

Civil society and the consolidation of democracy in Kenya: an analysis of a Catholic parish's efforts in Kibera slum

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ABSTRACT

This article tests the theory of advocates who celebrate the potential of civil society to promote and deepen democracy in Africa, by examining whether the human rights ministry of a Catholic parish in Kibera slum in Nairobi, Kenya was able to consolidate democracy through a civic education programme during 2002–5. It concludes, from an analysis of the social, economic and political environment in Kibera, that parishioners who participated in the programme demonstrated an observable improvement in their democratic values and behaviour at a localised level within their own parish groups. However, civic education did not stimulate most participants to increase their involvement in advocacy and lobbying efforts to hold government officials to account for their abuse of power in Kibera. Parishioners were inhibited from promoting their rights primarily due to fears of violent retaliation by local government officials and politically sponsored youth wingers. Other factors such as apathy, ethnic divisions, limited resources and restrictive church protocols further curtailed parishioners' actions.

INTRODUCTION

In the early 1990s, as a number of African countries introduced multi-party elections for the first time in the post-colonial era, there was a surge of scholarship heralding the role of civil society in promoting democracy on the continent (Chazan 1992; Diamond 1994; Harbeson 1994). Advocates of civil society assert that civil society organisations have the power to perform multiple functions, including socialising their members into democratic values and behaviour (Foley & Edwards 1996: 39). In this

role, civil society organisations become what de Tocqueville referred to as 'large free schools' where citizens learn the art of association, participatory habits and skills important for democratic citizenship such as how to organise people, debate issues, mediate conflicts, develop consensus and build coalitions (Diamond 1992: 11). The advocates contend that citizens who learn these skills will not only improve their own organisations, but will also take a greater role in promoting the community's common interests in the civic and political arenas.

Civil society theorists, however, are not in agreement. In recent years, as more empirical evidence has become available and been analysed, some civil society scholars have argued that the advocates' hopes for civil society have been exaggerated (Chabal & Daloz 1999; Fatton 1995; Kasfir 1998). Their fundamental criticism is that the advocates' vision 'is based on a flawed conception of social realities' (Von Doepp 2002: 276). They argue that in the face of factors such as poverty, corruption, ethnic factionalism, insufficient capacity and resources, and entrenched patrimonial structures found in much of Africa, civil society organisations have only a limited capacity to contribute to democracy building on the continent.¹

The issues raised in the civil society debate have been addressed in Kenya, but in a limited manner. Scholarship focuses primarily on the role played by non-governmental organisations (NGOs) during the country's transition to multi-party elections in the early 1990s (Nasong'o 2005; Ndegwa 1996). Religious organisations, the most common form of associational life in Kenya, have received much less attention. The scholarly literature which examines the role played by some Christian churches in Kenya's struggle for democracy does so through an analysis of the churches' efforts vis-à-vis its historical relationship with the state, not as a member of civil society.² Moreover, this literature focuses almost exclusively on efforts by high-level Christian clerics (mostly Anglicans) during the country's initial transition to democracy, not efforts by ordinary church members to consolidate democracy at the grass-roots level.³ No study has specifically addressed the role of the Catholic Church as a member of civil society.⁴ Nor have there been any empirical studies of a religious body working in Kenya's urban slum milieu.

The research described in this article seeks to address this gap through a study of the efforts of one particular religious organisation, the human rights ministry of a Catholic parish located in Kibera slum in Nairobi, to inculcate democratic values, behaviour and skills in parishioners through a civic education programme during 2002–5. I argue that the civil society advocates are only partially correct in their claims. Parishioners who

participated in the programme (about 15% of the parish population) demonstrated significant improvement in their democratic attitudes and behaviour at a localised level. In addition to sharing their new knowledge with family, friends and fellow parishioners, many also helped others in the community solve personal and legal problems. Within a number of parish groups, participants enhanced the quality of leaders, improved participation, introduced internal accountability and democratic practices, and heightened the level of tolerance and respect for different views. The participants also created an important communications network that gathered and disseminated information about human rights issues; a few even became leaders in local community groups in Kibera.

