

BALAA MIT'AANI

The Challenge of Mending Ethnic Relations in the Nairobi Slums



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Whether a person likes it or not, virtually no one is completely beyond the reach of politics.... Everyone is involved in some fashion at some time in politics, and politics has consequences in everyone's life.

- R.A. Dahl and B. Stinebrickner [Modern Political Analysis- Sixth Edition]-

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Foreword

Nairobi's informal settlements and slums were the epicentre of the post-election violence (PEV) that erupted in December 2007 and led to massive destruction of property, looting, displacement and forceful eviction of some ethnic communities from their homes. In many cases, minority rival communities were forced to relocate to other estates where their community members constitute a dominant group. Slum-based vigilante and militia groups consolidated themselves into two main rival factions in order to defend their communities and lawlessness threatened to engulf the city. Despite the fact that youth were at the centre of the crisis, most interventions that were initiated soon after the PEV failed to involve them.

It is against this background that the Citizens Against Violence (CAVi) in partnership with the Friedrich Ebert Stiftung (FES) sought to make a contribution to the country's peace restoration effort, targeting six affected slums in Nairobi. In 2008, the "slum tenants and landlords dialogues" series began. This was a special intervention to reduce ethnic tension and reconcile the two groups so that residents could return to their homes. This led to the formation of interest groups representing the landlords and tenants respectively for purposes of formal negotiation, paving the way for some landlords to recover their houses and tenants to move back. The initiative also enabled youth and community leaders to deliberate on post-poll challenges in their estates as a step towards finding sustainable solutions to violence.

Issues of cultural assimilation, access to land titles, widespread poverty and unemployment among the youth and fanatical support for some political players emerged as challenges that could still precipitate future ethnic conflicts. Candid discussions provoked many of the young leaders in the slums to aspire for better living conditions and improved socio-ethnic relations. This led in 2009 to the launch of the Nairobi Slums Assembly, a forum in which the young leaders from the six slums met every month to discuss specific issues affecting their particular environments and to come up with proposals which they then shared with the provincial administration, the police and elected leaders. In many cases, this has led to positive change as well as the building of bridges with the authorities.

However, more work needs to be done. Integrated ethnic co-existence may be difficult to achieve in the urban slums without a multi-pronged effort by both government and civil society. It is our hope that sharing the findings of the project with a wider group of stakeholders will mobilize public interest and goodwill towards improving the conditions in the Nairobi slums for sustainable peace and socio-economic development.

Olang' Sana
Citizens Coalition Against Violence (CAVi)

Maria Okong'o
Programme Manager, FES



Introduction

1.1 Ethnicity and rivalry over state power

In the third edition of his enlightening book, *Political Geography: The Spatiality of Politics*, Dikshit (2000) explains that:

“The state represents the central instrumentality through which intra-societal, inter-community, relationships are directed and the rival claims on territory and its resources are resolved. [That is why] politics is such an all pervading influence in the life of societies and nations in the current phase of history....”

We learn in the study of politics that power is not a resource over which communities may have “rival claims”, but arguably the key resource as it tends to determine the allocation of the other resources. We say ‘arguably’ because there is a well established school of thought that puts economic resources at the foundation of all other societal resources.

Be that as it may, the historical reality in Kenya since political independence in 1963 has been that political power is the singlemost predictable determinant of the fortunes and misfortunes of communities, especially in terms of the availability of and accessibility to health, educational, transport, financial and other resources that enhance their well-being.

While the well-being of individual citizens may depend on their personal efforts in such areas of enterprise as education, business, professional careers, interpersonal networking, etc, for whole communities, political power explains a good deal of the regional disparities



from independence to the present. Perceptions of such disparities among Kenya's ethnic communities have led to suspicion and mistrust, which politicians have manipulated for political advantage.

In particular, communities that had a lot of political power at independence, especially the Luo and the Kikuyu, have become bitter rivals over state power. The flames of this rivalry have been fanned by politicians to the extent that it sometimes threatens the very existence of Kenya as a nation. Whereas ethnicity in itself need not be a problem, politicised ethnicity has been observed to be a big threat to national integrity. *Our Creative Diversity: Report of the World Commission on Culture and Development*, (Unesco, 1995:55) categorically states that:

“Ethnicity is a determining factor in the nature and dynamic of the conflict [in developing countries], as language, race or religion, among other features, are used to distinguish the opposing actors.”

Unesco (loc.cit.) further explains:

“All too frequently, state power has been assumed by one specific group, and state building has rendered many other groups devoid of power or influence. Where it is perceived that the government either favours or discriminates against groups identifiable in terms of ethnicity, race or religion, this encourages the negotiation of benefits on the basis of this identity and leads directly to the politicization of culture.”

The politicization of culture usually takes two antagonistic dimensions: the glorification of one's cultural traits (e.g. circumcision) and the stigmatization of other people's traits (including their food, e.g. the unflattering reference to the Kikuyu by the Luo as *Jorabuon* – the potato people). Above all, and more importantly, it leads to seeking power and the corresponding benefits along cultural lines. In Kenya, apart from the religious divide between Muslims and Christians, the politicization of culture directly translates into the politicization of ethnicity. Indeed, outside religion, one can defensibly argue that it is the politicization of ethnicity that entails the politicization of the corresponding cultural traits.

1.2 Ethics and ethnic rivalry

In an environment where ethnicity is so politicized, with allegiances to political parties strongly correlating with ethnic loyalties, an election to national office is predictably a volatile exercise, whose management requires a high degree of professional ethics. On this score, Kenya has always been greatly challenged when it comes to multi-party presidential elections [one-party elections have never had more than one presidential candidate].

What complicates the matter is that the incumbent president (who is either one of the



candidates or sponsoring a candidate) provides and (over the election period) remains in charge of the administrative machinery that manages such an election, all protestations affirming the independence of the Electoral Commission of Kenya notwithstanding.

In a very real sense, ethics is the most significant deficiency in the practice and management of Kenya's politics. While it is always tempting to think that the political arena is no place for ethics, there are strong grounds to believe that ethics is at the heart of politics. As we read in *"The Substance of Politics"* (Appadorai, 1968: 10):

"...the connexion between ethics and Politics (sic) is clear, for on every political issue the question may be raised whether it is right or wrong. And ... we may say that Politics is conditioned by ethics."

From the same authority (loc.cit.) we further learn that:

"Political theory is concerned with the end of the State, the rights of individuals, the functions of government, and the relations of State with State. Every one of these has a moral aspect.... The rights of individuals which deserve recognition by the State can be defined only in a moral context."

The argument extends to demonstrate how laws, and the degree to which they can be enforced, are dependent on ethics. We certainly know that in the absence of such moral values as honesty and integrity, it is difficult for people in positions of power to obey the very laws which they are charged with the duty of enforcing.

The interplay of law and ethics featured prominently in the post-2007 elections scenario in Kenya. Although the post-election chaos was spread all over the country, the slums of Nairobi, especially Kibera, served as their national epicentre. There are evident reasons for this.

1.3 The Nairobi slums and Kenyan politics

The Nairobi slums constitute a smaller model – a microcosm – of the Kenyan society, complete with the political tensions arising from the politicization of Kenya's ethnic/cultural differences. With the poor slum dwellers living on the hope that their ethnic political leaders (read, 'warlords') will someday save them from the hunger, ill-health, poor shelter and sanitation, and the general lack of opportunities for self-improvement that define life as they know it, Nairobi's slum settlements remain among the most inflammable in Kenya's cross-cultural political emotion. Working with little, if any, ethics in their goal to achieve political ambitions, Kenyan politicians play on the slum-dwellers' emotions with wicked skill.

The Nairobi slum-dwellers, hoping for miraculous salvation by the larger-than-life political personalities, fail to perceive the class underpinnings of the political battles in which they



decimate themselves through militia and counter-militia attacks. In spite of the prominently observable facts regarding the material and psycho-social benefits to the political class, which emanate from their own acts of class suicide, the Nairobi slum-dwellers continue to chase the illusion of salvation, apparently oblivious of the fact that those in whose names they destroy themselves continue to (even in the midst of vicious slum battles) wine and dine, play golf, go to private gyms, make power-sharing deals, pray together, and even intermarry while the wretched of the earth are locked in conflict. The class interests and benefits in these political conflicts are largely hidden to the slum-dwellers, who remain miserable irrespective of the results of an election and its attendant violence.

The main discourse strategy employed to throw a veil over the eyes of the slum-dwellers is the notion that members of the political class and their upper middle-class henchmen, who are rewarded with government appointments, in some undefined sense ‘eat’ on behalf of their communities.

Thus, as they fight among themselves, the slum-dwellers, like the rural populations from which they are drawn, think and talk in terms of whether they (as ethnic groups) are ‘eating’ or ‘not eating’ in the prevailing state establishment; they ‘eat’ or ‘do not eat’ according to the benefits enjoyed by the members of the political class and their henchmen who come from their ethnic groups.

In a word, the slum-dwellers are a willing, if oblivious, tool of the political class, who from time to time unleash them on each other when the eating arrangements at the top are not favourable to some segment of that class. The slum-dwellers suffer and even die for the political class. Says the Waki [CIPEV] Report on this subject (p.203):

“We therefore find that during the post election violence, the brunt of the suffering in Nairobi was borne by poor people living in low income neighbourhoods.... The citizens of some of Nairobi’s poorest neighbourhoods found themselves in a quandary since those who were entrusted to protect them were either not present, did not seem to care and in the cases where they were present, they were just as brutal as the marauding gangs causing the violence.”

These words point to the complicity of the security forces who, in the perspective of this study, would be classified as the “henchmen” – along with other beneficiaries of the prevailing state establishment – of the political class, who see the possible results of such slum battles in terms of whether they, pegged to the fortunes and misfortunes of their political godfathers, will either lose or retain existing ‘eating’ opportunities, or even gain new ones.

1.4 Landlord-tenant relationships

One aspect of the post-2007 election violence, and the attendant lawlessness, that clearly



stands out in the Nairobi slums is the unhealthy landlord-tenant relationships. As the Waki Report (p.198) states:

“The violence was also characterised by forceful displacement and evictions while areas such as Dandora and Mathare North saw deep-seated rent disputes escalating to violence.”

This dimension of the post-election violence has been the thrust of the interventions by the Citizens Against Violence (CAVi) organization in partnership with the Friedrich Ebert Foundation.

1.5 The CAVi interventions and this publication

This publication is inspired by the experiences and insights gained through the CAVi interventions summarized in the various workshop reports to the project partner, Friedrich Ebert Stiftung (FES).

Chapter 2 provides a survey of the ethnic clashes in a selection of Nairobi slums, not only in the post-election scenario but also in earlier situations observed by CAVi during the multi-party era.

Chapter 3 attempts to provide some theoretical insights into the occurrence of violence in the slums of Kenya’s urban settlements, especially Nairobi.

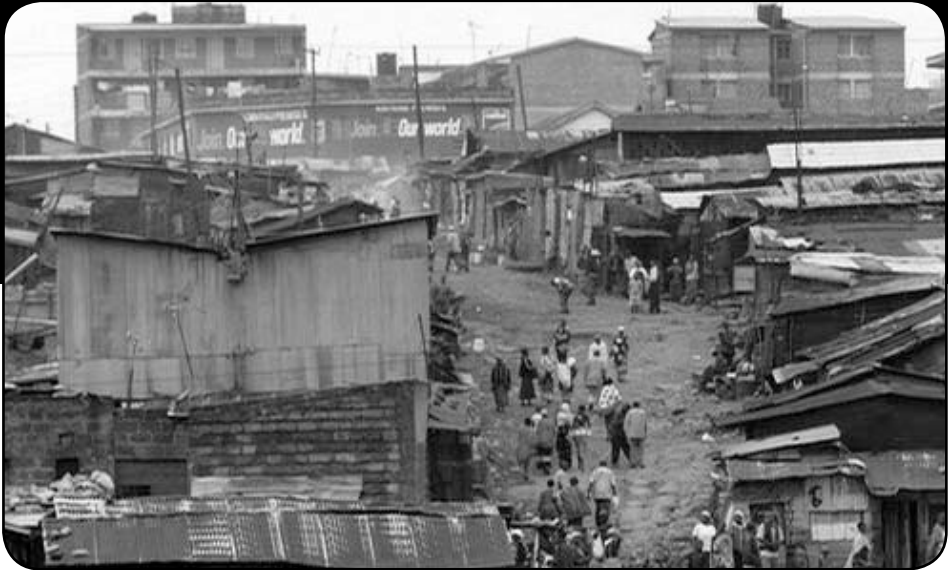
Chapter 4 examines the post-election violence scenario in terms of prospects for recovery in the slums of Nairobi, taking into consideration the initiatives by civil society organisations and the Government of Kenya.

