
**THE RIGHT TO A PEACEFUL EXISTENCE AND PARTICIPATION IN PEACE
BUILDING INITIATIVES:
A GENDERED CRITIQUE OF THE IMPACT AND SUSTAINABILITY OF PEACE
INITIATIVES IN NJORO DISTRICT, KENYA**

BY

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ABSTRACT

This dissertation critically analyses the reasons why, despite being the target of various governmental and NGO peace building initiatives over the past two decades, Njoro District (a significant microcosm of the rural, multi-ethnic and tribal violence which still plagues so much of Kenya) still only enjoys a fragile modicum of order that is liable to disintegrate at the slightest disturbance and which is all too often exploited, or even caused, by power hungry politicians. Informed by the latest local and international theory and law on the subject (especially Kenya's progressive Constitution within the context of relevant regional and international Human Rights Instruments), the study investigates the effectiveness of these peace building initiatives from a gendered and human rights point of view by examining their ability to enhance the right of Kenyan citizens to a peaceful existence and to participate in peace building initiatives. Especially valuable about the research are the unique insights it offers into novel solutions to the violence in the District. This is because it is conducted objectively, scrupulously scientifically, fearlessly and, above all, sensitively, by a writer who, as one of its residents, is passionate about achieving peace not only in her own particular district between the Kikuyu, the Kalenjin, Ogiek and their neighbours, but also between all tribes within Kenya as a whole. She already uses her intimate knowledge of her fellow residents and their shared past and present experiences to achieve peace through her work with the TJRC (Truth, Justice and Reconciliation Commission) which was set up in the wake of the country's unprecedented 2008 post election violence. The process of guiding the research, collecting and analysing its data (including many individual and group interviews with men and women of the three different tribes, and walks of life as well as key informants, such as government and non-government officials and religious leaders) and presenting its findings is effectively conducted using a combination of several inter-related methodologies (including the Human Rights and Africana Womanist Approaches) in conjunction with complementary data collection methods. The research reveals that the poor quality of peace building initiatives in Njoro District has deteriorated to such an extent that they are no longer merely ineffective; they are now becoming counterproductive and in danger of contributing to the very violence they were intended to resolve. Recommendations to improve these initiatives involve designing them to achieve the kind of substantial peace collectively desired by the District's residents (which includes addressing domestic violence and issues challenging the youth) rather than the superficial peace (i.e., enforced order) which is unilaterally imposed upon them by government and NGOs operating under tight budgetary constraints. The residents, especially the women of the area should also participate in the designing and implementing of peace building initiatives (including the establishment of local courts to facilitate genuine restitution, forgiveness and reconciliation) which should aim at resolving long-standing neglected causes of violence.

Declaration

I Rahab Wakuraya Mureithi certify that this dissertation is my original work; it is an honest and true effort of my personal research. I certify that the work has not been presented anywhere else before for any other thesis.

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

This dissertation was submitted for examination with my approval as the University Supervisor

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

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

Dedication

To my mother, Esther, and My Father, Tarcicius, for showing me the way to the Peace that surpasses all understanding;

To Sammy, Paul, Alice, Erick, Veronica, Phillip and Mark, for all the help and support.

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Acronyms

ACHPR	African Charter on Human and Peoples Rights
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CIPEV	Commission of Inquiry into the Post Election Violence
ESCR	Economic Social and Cultural Rights
ICCPR	International Convention on Civil and Political Rights
ICESR	International Convention on Economic Social and Cultural Rights
IDP	Internally Displaced Persons
PEV	Post Election Violence
TJRC	Truth, Justice and Reconciliation Commission
UN	United Nations

Table of International Instruments cited

African Charter on the Rights and Welfare of the Child
Convention of the Rights of the Child
Convention on the Elimination of all forms of Discrimination Against Woman (CEDAW)
Covenant on Civil and Political Rights (1966)
Covenant on Economic, Social and Cultural Rights (1966)
Millennium Development Goals
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa ('The Women's Protocol')
UN Security Council Resolution No. 1325
UN Security Council Resolution No. 1820
United Nations Charter (1945)
Universal Declaration on Human Rights (1948)

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CHAPTER 1

1.0 INTRODUCTION

1.1 Introduction

At one time or another, many residents in the rural areas of Njoro District, Kenya have had to leave everything behind and flee for their lives. If they were lucky, they would save their lives and if not, they would die a violent death. I belong among these people. I have been raised in this area, and have had to witness three instances of violence where my family and I were displaced and lost a lot of property. We were the lucky ones. Many of my neighbours lost their loved ones or were maimed. Some have had their houses torched over and over again, having to restart their lives from scratch each time.

Two and a half years after the most recent flare up, I got the opportunity to document the statements of many of the most aggrieved people I could find among my people for the Truth Justice and Reconciliation Commission (TJRC). During this time, I was exposed to the survivors' most hidden feelings. I felt the same things too and rightly so, because I was also aggrieved. It was during this time when I realized that Njoro District was sitting complacently on a time bomb. While there seemed to be peace because it was possible to conduct trade and to go wherever one pleased, the situation was actually explosive.

The aim of this research is to give voice to the residents of Njoro District on the effectiveness of the peace initiatives and how to make the initiatives better suited for them. Due to my apparent closeness to the research, the decision to do this particular research was not taken lightly. Objectivity is a quality that is highly appreciated in all research, although it is argued that a truly hundred percent objective research is not possible (Phillips, 1990). There are also arguments suggesting that qualitative research by their very nature requires the researcher to be subjective rather than objective (Sanders, 1997).

Without delving into the debate on the merits and demerits of objectivity and subjectivity in conducting qualitative research, it is important to note that this research is based mainly on perceptions of peace and of the success of peace building initiatives. The fact that I have gone through many of the violent incidences puts me quite close to the research, but also gives me an advantage in understanding the contextual issues. The research is meant to act as a form of evaluation by the residents of Njoro District on the effectiveness of peace building initiatives. It would therefore be quite useful for actors in peace building who are interested in knowing what their targets think about their initiatives.

Njoro District has been the beneficiary of many peace building initiatives over the past two decades. These peace initiatives have succeeded in bringing relative calm in the area but have not been successful in resulting in sustainable peace. The residents live in a state of outward calm but with an undercurrent of tension that has been exploding into violence every few years. The explosions are usually caused by a wide range of triggers, ranging from politics to bar fights and road accidents. For this reason, it is safe to assume that peace building initiatives have not succeeded in dealing with this undercurrent of tension.

This research problematizes the existence of this undercurrent of tension that creates a highly explosive situation in Njoro District and the success of the peace building initiatives is measured according to their ability to address this situation. Under this, the research looks at the relationship between justice and sustainable peace and also other issues that contribute to the explosive situation such as the psychological effects of violence. The research also seeks to critique the initiatives on their ability to encourage participation of all sectors of the society. To do this, the research critiques the peace initiatives from a gendered perspective that does not just analyze the relevance and participation of the initiatives to men and women but goes further to look at the relevance to older men and women, younger men and women and children.

While this may seem to suggest that the two parameters are separate in assessing the effectiveness in peace initiatives, this is actually not the case. In the research, the gendered analysis and the sustainable peace analysis will be a cross cutting theme. In the end, it is hoped

that the research will suggest ways in which peace initiatives can be improved in order to deliver both the sustainable peace aspect and the gender balanced aspect.

1.2 Demarcation of the Study

Njoro District, until quite recently was part of the larger Nakuru District located in the Rift Valley Province. It is a metropolitan area where almost all tribes are represented. This research however focuses on the rural farming lands where most of the ethnic violence takes place. These farming lands are occupied mostly by the Kikuyu, the Kalenjin¹, and the Ogiek². On the far western boarder of Njoro District lies Narok District which is occupied by the Maasai who have also been involved in violent clashes with people from Njoro District. Within Njoro District, my study concentrated in the areas where the violence is quite intense and repetitive. These areas include Nessuit, Kihingo, Mauche and Lusiru. The people in these areas are mostly small scale farmers mixed with traders who live in their centres. There are however some professionals in the areas especially teachers. Due to the fact that Egerton University is within the area, there are quite a few professionals from various disciplines who live in the area.

The area is highly fertile and receives relatively adequate rains the tarmac road is still usable and there is electricity and the government is in the process of supplying piped water apart from this, there is plenty of quarry stone in the area with the potential for mining. Despite this, unemployment is rife because of lack of industries in the areas. Education levels are quite low as it is common for children to stop attending school after primary education because of the impoverishment accompanies that cyclical violence.

¹ The Kalenjin is a large community that contains several sub-tribes. Most of the ones residing in Njoro area are from the Kipsigis sub-tribe.

² The Ogiek are a forest dwelling community that are believed to have been the earliest inhabitants in the area.

1.3 Significance of the Study

Sustainable peace has been elusive for residents of certain parts of Njoro District for almost two decades now. This is not for lack of peace building initiatives and studies that have been done in the area. This research is an attempt to show what has been done wrong from the viewpoint of those who are at the hottest areas of the violence, and who are the perceived targets of the peace initiatives. It is intended to start a dialogue between actors in peace building and the targets of their initiatives on what works and what does not work from them. Rather than being an attack on the peace actors on their failures, it is a gentle probe towards peace actors to invite them to take a close look at the effectiveness of their initiatives and whether there are ways to improve them. For this reason, this work would be most useful to those who are interested in peace building in small localized contexts where ethnic violence has been cyclical.

1.4 Statement of the Problem

Peace is a fundamental human right. It was the basis upon which the first human rights instruments were drafted; not just to protect human rights, but to ensure that a repeat of the First and Second World Wars never happens. Due to the dynamics of ethnic violence in the area, Njoro District has been the beneficiary of a lot of peace building efforts over the past 18 years. The situation however still remains volatile. It is clear that the peace building initiatives in place are lacking in the way of achieving the desired impact. While there may be other reasons for the shortcomings, this research problematizes two factors: the initiatives have not directed themselves towards sustainable peace and have not encouraged maximum participation by the people of Njoro.

The 2007/08 post election violence (PEV) was the worst that had been witnessed yet in Kenya and brought to the surface the existence of deep seated and long standing issues that polarized the country and needed to be addressed. This was echoed by the Kenya National Dialogue and Reconciliation which was mediated by H.E. Koffi Annan, Chair of the Panel of Eminent African. As part of the agreement, the two principles, H.E President Mwai Kibaki and R.H Prime

Minister Raila Odinga under the guidance of the eminent persons agreed to a set of principles that will be used to deal with the long standing issues that affect the unity and stability of the country. These principles are more popularly known as *'The Agenda 4 Principles'*.

The Agenda 4 Principles required the government to take deliberate efforts to undertake constitutional, legal and institutional reforms, tackle poverty and inequality as well as combating regional development imbalances, tackle unemployment especially among the youth, consolidate national cohesion and unity; undertake land reforms and address transparency, accountability and impunity. In order to achieve this, the country has made quite a lot of strides including the formation of the TJRC. However, for some reason, these strides have not been felt in Njoro District. For instance, the TJRC, which is mandated by the Truth, Justice and Reconciliation Act (2008) to facilitate reparation and rehabilitation, has not done so in Njoro District despite the fact that statements have been taken by the body. While this may have been caused by other logistical challenges that may be facing the Commission such as the short time they were allocated, the consequence is that the people of Njoro District have been denied their right to sustainable peace that can only come through real reconciliation and restitution. Enforcing the rule of law has also not materialised to date in that not one single person from Njoro District has been successfully prosecuted for the crimes committed during the various incidents of violence. Only a few have voluntarily returned items that were stolen and personally apologized to their neighbours. A deep-rooted culture of impunity in as far as clashes are concerned has therefore been ingrained in the residents of Njoro District because of the neglect of the rule of law and principles of justice.

Kenya, being a signatory to Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the International Convention on Civil and Political Rights (ICCPR), the International Convention on Economic Social and Cultural Rights (ICESR), the African Charter on Human and Peoples Rights, (ACHPR) and its Protocol on The Rights of Women has bound itself to ensure non discrimination against women and women's participation in decision making at all levels. Kenya, currently enjoying a delicate state of ceasefire ensured by the coalition government, is in the process of peace building especially among neighbouring tribes that have for the past two decades experienced violent ethnic conflicts. Peace building involves

both negotiations for peaceful co-existence and rebuilding and reconstruction of destroyed facilities. It therefore requires a lot of planning and decision-making at various levels.

UN Resolutions 1325 and 1820 and the Protocol to the African Charter on People and Human Rights on the Rights of Women provide specifically for the rights of women to be involved in a meaningful way not just in conflict resolution but also in all the stages of rehabilitation and reconstruction. In elaborating the extent of the participation of women, Article 10 of the Women's Protocol to the African Charter provides comprehensively for women's right to peaceful existence and their right to participate in the promotion and maintenance of peace. In particular, states are required to ensure increased participation of women in:

- Programs of education for peace and a culture of peace;
- The structures and processes of conflict prevention, management and resolution at the local, national, regional, continental and international levels;
- All aspects of planning, formulation and implementation of post conflict reconstruction and rehabilitation.

The African Charter on People and Human Rights goes to the extent of placing the duty to protect national security and territorial integrity on every individual [Article 29(7)]. Kenya's Constitution, apart from automatically domesticating all these international instruments in terms of Article 2(6)³, has provided for non-discrimination on the basis of sex and for affirmative action as a way in which to correct the effects of past discrimination against women (Article 27).

³ Article 2(6) of the Constitution states that *"Any treaty or convention ratified by Kenya shall form part of the law of Kenya under this Constitution"*.

There is also the controversial *'one-third rule'* that requires that no more than two thirds of people occupying elective public positions should be of one sex (Article 81(b)⁴.

Therefore, it is my opinion, that considering all of its various provisions, the law has enabled women's participation by:

- (a) providing for women's right to peaceful existence and meaningful participation in conflict resolution and peace building;
- (b) placing a duty on women to promote peace;
- (c) allowing for affirmative action where needed to level the ground for women's effective participation in peace building.

It is clear therefore that the law provides a suitable legal framework to come up with peace building initiatives that are directed towards reconciliation and reparation and also that encourage gender mainstreaming. The strategies on the ground, however, do not effectively deal with these two parameters therefore resulting in peace initiatives that are generally ineffective.

1.5 Main Objective of the Research

The main objective of this research is to critically examine peace building initiatives currently underway in Njoro District from a gendered perspective with a view to coming up with strategies to enhance the participation of both men and women and the quality of peace achieved.

