

A Review of the Integrated Post-Conflict Management Strategies in Kenya

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Abstract: *The problem of conflict is a global concern. State and non state actors have made efforts towards addressing the issue of conflict management and peace building in Kenya using Track I, Track II and Track III approaches. Integrated concept has been developed both at the international and at local levels using proactive measures rather than the reactive and crisis driven measures; however, sustainable peace is yet to be realized. The overall objective of this article is to evaluate the effectiveness of integrated post-conflict management strategies in the achievement of sustainable peace in Kenya. Existing strategies include government-led local peace committee initiatives, security personnel and CSOs led activities. Holistic, multi-actor and participative programs have to some extent enhanced stability. These initiatives target different groups mainly the conflict victims, women and children, conflict perpetrators and the youth. The inclusiveness, though seemingly weak has enhanced improved opportunities for different groups in terms of age, gender and ethnicity and elimination of various forms of marginalization. The review recommends the government implementation of the previously proposed national strategies on conflict management and peace building; and the integration of organizations' specialization and areas of focus with the community-level conflict management strategies for sustainable peace.*

Keywords: *conflict, actors, sustainable peace and integrated post-conflict strategies.*

1. INTRODUCTION

The problem of conflict is a global concern. Approximately 100 violent conflicts have occurred across the world since the end of the cold war (UNDP 2008; Dercon & Raxona, 2010). Many parts of the world have moved toward greater stability but Africa remains a cauldron of political instability. Africa has witnessed more conflicts than any other continent in the world, with half of all African countries, three quarters of all countries in sub-Saharan Africa and over one in three Africans affected directly or indirectly by conflicts (Michaiof *et.al*, 2002). The United Nations Security Council has spent not less than 75% of time and money resolving conflicts in Africa than any other part of the world (UNDP, 2008).

Studies in four countries Uganda, Mozambique, Sierra Leone and Rwanda highlight the fact that the root causes of conflicts are different in different countries at different times. The sources of conflict in Africa reflect the diversity and complexity of Africa's past and present as some are purely internal, some reflect the dynamics of a particular sub-region, and some have important international dimensions. In regard to this there is need for tailor-made approaches to bring countries back to a peace and development path (ACBF, 2004).

Violent conflicts in Kenya predate colonialism such as the slave trade and have continued during colonialism and the struggle for independence. Post-colonial Kenya has continued to experience intermittent conflicts of different nature, magnitude and intensity determined by the varying geographical features and inherent social, economic, cultural patterns and governance systems.

Propagated injustice, corruption and ethnic politics have led to social and economic marginalization of communities, economic disparities, rise in poverty levels and inequitable distribution of national resources and services (UN, 2009).

From this review, every conflict has certain basic elements that permit researchers to produce a tentative road map. Moreover, a conflict is constantly moving and changing. In this way, a conflict map is able to serve as a conceptual guide to clarify the nature and dynamics of a particular conflict.

The review of relevant research publications and reports as well as relevant government reports aims at evaluating the effectiveness of the IPS management strategies in realizing sustainable peace especially in conflict prone areas in Kenya. This is achieved through the following objectives:

- Examining the integration and coordination of various actors involved in post conflict management.
- Assessing the contribution of various strategies employed towards building sustainable peace.

2. ACTORS INVOLVED IN CONFLICT MANAGEMENT

Effective recovery after conflict is dependent on actions not only of the state, but also non-state actors whose institutions, structures and processes are key to the implementation of short-term and longer-term reconstruction activities within different sectors of society carefully attuned to each other (UN, 2009). We proceed to examine some of the core actors below.