Chapter 5 takes a look at the discernible long-term effects of the post-2007 election violence on the slum communities of Nairobi.

Chapter 6 attempts to identify and analyze the challenges of sustainable peace and security in Nairobi slums through the lenses of intervention typologies and group dynamics in conflict situations.

Finally, chapter 7 provides a summary of the key findings/opinions, and the related conclusions and recommendations.

For brevity, throughout this publication, the “post-2007 election violence” is frequently referred to as “the post-election violence”.



A Survey of Ethnic Clashes in Selected Slums in Nairobi (1990-2007)

2.1 Introduction

Political and ethnic violence in their contemporary dimensions are a recent phenomenon in Kenya. However, the foundation of political and ethnic violence is located in the very history of the nation. Some historians see Kenya as a child conceived and born of violence. According to Ainsworth (1955), who was a pioneer colonial administrator, the British declared a protectorate over Kenya in the last decade of the nineteenth century before embarking on military campaigns to pacify and subdue 'savage African tribes'. The injustice associated with the colonial project provoked African struggles against colonialism, of which the Mau-Mau rebellion had a special prominence.

The last years to independence were a particularly violent period in Nairobi. The British established a military base, where thousands of Africans who resisted colonialism, or who supported the Mau-Mau cause, were isolated and murdered. Equally the White settlers, colonial security agents, and collaborators incurred heavy losses. Indeed, the military encounter between the Africans and the British agents resulted in loss of lives, destruction of property and the displacement of both African and White populations. It therefore took



violence to establish a White Paradise in Kenya and to maintain it, and it was through the same means that independence was won. Historians such as Berman and Lonsdale (1992) therefore contend that the violent manner in which independence was won continues to haunt Kenya.

The period between 1963 and 1988 records isolated incidents of political and ethnic violence in Nairobi. The assassination of Tom Mboya in 1969 sparked off violent confrontation between the Luo and Kikuyu communities in Nairobi and other towns. Given Tom Mboya's popularity both locally and internationally, the Luo saw Jomo Kenyatta's hand in the assassination and regarded it as a measured move to check the prospects of the community's ascendance to the presidency. But the violence and political tension that accompanied Mboya's assassination did not last. Although the incident sowed more seeds of ethnic distrust between the Luo and the Kikuyu, members of both communities living in the slums soon forgot their political differences. In fact, normalcy returned in all major towns within four months after Mboya's burial. Even the earlier defection of Oginga Odinga from KANU to the Kenya People's Union (KPU) in March 1966 had just but a dismal effect on Kikuyu -Luo relations. Instead, it was regarded by majority of the literate public as internal protest aimed at improving governance during Mzee Kenyatta's tenure as the president. In other words, politicised ethnicity was still at its minimum.

As the forces of modernity began to impact on Kenyan communities and to undermine the traditional social fabric that defined power, wealth and status, new challenges emerged countrywide and within Nairobi in particular which would soon threaten security and ethnic coexistence. Countrywide, the competition for elective positions within the single party - Kenya African National Union (KANU) - intensified as more candidates emerged towards the close of the 1980s decade to contest for party branch positions which were associated with power, privilege and status. Equally, the number of candidates for civic and parliamentary posts increased tremendously, thus intensifying political tension in the run up to elections.

During the 1988 *mlolongo* (queue voting) election, some parliamentary candidates hired youths to intimidate opponents and disrupt the longer queues on the polling day. The problem of poll violence was pronounced in selected constituencies where KANU had its preferred candidates against the will of the electorate. But Nairobi was least affected. According to newspaper reports only one person was hurt in Nairobi (*Daily Nation*, April 1, 1988), compared to eleven in Karachuonyo (*Daily Nation*, 19th March 1988) and four in Kikuyu (*Daily Nation*, February 29, 1988) during the campaigns. But the reluctance of the police to contain the violence and the hurried manner in which the actual losers were declared winners left no illusions about party involvement in election rigging. Not only did the electorate begin to doubt fairness in the electoral process, the losers and would-be civic, parliamentary and presidential candidates got conscious about the usefulness of militias in an electoral contest.



Within Nairobi, the social effects of increased rural-urban migration began to emerge towards the end of the 1980s decade. Unemployment problems led to the expansion of informal settlements to accommodate low-income population. According to the 1989 population census, Kibera and Mathare alone had an average population of 122,643 with a density of 40,881 square kilometers. This population was 60% higher than Nairobi city's average. Scarcely two decades later, 60% of Nairobi population lived in the slums which make up a mere 5% of the city's land area. The population of Kibera alone had increased from 122,643 in 1989 to 750,000 in 2002.

As noted by Mutsotso and Kinyanjui in their publication: *A Ticking Time Bomb: Nairobi's Informal Settlement* (2002), slums are by their nature prone to violence. Not only are the majority of the slum inhabitants unemployed, but the informal settlements provide an ideal retreat for criminals. With time, the slum dwellers have developed survival tactics, key among which is the tendency among people of the same community to live together in closely-knit 'ethnic villages.'

In sum, survival difficulties among the poor and the unemployed, compounded by pressure for political liberalization in the 1990s, heightened ethnic consciousness to a level that Kenya had never known before. Ethnic and political violence in their current forms have been the natural result.

2.2 The rise of the *jeshi* culture

2.2.1 KANU Youth Wingers

The rise of political thuggery in its current form can be traced to the state security surveillance measures that the KANU government adopted before the introduction of multi-party politics. In mid-1980s, the government allowed the provincial administration to allocate civilians security management duties in the slums. Ideal recruits were youth of average education aged between 20 and 35. KANU was later to formalize the system as a party strategy for ensuring compliance, and the youth were referred to as KANU Youth Wingers. An additional compulsory requirement for a potential candidate was the possession of a KANU membership card.

Upon recruitment, the wingers were expected to operate under the command of the area chief and their task involved arresting brewers and consumers of illicit liquor, and maintaining general social order. Within the slums, the youth wingers patrolled the estate, and collected reports about petty crime and domestic violence. For the purposes of identification they wore KANU uniforms and badges.

Towards the beginning of 1990, the mandate of the KANU youth wingers was extended to include manning *matatu*/bus terminuses and attempting to bring a semblance of order in



the industry. Although a token for the wingers regularly came from the KANU leadership through the party district branch office, the wingers became unpopular among the public for soliciting bribes and meting out excessive violence against suspects and petty offenders. As battles between *matatu* touts and the KANU youth wingers became frequent and as casualties and public fury increased, the government issued a directive that the wingers in Nairobi would work strictly in the company of a police officer. Eventually, however, the system was not disbanded.

The provincial administration made efforts to bring the wingers under control between 1989 and 1990, but they continued to solicit bribes and to harass the public. In the eyes of the common *mwananchi*, there was only a thin line between the wingers, the police and organized thugs. It is against this background that KANU youth wingers qualify to be included among the earliest state-supported militias operations in Kenya.

With the return of the multi-party system in 1991 and subsequent formation of opposition parties, political zoning developed along ethnic lines. Rift Valley province was declared a KANU zone, while Nyanza, Central and some parts Western and Coast provinces became opposition territories. The new system of political zoning reduced the activities of non-dominant parties in particular regions where such parties had scarce chances of winning. Besides, the threat of intimidation and violence from KANU officials and youth wingers discouraged other parties. Although KANU and its youth-wing structure became inoperative in the opposition zones, Nairobi retained its cosmopolitan status. However, the success or failure of a candidate still depended largely upon the ethnic composition of a constituency or ward and the ability of the candidate to garner the support of his/her tribesmen.

As the pressure for pluralism gained momentum in the 1990s, the government used the police and state intelligence network to suppress multi-party advocates. Six people were reported dead and scores injured when the opposition rally in Kamukunji grounds was violently disrupted by the GSU in 1991. When the government came under international pressure to respect the freedom of association and assembly, KANU resorted to hiring civilian *jeshi* to do the dirty work. The *jeshi* operated in the company of the police and their task included disrupting opposition rallies and recruitment drives.

The KANU establishment also used militias to attack and displace certain communities in the Rift Valley province as a complementary strategy for underwriting success in the 1992 polls. By adopting the strategy, KANU would ensure a significant reduction of opposition votes in KANU-dominated Rift Valley province through the displacement of opposition sympathizers and to portray Kenya (in the eyes of the international community) as immature for multi-party politics.

The number of people killed in 1991/1992 ethnic/land clashes is only second to the casualties incurred during the Mau-Mau rebellion. Thousands of non-Kalenjin population, including the



Kikuyu, Luo and Luyia were actually displaced in the Rift Valley, and property of unknown value got destroyed. But KANU also suffered losses. In the wake of increased government hostility, the opposition also recruited *jeshi* from their respective communities to counter KANU's aggression. The phenomenon of ethnic *jeshi* therefore gained currency only with the re-introduction multi-party politics. Indeed, numerous incidents of ethnic and political violence reported in the local media between January 1991 and December 1992 confirm the fact that multiparty-ism was re-introduced violently. This unfortunate background would continue to disturb Kenya two decades later.

2.3 Militias in the Nairobi slums

The opening of political space in the early 1990s intensified electoral competition to a high level hitherto unknown in Kenya's history. As the demand for *jeshi* increased among key political contenders, unemployed slum youth found a source of income. Whereas *jeshi* in regions outside Nairobi had a high sense of ethnic consciousness demonstrated in their commitment to work without pay, the Nairobi lot were fairly amorphous, ethnically mixed and primarily driven by monetary gains. A politician could, for instance, readily mobilize 100 youths drawn from different ethnic groups within thirty minutes to foment violence against an opponent provided the terms of engagement were acceptable. The recruitment was done by an agent who would remit a down-payment to the group leaders before the assignment and pay the balance thereafter.

By 1992/3 political thugs in Nairobi received between Sh100 and Sh300 each for activities such as disrupting political rallies or circulating threat leaflets, and between Sh300 and Sh500 for assignments deemed more challenging such as beating or killing opponents with crude weapons, petrol-bombing party offices, burning opponents' homes, etc. Depending on the nature of the assignment, the group leader or mobilizer earned more.

The *jeshi* also benefited from free food, alcohol, cigarettes and drugs. Some politicians who developed intimate relations with group leaders would even pay their rent or secure government employment for them. Most were initially recruited from among criminal gangs who terrorized the estates and the *matatu* touts. Later, the university student community provided a fertile ground for recruits. Owing to the amorphous nature of political thuggery at this time, a militia member could raise as much as Sh600 per day by participating in two or more violence missions in a day, a tempting return for many a broke student.

As Kenyans went to the polls in 1992 against the background of land clashes, suspicion of rigging and opposition disunity, political thugs discovered the need to get more organized and structured in order to make better gains from politicians. Thus, better organized and structured militia emerged in Nairobi after the 1992 general elections, and by the end of the 1990s, *jeshi-ism* had become an organized industry with well-defined supply and demand lines.



The militia groups continued to thrive in large measure due despite the fact that the government banned 18 such groups operational in the country through a Kenya Gazette Notice in March 2002. The list included five groups active in Nairobi – Mungiki; Jeshi la Embakasi; Taliban; Jeshi la Mzee; and Kamjesh.

2.3.1 Jeshi la Mzee

Jeshi la Mzee (the president's army) is one of the most organized of the militia that emerged in Nairobi in the aftermath of the 1992 elections. The rise of the *jeshi* was informed by political rifts that erupted between a combined force of the opposition and civil society organizations on one side versus KANU which retained power at both the 1992 and 1997 general elections. The government came under increasing internal and external pressure to undertake comprehensive constitutional review well in advance of the next general elections.

