual scholar's understanding of peace and how it can be attained. For instance, Galtung conceived two types of peace; negative peace which he defined as the absence of physical violence and positive peace which he described as the absence of both physical and structural conflicts.⁵ He proposed that peace was obtainable through peacebuilding. However, it was not until the usage of the concept by the United Nations Secretary General, Boutros-Ghali in 1992 that the concept became popularized and begun receiving a wider attention by scholars as an area of research. A few of the definitions of peacebuilding are explored in the following paragraphs.

⁵ Galtung, J., 1996, *Peace by Peaceful Means: Peace and Conflict, Development and Civilization*, Oslo: International Peace Research Institute, p.16.

According to Boutros-Ghali, peacebuilding refers to efforts to identify and support structures that will tend to strengthen and solidify peace in order to avoid a relapse into conflict.⁶ This conceptualization presupposes the existence of conflict before any efforts towards building peace are made and has provoked debates with reference to the temporal aspect of peacebuilding. Paffenholz for instance argues that peacebuilding can take place at any time, including before an outbreak of – or during – violent conflict, at a window of opportunity for peace negotiations and in the aftermath of violent conflict.⁷ This implies that in Paffenholz's view, peacebuilding is a process that is not limited to the post conflict phase as Boutros-Ghali's definition seems to suggest.

Another definition of peacebuilding is offered by Spence who espouses peacebuilding as those activities and processes that focus on the root causes of conflict and support the rebuilding and rehabilitation of all sectors of the war-torn society including changing attitudes and cultures of the people.⁸ This definition appears to embrace the concepts of conflict resolution whose emphasis is addressing the underlying causes of conflict and conflict transformation whose focus is relationships which are defined by attitudes and culture. Noting the uniqueness of each conflict situation, Spence continues to argue for the participation of indigenous human resources in peacebuilding because only they (indigenous human resources) operate from a contextual understanding of the root causes of the conflict.⁹ This argument is in congruence with Lederach's thoughts on the importance of building peace from the bottom upwards, otherwise referred to as organic peacebuilding.¹⁰ It can thus

6 Boutros-Ghali, B., 1992, *Agenda for Peace*, Washington DC: United Nations, p.19.

7 Paffenholz, Thania, (ed.), 2010, *Civil Society and Peacebuilding: A Critical Assessment*, Boulder, Colorado: Lynne Rienner, p. 21

8 Spence, Rebecca, 2001, Post-Conflict Peacebuilding: Who Determines the Peace? in Bronwyn Evans-Kent & Roland Bleiker (eds.) *Rethinking Humanitarianism Conference Proceedings*, 24-26 September 2001, St Lucia: University of Queensland, pp. 137-8.

9 Ibid. P.145.

10 Lederach J.P, et al., 2007, *Reflective Peacebuilding: A Planning, Monitoring, and Learning Toolkit*, Joan B. Kroc Institute for International Peace Studies, University of Notre Dame and Catholic Relief Services Southeast, East Asia Regional Office, p. 9, available at <http://kroc.nd.edu/docs> and accessed on 10th April 2013.

be concluded from the two scholars perspective that peacebuilding is achievable if it is owned and driven by the people at the local level who are directly engaged in the conflict with other parties playing a supportive role.

Gareth on the other hand maintains that at the heart of peacebuilding is the idea of meeting needs for security, order, a reasonable standard of living and the recognition of identity and worth.¹¹ Based on Gareth's thoughts, it follows that unless those needs are met, any other effort is likely to be an exercise in futility. Peacebuilding should thus be a transformative process that is based on ending violence and the enhancement of peace which facilitates the meeting of needs.

The above conceptualizations of peacebuilding are best captured by Miall et al. who maintains that for successful peacebuilding to occur, there has to be change across multiple levels involving regional contexts, structural change at the state level, relational change between the conflict parties and cultural change to transform institutions and discourses that act to maintain and recreate/perpetrate violence.¹² The key issue highlighted by Miall et al. is the need to recognize the centrality of change and/ or transformation of conflicts in order to realize peace.

1.4.2 Literature Review on Civil Society

There are various contending perspectives that have been advanced by various scholars on the subject of civil society. Spurr for instance emphasized on the political aspect of the civil society as the locus of associational life and characterized it as a school of democracy and a counterbalance to state power.¹³ This can be attributed to the desire to hold the state and its agencies accountable and check their excesses. Kumar on the other hand

11 Gareth, Evans, 1993, *Cooperating for Peace: The Global Agenda for the 1990s and Beyond*, Sydney: Allen & Unwin, p. 39.

12 Hugh Miall, et al., 1999, *Contemporary Conflict Resolution* (Malden, MA: Polity Press in association with Blackwell Publishers Inc., p. 222

13 Spurr C., 2010, Understanding Civil Society in Paffenholz T. (ed.), *Civil society and Peacebuilding: a critical assessment*, Lynne Rienner Publishers, p. 5.

perceived the civil society as a cultural sphere where values and meanings are established, contested and changed; a line of thought upheld by Lewis who projects the civil society as containing a wide range of different organizations and ideologies which both challenge and uphold the existing order.¹⁴ What comes out clearly from this generation of thinkers is the differentiation of the civil society from the state and its acting as a counter balance to state actions of omission and commission.

Other scholars have also given different views on their perceptions of civil society, adding to the contentions that continue to beset the concept. According to Merkel and Lauth, civil society is the arena of voluntary, uncoerced collective actions around shared interests, purposes and values.¹⁵ Croissant et al. observe that the civil society is independent from the state but it works closely with the state in order to improve its effectiveness and responsiveness to the people's needs.¹⁶ The civil society is a voluntary entity in the sense that membership is not legally required and so is contribution of time and other resources towards its functions.

The Economic, Social and Cultural Council (ECOSOCC) of the African Union defines civil society as comprising social groups; professional groups; Nongovernmental Organizations (NGOs), community-based organizations (CBOs), voluntary organizations; and cultural organizations, among other segments in which women, youth, children, national diasporas and elements of the private sector such as market women's associations and the media are listed.¹⁷ Van Tongeren also argues for the inclusion of the media in addition to the military into the civil society sector.¹⁸ This view of civil society in terms of its membership

14 Lewis D., 2002, Civil society in African Contexts: Reflections on the Usefulness of a Concept, in *Development and Change*, Vol. 33, No.4, pp.569-586;572.

15 Merkel, W., and H. Lauth.1998, Systemwechsel und Zivilgesellschaft.WelcheZivilgesellschaftbraucht die Demokratie?,in*Politik und Zeitgeschichte*, Vol.6 (7), pp.3-12;7.

16 Croissant, A., et al., 2000, Zivilgesellschaft und Transformation.EininternationalerVergleich, In W. Merkel, *Systemwechsel 5.Zivilgesellschaft und Transformation*, Opladen: LeskeBudrichpp.9-49;17.

17 See ECOSOCC's web site, at www.africa-union.org/ECOSOC/home.htm, accessed on 3rd March 2013.

18 Van Tongeren, P. et al. (eds.), 2005, *People Building Peace II. Successful Stories of Civil Society*, Boulder, CO: Lynne Rienner, pp. v-ix

has been contested by Spurk who maintains that the media is not a civil society group, but rather a professional economic entity that operates by reporting the civil society activities. This contention can perhaps be attributed to the understanding that most media within a country may be owned by the state and private organizations, both of which the civil society is independent from. Moreover, the official military is part of the state machinery and therefore its inclusion into civil society as advanced by Van Tongeren is questionable unless to him there is no distinction between the state and the civil society in terms of membership.

According to Sulliman and Noble, civil society is a realm of collective public action between the private sphere and the state in which a voluntary, self-generating, and politically active sector of society independent of the state seeks benefits, policy changes, or accountability from the state.¹⁹ From this definition, the civil society sector is projected as the centre of a triad composed of the economic, family/private and state sectors. However, there is no clear cut distinction of the civil society from these other sectors as its roles and membership at times overlap with those of the other sectors.

The London School of Economics posits that institutional forms of the civil society though distinct from those of the state, family and market, in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated.²⁰ This is because at times members of the economic sector such as business groups can petition the state to review certain economic policies which are hurting their business and consequently the consumer who is the ordinary citizen. This effectively complements the work of the civil society. The World Bank cautions that the civil society should not take over

19 Sulliman, G. Sidney, and Lela Garner Noble, 1998. *Organizing for Democracy: NGOs, Civil Society, and the Philippine State*, Honolulu: University of Hawaii Press, p.13

20 London School Economics, Civil Society Center website <http://www.lse.ac.uk/home.aspx>. Accessed on April 30th 2013.

the work of the state, but rather make it more accountable and responsive to the needs of the citizenry.²¹

The above definitions ascertain the contentions that beset the concept of civil society in respect of what it is, who makes up its membership and exactly what it does. Scholars in peacebuilding have however advocated for the active engagement of the civil society in the process of peacebuilding, basing their arguments on various grounds. For instance, Ross and Rothman argue for inclusion of non-state actors in peacebuilding, noting that they (non-state actors who include the civil society) are often believed to be more efficient and suitable to work for peace than state actors, as they are able to engage with several parties without losing their credibility and to deal directly with the grass-roots population.²²

1.4.3 Civil society in peacebuilding

The civil society has been debated in different contexts. However, within peacebuilding research, the focus has been its role in conflict management and/ or transformation and the entrenchment of sustainable peace. It should be noted before engaging with the literature on civil society and peacebuilding that the primary objective of the civil society is to achieve social change. In the different debates and ideas advanced by various scholars, the term effectiveness in this study shall be used to denote the acknowledgement and appreciation by both interveners and targeted beneficiaries of implemented interventions as manifested in non-violent resolution of conflicts.

One of the debates that have ensued in the field of peacebuilding research has been the liberal peacebuilding thesis that has its roots in the Woodrow Wilson school of thought (which emerged at the end of the First World War) that romanticized liberalism as the panacea to peace. Liberalism as advanced by MacGinty and Richmond is the ideology upon

21 World Bank, 2003, *Enabling Environments for Civic Engagement in PRSP Countries*, Washington DC: World Bank, p. 3.

22 Ross, Marc Howard & Jay Rothman, 1999, *Theory and Practice in Ethnic Conflict Management: Theorizing Success and Failure*. London: Macmillan; New York: St. Martin's, p.1.

which life, culture, society, prosperity and politics are assumed to rest.²³ The proponents of the liberal peace thesis argue that rapid liberalization within the political and economic spheres will foster a stable and lasting peace in countries emerging from war. However, critics of the thesis argue that ‘liberal peace’ policies and approaches disregard context specificities and the needs of the people besides advocating for competition, be it political or economic which may in the first place have led to the conflict necessitating peacebuilding.

Moreover, liberal peace has been advanced as a western concept that may not necessarily be applicable in non-western societies. Richmond for instance asserts that the liberal peace is a western-led concept in terms of its agency, epistemology and institutions, which attempts to unite the world under a hegemonic system that replicates liberal institutions, norms, and political, social, and economic systems.²⁴ Similar thoughts are shared by Tschirgi who contends that peace and stability cannot be imposed from outside (the post conflict society) but need to be nurtured internally through patient, flexible, responsive strategies that are in tune with domestic realities.²⁵

Paris argues that the liberal peacebuilding thesis as fronted by the Wilson school of thought is insufficient and cannot be used to realize peace especially in post-conflict societies because it presupposes the existence of functional institutions. This is not always the case as most institutions are weakened during conflicts and the introduction of liberalization immediately after war can exacerbate societal tensions. He instead espouses that for liberalization to succeed in building peace in a post-conflict society, it has to be preceded by institutionalization.²⁶ According to him, establishing a network of domestic institutions (some

23 MacGinty, Roger & Oliver Richmond, 2007, Myth or Reality: Opposing views on the Liberal Peace and Post-War Reconstruction in *Global Society*, Vol. 21, Issue 4, pp: 491-497; 493.

24 Richmond, O.P., 2011, A post-liberal peace, *op cit.*, pp. 1-3

25 Tschirgi, Necla, 2004, *Post-conflict peacebuilding revisited: achievements, limitations, challenges*, a paper prepared for the WSP International/IPA Peacebuilding Forum Conference, New York: International Peace Academy, P. 9

26 Paris, Roland, 2004, *At War's End: Building Peace after Civil Conflict*, Cambridge: Cambridge University Press, pp. 179-211.

of which may form part of the civil society) forestalls the destabilizing effects of liberalization occasioned by the political landscape and the market.

However, Chesterman and Thakur maintain that the institutionalization before liberalization model is 'imported' and top-down instead of bottom-up and it risks losing local ownership which is important in bridging good social capital. This is because most of the institutionalization work is within the scope of the state which is bureaucratic and as noted elsewhere can be a hindrance to peacebuilding. To overcome this challenge, the international civil society has tended to collaborate with the domestic civil society due to their perceived political independence, their flexibility and effectiveness in reaching beneficiaries, in contrast to bureaucratic state apparatuses as Spurk points out.²⁷

Other scholars such as Lederach and Paffenholz have argued that actors in peacebuilding ought to direct their efforts in the pursuit of sustainable peace. This appears to be the most common approach that most scholars prefer. On his part, Lederach maintains that sustainable peace which stands the test of time is grounded on transforming relationships among people, and recognizing the particularity of cultural and conflict context and the effective participation of civil society (which he espouses as a bridge builder).²⁸ The concept of conflict transformation in peacebuilding is upheld by Miall et al. who notes that it is in line with the peace studies tradition in which it is violence [whether physical, structural, and/or cultural], not conflict that is seen as the antithesis of peace.²⁹ From Lederach and Miall et al. point of view, it follows that they do not concur with Galtung's idea of positive peace in which the society is devoid of both physical and structural conflict and instead maintains conflict as endemic in society.

27 Spurk, C., 2010, *Understanding Civil Society*, *op cit*, p.16.

28 Lederach et al., 2007, *Reflective Peacebuilding*, *op cit*.

29 Miall, Hugh, 1999, *Contemporary Conflict Resolution* (Malden, MA: Polity Press in association with Blackwell Publishers Inc., p. 222.

It is important to note that local civil society actors play a vital role through advocating for peace and respect for human rights by raising awareness of issues through various communication channels such as the media, workshops, seminars, conferences or actual projects and/ or activities. For example, the Swedish Life and Peace Institute has advocated for a people-based peace process in Somalia, the special role of women in peacebuilding and the need to fund people's involvement.³⁰ Through civic education and collaborative activities, societies socialized to negative ethnicity can be made to understand the benefits accruing from peace at the individual, group and national levels besides such activities building good social capital which is vital in realization of peace. Moreover, grassroots non state actors tend to identify with the civil society and can easily pick small changes in daily relations among groups that may signal the beginning of conflict, thus performing the simultaneous roles of early warning and peace/conflict impact assessment.

According to Paffenholz it is much more effective to use work-related activities (of peacebuilding) which bring people together rather than most of the peace talk-related initiatives aimed at changing attitudes.³¹ The single most important aspect of engaging genuine domestic civil society in peacebuilding lies in their grassroots mobilization abilities which helps in creating a genuine sense of participation, responsibility and ownership in the process across a broad spectrum of the population as Lederach avers.³² For instance, scholars such as Spurk and Paffenholz are in agreement that the South African Truth and Reconciliation Commission was able to perform its work quite successfully because it extensively engaged with the grassroots and addressed deep seated issues that had precipitated the conflict.

30 Paffenholz, T. 2003, *Community-based Bottom-up Peacebuilding. The Development of the Life and Peace Institute's Approach to Peacebuilding and Lessons Learned from the Somalia Experience (1990-2000)*. Uppsala: Life and Peace Institute, pp. 56-7

31 Paffenholz, Thania, 2009, *Summary of Results for a Comparative Research Project Civil Society and Peacebuilding*. CCDP Working Paper 4, p. 21.