2.1. The State as Actor

The state is always the principal unit for exercising public authority in defined territories and also the central structure in international relations. The state consists of: institutions or rules which regulate political, social and economic engagement across a territory and may be formal or informal; and organizations at the national and the sub-national level which operate within those rules e.g. the executive, legislature, judiciary and ministries. State interventions have been successful at formal and superficial levels; with its focus being on the top leadership and macro level while ignoring the majority of the population and micro-level conflict transformation and relationships (Mwamba, 2010). The leaders of the conflicting parties at the macro level are normally brought together to negotiate a cease-fire and peace agreement which when reached will automatically trickle down to the entire population. Whereas it has the benefit of engaging those in power who have the ability to conduct large-scale violence or end it and bring about peace, it is criticized primarily for its neglect of local problems and issues. Furthermore, the approach overlooks the root causes of conflict, conflict victims and insists on apparent political problems (Severine, 2008; Thania, 2003). In Sudan, northern and southern Sudanese elites reached a much-heralded peace agreement in 2005, but the country continued to teeter on the brink of collapse following the outbreak of a new rebellion in Darfur in eastern Sudan since 2003.

In Rwanda, Gacaca courts formed after 1994 genocide to promote community reconciliation were state-run and more formal than the simpler traditional community courts, and were changed to have the ability to prosecute, and reconciliation was no longer the main goal (Werner, 2010). They created social tensions which led to increasing verbal assaults and physical violence directed towards survivors; there was failure to put on trial members of the Rwandan Patriotic Front (RPF) [the current ruling party led by President Paul Kagame] who committed revenge killings. There was failure to provide justice to all victims of serious crimes committed.

Additionally, doubts concerning impartiality and objectivity while dealing with relatives who stand accused of genocide crimes, corruption and the possibility of having genocide suspects among the judges themselves. The winding up of the Gacaca judicial system left some of these challenges unaddressed, and therefore post-Gacaca, should be a moment of assessing what was done, and what needs to be done to achieve the country's vision of unity and reconciliation.

In Kenya, the government has been a major player using formal and informal processes to conflict management (Pkalya & Mohammud, 2006). The formal justice systems through the Constitution

and other national laws use the judiciary to solve conflicts between individuals, amongst communities and between citizens and the state. State response to conflict in pastoral areas has historically been characterized by an indiscriminate and aggressive military response that has alienated pastoral communities. Aside from these periodic security interventions, pastoral communities largely fend for themselves and in this context the role of arms, both as a means of protection and as livelihood assets, become important (Mwaura, 2005). There is also the failure of official laws and legal processes to reflect an understanding of the local population in defining crimes and resolving conflicts (Tanja, 2008).

2.2. Non-State Actors

Non-state actors include international and regional organizations, Civil Society Organizations (CSOs) and the private sector, as well as traditional authorities, and informal groupings such as social networks and religious communities. NGOs (Western-based) and CSOs seek to address the root causes of conflict and reconstruct broken relationships between parties and actors. Civil society organizations also consider workings at the leadership level and the society as a whole, rather than only those at the grassroots and middle range. Global Partnership for the Prevention of Armed Conflict, a network of more than 1,000 civil society organizations formed in 2005; states that, effective strategies combine 'bottom-up' and 'top-down' action, but local ownership is essential (AU, 2006). A denial at the local level, for example, through unemployment or lack of food, has the potential to spin into national and even international violence and crime.

However, their work has been criticized on the ground that improving communication and building relationships between conflicting parties do not necessarily lead to an agreement to end conflict. Additionally, its assumption that work with civil society and at the grassroots will naturally have an effect at the national level has also been criticized (Richmond, 2001; Severine, 2008).

Unsuccessful attempts of implementing western models of peace are explicit in some post-conflict countries. Implementation of such agreements is further dependent on a UN presence which has rarely been sufficient to do the job. International peace building interventions have also been dismissed on allegations of reflecting the interests of external donors, rather than the needs or rights of local actors (Richmond, 2001), such a form of 'conflict management imperialism' is argued to have the potential to completely neglect local dynamics and hence fail to arrive at truly sustainable solutions (Haider, 2009). It is against this backdrop that the international community has, therefore, slowly considered various indigenous methods explicit in integrated post-conflict management strategies as potential alternatives (Emstorfer *et.al* 2007). Broader mandates reflecting integrated (rather than traditional) peacekeeping operations and actual peace building tasks are now the norm; however, in most cases, mandates do not explicitly reference peace building. This perspective heightens the need to re-emphasize post-conflict recovery.

