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Internal Displacement and Local Peacebuilding in Kenya

Challenges and Innovations

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Summary

- Peacebuilding after the 2007–08 postelection violence in Kenya is inextricably linked to the challenges of dealing with the hundreds of thousands of people that the violence internally displaced—a problem recognized in the national accord drawn up after the violence occurred.

- Effective resettlement of internally displaced persons (IDPs) and reconciliation should be a key indicator of successful peacebuilding, which in turn requires appropriate monitoring and evaluation of resettlement, reconciliation, and compensation efforts. In addition to the broader reforms stipulated in the national accord, the legislature and judiciary should be encouraged to more systematically address the grievances around internal displacement.

- Currently, nongovernmental peacebuilding organizations continue to be urban and Nairobi-centric, focusing on sporadic small projects, youth exchanges, and workshops. They rarely tap into informal or formal networks of local people and institutions, and no rigorous monitoring and reporting of previous hot spots of violence occur in an institutionalized and continuous manner.

- Local-level government responses to displacement remain largely within a pre-election security paradigm, entailing the construction of more police posts and involving the provincial security apparatus in compensation and resettlement. This is not effective. Much more needs to be done, including structural reforms that improve transparency and accountability in government institutions at the local level.

- Police reform is particularly important, as some police officers participated in the post-election violence and are currently involved in resettlement and compensation schemes. Sanctioning those officers who were involved, coupled with support and expansion of community policing to uphold laws protecting IDPs, will be crucial to reestablishing the peace and order needed for successful resettlement and reintegration.

- International actors could bolster more innovative approaches that better involve key local actors and institutions in pro-peace mobilizations, such as IDP networks, universities and colleges, elders' councils, women's groups, and media.

- Peacebuilding work in previous violence hot spots should be linked to economic empowerment that reinforces interethnic cooperation. Currently, much economic development assistance proceeds as if the violence did not occur.

- Everything must be done to protect and expand the hard-won political space for anti-violence mobilizations to operate.

Since the election in December 2007, Kenya has witnessed an unprecedented degree of postelection violence[1] that has produced large numbers of victims, including hundreds of thousands of IDPs.[2] It also generated many perpetrators, from the highest levels of government to ordinary people.[3] This violence has torn apart Kenya's social fabric and generated deep trauma. It also has contributed to a general economic downturn, reduced agricultural production, hunger, environmental degradation, stresses on health care systems, surges in crime, and greater insecurity. To make matters worse, conflicts in Uganda, Sudan, and Somalia have spilled over into Kenya, and arms are more readily available in both rural and urban areas.[4] This makes Kenya dangerously divided and well armed.

A high probability of recurrent violence exists, especially as elections approach in 2012, but such violence is not inevitable. To stop postelection violence, Kenya embarked on a national dialogue and reconciliation process, which led to a power-sharing arrangement and a national accord.[5] The accord's four key agenda areas provide a road map for necessary short- and longer-term changes to prevent future violence. These proposed changes aim not only to deal with immediate humanitarian issues, but also to puncture impunity and promote broader institutional change.[6] In this sense the accord represents the official consensus on a national strategy for building peace.[7]

This paper looks at one critically important aspect of the accord—agenda two—which calls for "immediate measures to address the massive humanitarian crisis of traumatized victims and the displaced and to promote reconciliation, healing and restoration."[8] A focus on internal displacement is one key lens to critically analyze Kenya's current peacebuilding, which we define as actions and approaches to "prevent, reduce, transform and help people recover from violence in all its forms including structural violence."[9] How IDPs are treated, whether they return to their homes, and if so, how successful their reintegration is tells a great deal about progress in a peacebuilding process. This paper analyzes the internal displacement and peacebuilding nexus first through a theoretical review and discussion, and then more concretely through the case study of Kuresoi in Kenya.

The Kenyan case clearly illustrates the challenges of translating national-level agreements into local-level peace.[10] Our case study, Kuresoi Constituency in the South Rift Valley, illustrates this and illuminates some of the key issues emerging from the current situation. Kuresoi experienced extreme violence not only in the last election, but in previous electoral cycles. To bring local voices into discussions of displacement and peacebuilding, we interviewed many displaced and those involved in violence as well as local actors engaged in peacebuilding, particularly elders' councils, government actors, and the National Council of Churches of Kenya (NCCK),[11] one of the main peacebuilding agents in the region. From this

analysis, we distill some lessons for moving forward with the agenda of supporting more effective pro-peace mobilizations and constraints on violence. We argue that, along with national-level transformations that puncture impunity, successful peacebuilding requires redress and reintegration of the displaced at a local level. This is an urgent task if Kenya is to avoid violence in 2012 and beyond.

Internal Displacement and Local Peacebuilding: The Connections

The interconnections between internal displacement and peacebuilding are gaining policy attention. UN secretary-general Kofi Annan noted in a 2005 speech to the UN High Commissioner for Refugees (UNHCR) that "the return of refugees and internally displaced persons is a major part of any post-conflict scenario ... it is often a critical factor in sustaining a peace process and in revitalizing economic activity."[12] In January 2009, UNHCR emphasized that "the scale of return and success of integration are two of the most tangible indicators of progress in any peacebuilding process."[13] More recently, a report of the secretary-general on peacebuilding after conflict put the "reintegration of returnees" as a key area where more significant progress must be made.[14]

The growing literature on peacebuilding and internal displacement emphasizes a number of specific interconnections. First, without successful local peacebuilding, resettlement and reintegration of the displaced to former homes becomes a potentially dangerous and hence less attractive option. In some cases, return can produce more violence. In Kenya, as elsewhere, IDPs have been killed or maimed when they have attempted to return to former homes in areas without adequate peace and order.[15] Persistent insecurity linked to mobilized youth, local impunity, and the failure of the police and legal system makes resettlement and reintegration of the displaced dangerous. Some argue further that the return of the displaced to their former homes challenges gains in land that play into peace agreements. This can trigger further violence from those who currently live on the newly appropriated or vacated land[16] unless there is careful mediation of these property disputes and reconciliation processes.[17]

Second, without the healing and reconstitution of local social fabrics linked to successful return and reintegration, a country often moves toward more polarization and ethnic separation. Trauma and anger among IDPs, reinforced by the large concentration of victims with sad and horrific stories to tell, means that new settlements of the displaced can easily become recruiting grounds for the next round of violence.[18] The displacements shatter cultural cohesion and undermine traditional practices used to mediate disputes, which often depend on the aggrieved meeting face-to-face where the wrongdoing occurred. When violations of the law are left unaddressed locally as victims flee, impunity at the local level becomes entrenched.

Third, the process of separation produced by displacement creates economic challenges. Violence often disrupts the local economy, which depends on interethnic cooperation for market access, labor, and transportation services. The loss of producers—small businesses and farmers—often worsens the prospects for local economic recovery where violence occurs. Where IDPs settle, either as integrated displaced or as impoverished settlers on marginal and unproductive lands and urban slums, they generate new challenges. New ethnically homogenous and unsustainable settlements can increase the potential for violent conflicts between the displaced and host communities, even if the two groups share cultural identities, as the newcomers' needs for water, firewood, and other resources create environmental and social damages that spill over to the host community. Relief food in such new settlements can also undercut local economies. Finally, for IDPs, it is widely recognized that economic empowerment and "property restitution and compensation are perhaps the

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most effective measures for remedying economic insecurity that results from an individual's displacement and loss of livelihood."[19]

In brief, internal displacement creates serious challenges for peacebuilding, and the two are intertwined. Preventing further displacement and durable solutions to current displacement requires a peace that involves reconstruction and reform of the state and economy at both local and national levels. This includes not only resettlement but dispute resolution; adjudication of property, especially land disputes; and attack on impunity through reinforcing law and order, in not only the police force but also the courts and mediation systems. All too often, displacement and its aftermath are viewed within a humanitarian or security lens that obscures these critical but politically charged aspects of how peace must be built. In turn, peacebuilding often proceeds as if there is no significant need to restructure the local state.[20] The failure to do so, and thus create trust in state institutions to deliver law fairly, often means locals rely on traditional or informal mechanisms with mixed results and contradictory effects.[21]