⁴ Article 81 (b) states that *"Not more than two-thirds of the members of elective public bodies shall be of the same gender."*

Sub-Objectives

For ease of analysis, the main objective of the research has been divided into five main sub-objectives which are:-

1. To examine peace building initiatives currently underway in Njoro District through a gender lens.
2. To understand the meaning of peace that informs the peace building initiatives.
- 3(a) To uncover reasons why peace building initiatives have so far failed in achieving sustainable peace in Njoro District.
- 3(b) To find out whether neglecting the specific gendered realities of the communities living in the area has contributed to failure to achieve lasting peace.
4. To identify different spaces in which men, women and the youth can be fully involved in building peace that is both sustainable and acceptable.
5. To come up with strategies to be able to fully utilize men's, women's and youth's spaces to achieve peace in the area that is both sustainable and acceptable.

1.6 Assumptions

The assumptions that informed this study were derived from the objectives and were as follows:-

1. The meaning of peace as a conceptual basis for peace building initiatives differs from actor to actor.

2. Peace building initiatives in Njoro District are gendered both in their design and their application.
- 3(a) Peace building initiatives in Njoro have failed to achieve sustainable peace.
- 3(b) The neglect of the gendered realities of the communities living in conflict within the District has contributed to the failure to achieve sustainable peace in Njoro District.
4. There are different spaces in which men, women and the youth can be involved in building peace that is both acceptable and sustainable.
5. There are strategies which fully involve men, women and the youth in their respective spaces in building peace that is both acceptable and sustainable.

1.7 Research Questions

In order to investigate these assumptions, the following research questions were used.

1. What is the definition of peace that informs various actors in peace building in Njoro District?
2. Are the peace initiatives in Njoro District gendered in their design or application?
- 3(a) Why have peace initiatives in Njoro District failed to achieve sustainable peace?
- 3(b) Has the neglect of gendered realities of the communities living in conflict within the District contributed to the failure to achieve sustainable peace in the District?
4. What are the different spaces in which men, women and the youth can be involved in building peace?

5. What strategies can be used to fully involve men, women and the youth in their respective spaces in building peace?

CHAPTER 2

2.0 THEORETICAL FRAMEWORK

One of the main challenges to peace in Africa is the insistent civil wars, *coup d'etats* and ethnic violence that have characterized the states in the past few decades. In Africa, belonging to a certain ethnic group has a profound effect on your life. In many countries such as Rwanda, Burundi, Sudan, Indonesia and Kenya, at one point or another, a person's ethnic identity has become a matter of life and death. In other areas where ethnic affiliations form the basis for political power and economic exploitation, it has a real effect on the quality of life one enjoys. However, the very concept of 'ethnic violence' or 'ethnic conflict' has been criticized as being superficial and one that fails to address root causes of conflict. It is argued that merely because two sides of a conflict come from different ethnic identities should not reduce a conflict to purely ethnic reasons (Gilley, 2004).

A critical look at many of the conflicts bearing a distinctly ethnic divide shows that ethnicity was used as a tool for mobilization of the solidarity of the masses to fight a real or perceived structural injustice. Gilley gives the example of Chewas and Tumbukas being enemies in one country and living peacefully in another simply because of political structures (*Ibid*). Further theories on ethnic violence have suggested that ethnic distance, which is the apparent difference between two ethnic groups, and expropriation of resources are stronger causes of ethnic violence than pure ethnic distinctiveness (Caselli and Coleman, 2010). In studying the Chewa and Tumbuka of Malawi and Zambia, Posner, (2004) argues that the size and therefore political relevance of ethnic communities make them prone to political manipulation and therefore ethnic violence.

For Kenya, it is very clear that politics and ethnicity go hand in hand. Studies of the connection between ethnicity and politics in Kenya shows that this situation is actually caused by the political elite class rather than the common people (the *wananchi*) who convince members of their ethnic community that they will only access power and patronage when they have 'one of

their own' in statehouse (Hulterstrom, 2007:15). Divisive politics was ingrained in Kenyans since the colonial times and has continued to be the Kenyan way of politics until the present day. Wangari Maathai (2009) argues that African states as we know them are actually a superficial and forced conglomeration of micro-nations (otherwise understood as ethnic groups) and to date, Africans identify more with their micro-nation rather than their macro nations. Political leaders know this and exploit this situation to maintain power, propagating the divide and rule policy used by the colonial masters (Maathai, 2009: 184-226). According to Cheeseman (2009), Kenyan politics have another dimension, corruption. He explains that the moral ethnicity⁵ that informs Kenyan politics is one where the political elite have obligations not just to the poor in general but to the poor who elected them, and in the highly tribal politics these are their kinsmen. The pressure then to deliver the acceptable patronage pushes politicians to acquire funds through illegal means, sometimes abusing state funds. With this kind of politics, it becomes important for the masses that someone of their own ethnic group becomes the head of state and, where necessary, they will resort to violence.

Regardless of the very clear connection between ethnic violence and politics, there are other factors that are at play that make ethnic politics attractive to politicians. It has been argued that there are other types of violence that happen rather than the physical violence that happens over time and may eventually lead to physical violence. Galtung describes these as structural violence and cultural violence (Galtung,1992). Structural violence has been defined as a form of systemic exploitation that becomes part of the social order, while cultural violence is the set of ideologies backed by some set of beliefs that make structural violence seem right, or at least not wrong. Galtung explains that personal violence is sometimes necessary to abolish structural violence and this is the cause of some revolutions that have happened (Galtung, 1969: 181). Kenya would be an example of an attempt to use personal violence to abolish structural violence. As was

⁵ *'Moral ethnicity'* has been defined as an historically constituted and constantly evolving set of ideas, which raises the question of what the next transformation might bring. An example is given of the fact that the moral ethnicity that prevailed in pre-colonial times was that of a multi-ethnic nature because of the interactions between tribes on the basis of trade and intermarriage which provided some form of insurance against clashes (Mustapha & Whitfield Eds, 2009:101).

established by the Commission of Inquiry into Post-Election Violence (CIPEV), historical injustices (which are a form of structural violence) have resulted in many people being landless and unemployed also contributed to the eruption of violence in the country (CIPEV, 2008).

The connection between intrastate violence and gender inequality has been successfully brought out by Caprioli (2005) who has shown that Galtung's theories of structural violence and cultural violence could also be applied to the situation of gender inequality. The work quite eloquently shows that gender inequality in a country increases the social problems that fuel intrastate violence and suggests that by supporting women's rights and empowering them, it is possible to avoid such conflicts. It has been found also that gender relations tend to shift during and after conflict as a result of impoverishment and changes in the demography, with women taking on greater and more extensive responsibility in the household while the men relinquish theirs (El Bushra, 2003).

Intrastate conflict has been found to be gendered. Men and women typically play different roles before, during and after conflict. Women have been identified as key persons both in the conflict and peace building. During conflict, women have been found to be crucial as providing the much needed labour and conducive environment for the men to go to war by providing food and other necessities, (Hendricks; 2008). In some communities, women were fighters alongside men in the conflict, such as in the Nicaraguan civil war (Cupples, 2005). While in others, such as among the Pokot of Kenya, women provide blessing and prayers for their husbands and sons, without which they cannot go to war (Odongo, 2004). Women's bodies have been used as a battleground in many violent conflicts in Africa. Warring communities will either kidnap or rape women as a way of humiliation and in order to 'contaminate' and traumatize the other community, resulting in breakdown of family ties and the community as a whole (Diken and Lausten, 2005). Furthermore, women have been kidnapped and taken as booty by victorious parties to a conflict.

Peace on the other hand is one of those concepts that everybody knows about and yet nobody can really come up with a universally acceptable definition. This is evidenced by the many scholarly works that have dedicated themselves to theorizing about peace. The result of all this scholarly work is a multiplicity of conceptualizations on peace, none of which have been totally accepted.

For instance, Galtung's concepts of positive and negative peace which describe absence of violence and social justice respectively (Galtung, 1969: 183) were roundly criticized by Boulding (1977) who instead argued that peace is merely a phase of a system of warring groups. Boulding uses the analogy of ice and water to describe war and peace and postulates that none is fundamentally different from the other. Instead, it is the presence of a certain set of circumstances that facilitates the change in the same way that water changes to ice when the temperature drops (Boulding 1997: 78). Increasingly however the understanding of peace has generally moved from merely the absence of violence to a more holistic understanding that includes economic and social wellbeing. The understanding of peace as an operational concept that informs peace building is one of the major issues in this research.

It would seem that despite the prolific amount of scholarship on the definition of different kinds of peace, everybody has their own definition of peace. For everyone, there are a set of circumstances which when they occur together, result in peace for themselves. From this perspective, it would be right to say that there are as many different conceptions of peace as there are people in the world, which would be true. However, it is also true that people's perceptions of the world depends on their socialization and socialization happens in the context of a society, experiences of the society and circumstances that a community goes through may result in similar perceptions of concepts such as peace.

The understanding of peace is quite important to whether peace building works or not. Every morning, a peace focused NGO, or a government agency opens its doors and goes to work designing a peace initiative aimed at achieving peace. The question that arises is, "*What peace are they working towards and whose lives are they trying to improve?*" In the context of this research, if the answer to this question is not sustainable peace for the residents of Njoro District as they perceive it, then all the work they do is literally a waste of time.

Given that people's understanding of peace is different and also influenced by the society and circumstances that people live in, this research is based on the assertion that the understanding of peace is also gendered, in that women's perception of peace will vary from men's perception of peace. This is because men and women's lives, whether during conflict or during peace time, are

very different. Due to the division between the public sphere and the private sphere and women being relegated to the private sphere, many aspects of women's understanding of peace are ignored. Domestic violence for instance, has been the subject of many scholarly works, with some even quite eloquently explaining how the state is complicit in providing a situation where domestic violence is rife (Romany, 1994). Other states create a parallel between domestic violence and the right to protection against torture that is protected by human rights treaties (Copelon, 1994). Domestic violence is also looked at in this work as one of the major aspects of peace for women that the peace initiatives have completely ignored. A study of Cypriot women revealed that their understanding of peace and obstacles to peace was quite expanded, including aspects of psychological trauma and gender based violence as some of the obstacles to peace, something that this research has also come across (Hadjipavlou, 2005).

According to Goodhand and Hulme, (1999) the United Nations has divided the modes of interventions that it carries out into five main categories which are emergency assistance,⁶ peacemaking, peace keeping,⁷ peace building and preventative diplomacy. Those relevant to this paper are peacemaking and peace building. *'Peacemaking'* has been defined as *'the use of diplomatic means to persuade parties to cease hostilities and to negotiate peaceful settlement of their dispute.'* *'Peace building'* has been defined as *'all external effort to assist countries and regions in their transitions from war to peace and include all programmes designed to support and strengthen these transitions.'* The UN Peace Building Committee has since 2006 disbursed more than 323 million dollars to participating agencies and NGOs in the interest of peace building (Trust Fund Fact Sheet, 2012).

While peace building that is funded by donors and carried out by NGOs has been viewed as a good deed and as important for the survival of many people in war torn areas, it has not been

⁶ Emergency assistance is the humanitarian provisions given to the victims in war.

⁷ This involves the provision of peace keeping military forces and other methods that are used to monitor compliance with agreements and foster mutual confidence while preventative diplomacy is the political and diplomatic activity aimed at reducing the likelihood of a conflict turning into physical violence (Goodhand and Hulme, 1999: 15).

without its critics. Chris Dolan explains the concept of social torture in the context of northern Uganda includes the actions of the NGOs, donor governments and churches which keep the people alive and therefore vulnerable/available to torture by the government and the Lord's Resistance Army. He compares their role with the role of a doctor in a torture chamber. While he does not apply the torture himself, he is key in keeping the victim alive (Dolan, 2009). Tobias Denskus problematizes the approach to peace building that is adopted by the donor communities in conjunction with NGOs and the government (Denskus, 2007). He points out that there is a rush to form institutions and democratic government instead of solving the root problems that might require some destabilization of the elite, and the professionalization of peace building is the reason why many peace building initiatives have failed.

Women's contribution to peace building has been studied and documented widely. Women's NGOs played a major role in the discussions around women, security and peace and made important contributions that led to the passing of UN Security Council Resolution No. 1325 (Hill et al, 2003). It has been argued that for women to participate fully in peace building initiatives, there is need to ensure both gender balance and gender mainstreaming, with gender balance being an effort to ensure that there are proportional numbers of men and women. Gender mainstreaming on the other hand takes into account the particular needs of the genders in the peace building initiatives (Onubogu and Etchart, 2005).

It has been suggested that women can rally around some common unifying issues such as sexual violence and impoverishment that occurs during conflict or some other unifying factor such as religion (Baksh et al (2005: 31). This has happened successfully among the Protestant and Catholic women in Northern Ireland who decided to focus on common gender identities rather than the religious factors (Mulholland, 2001). Unfortunately, because women live in different contexts and have different loyalties, these united fronts have been found to sometimes disintegrate after some time. An example is the case of Nicaragua where women came together from two conflicting factions, the Contras and the Sandinistas, managed to work together for sometime and then later disintegrated. This happened because eventually, the women's gendered identities were tied to widowhood and motherhood from different political allegiances (Sweetman, ed, 2005). Women specific activities, gender aware programming and the

transformation of gender roles have also been suggested as likely to increase the participation of women in peace building (Zuckerman and Greenberg, 2005).

The argument that forms the basis of this paper is that peace is a fundamental right for all individuals. The Charter for the United Nations clearly states in its preamble that the very reason for the Charter was *'to save succeeding generations from the scourge of war'* and the state parties to achieve this, resolved *'to practise tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security.'* The Universal Declaration of Human Rights (UDHR) has made the connection between the existence of peace and the recognition and upholding of human rights in the first paragraph of its preamble⁸. This connection has also been made in the United Nations International Covenant on Civil and Political Rights (ICCPR) and the United Nations International Covenant on Economic Social and Cultural Rights (ICESCR). While preambles do not enjoy the force of law, they are instrumental in showing the purpose of treaties and guiding the interpretation of the same (Cook and Tailor in Javor and Racs, 2006). This position was explained in the *Beagle Channel Arbitration* of 1977 as follows:-

*"Although Preambles to treaties do not usually - nor are they intended to - contain provisions or dispositions of substance - (in short they are not operative clauses) - it is nevertheless generally accepted that they may be relevant and important as guides to the manner in which the Treaty should be interpreted, and in order, as it were, to "situate" it in respect of its object and purpose."*⁹

(Emphasis added)

If this is the case regarding preambles then it is safe to conclude that the peace was definitely among the objects and purposes of the treaties. If our constitutions and other laws are an attempt

⁸ The first paragraph of the preamble of the UDHR states as follows: - *"Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."*

⁹ Case concerning a dispute between Argentina and Chile concerning the Beagle Channel (1977), United Nations, Reports of International Arbitral Awards, Vol. XXI, p. 187, para. 169.

to implement the rights contained in these treaties, as is the case in the Kenyan Constitution, then it is also safe to assume that peace is an object of the bill of rights.