3. INTEGRATED POST-CONFLICT MANAGEMENT STRATEGIES

Post-conflict recovery as a transformative process requiring various reforms. There may be no blueprint approach to post-conflict intervention and there is no 'one size fits all' approach; rather, all recovery efforts need to be context-appropriate, based on the circumstances of the country. Post-conflict recovery is not about restoring pre-war conditions or not about simply building back, but about building back differently and better the institutions to prevent future tensions (UNEP, 2007).

The reality of today's post-conflict reconstruction tasks calls for an integrated policy framework to reinforce different interventions in the spheres of political, humanitarian and development assistance. The UN through the Peace Building Commission (PBC) in order to institutionalize coordination among different actors and to integrate priorities and goals, came up with Integrated Peace building Strategies (IPSs).

The Integrated Mission concept, also referred to as Integrated Peace Support Operations, aims to develop a common approach to peace building and reconstruction, endorsed by the relevant national governments, local and international civil society organizations. Such a platform serves as an important institutional mechanism for joint decision-making, and ultimately provides a more coherent support in post-conflict settings. This move sought to ensure conception of a holistic,

multi-actor, participative program in that processes, mechanisms and structures would be put in place to generate and sustain common strategic objective among the political, security, development and human rights domains. Separate planning reconstruction processes may lead to serious operational gaps and shortfalls in funding as well as the risk of missing positive linkages between spheres.

The African Union (AU) operates on the Draft Policy Framework on Post-Conflict Reconstruction and Development (PCRD) developed in 2006 which is conceived as a tool to: a) consolidate peace and prevent relapse of violence; b) to help address the root causes of conflict; c) to encourage fast-track planning and implementation of reconstruction activities; and d) to enhance complementarity and coordination between and among diverse actors engaged in PCRD processes.

In Kenya IPS has been facilitated through the establishment of National Steering Committee on Peace Building and Conflict Management (NSC) under the Office of the President. The NSC brings together different Government ministries, civil society organizations and other stakeholders by providing guidelines for them to mainstream the conflict and peace-building agenda in their policies, plans and projects. The NSC further formulated and operates on a draft national policy on conflict management aimed at providing coordination to various peace building initiatives, however, the implementation of this draft policy still remains incomplete.

3.1. Government-Led Initiatives

The local leaders command authority derived from their position in society that makes them effective in maintaining peaceful relationships between communities. The District Commissioners, chiefs and assistant chiefs are employees of the Provincial Administration, with the mandate to maintain law and order in their community. They receive various forms of peace trainings (conflict mapping, conflict analysis, negotiation and mediation skills, positive attitude and communication skills) facilitated by the government which enhance their efficiency, and such skills transferred to their communities through peace *barazas* and field days with logistical support to this effect from the government. Grassroots leadership facilitates coordination between interveners and the communities through dialogue, negotiations, and problem solving workshops, information dissemination, peace education and community mobilization.

The participation of local community leaders as mediators and law enforcers; availability of institutions of law in place and successful implementation of the laws by the leaders builds on public confidence in the public institutions as well as contributing to adherence to democratic principles at all levels of governance.

Memberships to Local Peace Committees (LPCs) in Kenya supported further by NSC are drawn from the local leaders, council of elders, religious leaders, women, youth and CSOs representatives. Their approaches and methodology of managing conflicts are modeled on the customary institutions of conflict management of the communities in question. The aspect of broader membership of peace committee has cumulative effect of the emergence of an all-inclusive peace building structure/approach/process. This is in disagreement with a report by Pkalya & Mohamud (2006), who argue that LPCs facilitate 'negative peace'; that they address symptoms and not causes. The LPCs are also mandated with the responsibility of enabling communication between former protagonists; prevent violence through a strategy of joint planning and facilitation in local peacemaking processes. Additionally the LPCs help in advocating for human rights especially for the marginalized group. This helps in promotion, protection and respect for human rights.