The Kenyan civil society and the international community joined the opposition in pressurizing for amendments to specific provisions in the Kenya constitution. And to rally public support for the desired constitutional changes, the pro-change advocates operating under *Muungano ya Mageuzi* embarked on countrywide rallies. But still determined to contain opposition activities especially in Nairobi where urban-based civil society organizations lent the opposition support, the Moi government transformed *Vijana na KANU* (which was a remnant of the Youth for KANU 92) into president's civilian army – *jeshi la mzee*.

As the name suggests, the *jeshi* was closely associated with Kenya's top political leadership, from where it secured financial support for its operations. Kangemi slums served as its recruitment base because the organization was a brainchild of a prominent Westlands politician and then KANU leader with close links to State House. *Jeshi la mzee* was particularly associated with the Luyia community even though it enlisted recruits from other constituencies in Nairobi, and later from as far as Muthioya in Central Province. The number of recruits into the *jeshi* swelled in Kangemi primarily because it was a means to accessing government land.

The main mission of the *jeshi* was to contain the opposition and civil society activities through harassment, threats, intimidation, and physical violence. Like other militia that emerged during that period, the *jeshi la mzee* was composed of young men who were identified mainly because of their daring, physical fitness, and ability to inflict pain.

In terms of structure, the members of *jeshi la mzee* had a chairman, secretary, organizing secretary and treasurer, all of whom were in constant communication with the provincial administration and the police. In readiness for any operation, senior police officers would summon the secretary and chairman to his office where they would chart out a joint strategy. Later, a contingent of between 20 and 30 of the *jeshi* would attend a briefing at which they



would learn how to make petrol and smoke bombs and to use radio calls. They were also trained on the use of codes and signals. A section of the militia leaders were provided with guns, tear gas, and communication equipment.

Jeshi la mzee remained an active militia between 1993 and 1998. Like members of other undisciplined forces, the group was also associated with all sorts of crime which earned them public disrepute. The militia began to decline after the 1998 incident in which Reverend Timothy Njoya and other civil society activists were badly assaulted by members of the group outside parliament during a pro-reform demonstration. Since the militia members were clearly captured in action by local and international photojournalists, local and international pressure mounted for their arrest and prosecution. Whereas one of them, Patrick Likotio, made a public confession and secured Rev Njoya's forgiveness, the other leaders of the *jeshi* soon went into hiding and the group disbanded. There were rumours that government volunteered to acquire land outside Nairobi for key leaders and that others there were paid handsomely to start up businesses. *Jeshi la mzee* is today a dead force. Some of its surviving former leaders are reformed and are actively engaged in community peace work in Nairobi.

2.3.2. Kamjesh

Kamjesh militia started in the mid 1990s in Kariobangi slums. The group was not associated with any politician. Instead, it was composed mainly of young unemployed Luo and Kikuyu school drop-outs numbering between 35 and 40 who saw an opportunity to make a living from *matatus* plying the Kariobangi-city route. Initially, the duty of the idle youth was to fill *matatu* turning at the Huruma terminus with passengers in return for a token Sh20 per vehicle. Indeed, touting business was already a common practice in most parts of Kenya by this time. The people involved in this business (mostly unkempt men) were commonly referred to as *manamba*, and later *makanga*.

In less than two years of its existence, *Kamjesh* had won the confidence of Kariobangi slum residents for their ability to maintain a semblance of order and security in the bus terminus which was crime prone. Its members would work late and return to the stage early just to ensure it was safe from the estate-based criminal gangs who regularly terrorized commuters. By 1997, *Kamjesh* could collect as much as Sh50,000 from the *matatu* transport plying the route. The collection was shared equally among members at day's end.

Towards the end of the 1990s decade, an idea emerged among one of the members to raise the daily collection from Sh20 to Sh50. The idea sounded too ambitious when it was first mooted, but there was resolve to try it out. For successful implementation of the revised levy, the group had to be more organized and disciplined, especially to retain commuters' confidence and to ward off potential opposition from *matatu* operators and the police. The group also re-organized its structure and apportioned specific duties and responsibilities to each member.



Based on its improved organizational structure, the revised rule met with only a little resistance when introduced in 1998. Membership of the group increased as income doubled with the improved revenue collection. It became more appealing to unemployed slum youth in the Eastlands part of Nairobi and soon there was heightened pressure to expand *kamjesh* operations to surrounding slums such as Huruma and Dandora. But the group's rapid expansion soon brought problems; the group was now too large and unwieldy, and internal wrangles emerged as some of the recruits branched out into active crime. Some members complained that the militia group's finances had become a family affair, dominated by three brothers from the Luo ethnic group.

In April 1998, some Huruma-based youth who were locked out of Kamjesh decided to fight for space in the organization. They mobilized into a gang of 45 people and stormed the Kariobangi bus terminus – a *Kamjesh* stronghold – early one morning. The skirmish paralyzed *matatu* operations and injured many people in Kariobangi, forcing police intervention. In a joint meeting convened after the skirmish, the warring groups agreed to constitute an independent *Kamjesh* in Huruma that would collect and retain levies from Huruma-City *matatu*.

Internal wrangles began to weigh heavily on Kamjesh towards the close of the 90s, a time when Mungiki was emerging as a much stronger, better organized, and daring force in the slums. Since Mungiki initially targeted Kikuyu youths, it found ready followers among the resentful Kamjesh members as well as thousands of unemployed youth who were locked out of any militia group business.

Mungiki launched itself aggressively in the slums, forcing Kamjesh into retreat. Faced with constant threats from the mainly Kikuyu Mungiki, some Luo youth in Kamjesh pulled out of the business and sought alternative means of income. Some became robbers and have since been gunned down, while others continued to operate in Kamjesh, but at the mercy of Mungiki. A defining moment came, however, after Kamjesh and Mungiki clashed violently in Kariobangi in 2004 leaving four people dead. Subdued by Mungiki, Kamjesh has since become a much weaker militia, restricted mainly to collecting levies from *matatu* plying the Dandora – City route.

2.3.3 Mungiki

The origin of Mungiki is still a subject of academic inquiry which is beyond the purview of this text. However, some highlights about activities of the group in Nairobi and its effect on ethnic relations can be provided. First, opinions are divided as to whether Mungiki qualifies to be called a (religious) sect, political organization, or militia. But drawing from its activities in Nairobi, Central province and parts of the Rift Valley in the recent past, one is persuaded to believe that Mungiki is a militia group like any other, albeit with a stronger economic agenda.



Mungiki began to make public appearances in Nairobi in the year 2000. Although it first introduced itself as an innocuous sect dominated by members of the Agikuyu community, from the outset its members were committed raising money by collecting levies from matatu operators. In order to gain control of the lucrative sector, Mungiki first had to displace Kamjesh. The crack that emerged between the Kariobangi and Huruma Kamjesh provided an opportunity for the Mungiki to spread its influence among the unemployed Kikuyu youth in the slums. The Mungiki militia were more disciplined, a departure from the traditional slum *jeshi-ism*. Whereas the youths who served in Kamjesh or any other militia knew each other because they were born and brought up in the same estate, the coming of Mungiki introduced completely new faces from rural Kikuyu villages with whom matatu operators and other *jeshi* were not acquainted. Additionally, Mungiki members were more ruthless.

As Mungiki membership spread to other Nairobi estates in the run up to 2002 polls, the police came under pressure to bring the militia under control, amidst accusations that the Moi regime intended to use the Mungiki to influence the presidential election outcome in favour of Uhuru Kenyatta, then KANU's preferred candidate to succeed Moi.

After about 10 years of active existence, Mungiki remains the most widespread and dreaded of all the militia in Kenya's history. Its survival to date is partly explained by Mungiki's apparent ability to co-exist with public security forces through murky arrangements that some say appear to suggest that there is an element of cooperation between Mungiki and the state security apparatus. That notwithstanding the police has historically responded with violent alacrity when targeted by the Mungiki.

The Mungiki are believed to collect Sh50 per day from each matatu operator plying most routes in the city and its outskirts in thinly veiled operations. The group has also branched out to include a wide array of slum-based businesses under its "tax bracket". These include the landlords/structure owners, contractors, shopkeepers, supermarket owners, who are forced to monthly "protection fees" for brick houses, Sh200 for timber houses, Sh100 from retail traders, Sh700 from restaurants and bars and Sh 1,000 from wholesalers with businesses in areas controlled by Mungiki. Although still dominated by Kikuyu youth, Mungiki today hosts unemployed young people from many different communities.

Its illegal status and negative image notwithstanding, Mungiki has maintained a high standard of security and general order of sorts in city areas where they dominate; the residents in such areas say they no longer require police services because night robberies, drunkenness, domestic violence, and rape have reduced, but also fear the reprisals by the militia group.

2.3.4 Taliban

Taliban is a Luo-dominated vigilante group that operates in Kariobangi and sections of Dandora. The group was formed in 2004 primarily to keep the Mungiki out of Luo-dominated



territories in Eastlands. Taliban therefore rose to fill the vacuum left by Kamjesh. Its emergence was particularly informed by the sense of apprehension that spread among the Luo residents in Kariobangi over possibilities of surprise Mungiki attacks as a militia wing for the Kikuyu political elite. Some Luo in the slums were also unhappy with forced circumcision practices which Mungiki had from time to time administered on its members.

Taliban maintains security and general law and order in the Luo-dominated territories. It is particularly active in keeping away strangers and lynching thugs and suspected thieves. Like Mungiki, it also attempts to enforce adherence to (Luo) cultural traditions. However, it does not raise revenue from residents. Taliban is comparatively more politically conscious and has been used by mainly Luo politicians from time to time.

2.4 The Mushrooming of vigilante groups in Nairobi

The disintegration of security in the Nairobi slums since the early 1990s, following the violent introduction of multi-party politics and the consequent emergence of Mungiki, has led to simultaneous mushrooming of vigilantes in non-Kikuyu dominated estates. Neighbourhood security surveillance increased, especially after post-2007 election violence, which also led to the re-organization of settlement patterns in the slums along distinct ethnic lines. The mission of the vigilantes is to curtail increased incidents of crime in the estate and to safeguard the political community from potential attacks by opponents' ethnic militias. But beneath their social and political functions, most the militias have an economic motive which relates to the survival needs of their members.

In general, political vigilantes have been particularly active among minority communities when surrounded by a dominant ethnic community perceived as a political opponent. For instance, no single vigilante patrols Luo-dominated sections of Kibera, while the Mungiki have extended their operations in Kibera's Laini Saba, which is Kikuyu-dominated. In Korogocho, the Borana community exists alongside the Mungiki and Taliban, primarily to protect Somali/Borana interests. The same is the case in Kawangware, where the Bakongo vigilante co-exists with Mungiki and Luyia vigilantes to safeguard the security of the Congolese population in Congo ward.

The landlord-vs-tenant conflicts that erupted after the December 2007 polls have particularly popularized neighbourhood vigilantism. In the wake of the post-election violence, most of the landlords in Kawangware, Kangemi, Dandora, Kariobangi, Huruma, Korogocho and Mathare have hired vigilantes to secure their structures from destruction and to forcefully evict the tenants who illegally took occupation of their houses. Businessmen have also relied upon the services of vigilantes to protect their shops from looting or burning. Equally, illegal tenants have constituted vigilante groups to keep away the landlords and their agents and to do "intelligence" work.



But the militia have also been active in land-related conflicts since the mid 1990s. With the under-developed government and public infrastructure and utilities in the slums against a background of widespread corruption among the police and land office personnel, the rate of land-grabbing in Nairobi has increased. The land grabbers have found it convenient to hire the militias to demolish temporary structures and to displace occupants. The same militias have also been used to fence off and guard the grabbed land. In situations where large populations have suffered displacement, or public utility facilities such as playing fields are lost after land grabbing, there has always been the temptation to organize a fight-back operation leading to bloody confrontations between the estate residents and the militias. Embakasi and Westlands constituencies have been particularly affected by land conflicts in the recent past.

2.5 The Militia and the 2007 General Elections

The 2007 general elections were held at a time when *Mungiki* was the dominant *jeshi* in Nairobi's slums and its environs, despite government efforts to bring it under control. Both the government and local and international organizations invested a lot of resources in civic education in the slums as a means of ensuring peaceful elections. But the culture of using *jeshi* did not die off completely among political contenders. At the party primaries stage, militia groups were hired to protest against internal party conflicts manifest in the awarding of nomination certificates to losers.