32 Lederach, J.P, 1997, *Building Peace: Sustainable Reconciliation in Divided Societies*, Washington D.C: US Institute of Peace, p. 48.

During conflict and in the post-conflict phase, various formations within the civil society such as the Non-Governmental Organizations (NGOs), religious-based institutions among others are often at hand to perform their function of service delivery to alleviate suffering among the victims through distributing relief. However, Anderson cautions that large aid inflows, mostly provided by external actors affect the social fabric and power relations during and after conflict, hence can perpetuate either peace or war through a variety of unintended consequences such as favoring recipients from one side of the conflict or legitimizing war factions through aid delivery.³³ Through the delivery of services such as medical care and food aid, civil society groups play a major role of building peace.

Moreover, aid can also foster a culture of dependency in the post conflict society. For instance, international civil society organizations such as the Red Crescent occupied a dominant position in Bosnia, thus unintentionally abetting dependency among the populace such that a humanitarian crisis ensued after their withdrawal. Aid should go beyond consumables in the post conflict societies and establish projects or activities that will enable the people survive on their own once the civil society finally pulls out. The World Vision has undertaken this approach by sinking boreholes and building institutions such as schools and hospitals in places where the same have been destroyed by prolonged conflict in various parts of the world. Based on Anderson's work, one can be persuaded to conclude that, aid per se is essential for peacebuilding, but it should only support the cause for sustainable peace.

Orjuela opines that prior to violent conflict; the civil society can be involved in both early warning and prevention by addressing the deeper structural issues and conditions that are most often at the root of conflict. The signs of conflicts are then shared with the relevant authorities and all concerned parties engaged in pacific approaches aimed at resolving the looming violence. The civil society acting as an intermediary can initiate dialogue between

33 Anderson, Mary B., 1999, *Do no Harm: How Aid can support peace or war*, Boulder: Lynne Rienner Publishers, pp. 37-53

different groups of people who have been socialized to see the ‘other’ as the enemy, hence contributing towards rebuilding good relationships that are at the core of peaceful coexistence.

In their functional model, Merkel and Lauth argue that the civil society plays a protection function.³⁴ In this endeavour, they argue, the civil society is supposed to check the state and its machinery to ensure that they do their primary duty of providing security in all its facets to the citizenry. Civil society institutions such as the church have also played a key role in providing shelter and other primary needs during violent times. For instance, during the post-election violence in Kenya in 2007/2008, the Catholic Church in Eldoret hosted hundreds of Internally Displaced Persons (IDPs) who had been evicted from their areas of residence.³⁵

Moreover, the civil society is also expected to help conduct and monitor disarmament exercises in post conflict societies with the assumption that its lack of an enforcement character makes it more agreeable to the people who will then voluntarily hand in the arms in exchange of assurance of their security or another desired thing. For example, the Tecla Loroupe Peace Foundation has partnered with the Oxfam of Great Britain and the Kenyan authorities in activities targeting the youth who are the main actors in conducting cattle rustling in the north western region of Kenya. The partnership provides livestock in exchange for surrendered arms or through peace enhancing activities such as sports.³⁶

Elucidating on the centrality of sports in peacebuilding (as used by the Tecla Loroupe Peace Foundation which is a civil society organization), the UN Office on Sports for Development and Peace (UNOSDP) notes that;

Sport as a universal language can be a powerful tool to promote peace, tolerance and understanding by bringing people together across boundaries, cultures and religions. Its intrinsic values such as teamwork, fairness, discipline, respect for the opponent

34 Merkel, W., and H. Lauth, 1998, Systemwechsel und Zivilgesellschaft, *op cit.*, p.8.

35 The Daily Nation, 2nd January 2008, P.7.

36 Information obtained from <http://teglapeacefoundation.org> accessed on 25th April 2013

and the rules of the game are understood all over the world and can be harnessed in the advancement of solidarity, social cohesion and peaceful coexistence.³⁷

Sport has also been used to integrate youngsters in the Israel/Palestine conflict. The Football for Peace (F4P) group uses football matches to help the youngsters overcome the prejudices their communities have against each other and inspire confidence in an effort to build peace. Cooperation during sporting activities challenges pre-existing ethnic stereotypes and in the long run, the contact established leads to positive attitudes by each group towards the other.

The civil society is also expected to socialize post conflict societies to values of peace and develop the in-group identity of marginalized groups so as to foster cohesion and a culture of peace whose tenets are social justice and non-violence. This is achieved through programs such as capacity building for pacific management of conflicts, peace education among others. Scholms argues that the establishment of sustainable peace in post conflict societies (such as Kenya) depends on factors such as expertise of local actors, essentially underscoring the importance of capacity building and peace education in post conflict societies.³⁸ At the heart of this function is conflict transformation where conflict parties are trained on non-violent alternatives in the pursuit of their values and/or interests. Transformation is a re-socialization process that takes into account indigenous knowledge and practices of the concerned communities in order to create good social capital across the ethnic divide.

Finally, the civil society is essentially a service delivery conduit which creates and fosters entry points for peacebuilding according to Merkel and Lauth. For example the construction of classrooms makes access to education possible, which is a powerful tool for transforming retrogressive cultures of a people. Through peace education, people and especially children unlearn values and attitudes associated with violence. Paffenholz argues that the Kenya Government has been unable to provide adequate health and educational services especially in the

37 UN Office on Sports for Development and Peace (UNOSDP), available online at www.un.org/wcm/content/site/sport/home/sport/peace.

38 Scholms, Michael, 2003, Humanitarian NGO's in Peace Process, in Henry F Carey and Oliver P. Richmond (eds.) *Mitigating conflict: The Role of NGO's*, London; Frank Cass & Co Ltd, p. 42.

marginal areas of the country (most of which have been beset by inter/intra ethnic conflicts such as those between the Pokot and the Turkana in the North West part of the country) and thus service delivery can be an effective entry point for civil society to undertake other functions such as inter-group social cohesion and socialization.³⁹ In the case of the Pokot, the Tecla Loroupe Peace Foundation has been instrumental in constructing class rooms so as to increase access to education which in turn acts as a conduit for eradicating the retrogressive cultures of cattle rustling that militate against the cause for peace.

It is important to observe that the effectiveness of civil society in peacebuilding is a function of targeted policies whose implementation is the hallmark. Indeed, the transformation of attitudes and behaviour patterns between various local actors defines the effectiveness of peacebuilding process at the grassroots.

Despite the numerous functions that the civil society performs in an effort to build peace, it faces equally many challenges in its endeavours. As a go between states, donors and beneficiaries, the civil society finds itself caught up between different sets of expectations making it difficult for them to roll out unbiased programs that are in the best interests of all. Stedman maintains that peacebuilding is a political undertaking which is ultimately dependent upon the political will and commitment of national governments.⁴⁰ No single course of action will please all the interested parties and this can at times hold back actions pertinent to peacebuilding.

Another challenge of peacebuilding for the civil society has been how to blend the traditional methods and the modern liberal methods of peacebuilding to achieve sustainable peace. Culture which is a key component of the traditional approaches is at times at crossroads with the modern demands of peacebuilding such as inclusion of all members of

39 Paffenholz, T., 2010, *Civil Society and Peacebuilding: A Critical Assessment*, Lynne Rienner publishers, Boulder, USA, p. 67.

40 Stedman, Steve, et al., (eds.), 2002, *Ending Civil Wars: The Implementation of Peace Agreement*, Boulder, CO: Lynne Rienner Publishers.

the society, irrespective of the status accorded to them by their immediate society/culture. For instance, the Swedish Peace and Life Institute has been agitating for the inclusion of women in the peacebuilding process in Somalia, yet the Somali culture (coupled with the predominant Islamic religion) does not explicitly empower women in terms of communal leadership despite their potential. Fry and Bjorkqvist argue that culture is the wholesome of traditional norms, practices and institutions around which a society's expectations converge and it helps shape a group or a people's perception, evaluation and choice of options for dealing with conflict.⁴¹ Moreover, traditional authorities play a major role in governance and conflict management and they remain the custodians of the African cultural values and principles that are crucial to peacebuilding.

The dependence on donors to fund activities of the civil society poses serious challenges too. Many of the civil society organizations especially in developing countries do not have self-sustaining kitties that can enable them undertake their activities independently. They must seek funding from donors who over time become fatigued. According to Collier, without timely, sustained, and well-targeted resources, post-conflict peacebuilding is unlikely to make a significant difference on the ground.⁴² Many other challenges such as non-cooperation from state agencies, stereotyping and lack of coordination amongst civil society actors militate against sustainable peacebuilding.

The civil society tends to be country specific in the manner in which it approaches peacebuilding despite propositions of the existence of a global civil society. However, evidence shows that some conflicts transcend national boundaries and hence their management should be approached from a regional perspective. This challenge is compounded by the steady rise in global trade in small arms and light weapons which easily cross national boundaries. For

41 Fry, D. and B. Bjorkqvist, 1997, Introduction: Conflict Resolution Themes, in Fry, D and K. Bjorkqvist (eds.), *Cultural Variation in Conflict Resolution*, New Jersey: Lawrence Erlbaum Associates Inc Publishers, pp. 3-7

42 Collier, Paul, 2003, *Breaking the Conflict Trap: Civil War and Development Policy*, Washington D.C.: World Bank.

instance, the Pokot and Karamojong conflicts along the Kenya-Uganda boarder are transnational and can only be effectively managed through joint efforts from the two countries. Tschirgi contends that there is need for wider approaches to peacebuilding as opposed to the prevalent country specific peacebuilding given the complex web of political and even security interlinkages.⁴³ Against this backdrop, there is need for coherent policy formulation and coordination to clamp down on war merchants.

Finally, it is important to underscore that the civil society is a major actor in peacebuilding. In recent times, development partners are opting to bypass state bureaucracies by engaging domestic civil society organizations to implement peacebuilding projects. The question that remains is whether the projects and/or programs reflect the needs of the intended beneficiaries or the domestic civil society are used by the funders to implement their programs with little or no regards to the realities on the ground. What is important to note however is that the civil society has been very active in the democratization process, development aid implementation as well as undertaking humanitarian assistance in post conflict societies. The sustainable peace school of thought appears more plausible for peacebuilding because of its emphasis on the use and active engagement of local resources with external actors supporting them and not directly leading the process due to the dynamic nature of societies.

From the foregoing, it is clear that much has been written about the civil society in terms of its membership, functions and its relations with other sectors in the field of peacebuilding. However, not much has been written on the effectiveness of the civil society in peacebuilding in terms of the impact of their activities and programs. The proposed study will endeavor to find out how effective the civil society has been in peacebuilding within the

43 Tschirgi, Necla, 2002, A Regional Conflict Approach to Peacebuilding, in *Journal of Peacebuilding and Development*, Vol. I, No.1, p. 23.

conflict transformation framework upon which the sustainable peace approach is anchored and which also appreciates the endemic nature of conflicts.

1.5 Justification of the study

There exists a lot of literature on the subject of civil society engagement with peacebuilding; what it is, its membership and the roles that it does in the context of peacebuilding. A lot has also been written on the procedure of peacebuilding, with the initial approach being top bottom but contemporary research appears to emphasize a bottom up approach, arguing that it is the parties to a conflict who know exactly the issues in contention and therefore any intervener should only play a supportive role to help the parties resolve the conflict.

However, despite the existence of literature on civil society engagement in peacebuilding, not much has been written on its effectiveness. This study therefore sought to add to the existing body of knowledge and particularly on the area of effectiveness of civil society in peacebuilding. It is anticipated that the study outcome can be used as a basis for drafting recommendations for appropriate actions and policy formulation that enable the civil society use its potential and network to spearhead the cause for peace in Kenya and beyond.

1.6 Theoretical Framework

The Human Needs Theory (HNT) was developed in the 1970's and 1980's as a holistic theory of human behaviour. The theory is based on the understanding that humans have basic needs that have to be met in order to maintain stable societies. Burton in his conception of human needs posits that human participants in conflict situations compulsively struggle in their respective institutional environments at all social levels to satisfy primordial and universal needs such as security, identity, recognition, and development, striving increasingly to gain the control of their environment that is necessary to ensure the

satisfaction of these needs and hence this struggle cannot be curbed; it is innate⁴⁴. This by and large can be closely associated with the primordialist school of thought whose main premise is also on the innateness of certain human behaviours.

If the thesis advanced by this theory that there are certain human needs that are required for human development and social stability is correct, then a feasible approach in the management of conflict would be the need to create an environment in which members of the society have an equal chance of pursuing their needs. This argument appears to get credence from Burton who maintains that unless identity needs are met in multi-ethnic societies (such as Kenya), unless in every social system there is distributive justice, a sense of control, and prospects for the pursuit of human societal developmental needs, instability and conflict are inevitable.⁴⁵ The significance of this theory is that it recognizes and legitimizes needs of all people involved in a conflict. In the same vein, Christie advances that HNT helps explain why needs for security and identity are often greater in interstate wars.⁴⁶ Indeed, social systems must be responsive to the society's needs, or be subject to instability and forced change. Unlike needs, violence is neither human nature nor genetic but simply a social construct. In a nutshell, unless the needs precipitating a conflict are addressed during peacebuilding, there is every possibility of the conflict to recur.

1.7 Hypotheses

1. The civil society has been effective in the peacebuilding process in Kenya.
2. The civil society has been ineffective in the peacebuilding process in Kenya.

44 Burton, John, 1991, 'Conflict Resolution as a Political System' in Vamik Volkan, et al (eds.), *The psychodynamics of International Relationships: Volume II: Unofficial Diplomacy at Work*. Lexington, MA, Lexington Books, p. 82-3.

45 Ibid, p. 21.

46 Christie, Daniel J., 1997, Reducing Direct and Structural Violence: The Human Needs Theory in *Journal of Peace Psychology*, Vol. 3, Issue 4, pp. 315-332.

1.8 Methodology

This section explains the methodology that will be used in the study. According to Hart, methodology is a system of methods and rules that facilitate the collection and analysis of data.⁴⁷ This involves the research design, target population, sampling technique, sampling size, data collection methods and data analysis. A design was used to structure the research to show how all the major parts of the research project, the sample, measures and the methods of assignments worked together so as to address the central research questions. The methodology included a mix of methods to gather data within the scope of the research study.

1.8.1 Research Design

Mouton defines research design as a set of guidelines and instructions to be followed in addressing the research problem.⁴⁸ It is essentially the strategy the researcher uses to investigate the identified problem. The study was conducted through a qualitative descriptive survey design. This involved surveying various respondents to find out their understanding of peacebuilding and the challenges they face in their peacebuilding initiatives. This design was appropriate because it enabled the researcher obtain information and some insight on the current status of the peacebuilding process by the civil society in Kenya and the challenges the organizations go through. The researcher had no control on the research variables. Qualitative descriptive research portrays an accurate profile of persons, organizations, events or situations. This method was preferred because as Mugenda and Mugenda posit, it gives a report of things as they are.⁴⁹

47 Hart, C. 1988, *Doing a Literature Review: Releasing the Social Science Research imagination*, London: Sage Publication Ltd., P.28

48 Mouton, J., 1996, *Understanding Social Research*, J. L. van Schaik Publishers, P.107

49 For a detailed justification, see Mugenda, O.A and Mugenda, A.G., 2003, *Research Methods: Quantitative and Qualitative Approaches*, Acts Press, Nairobi.

1.8.2 Target Population

According to Cooper and Schindler, a population is the total collection of elements about which we wish to make inferences.⁵⁰ In this study, the population comprised of officials from local and international civil society organizations and experts/specialists in peacebuilding with key knowledge on certain issues of interest to the study. It also included opinion leaders (community and religious) based in Nakuru County, personnel from the government and beneficiaries living in the sub counties where the participating civil society organizations have been undertaking peacebuilding.