The human right to peace may not be explicitly stated in the constitutions and the international treaties yet it is seen in all of them if one cares to look. For instance, states that bind themselves to the ICCPR and the ICESCR are required by the non-derogation requirements in Articles 5 of both treaties to ensure that the rights contained therein are not derogated from under *any* circumstances. The only way a state can guarantee many of these rights such as the right to life,¹⁰ liberty,¹¹ protection from torture and inhuman treatment,¹² work,¹³ social security,¹⁴ food, shelter,¹⁵ education,¹⁶ health¹⁷ and many other rights is by first maintaining a peaceful environment. The contents of the Bill of Rights in the Kenyan Constitution can be summarized as providing for both civil and political rights and economic and social rights contained in ICCPR and ICESCR and therefore the state is bound to maintain peace as a right to be enjoyed by its citizens and to make it easier for the protection of those rights.

Apart from binding the state in providing the right to peace, a reading of the African Charter on Human and People's Rights also binds all individuals to ensure the welfare of the society not to threaten the security of the state (see Article 29). This can be interpreted to mean that all individuals are supposed to help in peace building in conflict areas. As a result, participation in peace building initiatives can be seen as a duty to be executed by all members of the society. If the peace building community would see their initiatives in this light they would probably change their mobilization and implementation techniques to become more participatory and goal-oriented.

¹⁰ Article 6, ICCPR.

¹¹ Ibid, Article 9.

¹² Ibid, Article 7.

¹³ ICESCR Article 6, 7, 8.

¹⁴ Ibid Article 9.

¹⁵ Ibid Article 11.

¹⁶ Ibid Article 13.

¹⁷ Ibid Article 12.

In conclusion therefore, this research looks at peace building as:

- (a) An exercise intended to enhance the right to peace;
- (b) A duty that binds both the government and the people equally;
- (c) An exercise that cannot possibly work if it is not participatory at every level.

CHAPTER 3

3.0 METHODOLOGIES AND METHODS

This chapter will look at various methodologies and methods that were used to gather, analyze and interpret data in the research.

3.1 Methodologies

The following methodologies were used.

3.1.1 Human Rights Approach

This research emerges from the standpoint that peaceful existence and participation in peace building are fundamental rights for every person. While few international instruments and statutes actually describe them as such, it is obvious that peace is a precondition for the enjoyment of all rights, and the existence of conflict creates an optimum environment for the suspension of most rights.

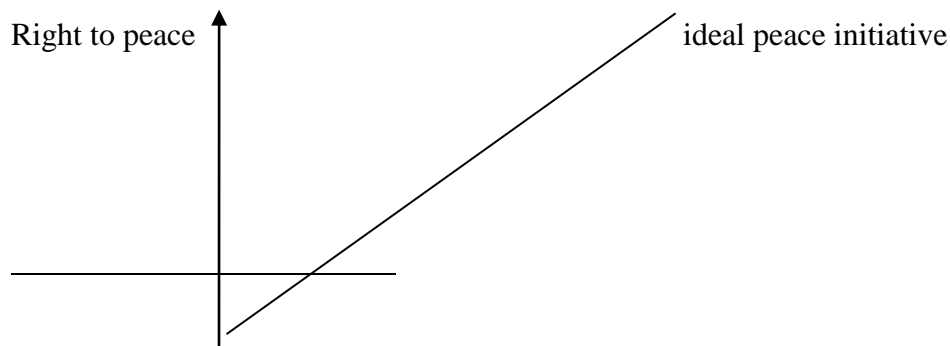
In order to justify the use of peace as a human right that is applicable and actionable in Kenya, I referred to various combinations of international treaties that Kenya has ratified. For instance, without actually mentioning it, reading together (1) Article 19(3)(b)¹⁸ of the Kenyan Constitution

¹⁸ Article 19(3) (b) of the Kenyan Constitution states that the rights contained in the bill of rights “do not exclude other rights and fundamental freedoms not in the Bill of Rights, but recognized or conferred by law, except to the extent that they are inconsistent with this Chapter.”

and (2) Articles 2(6)¹⁹ and 10 of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (‘The Women’s Protocol’) can be translated to mean that the Kenyan Constitution has provided for the right to peaceful existence and participation in peace building for all women. For children, when Article 53(b) of the Constitution (that provides for the right to compulsory and free basic education) is read together with Article 2(6) of the Constitution and Article 11(d)²⁰ of the African Charter on the Convention on the Rights of the Child, it means that in areas that are prone to ethnic violence such as Njoro District, the government has a responsibility to ensure that those children receive some form of peace education in school.

With this in mind, I was able to critique the peace building initiatives from the two pronged perspective that has been discussed earlier. That is, whether the peace initiative is successful in terms of its impact and whether it allows for participation of the members of the different ethnic groups that needed them most. Looking at these two as rights that belong to the residents of Njoro District helped me to make them the ideal that peace initiatives must achieve and then measure various initiatives against them. The diagram below shows the ideal situation that I used to critique the initiatives.

Figure A: Diagram showing the interrelated Components of Peace Initiatives



¹⁹ Article 2(6) of the Kenyan Constitution gives the force of law to every convention that the state has ratified. Kenya has ratified both the Women’s Protocol and the African Charter on the Convention on the Rights of the Child.

²⁰ Article 11(2)(d) of the African Charter on the Convention on the Rights of the Child requires that every child’s education should be directed to ‘*the preparation of the child for responsible life in a free society, in the spirit of understanding tolerance, dialogue, mutual respect and friendship among all peoples ethnic, tribal and religious groups.*’

—————→
Right to participate in peace building

Looking at peace and participation in peace building as a right that is protected by international and regional human rights instruments led me to some which imposed duties on individuals as well as states. This language of duties is particularly characteristic of African regional human rights instruments (Mutua, 1995). It also enabled me to identify the different and reciprocal duty bearers (the state, NGOs and the people) and why they are not working together to fulfil their duties to each other and therefore achieve peace.

3.1.2 Africana Womanist Approach

It was clear from the beginning of the research that concentrating on women's experiences and their right to participate in the public sphere to critique the peace initiatives in Njoro District was not going to be sufficient in terms of coming up with beneficial recommendations that will improve the lives of women. The peace building initiatives are designed to bring peace for all, and when they fail, they fail for all. I had to decide early on what was more important: peace or gender equality? For Hudson-Weems (2004), the dilemma is that African women are not just faced with the issue of equality with their brothers. They also have to face race and class prejudice. My little adjustment for the purpose of this research is that not only do women in Njoro District have to face these three challenges, but that they also need a peaceful place from which to do it, and Njoro is not that peaceful place. My approach is that this is a priority that men and women should tackle together.

In approaching this research, I refused to be bound by the general conventional discourse which has assumed that rural women in Africa are voiceless on certain issues such as peace building, because of the oppressiveness of culture. As Nnaemeka puts it, conventional feminist thought has over emphasized the African woman rather than the reality of the humanity of the African

woman (Nnaemeka 2004: 364). I looked at women in Njoro District as persons who have a vital role to play in their society and especially in peace building. As such, I found it necessary to find their spaces and their voices, that is, where they talk about peace and what they say about it. My research revealed that women indeed talk about peace in some of their spaces such as women's groups and in their families in their roles as mothers and wives. We discussed their role as mothers, wives and household managers in relation to peace building and they had a lot to say about it. In one focused group discussion (FGD) in Mauche, one woman explained that it is possible to build peace in her role as the mother and the wife in the house.

Our husbands may want to look like they are in charge, but many of them trust us for advice on many issues. *They would never acknowledge it, but we influence them a lot. We learn to do that in a way that is respectful to them and they listen. We need to start telling them about the importance of peace. We should tell our children too.*

With every female respondent, I asked them to imagine that she was tasked with bringing peace in Njoro District. I was surprised at the variety and practicality of many of the suggestions, none of which have been tried by NGOs as peace initiatives. They also levelled some very astute criticisms of some of the initiatives which will be discussed later in the paper. It was clear that even if NGOs and the government have made efforts to include women in their initiatives, they have failed to benefit fully from their wisdom.

3.1.3 Semi Autonomous Social Fields

The rural farming lands of Njoro District where this research was carried out is populated by three ethnic communities which live in relative isolation of each other. This was brought about more by the pattern of settlement rather than as a result of hostilities between the tribes. As a result, each community has its own way of life, follow heir different customary practices and even have their own schools except for about boarder villages. For purposes of the research, I divided the ethnic communities into semi autonomous social fields mainly due to the relatively different ways of lives and customs and traditions that they have (Moore 1972).

Keeping law and order and in some sense peace is the duty of the state, at least in terms of the social contract that is the basis of our democratic state. The government is required to do this through its infrastructure: The police are required to keep law and order within the state's borders; the courts are required to punish those who threaten the peace, and the armed forces should protect the country against external threats to its peace. This neat arrangement was transplanted onto Africa which had its own micro nations (Maathai, 2009) and each micro nation had its own way of keeping peace. The micro nations, or ethnic groupings that are now referred to as tribes kept at least some of their methods of keeping peace. This resulted in the existence of two parallel authorities and norms that govern peace and conflict.

The violence in Njoro District, being ethnic in nature, is also governed by the ethnic communities' customs and tradition regarding war and peace, besides the formal written law that actually only forbids the use of violence. By using the semi autonomous social fields, I was able to establish how members of the different communities perceive members of other communities and their specific grievances against each other. It enabled me to stand in the midst of each social field and look at the problem from their perspective which enabled me to gain a better perspective of the conflict. It was easier to discuss 'sensitive issues' that are considered likely to increase tension when doing it with members of one ethnic group at a time. Looking at the ethnic communities as semi autonomous social fields also helped me to have a feeling of the interactions that they have with the government in terms of provision of facilities such as schools and roads and the treatment of the Internally Displaced Persons (IDPs) from the different tribes to establish whether the government in its interactions with these communities has either helped or hindered in the easing of tensions. Given that customs, traditions, and other influences such as religion and have quite an influence on the gender relations, (Bentzon, et al,1998), using semi autonomous social fields as an analytical tool was quite useful in understanding the strengths and limitations of women from the three communities in as far as their role and participation in the peace building is concerned.

3.1.4 Actors and Structures Approach

Given the fact that the research has assumed that every person has the right and the duty to contribute to peace in their locality, it was important that I find out why this duty is not carried out between the three major conflicting ethnic communities in Njoro. For this reason, I took the residents of Njoro as individual actors, and their tribal groupings, the peace focused NGOs and the government as key actors. While the peace initiatives, the history between the conflicting tribes, the law, politics, and poverty are the structures that influence the actions that the actors take in relation to peace building according to Giddens Theory of Structuration, (Giddens 1984).

This approach was instrumental in assisting me to understand why peace building initiatives are so ineffective in resulting in sustainable peace over a period of time. This is despite the fact that some of these initiatives had been seen to work in other areas. Sport for instance has been seen to have some degree of success in South Africa yet it does not seem to work for Njoro.

This methodology helped me to understand how the actions of all the actors are affected or influenced by these structures and vice versa, resulting in a situation that is not suitable for peaceful existence and optimum participation in peace building processes. For instance, the law, as a structure, requires that there should be no discrimination on the basis of sex, and also for affirmative action. Hence women are co-opted to decision making bodies such as the community forest association.²¹ However, the Kalenjin culture, also another structure, forbids women from speaking before men and therefore even in their elevated positions, women will not be able to contribute to the community's decision-making processes. Therefore, despite enjoying the power the law gives them of being elected to the Community Forest Association, women, sadly, can actually do little to affect the decisions of the association.

²¹ The Community Forest Association (CFA) election is one of the peace building initiatives that I observed. It was considered a peace building initiative due to the fact that one reason for the conflict is Mau forest. Having a democratically elected and fully representative community forest association was considered a definite step towards peace in the area.

3.2 Research Methods

The following methods were used for the collection of data.

3.2.1 Key Informant Interviews

In the research this method was applied in getting information as a result of interviews with key informants in the government, peace focused NGOs and churches. Interviewing the key persons in these organizations helped me to get a good feel of the design of various peace initiatives and what the intended impact of the initiatives was. It also helped me to get an idea of how various peace focused agencies relate with each other and several problems that they face in their work. The table below shows the number of key informants in government, NGOs and clergy that I interviewed.

Table 1: Showing the number of Key Informants

	Men	Women
Government officials	5	3
NGO representatives	5	1
Religious leaders	4	0
TOTAL	14	4

Among my key informants were certain individuals who had been affected by repeated acts of violence in the area and who had benefited from some peace building initiatives and I interviewed them on an individual basis. The aim of these individual interviews was to get individual experiences of the violence and the rebuilding process in the area. For instance, there is a woman who explained to me how she benefited from the reconstruction and compensation program. She was widowed during the 2007/08 PEV. She explained that just before Christmas in 2007, she and her husband had a fight and she was physically assaulted. She ran away back to her family and before there was a chance for reconciliation, her husband was hacked to death on

30th December 2007 while fleeing the Kalenjin warriors. Although she learned of his death, she could not attend his funeral as it happened when the whole of Nakuru was literally on fire and there was no public transport. She did however come back later because she had small children that she had left behind.

Because she was not present when her husband died, the family decided that she did not deserve any of the compensation awarded in her husband's and took it for themselves. She has not enjoyed any of the compensation measures given by the government. I used such personal interviews on 8 people, 5 women and 3 men.