The main parties in the race – ODM and PNU – had their party premises stormed by rowdy youth. But once the nominations were concluded, the official campaign period was relatively peaceful, with only a few incidents of rowdiness at rallies and destruction of opponents' posters. A night raid on one of the Luo villages in Kibera left one person dead, but the incident could not be directly linked to *Mungiki*.

Speculations about PNU rigging plans provoked curiosity and protest among ODM supporters in Nairobi. It also heightened ethnic tensions especially between the Gikuyu, Embu, Meru (GEMA) community and the Rift-Valley/Western Kenya groups which provided the bulk of ODM support. The use of new media through text messages and internet in the 2007 elections to circulate views began to heighten tension. And when opinion poll results consistently revealed that ODM was ahead of PNU, the threat to ODM inter-party rivalry increased.

However, ethnic tension began to build up in the slums mainly a few days prior to the elections as reports and rumours poured in from short text messages (SMS) alleging there were plans to rig the polls. ODM supporters chose to keep night vigil outside the polling stations in the slums primarily to prevent the entry of unwanted ballot boxes. Despite later rumours that public officers allegedly dispatched to rig the polls were attacked a day before the polls (on December 26), Nairobi was a relatively peaceful, remaining so even on the polling day.



Signs of anger and discord began to show when disputes emerged between ODM and the Electoral Commission of Kenya (ECK) over the tallying of the presidential vote on December 28. On the 29th December 2007, the ECK chairman declared Hon. Mwai Kibaki, the PNU presidential candidate the winner, with 4.5 million votes against Raila Odinga's 4.3 million votes. As noted by Peace-net in *Post Election Violence in Kenya: Facts and Figures* (2008), the declaration sparked off almost simultaneous violence in Nairobi, Nyanza, Rift Valley and Coast provinces as ethnic communities perceived to have supported either side attacked each other brutally. In Nairobi, the ECK's declaration came at a time when ODM supporters were already charged for a combat with the government security force and PNU sympathizers.

As ODM supporters took to the streets in large numbers in protest, some targeted the Kikuyu for vengeance, while others set out to loot, vandalize and burn their property. Residents who were caught unawares in opponents' territories were killed or injured. As the Kikuyu became the immediate target of some ODM supporters in the slums, they were forced to defend themselves; the ethnic Kikuyu militia attacked in what looked like revenge missions.

In the ensuing chaos during the first week after the ECK announcement, physical ethnic boundaries emerged in the slums which marked movement limits for competing ethnic groups. Kikuyu landlords in ODM territories were ejected and their premises taken over by illegal tenants. Thugs also took advantage of the chaos to loot, destroy property, rape and commit murder. The chaos led to the activation of militias for self-defence. In fact, male residents from nearly every community were placed on night vigil to ward off possible attack from opposing ethnic communities, militia or thugs. And following the merger of ODM-K with PNU, the Kamba ethnic community also became targets of ODM supporters, thus widening the battle front. Small neutral communities such as the Kisii, Nubians, Somali and Borana were subsumed in violence though they were not a direct target of either side.

Police intervention came too late after a lot of damage had been done. Residents in ODM-dominated neighbourhoods still believe that the police responded with excessive force, shooting at will and brutalising innocent residents. However, their intervention brought back some semblance of order which was a prerequisite condition for the launching a reconstruction programme.

2.6 Summary and Conclusion

The history of clashes in the slums is deeply informed by the socio-economic and political development of the nation. Although the Kenyan nation-state, like many African countries that experienced colonial rule, emerged from violence, inter-communal clashes in their current form were fairly isolated phenomena during the first two decades of independence. The influence of modernization led to a simultaneous complexity of the Kenyan society which from the 1980s caused aggressive competition for political power, economic opportunities, and social status. In the circumstances, tribalism became the simplistic but



most effective ideology for the access and maintenance of power and opportunities. Indeed, ethnic nationalism survived but was suppressed both by the Kenyatta regime and during the early years of Moi rule. It is the liberalization of the political space after the abrogation of section 2A of the Kenya Constitution in 1991 that burst the bubble.

The KANU government sowed the first seeds of ethnic violence, using strong-arm tactics to suppress the opposition movement and civil society lobbies at the height of the clamour for multipartism. When the strategy met with opposition, KANU resorted to the use of unorthodox means to contain the opposition. It is in reaction to the KANU strategy that the opposition mobilized ethnic militias for self-defence in the fight for democratic space. Apart from the pro-KANU *jeshi la mzee*, other slum-based militias in Nairobi emerged primarily out the economic need for survival and to take advantage of insecurity situations that resulted from lack of state-provided security surveillance measures. As the study demonstrates, Kamjesh and Mungiki were driven largely by the economic opportunities they saw in the poorly state-controlled *matatu* industry. Instead of containing the criminal gang, the police have inexplicably adopted an ambivalent posture that casts doubt on their commitment to ending the militia menace.

The devastation wrought by the post-2007 election violence has led to the revival of *jeshi* culture. In particular, the survival of Mungiki and its overt involvement in illegal “tax” collection has inspired the mushrooming of a number of vigilantes in non-Kikuyu dominated slums constituted primarily to intimidate and fleece residents and business owners. The fact that the slum-based vigilante groups have been infiltrated by criminals makes them a source of the very insecurity against which they are constituted to fight. The failure of the government to contain Mungiki has also caused non-Kikuyu communities such as Luo and Luyia insecure, given its suspected powerful links. Indeed the ongoing political wrangles in the Coalition Government, with possibilities of the Coalition’s eventual collapse before the 2012 polls, has only aggravated the situation in terms of the perceived need in the slums for community vigilantes, especially among communities from Western Kenya.

As a whole, the history and development of *jeshi* culture is a demonstration of failure by the state to discharge its cardinal role and purpose, namely the provision of security to the citizens living within its territorial jurisdiction. Indeed, the mushrooming of slums and their poor living conditions expose the neglect by successive regimes to plan for its urban population.’ The physical conditions obtaining in the slums have encouraged the emergence of a *jeshi* culture that in some areas comprises the “government” for the residents. An example is in Mathare, where militia groups even took over the functions of the Kenya Power and Lighting, tapping electricity and supplying it to residents at a monthly fee, in addition to provision of security and water, also at a fee. The whole geo-political establishment known as the Kenyan state is under challenge in Kenya’s slums. As long as the socio-political conditions exist that encourage the recruitment, hire, and arming of militias, the state cannot have a clean conscience in relation to its fundamental mandate of providing security to its people.



Some Theoretical Explanations for the Occurrence of Violence in the Slums

3.1 The meaning of inter-ethnic violence

In their book, *Contemporary Conflict Resolution*, Ramsbotham, Woodhouse, and Miall (2005:96 - 105) present and discuss a five-level interpretive framework for analyzing conflict. The levels are: global, regional, state, conflict party [intergroup level], and elite/individual level.

Without going into complex details, we place inter-ethnic (or simply ethnic) conflict at the group [conflict party] level. Since the analysis by Ramsbotham et al involves rebellion against the state, we shall use the more general intergroup conflict concepts and analysis presented in other sources, especially *The Handbook of Conflict Resolution: The Theory and Practice*, with particular reference to the contribution of Ronald J. Fisher [pp176 - 195].

What draws attention to an intergroup conflict is its intensity. Usually, a low-intensity conflict may take place between two or more groups defined along ethnic, racial, religious or some other line. A low-intensity conflict is expressed in terms of prejudice, discrimination, and/or some kind of social activism to fight some perceived form of inequality.



At a higher level, a high-intensity conflict between different identity groups may assume a much broader and more destructive scale, developing into a kind of ethno-political warfare which requires the intervention of international as well as local actors. Such conflict can erupt anywhere at any time so long as there are significant differences in relation to which incompatible goals or values can be defined.

Essentially, intergroup conflict, be it ethnic, religious or otherwise, is shaped by three elements namely: incompatibilities, behaviour, and sentiments.

In terms of these three elements, a conflict may be said to exist between two or more groups when there is (are): a social situation/social situations in which we can identify perceived incompatibilities in goals and values between two or more parties.

Once an intergroup conflict erupts the individual members of the involved groups tend to act and react toward each other in terms of their social identification with their groups, asserting their group identity, rather than in terms of their individual identities.

It is important to observe that, by themselves, incompatibilities do not constitute conflict. Parties with well known incompatibilities in values or goals may by some arrangement, fair or unfair, choose to live in peaceful coexistence.

Destructive conflict arises when at least one party makes some attempt to control the other party in trying to deal with the incompatibility (e.g. one group forcing another to speak its language, join its religion, vote for its candidate, perform its rituals, go away from its neighbourhood, etc.), and when such interactions lead to or are fuelled by antagonistic emotions.

Approaches to understanding inter-group conflict may be classified in terms of what they stress or emphasise in their analysis. In general, they may be classified as:

- **Phenomenological:** When analysts emphasize the subjective reality of the relevant groups;
- **Interactive:** When analysts rely on the behavioural interaction of the groups in activities directed at expressing, maintaining, and resolving the conflicts that exist between them; or as
- **Multilevel:** When analysts base their attempts to understand the conflict on multiple levels of analysis drawing on various disciplines within a systems approach.

Using such considerations, among other things, authorities in conflict studies identify the theories used to explain the occurrence of group conflicts, which they give different labels. In the next section below, we look at some of the most general categorizations of such theories.



3.2 Some theories for explaining intergroup conflicts

As we have explained above, ethnic conflicts are simply one category of intergroup conflict, alongside other categories such as religious, linguistic, and many other types of socio-cultural identities. Thus, the theories for explaining ethnic conflicts are exactly the same theories used in analysing intergroup conflict of various types.

In this study we want to draw attention first to the following two theories.

3.2.1 The realistic group conflict theory

The realistic approach to understanding intergroup conflict holds that conflict occurs between groups when there are objective conflicts of interest involving the relevant groups. One useful typology of the primary drivers of conflict as seen in the realistic group conflict theory identifies three major areas of intergroup incompatibility, namely: economic differences, value differences, and power differences

- **Economic Conflicts:** Involve competition over scarce resources in a given locality. They can occur in various different settings over a wide variety of desired goods and /or services.
- **Value Conflicts:** Involve differences in what groups believe in or consider important, ranging from small differences in preferences or principles to major differences in group ideologies or ways of life. Value conflicts can arise over valued means (how goals are to be achieved) or valued goals (the nature of the goals to be pursued or the priorities to be set in pursuing agreed goals). What normally leads to such conflicts is how the groups experiencing the incompatibility, especially the dominant group(s), choose to deal with the differences, e.g. by forcing their cultural norms or preferences on other groups or by adopting an approach that supports intercultural respect and harmonious co-existence.
- **Power Conflicts:** Occur where there are struggles for dominance in intergroup relationships. In such situations, where two groups are involved, each group attempts to maximize its influence in the effort to confront the relationship with other. A power conflict, as a struggle for dominance, is usually not resolvable when it first starts. It therefore, normally first results in a victory/defeat situation or tense stalemate and deadlock. The usual distinguishing characteristic of negative power include physical attacks, deception, or manipulation, as opposed to such tactics of *positive power* as persuasion, relying on valid information, and considering the pros and cons of alternative actions.



3.2.2 The social identity theory

This conflict theory holds that all we need to have conflict in any context that is minimally competitive is the mere categorization of individuals into groups.

That is, a simple categorization of individuals into groups wherever there is room for competition leads to differentiation between groups and a tendency to show bias in favour of one's in-group and discrimination against out-group members.

The concept of "ethnocentrism" is used to capture the idea that identity groups tend to be ethnically centred, accepting and even glorifying those who are like them (members of their in-group), and denigrating, discriminating against, and rejecting those who are not like them (members of the perceived out-groups).

Let us point out that in real life, both theoretical perspectives – the realistic group theory and the social identity theory – seem to have some relevance in understanding a given intergroup conflict. For example, the ethnic conflicts in the slums of Nairobi have both realistic (economic, value, and power) and social identity (group affinity) dimensions. It is often not easy to tell which factors are dominant. However, authorities advise that we give more weight to real differences of interest (such as those existing between landlords and tenants) when we make our interventions.