A look at current peacebuilding in Kenya reveals some key problems. First, at local levels the government response to displacement remains largely within the pre-election security paradigm, entailing the construction of more police posts and involving the security apparatus in resettlement, despite ample evidence that many members of the provincial administration and police played into the violence.[22] Second, peacebuilding organizations, with notable exceptions, continue to be urban and Nairobi-centric, focusing on sporadic small projects, youth exchanges, and workshops instead of building rural-urban coalitions to advocate for needed local structural changes, including building institutions around property restitution and other historical grievances.[23] Third, no rigorous monitoring of hot spots occurs in an institutionalized and continuous manner; it tends to happen only before the election, when there is inadequate time and strategy to manage the violence. Fourth, peacebuilding, including monitoring efforts, rarely tap into informal or formal networks of local people and institutions, such as IDP networks or schools and colleges, which are already trying to manage frayed local relations through their own creative mediations and interactions.[24] Fifth, peacebuilding often fails to address cultural practices and narratives (on all sides) that can aggravate tensions and interethnic relations. Sixth, while some efforts attempt to leverage economic reconstruction and development assistance to deepen interethnic linkages and cooperation, in practice, peacebuilding continues to be perceived and hence funded and implemented as a separate activity from development. Finally, little evaluation of past efforts appears to take place, although this would encourage more strategic learning and produce more accountability within peacebuilding activities.

The Kenyan Case

The magnitude of the violence after Kenya's contested election in December 2007 shocked many international observers. Yet a close reading of patterns of violence in the 1990s shows spikes of violence before multiparty elections beginning in 1992 and accumulating problems stemming from politicians using informal militias, including death squads within the police force, for their own political purposes.[25] Further, throughout the 1990s large numbers of IDPs were never properly assisted by the government or civil society, and the communities where violence occurred, with some exceptions, were left with the divisions and adverse effects of past episodes of displacement. Local nongovernmental organizations (NGOs), government commissions, and scholars have documented and analyzed these cumulative problems, added to those created by colonial displacements and inequitable land redistributions.[26] However, it was not a serious part of pre-election conflict assessments.[27]

Before the election a number of hot spots in the Rift Valley, such as Mt. Elgon and Kuresoi, were already experiencing high levels of violence and displacement.[28] The level of hate speech overall was alarming. Monitoring campaign rallies and incitement, the Kenya National Commission on Human Rights (KNHRC) found that the hate speech came from politicians in both major parties: the Party for National Unity (PNU) led by incumbent Mwai Kibaki, and the Orange Democratic Movement (ODM) led by Raila Odinga. The Peace and Development Network (PeaceNet), a national umbrella organization for all NGOs and individuals working on peacebuilding, had seventy-seven peace monitors linked to a text messaging center that analyzed the continual flow of data coming in from cell phones. None of these monitors, however, tapped directly into IDP networks in the regions where violence was already occurring or where high levels of hate speech and mobilization suggested that violence was imminent. Further, the monitoring did not translate into any concrete and coordinated action to push for sanctions or actions to prevent the violence.

Anticipating problems, donors pooled funding within the United Nations Development Programme (UNDP) for peacebuilding and violence prevention initiatives. The most prominent, Chagua Amani Zuia Noma (Follow Peace and Avoid Chaos) was spearheaded by a network of civil society, media, private sector, and religious organizations called Partnership for Peace. The initiative was officially launched on September 21, 2007, only three months before the election. While it condemned violence in Mt. Elgon, Kuresoi, and other places, and produced a media campaign that included spreading peace songs and videos, it appears to have relied on exhortation through media and workshops to a general public, or to specific groups such as youth and women.[29] It also appealed much more to middle-class and urban Kenyans than to rural youth, whom politicians were already mobilizing using local languages and traditional modes of organization. Further, it did not respond to the various local political discourses fueling animosity based on narratives of historical grievance.

Fear of powerful politicians also played into the failure to act boldly to counter hate speech and ongoing violent mobilizations; also, Kenyan civil society organizations were politically polarized and failed to speak in one voice about local-level violence and disputes in rural areas. Excepting a few organizations, such as the Kenya Human Rights Commission (distinct from the KNHRC), the Center against Torture (Eldoret), the Center for Human Rights and Democracy (Eldoret), and some local offices of the NCCK and other churches, most failed to address the growing problems of internal displacement that the violence caused. Rather, in a pattern that is not unique to Kenya, most efforts by civil society, media, international agencies, and even PeaceNet and the KNHRC focused on monitoring the election and overt aspects of campaign fraud, such as misuse of public funds or the manipulation of the party nomination process or voter registration. Meanwhile, the less-scrutinized informal organizing of violence before the election[30] helped produce the infrastructure for mass violence when the election went awry.

Most of the violence spread right after the Electoral Commission of Kenya delayed announcing the presidential results for days and then declared Mwai Kibaki the winner on December 30. Some of the violence appeared to emerge from angry demonstrations aimed at the Kibaki government and its PNU supporters for stealing the election. The government responded by using excessive and calculated force, sometimes using police to intimidate the opposition, especially in the ODM strongholds in Kisumu and parts of the Nairobi slums. Hundreds were killed in brutal and deliberate police action, which involved using live ammunition on "demonstrators," including women and small children.[31]

As the violence escalated, some ODM politicians organized and used demonstrations to bargain for power. In some areas they also encouraged and organized violent evictions of PNU voters from opposition zones, such as Mt. Elgon and Kuresoi. Some of these processes had begun even before the election.[32] In response, some of the PNU leadership funded and

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armed militias, including the notorious Mungiki,[33] supposedly to protect their "people."[34] These militias committed atrocities, including massacres of presumed ODM supporters in the Rift Valley. This caused displacements out of Central Province and Naivasha and Nakuru areas with large IDP camps forming in Kisumu.[35] Unlike in past cycles of violence, the emerging dynamics were much more like a civil war than the state-sponsored violence of the past.

Existing networks around peacebuilding—such as Concerned Citizens for Peace, including PeaceNet and Partnership for Peace—were crucial during the crisis. PeaceNet's network of election monitors very quickly focused on reporting violence and became a key source of information. By December 30, it was organizing meetings with its members to discuss interventions, including finding a mediation team.[36] By January 1, five prominent Kenyans who were involved in peacebuilding and peacekeeping in Kenya and the region—Ambassador Bethuel Kiplagat, General Daniel Opande (retired), General Lazaro Sumbeiywo (retired), Ms. Dekha Ibrahim Abdi, and George Wachira—formed the core of the Concerned Citizens for Peace initiative, which joined with PeaceNet. Three days later, they were meeting regularly at the Serena Hotel in Nairobi to strategize, inform the international community of events, and absorb private-sector actors, the media, writers, scholars, and activist citizens of all stripes who developed strategies to intervene. In the subsequent negotiations involving the Panel of Eminent African Personalities of the African Union, which led to the national accord, "civil society was pivotal in actually creating an environment that was favourable for negotiations."[37] Still, the IDP networks by and large were not invited to participate.

On February 1, 2008, the two main political leaders, Kibaki and Odinga, and their parties agreed as part of agenda one of the accord to take action to stop the violence and restore rights and liberties. Violence declined rapidly and a semblance of normalcy returned, at least in Nairobi, demonstrating the political nature of much (but not all) of the violence and its role within a bargaining process over power.[38] As some of the mobilized militia groups are informal and have political ties, challenges exist to demobilization and these groups could be easily reactivated. There is evidence that these militia groups are gaining more autonomy and that arms are being stockpiled for 2012.[39] As the most recent report from the KNDR monitoring project notes with alarm:

> Some groups have gained relative autonomy from political patronage, but they in turn have "trapped" some politicians into financing them. In some locations, illegal groups also use forced recruitment tactics such as threats, kidnapping and compulsory oaths. These groups continue to undertake their activities with impunity and, in some instances have threatened security officials.[40]

A senior administrative police officer expressed concern that if nothing is done to deal with these groups, mobilization times will be much shorter in the future.[41] These groups pose a serious challenge for peacebuilding and resettlement and reintegration of the displaced.