However, local peace committees' activities have been hampered by their weak structures, varying cultures (ethnic networks) as their success is dependent on efforts of the committees as well as willingness of the communities. Commercialization of their roles and responsibilities have also weakened its respective abilities to tap on skilled and experienced peace builders and have greatly undermined the rationale behind establishment and promotion of peace committees. There is need for clear institutional modalities to be effected to the committees to enhance their efficiency and output.

Additionally, women, youth, elderly and minority participation in the peace committees is still sidelined and overshadowed by elders and men. External attempts to enforce women and youth participation in the peace committees have proven difficult undertakings; in some cases, they have jeopardized the effectiveness of the committees. Adherence to 'traditional' norms sometimes reinforces the patterns of discrimination thus against ensuring equal and inclusive participation in the solidification of peace. Whether to respect prevailing norms or to seek reform remains a challenge.

The implementation of the new constitution is expected to affect the role and status of peace committees which happens to follow the previous administration units' model. There is need to effect changes of forming peace committees in different administration units with reference to the new constitution with emphasis on proximity, similarities of issues in regard to peace and conflict.

3.2. Civil Society Organizations- led Initiatives

CSOs through reconciliatory and dialogue programs, income generating activities, health care, peace education, empowerment of marginalized groups and development of community projects/connectors together with affected groups and the government play a major role towards building sustainable peace. Reconciliatory programs have result to joint membership approaches/initiatives, repentance and forgiveness, return of stolen property and agreement on co-existence mechanisms. These dialogues are aimed at building understanding and cohesion within communities. This is in agreement with study by Maynard (2004), indicating that if peace is to last beyond the scope of outside intervention, local actors will have to own and direct the process themselves. If this is ignored, trust at the local level remains low which allows for violent conflict to re-emerge in the long run. Through such initiatives, the CSOs enhance behavioral changes amongst target groups, improve levels of tolerance, trust and community cohesion.

CSOs build social cohesion through inter-ethnic community projects as well as community connectors initiatives which have to be shared by the affected communities without marginalization, discrimination and fighting. The findings disagree with studies by Haider (2009); and Pottebaum & Lee (2007), indicating reluctance of interveners to let go of their decision making power which only exists in rhetoric rather than actual practice with fear that mistakes will be made if responsibilities are handed over to the community.

Income generating activities including farming and trading activities facilitated by CSOs reduce vulnerability through poverty alleviation. This brings about increased levels of confidence in the settings such as markets, empowerment of marginalized groups, associations between groups motivated by the incentives to interact and cooperate.

3.3. Security Personnel Initiatives

Community policing which is an initiative developed by the government is done through recruiting and arming the KPRs and home guards to supplement police patrols through private guards and neighborhood watch groups have brought calm in the conflict prone areas. Traditionally, military engagement enhances security, emergency response, peace keeping and protection of civilian through translating risk reduction into sustainable programs, strengthening information management, supportive training, institutional capacity building, coordination, resource mobilization and utilization strategies as supported by Chilumo & Njino (2010).

There is failure to restrict prevention of availability of arms, lack of determination to protect civilians as well as inability to prosecute war criminals. Additionally, allegations of corruption, incompetence and favoritism along ethnic lines in so far as the decision on who should be armed as a KPR or home guard and weak accountability procedures within the KPR and home guard operations.

The KPRs in as much as they are proposed by the community, the local administrators as well the police have the final verdict on who is to be nominated. They are further accused of misusing their power. The reservists lack conflict resolution skills, and also lack other equipments like radio calls coupled with poor infrastructure in some areas hindering their effective performance. As supported by a study by Matanga (2010), training received by the military personnel does not correctly prepare them as it lacks correlative preparation in terms of training and capacity building. There is therefore, need for education, capacity building, enhancing security personnel

and citizens to enable constructive participation in addressing conflict issues. Additionally, hiring process of KPRs should be revised to have credible people being hired with clear stipulation of their responsibilities and accountability to achieve their goals.