Nakuru County was identified as the most ideal County since it had the highest number of affected population in terms of displaced returnees and displaced people departing to safer counties. It also had the highest number of Post-Election Violence related deaths estimated by the CIPEV to have been 263 out of a possible 1133 deaths.⁵¹ In addition, the county has suffered violent ethnic clashes since the introduction of multipartyism in 1990, a phenomena associated with its cosmopolitan nature. Finally, the County was settled on because of the many civil society interventions in the area, hence a rich data.

1.8.3 Sample Design and Sample size

The study employed purposive, simple random and snowballing sampling to select the sample for the research. The three criteria was applied to select the sample and it involved selecting the institutions and/or organizations and individuals actively engaged in peacebuilding initiatives in various parts of the country that were adversely affected by the 2007/2008 post-election violence with a focus on Nakuru County. The purposive sampling design was applied to get the sample of institutions and/ or organizations as well as conflict hotspots during the 2007/2008 post-election violence in the country for ease of data

50 For more information, see Cooper, D. and Schindler, P., 2006, *Business Research Methods*, 9th Edition, New Dheli; MacGraw-Hill.

51 For more details, see the CIPEV report.

collection.⁵² After this step, simple random sampling was applied where the list of organizations and/ or institutions directly dealing in peacebuilding acted as the sampling frame. Representative institutions (local, national and international) were selected to form a sample size. Data was collected in the sub counties of Naivasha/Gilgil, Nakuru Town, Subukia, Molo/Total and Kuresoi. The total population in Nakuru County according to the 2009 National Census was 1.6 million. Bearing this in mind as well as the international requirements of 0.01 percent for a sample size, 160 respondents, 32 in each sub county was identified to fill in the questionnaire, be interviewed or for Focus Group Discussions (FGDs). This calculation met the international standards of sample size.

1.8.4 Data Collection

Both primary and secondary data were collected. Primary data was collected by administering questionnaires, interviews and Focus Group Discussions (FGD). Each FGD had six participants. Primary and secondary data complemented each other by ensuring that relevant and critical information not picked through one method was picked through the other method.

1.8.5 Data Collection procedure

The researcher wrote emails to individuals and organizations selected through purposive sampling, requesting for interviews. Through snowballing, other respondents were brought on board. Beneficiaries were met as Focus Group Discussants or individuals at random. They were informed on the purpose of the research and assured that the information would be treated with utmost confidentiality and would only be used for academic purposes. The researcher made arrangements with the respondents on when the data would be collected.

⁵² Nachmias, David & Chava Frankfort- Nachmias, 1996, *Research methods in the Social Sciences*, 5th Ed., London; St. Martin Press, p. 184

1.8.6 Data Analysis

The data collected was coded and grouped into categories in order to reduce it into analyzable characteristics depending on similarity of responses and the themes that had been set out in the research as Neuman observes.⁵³ The nominal variable types were statistically analyzed using descriptive statistics such as frequency distributions and means. A correlation analysis was also used to show how the variables in the study are correlated. Data from closed questions was analyzed through percentages to get ratio of various responses. A correlation analysis was done on all the variables under study to find out how they are related between and among themselves. The data from open questions was analyzed through narrative summary analyses to indicate clearly the themes and patterns highlighted in the answers.

1.9 Chapter Outline

Chapter One

This chapter introduces the topic of study by contextualizing it then a statement of the problem, objectives of the study, literature review, justification of the study, theoretical framework, hypotheses and the methodology used in the study.

Chapter Two

Chapter two will provide an analysis of the concept of peacebuilding. An in depth analysis of the historical evolution of the concept, the actors involved, its approaches and dimensions is provided in order to put the subject matter of the concept into perspective using examples drawn from across the world.

53 Neuman W.L., 2006, *Social Research Methods: Qualitative and Quantitative Approaches*, Whitewater; University of Winsconsin, p.45.

Chapter Three

This chapter reviews the engagement of civil society in peacebuilding in Kenya. The chapter attempts to bring out the various efforts by the civil society in Kenya and the import of such efforts in the peacebuilding process in the country.

Chapter Four

This chapter analyzes the data collected and interprets it in light of the objectives, hypotheses and theoretical framework already stated.

Chapter Five

The chapter will provide conclusions of the study, give recommendations and provide suggestions on areas for further study.

CHAPTER TWO

A CONCEPTUAL ANALYSIS OF PEACEBUILDING

2.0 Introduction

This chapter is concerned with analyzing the concepts of civil society and peacebuilding. It begins by giving a critical analysis of the concepts and the various approaches to peacebuilding. The chapter then proceeds to identify the key features of peacebuilding processes. It finally examines the various dimensions of peacebuilding.

The concept of peacebuilding has been defined differently by scholars, experts, practitioners among other interested parties depending on their understanding of peace. For instance, Galtung conceived two types of peace; negative peace which he defined as the absence of physical violence and positive peace which he described as the absence of both physical and structural conflicts.⁵⁴ However, his thoughts on positive peace have been contested by scholars such as Avruch who argues that conflict is endemic in society, hence cannot be completely eradicated but can be managed. Mureithi on his part suggests that peace is not just the absence of violence but the presence of social solidarity in a society.⁵⁵

The concept of peacebuilding is not new. According to Zartman, all societies from early history onwards have created mechanisms and institutions to build peace, be they councils of elders or religious leaders or other organized forums.⁵⁶ These institutions or mechanisms were meant to help foster peace and assure the continuity of society. Boege maintains that traditional conflict management mechanisms are/ were futuristic in the sense that for them, future cooperation was threatened by conflict and punishment of perpetrators

54 Galtung, J., 1996, *Peace by Peaceful Means: Peace and Conflict, Development and Civilization*, Oslo: International Peace Research Institute, p.16.

55 Mureithi, Tim, 2006, African Approaches to Building Peace and Social Solidarity in *Africa Journal for Conflict Resolution*, Vol. 6, No. 2, pp. 9-33;30.

56 Zartman I, 2000, *Traditional Curses for Modern Conflicts: African Conflict 'Medicine'*, Boulder, CO; Lynne Rienner Publishers, p.8.

for deeds done was not meant to be retributive but rather restorative in the interest of peace.⁵⁷ Thus, peacebuilding is as old as the existence of conflict and efforts aimed at resolving it.

Whereas the concept existed long before its introduction into the academic discourse, the various definitions advanced by scholars from disparate disciplines are a pointer towards the contentions that beset it. Most scholars such as Wong, Avruch and Lederach are in agreement in assuming that peacebuilding is central to the life of a society given the endemic nature of conflicts. An in depth analysis of the various definitions and their supporting arguments is advanced in the following paragraphs.

According to Boutros-Ghali, peacebuilding refers to efforts to identify and support structures that will tend to strengthen and solidify peace in order to avoid a relapse into conflict.⁵⁸ In a similar but more comprehensive definition, Paffenholz defines peacebuilding as;

... a process that aims at preventing and managing armed conflict and sustaining peace after large-scale organized violence has ended. It is a multidimensional effort; its scope covers all activities that are linked directly to this objective across five to ten years. Peacebuilding should create conducive conditions for economic reconstruction, development and democratization as preconditions for legitimate democratic order, but should not be equated and thus confused with these concepts'.⁵⁹

Based on Boutros-Ghali and Paffenholz's conceptualization of the concept of peacebuilding, a few issues of analysis stand out. The two scholars seem to suggest that peacebuilding takes place after conflict has already occurred and a temporary peace attained. However, whereas Boutros-Ghali talks of conflict in general, Paffenholz is explicit about the violent type. By suggesting that peacebuilding aims at avoiding a relapse into conflict, it can be argued that the two authors perceive peacebuilding as though it were a linear process that is initiated at the end of conflict. It is however noted here that peacebuilding is a continuous process that is

57 Boege, V., 2006, 'Traditional Approaches to Conflict Transformation: Potentials and Limits', in Fischer, M., Gießmann, H., and Schmelzle, B., (eds.), *Berghof Handbook for Conflict Transformation*, Berlin, Berghof Research Center for Constructive Conflict Management, p.7.

58 Boutros-Ghali, B., 1992, *Agenda for Peace*, Washington DC: United Nations, p.19.

59 Paffenholz, Thania, (ed.), 2010, *Civil Society and Peacebuilding: A Critical Assessment*, Boulder, Colorado: Lynne Rienner, P.49

not time bound. Thus, Paffenholz's proposition that the scope of peacebuilding activities covers ten years is not necessarily true especially in circumstances involving protracted conflicts.

Moreover, the two definitions are narrow in the sense that they do not point out exactly who is involved in the process of peacebuilding, their level of involvement and how such involvement adds up to the overall process of peacebuilding in the specific society in question. In addition, the definitions projects conflict as though it is always a bad thing while in essence it may spur a society to be dynamic in the way it conducts its issues. Peacebuilding ought to be oriented towards removing violence as a pathway for conflict resolution. It is important to note that peacebuilding as a dynamic process involves a forward and backward movement and it cannot fit in the linear approach that Boutros-Ghali seem to suggest.

There is also a definition of peace building as an organic process that focuses more on the targeted participants cum beneficiaries of peacebuilding. Spence for instance advances the concept as;

those activities and processes that focus on the root causes of the conflict, rather than just the effects; support there building and rehabilitation of all sectors of the war-torn society; encourage and support interaction between all sectors of society in order to repair damaged relations and start the process of restoring dignity and trust; recognize the specifics of each post conflict situation; encourage and support the participation of indigenous resources in the design, implementation and sustainment of activities and processes; and promote processes that will endure after the initial emergency recovery phase has passed.⁶⁰

This definition which is reflective of that given by Lederach, and Gareth espouses several key issues that have been explored by scholars in the field of peacebuilding albeit from different perspectives.

The notion of root causes of conflict presupposes that conflict is solvable if only those 'root causes' are addressed through peacebuilding. Fetherston for instance argues that if

60 Spence, Rebecca, 2001, Post-Conflict Peacebuilding: Who Determines the Peace?, in Bronwyn Evans-Kent & Roland Bleiker (eds.), *Rethinking Humanitarianism Conference Proceedings, 24-26 September 2001*, St Lucia: University of Queensland, pp. 137-8.

conflict is caused, enabled or reproduced by particular social structures and institutions which favour a dominant group, such causes cannot be removed or alleviated without altering those structures.⁶¹ Whereas it is important to address the key drivers of conflict, various intervening factors must be taken into account during peacebuilding so as not to unintentionally create loopholes that can be exploited by spoilers of the process leading to reentry problems. It should also be remembered that conflict is endemic and hence the 'root causes' cannot be solved but rather managed or transformed into constructive, beneficial mutual undertakings.

Another key feature of peacebuilding as espoused by Spence is the question of relationships. A society's awareness is socially constructed through interactions and an individual's consciousness is essentially a derivative of his/ her group's disposition. The pursuit of similar goals is not uncommon and thus depending on the approach in obtaining that which is being pursued, differences culminating in conflicts are inevitable, straining relationships. Peacebuilding initiatives must therefore try to fix the core problems that underlie the conflict and change the patterns of interaction of the involved parties.⁶² The rebuilding of human interactions during or after conflict is a delicate exercise that must be thoughtfully infused into the daily life and activities of the people over a sustained period of time.

Moreover, there are certain communal or societal functions which are performed in order to mend relations between the parties to a conflict. A case in point is the *Mato Oput* ceremony that is practiced among members of the Acholi community in Northern Uganda as a way of integrating both perpetrators of a given wrongdoing back to the community. These relationship and peacebuilding processes are conducted by the communities themselves under

61 Fetherston, A.B., 2000, Peacekeeping, Conflict Resolution and Peacebuilding: A Reconsideration of Theoretical Frameworks, in *Peacekeeping and Conflict Resolution*, edited by Tom Woodhouse and Oliver Ramsbotham, London: Frank Cass, pp:190-218; 196.

62 Reychler, Luc, 2001, From Conflict to Sustainable Peacebuilding: Concepts and Analytical Tools, in *Peacebuilding: A Field Guide*, Luc Reychler and ThaniaPaffenholz, (eds.) Boulder, Colorado: Lynne Rienner Publishers, Inc., p.12.

the leadership of the community guided by its elders. This is a typical example of civil society engagement with peacebuilding.

In the case of violent conflicts, the parties often find themselves in a very difficult situation as some became traumatized, having been directly involved in the violence or having witnessed the same. Volkan argues that traumatized people should be helped during peacebuilding to recover to their original status.⁶³ It is however not possible to return traumatized people to their pre-conflict status given that conflicts leave a lasting impression on those affected and a possible way of helping them manage and possibly heal from the trauma during peacebuilding is to assist them accept and integrate that painful past into their life.

Amstutz posits that relationship building is a key pillar of peacebuilding aimed at fostering social harmony and communal solidarity.⁶⁴ Trauma among members of a society militates against reconciliation which is a long term target of peacebuilding and easily triggers violence or aggression when such a society is faced with a conflict situation in the future. This observation is congruent to Levine's assertion that when people are traumatized, their internal systems remain aroused and they become hyper vigilant but are unable to locate the source of this pervasive threat, a situation which causes fear and reactivity to escalate.⁶⁵ It is noteworthy that even though people may experience the same traumatic event, the way they handle it shall be determined by their individual or collective histories and coping abilities. Their healing (which is vital in rebuilding their broken relationship) can never be even. Collective trauma in people influences the way they perceive 'others' and similar events in the future.

63 Volkan, Vamik, 1999, Post-Traumatic States: Beyond Individual PTSD in Societies Ravaged by Ethnic Conflict, Presentation to the Eighth International Conference on Health and Environment, United Nations, New York.

64 Amstutz, M., 2005, *The healing of nations: The promise of political forgiveness* Lanham: Rowman & Littlefield., p. 64.

65 Levin, Peter, 1997, *Waking the Tiger: Healing Trauma: The Innate Capacity to Transform Overwhelming Experiences*. Berkeley, CA: North Atlantic Books, p. 226

Spence's conceptualization of peacebuilding, the third feature that comes out clearly is the inclusion or participation of indigenous resources in the peacebuilding process, a view shared by Lederach who maintains that the single most important aspect of encouraging an organic perspective of peacebuilding (bottom-up-approach) is to create a genuine sense of participation, responsibility, and ownership of the process across a broad spectrum of the population.⁶⁶ The beneficiaries of the envisaged peace are critical actors that must be fully involved in the design and implementation of the initiatives aiming towards peacebuilding. It is them that understand their conflict better including all the dynamics to its resolution and therefore other actors should only play a supportive role as opposed to driving the peacebuilding process.

In any discussion on peacebuilding, the question of human needs cannot be wished away and any peace builder must be aware and actually attend to the needs of the beneficiaries. Indeed, Gareth argues that at the heart of the notion of peacebuilding and recovery lies the idea of meeting needs: for security and order, a reasonable standard of living and for recognition of identity and worth⁶⁷. Until and unless the needs precipitating a conflict are addressed during peacebuilding, there is every possibility that the conflict will recur.

In the top-down-approach which involves top state leaders and international interveners, much as the beneficiaries of peace are involved in the peacebuilding process, they are perceived as passive recipients of designs and implementers of programs aimed at peacebuilding. This approach may not bear fruit because the people may perceive it as an imposition from outside and by institutions which in the first place may be party to the conflict.