Internal Displacement and Peacebuilding in Kenya

Peacebuilding activities have continued since the signing of the national accord. However, using "the scale of return and success of integration of the displaced as two of the most tangible indicators of progress in Kenya's peacebuilding process,"[42] peacebuilding in Kenya is unsuccessful in key parts of the country. Only a fraction of IDPs[43] can be considered returned or settled, and among those, many do not have adequate security and livelihoods, access to compensation, restitution, or improved relations with neighbors.

Kenya has a long history of internal displacement linked to its colonial history. Colonial reorganization and centralization of control over labor and land rights favored white settlements and plantations, eventually provoking the Mau Mau insurgency, violence, and further

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dislocations. In postcolonial Kenya, those in political office easily manipulated inherited institutional structures determining land allocation.[44] In competitive multiparty elections, which were reinstated in Kenya in 1991, this made it easy for land to became politicized in election campaigns. It is hardly surprising that the multiparty elections in the 1990s saw the dominant authoritarian party, the Kenya African National Union, manipulating land claims, followed by the first mass displacements linked to the electoral cycle. This was in part a form of gerrymandering or punishment of opposition. Politicians activate claims that certain constituents hold land illegitimately since they are not indigenous to an area conceived as an ethnically homogenous territory. They then use these claims to encourage violent mobilization to purge voters they think will support the opposition based on their ethnicity.[45]

In the 1990s, these politics generated hundreds of thousands of conflict-induced IDPs in Kenya. Yet by and large, these people were neglected and left to their own resourcefulness. PeaceNet was formed in 1992 to cope with the displacement, but eventually moved toward general peacebuilding and lost focus on the displaced, even though the problem was far from addressed adequately. The government distorted and manipulated the one UNDP-sponsored resettlement scheme in 1994; the displaced either failed to receive land or got small pieces of marginal land while the rest was doled out as patronage to government supporters.[46]

Among the few organizations that consistently assisted and advocated for IDPs were the NCCK, the Catholic Peace and Justice Commission, and the Kenya Human Rights Commission. Together, they helped the displaced to form a national IDP network to advocate for their rights.[47] Many of the displaced were living not far from their original homes, in some areas where the violence in 2007 would once again be most serious; in these places, despite the efforts of peacebuilders such as the NCCK and PeaceNet, the government had never properly addressed the displacement and deep problems created by past violence and impunity. This is one among many factors explaining the intensity of violence in the last election.[48] Many victims were displaced multiple times over, sometimes from the locations they had fled to from previous displacements. A Kenya Land Alliance survey of IDPs in the Rift Valley found 32 percent of the displaced interviewed had been affected at least once before, in 1992, 1997, or 2002,[49] some of them from the same perpetrators.[50]

When the coalition government formed and postelection violence in 2007–08 was defused, the government, through the president's office, moved to take over humanitarian relief and reconstruction from international agencies and the Kenya Red Cross. This included responsibility for the large numbers of IDPs. Rather than create a task force involve key players—including the NCCK and key ministries, such as those of justice and land—and use the opportunity to develop a proper national IDP policy,[51] legal framework, and strategy, the government instead handed the job to the small Ministry of State for Special Programmes. Further, the government actively discouraged civil society, the media, and the private sector from staying involved, squandering their activism and goodwill during the initial crisis.

The ministry then launched a poorly conceived, organized, and timed Operation Rudi Nyumbani (Return Home) and the related operations Tujenge Pamoja (Build Together) and Ujirani Mwema (Good Neighborliness), using the overstretched provincial administration to manage them. Even with training from PeaceNet and the small but important police peace corps,[52] administration police could not properly support the exceptionally challenging resettlement and peacebuilding tasks while simultaneously dealing with broader security concerns.[53] It is not surprising, then, that inadequate peacebuilding took place: There were no proper plans to develop transparent registries, compensation, and restitution schemes, nor was there a place where IDPs could check on the whereabouts of lost loved ones. Instead, the government ordered the provincial administration to dismantle camps, putting the administration in the awkward position of forcing people out, sometimes into

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hostile communities where informal militias persisted, exacerbating the security problem it was supposed to address. There was no program for the displaced, who were in slums or "integrated" by fending for themselves—a possible 300,000 people or more.[54]

Apart from the IDP network and some of its local partners, no monitoring system was in place. The government once again should have invited actors such as the KNCHR and its partners, along with peacebuilding networks such as PeaceNet, the NCCK, and the IDP Network, to develop a monitoring scheme. Instead, the process was opaque and lent itself to corruption and political manipulation, once again worsening the security situation. It also exacerbated resentment among the displaced, deepening ethnic division. Some IDPs believed that compensation was meant for one ethnic group, the Kikuyu—Kibaki and many of his PNU associates are Kikuyu—even though the majority of any ethnic community did not get compensation. The Kenya Land Alliance Survey found that the majority of the 2,746 displaced people interviewed did not receive start-up capital of 10,000 or 25,000 Kenyan shillings (K.sh).[55] In another location, IDPs found that the chief had allocated their compensation to supporters, including young people involved in the violence.

Despite the lack of a proper ongoing monitoring system, the Kenya Human Rights Commission and more recently South Consulting for the Kenya National Dialogue and Reconciliation process did monitoring reports,[56] confirming the appalling situation of most IDPs. The Kenya Human Rights Commission report on Operation Return Home related that most of the displaced are "in deplorable conditions bordering on gross human rights violations; poor housing, lack of food, lack of safe water," noting the prevalence of 'sexual and gender-based violence, lack of maternal healthcare ... [and] exposure of children and pregnant mothers to extreme weather conditions."[57] These reports deal mostly with IDPs in rural areas, not those who were either displaced within or ended up in Kenya's urban slums, and it is likely that urban IDPs are among the most vulnerable. Given the magnitude of the problems surrounding the displaced, the peacebuilding activities thus far do not get close to adequately dealing with them. A more localized view reveals even more specific challenges—but also some ways forward.

Given the magnitude of the problems surrounding the displaced, the peacebuilding activities thus far do not get close to adequately dealing with them.

The Experience of Kuresoi Constituency

Kuresoi drew national attention before the 2007 election. A relatively new constituency, bordering the contentious Mau forest, it was carved out of a larger Molo constituency in time for the 1997 election. It was gerrymandered to have a majority Kalenjin[58] population to ensure dominance of the Kenya African National Union (KANU), and unsurprisingly the KANU candidate won there with a large majority in 1997 and again in 2002. In 2007 the incumbent MP Moses Cheboi (KANU) was fighting against the ODM candidate, former internal security permanent secretary and KANU stalwart Zakayo Cheruiyot, who eventually won the seat. The constituency was still seen as a bastion of KANU and former KANU military men, bureaucrats, and politicians who used the same techniques of violent displacement of non-Kalenjin voters—Kikuyu, Luhya, Kisii, and Ogiek, who are traditional forest dwellers—as in the 1990s. This was despite the peacebuilding efforts in the region.