I further argue, however, that the impact of the civic education programme did not meet the advocates' expectation that the participants would become more active in the larger civic and political arenas. Notwithstanding multiple opportunities to get involved in parish-sponsored lobbying efforts to protest human rights violations by local government officials, most parishioners educated about their rights were afraid to voice their concerns or opinions because of the likelihood of violent retribution by corrupt chiefs and politically sponsored youth wingers. To a lesser degree, other factors such as apathy, ethnic divisions, limited resources and restrictive church protocols further curtailed their actions.

METHODOLOGY

The author's personal history provides the background for this study. In 1997, after practising as a lawyer for seven years in the United States, I joined Maryknoll Lay Missioners, a Catholic lay mission group, and was assigned to Nairobi, Kenya, where I worked as a full-time volunteer lawyer at a local NGO that provided free legal aid services to slum dwellers. In December 2001 the Guadalupe missionary priests, who administered Christ the King Catholic Church located inside Kibera slum, invited me to coordinate the parish's human rights ministry, a position I held until February 2006, when I turned over the office to a team of Kenyan lawyers.

The data in this study was gathered during my tenure as coordinator of the parish's Office of Human Rights (OHR), as well as during interviews and fieldwork undertaken when I returned to Kenya in 2008. At that time, I spoke to numerous informants including parishioners, the OHR staff, church personnel, human rights lawyers and NGO workers. I conducted many of these interviews in Kiswahili and translated them

into English. While I am grateful for the insights of my informants, the paper reflects my personal interpretation of events in which I was actively involved.

KIBERA SLUM

Composed of twelve contiguous villages, Kibera has the distinction of being the largest and most densely populated slum not only in Nairobi, but in all sub-Saharan Africa. Though precise figures are difficult to obtain, in the early 2000s it was estimated that 600,000 people lived in Kibera (Burgeap *et al.* 2002: 12). For the purposes of this study, I focus on six villages located within the parish boundaries – Soweto, Line Saba, Shilanga, Lindi, Mashimoni and Kambi Muru – home to a little over half Kibera's population.

Kibera physically resembles other slum areas in Nairobi.⁵ Most residents live in small, one-room shacks made of mud and wattle. The living conditions are over-crowded and unsanitary. Basic infrastructure such as potable water, sanitation and electricity is either non-existent or has been commoditised by informal vendors, many of whom are criminal gangs and cartels. City authorities do not provide urban services such as schools, hospitals and clinics. The majority of Kiberans live in chronic poverty; most earn between US\$1 and \$2 per day working as security guards, domestic maids and food hawkers, or as day labourers in factories and construction sites.

In order to access parishioners' knowledge and understanding of democracy and human rights, in early 2002 I distributed a questionnaire to twenty-five parish leaders asking them to identify their prior exposure and understanding of human rights issues in Kibera. I also spent five months meeting approximately sixty individual leaders as well as groups in the parish to discuss their views on the emerging social and political issues in Kibera. The assessment revealed several key findings.⁶

Kibera had a complex ethnic mix, hosting over forty Kenyan ethnic communities and many more from other African countries.⁷ Despite its melting pot culture, most parishioners indicated that they preferred to live and work among their shared ethnic group. Many also related that the different ethnic communities were divided along cultural, socio-economic and political lines, a division most frequently manifested in their identity as landlords or tenants. Based on historical settlement and land allocation processes, most landlords were Nubian or Kikuyu, while the tenants (over 90% of the residents) tended to come from the Luo, Luhya, Kamba and Kisii communities. In addition to different ethnic and socio-economic

backgrounds, the two groups had fundamentally different interests in Kibera. The landlords had a strong incentive to protect their rental investments and maintain the status quo, while the tenants were concerned primarily with keeping their rents low and improving the availability of infrastructure and services. Their disputes over exorbitant rents and poor housing conditions were long-standing and, on occasion, had led to violent clashes, which had strong ethnic overtones.