66 Lederach, J.P., 1997, *Building Peace: Sustainable Reconciliation in Divided Societies*, *op cit* p.242

67 Gareth, Evans, , *Cooperating for peace*, *op cit*, p. 39

2.1 Approaches to peacebuilding

The literature on peacebuilding in general is grounded on two approaches, that is, liberal peacebuilding and sustainable peacebuilding. In each approach, there are key features that underscore it which are discussed hereunder and just how the civil society comes into the picture. The proponents of the liberal peacebuilding argue that peace is the end product of a liberalized political and economic space. Based on the definitions of peacebuilding identified in chapter one and the ideas of Newman et al., the key tenets of the liberal peacebuilding are that it is top-down and institutionally oriented, whether in the pursuit of democracy or economics.⁶⁸ Democracy and economic emancipation are touted as the driving force for peacebuilding. It should be noted that the parties that give impetus to peacebuilding are the political actors and parties to the conflict while the civil society play a supportive role.

Scholars such as Allen have argued that certain approaches such as the creation of transitional authorities in order to restore stability have not made matters better as they appear like colonialism, a situation that independent states would never want to hear of.⁶⁹ Besides overseeing governance in those ‘failed states’ as often referred, the transitional authorities are primarily tasked with a responsibility to guide such states towards the path of democracy by organizing elections. An example of these transitional authorities that has been used for this purpose and which added no value to the peacebuilding process as evidenced by the relapse to conflict is the United Nations Interim Administration Mission in Kosovo established in 1999 vide Resolution 1244 of the UN Security Council.

Moreover, there are other alternative styles of governance such as autocracy besides democratic approaches, which have had varying degrees of success or failure depending on a number of other intervening factors. It should be noted that even in countries practicing

68 For more information, see Edward Newman, et al., 2009, *New Perspectives on Liberal Peacebuilding* Tokyo: UNU Press.

69 Allen C., 1997, Who Needs Civil Society? in *Review of African Political Economy*, Vol. 24, No. 73, pp. 329-337

democracy like Liberia and Cambodia were elections (which have been touted as the hallmark of democracy) have been held in the aftermath of conflict, such countries have relapsed into conflict, an indication that democratization is not an event and neither is it the panacea to peace as the liberal approach to peacebuilding posits.

The liberal approach also roots for the active engagement of the civil society in the democratization process, projecting the sector as ‘the good society’ enhancing peacebuilding. An often quoted example is the engagement of the World Council of Churches in mediation of the conflict in Sudan in 1972. The effort and positive outcomes witnessed were short-lived as the country relapsed to conflict leading to guerrilla warfare that accelerated mediation and the eventual secession of the South from Sudan. Several reasons have been advanced by various scholars on the reasons for the relapse to conflict with issues such as continued marginalization and the continued application of the Sharia law even in the south where majority of the people are Christians; grievances boiling towards identity. This scenario lends credence to Burton’s assertion that unless identity needs are met in multi-ethnic societies, unless in every social system there is distributive justice, a sense of control, and prospects for the pursuit of all other human societal developmental needs, instability and conflict are inevitable⁷⁰.

Whereas the potential of the civil society in peacebuilding cannot be underestimated basing this argument on the multiple functions the sector performs as elaborated by Merkel and Lauth and discussed in chapter one, they have had both successes and failures. For instance, during the violent conflict in Nepal, local NGOs successfully spearheaded monitoring and advocacy activities which culminated in the release of prisoners who had been held captive in villages and hence laying a firm foundation for dialogue as a pathway to peace. However, caution must be exercised in the execution of these functions lest the civil

70 Burton, John, 1991, Political Realities in Volkan, *op cit*, p.21

society turn uncivil in its actions as happened in Afghanistan were the Taliban movement which had begun as a liberation movement turned tyrannical upon seizing political power. Of essence is the understanding that peacebuilding is a process informed by many factors that feed into it and democratization (which goes beyond conducting elections) is just one of these intervening factors.

Paris while rooting for liberal peacebuilding maintains that liberalization should be preceded by institutionalization.⁷¹ For him, institutionalization lays the ground for the process of peacebuilding to be effective. However, based on Paris' line of thought, one is persuaded to ask a number of questions: what if there exist institutions within the society where peace is to be built given that the process is not limited to the post conflict phase? Suppose those institutions are set up and there is no will from the leadership to empower and support their work? Do the parties in conflict have confidence in the institution? These are dynamics relevant to the peacebuilding process which questions Paris' idea of institutionalization without necessarily dismissing it. Moreover, all societies have institutions tasked with various tasks however rudimentary such institutions may be. Strengthening and transforming indigenous institutions relevant to the needs and enriched by the value systems of the beneficiaries of the envisaged peace would be more plausible.

The second approach to peacebuilding is the sustainable peacebuilding as advanced by various scholars such as Keating and Knight, Jeong, Paffenholz, to name but a few. According to Keating and Knight sustainable peacebuilding is a lengthy process of the complex transformation of society, culture, politics, and economics.⁷² The approach is characterized by the bottom-up (organic) model grounded on public participation. The process of sustainable peacebuilding envisages activities and programs that are designed and

71 Paris, Roland, 2004, *At War's End: Building Peace after Civil Conflict*, Cambridge: Cambridge University Press, pp. 179-211

72 Keating, T. & Knight, A. (eds.), 2004, *Building Sustainable Peace*, New York; The University of Alberta Press, p.120

implemented by the beneficiaries of the peace being built. Through processes such as transforming prejudices, hatred and continually pursuing pacific approaches to conflict resolution, coexistence and cordial relationships are enhanced.

In the sustainable peacebuilding approach, indigenous methods grounded on culture are emphasized in the pursuit of peace. According to Clark, culture refers to the shared values and assumptions on which rest the customs, norms, and institutions of any particular society.⁷³ These values and practices are passed on from one generation to the other through language be it in the form of stories, metaphors or any other discernible means. Culture is at the heart of a people's lives, activities and it shapes the way they perceive others and behave towards them.

Indigenous concepts such as *Ubuntu* have been used in South Africa in processes of peacebuilding such as the Truth and Reconciliation Commission (TRC). Tutu observes that *Ubuntu* is hinged on the age old adage that 'a person is a person through other people'.⁷⁴ The concept underscores the centrality of cultural values such as hospitality and good neighbourliness as vital in society and thus must be restored in order for peace to prevail. Ideally Ubuntu emphasizes on belongingness. Similarly, the *Mato Oput* ceremony among the Acholi of Uganda has been used as an avenue towards building peace through consensus which they give a very high premium. For them, any conflict in the community belongs to all of them and all members of the society have a say in matters affecting the community since the maintenance of positive relations is everybody's duty.⁷⁵

In light of these examples, the role of culture in the pursuit of peace (which is the business of peacebuilding processes) through mobilization and unity of purpose is thus undeniable. Seul argues that a people's culture is like underground rivers that run through

73 Clark, Mary, 2002, *In Search of Human Nature*, London: Routledge publishers, P.1

74 Tutu, Desmond, 1999, *No Future Without Forgiveness*, New York: Doubleday, pp.34-35

75 Mureithi, Tim, 2006, African Approaches to Building Peace and Social Solidarity in *Africa Journal for Conflict Resolution*, Vol. 6, No. 2, pp. 9-33;24.

their lives and relationships, giving them messages that shape their perceptions, attributions, judgments, and ideas of ‘self’ and ‘other’.⁷⁶

It is important to note that every culture has its own means or mechanisms of resolving or transforming conflicts. In plural societies where the national culture is subsumed into specific community cultures, care must be especially taken by ‘external interveners’ when assisting the people recover from the shocks occasioned by conflicts. The question of sensitivity to the different cultures in plural societies especially where the conflict tended to take an ethnic orientation (as happened in countries such as Sri Lanka and Rwanda) must be not only recognized but also factored in peacebuilding, with the ultimate aim being bridging good social capital. This is because as Fry and Bjorkqvist espouse, culture shapes a group or people’s perception, evaluation and choice of options for dealing with conflict.⁷⁷

Approaches to peacebuilding viewed from another perspective are more of the organization of the process of peacebuilding in terms of who is leading the process. Whereas the liberal approach takes a top-down orientation led by top level management such as governments and representatives of international institutions, the bottom-up approach encourages the parties to conflict themselves to take the leading role in the design and implementation of the process.

2.2 Thematic issues in peacebuilding

The literature on the process of peacebuilding as developed by various scholars espouses several themes. One of the significant themes has been the conceptualization of peacebuilding. In this theme whereas some scholars argue for identification and resolution of the root causes of conflict, others contend that conflicts can at best be managed. However,

76 Seul, J., 1999, Ours is the way of God: Religion, Identity, and Intergroup Conflict in *Journal of Peace Research*, Vol. 3, 5 Thousand Oaks: Ca: Saga Publications, p. 43.

77 Fry and Bjorkqvist, 1997, Introduction: Conflict Resolution Themes, in Fry, D and K. Bjorkqvist (eds.), *Cultural Variation in Conflict Resolution*, New Jersey: Lawrence Erlbaum Associates Inc Publishers, pp. 3-7; 10.

Bush posits that such differences are misplaced and the most important preoccupation for scholars should be to delimit the extent of peacebuilding which he espouses as the creation of the political, economic, and social space, within which indigenous actors can identify, develop, and employ the resources necessary to build a peaceful, prosperous, and just society.⁷⁸

A few examples on the engagement of civil society in peacebuilding may serve to further elaborate this theme. The civil society plays an important role of advocacy and monitoring the peacebuilding process in various ways including but not limited to agitating for the inclusion of relevant issues such as land reform and human rights provisions in the drafting of a peace agreement as was the case in Guatemala and Northern Ireland respectively. This is typically an aspect of agenda setting as explained by Chris Moore in his analysis of the mediation process. From the foregoing, the implication is that mediation is a peacebuilding activity of which the civil society plays a major role in ensuring contentious issues are included in the items for negotiation.

In the case of Somalia, the absence of a state for almost two decades induced civil society to perform service delivery as a main activity as Paffenholz observes.⁷⁹ She continues to note that Islamic charities and local NGOs were in many instances successful in creating entry points for peacebuilding by expanding their network across clan and regional lines, establishing schools and healthcare systems.

Based on this observation, it appears that Bush's assertion that peacebuilding and development are not only interlinked but complementary is not far-fetched. Whichever way the process is conceptualized, peacebuilding ought to be informed by initiatives which foster

78 Bush, Kenneth D., 1996, Beyond Bungee Cord Humanitarianism: Towards a Democratic Agenda for Peacebuilding, in *Canadian Journal of Development Studies*, Special Issue on Governance, Democracy & Human Rights pp. 75–92.

79 Paffenholz, Thania, 2010, Civil Society Peacebuilding, *op cit*.

and support mutual coexistence while decreasing the possibilities of the outbreak of, relapse into or continuation of violent conflict.

The second theme in peacebuilding is a shift from reactive to preventive peacebuilding.⁸⁰ In his definition of peacebuilding as indicated in chapter one, Boutros-Ghali looked at peacebuilding as coming in the aftermath of conflict, a position he expanded in the *Supplement to Agenda for peace* published in 1995 to include preventive strategies to avert conflict. Preventive peacebuilding is proactive and more meaningful because conflicts are managed before they break out. The Carnegie Commission on the Prevention of Deadly Conflict viewed peacebuilding in terms of structural and operational prevention of conflicts.⁸¹

Structural prevention of deadly conflict was espoused as strategies designed to address the root causes of deadly conflict and the operational prevention as strategies taken during conflict or immediately after a settlement is reached to foster peace and thereby prevent a recurrence of violent conflict. Whereas preventive peacebuilding is plausible, its success is enhanced by the existence of operational early warning and response mechanisms.

A third theme that emerges in peacebuilding touches on balancing the weighty demands of restorative and retributive justice. The key issues that must be attended to in the long run is whether retributive justice can usher in reconciliation.⁸² Indigenous approaches to peacebuilding in Africa emphasize restorative justice because of the high premium accorded to interpersonal and group relations. From the various applications of indigenous approaches to peacebuilding in Africa such as the *Mato Oput* ceremonies in northern Uganda and the *Ubuntu* concept in South Africa examined earlier, communal good is emphasized. However, the question of justice boils down to individual victims and however much a society might

80 Björkdahl, Annika, 2002, *From Idea to Norm: Promoting Conflict Prevention*, Lund: Lund University, p.47.

81 Carnegie Commission on Preventing Deadly Conflict, 1997, *Preventing Deadly Conflict, Final Report*, New York: Carnegie Corporation.

82 Jeong, Ho-Won, 2005, *Peacebuilding in Post conflict Societies: Strategy and Process*, Boulder, CO; Lynne Rienner publishers, p. 168.

want to mend broken relations, if the victims do not freely forgive their victimizers who in turn and in no uncertain terms demonstrate remorse and acknowledge guilt for their wrongdoing, any attempts at reconciliation will be in vain.

A fourth theme that has been advanced by Keating and Knight is that of contextualizing peacebuilding processes involving specific states within regional and international dynamics. According to these scholars, no state is an island and the activities undertaken in a given state has ramifications to its neighbours.⁸³ Thus peacebuilding should include the regional and/ or international strategies as well as the country specific strategies. This argument and its premise are relevant to peacebuilding and indeed widen the scope of the process so that conflict systems in their wholeness are attended to.

Despite the nobility of this systemic view, there is the danger and fear of imposition of peacebuilding process from outside. To overcome this fears, Lederach has suggested on the need to allow local resources to lead the peacebuilding process for them to own it while the outsiders play a support role. It should be remembered that peace processes are not interests-free and the contradiction here lies in striking a balance between such interests and the facilitation of a genuine peacebuilding process.

Finally, there are parallels that can be drawn between peacebuilding and human security as propounded by scholars such as Kaplan, necessitating an examination of the relationship. Typically, both processes are to a large extent protective. Protection is a critical function performed by the civil society in peacebuilding and particularly during violent conflicts. Its importance is determined by the degree of violence, such that its relevance is more pronounced during violence even though in structural conflicts, the interests of the people must also be addressed to avert possible outbreaks of violence. For example, during the height of the genocide in Rwanda, the Catholic Church played a major role of hosting the

83 Keating T. & Knight, A., 2004, *Building Sustainable Peace*, *op cit*, p. *XLI*

displaced people. However, this function is sometimes difficult to undertake especially in coercive states with dysfunctional institutions to enforce the rule of law such as Somalia in the 1990s following the ouster of Siad Barre.

Keating has argued that peacebuilding initiatives and activities are comparable to human security, except in terms of scope in which case whereas peacebuilding is group oriented, human security focuses on the individual.⁸⁴ Conflicts pose serious threats to individual security in terms of disrupting education, destruction of health facilities, food reserves and certain fundamental freedoms such as movement, association, to name but a few are severely curtailed. The achievement of certain preconditions necessary for fostering peacebuilding such as obtaining a ceasefire does not necessarily imply that everybody is secure. It is therefore observable that peacebuilding and human security are complementary processes which actors in both fields ought to be aware of and the difference between them if any is blurred.

2.3 Dimensions of peacebuilding

One of the highlights of the literature on peacebuilding has been the need to remove the root causes of conflict on the belief that such an action would foster peace. This aspect leads to the first dimension of peacebuilding and the question posed is: what is the aim of peacebuilding? With reference to the definitions of peacebuilding once more, if the aim of peacebuilding is eliminating the root causes of conflict in order to attain peace which means different things to different people, then ideal peace acceptable to all may be just but a mirage. This is because peacebuilders have different interests, mandates and resources to execute the process. These differences notwithstanding, the focus of peacebuilding processes ought to be geared towards what Lederach calls an infrastructure for peacebuilding.⁸⁵ This

84 Ibid.

85 Lederach, John Paul, 1997, *Building Peace: Sustainable Reconciliation in Divided Societies*, *op cit*, pp. 84-85

means that peacebuilding efforts should be directed toward the restoration or transformation of relationships between the parties to a conflict.