Before the 2007 election, the National IDP Network actively documented escalating violence and analyzed it in some detail.[59] The aggressors largely came from within the local Kipsigis community (a Kalenjin subgroup), and those targeted were from the Kisii, Luhya, and Kikuyu communities. Some youth from other communities also perpetrated senseless revenge killings. The social and political dynamics before the election showed clearly that serious trouble was on the way, and the major challenges for local peacebuilding networks—as well some of the current approaches to the displaced—look similar to ineffective strategies in the past, as the pre-election monitoring report relates:

Throughout this period the government has worked to contain the situation, not by investigating higher level perpetrators and ensuring their arrest and prosecution, but by creating new police posts and units at different villages and commercial centers. At the community level, peace actors joined together, using a bottom-up approach to preventing the conflict by electing elders and youth from every community to oversee peace meetings and reconciliation. Among the actors were National Council of Churches of Kenya (NCCK), the Catholic Diocese of Nakuru (CDN), and provincial administration police. The committees have achieved some significant results to date, especially in the Likia zone. A collaborative effort by Muslim, Christian and Hindu leaders, the Likia and Beyond Peace and Conflicts Resolution Council has been active in peacebuilding activities and in increasing local police presence in the area.[60] A fifty-member peace committee has also been set up in the area, and is partnering with the Internal Displacement Monitoring Centre and the Kenya Human Rights Commission.[61]

Despite such localized successes, hatred and suspicion throughout the region continue and the mistrust among communities is high. There have been several initiatives to support reconciliation and resettlement of displaced families, yet progress has been very slow, with limited government recognition, and with frequent recurrences of violence. At this time the situation appears to be worsening with renewed clashes and acts of intimidation. A local militia group attacked the homes of three opposition candidates, causing them to withdraw from the election, and released a list of approved candidates.[62] Bridges have been destroyed in the area, disrupting commerce and transportation and severely impairing police responses to attacks as well.[63] Several episodes of anonymous leafleting of communities have occurred, warning "foreigners" that they would be attacked if they did not to leave the area, and urging communal and youth violence.[64]

In mid-October the IDP Network held an intensive, three-day training for peace committees from the entire region (including Kuresoi and Likia) at the Baraka Seminary Centre in Molo with more than 160 committee members and 10 chiefs participating. The NCCK, the Catholic Justice and Peace Commission (CJPC), CCR, and the Provincial Administration police jointly supported it. The final evening of the workshop was followed by a night of terror with Peace Committee member Mr. Anyona being shot three times and seven others also seriously injured, including a two-year-old baby. Two people were killed that night and eight houses were torched at Kamwaura Trading Centre.[65] The local administrative response was very slow, observers reported, with police arriving five hours after the 3:30 a.m. incident and the District Commissioner and other officials responded in the afternoon. Residents upset by the laxity of the administration's responses to security issues interrupted the DC's address, demanding reinforcements for the four police officers currently stationed in the area.[66] Locals reported that the increased police presence was withdrawn the following day. Local residents continued to flee the area, seeking refuge at schools, churches, government buildings, and market centres.

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This report was before the election on December 2007. The actual voting went without major incident apart from protests from voters who claimed to be missing from the voter list. But violence began to escalate once again after the incumbent Mwai Kibaki (PNU) was declared winner in a suspicious, flawed electoral process. The local Presbyterian Church of East Africa building was burned on December 30, 2007, and thirty houses were torched on New Year's Eve. A local Kikuyu politician, Njuguna Ngengi, was lured to a local farm with a request to mediate a dispute and was killed. Youth, some in uniforms of blue T-shirts and yellow shorts, torched houses and killed non-Kalenjin residents. Many displaced regrouped in Molo town and formed groups to kill Kalenjin. The death toll reached well over fifty people, and tens of thousands were displaced.

Our recent study of Kuresoi involved interviews in all parts of the constituency with actors on both sides of the divide, as well as those involved in peacebuilding.[67] It revealed some very serious problems. Currently, there are more than twenty transit camps, two main IDP-owned settlements, and one main camp. IDPs from the two settlements, Mitoni Tunu-ane and Good Hope Muiriini, received the 10,000 K.sh—approximately $125—given by the government as a resettlement package. They used this to buy small parcels of land, creating relatively homogenous and impoverished settlements. The majority of the displaced are "integrated" in town centers and have not returned home. Some did not own land and hence have nowhere to return. Some are business owners who did not own land but lost their

businesses. Some IDP children go to school now near the camps or towns, since inadequate numbers of schools have been rebuilt; in some cases, parents have left their children alone in towns so they can continue school, but this raises other problems. Other IDPs do not feel secure enough to return to their own farms. Naturally, IDPs complain of government neglect and corruption and heavily criticize the government's failure to manage restitution of property and security.

Within the Kalenjin community and the groups that initiated the violence,[68] there is also a theme of victimization and neglect. Respondents feel that too much attention is given to the displaced without recognition of the ways they themselves are suffering. Kalenjin youth emphasize their sense of economic marginalization relative to other communities. They also mention historical land injustices as among their deep grievances.[69]

A discussion with the Kuresoi Kipsigis Council of Elders exemplifies how local land grievances are articulated to justify communal anger and violence. The elders complained about a scheme called Olenguruone, which the colonial government used to clear forest and settle Kikuyu. During the Mau Mau revolt, most of the Kikuyu were chased out and detained. In 1955, the colonial government settled Kalenjin under the scheme, but after independence the government settled Kikuyu on the land. The elders claim a Kikuyu-dominated provincial administration allowed an illegal subdivision of land to accommodate Kikuyu outsiders when there was not enough land for all the Kalenjin families. They still resent this.

Another informant explained:

> Going back to history in the year 1975 at Kuresoi, there was a certain Rift-Valley provincial commissioner (PC) known as Isaiah Mathenge. He was a Kikuyu provincial commissioner. It was very unfortunate that at the time Mathenge was appointed Rift Valley P.C. Kipsigis from sides of Kericho, Bomet, and Bureti migrated to invade Mau forest. Warning was given for people to vacate out of the forested areas. People resisted the move, but instead shifted their cattle to some parts of Olenguruone. Through a spy, Mathenge received information that people had resisted to move away from the forest. With an immediate action, Mathenge sent a large number of police to evacuate people out of the forest and burn houses. Orders were followed. The houses were burnt to a frazzle and the cattle confiscated. It is said that on the spot, police slaughtered some cows. While others were sold at a price of three shillings, five shillings and fatty big bulls were sold at a price of ten shillings![70]

Many Kipsigis repeat the narratives of historical injustice and are frustrated that there is no way to discuss and address them. Kikuyu elders also articulate many injustices regarding land, both historically and more recently, also linking them to the more recent Kalenjin-dominated provincial administration. Both parties are deeply aggrieved by unjust actions of local state actors, especially in their manipulation of land and the security apparatus.

The postelection violence also unleashed insecurity, trauma, and social problems in successive waves on a formerly cosmopolitan community, as some senior figures in society, including politicians and elders, sanctioned killing. This insecurity has become more widespread and endemic. As one young man observed:

> After last year post-election violence many youths at Kuresoi enhanced cattle rustling for the people of their community. The major difference with the clash against the Kikuyu is that, when taking away the cattle of their community they can't kill or burn the houses. . . .Who would have dreamed that after postelection violence Kipsigis youths would turn against their community? Large numbers of youths at Kuresoi are a living threat to humanity. They have caused mayhem.[71]

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Another issue peacebuilders have not addressed is the formation of ethnic warrior identity based on traditional practices, no doubt bolstered by a sense of social and economic disempowerment. Youth mentioned in discussions that all young men go through secret initiation rites.[72] A number of participants in these rites claim this reinforces their masculine warrior identity. As one young man explained,

> It is during the circumcision ceremony that youths are trained in how they can develop to be real warriors and how they can exterminate other communities (their enemies). During this rite of passage from childhood to adulthood they are taught that if they can kill there would be no either spiritual or emotional impact has they would be purified later after killing![73]

Another young man had gone through a month-long initiation process in which he was very clearly taught that other Kenyan cultures were inferior. This is not unique to the Kalenjin and Kikuyu and raises critical questions about the limitations of workshops and trainings when confronted with problematic teachings in secretive traditional spaces. These ceremonies, which appear to have a large effect on youth identity and mores, constitute a challenge for peacebuilding that requires further investigation, engagement, and collaboration with those who do these initiation rites.

Responses to Kuresoi's Violence

To confront the complex challenges, an array of actors from the government, international organizations, and local NGOs and networks were engaged in the region right after the election violence. However, most have pulled out or are inactive, leaving local institutions with the heavy task of dealing with the situation themselves. A preliminary analysis reveals enormous gaps between the problems facing Kuresoi and the peacebuilding interventions that have taken place.