3.2.2 Focused Group Discussions (FGDs)

The nature of my research involved the need to understand the perception of members of different communities towards peace in Njoro District. In order to acquire this, it was necessary for me to have discussions about several issues that affect them. For instance, I was interested in finding out what the understanding of peace was for members of various ethnic communities involved, and how they evaluated the peace that they were experiencing at that time expressed or measured in the form of a percentage. I found it more fruitful to ask such a question in a group of people rather than single persons because the question would spark a discussion about what they each believed 'peace' to mean. For women, this method was particularly fruitful because they actually seemed to enjoy the talking sessions.

I tried to have separate sessions for men and for women. In some cases, I had to have them together. Bearing in mind some of the customary traditions in the area especially among the Kalenjin and the Ogiek, I encouraged separate groups because women felt more comfortable talking so long as they were no men were present. This was very rewarding because women were able to discuss their problems, especially when it came to their marriages which they felt benefited when they enjoyed peace. They especially talked a great deal about domestic violence happening in the area, and said that despite the fact that at the moment there were no ethnic

clashes, the women there suffer a lot of gender based violence. In one particular area, the women said that they heard screams of women being beaten up every other day.²²

The following is a table showing the number of focus group discussions that were carried out during the research.

Table 2: Showing the number of Focus Group Discussions ('FGD's)

No. of FGDs	No. of Women	No. of Men
14	39	74

3.2.3 Consciousness Raising

In the preliminary stages of my research, I was warned that the area was still full of tension and carelessly mentioning or raising certain issues was likely to result in a heightening of tension between the conflicting communities. Some of these issues included making references to the rehabilitation of the Mau forest (covering quite a big area of the District) and attributing blame to one particular community for the violence. I should also mention that because I had suffered as a resident of the District, I had my own fears especially when I was deep inside areas populated by other communities. It was imperative that I find a way to talk about these issues without raising tension or letting my own feelings show.

Besides, there was the need to conduct the research in such a way that it created something positive, a message of peace that I hoped would be powerful enough to make a difference. I used pictures to start conversations about peace, and to explore different strategies that would hopefully result in real peace. Based on the fact that using the pictures did actually lead to lively discussions ranging from politics to domestic violence, it is safe to say that their use was

²² FGD with women in Tuiyotich.

advantageous. In several of my FGDs, we were able to discuss the possibility of the members of the community in the Mau forest sitting down and coming up with a solution to the problem and engaging the government. When discussing this issue with members of the Ogiek community, for instance, they explained that they were willing to cooperate with the government in any way²³.

3.2.4 Survey

In the course of my FGDs among the Kikuyu it emerged that there was a feeling of general discontent with the manner in which the rebuilding and the restoration was done. I also realized that many of these victims did not attend peace building initiatives at all and many of them were extremely bitter towards the Kalenjins and were not afraid to pass this on to their children. I needed to find out the severity of this problem. Many of the intended beneficiaries of these programs were the Kikuyu as they are the majority of those who lost their houses to arsonists. For this reason, I came up with questions designed to find out the information above and targeted a population of 30 respondents taken from various areas of Kihingo and Ndeffo. This was not done through questionnaires. Rather, I personally asked questions and wrote down the answers as I was given them.

This survey targeted some of the people who were most affected by the cyclical violence. The questions were aimed at uncovering the following:

- (a) Their experience of the rebuilding process;
 - (b) Whether they attend the peace building initiatives and how the rate the peace building initiatives in terms of their impact;
 - (c) How they perceive members of the other communities;
 - (d) Their perception of peace;
-

²³ FGD with members of the Ogiek community in Nessuit.

- (e) The best place and time to carry out initiatives aimed at different sectors of the society;
- (f) What they think could be done to enhance peace in the area.

3.2.5 Observation

I used this method quite extensively in the research in order to understand the peace initiatives. This could be achieved by obtaining an invitation usually from a key person organizing the event. This method was quite useful especially in bringing out the gendered aspects of the events that I attended. As an observer, I was in a position to identify aspects of the events that resulted in a highly gendered outcome. For instance, the first event that I attended as an observer was a youth congress in center called Kihingo. The youth congress had in attendance both men and women, and almost all the women were carrying children of breast feeding age. As the day wore on, the women started leaving one by one. When I asked one of them why she was leaving, she said that she was extremely hungry. I waited and waited for one of the organizers to notice this but none did. Lunch was served at 6.00 pm and there was not one woman in sight, except for those who helped organize the congress and myself.

The following are the peace building initiatives that I had the opportunity to observe.

- (a) Youth congress;
- (b) The peace caravan;
- (c) The community forest association election;
- (d) Peace sports;
- (e) Chief's *barazas*;
- (f) Prayers for peace;
- (g) Community Forest Association (CFA) elections;
- (h) The protection working group.

3.3 Explanation for the Gender Disparity

It is clear that there is a big gender disparity in the respondents interviewed. One of the reasons for this is that many of the officials in government, NGOs and churches that were interviewed happened to be male. Secondly, in some cases when I asked to meet with youth, more men than women came. On one occasion, only men came and explained that their understanding of youth does not include women. Thirdly, due to the fact that sport has been identified as one of the peace building tools used in Njoro, FGDs with football teams were held which were all male. Fourthly, while doing my survey, I went to visit households and most of the time I would find them occupied by married couples. The women preferred that their husbands be interviewed. Finally, in some of the men's focus group discussions that that were held that were supposed to have only ten people, thirteen or twelve respondents showed up. Curiously, this never happened with the women's groups.

3.4 Challenges Encountered in the Field

Bureaucracy was one of the challenges that I faced in the field while trying to get hold of permissions and appointments with key NGO heads and government officials. This was however overcome by patience and persistent visits to their offices. Being a victim of the violence myself, I was terrified to go to some of the areas despite various re-assurances from the chiefs and sub-chiefs that nothing would happen to me. I however managed to overcome this by getting people to accompany me, and always notifying the chiefs of those areas when I was going. The chiefs were aware of my fears and were very helpful in trying to allay them. Talking to members of the Kalenjin community always turned out to be a pleasant experience for me because they were very kind and respectful and willing to engage me on the subjects we talked about. I am pleased to say that I believe I have managed to make some friends among them. It turns out that overcoming this challenge required that I face it head on.

Another challenge that I faced especially in dealing with the older Kalenjin men was the fact that I was female and young in comparison to them. In my first FGD with them they did not seem to be taking me seriously. When I inquired why this apparently was the case, it was explained that to them I was just a child. In order for them to take me seriously, I needed to appear powerful. I

organized another FGD with a different set of men and went there in a suit and a borrowed vehicle. It worked very well and seemed to achieve the desired effect. I was taken more seriously.

Many of the areas that I went to research are the ones where there was always an undercurrent of tribal tension and anything could either heighten the tension or spark the violence. I was advised in the earlier stages of my research of certain issues that are considered quite inflammatory if debated with the common populace. One such issue is the issue of Mau evictions among the Kalenjins²⁴. In order to overcome this, I used some pictures that I acquired from the social justice class²⁵. These pictures helped in starting conversations among the members of the FGD about these sensitive issues and also to understand the members' perceptions towards other tribes.

²⁴ Recently, there has been a deliberate move by the government to rehabilitate the forest. It is imagined that eventually the Kalenjins will be evicted from the forest.

²⁵ This is one of the courses that I took in the course of this Masters' program.

CHAPTER 4

4.0 NJORO DISTRICT AS AN AREA IN NEED OF PEACE BUILDING

4.1 Introduction

This chapter looks at various aspects of Njoro District that make it an area in need of peace building and draws a picture of the dynamics at work in Njoro District. The chapter then gives a brief description of the peace building initiatives that are in place and that are meant to address the situation. The reason for this arrangement is to create a contrast between the peace building initiatives and the needs of Njoro District as a subject for peace building initiatives in order to prepare the reader for the thematic critique that follows in chapter five and the conclusion and recommendations that follow in chapter six.

4.2 Some Material Facts about Njoro District

Njoro District is a new District in the Rift Valley Province. Before becoming a District it was a division in the larger Nakuru District. While it is a metropolitan area where almost all tribes are represented, the rural farming lands which are the focus of my research are occupied mostly by the Kikuyu, the Kalenjin²⁶, and the Ogiek²⁷. There are also the Maasai who border Njoro District to the far west. Njoro District was once part of what was known as the ‘white highlands’ during the colonial period. Therefore, the tribes that have farms there have had to buy them through the land buying companies, while others like the Kalenjins were allotted land. Njoro District has good soils and a climate conducive to farming, and many residents of the rural areas practice

²⁶ The Kalenjin is a large community that is made up of several sub-tribes. Most of the ones residing in Njoro area are from the Kipsigis sub-tribe.

²⁷ The Ogiek are a forest dwelling community that are believed to have been the earliest of its kind.

mixed farming. It has relatively good roads and electricity, several schools, dispensaries and police stations. As such, Njoro District cannot be considered as a marginalized area and is good for industry and farming.

Despite these good qualities of Njoro District, there are several factors and events that make it an area that is in need of peace building. These are discussed below.

4.3 Unscrupulous Political Exploitation of the Ethnic Tensions in Njoro District

The four tribes that occupy most of the rural farming lands in Njoro have been having bitter clashes in a cyclic manner over the past twenty or so years. The tribes live in a state of grudging ceasefire. They trade, their children go to school together, some attend the same churches, there is some intermarriage, but there is always the undercurrent of distrust and caution. The first instance of ethnic violence happened in 1992. Incidentally, 1992 was also the first time the country had multi-party elections after the scrapping of the famous section 2A of the Constitution at that time²⁸. The first clash however was between the Maasai and the Kikuyu, the violence was described as a traditional cattle raiding exercise by the Maasai²⁹. The village historians say that the government did not raise a finger to deal with the rustling and so the Kikuyu took it upon themselves to go and get their cattle back. The Maasai were not eager to give up the cattle³⁰.

Unfortunately, it is quite difficult to get an accurate record of the deaths that resulted at that time; however, some have been recorded around Ndeffo area. The records show that five Kikuyu died

²⁸ Section 2A of the Constitution declared Kenya a one party state.

²⁹ The Maasai and some Kalenjin tribes have a habit of cattle rustling especially during that time of the year when they carry out initiation ceremonies for which they use cattle meat. This is usually done by the young boys who are involved in the initiation ceremonies.

³⁰ Memorandum handed to the TJRC on 29TH September 2011.

on the 30th December when they went to Sururu to get the stolen cattle³¹. After that, the violence took on a decidedly political turn. The part of Mau East forest that is in Njoro District was allocated and settled in the mid 1990s. Those who settled there were mainly Kalenjin. By this time the lashes were no longer about cattle rustling but rather about achieving certain political agendas.

Kenya's politics are tribal based in nature, and in order for one to succeed in politics, one must ensure that they receive wide support from their tribes. Sometimes, players in this game believe that it pays political dividends especially around the time of elections to incite clashes aimed at one tribe in order to destabilize members of that tribe and therefore affect the one who it is known will only vote for a fellow tribesman. The forest was thus settled by the Kalenjin, and in early December 1997, there was politically instigated tribal violence in the area. The Kalenjin attacked the Kikuyu in areas like Ndeffo, Likia, Kihingo, Mutitu and other areas in the District.

Many people died and quite a few houses were torched. In 1998 January just after the elections that had happened in December 1997, the Kalenjin attacked again for political reasons. In Ndeffo alone, which is the only place where I could find records of the casualties, there were 14 deaths among the Kikuyu. According to the stories, these two attacks happened completely without warning on the part of the Kikuyu people, and they were accompanied by the arson which meant were aimed at evicting the Kikuyu from their land. It should be noted that when these attacks happen, the victims, especially those whose houses have been burnt, usually go back and start all over again, which, many of those that I interviewed felt was the worst thing about the clashes³².

In 2002, there was an unprecedented show of solidarity among Kenyans in an effort to oust Hon. Moi and the ruling party KANU from power. As such, the election was peaceful, and there was no violence between the various tribes in Njoro. Soon after however, when President Kibaki seemed to fail to honour the Memorandum of Understanding that saw most presidential

candidates give up their candidature in his favour, tribal politics reared its ugly head again. This was worsened during the Constitution making process and the ensuing referendum in November 2005. By then, the negative tribal sentiment was extremely high in the country. The Kikuyu and the Kalenjin were pitted against each other, with the Kikuyu supporting their President Kibaki while the Kalenjin supported Raila Odinga who was together with their perceived leader, William Ruto.

Tribal tensions continued to rise until sometime in January 2006, violence broke out between the Kikuyu and the Kalenjin again. The exact trigger is not known. Violence spread all along the ‘cut line,’ but in Ndeffo alone, 20 men died and 8 sustained serious injuries³³. This was followed by the now infamous 2007/08 PEV. It was established that this violence was political in nature. It was by far the worst case of violence experienced in the District producing the highest number of casualties and a huge number of IDPs.

With this background of violent clashes, the communities have developed grievances against each other. So far, there has not been any case where an arsonist or a murderer was prosecuted or even arrested in connection with the crimes that have happened in the area. There have been numerous peace building initiatives in the area, but none has ever suggested reparation. The level of mistrust among the residents is quite obvious. There are clear boundaries between where Kikuyu and Kalenjin and the Ogiek live. For instance, between the Kikuyu and the Kalenjin, the unofficial border is the ‘*cut line*’ which is the former forest border. During the violence, the tarmac road becomes the new boarder. The mistrust is so bad that in an area like Ndeffo where, there are two market places, virtually across the road from each other, one on the Kikuyu side and one on the Kalenjin side³⁴.

³³ The ‘*cut line*’ refers to the unofficial border between the other tribes and the Kalenjin. Before the Kalenjin settled in the area, it was the official border of the Mau Forest.

³⁴ This situation has since been resolved by a decree from the District officers office that came about after drawn out negotiations between the Kikuyu and the Kalenjin that the markets will be held alternately in the two market places. One week in the Kikuyu side of the road and on the other week in the Kalenjin side.

There was an incident that happened when I was working there for the TJRC. Commissioners of the commission came to talk to the people and made the mistake of holding the meeting on the Kikuyu side. The Kalenjins refused to attend and insisted that the meeting also be repeated on their side of the road. This was done as we had no choice. In my research I came across a football team that had members drawn from both the Kikuyu and the Kalenjin, but at the slightest hint of tension, the group disintegrated³⁵. During the research, I found that among the Kikuyu, Kalenjin and Ogiek, a lot of negative messages are propagated about the other tribes.