Peacebuilding as a process is also beset by debates on when it begins and ends, that is, the temporal aspect of peacebuilding. As noted in the analysis of peacebuilding definitions above, some scholars perceive peacebuilding as beginning following the end of violent conflict signaled by an activity such as the signing of a peace agreement. Paffenholz for instance perceives peacebuilding as both a preventive and management exercise which takes between five to ten years after violence has ended, involving many actors and activities.⁸⁶ However, it should be noted that some aspects of peacebuilding are long-term and go beyond ten years. An aspect such as transforming relationships, confidence building to name but a few may not be bound by time. In cases of international interventions in peacebuilding, the involvement of the interveners tend to be short term, meant to alleviate suffering among the populations affected by conflict and this has the potential of leading to a relapse into conflict if the conflict parties are not assisted to learn how to be independent and manage their conflicts through pacific methods.

Moreover, peacebuilding entails various activities such as reforms in the security sector and the justice system, humanitarian relief, economic, political and social-cultural interventions. From this array of sectors that peacebuilding ought to address, it is clear that the process is not only multi-faceted but more of re-orienting the society that faces the possibility of conflicts turning violent or even smarting from violence into peaceful relations. The question that comes up thus is; what is the means of peacebuilding therefore?⁸⁷ In reforming the security sector for instance, certain key issues such as disarmament, demobilization and the downsizing of the official security agencies while incorporating qualified ex-militia may not be an easy activity because the re-integration of the ex-

⁸⁶ Paffenholz, Thania (Ed.),2010, *Civil Society and Peacebuilding*, *op cit*, P.49

⁸⁷ Jeong, Ho-Won, 2005, *Peacebuilding in Post conflict Societies: Strategy and Process*, Boulder, CO; Lynne Rienner publishers.

combatants into civilian life will take more than just giving an order. Retraining them and equipping them with alternative skills to eke a living outside the combat zone cements their demobilization and forestalls the possibility of the ex-combatants regrouping.

In addition, scholars in the liberal peacebuilding school of thought such as Paris argue for a liberalization of the economy and the political space which will in turn usher in peace as noted elsewhere in this chapter. However, conflict analysis theory posits that conflicts may not be necessarily caused or driven by economics or politics. While liberalism opens up the space for everybody to do their peacebuilding as they best understand or prioritize, the question that one may want to posit would be; suppose the conflict is/was driven by grievances of marginalization? How adequately would such grievances of the marginalized groups be addressed in the ensuing environment that tends to foster competition rather than cooperation and coherence? It is observed here that the means of peacebuilding ought to be all inclusive in terms of integrating the various sectors that entail peacebuilding. The activities of the various actors must be complementary and coherent.

From the various observations and arguments explored in this chapter, it is clear that peacebuilding is a process entailing various approaches and dimensions that bring out various themes in the discipline. The actors and processes are equally diverse. In a nutshell, peacebuilding comes out as an aggregate process in which numerous actions are undertaken to support and enhance peace.

CHAPTER THREE

AN OVERVIEW OF CIVIL SOCIETY IN PEACEBUILDING IN KENYA

3.0 Introduction

From the analyses and discussions offered in the preceding two chapters, peacebuilding has been advanced as a process entailing activities conducted with the aim of preventing, alleviating, resolving or transforming conflict. The civil society on the other hand can be summarized as the collectivity of voluntary actors that occupy the space between the state, market and the family even though there may not be a clear cut distinction between the various functions performed by the actors in the respective sectors. Of importance to note is that the civil society has and continues to play a major role in the process of peacebuilding in Kenya. This chapter gives a brief background on the nature and occurrence of violent conflicts in Kenya, the civil society actors in the peacebuilding process in Kenya, phases and strategies used by these actors to build peace and the challenges they face in their endeavours.

3.1 A background on conflicts in Kenya

From the onset, it is noted that Kenya is a country that has well over 42 ethnic (identity) groups. According to Lonsdale, members of Kenya's 40- plus ethnic groups have co-existed, traded and intermarried, often in a symbiotic relationship between pastoralist and agricultural communities.⁸⁸ This is not to imply that there were no tensions or conflicts reported between the various ethnic groups. As a matter of fact, Ochieng explains that there were conflicts occasioned by practices such as raids but each community had mechanisms such as councils of elders whose role was resolving such conflicts between members and in the case of inter-communal conflicts, there was collaboration between the leadership of the

⁸⁸ Lonsdale, John and Bruce Berman, 1992, *Unhappy valley: Conflict in Kenya & Africa*, Nairobi; Heinemann Kenya, P.19

communities involved in conflict to resolve it.⁸⁹ The purpose of resolving conflicts was to ensure coexistence and continued peaceful relations between the various communities.

The nature of conflicts in Kenya that can be discerned from the available literature points towards those that are politically driven and those that have evolved over time from raids rooted in the communities' culture to outright crime of cattle rustling using modern fighting equipment such as guns, particularly in the arid and semi-arid regions of the country. Scholars have attributed the upsurge of violent conflicts in the semi-arid areas of Kenya to many factors, with the key factors being marginalization by the government of the day in terms of development and security provision and the proliferation of small and light weapons from the neighbouring countries of Uganda, Sudan and Somalia which have been beset by deadly conflicts involving militia gangs against the central government were such governments exist.

On the other hand, the introduction of multiparty politics in Kenya in the 1990's enhanced the occurrence of violent conflicts between identity (ethnic) groups in what Krause and Renwick refer to as the "cult of origins" where difference has often meant destruction, destitution, despair and death.⁹⁰ The ideology of devolution (*majimboism*) was revived in the run up to the 1992 elections not to encourage development through a truly devolved governance structure, but to create exclusive loyal political zones either for the opposition or the ruling elite.⁹¹ In ethnically heterogeneous zones especially in the former Rift Valley province which had been earmarked a Kalenjin zone, other communities were evicted or displaced. It should be noted that except the 2002 and the 2013 general elections,

89 Ochieng, W.R, 1985, *History of Kenya*, Nairobi; Macmillan, P. 47.

90 Krause, Jill and Neil Renwick, 1996, *Identities in International Relations*, Basingstoke, MacMillan publishers, P. xiii.

91 Kagwanja, P. 1998, *Killing the Vote: State-Sponsored Violence and Flawed Elections in Kenya*, Nairobi: KHRC.

the other elections since 1992 have been beset by violent conflicts leading to unprecedented loss of lives and destruction of property.

The recurrence of violent conflicts in different parts of the country especially those inhabited by different ethnic groups during electoral cycles has contributed to the worsening of relations with the harmonious coexistence that had existed prior to the violent conflicts replaced by resentment, suspicion, hatred and divisions of ‘us’ and ‘them’. The survivors of the violence are left traumatized besides losing their loved ones or their property. The conflicts have further led to paralysis of the social mechanisms that served to mitigate or manage conflict before it escalated into violence as the ‘us’ and ‘them’ approach to interaction took root.

Against a background of increased conflicts both within the country and the regional level, the state has developed a conflict management and peacebuilding policy to guide its action and partnership with other actors in peacebuilding. The policy recognizes the role played by other stakeholders in peacebuilding and management of conflicts in the country, vouching for partnership and collaboration.

3.2 Civil society actors engaged in peacebuilding in Kenya

Peacebuilding is an aggregate of all activities and processes that occur before, during, and after violent conflict and its success or failure is described by the outcomes of the processes. According to Anderson, societies affected by conflict still have valuable resources that can promote and build peace.⁹² This understanding is very important for any actor engaged in peacebuilding and it is premised on an acknowledgement that the parties to any conflict understand the basis of their conflict better than actors coming from outside the conflict itself. Against this background, it is emphasized here that peacebuilding processes

⁹² Anderson, M. B., 1996, *Do No Harm: Supporting Local Capacities for Peace through Aid*, Boston: Collaborative for Development Action, Local Capacities for Peace Project, Inc.

must be essentially driven by the beneficiaries of the anticipated peace as other interveners serve a support role.

Apart from the parties to a conflict and citizens with no affiliation to any specific group, especially in those conflicts where the state is not one of the parties, members of the civil society who have been heavily involved in peacebuilding in Kenya include, local and international Non-Governmental Organizations (NGOs), Community Based Organizations (CBOs), Faith Based Organizations (FBOs), academics and traditional institutions such as councils of elders. Some of the NGOs involved in peacebuilding include the World Vision, the Kenya Red Cross, the Peace and Development Network (PeaceNet), the Nairobi Peace Initiative while the FBOs include the National Council of Churches of Kenya, The Catholic church through its various dioceses and the Supreme Council of Muslims in Kenya. The CBOs contemplated here include women and youth groups that have actively engaged in peacebuilding activities in Kenya as will be demonstrated later in this chapter.

According to Kofi Annan, the aim of peacebuilding should be the creation of a sustainable national infrastructure for peace that allows societies and their governments to resolve conflicts internally and with their own skills, institutions and resources.⁹³ But just what are infrastructures for peace as used in peacebuilding? A stakeholders meeting convened in Kenya in 2010 defined infrastructures for peace as the dynamic network of interdependent structures, mechanisms, resources, values and skills which, through dialogue and consultation, contribute to conflict prevention and peacebuilding in a society.⁹⁴ This proposition seen together with that advanced by Kofi Annan summarizes the objectives of ideal peacebuilding by emphasizing the importance of using local resources in the process. Formal as well as informal institutions have the advantage of complementing each other if

93 United Nations, 2006, Progress Report of the UN on the Secretary-General's Report '*Prevention of Armed Conflict*' (2001), New York, p.16.

94 Kumar, Chetan, 2012, Building National Infrastructures for Peace: UN Assistance for Internally Negotiated Solutions to Violent Conflict in Nan, Susan Allen, et al. (eds.) *Peacemaking: from Practice to Theory*, Praeger, p. 385.

used simultaneously in the pursuit of peace. The civil society based on its separation from the state and perception as a voice of the marginalized acts as an intermediary between the people and either the government or donors.

3.3 Strategies used by the civil society to build peace in Kenya

The civil society uses various strategies in its peacebuilding efforts in order to enhance the success of its interventions. These strategies are varied and depend on who the target of a given strategy is. Some of the strategies discussed below include service delivery, sports, advocacy and mobilization for peace, capacity building and partnerships and/or collaborations.

3.3.1 Service delivery

Peacebuilding is a multifaceted concept as observed in chapter one. It can be done in the form of social, economic, political or cultural re-engineering. Civil society groups such as the NGOs and CBOs have engaged in development activities particularly those leaning towards service provision. According to Klopp, during the violent conflicts of the 1990's, the Catholic Church and the National Council of Churches of Kenya (NCCCK) played a key role of offering relief, catering for the internally displaced as well as making attempts of reconciling the antagonistic ethnic groups.⁹⁵ Other civil society groups have been engaged in provision of basic services such as provision of water through sinking boreholes, construction of classrooms and health facilities. The objectives of undertaking these activities according to the organizations are twofold.

In the first place, most of the conflicts, structural or violent, in the arid and semi-arid areas in the organization's assessment are occasioned by diminishing supplies of water against a growing population that is competing for the same and high level of illiteracy. The World Vision for instance anticipates that by sinking the boreholes in these dry areas, the

⁹⁵ Klopp, Jacqueline M., 2006, Kenya's Internally Displaced: Managing Civil Conflict in Democratic Transition. In Dorina Bekoe A. (ed.), *East Africa and the Horn: Confronting Challenges to Good Governance*, London: Lynne Rienner Publishers, Inc., pp. 59-80;65.

competition for water is reduced and consequently the episodes of violent conflicts over the resource.⁹⁶ The construction of classrooms is a strategy to increase access to education so that the youth who are mainly involved in the violence have their energies redirected to education where they learn alternative sources of income apart from pastoralism which is prevalent in the arid and semi-arid areas.

Moreover, the construction of classrooms is thought of as a safe avenue where children or people from adversarial groups meet together to learn. In the process of learning, an opportunity presents itself where the learners are guided to understand and appreciate the values of peaceful coexistence and pacific resolution of conflicts. Ideally, the learners are helped to unlearn violence as a means towards achieving whatever is fuelling the conflict besides appreciating that there is enough for every one if proper mechanisms of sharing are put in place. Through education, the learners are guided to transform their attitudes and perceptions of each other from 'us' versus 'them' to a 'we' philosophy.

From a political perspective, the civil society was heavily involved in opening up the democratic space in the late 1980s and early 1990s. A joint agitation effort by former political detainees and the *Ufungamano* initiative spearheaded by the church led to repealing of Section 2A of the then constitution that provided for the establishment of a one party state. According to Kagwanja, the *Ufungamano* initiative combined with the individual former detainees and other civil society groups supported by the international community ushered in multiparty democracy in Kenya.⁹⁷ Through multipartyism, the official opposition was and continues to hold the government of the day to account and push it to address the needs of the people.

Collaboration between women and youth groups with donor agencies has also led to the funding of programs that seek to alleviate the economic conditions of members of these

⁹⁶ <http://www.worldvision.org/our-work/international-work/kenya> accessed on 7th June 2013.

⁹⁷ Kagwanja, Peter, 1998, *Killing the Vote: State-Sponsored Violence and Flawed Elections in Kenya*, Nairobi, Kenya Human Rights Commission, P.12.

groups and the regions they are located. The two groups are particularly targeted by the donor community because of the influence they have on the wider society. The logic of the funders to these groups, especially the youth is to assist the authorities arrest the challenge of unemployment in the country that renders the youth easy pawns for conflict mongers.

3.3.2 Sports

Sports play the important role of bringing people together with the aim of competing either individually or as a team. Through sports, adversaries come into direct contact and can be encouraged to engage in communication among themselves. By its very nature, the concept of sports has built itself a culture of rewarding exemplary performance, which requires discipline and cooperation. Indeed, according to Harms, sport can be used as a tool for social integration and peace building processes between parties of different cultural backgrounds.⁹⁸ In the case of Kenya, sports, particularly athletics have been used to bring men and women from diverse ethnic groups together. Through, the competition, individuals are able to explore an alternative source of income besides being exposed to develop mutual relations with their colleagues from different ethnic groups. The friendship and cooperative behaviour forged during sports is an approach to instill the values of coexistence and collaboration which are at the centre of peacebuilding.

The Tegla Loroupe Peace Foundation is one of the civil society groups that has continued to play a leading role in building peace through sport in Kenya. According to the foundation's vision whose work is mainly within West Pokot, Turkana and Tana River counties as well as Moroto in Uganda where the majority of the population are pastoral communities who have been engaged in recurring conflicts with each other, the athletics events they hold are meant to identify talent and reorient such talent from cattle rustling to

⁹⁸ Harms, H., 1982, Die soziale Zeitbombe ist noch längst nicht entschärft, zumöglichen Funktion des Sports bei der Integration der ausländischen Arbeit nehmer und ihrer Familien, *Olympische Jugend 12*, P.6.

professional athletics as an alternative source of livelihood.⁹⁹Winners of the races are rewarded with livestock and so are community members who have been adversely affected by the raids. It is important to note that the races target the warriors who are the main actors in the conducting the raids. Moreover, the foundation has been partnering with the government in conducting disarmament activities in which case, those people who surrender their guns voluntarily are given livestock in return as the government steps up efforts aimed at enhancing security to stem cattle rustling.

3.3.3 Advocacy and mobilization for peace

One of the functions of the civil society is advocacy and mobilization of the masses towards a given cause. This is done by bringing the masses together to pressure the authorities to engage in pursuing peace in the event of conflicts. Oyugi notes that when ethnic violence broke out in the Rift Valley in 1991, the church played a commendable role of speaking on behalf of the victims amid the Kenyan government's intolerance of criticism, pointing out the political nature and dynamics of the conflict.¹⁰⁰ Similarly, when violence broke out after the announcement of the 2007 presidential election results, individual citizens formed a forum name Concerned Citizens for Peace (CCP) to press the political leadership led by Mwai Kibaki and Raila Odinga to negotiate in order to find a solution to the crisis that had sparked immense violence. This forum partnered with media houses, mobile service providers and took to the social media to spread the message of restraint and peace.