First, the peacebuilding activities tend to be fragmented. They are mostly sports activities, humanitarian aid to IDPs, or workshops typically targeting the displaced or the youth, but with a few exceptions do not link to strategic peacebuilding, displacement, or local economic empowerment; they tend to be sporadic or one-time events without follow-up or consistent relationship building. Human rights NGOs are largely absent. Second, official peacebuilding efforts are largely defunct, including the district-level peace committees sanctioned by the government. More broadly, restructuring of the local administration, including dismissal or removal of officials linked to violence—especially among the police— has not occurred and constitutes a major barrier to peacebuilding, as demobilization of militias and mediation of unresolved crimes and disputes require a reformed police force. Third, the government so far has failed to develop appropriate legal mechanisms to sort out land and property disputes that continue to fuel tensions, and officials complicit in undermining justice, as in Kuresoi, have not faced any sanction. Fourth, little is being done to address the key issues that both the displaced and the broader community articulate, including participants in the violence. For the displaced, this includes restitution of property, compensation, and apologies; on the other side, it involves exclusion from assistance and a failure to recognize their suffering and grievances, including historical land injustices. Finally, women and children appear to be largely excluded from peace committees and other peacebuilding activities, and elders are not adequately brought into platforms of dialogue.[74]

A few initiatives try to link the displaced and former neighbors through assistance. The Danish Refugee Council tried giving seeds and fertilizers to the community members to plant with the understanding that they contribute to the cereal banks for the displaced, but the organization has since left the area. The NCCK is developing a modified approach to the youth—typically between ten and thirty years old—from the Kalenjin community involved in violence. It focuses on building concern for their economic well-being, giving space for participants to develop their own ideas for facilitating peace. According to Dr. Raphael Kinoti, who is leading the initiative, it is important to show the youth that "you are interested in their lives not just using them for peacebuilding" and help them connect to existing services and opportunities. They obtained microfinance loans for some children to start small businesses and five joined colleges. Such initiatives should be incorporated

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into the resettlement process to deal with (mis)perceptions that the displaced are getting special treatment or benefits.

The NCCK approach addresses one of the many grievances local residents use to justify violence: that other communities in the area were better connected to markets for agricultural produce and services.[75] Through the engagement the youth are brought into economic connection and interest with a broader multiethnic world—the NCCK and PeaceNet core staff is very diverse—and these connections align with their economic interest and personal empowerment agenda.[76] The approach works potentially better than simple dialogue or youth funds, which tend to be used by those who are already connected into the system and know how to apply for them; the point is to create new relationships and networks linked to and reinforced by economic opportunity, not just economic opportunity itself.[77]

However, the youth are expected to provide ideas for peace. One youth group decided to return stolen things to the displaced, now mostly destitute. They negotiated for two bicycles—important assets for a poor member of a rural community—to be returned in a small ceremony. They also organized home visits to return three cows, four goats, and fifteen iron sheets. This had a great symbolic effect as the news spread; according to Dr. Kinoti, in two weeks some of the few houses built for returnees filled. It also started to address the crucial question of restitution. More effort generally needs to be made to encourage restitution and the rule of law through returning stolen property. Peacebuilding efforts should work with local police, who could create more incentives to return property within a grace period and, in doing so, start to rebuild respect for the law. These promising approaches, however, depend on reformed police institutions.

Moreover, the overall situation remains very serious. Peace activists such as Mr. Anyona have been killed for organizing meetings and many peacebuilders have been silenced by violence and fear.[78] This fundamental problem has not been systematically addressed. In this regard another concern is the involvement of retired and on-duty police as well as former army officers in coordinating and escalating violence. These individuals typically possess firearms, and as the recent report by Professor Philip Alston, the UN special rapporteur on extrajudicial, summary, or arbitrary execution, makes clear, they are likely to have experienced a culture of impunity and violence in their professional lives. This problem is compounded by the ever-widening circulation of small arms.[79] One higher-level security official in the South Rift Valley informed us that many stockpiles exist since the last episodes of violence, anticipating the next round of elections.

Local efforts at peacebuilding can be overridden by violence if they do not involve the security apparatus that supports peace and the rule of law. In Kuresoi, community policing by the specially trained peace corps within the administration police saved many lives at crucial moments and has allowed access to areas that might otherwise be too insecure for peacebuilding meetings. Thus, even without full-fledged police reform, it may be possible to find some police support for peacebuilding and community policing programs. Deepening this collaboration at local levels is another key but difficult issue. Avenues must be opened and widened to build creative pro-peace collaborations while finding mechanisms to reform the state, including the police, to provide the security needed for successful peacebuilding as well as resettlement and reintegration of the displaced.

Conclusions and Lessons Learned

Using "the scale of return and success of integration of the displaced"[80] as tangible indicators of progress in Kenya's peacebuilding process, there are enormous gaps between current programs and policies and the actual peacebuilding interventions required. Peacebuilding efforts in Kenya are rarely adequately analyzed and evaluated, and despite the recent recognition that

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displacement and peacebuilding must be dealt with together,[81] the two are often treated as conceptually and programmatically distinct.

The government's national policy on peacebuilding and conflict management only mentions displacement in passing.[82] UNDP's recent efforts at peacebuilding, while laudable, rely on exchanges, exhibitions, and dialogue that often appeal to urban youth[83] without systematically linking into rural networks.[84] They do not reach and operate in Kuresoi or places like it, nor do they bring in all the key actors in communities affected by violence, including the displaced. Further, these efforts often appear completely separate from other development efforts, which often proceed as if the violence and displacement did not happen and sometimes inadvertently intensify the conflict dynamics.[85]

Present government initiatives for dealing with both displacement and peacebuilding through district and local peace committees are inadequate without reforming some of the administration that is the backbone of these efforts.[86] The draft national policy on peacebuilding and conflict management notes that there is need for reform of the constitution, public service, police, and land policies, but such reforms often remain out of the discussions about peacebuilding.[87] The current formulation process of a national internal displacement policy and national land policy, which passed parliament in December 2009, provide openings for these dialogues at the local level.

Civil society and universities or colleges could continuously monitor and report on displacement and communities affected by violence. However, all too often universities are ignored in peacebuilding and scattered NGO actors tend to engage in a number of activities with no clear overall coordination. Many of these activities are helpful and meaningful to those who participate in them, but the overall efficacy of these programs in addressing the deep dynamics of violence and displacement is questionable. The tendency toward parallel and small-scale initiatives is accentuated by the fragmented nature of donor funding.[88] There is much untapped potential in Kenya to deepen and restructure interventions.

The extent of violence in the future will depend in the short term on political coalitions and in the longer term on the success of structural reform stipulated in the national accord, including whether Kenya will have a new constitution that restructures the local state to make it more transparent and impartial. Violence will also crucially depend on whether national institutional change reaches the local level and creative interventions address the deep divisions and grievances in so many Kenyan communities. This demands more sophisticated peacebuilding that embraces the locally textured complexity of the current situation in many areas of Kenya, recognizing the full extent of the damage to social and economic fabrics that violence and displacement have caused.[89] A strategic and creative peacebuilding effort could draw the displaced and their communities (new or old) together into joint economic empowerment initiatives. Formal and informal networks might be linked in platforms for dialogue in neutral local institutions, such as small colleges and universities.[90] In Kuresoi, the local agricultural college is one main site of local and ongoing initiatives for peace, symbolically linking peace with economic opportunity and education.

To better understand local context, interventions must be based on continuous monitoring and solid information about concrete concerns and grievances, such as land and historical injustices, as well as cultural and election practices that keep people divided. Overall peacebuilding cannot be divorced from broader issues of reform of state structures to make them more impartial in service delivery and more effective locally. Some tentative lessons emerge out of this analysis:

- Resettlement and reintegration of the displaced should become a key indicator of successful peacebuilding in communities affected by violence. Systematic information through continual monitoring involving the displaced must be supported and fed into warning systems of future conflict.

The extent of violence in the future will depend in the short term on political coalitions and in the longer term on the success of structural reform stipulated in the national accord, including whether Kenya will have a new constitution that restructures the local state to make it more transparent and impartial.

- The government, civil society, and donors should support local institutions to better perform their duties toward the displaced and violence-torn communities more generally. Civil society and donors should encourage the KNHRC to set up an IDP unit to take complaints and push the government to monitoring compliance with the rights of IDPs as Kenyan citizens. Courts and parliament must be properly briefed by the KNHRC and civil society and held to account for the plight of the displaced and the larger community affected by violence. Civil society and the Ministry of Justice and Constitutional Affairs should explore how to bolster legal aid and mediation mechanisms for the displaced and other aggrieved parties, especially to handle property disputes that continue to deepen grievances.[91]

- Donor and civil society support for antiviolence mobilization and peacebuilding should not focus only on elections, but also reform, including of courts,[92] local administration, and institutions dealing with land allocation. Supporting the careful implementation of Kenya's national land policy will enhance transparency over land allocations, helping to avoid deepening grievances.

