

A Critical Examination of the Role of Non-Governmental Organizations in Conflict Transformation in Kenya

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Abstract- Conflict is an inherent feature in human society, however with its escalation it becomes a threat to peace and stability of not only a society, a nation, a state but also an entire region. This paper seeks to examine the reasons why non-governmental organizations are taking a central role in conflict transformation in the contemporary society, the nature of conflicts and finally the challenges it faces. This paper adopted descriptive approach using an interview schedule drawing its respondents from NGOs, government officials and victims of conflicts in Uasin-Gishu County, rift-valley region of Kenya which has experienced conflicts overtime. The research found that; NGO's role is significant because it seeks to find the root cause of conflict, the nature of conflicts range from politically triggered, inter-clan to ethnic conflict, the NGOs challenges are; inadequate financial resources, non-committal by warring parties to conflict resolution, the state and finally the complexity and longevity of protracted conflicts. The research finally concludes that for the effectiveness of the role of NGOs in conflict resolution the Kenya's to a greater extent depends on the good will of the government should take the leading role by providing conducive environment for other stakeholders to address the root cause of conflict for posterity.

Index Terms- conflict transformation, nature of conflicts, ethnic conflicts

I. BACKGROUND OF THE STUDY

Conflict in International Relations domain refers to any situation with two or more identifiable groups that are in conscious opposition to each other pursuing incompatible goals. The groups in conflict may be tribal, ethnic, linguistic, cultural, religious, socio-economic, or political. Conflicts involve a struggle over values and claims in line with scarce resources, power, and status (Coser, 1956: 8). It is driven by the aim of neutralizing, injuring and even eliminating their rivals. International Relation has been in existence from time immemorial and can even be traced to the biblical times (Carl and Vincent, 2009:306). All societies traced from early history onwards have created mechanisms and institutions for purposes of building peace exemplified by the councils of elders, religious leaders or other organized forums (Dougherty and Pfltzgraft, 1990:187).

In International Relations, conflicts are categorized as either interstate or intrastate. However, interstate conflicts have been of

concern for a long time. Mechanisms to resolve conflicts and also to restore peace and order as defined by the United Nations Charter of 1945, have always addressed interstate conflict. Mediation and reconciliation are the core features of such diplomatic mechanisms. The world today is experiencing more conflicts within the state leading to most strategies now focusing on intrastate conflicts. Moreover, conflict management, resolution and transformation have focused on specific state's situation thus contributing to peace building process. This is largely attributed to the underlying complexity of emerging conflicts which challenges the assumptions of conventional strategies. Most of the intrastate conflicts are based on competition for limited resources driven by ethnic, religious and inter-communal issues as opposed to a clear ideological predisposition (Cutts, 1998). These intrastate conflicts today are marked by intense brutal confrontations accompanied by disregard for the rules of war. Most conflicts are further asymmetrical today which makes it difficult to identify the combatants. This results in dilemma with regard to humanitarian initiatives. Intrastate conflicts undermine the states within which they occur as well as the state system and its integrity of national sovereignty. In the present context of the world system, the sovereign states still have substantial role to play as any intervention efforts in conflict does require negotiation in order to meet the principle of non-interference in the states internal affairs (Adams, 1999).

Conflict transformation is defined as the movement process from conflict-habituated systems to peace systems (Notter and Diamond, 1996). It is differentiated from conflict management and resolution because of its focus on systemic change. It involves social conflicts that are deep-rooted because they create patterns that are part of the social system. Due to the involvement of the social system (society) as the unit of analysis, "transformation" becomes appropriate (Laderach, 1997). Transforming deep-rooted conflicts goes beyond the resolution as it involves systemic change which therefore requires transformation (ibid). Conflict transformation efforts have been attributed to the various conflicts in Africa that are aligned to the scarcity and abundance of resources like land in Rift Valley Region. Other conflicts in Kenya and Africa at large are associated with election processes. Some countries such as Kenya, Democratic Republic of Congo, Sudan, Somalia and South Sudan have witnessed a number of conflicts that calls for conflict management and resolution before the transformation process. In Kenya and the better part of the East African region, conflicts are attributed to land (Daudelin, 2002).

These conflicts are usually politically triggered as pointed out by Deininger and Castagnini, (2005).