A curious thing that I discovered when I was working for the TJRC is the way the people of the different tribes used the word “*our neighbours*” with a very negative intonation to refer to the neighbouring tribe, usually the Kalenjin who settled latest in the area. During the research I found that many members of the Kikuyu communities who were victims of the PEV regard the Kalenjins as “*animals, enemies, intruders, thieves and people who cannot be trusted.*” The Kikuyu victims also use these expressions when speaking to their children about the Kalenjins³⁶. There were also clear signs of bitterness, hatred and despair among them that pointed to the psychological effect of the repeated cases of violence in the area³⁷.

In Njoro District, there has been never been an attempt to facilitate real reconciliation between the tribes. Nor has there been an attempt at restitution of the goods stolen or lost items, or a forum for truth telling and/or forgiveness. Ironically, peace building initiatives urge the residents to live in peace with each other and not to remember the past. The churches on the other hand insist on forgiveness and yet do not preach about the returning of stolen goods or even approaching their victims to actively seek forgiveness³⁸. These perceived defects not only make

³⁵ Amani FC.

³⁶ This is a summary of the negative comments that I got among the Kikuyu victims of PEV whom I interviewed in the area.

³⁷ Some of my respondents have claimed that there have been deaths from stress related diseases due to the effects of the violence.

³⁸ This criticism came up in an FGD with young men from Home Boys Football Club.

the peace initiatives unattractive to many participants but some believe that they make a mockery of their suffering, and this in turn contributes to their despair and bitterness about the whole situation.

Despite the high potential of Njoro District, unemployment and drug and alcohol abuse among the youth, especially men, is quite high. Poverty is also high caused by the cyclical violence. It is probably because of poverty that many young people do not proceed to secondary school after completing their primary school education. As a result, in any centre in Njoro District, there is always quite a number of young people hanging around idle in the shops or drinking in the pubs. This creates a problem as these young men become easy targets for unscrupulous politicians who use them as violent pawns for their own political agendas.

All these underlying factors and dynamics constantly combine and interact with one another to create a tension-filled community within Njoro District where literally the tiniest spark (ranging from a bar fight, road accident or petty argument involving members of different tribes) can trigger violence in the area. Politicians know the community's propensity for violence and unfortunately are willing to exploit it for their own selfish political ends.

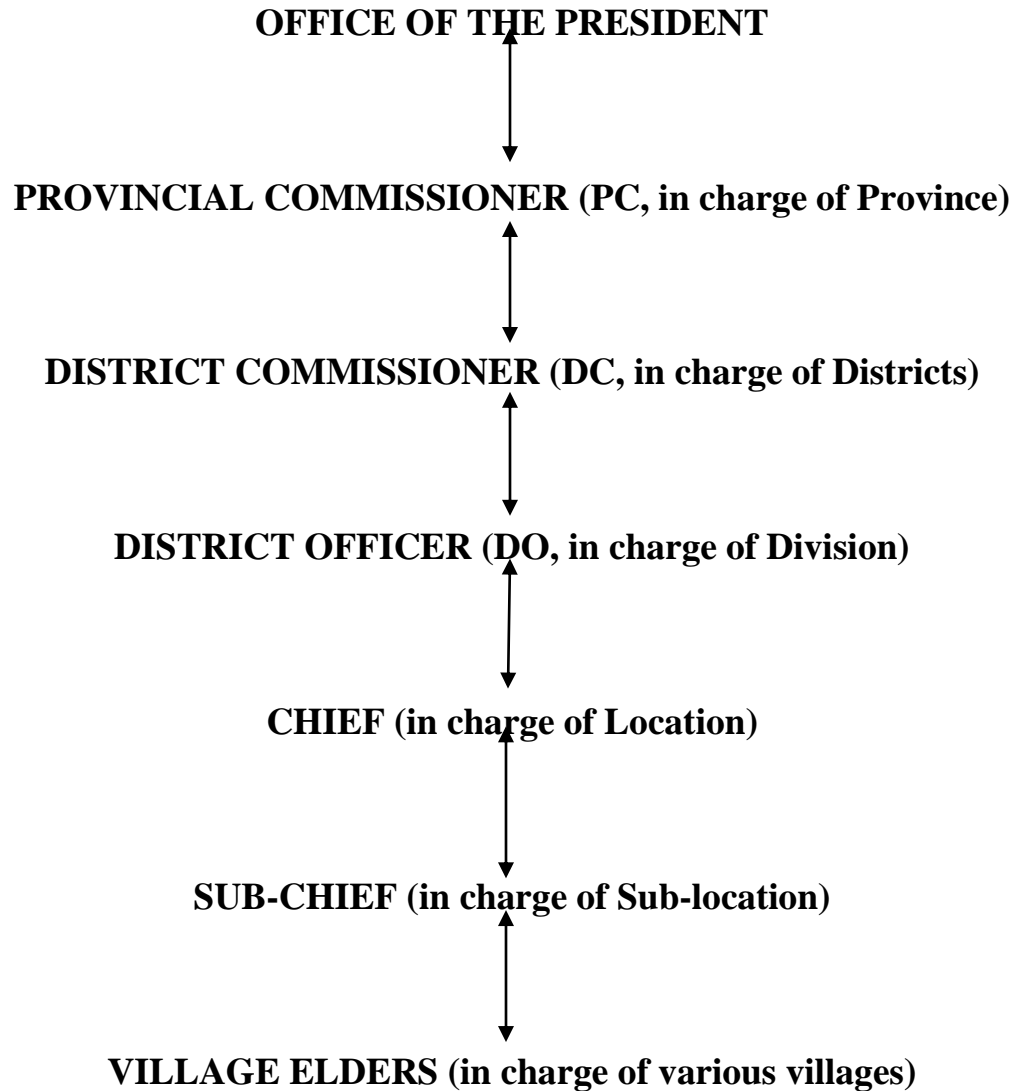
4.4 Peace Building Initiatives in Njoro District

In view of the description of Njoro District as an area in need of peace building that is contained in the above, this part looks at the peace initiatives that have been set up to bring peace. The part gives a brief description of the peace initiatives. The peace initiatives that were observed and investigated in this research are as follows.

4.4.1 The Chief's Baraza

In Kenya, chiefs are government employees that are employed under the provincial administration. They are in charge of locations. The structure of what is normally referred to as Provincial Administration under which chiefs draw their authority is therefore as follows:

Figure B: Diagram showing the Hierarchy of Power between the Office of the President and the Chiefs



Chiefs are required to help in keeping law and order, and to help in administration issues such as registration of births and deaths among other things (GoK, 2006)³⁹. They solve small disputes

³⁹ According to the Government of Kenya's (GoK) scheme of service for chiefs and assistant chiefs, the functions of the chiefs are 'Co-ordination of Government activities; promotion of law and order; dissemination and overseeing

that arise and keep records of all happenings in the location or sub-location, which they pass on through the channel shown above. The chief's *baraza* is a meeting of the members of a community living either under the chief or the sub-chief. They are designed to be fora for passing information about policy to the people at the lowest level or a forum for listening to the residents of the area.

Sometimes the meetings in conflict prone areas like Njoro are purely about peace. This happens especially when there has been an incident in the area that has caused tension, such as the theft of cattle. Sometimes the meetings are about something else, but the peace element is included in the agenda where residents are urged to live in peace. In more high profile meetings where the D.C. or D.O. is in attendance, or if there is a member present, members of the DPC are usually given the chance to talk about peace. I have attended several of these meetings especially as an employee of the TJRC.

Chiefs are tasked with the maintenance of local law and order and peace building. As a result, among their daily tasks is to resolve conflicts between individual residents and also between groups of people. For many women, the chief is the one they run to when there is marital conflict. Land and border disputes are sometimes also resolved by the chief and the elders. Due to their close proximity to the people, the chiefs are sometimes crucial even in disciplining children!⁴⁰ The chief's *baraza*, being a public forum, is open to all who are willing to attend. However, the chief's *barazas* that I attended had typically more men than women.

the implementation of Government policies and programmes; mobilization of local resources for development; organization and coordination of Government functions; coordination of community response to disaster and emergencies; promotion and coordination of community peace building; conflict resolution and environmental management activities; initial identification of citizens for both National and Civil Registration; coordination and promotion of community policing; promotion of good governance at community level; and mobilization of communities to participate in socio-economic activities.' (GoK, 2006:2)

⁴⁰ When I was growing up, I remember many of my neighbours' teenage sons spending the night at the chief's camp for gross misconduct against their parents, such as stealing household items.

4.4.2 Peace Sports

All the key informant interviews identified that sport is used in the District as a peace initiative that was used in the area. This was also confirmed in almost all the FGDs held in the area. Sport has become quite a popular peace building initiative in other conflict areas in Kenya as well. Sport as a peace building initiative has gained global support in the Millennium Development Goals (MDGs) and in the Magglingen Conference in December 2005⁴¹. Sport has been lauded as having the potential to foster peace and development for having four aspects that make it a favourable tool for social integration. These attributes are that sport is known for involving non-verbal communication. Due to this attribute, sport is considered a conveyor of culture of the most accessible symbolism (Giebenhain1995:167 and Harms in Adolph, Böck 1985: 63). It is also favoured because of the ability to bring people into direct contact with one another, thereby enabling interaction and integration. It is believed that persons who are having direct physical interaction especially in peace sports develop some sort of intensive personal relationships (Harms 1982:7). Sport has also been found to be a medium of peace that transcends class. This view has been challenged especially in the case of South Africa in the wake of the Apartheid regime where sport actually accentuated class and racial differences. Sport has also been attributed the quality of being an important tool of culture.

My interviews with the key informants in NGOs encourage the use of sports mainly because of some of the qualities that have been explained above. These qualities have been tried elsewhere and have worked. The main sports that are used are usually team sports mainly volleyball and football. Many of the youth agree that sports are one of the ways to build peace in the area especially by improving interaction. Peace sports are held once in a month, or two, or sometimes three. They are usually sponsored by individual NGOs and therefore there is no real plan regarding their frequency. In the rural areas of Njoro District, the male youth have formed quite a few football clubs.

⁴¹ The Magglingen Conference was held in December 2005.

4.4.3 The Youth Congress

The youth congress is one of the first peace building initiatives that I observed. The target of the youth congress is young people between the ages of 18 and 35 years. The rationale behind it is to get the youth to take an active interest in the political, social and economic happenings in the country. It is supposed to give the youth a platform where they can gain leadership skills and give their voice and be heard on several issues. When I went to observe this in action, I expected that this would be like a small parliament, where youth leaders would give their reports on certain happenings and they would be debated. What I observed however is that there was a program where there were several speakers with different messages. It was more of a workshop rather than a congress. The messages include the need for youth to become leaders, engage in politics, start self-employment projects or engage in further studies, study the Constitution and their rights, and so on. In both congresses that I attended as part of my research, there was a chance for politicians to speak. There was question time but this however was limited because there were many speakers.

4.4.4 Peace Negotiations

Sometime after the eruption of violence, when things have cooled down, elders from both tribes come together to negotiate terms of peace. These negotiations also happen when there is heightened tension in an area for example due to the raiding of cattle or a bar fight. The negotiations have happened between the Kipsigis and the Ogiek and between the Kikuyu and the Kipsigis. Sometimes, the government plays a major role as a facilitator, while, at other times, the elders do this by themselves, and the government officials only take part as witnesses or observers. The Catholic Justice and Peace Commission (CJPC) has been instrumental in convening and facilitating such negotiations. The District Peace Committee also plays a major role in these negotiations as facilitators. During the research, I had no opportunity to attend any of these mainly because there were none to which I was invited. However, I had the opportunity to listen to accounts of some of them and their outcomes.

4.4.5 Community Forest Association (CFA) Elections

As already mentioned before, the issue of Mau forest is one of the causes of violence and a very sensitive issue in Njoro District. Despite this, whatever is left of the forest still needs to be managed with the full participation of the community through the Community Forest Associations (CFAs) in accordance with section 46 of the Forest Act of 2005. CFAs are established in order to involve the communities in managing forests, to decentralize forest management. They are also formed to ensure that the communities living around the forest actually benefit from it⁴².

In other areas, the election to establish this association would not constitute a peace building initiative but in Njoro District, the whole exercise was a peace building exercise. I was informed that establishing this association for the Logoman area was a big problem because of the tribal issues in the area⁴³. There have been several failed attempts to hold grass roots elections and it took the intervention of Pro Mara and other NGOs to facilitate the process to the stage of CFA elections at the District level. It was very important that the elections go smoothly. They did, and this was a big victory for the communities concerned.

4.4.6 Peace Caravan

The peace caravan at least the one enjoyed in Njoro District is supposedly the idea of the Provincial Peace Forum (PPF). It was started just before the referendum carried out in 2010. It represents a joint effort of all the peace focused NGOs and the government. They all get into cars and form a caravan or a really long convoy and go from centre to centre along the tarmac road

⁴² Section 46(2) of the Act provides that an association may in agreement with the Director of Forests secure user rights on behalf of the community for a range of resources from the forest, including timber.

⁴³ Interview with Lazarus Kubasu, Pro-mara.

preaching peace. There is some music, and some short speeches here and there. They do not stop in any one place for a long time.

Because of its loud nature and the fact that it has a long convoy, it attracts a crowd. Besides, about a week before the caravan, members of the DPC and the chiefs pass information to the residents about the impending caravan.

4.4.7 Prayers for Peace

Religion has been studied as a possible opportunity for peace building quite widely. Due to its power to unite and influence people, religion has enormous capacity to be used either for good or evil. Dubois (2009) argues that religious peace building has several strengths. Religious peace building has the unique ability to address the spiritual aspects of conflict and offers a moral alternative when the conflict has resulted in the collapse of the state (Dubois, 2009:11).

As a tool of authority, and an influence of politics and government action, religion cannot be ignored. For instance, Christianity was a key underpinning of apartheid in South Africa and even provided some of the ideology that underlined it, and yet again, Christianity was key also in the struggle against apartheid and in the ensuing Truth and Reconciliation Commission which Archbishop Desmond Tutu led (Shore, 2009). In other places, religion has played a major role in bringing change and in keeping the government in check such as in Malawi⁴⁴. For African women, the message of Christianity has been described as being a message of liberation from the fear, hunger racism and oppression of every kind (Beya, 2001).