The assessment also revealed that most parishioners had little knowledge of the basic structures of the government or the laws of Kenya. Fewer than half the parishioners had finished secondary school or participated in any adult education programme. Unlike other slum areas, Kibera had largely been ignored by NGOs providing civic education in the 1990s, because they viewed it as a dangerous and politicised place. Although some parishioners regularly listened to the radio and, to a lesser degree, read the newspaper, many, especially the women, had not been exposed to social and civic issues through the mainstream media. As a result, most parishioners were susceptible to the political propaganda being promulgated by local ethnic-based politicians.

Parishioners also indicated that the area Member of Parliament, Raila Odinga (commonly referred to as Raila), dominated the settlement's political economy. First elected as MP for Langata constituency, which includes Kibera, in 1992 (Osborn 2008: 318), Raila was well known for his ability to mobilise the grass-roots support of Luo youth. Despite his populist appeal, many parishioners criticised Raila's unorthodox tactics. As an example, in order to curry political favour with his ethnic constituency in December 2001 Raila unilaterally announced that rents should be reduced by half, a statement that provoked violent ethnic clashes which resulted in the death of 25 people and left 30,000 homeless (LSK 2002: 7–8). Raila was also criticised for using youth wingers, young Luo men brought from his home area, to buy voter cards and threaten voters during election periods. By the early 2000s, Raila's youth wingers had become the most powerful force in Kibera, using their extensive network and threats of force to intimidate anyone perceived to be interfering with their political patron or the Luo community's interests.

Parishioners also highlighted their fear of the corrupt and often violent tactics of the Provincial Administration (PA), an antiquated governance structure inherited from colonial rule. Even though the Chiefs Act granted the local officials limited administrative responsibilities, the PA in Kibera (comprising a district officer, three chiefs and seven assistant chiefs) acted as an exploitive and rent-seeking shadow government. In addition to extracting bribes for ordinary activities such as repairing a leaky roof or

selling vegetables on the road, it was common for the chiefs to arrest and incarcerate Kiberans in order to extort payment of additional bribes. The officials also acted as a self-appointed judiciary, resolving local complaints such as landlord/tenant disputes, domestic arguments and petty crimes. The chiefs typically rendered judgement in favour of the party who paid the highest bribe, without regard to the merits of the case. In addition, local officials routinely disbanded meetings where residents criticised government policies or advocated a change in their living conditions. Residents who organised or attended such gatherings risked immediate reprisal, which could range from verbal harassment to a physical beating or being thrown in a cell.

THE CIVIC EDUCATION PROGRAMME

Under its first two presidents, Jomo Kenyatta (1963–78) and Daniel arap Moi (1978–2002), Kenya evolved into a neo-patrimonial state defined by repressive authoritarianism, poverty, large-scale corruption and human rights violations. Although pressure brought by a number of high-profile Christian clerics and activist lawyers led to the introduction of multi-party elections in 1992, the state and its structures, especially the constitution which gave the president sweeping executive powers, remained authoritarian and oppressive.

In March 2002, following a ten-year struggle by pro-democracy groups to reform the constitution, the parliament empowered the Constitution of Kenya Review Commission (CKRC) to hold public hearings to gather the views of ordinary Kenyans and convert them into a new constitution. This was the first time in Kenya's history that citizens were given an opportunity to participate in deliberations that would determine the country's governance structures.

In another unprecedented move, the CKRC invited civil society organisations to provide civic education to the general public in order to raise awareness on constitutional issues and prepare citizens for the December 2002 general election (Mutua 2008: 126). Although certain sectors within civil society, including human rights NGOs as well as the mainline Protestant and Catholic Churches, had provided civic education prior to the 1992 and 1997 elections, their efforts were limited due, in large part, to government opposition (Mute 2002: 143–4). Viewing civic education as an initiative to incite the masses in favour of the opposition, throughout the 1990s President Moi ordered members of the PA to routinely harass and intimidate civic educators, destroy teaching materials and break up workshops. The CKRC's insistence that civic education be undertaken

within a sanctioned legal framework, therefore, was a significant turning point in the country's political history.