According to Nnoli (1995a:6) and Mafeje, (1997), ethnicity has continued to exist in Kenya since independence and has become a source of conflict mostly facilitated by the political elite. Ethnicity has progressively accentuated since independence to become a factor in national politics (Nasongo, 2000). Rift-Valley Region has been one of the most affected areas in Kenya. This has mostly been caused by land issues as asserted by Daudelin, (2002). This is steered by negative ethnicity as further affirmed by Nasongo, (2000) as the reason for tribal conflicts. Conflict transformation has however taken route in other countries such as Uganda and Kenya since the 1990s. The legitimate and participatory methods have been fostered in Kenya by the encouragement of customary ways of solving conflicts. These are done through the assistance of a mediator relying on trust and not leverage. These efforts have been emphasized by NGOs involved in peace building in order to realize meaningful conflict transformation. This is what Galtung points out as durable, positive peace rather than absence of violence (Galtung, 1964:2) which explains the efforts by peace building organizations in Rift-Valley Region to engage people in activities as a way of conflict reconstruction.

1.2 Statement of the problem

The state collapse phenomenon in the contemporary world politics is viewed to arise from multiple issues like international terrorism, transnational crime and ethnic conflict in line with other human security threats like ecological degradation. The increased number of intra-state conflicts according to Holsti (2001) is as a result of weak and/or failed states that stimulates armed violence. NGOs participating in peace building have the desire to identify and support structures that can assist to avoid relapse into conflicts. However, in as much as efforts by both the governments and International Non-Governmental Organizations (INGOs) have aimed at providing long term solutions to conflict, the dynamic nature that conflicts are, have led to continued conflict situations and re-emergence after a period of time which raises questions regarding the role of NGOs in conflict transformation. There have been various interventions by the international NGOs in various conflicts in the society yet conflicts still continue unabated. Conflict reconstruction remains to be a realization because of continued emergence from land, negative ethnicity and hostility among communities. Peace building organizations through their conflict resolution efforts have been largely uncoordinated due to the states weak institutional framework. The lack of norms, values and principles to guide interventions have contributed to more frequent conflicts. This study analyzes the NGOs efforts in conflict transformation informed by the continued conflicts that occur and others recurring after a period of time.

1.3 Justification of the Study

NGOs in conflict transformation involvement in Kenya continue to face major challenges in the current national and regional environment. Despite the growing recognition by the government on the need to proactively address conflict, institutional challenges remain. A lot of work has been done in the area of conflict resolution, management and transformation (Laderach, 1997:29) but scanty research has been done on the role

of NGOs in transformation of conflicts. Immediate solutions are reached through conflict management and resolution which leaves transformation pending. This research is built on the need and desire to advance on conflict transformation. The research seeks to fill the literature gap that has not been addressed through conflict management and resolution.

1.4 Theoretical framework

Institutional theory has traditionally been interested in looking at transformation from pre-industrialized societies to modern society and, since late 1980s, from socialist to market economies. Institutionalism is defined as a belief in the usefulness of an established institution (North, 1990). Institutionalists share various realism assumptions about the international system. That it is anarchic, states are self-interested, rational actors seeking to survive while increasing their material conditions, and that uncertainty pervades relations between countries. However, Institutionalism points out to cooperation between nations as being possible. The central idea is that cooperation may be a rational and self-interested strategy for countries to pursue under certain conditions (Keohane, 1984).

Institutionalism theory asserts that institutions (defined as a set of rules, norms, practices and decision-making procedures that shape expectations) can easily overcome uncertainties that undermines cooperation (Young, 1989: 32). Bromley states that institutions are the working rules of a nation-state which indicates what "individuals must or must not do (duty), what they may do without interference from other individuals (privilege), what they can do with the aid of the collective power (right) and what they cannot expect the collective power to do on their behalf" (Bromley 1989: 43).

According to Keohane (1984), the international regime increases probability of cooperation by providing information about others behaviour through monitoring the members and filing a report on compliance. The institutions set up define what constitutes a defection hence prescribing punishments. This reduces the fear of state exploitation by other members of the regime thus minimizing likely chance for misunderstanding. Prescribing sanctions reduces the incentive to covertly defect (Keohane, 1984). Institutionalism therefore generates the expectation of cooperation among members. For instance by creating the belief that interaction continue for the foreseeable future, international regimes increase the importance of reputation and allow for the employment of complex strategies (ibid).