⁴⁴ The Bishops of the Roman Catholic Church in Malawi wrote a letter addressed to all the congregants entitled "living our faith" which was the first open criticism of the Dr. Kamuzu Banda regime that was done within Malawi and resulted in countrywide protests that eventually saw Dr. Kamuzu Banda agree to talks with the Public Affairs Committee which consisted of religious leaders from the Catholic Church, Anglican Church, Muslim Association after which he agreed to a referendum that saw the beginning of multi-party politics in Malawi (Chirwa; 2007).

In my research, and from my own knowledge as a resident of the area for many years, people of Njoro District are very religious. In the rural areas where the clashes were most intense, Christianity prevails. Even among the youth who detest going to church, there is an acute awareness and reverence for God⁴⁵. There was a lot of faith put in the power of prayer to bring about peace. Prayers for peace have been held severally in Njoro District in prayer crusades and in churches. There are some small cell groups that have also been formed for the purpose of praying for peace.

In my interviews with the clergy, it emerged that the prayer meetings held had provided for an opportunity for integration between the conflicting communities. However, in order for healing to take place, there was need for real repentance and forgiveness among members of the community. The church preaches real repentance as written in the Bible, which would require the confessing of sins and, for example, the returning of stolen items to their rightful owners⁴⁶. I was shown videos of people bringing back their bows and arrows and the items that were looted during the violence, including steel doors and windows, pots and pans and so on.

Small prayer groups have also sprung up where women especially meet once a week and pray for the country. These groups are very therapeutic and their members informed me that were it not the fact that they attended and shared her problems with their fellow women who were going through the same thing every day, they did not know how they would have managed⁴⁷.

4.4.8 Compensation, Reconstruction and Resettlement

The 2007/08 PEV resulted in a lot of IDPs from Njoro District. Many of the IDPs from the Kikuyu ended up in various IDP camps, the biggest of which was Nakuru show grounds. Many

⁴⁵ FGD with young men in Stoo Mbili.

⁴⁶ Interview with Bishop Dr. Onjoro, Kings Outreach Church.

⁴⁷ Thursday prayer group in Kihingo.

more among the Kikuyu, Kalenjin and Ogiek were displaced but instead of going to the camps, they were welcomed and hosted in the homes of relatives and friends. Later in May 2008, the government decided that the IDPs who lived in the camps had to be resettled back in their farms and to leave the camps. This was done through the operation popularly known as *Operation Rudi Nyumbani*⁴⁸.

In order to ensure that the IDPs resettle back in their homes, the government through the help of donors and NGOs embarked on a project of rebuilding the houses that were torched through the violence. The government, through the Ministry of Special Programs undertook to pay some cash to the victims of violence to enable them to restart their lives. According to my respondent at the Ministry of Special Programs, the IDPs were to get Ksh. 10,000, and a further Ksh. 25,000. This translates to about US\$117.65 and US\$294.10, respectively. These amounts were not compensation but were amounts meant to enable the IDPs to buy necessary amenities needed when they settled back in their farms such as cooking utensils, mattresses and beds and blankets and so on.

4.5 Conclusion

This chapter describes the problems that are plaguing Njoro District and describes the measures taken to address them in the form of peace building initiatives. The next chapter will offer a critique of the peace building initiatives in terms of their ability to solve these problems.

⁴⁸ This is translated to mean 'Operation Go Back Home'.

CHAPTER 5

5.0 THEMATIC CRITIQUE OF THE PEACE BUILDING INITIATIVES

5.1 Introduction

Having looked at the description of both the problems and the peace building initiatives that have been put in place to address them, this chapter seeks to critique the initiatives based on two broad thematic areas, that is, (1) the operational understanding of peace, and (2) the impact and sustainability of the peace initiatives. The aim is to ascertain whether these peace building initiatives meet the two pronged ideals of providing the right to peace and the right to participate in peace building.

5.2 Theme 1: The Operational Understanding of Peace

In the preliminary stages of the research I realized that my meaning of peace as the goal of peace building was quite different from the meaning that the officials had. Conceptually, we were talking about totally different things. The understanding of peace as a conceptual basis for peace building initiatives then became an important issue for investigation in the research. The findings indicate that the government, the NGOs and the residents of Njoro have different perceptions of peace that are sometimes so different that they affect the perception of success that the actors have of the peace initiatives.

5.2.1 The Residents' Understanding of Peace

In discussing the findings on the understanding of peace, the residents understanding of peace is elevated to the ideal the actors should aspire to achieve through their peace initiatives. This research is based on the assertion that peace is a fundamental right for every individual. The

meaning of peace for those individuals then becomes quite important as it will be crucial in gauging whether the individual is enjoying his or her right to peace. For this reason, this discussion of the finding on the understanding of peace will take the residents understanding of peace and measure all the other actors understanding of peace against it.

In analyzing the residents understanding of peace it is clear that availability of their economic, social and cultural rights (ESCRs) played a major role. The need for justice and reconciliation also seemed to be quite important in their understanding of peace. When asked to explain their understanding of peace, the answers were living without fear of violence, economic freedom, (which is not worrying about food, shelter and school fees) being on good terms with God and with the family and neighbours, respecting one another and harmonious living. Many respondents explained that there would never really be peace without facing the issues between the conflicting tribes squarely and solving them, because even if all the other aspects of peace were present, with the grievances still there, it will only take a small trigger for peace to disappear.

For women, ESCRs were also important in their understanding of peace. Access to potable water and health, education and work were quite important to their definition of peace. An end to domestic violence and balancing of gender roles also featured as some of the important aspects of women's understanding of peace.

In every community where I held FGDs with different with men and women differently, it emerged that perceive peace slightly differently from men and their enjoyment of peace was also lower. In one particular area, it emerged that while men claimed that the peace they enjoyed at the time was 86%, women in the same area went as low as 13%. Women perceived peace to include a better or fairer division of household labour in order to reduce their workload and an

end to domestic violence⁴⁹. They also seemed to understand their peace included the peace of others probably showing their relational existence. Women who were interviewed also included the peace of their husbands and children. For instance, it was explained that they would experience a lot more peace if they found a way to keep the youth out of the shopping centres where they spend their days hanging out and drinking⁵⁰. Women also wanted their work as home makers and farmers made a little easier. They thought that readily available water, hospitals and easier ways of farming would greatly improve their lives.

The intertribal peace according to my respondents ranged between 0% and 50%. FGDs with the Ogiek revealed that the peace they experience in their relations with the Kipsigis was at 0%, and explained that their dispute with them mainly arises from their settlement in Mau forest, which was their home. They claimed that the Kipsigis indiscriminately cleared their trees and burnt their traditional bee hives, which they estimated to be about 2 million. In addition to that, the Kipsigis are also trying to grab land that was allocated to them. It was explained that all the land in Mau forest was put under caveat by the President and yet there were those who came with land titles claiming that they had bought land or received their titles from the Ministry of Lands. They claimed that the local authorities support these people without even investigating them. In addition to this, there are repeated acts of cattle rustling and hate speech that intensifies the tension.

Between the Kikuyu and the Kalenjins that I interviewed, the peace was rated at between fifty and sixty percent on average. This is mainly because of the tension and the mistrust that exists between the two tribes in the area. In a focus group in Ndeffo that consisted of the Kikuyu, one person said, *“Peace between us and Kalenjin is 50% because you never know when the fighting*

⁴⁹ During my FGDs with women, it emerged that domestic violence was quite rife in the rural areas of Njoro District. The women in some areas such as Tuiyotich said that they ‘heard screams’ of women being beaten at night at least three times a week.

⁵⁰ This seemed to be true for all the women’s and some men’s FGDs. Apparently, there is an unemployment and drinking problem among the youth in Njoro District. My findings seem to indicate that this affects the peace in the area and exposes the youth to bad influences and to exploitation by politicians who are interested in violence for their own strategic political ends.

will erupt again.”⁵¹ In Mauche, a predominantly Kalenjin area, one respondent said, “*The mistrust is two way. There is always the fear that the Kikuyu might want to revenge. There are constant rumours about it.*”⁵²

In a nutshell therefore, the residents’ understanding of peace not only points to the end of physical violence between the tribes, but also their access to ESCRs, and the addressing of issues of justice and reconciliation.

5.2.2 The Government’s and NGOs’ Understanding of Peace

The government and the NGOs are responsible for designing, implementing and facilitating many of the peace building initiatives in Njoro District. Their understanding of peace is important as it gives an indication of why peace initiatives are designed and implemented in a particular manner. With the resident’s definition of peace building as the ideal that these peace initiatives are meant to achieve, the understanding of peace as an operational concept for peace initiatives is important in gauging their overall performance or impact.

The government understanding of peace seemed to be tied to the absence of physical violence. The government officials were quick to inform me that there was peace in Njoro District especially because they had not yet had to deal with casualties arising from tribal violence. Trading activities and other important activities such as transport and education were continuing in earnest. The crime rate in the area was no different from other areas and the police and local administration were on the alert for hate speech, now that it had been criminalized⁵³. Provision of housing, humanitarian aid and education especially among the IDPs were projects that were aimed at building peace in the area. The government tried as much as possible to ensure that the

⁵¹ FGD with beneficiaries of the rebuilding program in Lusiru.

⁵² FGD in Mauche.

⁵³ Interview with Mr. Osumba DC, Njoro District.

IDPs who had left their homes returned to their homes rather than resettling them elsewhere to avoid further polarization of the country that may be brought about by living separately.⁵⁴ The government has also set up the Truth Justice and Reconciliation Commission (TJRC) in order to deal with the historical injustices and the grievances that have accumulated over time in the country leading up to the 2007/08 PEV. The Commission has taken statements and memoranda from Njoro District. However, no public hearings are intended for the area.

It is clear therefore that the government has tried to satisfy at least some aspects of the residents understanding of peace. Their duty to ensure no physical violence in the area has been executed quite admirably. Since the 2007/08 flare up, there has been no incident of full-blown ethnic violence despite several scares and the constant state of tension between the tribes. However, the state has done little to actually deal with the real grievances of the residents of the area. The definition of peace therefore seems to stop at ensuring that the different residents in the area live without breaking into violent clashes.

The NGOs on the other hand seem to be driven by the understanding of peace that insists on integration. They want to see members of the different conflicting communities doing things together harmoniously in the hope that with enough interaction, friendships will be formed and animosity and mistrust will dissipate. There is a lot of emphasis on building commonalities such as dams and bridges and having joint projects such as the CFA. NGO sponsored activities therefore usually involve “fun” together, such as sports. When there is evidence of integration, the NGOs take this as a success of their initiatives. Unfortunately, a short time later, there is usually something that causes tension and the work done by the NGOs is destroyed. This does not just happen for NGO led initiatives; even initiatives led by the residents themselves aimed at improving integration disintegrate at the slightest heightening of tension⁵⁵.

⁵⁴ Interview with a respondent at the Ministry of Special Programmes.

⁵⁵ An example is the Amani Football Club, a football club that was formed by Kikuyu and Kalenjin youth specifically as a peace building initiative. The club would play every Sunday in a bid to attract a crowd and then afterwards they would speak about peace. However, toward the end of the research period, attendance dwindled to only four

A look at these understandings of peace shows that the residents and the government and NGOs are not on the same page regarding peace building. If peace initiatives are designed to achieve peace as understood by the NGOs for instance, then once there is evidence of integration one can say that there is peace. The NGOs will report that certain activities were successful and yet they were not. In fact, at no time during the research did the residents describe integration as an aspect of their understanding of peace. The government and NGO understanding of peace also has no recognition of the fact that the understanding of peace might be gendered. Women's particular needs in peace building are therefore not considered. In fact, in an area where domestic violence is rife, no connection has been made between domestic violence and peace.

5.3 Theme 2: Impact and Sustainability

This research analyses the impact and sustainability of the peace initiatives under the following headings:

5.3.1 The Gendered Nature of Peace Initiatives

Both international law and national laws have provided for the protection against discrimination based on gender. Resolution 1325 and the Women's Protocol in particular provide for the participation of women in peace building initiatives both at the planning and implementation stages. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) provides for the right of rural women to participate in development planning in their

participants. This was blamed on the tension caused by the ICC Ruling regarding some Kenyan politicians that happened during that period.

areas and also binds states to take deliberate measures to ensure that cultural beliefs and practices that are discriminative against women are countered⁵⁶.

The timing of the peace initiatives resulted in gendered attendance of some peace building initiatives where the attendance of women was lower than that of men⁵⁷. In the design of any social activity that is intended to attract and maintain the attention of a significant number of participants, it is important to pay attention to their schedules. If this fact is not taken into consideration, peace building initiatives either end up excluding many people or becoming a burden to the members of the community. The gendered roles of men and women in the household seemed to affect the attendance of women in peace building initiatives. Women's work in rural Njoro includes household chores and farming. Many also take up piece work outside the home or run small businesses in addition to doing their household work⁵⁸.

Many of the peace building initiatives happen during weekdays and on Saturdays mornings because the facilitators are employees of either the government or NGOs who do these initiatives as part of their work. These times are especially tricky for women because it will mean that they will have to forfeit the time that is most conducive for doing their work. As a result, women tend to prefer that their husbands, whose role in the home is not so time-structured, attend the initiatives on behalf of the women⁵⁹.

The attendance was even lower where the peace initiatives occupied the whole day⁶⁰. Many women who are eligible for youth congresses, that is between the ages of 18 and 35, have very

⁵⁶ Article 5(a) and Article 14.

⁵⁷ This was especially clear in looking at the chief's barazas and the peace caravan that happened during the hours of the morning.

⁵⁸ This emerged from the FGDs that I held with women in response to inquiries on why they do not attend peace initiatives.

⁵⁹ During the survey for instance, I started going round the houses in the morning. After a cordial welcome by the respondents, usually both the husband and the wife, the wife would insist that I interview the husband on her behalf and then would go about her chores. In only one case was I able to interview both the man and the woman, and, even then, the woman was peeling potatoes as we spoke.

⁶⁰ This was seen in the youth congresses and the CFA elections which were a day long exercise.

young children who are of breast feeding age. This means that both they and their children need feeding at short intervals or else the mothers will be too hungry to concentrate. This was witnessed in one of the congresses that I attended in Kihingo where many of the women present had small suckling babies with them. I noticed that from around 12.00 am, the women started leaving. I decided to follow one at around 2.00 pm to ask why she was leaving. She said that she could not contain the hunger any more, she was extremely hungry. The lunch was served at 6.00 pm after all the speakers had spoken and the congress had come to an end. At that time, there were only three women and I that were present. The three women were part of the organizing team for the congress⁶¹.