- The government and civil society must pay special attention to the police, both general and administrative. The police and military must not unfairly retrench young members and must sanction those involved in violence. As some ex-military and ex-police officers organized or participated in local violence, they must also be sanctioned. However, there also must be greater outreach to former military or policemen. Opportunities to nurture, support, and expand the peace corps and community policing within Kenya's police[93] should be explored.

- Most crucially, the government and civil society must support careful implementation of the National Task Force on Police Reforms. Human rights and conflict prevention and resolution skills should be taught in police training colleges, along with refresher courses to keep up a dialogue on these issues within the police.

- International support for peacebuilding must go beyond the individual rational critical dialogue model (workshops and exhortation) to support more innovative approaches that involve key local actors and institutions, such as elders' councils, women's groups, and media, in pro-peace mobilizations. As one respected peacemaker, Bishop Cornelius Korir of the Catholic Diocese, writes, "we need to facilitate amani mashinani—peace in the village, not peace in urban hotels."[94] Local pro-peace mobilizations in some parts of Kenya have been successful. On the coast, violence started but was quickly stopped by a successful mobilization of elders, mosques, the local provincial administration, and civil society organizations, as well as prominent politicians and intellectuals, shifting moral authority in the region overwhelmingly against violence.[95]

- More peacebuilding efforts should be linked to economic empowerment in hot spot areas that at the same time nurtures interethnic cooperation and linkages among the displaced, youth in communities involved in violence, and the private sector.

- Universities, colleges and schools that bring youth together and create neutral spaces should be brought into peacebuilding initiatives more centrally, both to accumulate information on local conditions but also to link empowerment with peace.

- Existing and past peacebuilding programs should be critically reviewed and evaluated, paying particular attention to whether these efforts support or displace local efforts.

- Finally, peacebuilding requires democratic deepening, political space, and deeper state reforms to entrench the rule of law and democratic rights. Authoritarianism and shrinking political space destroys room to maneuver. Everything must be done to protect and expand the hard-won political space for antiviolence mobilizations to operate.[96]

Peacebuilding requires democratic deepening, political space, and deeper state reforms to entrench the rule of law and democratic rights.

Notes

1. The forms of violence experienced in 2007–08, however, were part of a pattern reaching back into Kenya's history.

2. See Sheila Mwiandi, "Moving Beyond Relief: The Challenges of Settling Kenya's Internally Displaced," USIPeace Briefing, August 2008. Available at http://www.usip.org/resources/moving-beyond-relief-the-challenges-settling-kenyas-internally-displaced (accessed July 25, 2010); and the Kenya Human Rights Commission, *Out in the Cold: The Fate of Internally Displaced Persons in Kenya (2008–2009)* (Nairobi: Kenya Human Rights Commission, 2009). Available at http://2logicstudios.com/khrc/1/content/?e=21 (accessed July 25, 2010).

3. There are also complex cases of victim-perpetrators—people forced to kill others or be killed.

4. Based on interview with Mutuku Nguli, executive director PeaceNet Nairobi, August 21, 2009, and Inspector J. Mele Nakuru, August 20, 2008. There are also problems of ammunition leaking from the government; see James Bevan, *Blowback: Kenya's Illicit Ammunition Problem in Turkana North,* Occasional Paper 22 (Geneva: Small Arms Survey, 2008). See also David Okwembah and Dominic Wabala, "Illegal Guns—100,000 Reasons to Be Afraid," *Daily Nation,* March 11, 2007, available at http://allafrica.com/stories/200703110212.html (accessed July 25, 2010); and Peter Ng'etich and Barnabas Bii, "Kenyan Activists Quizzed over Arms Claims," *Daily Nation,* October 9, 2009, available at http://www.nation.co.ke/News/politics/-/1064/670398/-/xtrvgkz/-/ind (accessed July 25, 2010).

5. The full set of the text of the accord and related documents are available at http://www.dialoguekenya.org/ (accessed July 25, 2010).

6. This includes addressing long-term issues, such as land reform, constitutional reform, unemployment and poverty, and inequality. See Jacqueline M. Klopp, "Kenya's Unfinished Agendas," *Journal of International Affairs,* vol. 62, no. 2 (2009), 143–158; and Karuti Kanyinga, "Hobbling Along to Pay-Offs: The Kenya Grand Coalition Government," Paper prepared for a workshop on political inclusion in Africa, American University, April 24–25, 2009. Available at http://www.american.edu/sis/africacouncil/Conference-2009.cfm (accessed July 25, 2010).

7. There is a national peace building and conflict management policy, which has been in a draft stage for many years. As of this writing, it does not appear to have passed through cabinet, perhaps indicating its low priority.

8. See Kenya National Dialogue and Reconciliation, annotated agenda and time table, February 1, 2008. Available at http://www.dialoguekenya.org/agreements.aspx (accessed July 25, 2010).

9. Statement by Antonio Guterres, UNHCR, to the UN Security Council, New York, January 8, 2009.

10. This is a well known problem; see Séverine Autessere, "The Trouble with Congo: How Local Conflict Fuels Regional Violence," *Foreign Affairs* (May–June 2008): 94–110.

11. On the National Council of Churches of Kenya, see http://www.ncck.org/.

12. UN secretary-general's address to UNHCR Executive Committee, Geneva, October 6, 2006. Cited in Brookings-Bern Project, *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peacebuilding* (Washington, DC: Brookings Institution, 2007), 15.

13. Statement by Guterres to Security Council. Cited in Khalid Koser, "Integrating Displacement in Peace Processes and Peacebuilding," *Refugee Survey Quarterly,* vol. 28, no. 1 (2009), 6.

14. See paragraph 58.

15. See the case of two men, Amos Maina and David Wachira, who were killed in November 2009 after returning to homes built by the Danish Refugee Council in Kuresoi. See K24, "Two Men Sodomized and Butchered in Kuresoi," available at http://k24.co.ke/index.php?option=com_content&view=article&id=485:men-kuresoi&catid=34:kenyan&Itemid=54 (accessed July 25, 2010).

16. Such land issues can certainly trigger disputes. See Mathijs van Leeuwen, *Partners in Peace: Discourses and Practices of Civil-Society Peacebuilding* (Farnham: Ashgate, 2009), 123–42; and Humanitarian Policy Group, "Crisis in Kenya: Land, Displacement and the Search for 'Durable Solutions,'" HPG Policy Brief 31, April 2008.

17. Brookings-Bern Project, *Addressing Internal Displacement,* 19.

18. For a brilliant analysis of the radicalizing influence of segregated camps or settlements on refugees in Tanzania, see Lissa Mallki, *Purity and Exile Violence, Memory, and National Cosmology among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995). Perpetrators also face serious trauma. Some argue that the trauma of violent displacement in the 1990s helped create the Mungiki, a Kikuyu quasi-religious movement. Mungiki were part of the postelection violence in 2007–08, and there continue to be concerns about Mungiki recruiting among the displaced in some areas.

19. Andrew Solomon, "Justice, Accountability, and the Protection of Displaced Persons," Paper prepared for an annual course on forced migration, Mahanirban Calcutta Research Group, December 1, 2009, 7–8. This is also part of the Guiding Principles on Internal Displacement (Principle 29).

20. See Jesse Bernstein, "Protecting and Promoting the Rights of Internally Displaced Persons: A Role for National Courts?" MA thesis, London School of Economics.

21. There can be tensions between traditional peacemaking mechanisms and the constitution. See Tanja Chopra, "When Peacebuilding Contradicts Statebuilding: Notes from the Arid Lands of Kenya," *International Peacekeeping,* vol. 16, no. 4 (2009), 531–45.