This theory is applied by peace building organizations to advocate for peace and the transformation of conflicting behaviours. For example in considering two trading partners whereby if both states lower their tariffs they will trade more and each will become more prosperous, but neither wants to lower barriers unless it can be sure the other will too. This aspect is used to bring together conflicting groups in the society. The groups in conflict are engaged just as states get to know what it can gain from the other to cooperate leading to a compromised agreement. Institutions for instance extend the time horizon of interactions which creates a continuous game rather than a single round. Countries that know that they must interact with the same partners repeatedly through an institution will have incentives to comply with agreements in the short term in order to continue to extract the benefits of cooperation in the long term. NGOs borrow greatly

on this idea of institutionalism theory. They emphasize on conflict transformation as the best way to make a society have a long term peace through addressing key issues like the root causes of conflict.

Institutionalism states that organizations increase information about state behaviour. Judgments are later made of compliance or non-compliance with particular rules. States know that they will not be able to 'get away with it' if they do not comply with a given rule. This gives room for NGOs in influencing state behaviours and decisions to manage and resolve conflicts. Institutionalists argue that organizations can greatly increase efficiency because it is difficult for states to negotiate with another on an ad hoc basis. Organizations therefore reduce transaction costs of coordination through provision of a centralized forum where states can meet. International NGOs assist in solving intrastate conflicts by providing ground for negotiations. They set rules and norms that allow conflicting parties to quickly agree on certain courses of action. This was the case in the Kenya 2007/08 PEV whereby the UN played a role.

International NGOs that engage in peace building have continuously used the knowledge of Runge where institutions and organizations are seen as the rules of a society that aid in facilitating coordination among people by helping them from expectations which each person can reasonably hold in dealing with others. They reflect the conventions that have evolved in different societies regarding the behaviour of individuals and groups relative to their own behaviour and that of others (Runge, 1981: XV).

1.5 Methodology

The study focused on conflicts that have occurred between 1992 to 2007/8 electoral violence which the Rift-Valley Region of the country suffered heavily. A survey strategy was adopted using interviews schedule as a method of data collection. Purposive sampling technique was used to select the study area and respondents in the study. The non-governmental organizations in study are: Transparency International, SNV, Catholic Relief and Mercy Corps because of their long existence and engagement on peace, advocacy, and governance issues that are of relevance to Rift-Valley Region as it experiences conflicts every now and then. It lays emphasis on the efforts of these organizations in their struggle to transform conflicts to long term peace. Data from the field was analyzed thematically corroborating with secondary data to reach logical conclusions.

1.6 Why Non-Governmental Organisations

According to Steven Pinker, (2011), the number of violent conflicts since the end of Cold War has declined both in the long and short run. The assertion is due to the decline in violence based on military conflicts, homicide, genocide, torture and criminal justice. However, conflicts have taken the intrastate dimension and assuming asymmetrical tactics. NGOs have played an important role in enhancing peace as shown by Colliers research, (2000). The findings indicate that there is close to 44% risk of a country ending a conflict but returning to conflict justifying the assertion that "end of war does not mean peace" (Collier, 2000). NGOs play an important role in conflict transformation because they look at the root causes. It involves an analysis of structural factors that are the source of the original conflict. Failure of such initiatives results in

recurrence of conflicts, as has been the case in Cambodia, Guatemala and East Timor. In the three cases, land tenure, property rights, participation in conflicts and transitional justice have become serious challenges to peace and peace building (Ho-Won Jeong, 2005).

In understanding the involvement of NGOs in conflict management and transformation, social reconstruction, rehabilitation and reconciliation form part of the essential elements that make any peace process durable and sustainable (Galtung, 1998). Rupesinghe, (1998) points out on the need of a comprehensive elastic approach in conflict transformation involving multi-track interventions. Peace building constituencies can be formed at the grassroots' level as a way of providing the required change which can involve the military or business group or even the media.

Laderach (1997) sees peace building process as a long term transformation in any war system to become peace system. This process is inspired by the need to have peace and justice or truth and mercy in the society. This strategy is appropriate because it involves mid-level leaders who have the links to the parties in conflict. Conflicts are caused today at the global, regional, societal, conflict party and individual or elite levels (Miall, Ramsbortham and Woodhouse, 1999). War torn areas and conflict prone zones are characterized by displacement and damaged infrastructure which promotes social ills including terrorist networks, arms trafficking and transnational crimes (Keenan, 2006). NGOs have been able to reduce the conflicts by 70% since mid-1980s as noted by Mack, (2007). Peace building efforts include negotiation by international organizations (Doyle and Sabmbanis, 2000).

NGOs that participate in peace building vary. Some are faith based and civil society groups. They emphasize on long lasting peace through transformational efforts especially in African countries where conflicts result from lack of transparency in elections, poor governance, plenty or scarcity in resources and conflicts manifested through negative ethnicity.