3.2.3 Social dominance theory

In the light of the indeterminacy of the prevailing factors in an intergroup conflict situation, as observed above, the social dominance theory tries to augment both the realistic group and social identity theories by emphasising group differences in matters of power while at the same time explaining individual differences in discrimination.

The theory (social dominance) holds that individuals differ in their "social dominance orientation" (SDO). Thus, those with high SDOs support ideologies that promote hierarchies based on group membership. They also tend to support efforts to legitimize both individual and institutional discrimination in favour of groups that are more powerful in a given society.

In accounting for stereotypes, all three theories (realistic group conflict, social identity, and social dominance) have concepts and explanations which can accommodate the fact that individuals in intergroup conflict tend to engage in misperceptions that magnify group differences.

Thus they all, in different ways, account for the fact that groups in conflicts tend to develop negative stereotypes of other, involving beliefs which are oversimplified, inaccurate, rigid, and derogatory. It is by such characteristics that they perceive each other, applying them



indiscriminately to all the individuals in the target group.

Such simplified pictures are, through socialization, passed on to new group members (e.g. children) so that they can be well prepared to defend the interests of their in-group against the adversaries belonging to the target out-group.

Cognitive biases also feature in intergroup conflict in terms of how individuals describe and judge the behaviour of others, always seeing evil intentions in out-group behaviour even in acts that they would consider innocent or at least unintended if done by a member of their own group.

3.2.4 Contemporary needs-based approaches

Arising from the acknowledgment of Maslow's hierarchy of needs and related research findings from other social scientists, experts in conflict studies now have a tendency to engage in approaches that rely on the notion of basic human needs. They see intergroup conflict as being explainable to significant extent in terms of the differences related to the extent to which the basic human needs of groups, and those of their individual members, are either frustrated or satisfied.

In such approaches, basic human needs are regarded as the fundamental requirements for human development and their daily well-being. Such needs include security, identity, recognition of identity, freedom, distributive justice, and participation (e.g. in the democratic processes of your community or country).

In the basic needs approaches, identity groups (ethnic, religious, etc.) are seen as the primary vehicle for the expression of satisfaction of the relevant needs. Intergroup conflict is said to arise when the basic needs of one group are frustrated or denied. It is believed that needs frustration leads to the most destructive and intractable conflicts between identity groups anywhere in the world.

3.3 Conclusion

Although conflict scholars and practitioners of different persuasions tend to emphasize the validity of their theoretical orientations, the undeniable fact is that conflicts often involve a mixture of factors rather than being the pure types portrayed by the proponents of different theories.

For example, what starts off as a competition over power and economic resources (drawing us towards a realistic group analysis) may after sometime develop dimensions based on value differences or need frustrations and responses involving the use of negative power. It is therefore advisable for those involved in conflict resolution interventions to adopt multi-focal perspectives.



Post-violence Recovery in Selected Slums in Nairobi

4.1 Introduction

The devastating effects of post-2007 election violence were most severe in the informal settlements in urban areas; most up-market neighbourhoods were hardly touched. As may be inferred from chapters 2 and 3, the breadth and depth of the effects introduced new challenges and strains on the slum communities and the nation at large. In particular, the violence occasioned social, economic, political and even psychological disruptions that the Kenyan government and other actors have had to respond to in the aftermath of the violence to speed up recovery.

On the social front, post-election violence provoked mistrust and bitterness between ethnic communities on both sides of the political divide. In the Nairobi slums, a joint force of mainly Luo and Luyia youths who identified with ODM vented their anger against the Kikuyu, Embu, Meru (and later the Kamba) the majority of who were perceived to identify with the PNU. The attacks were met with resistance, counter-attacks, and revenge which only increased loss of lives and destruction of property. Indeed, more than a hundred people perished in the Nairobi slums alone, while thousands were hurt and an unknown numbers displaced through arsonist activity and forceful evictions.



Individuals who lost friends, relatives and property are still bitter, and some are ready to revenge should an opportunity arise. The problem of internal displacement emerged in tandem with

food scarcity, orphanhood/unattended children, broken marriages, uncertainty, and general insecurity caused by the militias; many residents are still traumatised by their experiences during the violence.

On the economic front, businesses were destroyed through looting, vandalism, and arson. Unemployment became an immediate problem in the slums because small-scale businessmen lost their uninsured sources of income. Investors' confidence also fell sharply owing to widespread insecurity and uncertainty about the future of the ODM/PNU coalition occasionally characterized by power struggles between the two principals.

Politically, post-election conflict was an unparalleled trying moment for the nation. Kenya moved closer to a failed state as the spirit of civic nationalism was lost, leaving the government with only a fraction of its legitimacy. The sub-division of Kenya into two nearly equal antagonistic coalitions during the violence and the alleged involvement of the Ugandan army in the suppression of protests threatened the survival of the state as an international actor and even made the prospect for secessions possible. The violence subjected the slum communities to the state of nature which, as Thomas Hobbes described it in *The Leviathan* (Hobbes, 1651) made "the life of man solitary, poor, nasty, brutish and short". The emergence of ethnic militias and vigilantes for defence purposes, however temporary, suggested strongly that there was no authority in place to discharge the duty and obligation to securing the political community.

Responding to these challenges through a multi-pronged slums reconstruction and recovery program has been the pre-occupation of many actors, including development partners, the government, and civil society. This chapter highlights and analyses the efficacy of selected recovery efforts that different agencies have initiated since January 2008.

4.2 Initiatives made by the Government of Kenya

The government of Kenya was at the forefront in responding to the challenge of post-election violence countrywide. In the wake of widespread violence in the slums, the government's immediate reaction involved the deployment of the police (mainly the General Service Unit) to "fight fire with fire" and then patrol the estates, day and night, primarily to limit casualties and to restore order. Although police interventions were less effective in restoring order in the slums immediately, residents admit that police presence reduced thuggery, looting, arson, vandalism and overt violence in the semi-patrolled areas.

However, residents in selected areas accused the police of failing to stop looting by militia



groups. In fact, some members of the ethnic militias attending the CAVi workshops confessed that some police officers had encouraged the thugs to “loot peacefully” on condition that they got a share. Equally, some workshop participants said that police intervention in some areas left behind a trail of death, rape and beatings.

Accusing fingers have also been pointed at the provincial administration. The government asked the chiefs and *wazee wa vijiji* (village elders) to encourage inter-communal dialogue at grassroots level, the effectiveness of this strategy depended on a variety of factors, including the popularity of the individuals and their ability to reach out to the residents who no longer trusted establishment officialdom. On aggregate, the strategy succeeded only after the restoration of a modicum of normalcy.

4.2.1 District Peace Committees (DPCs)

The government has launched the District Peace Committees (DPCs) initiative as a long-term measure of enhancing the healing process in the slums. DPC is a comprehensive strategy which involves the community and its leaders in conflict prevention, management, reconciliation and peace-building. The government began to experiment with DPCs in the 1980s in north-western Kenya where pastoralist communities at the border districts, i.e. the Turkana, Pokot and Karamajong (from Uganda), experienced persistent resource-based conflicts over pasture and water and also cattle rustling. The relative success of the initiative in these regions encouraged the government to expand DPCs in north and central Rift and Eastern provinces which were also prone to similar conflicts. The insulation of north Rift from the devastation of the post-election violence influenced the government and partners in the DPCs project to extend it to Nairobi and other districts in Kenya in an attempt to create a strong community-based structure that responds effectively to violence. In this light, the DPC initiatives in the slums should be seen as part of a nationwide initiative.

DPC has an active conflict early warning (CEWARN) system as well as a conflict early warning and response unit (CEWARU), both of which work to detect and respond to inter-communal conflicts in the slums. Through this system, leaders are able to detect a conflict at its formative stage and prevent it before eruption through a network of agencies including the government, provincial administration and local community. The United Nations Development Program (UNDP) is also involved in the overall project management, while the Kenya-based Peace and Development Network (PEACENET) constitutes peace management structures on the ground. The Nairobi Peace Initiative (NPI) runs the capacity building/training component.

Two years since its launch, the DPC initiative has become popular in the slums, particularly through its efforts to prevent the theft of relief food. It currently monitors the *Kazi kwa vijana* initiative and has made some efforts towards addressing the unresolved landlord-tenant conflicts in selected slums. Residents however complain that District Peace Committee members are thinner on the ground than expected, and have accomplished only so little so



far considering the challenges it is constituted to address. If well implemented, DCPs have the capacity to prevent conflicts from catching the slum community unawares as the post-election violence did.

4.2.2 Kazi kwa Vijana

This is a government initiative which was launched after the post-election violence to create employment opportunities mainly for urban slum youth to discourage them from engaging in violence and criminal activities. The initiative is implemented through the collaborative efforts of three government ministries – Youth Affairs and Sports; Roads and Public Works; and Environment and Natural Resources. Under the initiative, youth are recruited for manual jobs including road and bridge repair, and environmental cleanups, earning around Sh300 per day. The project is managed through the provincial administration.

The implementation of the initiative has not been uniform in all the Nairobi slums. It is comparatively more active in Kibera, where between 700 and 750 youth are involved, compared to Kiambio slums where the initiative was suspended after less than a month citing lack of funds. Elsewhere, fewer than 300 youth per slum are involved in Kazi kwa Vijana, and there are complaints by residents about corruption in the recruitment process.

However, implementation problems notwithstanding, Kazi kwa Vijana has kept nearly 3,000 youth positively occupied in community development projects, albeit too few to have a significant effect considering the purpose for which the initiative was intended.

4.2.3 GOK/United Nations Volunteer Program

In partnership with the government, the United Nations (UN) launched the United Nations Volunteer Program in the slums with the aim of uniting the various slum communities to campaign for peace. The program was implemented through the collaborative efforts of the provincial administration and the relevant local communities. In Huruma, for instance, the program was launched in mid-2008 and involved 20 community leaders from two wards – Huruma and Kiamaiko – in peace campaign rallies.

4.2.4 Feeding and resettlement programs

The Government also introduced feeding programmes in the slums. This involves the regular supply of relief food (maize and beans) to the needy victims of post-election violence in the slums. The project is implemented through the Chief's office. Although a significant number of needy families have benefited, residents complain that supplies have become irregular. Besides, there is no guarantee of accountability and transparency by officers in charge of food distribution who are accused of selling relief food. Additionally, most slum residents cannot afford even the subsidised food available, and therefore food insecurity remains a problem.



The government has also initiated a nationwide settlement program through which internally displaced persons (IDPs) were each given Sh20,000 to restart their lives. The money was intended to assist the IDPs to rebuild their houses and for daily sustenance during the recovery period. Although thousands of the displaced in the various camps have since vacated them, it is difficult to ascertain where they have relocated to and the extent to which the money they received actually helped them to restart their lives. Secondly, many slum residents have complained that some of the actual beneficiaries of resettlement funds were fake applicants who were never displaced at all. And, like in food distribution, the exercise was infested with corruption, nepotism and ethnic considerations.

The Korogocho slum has benefited from a road construction project funded by the Italian government in collaboration with the Government of Kenya. The project, which began after the post-election violence, involves the construction of a trunk road and four tributaries within the estate. The project has entailed a community sensitization programme in which 48 elected committee members have been trained on the upgrading process. So far no displacement has been caused, but there is apprehension among residents over the process that will be used to identify beneficiaries and the land tenure system. In particular, the landlords suspect they could be left with only one or no houses at all if the government adopts a land tenure system in which tenants and landlords are equal.

4.3 NGO/Civil Society Initiatives

The non-governmental organizations (NGOs) and the wider civil society have played an increased role in the recovery process in the slums. At the onset of the violence, some community-based organisations (CBOs) intervened by urging parties in the conflict to dialogue and cease hostilities. However, the period following the restoration of normalcy that has witnessed the mushrooming of civil society initiatives. In general, the interventions are aimed at reconciliation and capacity building of slum leaders to respond to challenges brought about by conflict. The slums have therefore been the centre of many dialogue meetings and capacity building/advocacy workshops.