The CCP-media partnership also played the important role of bringing the crisis to the international attention and thus accelerating the finding of international mediators to guide the negotiations between the adversaries. Mwagiru notes that besides, bringing the crisis to

⁹⁹ <http://teglapeacefoundation.org/> accessed on 1st July 2013.

¹⁰⁰ Oyugi, Walter O., 2000, Politicized Ethnic Conflict in Kenya: A Periodic Phenomenon, in Abadalla Bujra and Abdel Ahmed (eds.), *African Conflicts: Their Management, Resolution, and Post-Conflict Reconstruction*, Addis Ababa DPMF/OSSREA., P. 9.

international attention, it also shaped the setting of agenda one of the negotiations which was on the immediate cessation of the violence.¹⁰¹

Another civil society group that played a role in building peace in Kenya through advocacy at the height of the violence that rocked the country in 2007/2008 is the Kenyans for Peace, Truth and Justice (KPTJ). Whereas the CCP was focused on the short term goal of building peace through immediate cessation of violence or what Galtung refers to as negative peace, the KPTJ took a long term approach to peacebuilding by agitating for tackling of the root causes of the conflict. According to Kanyinga, the KPTJ agitation led to shaping of agenda item number four in the negotiations which sought to address structural causes of the conflict as a pathway to sustainable peace.¹⁰² Among the issues encompassed by this agenda included the land question and a new constitutional dispensation that addresses marginalization and a devolved governance structure, issues which continue to be implemented after the promulgation of the new constitution that provides for them.

3.3.4 Capacity building

The civil society in Kenya has undertaken capacity building workshops and seminars at the local level with a view to effecting change from where it matters most. Through training community leaders as well as their followers on matters peace, the civil society hopes to transform both attitudes and behaviours of members of a group towards each other and people they consider as being different from them. In these trainings, the trainees are sensitized on detecting early warning for potential conflicts through signs rooted in traditional practices such as rituals and apprehension among members targeted for raids. By reporting such warning signs, potential violent conflicts can be easily prevented/ averted. According to

101 Mwangi, Makumi, 2008, *The Water's Edge: mediation of electoral violence in Kenya*, Nairobi, Institute of Diplomacy and International Studies, P.30.

102 Kanyinga, Karuti, 2011, Stopping a Conflagration: The Response of the Kenya Civil Society to the Post 2007 Election Violence in *Politikon: South African Journal of Political Studies*, Vol. 38, No. 1, pp. 85-109.

Gunja and Korir, the expertise of the local populations can be harnessed with some training for purposes of peacebuilding.¹⁰³

3.3.5 Partnerships and collaboration

Another avenue that has been used by the civil society in peacebuilding is partnerships and collaboration with both the state and other actors. This has been particularly in matters that require the input of the state but where this capacity is limited or lacking altogether or in peacebuilding processes led by another civil society which may be lacking in capacity to impart skills that are required by the intended peace beneficiaries. A case in point is the development of the concept of District Peace Committees that was developed by a women group in Wajirin partnership with state agencies and Non-Governmental Organizations and through its success, the government entrenched it in the National Policy on Conflict Management and Peacebuilding. The Wajir District Peace Committee composed of primarily local leaders with the District Commissioner as the chairperson managed to control conflicts in the area and restore relative calm.¹⁰⁴ The concept of District Peace Committee has been launched in other administrative areas especially in the arid areas where inter/intra-communal conflicts have recurred.

The concept of District Peace Committees is unique in the sense that it involves everybody in the peacebuilding process by adopting a bottom-up approach. It integrates an indigenous and modern/formal conflict management process and it is thus seen as a hybrid process that is homegrown and driven by the people. Moreover, by involving the local people and allowing them drive the process, this strategy helps in enhancing ownership of the process by the conflict parties and ensuring sustainability of the interventions.

103 Gunja, P.J. and Korir, S.O., 2005, Working with the local wisdom: The National Council of Churches of Kenya Peace Program in Paul Van Tongeren et al., *People Building Peace II: Successful Stories of Civil Society*, Boulder, Lynne Rienner, pp. 441-7.

104 Menkhaus, Ken, 2008, The rise of a mediated state in northern Kenya: The Wajir story and its implications for state-building in *Afrika Focus*, Vol. 21, No. 2, p.27.

3.4 Phases of civil society peacebuilding in Kenya

Peacebuilding as a process takes place in three phases; conflict prevention, conflict management and post conflict peacebuilding.¹⁰⁵ During these phases, the civil society performs different functions and/ or roles. Some of the functions that the civil society in Kenya has engaged in during the prevention phase include addressing structural violence through initiating development activities that are in tandem with the needs of the people such as sinking boreholes in pastoral areas where resource based conflicts have been prevalent such as Turkana, monitoring and promotion of human rights, to name but a few.

During the preventive phase, the civil society also engages the state and its institutions or agencies in order to ensure that they are more responsive to the needs of the citizens. If the state does not provide for its citizenry, desperation sets in and this may set the stage for conflict. The civil society performs this function through advocacy campaigns and participation in political processes to move the state to address the people's needs. The state has no choice but to address the needs of the people in order to avert a possible revolution that may culminate in its ouster.

Other preventive activities that the civil society has been engaged in the pursuit of peace in Kenya include attending to tensions through promoting tolerance while facilitating dialogue to inculcate a culture of peace and strengthening local capacities for the pacific management of conflicts through conflict resolution capacity building. In a nutshell, the principle in preventive peacebuilding is to militate against the outbreak of violence through advocacy, training and any other proactive means that ensures the maintenance of peaceful relations.

During the conflict period, the civil society is engaged with the provision of humanitarian services such as relief food, health care and sanitation in order to alleviate

¹⁰⁵ Paffenholz, T., 2009, 'Civil Society and Peacebuilding', Working Paper, The Centre on Conflict, Development and Peacebuilding, Graduate Institute of International and Development Studies, Geneva.

suffering. The Red Cross has been very instrumental in spearheading the humanitarian component of peacebuilding through the provision of food, water and clothing while organizations such as the World Vision has been assisting in the sinking of boreholes in arid areas where scarcity of water has sparked violence.

The civil society has also been instrumental in mobilizing political goodwill in addressing the crisis occasioned by violence. At the height of the violence that rocked Kenya following the disputed presidential elections of 2007, a forum referred to as Concerned Citizen for Peace played an important role of pursuing Track II diplomacy to complement the Track I negotiations that were being led by Kofi Annan.¹⁰⁶ This was a demonstration of the centrality of the civil society in the process of peacebuilding as the forum performed a mobilization function to rally citizens into stopping the violence and giving the formal negotiations led by Annan an opportunity to resolve the conflict through dialogue.

In the post conflict period, the civil society in Kenya has played a major role in building peace through activities such as contributing to transitional justice processes such as revamping the judiciary, transforming the police service and the writing of the new constitution including raising awareness among the populace on benefits accruing from its adoption. The civil society has also been vocal in articulating and advocating for the plight of the internally displaced people.

At the local levels, civil society organizations have also been instrumental in bringing together communities that had engaged in conflict with an intention of laying the foundation for reconciliation. This has been undertaken through training community elders and opinion leaders of these communities and who are in turn facilitated and expected to educate their followers on the benefits of peaceful coexistence and resolution of conflicts.

106 Mwangiri M., 2008, *The Water's Edge*, *op cit*, P. 50.

3.5 Challenges facing the civil society in peacebuilding in Kenya

The civil society in Kenya lacks cohesion between the various actors despite their performing functions that are similar. The lack of synergy between these actors makes little or no impact on the lives of those who are targeted by the intervention. Peacebuilding is a collaborative endeavour that can only bear fruit if there is unity of purpose and genuine pursuit of peace for and by those in conflict because in the absence of peace, other activities cannot proceed seamlessly. Indeed, the Carnegie Commission captures quite succinctly the need for cooperation in peacebuilding in its report thus;

The prevention of deadly conflict is, over the long term, too hard -intellectually, technically, and politically to be the responsibility of any single institution or government, no matter how powerful. Strengths must be pooled, burdens shared, and labor divided among actors.¹⁰⁷

Moreover, majority of the civil society groups in Kenya derive their funding from donors, meaning that they do not have their own funds to undertake the peacebuilding activities that they expect to implement. Githongo notes that civil society dependence on donor aid and the strings that come with it remains an Achilles Heel that cannot be ignored too.¹⁰⁸ The implication of this phenomenon is that they are accountable to the funders as opposed to the beneficiaries of the peacebuilding activities. This is against the practice of good governance which demands that the implementers of a given program ought to be accountable to the beneficiaries. The challenge of funding also points to the possibility of the civil society being used by their benefactors to advance their ideologies or interests rather than addressing the actual peace needs and challenges faced by the beneficiaries.

Another challenge faced by the civil society in Kenya has been that of exclusion. Whereas it is not in dispute that various people in a conflict society are affected differently by the conflict, it is important to note that addressing the needs of such people requires the appreciation and support by all members of the society so as to integrate them better into the

107 Carnegie Commission on Preventing Deadly Conflict, 1997, *op cit*, P.xiv.

108 <http://www.the-star.co.ke/news/article-115523/whither-civil-society> accessed on 7th July 2013.

community. Emphasis here is placed on the need to include everybody in the peacebuilding process in order to forestall reentry problems and enhance local ownership of the process hence lay a firm foundation for sustaining the peace.

Moreover, most civil society organizations that are influential at the national level are based in Nairobi and this leads to its being perceived as elitist and detached from both the people at the local level as well as their actual peace needs. Moreover, due to their lack of a stable source of funding, civil society organizations in the country lend themselves to political machinations.

3.6 Conclusion

From the foregoing discussions, it emerges that the process of peacebuilding in Kenya is not a recent activity perhaps because of the endemic nature of conflicts. Similarly, the engagement of the civil society with peacebuilding processes in the country is not a new phenomenon. What has been growing however over the years is the number of civil society groups or individuals engaged in the process of peacebuilding. Initially, the civil society in Kenya was equated with Non-Governmental Organizations and its work was delimited to the agitation for opening up of the democratic space.

However the role of the civil society in peacebuilding in Kenya has over the years transcended the agitation for opening up the democratic space to influencing policy formulation as evidenced by the inclusion of District Peace Committees in the National Strategy on Conflict Management and Peacebuilding, service provision to marginalized communities as well as bridging the social capital between adversaries. Based on the discussions explored in this chapter, the civil society has had its own share of challenges and successes and in judging its effectiveness in peacebuilding; attention should be given to the interface between contextual factors and the overall integration of individual initiatives aimed at alleviating the needs of the people.

CHAPTER FOUR

CIVIL SOCIETY PEACEBUILDING IN NAKURU COUNTY

4.0 Introduction

The civil society is an important actor in the peacebuilding process. The civil society has been instrumental in not only setting the agenda for peacebuilding in Kenya but also in actively engaging in and with the process. It is important to point out that the civil society efforts aimed at peacebuilding have in some instances been likened to development assistance owing to the manner in which the two complement each other. Moreover, the civil society brings in a new dimension in peacebuilding where they not only participate in negotiation processes, but also follow up by offering substantive solutions to the issues at the centre of conflicts in order to mitigate their recurrence.¹⁰⁹ This is achieved through collaborations with other key stakeholders in the peacebuilding process and particularly the state and the parties to the conflict.

The civil society in Kenya has been faced with a myriad of challenges in the peacebuilding process mainly in the cosmopolitan areas of the country such as Nairobi County, Mombasa County and Nakuru County which is the focus of this study. Civil society engagement with peacebuilding is anchored on the recognition that the state (either directly or indirectly through its various agencies) is often a party to most conflict and yet an indispensable actor in the peacebuilding process. Hence it has to play a very delicate balance. The fact that the state is a key allocator of resources at the centre of many conflicts in the country such as land and actually issuing documents (title deed) to proof ownership of a given piece of land serves to illustrate this point.¹¹⁰

109 Paffenholz, Thania, (ed.), 2010, *Civil Society and Peacebuilding: A Critical Assessment*, Boulder, Colorado: Lynne Rienner, p. 87.

110 Kanyinga, Karuti, 2011, Stopping a Conflagration: The Response of the Kenya Civil Society to the Post 2007 Election Violence in *Politikon: South African Journal of Political Studies*, Vol. 38, No. 1, pp. 85-109.

Faith based organizations (FBO) such as the Catholic Justice and Peace Commission (CJPC) have played a major role in peacebuilding in Nakuru County, perhaps drawing their support from the moral legitimacy associated with such institutions. Their network which goes right up to the local level enables them reach out to as many people as possible, whether parties to the conflict or affected by the conflicts indirectly. As a result of this bottom up approach and networks, the peacebuilding process is inclusive and sustainable as Lederach observes.¹¹¹

In the case of Nakuru County, the civil society focused on intergroup cohesion, service delivery, protection and advocacy during the different phases of the conflict in the period under study. These efforts by the civil society have however been undermined by negative ethnicity mainly perpetuated by politicians during the electoral cycles while using land to which the population in this county have a great attachment to gain political mileage.¹¹² This is a pointer to the challenge the civil society faces in peacebuilding in Nakuru County. However, it should be noted that the effectiveness of the civil society in peacebuilding is a function of timely, well targeted interventions and context-specific factors and a collaborative endeavour with other actors such as the state and indigenous conflict management mechanisms.

4.1 Causes of conflicts in Nakuru County

For the civil society to enhance efficiency and achieve optimal results in the process of peacebuilding, it needs to be fully cognizant of the causes of conflicts as a basis of designing and implementing interventions that seek to support the parties to a conflict resolve the conflict and ensure it does not recur in the future. The study established that land was a major cause of conflict in Nakuru County, a position that has been corroborated by the judicial Commission of Inquiry into tribal clashes in Kenya (popularly referred to as the

111 Lederach, J.P., 1997, Building Peace *op cit*.

112 Interview with Mr. Otieno, an expert in peacebuilding who is a consultant with National Secretariat on Peacebuilding and Conflict Management, on 10th July 2013.

Akiwumi report) and the Commission of Inquiry into Illegal/Irregular allocation of public land (popularly referred to as the Ndung'u Report). Other causes of conflicts identified were poverty and negative ethnicity manifested in various forms. Each of these causes is explored in depth in the following paragraphs based on findings from the area of study (Nakuru County) and enriched using secondary data.

4.1.1 Land

The economy of Kenya is largely premised on agriculture and hence land is a major factor of production, a position corroborated by the Kenya Economic Survey 2010 which indicated that agriculture remained the leading foreign exchange earner in the country.¹¹³ A critical assessment of land as a cause of conflict in Nakuru County espouses that land on its own merit is not what is contested but rather access to and ownership of that land. This is because a majority of the population in the County depends on land to meet their basic needs such as establishing shelter, growing food and selling the surplus to earn an income in order to meet other needs. Burton argues that unless the people's needs have been met, peacebuilding cannot be effectively undertaken because frustration of the very needs is what informs conflicts.

Moreover, the question of land in Nakuru County is complicated by its use as a political tool during campaigns. Politicians in the County and on the national platform have perfected the art of mobilizing their supporters along ethnic lines to achieve their political goals promising to lead their supporters in reclaiming their land (for those sections of the County's population that consider themselves to be the original inhabitants) or defending their land (for those sections of the population considered to be immigrants into the county as earlier differentiated in chapter three). The nexus between land and politics is aptly captured by Galaty who argues that whereas leaders use local disputes for political purposes, the locals

¹¹³ Kenya, Government of, 2010, Kenya Economic Survey, p. 27.