22. See the Commission of Inquiry into Ethnic Clashes, known as the Akiwumi Commission (Nairobi: Government Printers, 2001), and the most recent Commission of Inquiry on Post Election Violence (CIPEV), (Nairobi: Government Printers, 2008), available online at http://www.dialoguekenya.org/creport.aspx (accessed August 16, 2010). In extreme cases, people with reputations of being involved in violence are put in charge of resettlement.

23. The Kenya Land Alliance is one exception.

24. Paula Pickering, *Peacebuilding in the Balkans: The View from the Ground Floor* (Ithaca, NY: Cornell University Press, 2007).

25. Kenya Human Rights Commission, "Kayas of Deprivation, Kayas of Blood: Violence, Ethnicity and the state in Coastal Kenya," 1997; "Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya," 1998; "Kayas Revisited: A Post Election Balance Sheet," 1998. See also Jacqueline M. Klopp. "'Ethnic Clashes' and Winning Elections: The Case of Kenya's Electoral Despotism," *Canadian Journal of African Studies,* vol. 35, no. 2 (2001), 473–517; Jacqueline M. Klopp and Prisca Kamungi, "Violence and Elections: Will Kenya Collapse?" *World Policy Journal,* vol. 24 (2008), 11–18.

26. See Kenya Human Rights Commission and the three government commissions on the violence: a select committee of the national assembly called the Kiliku Committee, *Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya* (Nairobi: Government Printer, 1992),the Akiwumi Commission, and CIPEV.

27. See George Kut, "Mobilizing Early Response Project—Kenya," Nairobi Peace Initiative-Africa/GPPAC Eastern and Central African Region, February 2009, available at http://gppac.net/uploads/File/Kenya%20MERP%20 ASSMENT%20Report.doc (accessed July 25, 2010).

28. IDP Network of Kenya, "Internal Displacement Alert and Analysis: Kuresoi Constituency," unpublished manuscript, December 2007; *Médecins Sans Frontières, Mount Elgon: Does Anybody Care?* (Brussels: Médecins Sans Frontières, 2008); Human Rights Watch, *"All the Men Have Gone": War Crimes in Kenya's Mt. Elgon Conflict* (New York: Human Rights Watch, 2008).

29. This is not to say that youth or women are not important; they are critical. But there is a need to be more specific. Which youth, which women, why, and how? All this must be understood in the context of men and their relations to women and children as well as constructions of masculinity.

30. Linda Kirschke, "Informal Repression, Zero-Sum Politics and Late Third Wave Transitions," *Journal of Modern African Studies,* vol. 38, no. 3 (2000), 383–405; and Klopp, "'Ethnic Clashes' and Winning Elections."

31. See CIPEV, chapter 4.

32. In some hot spots, such as Kuresoi and Mt. Elgon constituencies, violence has started well before the actual election. Subsequent evidence would suggest that while violent local conflicts existed for some time without resolution—especially regarding land in Mt. Elgon—this became entangled in electoral calculations, as politicians used them to consolidate their support and kill or displace opponents.

33. On Mungiki, see David Anderson, "Vigilantes, Violence, and the Politics of Public Order in Kenya," *African Affairs,* vol. 101, no. 429 (2002), 531–555; Peter Kagwanja, "Facing Mount Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987–2002," *African Affairs,* vol. 102, no. 406 (2003), 25–49; and Mutuma Ruteere, *Dilemmas of Crime, Human Rights and Politics in Mungiki Violence in Kenya* (Nairobi: Kenya Human Rights Institute, 2008).

34. One police informant claimed that wealthy PNU supporters paid a large sum each for AK-47s easily available in the North Rift. See Kennedy Agade Mkutu, *Guns and Governance in the Rift Valley: Pastoralist Conflict and Small Arms* (Oxford: James Currey, 2008) for an explanation of why.

35. Human Rights Watch, *"All the Men Have Gone"*; CIPEV, 113–128; author interviews.

36. Personal communication, Dekha Imbrahim Abdi, February 20, 2009.

37. Elisabeth Lindenmayer and Josie Lianna Kaye, *A Choice for Peace? The Story of 41 Days of Mediation in Kenya* (New York: International Peace Institute, 2009), 13.

38. Jacqueline M. Klopp and Elke Zuern, "The Politics of Violence in Democratization," *Comparative Politics,* vol. 39, no. 2 (2007), 127–146.

39. PeaceNet research also suggests an AK-47 going for 100,000 K.sh before the violence in 2008 now sells at 15,000 K.sh. A pistol in Nairobi sells for 2000 K.sh. These low prices suggest a large increase in supply and hence accessibility. On weapons stockpiling, see Okwembah and Wabala, "Illegal Guns," and Ng'etich and Bii, "Kenyan Activists Quizzed."

40. South Consulting, "The Kenya National Dialogue and Reconciliation Monitoring Project: Status of Implementation of Agenda Items 1–4 Fourth Review Report," October 2009, 4, available at http://www.dialoguekenya.org/ mreport.aspx (accessed July 25, 2010).

41. Interview with Senior Assistant Commandant of the Administration Police Fred Mwei, Nairobi, August 20, 2009.

42. Statement by Guterres to Security Council, in Koser, "Integrating Displacement," 6.

43. See South Consulting, "The Kenya National Dialogue," 13–14: "the closure of camps has not ended displacement because thousands remain displaced in 43 'transit camps' and in other locations. Some of the IDPs remain in camps due to fear of attacks in return areas, while others are landless. Still there are those who cannot go back because they do not have adequate finances to rebuild their lives."

44. Ato Onoma, "The Use of Land to Generate Political Support," *Africa Development,* vol. 33, no. 3 (2008), 147–155.

45. Kenya Human Rights Commission, "Killing the Vote"; Klopp, "'Ethnic Clashes' and Winning Elections."

46. Human Rights Watch, *Divide and Rule: State Sponsored Ethnic Violence in Kenya* (New York: Human Rights Watch, 1993); Klopp, "'Ethnic Clashes' and Winning Elections"; and Scott Matter, "Clashing Claims: Neopatrimonial Governance, Land Tenure Transformation, and Violence at Enoosupukia, Kenya," *Political and Legal Anthropology Review,* vol. 33, no. 1 (2010), 67–88.

47. For a more detailed account, see Jacqueline M. Klopp, "Kenya's Internally Displaced: Managing Civil Conflict in Democratic Transitions," Dorina Bekoe (ed.), in *East Africa and the Horn: Confronting Challenges to Good Governance,* (Boulder: Lynne Reinner, 2006); Prisca Kamungi and Jacqueline M. Klopp, "Failure to Protect: Lessons from Kenya's IDP Network," *Forced Migration Review,* vol. 28 (2008), 52–53; Internal Displacement Monitoring Centre, *I Am a Refugee in My Own Country: Conflict-Induced Internal Displacement in Kenya* (Geneva: Internal Displacement Monitoring Centre, 2006).

48. Others include the greater circulation of arms and the deep anger among aggressors about the election and the perception that Kibaki unfairly favored his coethnics. The retrenchment of young military and police from the hotspots fueled the fire.

49. Kenya Land Alliance, *Land Data Survey Report on Internal Displacement* (Nakaru: Kenya Land Alliance, 2009), 10.

50. Compare the list of alleged perpetrators in the KNCHR, *Kenya on the Brink of the Precipice: A Human Rights Account of Kenya's Post 2007 Election* (Nairobi: KNHRC, 2008) to the names in the Akiwumi Commission for the 1997 violence.

51. The Ministry of Justice and Constitutional Affairs has now drafted a national IDP policy with input from stakeholders.

52. The "peace corps" based in Nakuru is a small group of specially trained police who engage in community policing and conflict resolution. They saved many lives in the Nakuru region before and during the postelection violence in 2007–2008.

53. See CIPEV, chapter 11.

54. During the height of the violence the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated approximately 600,000 displaced people with half of those later hosted in camps. This leaves around 300,000 integrated IDPs.

55. Kenya Land Alliance, *Land Data Survey Report,* 9.

56. Kenya Human Rights Commission, *Out in the Cold,* and *A Tale of Force, Threats, and Lies: Operation Rudi Nyumbani in Perspective* (Nairobi: Kenya Human Rights Commission, 2008); and South Consulting, "Kenya National Dialogue." See also Internal Displacement Monitoring Report, *I Am a Refugee in My Own Country,* for an overview of the situation before the more recent violence.