The number of civil society organizations involved in the reconstruction programme in the slums is so vast that only a few will be mentioned in this text. Pamoja Trust, Youth Initiative Kenya (YIKE), Citizens Against Violence (CAVi) and Haki ya Jamii came up with interventionist programmes at the onset of the violence. In a joint venture, both Pamoja Trust and Haki ya Jamii convened initial landlord-tenant meetings. CAVi, in collaboration with the Friedrich Ebert Foundation, also organized dialogue meetings with key leaders in six of the slums that were severely devastated by the violence. The meetings in 2008 presented a neutral forum for the leaders to interact, dialogue and decide on the way forward. In 2009, CAVi initiated the Nairobi Slums Monthly Assembly where young leaders from the slums meet to debate and propose remedies to issues and challenges unique to the slums community.



YIKE organized a football tournament dubbed “Kicks for Peace” and road shows which sought to defuse ethnic tension by bringing the youth together. Their programmes also spread awareness about the dangers of ethnic violence. The Nairobi Youth for Peace (NYP) also played a central role in advocating for peace among the slum youth. It also convened dialogue meetings for landlords and tenants separately in Dandora, Huruma and Mathare North, which were also attended by the police and chiefs. The meetings were crucial in prevailing upon the landlords not to hire the Mungiki to evict the illegal tenants, as this would have intensified inter-ethnic violence.

However, most of the early interventions were short-term and have since ended. As a long-term strategy, Peace-net, Nairobi Peace Initiative (NPI), COPA Africa, Skill Shire, the Link, MS-Kenya and Chemi-Chemi ya Ukweli have created civic awareness and offered training to slum leaders on conflict management and resolution. Baraza la Wanawake la Amani specifically targets women. It has collected the experiences of women victims of the violence and trained them on early warning and response mechanisms. Maji na Ufanisi has been central in providing water and sanitation facilities in the Nairobi slums. The Ngei One project has also constructed a public toilet, hall and water facility for the Huruma slum residents in the name of peace, as has Urban Volunteer Group that has advocated peace by planting trees and conducting slum clean-ups.

Shelter Afrique has initiated a house construction project for individuals whose homes were razed down in Kibera during the violence. About 70 such houses have been completed and occupied. A non-governmental organization identified as Acted-Kenya has involved hundreds of slum youth in horticultural activities, using a new technology.

During the second week of violence, after the demarcation of ethnic boundaries in the slums, the militia leaders met, talked and saw no need in sustaining the fight. The talks resulted in an unconditional declaration of ceasefire which led to the removal of many of the boundaries, thus allowing for movement and interaction. Estate elders (*wazee wa vijiji*) also held meetings and their intervention speeded up recovery efforts.

Owing to the vacuum created by the ineffectiveness of police interventions, community policing has been adopted in many areas. For example, in Kawangware the chief’s office and home became the centre for coordination of civilian security surveillance. The community arrested hundreds of suspected criminals and handed them over to the chief for action. The government subsequently also launched interventions from the chief’s office.

Following the cessation of hostilities, a number of banks and other financial institutions have been more than willing to grant community-based organizations funds to start up small scale income generating activities to keep idle youth productive and less prone to joining militias or crime. CBOs have also obtained funds from sources such as the National Youth Fund (NYF), and the Constituency Development Fund (CDF).



In general, some slums have benefited more from government and civil society intervention programmes than others; Kawangware, Kangemi and Kiambio have benefited less compared to Kibera, Huruma, and Korogocho. This can be explained by the fact that some areas suffered less devastation than others.

4.4 Assessment of the initiatives

Most past and ongoing government interventions have been poorly implemented because of mismanagement. The projects are also riddled with suspicion over claims of government partisanship along party lines. Government security response has been weak as evidenced by the mushrooming of vigilantes and *jeshi*. These trends attest to the fact that the residents have taken over the task of security management in the absence of reliable services from the police. Interestingly, selected government interventions have been joint ventures and their overall success depends on the goodwill and financial support of development partners. An example is the UNDP funded DPCs.

Civil society therefore seems to have been more focused and rigorous in the initiation and implementation of recovery programs involving a multi-faceted approach, i.e. capacity building, advocacy, sensitization, and development. However, even among the civil society, there has been a lot of duplicity, replication and lack of coordination which has served to reduce the general effectiveness of the initiatives. Other than Shelter Afrique, which has initiated a house reconstruction project, most of the civil society interventions are a continuation of previous initiatives.

4.5 Conclusion

Recovery in the slums began in earnest after the signing of the PNU/ODM power-sharing agreement in March 2008, which led to the formation of the Coalition Government. Between the outbreak of the violence in the slums and the signing of the agreement, the government, local and international civil society organizations as well as individuals made significant efforts to defuse tension and limit destruction. It is such efforts that led to the creation of an environment conducive to the signing of a power-sharing arrangement.

Although the power-sharing arrangement was designed and agreed upon at a high level of political leadership, the spirit of reconciliation did not percolate down to the electorate whose inter-ethnic relations were already impaired by nearly 90 days of hostilities and destruction, but whose consent is central to sustainable recovery. Complicated by the challenges involved in the conception and implementation of the agreement as well as by government and civil recovery interventions, the recovery process has been slow, albeit steady. Some estates such as Kibera and Huruma still experience landlord-tenant conflicts while vigilantes, *jeshi*, and ethnic suspicion are a permanent feature among residents struggling to co-exist in cosmopolitan neighbourhoods.



It is therefore not surprising that recovery has been more progressive in some estates than in others.



The Long-term Effects of Post Election Violence on Slum Communities

5.1 Introduction

The post-2007 election violence was a landmark event in Kenya's history in general, and for the slums community in particular. Most of the past and ongoing interventions by the Kenya Government and the civil society were tailor-made to respond to the immediate visible dislocations such as killings, displacement, destruction of property, looting, etc. But beneath the violence lie some imponderable long-term consequences about which only a little thought is usually given. Yet, without considering such consequences, various stakeholders working with slum groups will be ill-prepared to respond to the challenges when they emerge in future. We believe that it is better to err on the side of speculations than to wait to be overtaken by events when the challenges come knocking. It is on this understanding that this chapter embarks on an examination of some of the possible long-term effects of post-2007 election violence and its various implications.



5.2 Negative Consequences of the Violence

5.2.1 Normalization of ethnic relations

The first concern to address is the prospects for the normalization of ethnic relations in the slums. Did the violence irreparably damage ethnic relations in the slums? If not, how long might it take to normalize the relations?

The challenge of ethnic relations in Kenya is a fairly sensitive one. In the post-Cold-War context in which conflicts in the Third World primarily emanate from within the state, nothing threatens the survival and efficacy of the state more than ethnic rivalry, which can inspire secessionist campaigns most of which are accompanied with violence. National unity or effective management of ethnic relations is therefore a prerequisite for national development. Besides, the government is likely to spend fewer resources on security surveillance when the populace is less disaggregated.

Whereas the majority of the 42 Kenyan tribes are expected to have taken sides with either ODM or PNU/ODM-K in the post-election hostilities, the violence particularly aggravated ethnic relations between the GEMA communities on the one side and the three major communities that supported ODM i.e. Luo, Luyia and Kalenjin on the other. In particular, the violence revived traditional Luo-Kikuyu hatred that began after the assassination of Tom Mboya but intensified with the introduction of multi-party politics in the early 1990s. CAVI confirmed from the community leaders who participated in the intra-slum peace meetings that ethnic tension, killings and destruction was more severe between the Luo and the Kikuyu.

The post-election ethnic rivalry dynamics is interesting. The fact that the Kalenjin constitute a small population in the Nairobi slums has made them a lesser subject of Kikuyu aggression than the Luo. But the Luyia have since joined the Luo as a part of Kikuyu target. Likewise, the Kamba became automatic targets of the Luo-Luyia aggression when ODM-K presidential candidate, Hon. Kalonzo Musyoka, joined PNU. Some Luyia residents therefore believe they have been made a target of GEMA aggressions over a Luo cause. In the same vein, a significant number of the Kamba slum residents hold that they have been sacrificed for a GEMA cause. It is worth noting, therefore that despite the ethnic alliances, the Luo and Kikuyu still remain as the epicentre of rivalry.

The power-sharing arrangement spelt out in the National Accord therefore introduced significant challenges about the future of Luo-Kikuyu rivalry. In perception of many Kenyans, the faces of the key personalities in the Grand Coalition - the President and the Prime Minister - have only served to sustain the hostilities, hence dragging the recovery process. To his opponents, the president represents the face of Kikuyu cultural prejudice mixed with dishonesty while the Prime Minister is the very personification of Luo arrogance mixed with



violence. Many Luo residents are inclined towards reminding the Kikuyu with whom they work or interact that “their man is eating a stolen thing.” Equally the Kikuyu constantly remind the Luo about their resolve now and in future never to allow an uncircumcised Kavirondo person to lead them. The personalization of Luo-Kikuyu differences together with the rejuvenation of ethnic stereo-typing casts aspersions about prospects of recovery and normalization.

5.2.2 Inter-ethnic marriages

Not only have intimate interactions between the Kikuyu and Luo and Luyia reduced in the slum communities, but marriages involving a Kikuyu on the one side and either a Luo or Luyia on the other, were seriously affected following the violence. Although it is difficult to obtain a concrete number of the casualties, a survey conducted by CAVi confirmed that many such marriages involving have since disintegrated in the wake of ethnic violence. Indeed, some couples voluntarily separated for safety reasons. The problem, however, is that a significant number of such families have not re-united even after the National Accord peace deal was signed.

In a number of situations, either one or both couples have been forced to separate due to intense family pressure or ethnic threats. The emergence of ethnic boundaries in the slums especially encouraged this trend. At the height of the violence, a Kikuyu man who hosted a Luo, Luyia or Kalenjin wife was considered a betrayer who deserved punishment. A similar verdict was made on a Luo or Luyia who hosted a Kikuyu man or wife. Even with the positive strides towards the restoration of normalcy, the situation has not improved much. The couples who are determined to stay together have been forced to relocate to areas where residents are less sensitive to issues of mixed marriages.

In some extreme situations where divorce was inevitable, children were divided between the parents. The children with Luo/Luyia names (e.g. Onyango, Atieno, Nekesa, Wafula) went to the Luo/Luyia parent while those with Kikuyu names (e.g. Njoroge, Kamau, Njeri) went to the Kikuyu parent. Little thought has been given to the long-term effects that such forced separations will have on such children.

The post-election violence has also affected future marriage trends, particularly in the slums that were the epicentres of the conflict. Most young Luo men now prefer marriage partner from any tribe except the Kikuyu. Likewise a Kikuyu slum resident actively avoids the prospect of marrying a Luo or Luyia partner.

When political differences get to the level of affecting marital relations, the slum community can only get more separate out of the rigid prejudices that each group nurses against the other. Tension that brews out of such arrangements is likely to sow seeds of intolerance and renewed violence.



5.2.3 Ethnic villages/enclaves

The extent to which the slum communities are likely to preserve “ethnic village” arrangements is a matter of great concern to advocates of peace and integration. It is a fact that many survivors of the post-election violence owed their safety not to the police but to protection in their ethnic enclaves which acted as barriers against opponent groups. The *tribe* therefore provided protection to its members at a time when state intervention failed. Even with the easing of tension and hostilities, ethnic-village arrangements are still vital to the slum residents’ life in terms of their role as safety providers of the last resort. The more slum residents are left to entrust their security to these primordial institutions, the higher the chances are that they will disregard the state-provided security arrangements even to the extent of defying government directives. Nothing confirms this more than the mushrooming of young vigilantes that have emerged to fill the gap created by the lack of an effective state security apparatus in the slums.

As trends point to high possibilities of retreating to the ethnic enclaves as the nation contemplates the next general elections in 2012, the emerging popularity of the ethnic villages will introduce new challenges to which the government and other development actors must be prepared to respond.

First, the existence of the villages confirms slum residents’ distrust of government security provided through the police, provincial administration and other organs. Secondly, the obtaining system threatens the security of the property and investments of non-villagers who fall on the opposite end of the political divide. And thirdly, the ethnic-enclave system discourages outsiders from investing in the areas where they do not belong or feel secure. In fact, investors who acquired land in the enclaves less dominated by members of their community are already in a rush to sell them to locals before the next elections. Meanwhile, they have relocated their investments to the enclaves where their particular community resides.