In this particular youth congress, the participation of women in the discussions was not good. This may have been as a result of hunger. However, the relevance of the message was put across to the young women concerning their specific contribution to peace and development in the area. All the speakers were male except one, and while there were serious issues on youth empowerment that were raised, there was no topic on gender equality and empowerment of women, or their role in peace building. While there was a lot of insistence on the need to live in peace with the neighbouring ethnic communities, there was no mention of issues such as domestic violence, rape and other crimes committed against women as having anything to do with peace.

The research revealed that the facilitators seemed to be hard pressed to make sure that women were represented at the peace building initiatives. When women attend the initiatives, this is considered a success. The factors that might hinder the effective participation of women in these initiatives are not taken into consideration. One of these factors is the role of culture in influencing a woman's actions. For instance, because of the Kalenjin custom that forbids women to speak in front of men, rural women's capacity to provide leadership is greatly compromised. This was seen in the CFA elections. The elections were conducted through secret ballot, and

⁶¹ The whole congress had fifty participants with sixteen of them being women, including those who were part of the organizing team and myself.

aspirants were given time to “campaign” or present the vision they have for the CFA with them at the helm. I noticed that none of the women present sought to speak, or vie for any post. Instead, they were co-opted to the positions ‘*in order to comply with the Constitutional requirements.*’⁶² While other successful candidates were given the opportunity to make a speech after winning, this opportunity was not handed to the women who were elected. It seemed to me that they were co-opted to comply with the Constitution without any regard to their desire or ability to lead.

As explained earlier, the youth congress is an attempt to empower the youth to take an active and responsible interest in their communities and provide for a way for the youth to address their issues. The youth congress therefore is a public forum, a place where in the public private divide, men are allowed and encouraged to be while women are encouraged to stick to the private sphere. The designers of the youth congress as a peace initiative seemed not to realize that women would need a little help and empowering in order to operate at the public sphere as well as their male counterparts. Without this help, despite the fact that they are present in the peace initiatives, they will not make the contributions that are required.

The research revealed that the reconstruction process was also gendered. This was caused primarily due to a flaw in the definition of the ‘*household*’ which was used as a basic unit for profiling of the people who are eligible. The Kenya National Bureau of Statistics (KNBS) defines a household as a person or a group of persons, related or unrelated, who live together and who share a common source of food (KNBS/KDHS 2010: 13). Anthropologists and social scientists have had great difficulty with coming up with a single definition of household that is acceptable to everyone and have sometimes had to use the definition used by the particular community being studied and which is influenced by culture and traditions of the people and usually has a connection with the definition of family (See McC. Netting et al, 1984).

⁶² The Constitution has provided for the “one third rule” in Article 81.

According to the officials at the Ministry of Special Programs, a lot of emphasis was laid on the household as the unit of profiling the beneficiaries of their programs. However, no clear definition of household was given to those doing the profiling on the ground.⁶³ They relied on their own definition of household which was influenced by the customary understanding of household. Among the Kikuyu, the general meaning of a household would mean a family connected to one man as the head, and this is the definition that was used for profiling on the ground.⁶⁴ This definition resulted in the exclusion of single mothers as beneficiaries of the programmes as traditionally; single mothers are considered part of their fathers' household despite the fact that they have their own children and provide for them. In the course of the research, I came across a single mother who has four children and has never been married. During the assessment, she was not considered the head of a household in her own right but was taken as a member of her father's household. As a result, she did not benefit from the cash payments or the food aid. In contrast, her brother who was newly married and had one small child was considered a household head.⁶⁵ This profiling excluded many single mothers in the community.⁶⁶

The use of household as a unit of profiling also effectively disempowered women in as far as the use of the food and money that was given for each household was concerned. This is because the money was given to the perceived household head, who more often than not was a man. The research revealed that many women had no say in what would happen with that money. As a result, this money which was meant to be used for necessities in the house such as mattresses and cooking utensils was used for other things. There are some men who spent the all the money on alcohol. One particular man who complained bitterly about the fact that they were given houses but no facilities, says as follows about how they used the \$117.65 that they got from the government.

⁶³ Efforts to get an official government definition of 'household' that was used as a unit of profiling the IDPs were fruitless as the officials I spoke to were not willing to pin point a particular definition.

⁶⁴ In Njoro District, the Kikuyu are the ones who benefited most from the reconstruction.

⁶⁵ Respondent interviewed in Kihingo.

⁶⁶ FGD with victims of the 2007/08 PEV in Lusiru.

I replaced my bicycle which I lost through the violence and some of it I bought food. I cannot explain what happened to the rest of the money⁶⁷.

The giving of the money to household heads also affected the rights of widows who were now considered part of their father in law's household rather than household heads in their own right. A widow who lived with her late husband's family explained to me that despite the fact that she lost her husband and her entire house in the 2007/08 PEV, she did not access any of the money that she had a right to enjoy because her father in law took it and did not forward it to her⁶⁸.

The international and national laws require that women be involved in both the planning and the implementation of post conflict reconstruction. The reconstruction that happened in Njoro District did not meet this criterion at all. The women who had suggestions on how to build the houses to fit their own needs were not listened to. One of my respondents explained to me that when her house was being built, she requested to have the door to the extension put in the inside of the house rather than the outside because she had little children and that could be their bedroom if only the door was on the inside. This was not heeded. She was told that she would have to accept the house as it was built or not have it at all⁶⁹.

There are women who preferred that the houses be built in an alternative plot of land or that the government instead subsidises the repair of their houses or the building of bigger and better houses. These are women who had the means to move to a different area where they were more comfortable. Their requests and suggestions were not taken into consideration. They were forced to have houses that they were not willing to occupy at all⁷⁰. This was particularly disturbing for the women because it was understood that once the government has built a house, the house is

⁶⁷ Respondent interviewed at Kihingo.

⁶⁸ Respondent interviewed in Mutitu village.

⁶⁹ A respondent in Rurii village, Kihingo.

⁷⁰ Interviews with two professional women who suffered in the 2007/08 PEV in Rurii village.

owned by the government for 10 years. Furthermore, the residents have no right to alter, demolish or expand the house in any way.

When I triangulated this information with the relevant Ministry it turned out that no such directive came from the Ministry. The policy according to the Ministry is that once it is ascertained that a person's house has been burnt down, the government is willing to build her a new one anywhere she wants, and if she feels that she wants her house in a certain way, the government will assist her to the extent of Ksh. 70,000 (US\$ 823.50) per house. All they, the women, need to do is to communicate the information to the Ministry. Further, the beneficiaries are also free to alter the houses as they wish as they have full proprietary rights over the house as soon as it is built. However, the land in the area is put under caveat for 10 years in order to protect its value, which has plummeted because of the violence. The government does this in order to try to protect the people⁷¹. Unfortunately, the people on the ground, including the chiefs do not have the right information as the information that they have is that the houses belong to the government. They even have the village elders check on them to see whether they have been occupied or destroyed in any way!⁷²

Sport has been identified as one of the peace building initiatives that are in place in Njoro District. However, sport as a peace building initiative is gendered and particularly exclusive for women. This is because of the choice of sport. The sporting activities that have been witnessed in Njoro District are mainly football and volley ball which are team sports. There are no female teams, and even if there were, women's roles in the household would not allow them time to come together for practice. Many of the rural households are very conservative when it comes to the dressing of their women. Respectable women generally do not wear trousers or shorts and therefore cannot engage in team sports that involve a lot of kicking and leaping such as football and volley ball.

⁷¹ Interview with a respondent at the Ministry of Special Programs.

⁷² On the way from an FGD in Lusiru, I met one of the village elders who was going around looking at the houses. She explained that this was important in order to find out who has not occupied the houses.

5.3.2 Attention given to the Cultural Realities of the Residents of Njoro District

The planning of homesteads has been governed by cultural practices throughout time. Cultural practices dictate where men, women and children sleep and spend their days. In the efforts to reconstruct houses, it is important to pay attention to the cultural acceptability of the houses. The research revealed that one of the reasons for the low occupancy rates of the houses built for the victims of the violence is precisely that the houses are culturally unacceptable. In the Kikuyu culture, it is culturally wrong for a circumcised boy to sleep in the same house as his mother. Such boys have to have separate houses called ‘*thingira*.’ Many of the boys who were circumcised after the most recent violence could therefore not live in the small houses that were built for their mothers and fathers. Many parents who could avoid it therefore did not bother to go to the houses because they could not live in them while their sons had no place to live.

But for those who did not have any other choice, they moved into the houses. The houses are very small and have only two rooms, with the third one being too small to even fit a bed⁷³. My respondents were especially worried that these young men were being exposed to bad company and may end up joining *mungiki*⁷⁴.

During the research, it emerged that the main target of peace initiatives was the youth. The rationale behind this was that the youth are the most vulnerable when it comes to incitement to violence by politicians. However, among the Kalenjin, they did not pay attention to the culture of

⁷³ During my interviews with some of beneficiaries of the houses revealed that their sleeping arrangements were that the parents and smallest children would sleep in the bedroom while the older ones and the daughters would sleep in the sitting room. The circumcised boys would have to spend the nights in a neighbour’s *thingira* with their son. It is difficult to monitor the teenage boys in this kind of arrangement and therefore their behaviour deteriorates.

⁷⁴ The *Mungiki* is an outlawed sect in Kenya, consisting mainly of Kikuyu people. It is thought to have been responsible for a lot of the atrocities that happened in Naivasha and Nakuru. They are feared and thought to be quite merciless.

total obedience to elders that governs their lives. My research revealed that for the Kalenjin, disobedience was considered a huge offence, and it is very difficult for the young people to disobey orders from their elders. As a result, many young people will go to battle if so ordered, despite their conviction that it is wrong.⁷⁵ In such a case therefore, it would make better sense rather to target the older generation who hold great sway and power over their boys and younger men and who also control the resources that are needed for any battle.

5.3.3 Addressing the Real Grievances in Njoro District

As explained earlier, over the years, the different ethnic groups have had real grievances against each other especially in the wake of each incident of ethnic violence. They also have real grievances against the government. It should be noted that the violence happens between people who have otherwise interacted freely and formed friendships. For instance, there were quite a few members of the Ogiek and Kikuyu tribes who claimed that they can identify the perpetrators who looted and torched their homes. There have been sightings of looted clothes and other household items being used by members of the conflicting tribes. While talking to the IDPs, it emerged that they were quite disappointed by the peace building initiatives because they do not address any of these injustices. They ask the residents to live in peace but do not even mention that those who looted should return the property that was looted. The TJRC has visited the area to take statements but has not held any hearings in the area. Neither has any reconciliation and restitution been done either by the church or other agencies. As a result, the people of Njoro live in a situation where they feel aggrieved and find that they have no recourse. This situation contributes to the negative feelings that lay dormant ready to explode.

5.3.4 Addressing the Psychological Effects of the Recurring Violence

⁷⁵ FGDs in Mauche and Tuiyotich.

During the research, it emerged that many of the IDPs had suffered psychologically because of the things they witnessed and the suffering that they underwent. During the FGDs with some members of the Kikuyu community, it emerged that there were high levels of stress-related diseases among the IDPs. There was also a lot of anger and bitterness between ethnic groupings because of the recurrent clashes. The peace initiatives so far looked into have not provided any element of counselling or psychological treatment for victims of the violence in order to facilitate any real process of forgiveness. Forgiveness is not easy, and simply repeating its benefits will not automatically result in forgiveness. The peace initiatives have not provided any way in which those who need to be forgiven can be brought to a point of asking for forgiveness and those who need to forgive can offer it. As a result of these psychological issues, it is clear that parents teach their children to carry on the hatred and bitterness that they have for the other tribe. In the research, it emerged that many of the negative attitudes that some members of the Kalenjin community had against the Kikuyu were passed down from one generation to another. Among the Kikuyu, some openly confessed that they pass negative messages to their children about the Kalenjin⁷⁶.

5.3.5 Cost, Consistency and Sustainability of Peace Building Initiatives

During the research, it emerged that the peace initiatives followed no particular plan and were not consistent in any way. For instance, there was no clear time table for the peace caravans or the peace sports. The common facilities and fun days were done once in a while. Some NGOs just had a one-off seminar or sports day and then promptly moved to other areas to do something else. This situation was blamed on the lack of sufficient funding to follow through with specific peace building initiatives in one specific area. The nature of the problem in Njoro District cannot be solved using ad hoc measures; there needs to be serious planning and conscious effort towards

⁷⁶ Some of the negative messages include *“they are our enemies; “they are animals”; “never be friends with them”; “they are the reason I cannot get you this or pay for that”* . For the Kalenjin, it was clear that grievances committed during the time of President Kenyatta in terms of land allocation happened in the sixties and seventies.

the alleviation of the problem. If this is not possible with the funding available, the actors need to come up with better, cheaper and more effective ways of doing things by utilizing the resources already in the area.

Peace initiatives are not sustainable if after they are introduced, the members of the community cannot continue with them without the help of the NGOs and the government. This seems to be the case in Njoro because of the exclusive process of designing and facilitating these initiatives that the NGOs and the government have adopted. It seemed that the initiatives were designed by these actors and then imposed on the residents. The residents were therefore not included in making the peace initiatives which were conducted in a top-down as opposed to a bottom-up consultative and participatory approach. This means that if for some reason the government and the NGOs stop these initiatives, the people might not be inclined to continue them⁷⁷.

5.3.6 The Fun and Integration Aspect of Peace Building Initiatives

The NGOs have a tendency to make peace building initiatives fun and in order to foster integration between members of the ethnic groups. This has given rise to peace initiatives that include fun days, sports and so on. While the value of these opportunities for interaction through fun cannot be undervalued, it is important to investigate whether they add any value. This is because in Njoro District, the ethnic communities do integrate and interact quite a lot even without the assistance of the NGO led initiatives.

⁷⁷ This can be illustrated by the views that were gathered from a football team that was interviewed. They admitted that they had played in football tournaments for peace, not because of their belief in peace building but because they were sponsored to do so by the NGOs. They would do the same for any company or politician who sponsored them. Given this scenario, one must certainly question the integrity of the motive behind the tournament as a peace building initiative.