Legal and normative discrepancies between the official law and the negotiated agreements pose a danger to the government officials. The police, for instance, have to respond to local expectations in order to pacify conflicts, but on the other hand, they have to act as guardians of the law, and they are obliged to file criminal cases at court. This is in agreement with the report by Tanja (2008) noting that, parallel legal regime: ‘the official law’ which is legislated and enforced based on a separation of powers and ‘declarations’ enforced by traditional justice mechanisms may create peace, but may contradict each other. Implementing only the law may mean that conflict prevails. Harmonization of official laws with the ‘traditional’ laws remains a challenge. There is therefore, need for cooperation between the police and customary courts as well as peace committees for them to be able to control the security situation in their respective areas of jurisdiction.

The existence of parallel structures for planning and command, the lack of specialists with experience and authority, different or even antagonist organizational cultures, the difficult transition from conflict/peacemaking to post-conflict stability and reconstruction. Conflict resolution strategies that fail to account for the complexity of those causes or expect to resolve the whole conflict quickly are likely to be ineffective in bringing about sustainable peace as supported by Severine (2008).

4. CONTRIBUTION TO SOCIETAL TRANSFORMATION

Through IPS strategies the target groups are easily identifiable. Conflict victims seen to be the most vulnerable groups in the post conflict situation need to be supported due to the risk of marginalization, isolation and insecure life conditions. Inclusion and support through the IPS by various target groups (e.g. women) which include resettlement, livelihood restoration especially through self help activities, education and health promotion, empowerment to participate in peace building initiatives. However, the representation of these groups remains low and their fundamental rights are not fully acknowledged. There is need to develop a culture of rights within societies to enhance the roles of women and children in the society. Conflicts should be managed in such a way that they do not become dysfunctional, and hence lead to the erosion of the rights.

Youths who are susceptible to being used as perpetrators of conflicts and civil disorders, yet they remain the most vulnerable and the most affected in post conflict societies if excluded from social, economic and political order of the society. Targets to particular groups, for instance, women alone, helps to address some of the consequences of conflict and perhaps one or more of the potential triggers to renewed conflict, but may fail to deal effectively with more central issues facing peace processes and constraints to building lasting peace,” as supported by Pottebaum and Lee (2007). Joint community projects developed in support with CSOs in partnership with government agencies serve as community connectors. These projects serve to restore the damage caused by conflict by not only materially rebuilding the community, but also by mending social bridges between previously conflicting groups. The peace and recovery projects serve to address the root causes and effects of the conflict and to foster a culture of solidarity and greater cooperation through joint inter-communal identification and implementation of actions, thus contributing to a durable and sustainable peace between communities. There is no set formula for peace and recovery projects; they are identified, prioritized and agreed upon by the communities themselves. Community participation provides accountability; it offers the environment in which their members can formulate their thoughts. This accountability guards against maverick and individualistic views. It provides a check against selfish and self-serving conclusions and by those who lack the perspective to see beyond their own circumstances. However, there is the challenge of enforcement of the negotiation agreements which lack binding powers and depend on the goodwill of the communities.

5. CONCLUSION

Integrated Post Conflict Management Strategies (IPS) have to some extent facilitated the understanding of the dynamics of social, political and economic exclusion at all levels. It captures value systems, prejudices, stereotypes, and assumptions. The negative stereotypes or assumptions

about a certain group within society combined with the “power to act ” by other members of society are easily identified, and the consequences can include social exclusion, discrimination, denial of resources, lack of self-respect, lack of opportunities, and so on. This exclusion is manifested directly, indirectly or through inaction or victimization on the part of the persons/group with the power to act.

The IPS also helps to analyze the perpetuating factors, including the institutions (Local authorities, religion, the media, the education system among others) and the processes of socialization (the family, community, the school, among others) and contributes to easily identifying entry points to addressing the root causes of exclusion of the marginalized and/or victimized community.

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