57. Kenya Human Rights Commission. *A Tale of Force, Threats and Lies,* 27; Jacqueline Klopp and Nuur Mohamud Sheekh, "Can the Guiding Principles Make a Difference in Kenya?" *Forced Migration Review* GP-10 (2008), 19–20.

58. Kalenjin means "I say" in multiple local languages and has come to signify a fluid collective ethnic identity. The local peoples in this area are largely Kipsigis who are part of this collective constructed identity, Ogiek who traditionally lived in the Mau forest, and Kikuyu, Kisii, and others brought in to labor on white farms and who later bought small pieces of land and settled. For a superb treatment of Kalenjin politics, see G. Lynch, "Courting the Kalenjin: The Failure of Dynasticism and the Strength of the ODM Wave in Kenya's Rift Valley Province," *African Affairs,* vol. 107, no. 429 (2008), 541–568.

59. IDP Network of Kenya, "Internal Displacement Alert."

60. Lorraine Anyango, "How Likia Won the Battle for Peace," *Daily Nation,* September 11, 2007.

61. UN Integrated Regional Information Networks, "Kenya: Clashes, Elections and Land—Church Keeps Watch in Molo," July 19, 2007.

62. Barnabas Bii and Bernard Kwalia, "Kenya: Fresh Flare-Ups Could Disrupt Voting," *Daily Nation,* November 3, 2007.

63. Bii and Kwalia, "Kenya: Fresh Flare-Ups."

64. Standard Team, "Police Alert as Sect Drops Scare Leaflets," *East African Standard,* May 17, 2007; Elizabeth Mwai, James Ratemo, Edith Fortunate, Elizabeth Awuor, and Isaiah Lucheliet, "Kenya: Ndingi Calls for Sacking of Security Minister," *East African Standard,* April 9, 2007; Nation Correspondents, "Kenya: Five Killed in Fresh Clashes," *Daily Nation,* May 12, 2007.

65. Steve Mkwale, "Villagers Flee Homes After Violence," *East African Standard,* October 21, 2007.

66. Francis Mureithi and Noah Cheploen, "Kenya: Tension as Raiders Hit Molo," *The Daily Nation,* October 20, 2007.

67. While we have been tracing Kuresoi for a long time and one of us is from the area, we conducted interviews for this paper between June 24 and July 6, 2009.

68. Even Kalenjin warriors we spoke to admitted to starting the violence and working in a very coordinated way using cell phones.

69. Gabrielle Lynch, "Courting the Kalenjin: The Failure of Dynasticism and the Strength of the ODM Wave in Kenya's Rift Valley Province," *African Affairs,* vol. 107, no. 429 (2008), 541–568, and "Durable Solution, Help or Hindrance? The Failings and Unintended Implications of Relief and Recovery Efforts for Kenya's Post-election IDPs," *Review of African Political Economy,* vol. 36, no. 122 (2009), 604–610.

70. Personal communication to authors, May 29, 2009.

71. Personal communication to authors, May 29, 2009.

72. For the 2007 election cycle, in many parts of the Rift Valley the ceremony was arranged to fall just before the election. It is unclear whether this was a calculated mobilization strategy or, as others claim, simply a move to be sure the ceremonies did not interfere with voter turnout.

73. Personal communication with youth from Kuresoi, May 29, 2009.

74. This was also observation of a recent Direct Action evaluation that which supports peace committees. See Sophie Gordon, "An Evaluation of Peace Direct's "Rapid Response Fund' in Kenya. Available at http://www.peacedirect .org/wp-content/uploads/rrf-evaluation-kenya-02-06-09-final.pdf (accessed on August 12, 2010).

75. Even if the dynamics of the violence do not map onto the justifications, the justifications are very important to discuss and act upon to shift perceptions.

76. Interview with Dr. Raphael Kinoti, NCCK South Rift, Nakuru March 25, 2009.

77. Anecdotal evidence suggests local groups in the Nairobi slums are innovating in an ad hoc way with this approach. I am grateful to Odindo Opiata for this insight.

78. Many courageous Kalenjin elders wished to reach out for help, but Nairobi-based institutions such as the KNHRC failed to support them adequately. The local organizations, including the NCCK, were in an atmosphere of intimidation. It was only fortunate that the local administration police unit, which supported peace efforts, offered some protection; both higher level officers are studying peace and conflict resolution.

79. See Mkutu, *Guns and Governance.*

80. Statement by Guterres to Security Council, in Koser, "Integrating Displacement," 6.

81. UN secretary-general's address to UNHRC Executive Committee, Geneva, October 6, 2006. Cited in Brookings-Bern Project, *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peacebuilding* (Washington, DC: Brookings Institution, 2007).

82. See national policy. The peace effort among the provincial administration has a website at http://www.ppf-rvp .or.ke/ (accessed July 25, 2010).

83. See the program descriptions at http://www.ke.undp.org/projects (accessed July 25, 2010).

84. Compounding this problem is that "there is currently no mechanism in the UN to ensure oversight and follow up or to establish accountability in peacebuilding." Brookings-Bern Project, *Addressing Internal Displacement,* 58.

85. Toi market in Kenya's Kibera slum was rebuilt in a way that locked out people violently evicted based on their ethnicity. Even development interventions face constraints from the postelection violence. A UN-Habitat financed government upgrading scheme in Kenya's Kibera slum faced unexpected hurdles when people refused to move into the new units: Many had moved into properties displaced people owned and thought the upgrading project

was a scheme to get them out. See Johan de Smedt, "'No Raila, No Peace!' Big Man Politics and Election Violence at the Kibera Grassroots," *African Affairs,* vol. 108, no. 433 (2009), 1–18; compare issues discussed here to similar issues in Kibera.

86. Of course, the government is complex and divided, with some politicians and bureaucrats at both national and local levels implicated in crimes; hence, they have a strong interest in opposing reforms.

87. Lederach notes the importance of "strategic engagement with the public sphere in peace processes"; See John Paul Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (Oxford: Oxford University Press, 2005), 59.

88. Personal communication with Bethuel Kiplagat, Concerned Citizens for Peace, Nairobi, January 2009, Nairobi, and interview with Mutuku Nguli, Chief Executive PeaceNet, Nairobi, August 21, 2009.

89. Lederach, *The Moral Imagination,* 48.

90. See the case of Amoud University in Abdi Samatar, "Somali Reconstruction and Local Initiative: Amoud University," *World Development,* vol. 29, no. 4 (April 2001), 641–656.

91. See Bernstein, "Protecting and Promoting the Rights of Internally Displaced Persons."

92. Professional associations, such as the Law Society of Kenya, should be more involved in sanctioning members when there is evidence of serious violation of human rights, hate speech, and other violations of the law and professional norms.

93. Reformers within the administration police argue for community policing. See Terry Mwaniki, Peter M. Mbuchi. Mark Leleruk, and Fred Mwei, *Peace Building and Conflict Management: Joint Case Study of the North Rift Region of Kenya* (Nairobi: Paulines Publications Africa, 2007).

94. Bishop Cornelius Korir, Amani Mashinani *(Peace at the Grassroots): Experiences of Community Peacebuilding in the North Rift Region of Kenya* (Eldoret: Catholic Diocese 2009).

95. These successful cases require more study. I am grateful to Dekha Abdi for her comments on the coast.

96. This will especially be true as the International Criminal Court case proceeds in Kenya and witnesses who wish to provide evidence against those involved in the violence face serious vulnerability.

Of Related Interest

- *Integrating Internal Displacement in Peace Processes and Agreements* (2010) by Gerard McHugh (Peacemaker's Toolkit)
- *Moving Beyond Relief: The Challenges of Settling Kenya's Internally Displaced* by Sheila Mwiandi (Peace Brief, August 2008)
- *Kenya: Setting the Stage for Durable Peace?* By Dorina Bekoe (Peace Brief, April 2008)
- *Orphans of Conflict: Caring for the Internally Displaced* by Donald Steinberg (Special Report, October 2005)