By and large, the existing enclave arrangements contravene the provisions in the Kenya Constitution, which gives every Kenyan the right to reside, own and acquire property in any part of the country. Indeed, the very existence of the ethnic enclaves is a constant reminder to the residents of the prevailing “us” versus “them” divisions. Even petty conflicts such as those that occasionally arise between drunks could degenerate into violent inter-ethnic battles.

5.2.4 Landlord-tenant relations

The devastating experiences arising out of the post-2007 election violence has introduced new dimensions in landlord-tenant relations. The violence entrenched a culture of mistrust between the conflicting parties to the extent that most owners of residential and commercial structures today use agents to collect rents on their behalf, especially in enclaves where



they are still perceived as the “enemy”. Tenants are generally uncomfortable with the agents because of their uncompromising attitude, and many have since relocated. Many landlords also accept or reject tenancy applications based on the basis of ethnic or political affiliation. Landlords may also insist on three-month deposits from applicants before assumption of occupancy due to the state of uncertainty that still obtains in the slums after the violence.

With the mounting uncertainty about the future of the Grand Coalition, fewer people are likely to invest in the slum rental structures because of the high risks involved in the enterprise. Already, a number of structure owners have sold out their parcels and shifted to areas considered less risky. Consequently, the demand for housing has surged in the slums against a sharp drop in supply, thereby increasing rental costs. There are also indications that some investors who chose to stay put employ the subtle use of militias to enforce compliance from errant tenants.

In general, it is difficult to make a concrete generalization on the future of landlord-tenant relations in Nairobi’s slums. Perhaps, the relations will be influenced more by the character and dispositions of the parties in a contract, so that good landlords get good tenants and vice versa. However, there are indications that landlords are likely to become more selective, uncompromising and innovative in dealing with tenants.

5.2.5 Lawlessness

The post-election violence has instilled criminal tendencies, defiance and impunity among large sections of the slum youth population which the state apparatus will find challenging. The three months period of lawlessness and breakdown in state security surveillance influenced a significant number of youths to take advantage of the situation by venturing into crime and profiting from looting and “free housing” from the displaced. Not only have such youth become an obstacle to recovery efforts, but are willing to create another scenario of lawlessness from which they can benefit materially.

The extent to which the activities of Mungiki (in many ways the most organized and resilient of the militia groups) has inspired the emergence of similar groups has been captured elsewhere in the book.. In the Kibera slums, where Mungiki has stayed out mainly due to Luo dominance, three similar groups have emerged, each controlling a terminus at which every vehicle must pay Sh100 per day. The Citi Hoppa Bus Company cancelled its operations in Kibera at the height of the violence after its busses were targeted for attack due to its alleged connection with some political Kikuyu elite. There are allegations that the company was allowed to return only after paying out “protection fee” to the groups controlling the termini, and none of its buses has been burnt since then.

Even in a situation where there is little material, many Kibera youth have been willing participants in acts of lawlessness, in the belief that they are untouchable. In January 2008,



for instance, the youth uprooted a section of the railway line near the estate to protest against alleged rigging of the elections by the PNU. Later in April 2009, they again uprooted a section of the railway in protest over the alleged annexation by Uganda of Migingo Island on Lake Victoria. The government's perceived helplessness in responding in such situations has only strengthened impunity tendencies among the youth in Kibera. In April 2009, they violently attacked Kenya Power and Lighting Company (KPLC) technicians who had come to disconnect illegal power connections in sections of the estate.

In sum, the emerging culture of defiance and overt crime will in the long-term impede the institutionalization of the rule of law in Nairobi's urban slums.

5.3 Some "positive" effects of the violence

Conflict experts believe that violence such as the one exhibited during Kenya's post-2007 elections crisis may not be wholesomely negative. Indeed, under the shadow of the by post-election violence lie some lessons that could be regarded as positive in the long run.

First, the crisis "empowered" the close to two million slum residents to reflect on their collective situation in relation to the state and other members of the society. Indeed, they have since discovered the vulnerability of the state and its elite class. The poor performance of the grand coalition government in addressing economic problems two years into its term in office has heightened the level of class consciousness. Within the slums, the residents could ignore tribalism in favour of creating a united front against an exploitative state, politicians and other privileged groups, that take advantage of their situation and petty divisions.

Another lesson from the violence is that structure owners have realized the vulnerability of shanty houses to the arson compared to stone houses. Consequently, future structures are likely to be comparatively more permanent and better planned than the previous mud and carton structures. The overall result would be a massive improvement in shelter in the slums.

The risks associated with slum life are likely to force voluntary slum dwellers (those who are financially able but voluntarily choose to live in the slums) to relocate to middle class estates. Also, a sizeable number of the unemployed have returned to their rural homes. This comes at time when a significant number are also preparing to relocate permanently to the rural areas to escape what they believe will be more serious ethnic violence in the run up to 2012 polls. This could ease housing pressure in the overcrowded slums, leaving only those that have no alternative homes or means of survival.

Finally, the post-election violence drew the attention of the government, development partners, and civil society groups to the conditions in the slums, which constantly contribute to their violent character. This has led to advocacy for slum upgrading. As long as the slums



could remain in their current condition, they will serve as permanent centres of violence. Consequently, a multi-pronged intervention strategy is already in the offing involving a number of agencies to give the slums a new face.

5.4 Conclusion

There is a natural tendency among both state and non-state actors to respond to conflict situations by focusing effort on the immediate problems. Whereas relevant responses should always begin by assessing the immediate needs of the victims of violence, a futuristic focus is also necessary in order to reduce the dangers of unpreparedness when the long-term consequences finally emerge. Long-term effects could very well undo the gains realized through short-term measures.

It is important for the Kenya government and development partners to recognize that the post-election violence had some long-term consequences that should be addressed. The problems include psychological trauma, broken marriages, single parenthood, ethnic *villagization*, revival of *jeshi-ism*, lawlessness, impunity and defiance among the youth. Therein are the seeds of future destruction and threats to peace. We have no doubt that proper mitigation mechanisms and policy interventions must be urgently developed and applied to improve the environment in Kenya's urban slums for long-term solutions to emerge.



Challenges of Sustainable Peace and Security in the Nairobi Slums

6.1 The nature of the task

The overarching concern in creating sustainable peace and security in Nairobi's slums is broadly based on the desire to create in those settlements a culture of peaceful co-existence among the residents who belong to different ethnic groups. The security issues are further complicated by the fact that a significant proportion of the slum dwellers do not have stable sources of livelihood and the slums provide environments conducive as hideouts or as areas for engaging in illicit activities.

Peace and security are interrelated goals in the sense that the achievement of either one is pegged on the other. Thus, our discussion of efforts towards a culture of peaceful co-existence in the Nairobi slums is generally targeted at the abstract concept captured by the collocation: 'peace and security'.

In the discussion, we look at the concepts pertaining to interventions in conflict situations, group-level factors in conflict behaviour, conflict escalation dynamics, and the phenomenon of resistance to conflict resolution.



6.2 Interventions in conflict situations and the related challenges in the case of Nairobi Slums

There are different ways of categorising the interventions in a conflict situation. For example, they may be categorised in terms of the participants: local or international, interested or disinterested, observers or advocates, mediators or facilitators, etc.

The categorization that we consider best suited to our purposes here is based on the goals of the intervening actors, especially with regard to the impact they want to make in the conflict situation. The definitions and explanations of the terms used here are very closely guided by the usage guidelines in *Contemporary Conflict Resolution* (Ramsbotham et al, 2005:3-31).

As we review the categories of intervention, we also point out some of their implications for achieving sustainable peace and security in the Nairobi slums.

6.2.1 Conflict settlement

Where there is an armed political conflict, or at least a sustained physically violent one, conflict settlement entails the reaching of an agreement by the conflict parties to settle the conflict in some way in order to forestall or end the violence. Conflict settlement is what happened between President Mwai Kibaki and Prime Minister Raila Odinga in the first quarter of 2008 so as to stop the post-election violence.

Although it suggests an end to the conflict, the battlefield (e.g. the Nairobi slums) usually remains volatile since inadequate attention is given to a number of issues during the settlement deal. Thus, for instance, the National Accord did not say much about underlying issues in the slums (e.g. the landlord-tenant problem).

In general, since settlements tend to be elitist in nature, they leave many ground-level issues unsettled, thereby providing a basis for low-level continuation or even large-scale revival of the conflict. [Also see our discussion of peace making at 6.2.7 below.]

It would be interesting to see what would happen if processes were put in place for the slum residents to have their own conflict settlement agreements.

6.2.2 Conflict containment

Conflict containment is a broad concept for all the interventions (e.g. peacekeeping and war limitation) whose objective is to limit the scope of conflict from levels it has reached by the time of the intervention and hopefully terminate it at the earliest opportunity. The scope may be defined in terms of the geographical coverage, degree of mitigation and alleviation of intensity.



In the case of Nairobi slums, containment of inter-group violence and insecurity would involve, among other things, the identification of affected areas and taking steps to ensure that the violence and insecurity factors do not spread to the unaffected areas while arrangements are being made to terminate them where they exist.

6.2.3 Conflict resolution

This is a comprehensive term used to designate both the process and result of endeavouring to address and transform the deep-rooted sources of conflict. If successful, conflict resolution leads to a situation in which violent behaviour and hostile attitudes have been eliminated, and the structure of the conflict has been altered.

Although aspects of inter-group violence may be stopped, changing the attitudes and structures which promote conflict usually requires much more concentrated efforts, blending in the challenges of peace-building as explained below. The problem here is the tendency to think that once violence is reduced or even temporarily eliminated then the corresponding attitudes and structures have also been removed, since they are usually not as visible as the violence. The real challenge is for the actors in the resolution interventions to remain focused and determined to complete their mission.

6.2.4 Conflict transformation

This is understood either as a step beyond conflict resolution or as its deepest level. It entails a profound change in the institutions and social discourses that perpetuate conflict. Its impact also touches the conflict parties and how they relate to one another. As we shall see below, it is largely congruent with the underlining aspects of structural and cultural peace-building.

With regard to the quest for sustainable peace and security in Nairobi slums, the challenges relating to conflict transformation are akin to those mentioned in relation to conflict resolution: the strain on the skills, patience and resources of the intervening parties as they remain focused and committed to the fulfilment of their mission. For, as already pointed out, once a superficial semblance of peace and security is attained in the slums, it takes a special degree of dedication, some kind of missionary zeal, for the intervening parties to keep their long-term goal firmly in sight.

6.2.5 Negotiation and mediation

Negotiation is the process or communication activity by which conflict parties (together) try to find a solution that is agreeable to both or all of them. When those involved in a negotiation are not in good enough terms to engage in a useful exchange of ideas, a third party may intervene as a mediator. Mediation, in its pure form (pure meditation) leaves the conflict parties in control of the outcome since the mediator cannot impose any decision on them. However, there are circumstances in which the mediator has some informal power



to influence the decisions of the conflict parties through threats and/or punishment, even rewards (mediation with muscle).

Possibilities of seeking negotiated settlements, with or without mediation, among slum residents are generally constrained by the fact that in most cases individual parties to the disputes are well known and in many cases may not be loyal to the group leaders who could represent them in negotiations.

6.2.6 Reconciliation

People who live with feelings of hostility after or during a protracted conflict may engage in acts of reconciliation, usually taking a long time, to overcome the mutual hostility and mistrust. It is a useful strategy for dealing with the attitudinal components of conflict which remain long after the active aspects (such as physical violence) have ended, and may serve as the basis of renewed active conflict.

In a situation such as that in Nairobi slums, reconciliation may be a good cure for the feeling of hurt in cases where people of various ethnic groups have to live with neighbours they offended individually or collectively during the post-election ethnic clashes. The challenge is that reconciliation efforts require a long time to be effective. Since most of the relevant cases would need the services of a facilitator, there is no guarantee that the facilitators, especially if they are volunteers, would have the stamina to follow up their cases for the necessary period.

6.2.7 Peacemaking

As violent conflict continues, peacemaking efforts involve arrangements towards getting the key conflict parties to reach a settlement as a precondition for bringing the violence to an end. It is conceptually a component of conflict settlement, as discussed item (6.2.1), and has all the challenges pertaining to it.