1.7 Nature of Conflicts in Rift-Valley Region,

It was appropriate to know causes of conflicts encountered in Rift-Valley Region because it is through identification that some NGOs came to Rift-Valley Region in order to address them. The causes may vary depending on the environmental, political, social and cultural establishments. The study was able to understand the causes of conflicts encountered in Rift-Valley Region to be politically triggered, inter clan and ethnic. This question was asked to the respondents from NGOs, public administrators and the beneficiary citizens. The findings were as shown in the table below;

Table 1: Conflicts Encountered in Rift-Valley Region

Nature of Conflicts	Frequency	Percentage %
Politically Triggered	35	40.2
Inter – Clan	22	25.3
Ethnic Based	30	34.5
Total	87	100

Source: Field Data, 2016

1.7.1 Politically Triggered conflicts

One of the major causes of conflict is politically triggered in the sense that people are divided due to political competition leading to conflict of interest on the basis of who won or lost. Some of the research participants 35(40.2%) which was a representation from the three targeted clusters shared the view that political differences lead to conflicts that emerge from different political factions and affiliations. Respondents asserted that politically triggered conflicts in Uasin Gishu County in the rural areas are influenced by other factors like competition for scarce resources (land and pasture) in other counties of West Pokot, Elgeyo-Marakwet, Baringo, Nakuru, Narok, and Trans-Nzoia. They continued that land has always contributed to animosity in the urban area because it is metropolitan in nature. The difference in political affiliations associated with ethnic dimensions lead to perceptions and the majority group views the other as an enemy. This issue traces to independence whereby dominant communities view others as inhabitants hence creating a hostile environment speeded by political differences. Land may be termed as a source of 'incitement'. In every state however, there are laws that guide individuals and office holders code of conduct. However, when there are stern political differences, the laws are likely to be flawed and their effects unbearable. A report accessed from Mercy Corps indicated that conflicts arise from divergent political dimensions and ideological differences to which some of the participants have led to political leaders and their supporters' taking hard stances leading to disagreements that spearhead conflicts.

1.7.2 Ethnic Based Conflicts

Kenya is a home to forty-three different communities with some of the communities having several sub-ethnicities. There is positivity in ethnic communities that may be from diversification of cultures. However, negative ethnicity has taken the lead hence increased conflicts. The findings indicate that 30(34.5%) of the research participants from the three clusters had a common view that ethnicity has contributed to conflicts as communities segregate each other. Eldoret town is a cosmopolitan and the dominating community has a feeling that other communities are inhabitants. This has created the view of "our" perception that easily propagates negative ethnicity. Furthermore, the participant cited areas of Eldoret town like "Munyaka", "Huruma" and "Langas" which is cosmopolitan but the dominance by some communities has created animosity which escalates during election periods.

1.7.3 Inter Clan Conflicts

Regarding the nature of conflicts, 22 participants representing 25.3% were of the idea that conflicts take inter clan dimension. Key to their contribution is that the nearby counties to Uasin Gishu County are mostly affected by inter-clan conflicts relating to their practice of pastoralism. In as much as the research participants agree that conflicts can take clan and interstate dimension, they did not point them as causes of conflicts in Kenya. The study affirms the observation by Cutts, (1998) that various dimensions that conflicts take are based on competition for limited resources driven by ethnic, religious and inter-communal issues rather than clear ideological predisposition.

The argument by Daudelin (2002), and Deininger and Castagnini (2005) that conflicts are attributed to land are true although this study identified land as the main reason even in

politically triggered or ethnic dimension conflicts as stated by Nasongo, (2000). The study came up with a general observation that conflicts in Uasin Gishu County are attested to land as a resource. It remains a major cause of conflicts which imply that it is a deeply embedded issue that needs to be handled with care if several conflicts are to be reconstructed.

1.8 Challenges Experienced by NGOs in Conflict Transformation Efforts

There are various challenges in conflict transformation process. They are discussed as follows;

1.8.1 Complexity and longevity of protracted conflicts

Conflict history is one of the key features contributing to majority of intra-state conflicts. Various civil wars erupted as a result of political self-determination. This has contributed to the general longevity of various conflicts (Erwin van Veen, 2017). By 2004 there have been several conflicts that took a long time like those fought for nine years in Nepal and 22 years in the north-south conflict in Sudan and Sri Lanka (Monty G. Marshall and Ted R. Gurr, 2005). Conflict longevity comes with various impacts and implications in conflict transformation process because the causes fade into the ground. This causes a spiral of action and reaction between the actors and their positions become more entrenched. It hardens the stands by many with phrases like "anyone who is not for us is against us" (Bush Jr, November, 2001) taking the centre stage. The conflict is decoupled instead from the conditions within the environment and its dynamics being the dominant theme.