For instance, because the Kalenjin settled in what was the Mau forest quite recently as compared to the other tribes, their area is less developed in terms of social amenities such as schools, dispensaries, transport and communication, and market places. As such, people from those areas have come to use the social amenities available in the Kikuyu populated areas. The Ogiek, known for their bee keeping, have their bee hives deep inside the forest and to get there, they must pass through Kalenjin territory. They do this frequently without any problems.⁷⁸ The Kikuyu also frequent the Kalenjin territory to buy farm produce, firewood and charcoal and the trade is brisk and fruitful.⁷⁹ At the Ndeffo market, I found that the traders come from both communities and for the sake of trade, they cooperate with each other. For instance, sometimes a Kikuyu trader might entrust his merchandise to a Kalenjin trader in the next stand for some time and will have no fear of losing his merchandise and vice versa⁸⁰.

Sport has been happening between the various tribes as long as there have been schools in the area. In Kenya, there are sports competitions ranging from team sports to athletics and water sports from the zonal level all the way to national levels. At the zonal level, it is usually a case of school against school. Many times there are friendly matches that are organized also among the schools. As such, the children get to interact through sport. Other cultural activities are offered in schools that result in interaction such as music and drama festivals. .

For this reason, coming up with initiatives that foster integration through a few minutes of fun seems misguided, and something that the NGOs would not have invested in if they had conducted deep research of the ethnic dynamics in the area, as both sporting and other cultural activities have taken place for quite some time.

The fun aspect in peace initiatives also alienates them from those who suffered most during the violence. Many of them view it as a mockery of their suffering to force them to befriend people

⁷⁸ FGD with Ogiek women in nesusit.

⁷⁹ One member of the Homeboys FC explained that he goes there on a regular basis to buy maize and other farm produce. This was also repeated in a second FGD with a group of Kikuyu men in Stoo Mbili.

⁸⁰ FGD with traders at the Ndeffo shared market.

who committed great crimes against them. The peace initiatives that involve integration are therefore shunned by this particular group of people who in my opinion should be the most important target of peace initiatives. If peace is to be made, it is with these people. Peace building initiatives that emphasize fun therefore do not appear to take the feelings of this particular group into consideration and, as a result, they exclude them.

5.3.7 Mobilization

Mobilization is very important as an aspect of peace building initiatives as it determines access to the right to participate in peace initiatives. In order for people to participate, they must know that the peace initiative is happening at a certain place and time. The research revealed that poor mobilization resulted in many people not knowing about peace initiatives and therefore not attending them.

Mobilization seemed to be done in a discriminatory manner, mainly because of the per diem that NGOs give to participants. Those who are given the task to mobilize pass the message to members of his or her family and friends so that they can benefit from the per diem. Sometimes the mobilization is done through the local chief or the church. This in effect excludes the youth that are considered ‘bad youth.’⁸¹ Unfortunately, these bad youth are the ones who are the most vulnerable to the politicians’ wiles because they are idle and need quick money to finance their vices. By not including them in peace initiatives and only focusing on the good youth (the ones on good terms with the chiefs and who go to church), the peace initiatives miss out on an opportunity to help the young people who really need help.

5.4 Conclusion

⁸¹ The bad youth are the young men and women who hang out at the centres drinking all day. They are usually not considered worthy of the peace initiatives and therefore nobody bothers to inform them of the initiatives.

In conclusion, it is clear from the critique above that the peace building initiatives in Njoro District fall short of the two pronged ideal that forms the basis of this research. The peace building initiatives fail to ensure the presence of peace and maximum participation in both the design and the implementation of the initiatives. In a nutshell, therefore, despite the presence of peace building initiatives in Njoro District, it is clear that the fundamental right to peace and participation in peace building initiatives is not provided for.

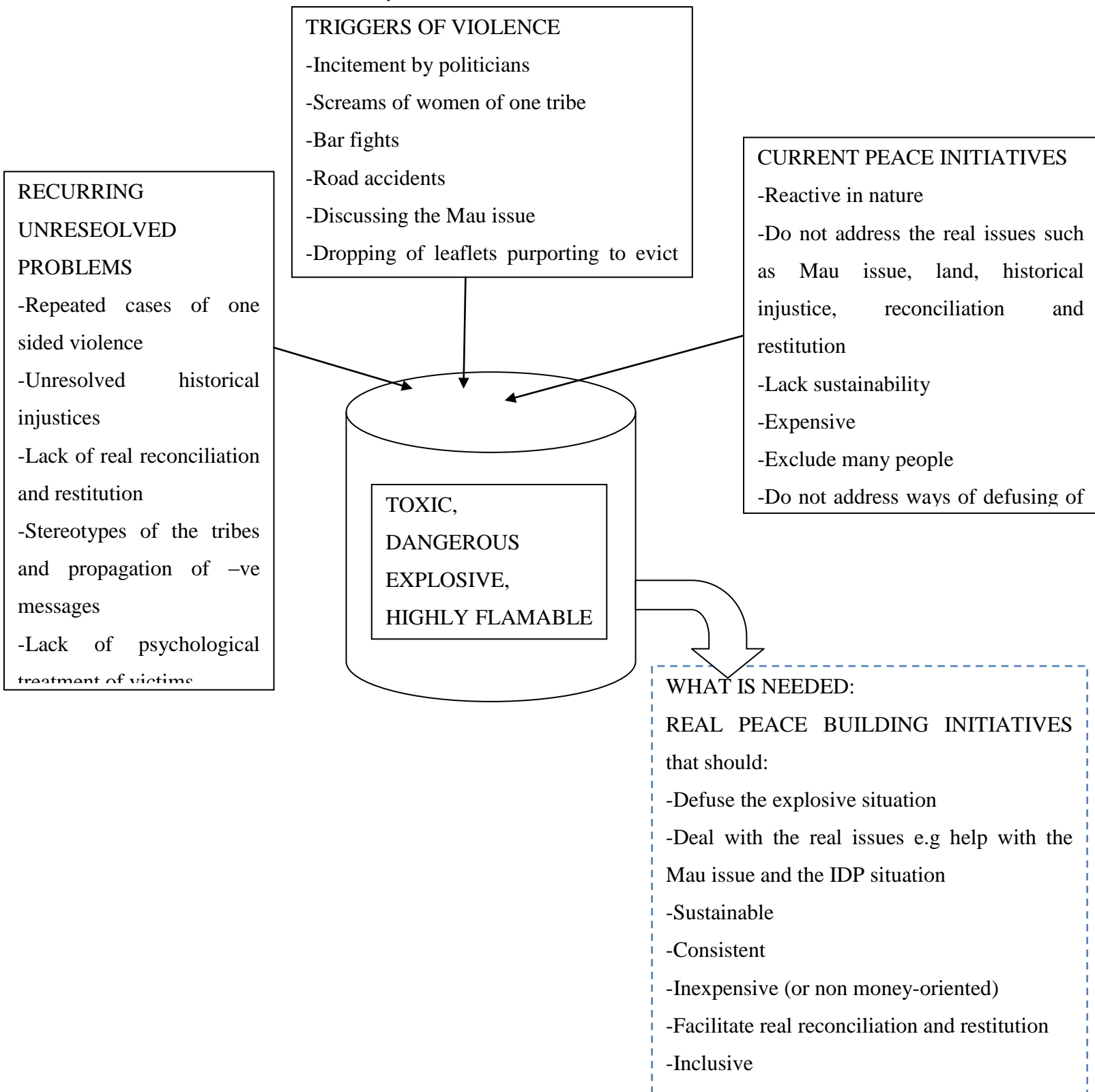
CHAPTER 6

6.0 SUMMARY OF THE SITUATION AND RECOMMENDATIONS

6.1 Summary of the Situation in Njoro District

From all the above, it seems that current peace building initiatives in Njoro District actually aggravate rather than help the situation. There is a need to have peace building initiatives that actually: (1) help to reduce the tension between the tribes; (2) deal with the root causes of the tension; and (3) facilitate reconciliation and restitution because they are (4) sustainable, consistent, non money-oriented, inclusive and gender sensitive. The following diagram presents a summarized representation of the situation in Njoro District and portrays the role of current peace building initiatives and the aspects of peace building initiatives that would be ideal for the District.

Figure C: A Diagrammatic Representation of both the current and ideal Peace Building Initiatives in Njoro District



6.2 Recommendations

In order to improve the effectiveness of peace building initiatives, this research makes the following recommendations.

6.2.1 Participatory Research

Several inconsistencies were revealed during the research such as the different understandings of peace, the fact that peace initiatives did not fit the problems and the multiple exclusion of different people. It was clear for instance that the designers of the peace initiatives did not fully understand the tribal dynamics of the area, and therefore were lulled into a sense of success by outward shows of integration or calm. The peace building initiatives also seemed not to be able to be culturally unacceptable, thereby reducing their impact or making them altogether null and void.

It is important therefore that participatory research is done in Njoro District in order to get a clear understanding of peace that the people of Njoro District have. This understanding of peace should then become the goal of peace building initiatives. In looking at the understanding of peace that this research uncovered, it is clear that elements of development need to be incorporated in peace building initiatives. The peace initiatives targeted at the youth should be more focused on the idle youth hanging out in the centres and domestic violence needs to be prioritized.

Participatory research is also going to give the people of Njoro District and of the various tribes a sense of ownership of the peace initiatives. It is more likely to result in initiatives that are sustainable as they will involve the community. Planning of peace initiatives meant to enhance integration for instance is best done by the community themselves. The participatory research would in itself be an opportunity for integration.

6.2.2 Justice and Reconciliation

The value of truth telling and reconciliation in as far as healing of historical injustices has been found studied by many and has been recommended for African countries in transition (Kende, 2007). The state has set up the Truth Justice and Reconciliation Commission (TJRC) to deal with the historical injustices that have happened in Kenya between 12th December 1963 and 28th February 2008⁸². Among its functions is to establish an accurate, complete and historical record of violations and injustices, providing the victims with a forum in which to be heard and to restore their dignity and providing the perpetrators with a forum to confess their actions in order to help bring about lasting reconciliation. The commission has the power to recommend prosecution for certain perpetrators and amnesty depending on the seriousness of the crime. This is done through public hearings that are held in various areas in Kenya. Statements and memoranda were taken from Njoro District enumerating various injustices. Despite their efforts, it is impossible for the Commission to sit in every place where there were historical injustices. Therefore, many places like Njoro are left out.

This research recommends that in order fill this gap local courts similar to those set up in Rwanda (*gacaca* courts) be set up and conduct local hearings for the purposes of reconciliation (Skaar et al, eds. 2005). This may be achieved under the direction and supervision of the TJRC. It should be noted that before this happens the TJRC Act would need to be amended in order to allow for the formation of such *gacaca* or similar courts. Alternatively, churches could be used as mediators. Faith-based actions have already been witnessed in Njoro District where some people have shown willing to surrender their arms and return looted items under the auspices of the church. I believe that with the necessary support from the peace building community, it is possible to get justice and reconciliation in Njoro District without the TJRC.

In order to ensure that reconciliation is real, it is important to address the psychological needs of the victims and the perpetrators. Forgiveness and confession and repentance are not easy to elicit

⁸² Section 5(a) of the Truth Justice And Reconciliation Act (2008).

from people. Counselling is needed also in order to help victims of the historical injustices to come to terms with their experiences and stop the passing on of negative feelings and messages to succeeding generations.

6.2.3 Address Gendered Aspects of Peace, including Domestic Violence

Peace actors should take into account the gendered aspects of the design and implementation of various peace initiatives and seek to address them. For instance, in peace initiatives such as youth congresses which are attended by young mothers, it is important to ensure that food is available for participants. Avoid peace initiatives that occupy the whole day and come up with peace sports that do not require women to dress in shorts such as football and volley ball. Athletics (involving individual events) are a possible alternative to team sports, especially because they do not require team practice sessions. Women-specific social activities should also be considered. During the research, it emerged that the women from different ethnic communities admired the lives that other women lived. Exchange programs can be started in which women from diverse communities can learn more about the positive aspects of their lives.

Hindrances to women's participation in peace building that are engrained in their culture and gendered role stereotyping should also be addressed. Effort and resources should be put into changing the minds of the residents of Njoro regarding the different roles of men and women. If men assisted women in some of the household chores for instance, this would give women more opportunities to be involved in helping to design and participate in peace building initiatives. These efforts should be accompanied by efforts and resources aimed at empowering women both economically and politically.

The research uncovered domestic violence as a serious impediment to women's enjoyment of peace and should be elevated to a peace issue and addressed with as much enthusiasm as other threats to peace. My recommendation is that all peace building initiatives should also include addressing domestic violence as one of their aspects.

6.2.4 Use of Existing Infrastructure for Cheaper and More Sustainable Peace Building

One of the major complaints against the peace initiatives is their lack of sustainability and consistency. This has been blamed on the limited and sometimes erratic funding from donors. It is important therefore for the sake of peace in Njoro District to come up with initiatives that are both sustainable without funding from the donors and which can be carried out consistently even without the presence of NGOs, donors and the government. For instance, counselling training can be given to members of the clergy who would then be able to help the people come to terms with their experiences. After all, the research revealed that even without specialized training, people turn to them counselling⁸³.

One thing that emerged from the research is the fact that the professionals who live in Njoro District are not included in peace building activities. In the rural areas, teachers are held in very high esteem and therefore hold a position of influence in the community. If trained in peace building and conflict resolution, they can affect decisions in the area for the better. Interschool sports, which are already sponsored by the government, could be infused with messages of peace and peace education can be incorporated into school curricula.

Members of the society should be encouraged to take over the running of certain Initiatives especially those that are aimed at encouraging genuine recreation and fun together. As a result, the initiatives will be more relevant to them, and more meaningful integration is likely to be achieved. Instead of spending money on the fun aspect of peace building initiatives, it would be more effective to fund the local courts or train counsellors in the area.

6.3 Conclusion

⁸³ Interview with clergy from the African Inland Church in Tuiyotich.

In conclusion, it is important that the peace building actors adopt a different approach to peace building in order for them to be effective in defusing the explosive situation that exists in Njoro District at the moment. This can only be done by encouraging full participation in all the peace building initiatives from the planning right through to the implementation stage. There should be a shift in the focus of peace building to the people and particular attention should be given to women in the initiatives.

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