(the leaders' supporters) exploit political clashes in pursuit of land, thus blending the intentions and refractions of intentions of the various actors.¹¹⁴ Thus, even though the needs between political leaders and their supporters differ, the interdependence between them is what provides fodder for conflicts. The Ndung'u and the Akiwumi Commission reports have also pointed out that unresolved land grievances have been a major cause of conflicts in Kenya and especially in the former Rift Valley Province in which Nakuru County is located.

Furthermore, the study noted that the question of land in Nakuru County pits members of the Kalenjin community against other communities and especially the Agikuyu who are the slight majority in terms of population in the County according to the 2009 national census. According to Toroitich from Kuresoi Sub County, the Kalenjin community (to which he belongs) consider themselves the original inhabitants of the County while the other communities are immigrants in the County who obtained land by virtue of their proximity to political power after Kenya became independent.¹¹⁵ This assertion is further corroborated by Lonsdale who maintains that the independence government headed by Kenyatta assisted 'immigrant' communities particularly members of the Agikuyu community to obtain land from the departing white settlers through establishing and funding land buying companies.¹¹⁶ The Kalenjin were thus effectively dispossessed of what they considered to be land belonging to them that had earlier been alienated by the colonial government.

It is important to point out that the question of which community is indigenous or immigrant in Nakuru County is complex. The study established that while the Kalenjin consider themselves the original inhabitants dispossessed of their ancestral land by the British during the conquest of Kenya, the Agikuyu argue that by the time they moved into Nakuru to

114 Galaty, John, 2005, States of violence: ethnicity, politics and pastoral conflicts in East Africa, *Geography Research Forum*, Vol.25, p.177

115 Interview with Toroitich a 73 year old elder and patron of the joint elders forum that drafted the Nakuru Peace Accord in August 2012 as a step towards strengthening traditional institutions for conflict management, 4th August 2013.

116 For more details on this assertion see John Lonsdale and Bruce Berman, 1992, *Unhappy valley: Conflict in Kenya & Africa*, Nairobi; Heinemann Kenya.

work on the white settler farms, the only people there were the British settlers and the Kalenjin would later come in later. This view is congruent to the observation made by the Akiwumi Commission in its report which points out that the Agikuyu moved into Nakuru in the 1920s while the Kalenjin would come in from 1950 onwards.¹¹⁷ Political dynamics in post independent Kenya have influenced the occurrence of violence in the County because during any electoral cycle when the two communities are on the same side, minimal or no violence is witnessed. This goes further to cement the view held by this study that human needs be they social, economic or political rather than any other factor have a bearing on whether conflicts turn violent or not.

Successive governments after the demise of Kenyatta did not address the principal cause of conflicts in Nakuru County despite setting up a commission of inquiry which gave insight on the question of irregular/illegal allocation of land in the country and how that has had a bearing on conflicts in the area. Rather than formulating and enforcing policies on land redistribution, these governments allocated land to key people within them further entrenching the grievances that existed.¹¹⁸ The attendant implication of this action is that whenever the aggrieved parties get an opportunity to pursue their interest of obtaining or defending their land, they do so and violence is one of the means they use to pursue this valued resource.

Greed by politically powerful people to own land even in forest reserves also makes it very difficult for the government to pursue a policy of land redistribution. This contention is premised on the understanding that such a move would have the import of the government officers leading by example and hence its pursuit is almost impossible. The Ndung'u land report indicated that companies such as Kiptagich Tea Factory associated with people who

117 Judicial Commission of Inquiry into Tribal Clashes in Kenya, 2002, The Akiwumi Report Part I: Rift Valley Province. Nairobi, p. 15.

118 Interview with Andrew Wamae, a retired registrar of lands who served in the then Nakuru district which is now Nakuru County, 4th August 2013.

held key positions in past governments were irregularly allocated land in the Mau forest adjacent to Olenguruone settlement scheme.¹¹⁹

The question of land owners who do not use the land they hold also came into focus during the study. It was observed that a minority of rich people in the country own large tracts of land in the County which lie fallow throughout the year. On the flip side is the majority living within the county (and some squatting on land owned by the rich) who have no land they can use to farm and feed themselves and this exacerbates the bitterness that culminate in violent conflicts whenever a window of opportunity presents itself. Ochieng argues that if such land could be redistributed so that the majority landless has legal access and/or ownership of such land, then they would be able to sort out some of their basic needs as advanced by Maslow such as food and shelter as they will have a place to cultivate and put up a structure that they can call a home.¹²⁰ Such people could also use the title deeds as collateral for loans to develop the land they own and hence meet basic needs, whose lack thereof leads them to violence.

Another grievance related to land that emerged from the study demonstrated that land has a high cultural value besides its economic value and this further explains why the multiple episodes of violence accompanying the electoral cycle have been intense. Fry and Bjorkqvist argue that culture which entails traditional norms, practices and institutions around which a society's expectations converge shapes a people's perception, evaluation and choice of options for dealing with conflict.¹²¹ In the traditional African set up, one's status in society to a large extent was determined by the size of land and other property he or she owns, hence the desire to obtain land by whatever means. Moreover, a cursory look at the aims and objectives of various political associations and parties during the struggle for independence in Kenya

119 Republic of Kenya, 2004, Commission of inquiry Report into Illegal/Irregular Allocation of Public Land in Kenya, Nairobi, Government printer.

120 Interview with Michael Ochieng, the chairman of the Kenya Land Alliance, 29th July 2013.

121 Fry, D. and B. Bjorkqvist, 1997, Introduction: Conflict Resolution Themes, *op cit*.

indicates the desire to regain not only political freedom but also land by the Africans. Indeed, Throup argues that at independence, land was the most important reward the peasantry expected from their patrons and the new African politicians.¹²² Thus, any actor in peacebuilding must be aware of the cultural component of peacebuilding and integrate it in their intervention.

Apart from land grievances, the study noted that fear of domination among the Kalenjin who consider themselves as the original inhabitants of the County by other ethnic communities has fanned the embers of violence to repossess what they claim is their ancestral land. Danspeckgruber argues that such fears breed ethnic violent conflicts whose hallmark is ethnic cleansing.¹²³ A social-cultural angle to the high value placed on land/territorial coverage noted the naming of places within the County regarded by the Kalenjin as their ancestral land with names alien to the community such as Kiambogo and Karati in Naivasha, to name but a few. The fear is grounded on the reasoning that in the long run, such places would come to pass as though they were never part of their ancestral land and cement the view that it is them (the Kalenjin) who are immigrants in such areas. The need being advanced here has a lot to do with identity and must be met for peacebuilding efforts to bear any fruit in Nakuru County.

In a nutshell, it is useful to conclude by pointing out that Nakuru County has been beset by both structural and violent conflicts whose hallmark was the 2007/2008 Post-Election Violence. These conflicts point towards land as a principal cause. This study contends that the resolution of grievances related to the same will go a long way in alleviating the basic needs of the people and hence establish a firm foundation for peacebuilding in the county.

122 Throup, David, 1987, 'The construction and destruction of the Kenyatta State' in Michael Schatzberg (ed.), *The Political Economy of Kenya*, Lynne Rienner, Routledge, pp. 33-74; 43.

123 Danspeckgruber, W., 2001, *The Self-determination of People's, Community, Nation and State in the independent world*, Boulder, Lynne Rienner, p.45.

4.1.2 Poverty

The second cause of conflicts in Nakuru County was found to be poverty. According to the 2011 Poverty Index for Nakuru County, nearly half of the population lives on less than a dollar per day. This is because a vast majority of the residents in the county are dependent on agriculture which in turn is based on land, another cause of conflicts as discussed above. A productive section of the population in this County remains jobless thus deepening poverty as they cannot even afford the basic needs. The result is that this critical mass becomes an easy prey for war mongers to use in achieving their interests in exchange for money or any other salient promise that is made to them.¹²⁴

Alice, offers that there exists a strong correlation between poverty and violence. She indicated that some of her clients were young unemployed people under the age of 30 years who confessed to having been deeply involved in the violence that rocked Kenya particularly in Nakuru County in the aftermath of the 2007 presidential elections.¹²⁵ The study established that the driving force for the perpetrators was the money they were being paid by agents of politicians since they had no alternative constructive source of income yet had obligations to fulfill that required money. The prospects of looting valuable possessions from their targets further gave them the impetus to pursue crime. Against such a background of joblessness and want, for such groups to eke a living, they would rather take part in criminal activities and be able to meet their needs.

In essence, poverty whose indicators include unemployment has been manipulated by politicians to achieve their interests such as acquisition and maintenance of political power. Lonsdale succinctly captures the nexus between poverty and political power when he argues

124 Interview with John Awiti, the County coordinator of the Catholic Diocese of Nakuru who has been conducting capacity building workshops and trainings for the youth in the County, 5th August 2013

125 Interview with Alice, the chief behavioral scientist who has been counseling victims and perpetrators of the 2007/2008 Post-Election Violence at the National Council of Churches of Kenya, 4th August 2013.

that the votes of the poor are bought at election times.¹²⁶ Poverty is underlined by a lack of basic needs as propounded by Burton and Abraham Maslow in his hierarchy of needs model.

4.1.3 Negative Ethnicity

Ethnicity is a concept that signifies ancestral ties.¹²⁷ At the onset, this study contends that ethnicity as a concept is not a bad thing and if well used in the context of peacebuilding, it can highlight the diversity of people and be used for cohesion purposes. However, negative ethnicity can be used to achieve exclusion (including the denial to pursue critical survival needs) rather than inclusion, paving the way for conflict. The study found out that negative ethnicity is a major cause of conflicts in Nakuru County. This is particularly true in the political landscape of the County which is cosmopolitan.

Evidence from the local level showed that children are socialized at home and even in school, consciously and unconsciously, into identifying themselves first as belonging to particular ethnic groups and their national identity would come in second. Even though this is not a bad thing, John observed that such kind of socialization fosters what he called the “othering process” meaning that the young people from different ethnic extractions would see themselves as different and rather than celebrate their diversity, use it for exclusion.¹²⁸ This view is shared by Davis who posits that people become conscious of their ethnicity as they grow up and depending on the socialization agents they find themselves in, they may acquire attributes of either positive or negative ethnicity.¹²⁹ Exclusion brings to the fore other needs based issues such as identity and values attached to it, which can easily trigger violence. Thus peacebuilding actors in the civil society must ensure inclusion for sustainable peace.

126 Lonsdale, John, 2004, Religion and Politics in Kenya, *op cit.*, P.95

127 Davis, Richard, 1997, *The Myth of Black Ethnicity: Monophylety, Diversity and the Dilemma of Identity*, Denton, Ablex Publishing, p.87.

128 Interview with John Awiti, the sub county coordinator with the Catholic Diocese of Nakuru, *op cit.*

129 Davis, Richard, 1997, *The Myth of Black Ethnicity*, *op cit.*

The centrality of negative ethnicity on the political landscape is best demonstrated in the building of political alliances. Whenever the two major communities in the County (Agikuyu and Kalenjin) are on opposite political sides, violence of a high magnitude prevails in the County and the reverse is true. All other factors remaining constant, an analysis of the 2007 and the 2013 general elections voting patterns lend credence to this observation. This finding is in tandem with an observation made in the Akiwumi report that people in (then) Rift Valley province generally tended to follow what their tribal leaders and more particularly elected leaders tell them.¹³⁰ It also emerged from the study that for those communities which did not have a member from their ethnic group seeking an elective post, they voted for candidates who they were advised by political leaders from their ethnic groups as best representing their community's interests.

It is useful to note here that a careful scan of the political landscape in independent Kenya shows that politics have always been organized along ethnic lines. Coincidentally or by design, these ethnic groups are nearly homogenous in specific regions except in the urban areas. An analysis of the electoral cycles in Kenya since 1992 shows a pattern of political alliances built along ethnically mutually exclusive fault lines, effectively setting the stage for conflict. Save for the 2002 electoral cycle where minimal violence was witnessed in Nakuru County perhaps due to the fact that the leading presidential candidates, Mwai Kibaki and Uhuru Kenyatta, hailed from the same ethnic extraction, the 1992, 1997, 2007 and 2013 electoral cycles depict political alliances informed by ethnic superiority.¹³¹

Based on the foregoing outcomes, one can rightly argue that ethnicity has been manipulated by the elite to achieve their interests including socializing a majority of ethnic communities to see each other as the barrier to attaining a given goal or objective. This is

130 Judicial Commission of Inquiry into Tribal Clashes in Kenya, 2002, The Akiwumi Report, Nairobi, The Government Printer p. 4.

131 Prof. Maurice Amutabi in an interview with the Kenya Television Network (KTN) on 26th February 2013.

corroborated by Anderson who avers that violence surrounding elections in Kenya has been ethnically directed, a scenario which increases distrust among different groups and has hence eroded any sense of national identity.¹³² The entrenchment of negative ethnicity in the national fabric of Kenya is attributed to the colonial division of the country into regions almost exclusively occupied by specific ethnic communities and the pursuit of the same policies which do not promote a national identity as opposed to ethnic identities by successive governments of independent Kenya. Jonyo concurs that ethnic differences have been manipulated by the elite in Kenya to plant seeds of inter-ethnic exploitation, suspicion and animosity.¹³³ This is particularly true in cosmopolitan regions such as Nakuru County.

In a nutshell, the occurrence of conflicts in Nakuru County is informed by grievances related to land which as a principal means of production in the county, poverty and negative ethnicity. Thus, the civil society must seek and pursue peacebuilding approaches which can address these issues in order to ensure that the pursuit of a sustainable peace becomes a reality.

4.2 Civil society peacebuilding in Nakuru County

The concept of peacebuilding continues to be complex and the line separating it from development assistance even more blurred as it is contested.¹³⁴ The study noted that the understanding of peacebuilding is informed by people's perception of what conflict is or entails and the specific mandates of the various actors in the peacebuilding process.

For organizations such as CJPC, peacebuilding is anchored on the teachings of the Catholic Church on social justice. According to the coordinator of the CJPC in the Diocese of Nakuru, peacebuilding as pursued by the commission goes beyond addressing the immediate

132 Anderson, David, 2002, Vigilantes, Violence, and the Politics of Public Order in Kenya, in *African Affairs* 101, No. 405, pp. 531-55.

133 Jonyo, Fred, 2003, The Centrality of ethnicity in Kenya's political Transition in Wanyande, P., Walter oyugi and C. Odhiambo-Mbai (eds.) *The Politics of transition in Kenya*, Nairobi; Heinrich Boll Foundation, p.159

134 Spence, Rebecca, 2001, Post-Conflict Peacebuilding, *op cit*, p. 137-8.

triggers of conflict. The concept entails restoring the whole person and his relationship with others besides addressing the root causes of conflict to ensure social justice.¹³⁵ The pursuit of social justice presupposes the existence of inequalities and this resonates with Burton's ideas on the importance of meeting needs as a sure way towards attaining sustainable peace.

This understanding of peacebuilding appears to agree with Spence's definition of peacebuilding as;

those activities and processes that focus on the root causes of the conflict, rather than just the effects; support their building and rehabilitation of all sectors of the war-torn society; encourage and support interaction between all sectors of society in order to repair damaged relations and start the process of restoring dignity and trust; encourage and support the participation of indigenous resources in the design, implementation and sustainment of activities and processes that will endure after the initial emergency recovery phase has passed.¹³⁶

Opinion leaders at the local level as well as individuals not affiliated to any organization undertaking peacebuilding in the county explained peacebuilding as those activities that assist people who were earlier embroiled in violent activities towards each other reconcile and live side by side peacefully. Kamau for instance offered that in his view peacebuilding entailed mending hostilities and restoring good relationships between erstwhile combatants.¹³⁷ This understanding of peacebuilding is congruent to that proffered by Boutros-Ghali who espoused peacebuilding as occurring after the end of violence.¹³⁸ These propositions on what peacebuilding is are defective in the sense that they equate the process to an event that is linear yet the dynamics underlying the process point towards forward and backward linkages of activities hence pointing towards a cycle given that conflict in society is endemic.