6.2.8 Peacekeeping

When the parties to violent conflict want to stop the violence but lack the means to prevent their own combatants from fighting or engaging in violent activities, they may allow a third-party to play a peacekeeping role. Sometimes a peace-keeping force may be engaged by one or more third-parties without the compliance of the conflict parties, especially when the conflict is hurting many innocent non-combatants (usually women and children). In the case of a violent slum conflict involving ethnic or neighbourhood militia, the Government can send in police units for peacekeeping activities. The problem with such police operations is that they usually have a very low level of commitment to lasting peace and are often bedevilled by incessant reprisals by rival militia operatives.



6.2.9 Peace-enforcement

This is the term used for peacekeeping when there has been a settlement by conflict parties who do not have the means or do not trust each other to enforce the battleground requirements of the settlement on their own. In slum conflicts, peace-enforcement services can be provided by the Government, but such services are bound to have challenges associated with peacekeeping services in the slums as discussed in (6.2.8) above.

6.2.10 Peace building

Conflict involves objective and subjective factors that cannot be addressed adequately through peacekeeping and peacemaking efforts. The creation of a culture of peaceful co-existence for healthy long-term inter-group relationships is the responsibility of peace building interventions, which are targeted at the contradictions that constitute the foundation stone of conflict. The challenges likely to deter peace building efforts in Nairobi slums are mainly associated with the fact that peace building activities require many years of commitment and, as has been said in the cases of conflict resolution and conflict transformation, is likely to suffer from the depletion of necessary resources, including the resolve of the various participants in the process.

6.3 Other Challenges

Although many other factors may frustrate intervention efforts to address peace and security problems in the Nairobi slums, we want to mention here only those that have to do with well-studied group characteristics. These include factors related to collective action by group members, conflict escalation dynamics, and acts of resistance to conflict resolution.

6.3.1 Collective group action in conflict situations

Actual conflict behaviour and opportunities for resolving a given conflict are heavily influenced by the characteristics of the involved groups in terms of their identities, degrees of cohesiveness, pressure on members for conformity and in-group decision-making processes. (cf. R.J. Fisher, 2006: 182 – 185).

All actors in slum intergroup conflicts are members by birth or choice of some groups or communities. By and large, the individual actors are not in personal control of the choice to engage in some aspect of a given conflict – whom to attack and whether to stop or continue engaging in the conflict. Thus, whether a Luo man in a Nairobi slum participates in a conflict just as a member of that ethnic community or of a Luo militia group, his conflict behaviour and length of participation in the conflict activities are not based on his individual choice. Both group leaders and rank and file in the conflict groups are heavily influenced by group pressure and the corresponding sanctions for deviant behaviour as judged according to group norms.



The direct implication of this group phenomenon for peace and security in the Nairobi slums is that any intervention efforts are unlikely to have significant results without taking into account the characteristics or in-group attributes including structures of the relevant groups and communities. This problem is further complicated by the fact that the ethnic militia groups, in particular, operate as underground entities with a propensity for suspicion and reluctance to provide information to outsiders (including researchers).

6.3.2 Conflict escalation dynamics

A conflict situation, such as that existing in the slums of Nairobi, internally feeds itself rather like a fire through its internal dynamics: rigid mental frames, long established prejudices, negative self-fulfilling prophecies. Acts of fear and defensiveness often lead to further aggression and counter-aggression.

In *Collaborative Approaches to Resolving Conflict*, Isenhardt and Spangle (2000) identify the following steps in the spiralling of conflict.

1. Problem emerges.
2. Sides form as controversy grows.
3. Positions harden as parties become narrower and more rigid in their perspectives.
4. Communication stops and parties become adversarial.
5. Conflict goes outside of the immediate context as parties look for support and power.
6. Perception becomes distorted and parties lose objectivity.
7. Sense of crisis emerges as community divides into factions and coalitions.
8. Uncertainty arises about outcome as options for parties become fewer.

An ideal intervention activity should be based on a clear understanding of the conflict escalation dynamics in a particular place and the spiral stage that the conflict has reached. Such information is normally lacking or, at least, not so well defined in the interventions in the Nairobi slums.

6.3.3 Resistance to resolution

Another category of challenges in the pursuit of peace and security in the slums of Nairobi is that based on conflict characteristics which generate the resistance of conflict resolution and de-escalation.

Some of the best known conflict characteristics in this regard are as follows:

- **De-individualization:** whereby members of the opposing group(s) are not seen as individuals but simply members of a group of bad people who can be hurt without anyone feeling that what they have done is morally wrong. Thus, for example, a Luo does



not feel that he has hurt Njoroge, a known neighbour, he has only hurt (possibly killed) an “Okuyu” (Kikuyu).

- **Dehumanization:** whereby members of an opposing group are designated as being less than human; they may be labelled as dogs, hyenas, or snakes and, therefore, one has no problem with one’s conscience when, e.g. one of those ‘dogs’ is killed.
- **Normalization of negative statements:** whereby hostile feelings towards the out-group and destructive intentions towards them are sanctioned in group norms and group members are under group pressure to accept the new norms in their relationship with the out-group.
- **Preference of militant leadership:** whereby groups in a state of conflict tend to prefer the more militant members for leadership positions in the group, thus reinforcing militancy and reducing chances of conflict resolution. In the aftermath of post elections violence, many Kenyans have voiced the concern that Kenya needs a ‘dictator’ or a ‘no-nonsense guy’ for a president. Reactionaries even miss the tenure of the former president-Daniel Arap Moi, which was widely regarded as less democratic.
- **Vested interests in conflict:** based on the fact that the militant sub-groups in each of the conflict parties derive direct and indirect benefits from the conflict in terms of new status, power, and even wealth. In the case of the post-election violence in the Nairobi slums, some individuals got themselves free accommodation in houses belonging to out-group members. Such beneficiaries from the conflict are generally reluctant to support or cooperate with any initiatives aimed at resolving the conflict.
- **Polarization:** the process by which other players who were not part of the conflict in its early stages take sides and form coalitions that increase the magnitude of the conflict, making its resolution much more difficult owing to the reduced number of neutrals. In the wake of the violence, the Kikuyu and the Luo in the Nairobi slums became enemies irrespective of whether one had participated in the violence. The demarcation of ethnic boundaries became the immediate result for the safety of the rival communities. The number of players surged unwieldy when the Luyia and the Kalenjin joined with the Luo while the Kamba, Meru, and Embu communities lent their support to the Kikuyu.
- **Over-commitment and entrapment:** whereby conflict parties over-commit themselves in terms of resources and damage done to others, making them feel that they have to push the conflict to its logical conclusion – their victory. They find it hard to justify their costs, material and moral, if they stop the conflict. For this and other reasons, the conflict parties feel they cannot get out of it; they are entrapped in the conflict.



Such phenomena contribute to resistance to resolve the conflict and, in some cases, hostility to those involved in the conflict resolution initiatives. Thus, in practically every CAVi workshop there were some individuals or groups who signalled opposition to the particular effort being made at conflict resolution.

6.4 Conclusion

Conflict intervention practitioners should not be discouraged by the realization that there are so many hindrances to the achievement of lasting peace and security in the slums of Nairobi. However, they need to be aware of the challenges so that they can adequately prepare themselves with the appropriate materials and intellectual/attitudinal resources for their unenviable job or calling. Ideally, they need to know at least the type of intervention they are providing in a given conflict, the spiral stage of the conflict, the dominant interests, the internal structures of the conflict parties, and the relevant group dynamics, including the sources of resistance to resolution or de-escalation.



Summary, General Conclusion and Recommendations

7.1 Summary

In itself, ethnicity is an innocent fact of human group identity. Ethnic pluralism is also an innocent fact of African nationhood. As a forum for cultural expression, innovation and cross-fertilization, ethnic pluralism has many positive contributions to human society. Indeed, there is a defensible line of thinking that Babel can be a source of power rather than weakness.

However, there is another reality: the fact that, when politicized and sold as a commodity in the market for political favours, then ethnicity can become a destructive and counter-productive force in the life of a nation such as Kenya.

Arising from the politicization of ethnicity, Kenyan communities have over the years been associated with vicious bands of their youth operating as militia groups whose agenda, though identified with their ethnic allegiances, have been fashioned and treated as closely guarded secrets by political personalities in their corresponding communities.

The existence of such groups has made political rivalry in Kenya much bloodier than would have been the case in situations where only spontaneous skirmishes occur due to angry reactions to disappointing political decisions and events.



With or without the notoriety of the ethnic militia groups, inter-ethnic hostilities in the Nairobi slums lead to conflicts that are explainable in terms of well known theoretical perspectives. In this study, we have considered such theories as:

- The realistic group conflict theory,
- The social identity theory,
- The social dominance theory, and
- The contemporary needs-based approaches.

The picture that emerges is that no single theory on its own explains all the observable facts about conflict in the Nairobi slums. Each theory throws light on some dimension of the conflicts. The post-violence recovery in the slums is driven by various types of initiatives put in place, especially those by civil society organizations and the Government of Kenya. An assessment of such initiatives reveals that:

- Most of the past and ongoing government relief interventions in the slums have been poorly implemented because of mismanagement problems
- Government projects are riddled with suspicion especially over the state's partisan inclinations based on the party affiliations of the victims
- Government security interventions are ineffective
- Civil society interventions are more focused and rigorous especially at the implementation stage
- Even in civil society interventions, effectiveness is reduced by duplicity, replication of efforts, and general lack of coordination.

Some of the discernible long-term effects of the post-election violence include the following:

- Increased lawlessness among the youth who have since the violence discovered flaws in Kenya's law-enforcement strategies
- Bitterness and other psychological problems among surviving victims of violence
- Preservation of ethnic villages in contemplation of emergency attacks especially during general elections
- Migration from the slums during election period in anticipation of a recurrence of the 2007 phenomenon.

The challenges of sustainable peace and security in the Nairobi slums are based especially on the nature of possible interventions and the demands they put on the skills, attitudes and the material resources of the intervening parties. For example, for government interventions, there is the challenge of going beyond mere conflict settlements and peacekeeping activities to undertake significant peace-building engagements with the slum dwellers.

In addition, there are challenges based on the group dynamics of the communities involved in various aspects of the conflicts. In particular, there are problems of vested interests emerging from participation in a conflict.



7.2 General Conclusion

This study has demonstrated that mending ethnic relations in the Nairobi slums is going to remain a big challenge to the Government of Kenya and other parties that may want to contribute to the normalization of the lives of the slum-dwellers especially in the places that were adversely affected by the post-election violence.

More importantly, the study shows that the efforts to bring about sustainable peace and security in the Nairobi slums must be based on sound analyses of the relevant group dynamics and the options for enlightened intervention. Above all, such interventions need a high level of dedication and preparedness to go beyond mere fire-fighting activities. Peace building is a socio-cultural engagement that requires patience, skill, and material resources.

At the highest level of creating a lasting culture of peaceful co-existence, one has to take a wider look at our national politics. For only justice and a strict adherence to democratic ideals and practices can guarantee inter-ethnic peace not only in the slums of Nairobi but everywhere in our urban and rural localities.

7.3 Recommendations

In the light of the findings summarized above, we recommend that:

- i) The government should step up efforts to initiate innovative policies and to enforce the already existing laws that will lead to the complete disbandment of the militia organizations in the Nairobi slums.
- ii) The Kenya Anti-Corruption Commission should investigate allegations concerning unethical practices by the police in their interactions with militia groups especially as concerns money illegally raised from matatu operators.
- iii) The police should closely monitor slum-based vigilantes currently operating in the slums as community-policing organizations.
- iv) Night police patrols should be intensified especially in the estates which are yet to realize full recovery from the post-election violence.
- v) The government should move in urgently to control the emerging culture of lawlessness and impunity among the youth of Nairobi slums.
- vi) Civil society organizations should spend more resources on community dialogue and interaction meetings especially between the landlords and tenants.
- vii) Civil society efforts should be more coordinated to avoid duplication and replication.



- viii) On-going post-violence reconstruction efforts should be futuristic in content.
- ix) There should be annual studies to track down the progress recovery efforts in the slums that were adversely affected by the violence and to identify emerging challenges.
- x) There should be a focused Government of Kenya policy program on slum upgrading as the ultimate strategy for eliminating slum-based conflicts.



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