Regional powers are also key obstacles when NGOs work hard to ensure a transformation of the conflicts. These regional powers are after their interests as per sentiments of Ndebe, (2012). The approaches used by the NGOs should not go contrary to their interests. Russia and the US have perpetuated the Georgian-Abkhazian conflict and because of the inefficient cooperation of the structures to deal with these interest-driven scenarios, the power-political interests impede the constructive transformation (Gegeshidze and Haindrava, 2011). The current state of international system also represents asymmetrical kind of conflicts that goes against internationally legitimized state actors. This makes it difficult for peace builders to engage main conflict stakeholders. These stakeholders constitute armed groups that represent large social or ethnic constituencies having legitimate collective grievances that can influence the outcomes either positively or negatively in the settlement processes. At the state level, the government is the key hegemony and if it has interests on certain conflicts, then NGOs face lots of challenges. The resurgence of "hard power" (Robert, 1948:259) as used by international actors like the US in the war on terror and the deployment of the military interventions have led to difficulty of state and non-state actors in the process of conflict transformation. Several of the election linked conflicts in Kenya in the 1990s are attributed to the government initiative to remain in power.

1.8.2 Non-committal to mediation and negotiation by parties

Mediation refers to the direct engagement with all sides to a conflict. It includes proscribed organizations that assist in facilitating transition from violent to non-violent political activities. The current anti-terrorist laws in the US, UK and other

states impede such activities by prohibiting transactions with listed groups which can be interpreted as providing them with support. In the International Relations domain, the state remains key actor in international politics and has policies that determine existing relations (Chatterjee, 2010). The US anti-terrorist regulations prohibit any draft that seems to go against its view on the terrorist group and how they should be engaged to end a conflict. Mediators are always the most appropriate third parties in the search of what we would call 'the neutralizing agent' because of their impartiality. However, some of the peace mediators end up being partial. In such cases one of the parties involved in conflict may blame the third party actors for lack of parity of status. This is because the hardliner factions will view the mediators as being supporters of one party in the conflict thus precipitating it (Maoz and Russett, 1993).

1.8.3 Financial constraints

There is disparity in NGOs access to finances, media and skilled manpower. The financial capability is what differentiates the power that an institution has in respect to conflict resolution dynamics. The inferences that exist between peace building agencies inclined to Europe contribute differently to conflict transformation processes. They have different ways of developing the agendas. Those inclined to Europe and Asia are deemed to focus on political human rights while those from the global South put a lot of emphasis on social human rights (Klein, 2002:4). Furthermore, the engagement in inadequate behaviour by the peace building participants end up contributing to growth of culture dominance and subordination thereby disregarding local ownership (Reich, 2006). European based NGOs for example tend to emphasize on Western values in the effort to settle disputes and advocate for long term solutions. In the process, they interfere with the people's culture and the local set up that contribute to violent conflicts.

1.8.4 Claims by host states of internal interference

Many states have pointed out to the claims that most non-state actors interfere with the internal affairs of the host state. They criticize state based NGOs that they are used by other states and especially the developed ones to advance their agendas and ideologies thus making it difficult for them to engage in meaningful peace building initiatives (Finucane, 2012). NGOs operate in states that are in turmoil and in the transition process. Several states have criticized the funding of private organizations by powerful inter-governmental organizations in order to support changes in a state's political order in line with their interest. There are cases of political exploitation in the process of conflict resolution and transformation and a good example is "World Conference against Racism, Discrimination, Xenophobia and Intolerance" in Durban in September 2001 (Klein, 2002) against Israel.

1.8.5 External actors

The external support to peace building process is important especially in conflict transformation and in the search for a long term solution. However, one of the challenges noted by Human Rights Agency in Kenya is lack of neutrality from the external agencies as they seek to advance their self-interest (Chakawarika, 2011). State interest remains the core of free will from any agency

(Morgenthau, 1948). Organizations should come up with proper mechanisms for both internal and external actors to work together in establishing priorities and in the mobilization of the necessary resources.

1.9 Conclusion

Ideally the state should be responsible to the population under its jurisdiction, however in developing states like Kenya, the state has been unable to or is a party to conflicts hence provoking other stakeholders to intervene to alleviate human suffering resulting from conflicts. This paper concludes that for NGO's to effectively perform its role in conflict transformation, there should be a political will from the government.

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