135 Interview with the CJPC coordinator based in Nakuru diocese on 4th August 2013.

136 Spence, Rebecca, 2001, Post-Conflict Peacebuilding: Who Determines the Peace?, in Bronwyn Evans-Kent & Roland Bleiker (eds.), *Rethinking Humanitarianism Conference Proceedings, 24-26 September 2001*, St Lucia: University of Queensland, pp. 137-8.

137 Interview with Kamau, a co-patron of the Joint Elders Council in the County of Nakuru, 12th August 2013.

138 Butros-Ghali, B., 1992, *Agenda for Peace*, *op cit*, p.4.

Peacebuilding according to civil society actors in Nakuru County and the entire country to some extent is informed by the specific actor's understanding of conflict and the mandate that actor has to fulfill. Civil society actors in development assistance perceive peacebuilding in the context of development while ordinary people perceive it within the context of mutual interdependence and coexistence.

The civil society uses a variety of approaches in peacebuilding ranging from a behind the scenes influence of agenda setting for negotiations to outright activism. The civil society presence in peacebuilding in Kenya has been seen in various parts of the country and more so in Nakuru county. Its roles in peacebuilding (as propounded by Merkel and Lauth) in Nakuru County include but not limited to service delivery, advocacy, protection, intergroup cohesion and socialization.¹³⁹

The Kenyan civil society is heterogeneous meaning that it comprises non-governmental and autonomous groups out of the state control and direction. These groups include Non-Governmental Organizations (NGOs) working in the development assistance realm, Community Based Organizations' (CBOs), Faith-Based Organizations (FBOs), to name but a few. Specific members of the civil society falling under either of these categories who have been heavily engaged in peacebuilding in Nakuru County include the Catholic Justice and Peace Commission, (CJPC) Mercy Corps, PeaceNet, the National Council of Churches of Kenya, (NCCCK) councils of elders and local peace committees. Depending on their mandates and capabilities, these members of the civil society have been undertaking various peacebuilding roles in the County of Nakuru.

One of the roles identified by the study that is performed by the civil society is service delivery. According to Paffenholz, service delivery acts as an entry point for peacebuilding in

139 Merkel, W., and H. Lauth, 1998, System wechsel und Zivilgesellschaft, *op cit*, pp.7

conflict and post conflict situations.¹⁴⁰ During conflicts a lot of resources are committed in the war effort especially in the violent type of conflicts and other activities come to a near or complete halt. This in effect grounds many activities, including the production of or the acquisition of the most basic ones as people flee their areas of domicile. In the case of Nakuru County, the CJPC coordinator pointed out that Internally Displaced People camping within the diocese premises were provided with basic needs such as tents for shelter and food at the height of the post-election violence in early 2008. According to the CJPC, the first step in peacebuilding is to alleviate the suffering of the beneficiaries of a targeted intervention as it sets the stage for the organization to perform other functions such as addressing root causes of conflict which may take longer to achieve. This approach is congruent to Lederach's call for a bottom up approach to peacebuilding and Paffenholz's assertion that service delivery is an entry point for other roles/functions of peacebuilding.

Another role played by the civil society in peacebuilding in Nakuru County has been protection of people. By providing temporary shelter to IDP's, the civil society helped meet one of the most fundamental needs of such people and further containing the humanitarian crisis triggered by the violence that befell the country in 2007/2008 following the disputed presidential election. The function of protection according to Edwards is core in forestalling the loss of lives and destruction of property particularly in violent conflicts and its relevance diminishes in the post violence phase as other function gain more relevance.¹⁴¹ However, this function cannot be effectively carried out by the civil society on its own because the state has near monopoly of the security machinery in the country. Thus, the civil society must collaborate with the state in the conduct of this role. In the case of Nakuru County, the civil society helped the security apparatus identify violence prone areas through early warning and monitoring of the situation in different parts of the County. The council of elders in

140 Paffenholz, Thania, (ed.), 2010, *Civil Society and Peacebuilding*, *op cit.*, p. 43.

141 Edwards, Michael, 2004, *Civil Society*, *op cit.*

collaboration with the church leaders took a leading role in restraining the youthful population from taking up arms and giving the then ongoing mediation talks a chance. Krasner in his regime theory advocates for collaboration and sharing in respect of resources and the same principle can be said of civil society and the state in respect of peacebuilding. It is this study's take that, the protection function of the civil society just like service delivery further creates a relatively safe environment for the conduct of other functions because if parties to a conflict do not feel safe enough, they cannot reach out to each other and this militates against peacebuilding.

Closely intertwined with the protection function of the civil society is monitoring. Whereas Paffenholz sees it as a function on its own, Merkel, Lauth and Edwards see it as strengthening and better explaining all the other functions. This study concurs with Merkel, Lauth and Edwards because monitoring takes place throughout the peacebuilding process; its only the issues to be monitored that keep changing depending on the phase of conflict and the progress of the peacebuilding process. For instance, at the height of the PEV in Nakuru County, PeaceNet was involved in monitoring human rights abuse while in the post violence phase, the organization has been more preoccupied with monitoring any threats to violence in specific areas within the County identified as hotspots.

The effectiveness of civil society in undertaking the protection function was only discernible in cases where the media was involved. This is because through the media, information on specific issues such as gross violation of human rights in specific places were reported and the concerned perpetrators highlighted. The director of operations for Mercy Corps noted that his organization became involved in service delivery after they learned of the crisis in the County and saw the suffering of people via international media.¹⁴² However,

142 Interview with Ken Mwangi, the director of operations for Mercy Corps in Kenya at Nairobi, 26th July 2013

the slapping of a ban on live coverage of the PEV by the government on 30th December 2007 made monitoring of the crisis very difficult.

The study also identified advocacy as a major role undertaken by the civil society in Nakuru County. According to Paffenholz, advocacy is a role that the civil society performs throughout all the conflict phases.¹⁴³ At the height of the post-election violence in Kenya, civil society groups such as the Concerned Citizens for Peace (CCP) and Kenyans for Peace with Truth and Justice (KPTJ) effectively advocated for the inclusion of relevant issues into the mediation agenda. The KPTJ for instance called for inclusion of land reforms in the agenda arguing that land was at the heart of the conflict while the CCP called for a political solution to the crisis observing that it was the quest for political power that had triggered the violence. In this regard, both land and political power are needs at various levels according to Abraham Maslow's hierarchy of needs and which must be fulfilled for peace to prevail.

In the case of Nakuru County, the civil society has consistently been engaged in peacebuilding through various ways. For instance, the Catholic Diocese of Nakuru set up a peace radio, Radio Amani to educate people on the importance of coexistence and pacific settlement of disputes. According to John, the programme controller of the Radio Amani, different people with varied experiences and expertise on peacebuilding are invited to share their views and they are engaged by the listeners through live call-ins. This approach has led widespread civic education in the County on a raft of issues of national importance such as the adoption of the new constitution and the violence free 2013 general elections. John further noted that the experts are not necessarily drawn from faithful drawn from the Catholic Church but rather professionals and especially political leaders whose influence at the local level is significant. This argument is in tandem with Jeong's assertion that political leadership

143 Paffenholz, Thania, 2010, *Civil Society and Peacebuilding*, *op cit*.

plays a critical role in peacebuilding or war making because of the significance of their influence on the ordinary people.¹⁴⁴

Mass mobilization is also singled out by this study as one of the most effective advocacy approaches used by the civil society for peacebuilding. The Kenya Land Alliance for instance took an active role in educating the people on what the then proposed constitution provided for on matters related to land which had been a major cause of conflict in Nakuru County as discussed earlier in this chapter. His views are shared by Bishop Otieno of the National Council of Churches of Kenya, (NCCCK), that the church has the moral authority and legitimacy to rally people towards the cause for peace. He noted that the faithful in different parts of the County have been led by the clergy in peace walks as a sign of the need for coexistence and pacific resolution of conflict. However, the lack of coordination between the various stakeholders in peacebuilding has led to the duplication of advocacy campaigns in the same region leaving out other areas and hence making the effort appear as though it was targeting only urban based populations.

Following the cessation of violence in 2007 whose hallmark was the signing of the National Accord by the leaders of the parties in conflict, Mwai Kibaki and Raila Odinga, the civil society made attempts geared towards socializing people to the values of democracy and peace and to revitalize national cohesion. According to Paris, political liberalization whose rallying point is democratic elections, peace is a precursor to economic and political development.¹⁴⁵ The study established that in Nakuru County and by extension the entire country, the existing socialization institutions such as the family, schools, church and traditional institutions have a lot of influence on how people, be they young or old learn peaceful or conflictual behavior. As such, these institutions were being used by the civil society peacebuilders as the platforms for inculcating a culture of peace through advocacy

144 Jeong, Ho-Won, 2005, *Peacebuilding in Post conflict Societies, op cit.*

145 Paris, Roland, 2004, *At War's End, op cit., p.13.*

and their involvement in sharing alternative approaches in dealing with issues that have the potential for triggering conflict.

However, the study noted the uncoordinated manner in which resocialization programmes were being undertaken through workshops, trainings or peace media, often led by people who did not seem to understand and appreciate the local variables which must be accounted for in order for the peacebuilding efforts to bear fruit. Moreover, the emphasis on a national identity at the expense of fostering a positive ethnic identity does not aid the socialization process because a people's identity gives them a voice within the framework of the larger national identity as Robert observes.¹⁴⁶ As a consequence, these activities tended not to be effective even though they had the potential to influence attitude and behaviour through peace education.

On the other hand, the importance of activities that bring people together is to a large extent a function of the context in which these interventions occur. While the focus is on bridging social capital between the parties in conflict, such as Agikuyu against the Kalenjin, Political party A supporters against Political party B supports, due caution must be observed to ensure that none of the parties is left out as they can act as spoilers in the peacebuilding process. Should a destructive approach to dealing with conflict penetrate a society, there is a likelihood that other conflicts will result into violence. Lederach argues that the ultimate essence of any peacebuilding intervention must be to restore the relationships between and among parties to a conflict, because at the heart of any conflictual action is behaviour which in turn is informed by relationships.¹⁴⁷

Civil society peacebuilding in Nakuru County and the country at large is faced with numerous challenges which also militate against their effectiveness such as funding, inadequate technical capacity as well as lack of coordination. Most of their initiatives aim at

146 Interview with Dr. Robert, a visiting sociologist at Africa International University conducting research on ethnicity and its relevance to developing a national identity.

147 Lederach, J. P., 1997, *Building Peace, op cit*, p.68.

changing attitudes, yet even over the long-term, this seems ineffective. According to Paffenholz, attitude change is not necessary for behavior change.¹⁴⁸ She argues that work-related activities, which bring people from different groups together, are more successful than just workshops and trainings or peace meetings. By working with the other group, the parties appreciate that they are not any different and the benefits accruing from their collaboration outweighs their adversarial pursuit of mutual interests or values.

In a nutshell, the civil society has a role to play in peacebuilding as this case of Nakuru County demonstrates. However, this study contends that the civil society cannot play a substantive role on its own and must therefore collaborate with other actors and more so the state in order to succeed in certain sectors which are strictly within the domain of its agencies. Land which was identified as a major cause of conflicts is one of these sectors and so is security. Thus, political actors are at the core of peacebuilding and the role that the civil society must undertake is to lobby them and encourage them to dialogue with the parties to the conflict who are another set of key actors in peacebuilding.

148 Paffenholz, Thania, 2010, Civil society and peacebuilding, op cit., p.47.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.0 Conclusions

The main objective of the study was to examine the role and effectiveness of the civil society in peacebuilding in Kenya using Nakuru County as a case study. The study found out that the dominant roles of the civil society in peacebuilding in the county include advocacy, socialization and service delivery. Other roles performed by the civil society in peacebuilding included protection and intergroup cohesion. These roles were similar to those noted during the literature review as propounded by Merkel, Lauth and Edwards.

The study also established that the civil society's effectiveness in peacebuilding in Nakuru County was blurred because it was dependent on other actors to accomplish some of the roles. The lack of clear cut demonstration of effectiveness in most of the roles undertaken by the civil society except for advocacy thus concurs with the hypothesis that the civil society has been ineffective in peacebuilding in Kenya. Lack of coordination on the part of the civil society coupled with other challenges such as funding and political interference owing to exclusion of the political class contribute to this ineffectiveness.

Moreover, the study agrees with Paffenholz and Lederach that civil society roles in peacebuilding change depending on the phase of the conflict; with some becoming irrelevant as others gain more prominence. There are however other functions whose relevance can be seen through all stages of peacebuilding such as advocacy and monitoring. This contributes to a more pronounced effectiveness for those specific civil society groups undertaking these functions.

According to the literature on civil society and peacebuilding, various actors have different approaches to peacebuilding. The findings of this study indicated that whereas some actors actively engaged with and consulted the targeted beneficiaries on the kind of

intervention to implement, others decided on their own what best suited the targeted beneficiaries. Those that consulted the beneficiaries achieved some degree of success.

The study therefore concludes that on the whole, the civil society role in peacebuilding is more supportive than it is definitive. As a result, it can be thus concluded that on the whole, the civil society has been ineffective in peacebuilding when all the roles are examined jointly due to lack of inclusiveness and dependence on funding from outside the country which is given with strings attached to it. However, when explored individually, some roles such as advocacy was very effective especially after the government lifted the ban on live coverage by the media.

It is also cautioned here that the context of peacebuilding is also influenced by factors such as the level of violence, political actors and the role of internationalizing agents such the media. It is therefore incumbent upon the civil society to identify what they can do on their own and what issues require synergy with other actors in the field of peacebuilding given that it is a living and dynamic process and some of its outcomes may take a long time to become manifest.

5.1 Recommendations

This study notes that the civil society has roles to play in peacebuilding in Kenya and its effectiveness can be enhanced despite the myriad challenges if only the most relevant role is undertaken at the most appropriate stage of the conflict cycle. The study therefore recommends that the civil society be cognizant of the fact that their roles only have significance at certain phases of conflict and hence their interventions should reflect this.

The study also recommends that policy makers at the National Secretariat on Peacebuilding and Conflict Management under the Ministry of State for Interior and Coordination of Government actively engage with civil society actors in peacebuilding to formulate policies that enhance integration at the local level because it is at that level were

conflicts especially the violent type tend to be waged.

The concept of a peace radio as a platform for civic education should be replicated in other violence hotspots in the country. The programming of these means of communication should focus more on national cohesion and integration with a focus on educating people the dangers of negative ethnicity.

Finally, the civil society in liaison with government agencies should consider establishing a central authority which ensures that there is synergistic functioning between them in order to enhance effectiveness in peacebuilding throughout the country.

5.2 Suggestions for Further Research

The area of civil society and peacebuilding is broad and dynamic. More research is necessary in different parts of Kenya even in places that have an almost homogenous population. The roles and effectiveness the civil society in peacebuilding differ and involving the people to know their grievances is a sure way towards putting in place proper intervention mechanisms that will lead to the resolution of conflicts in the country and build a sustainable peace. The study therefore recommends further research on a comparative study on civil society peacebuilding in various counties in the country, both urban and rural, the influence of the devolved system of governance enshrined in the new constitution on peacebuilding in Kenya and a national study on the impact of Faith Based Organizations in peacebuilding in Kenya.

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