Taking advantage of the newly created political space, the coordinator of the OHR recruited a team of Kenyan lawyers to voluntarily design and implement a civic education programme for parishioners. In order to reach a large number of people quickly, the lawyers decided to train representatives from the existing parish groups who would then transmit the classes to their groups. About 10% of the parish's 3,000 members belonged to one of sixteen different small Christian communities (SCCs), groups of fifteen to thirty-five parishioners organised by their specific locale that met on a weekly basis to pray, recite the rosary, and read and discuss passages from the Bible.⁸ The parish also supported ten groups such as choirs, women's groups, youth groups and health workers, whose memberships typically ranged from thirty to seventy-five members.

Phase One (2002)

From September through December 2002, the team of volunteer lawyers, working in teams of two, facilitated classes for approximately ninety parishioners on eight different Saturdays. In addition to teaching the national curriculum (nation building, constitution making, democracy and good governance), the course integrated Christian ethics, beliefs and values into the curriculum. Due to low literacy rates, the lawyers did not teach in a typical classroom lecture style. Instead, they used a participatory methodology that incorporated dramas, role plays, small group discussions, pictures, flip charts and songs. They also prepared written summaries of each subject in English and Kiswahili, which were distributed to help the trainers teach the subject matter in their groups. The OHR coordinator solicited funds from her missionary organisation and family and friends to cover the costs for teaching materials.

During the participants' evaluation of the course, discussions about the classes were positive. For many, especially the women, the highlight was being given a sample ballot and walked through the process of how to vote. Participants also responded affirmatively to the fact that the lawyers went beyond abstract concepts, and directly confronted the particular issues facing them, such as political violence, tribalism and the corrupt practices of the chiefs and police. Participants also appreciated that the lawyers discussed democracy and good leadership not just in the government, but also in their families, SCCs, the parish and the Catholic Church.

Despite this positive assessment, the overall impact of the civic education programme was limited. Trainers in only six SCCs and one parish group were able to successfully teach the lessons. The number one challenge was the lack of time, which was directly linked to parishioners' daily struggle to meet survival needs. During the evaluation, trainers repeated a common mantra that SCC members were 'too busy looking for their daily bread' to spend time studying the constitution. This was particularly true for many women, who were single mothers under daily pressure to earn enough to feed their children. Most said that they could not jeopardise their family's well-being by closing their roadside stands where they sold products such as fish, oranges and peanuts in order to attend SCC meetings.

Another common time constraint for parishioners was the constant need to return to their rural homes to assist relatives. Since many parishioners were the sole wage earners in their extended families, cultural norms dictated they assist family members struggling with financial matters, especially illness and funerals. As a result, a number of participants were consistently unavailable for the Saturday classes. The growing number of HIV and AIDS cases was also a factor; three of the trainers were frequently unable to participate because of recurring illness. Women were faced with additional demands because of their household responsibilities. A number of trainers also admitted that they were just 'too tired and overwhelmed' at the end of the day to teach a class in their evening SCC meeting.

The nature of leadership in the parish was also an inhibiting factor. Mirroring the top-down pattern of the Moi government, many SCC leaders ran their groups like a personal fiefdom, holding office year after year with little or no opposition, discussion or participation. This cadre of leaders viewed the trainers' attempts to teach about democracy and good governance as a direct threat to their power, and refused to give the trainers an opportunity to teach.

Numerous trainers reported that some SCC members did not attend the classes because the OHR refused to pay allowances. According to one trainer, 'people in my SCC didn't show up for the classes because they want to be paid. They think I'm crazy because I am doing this for free.'⁹ Faced with chronic impoverishment, many parishioners were not willing to participate in activities unless they provided a tangible benefit either in the form of money or a skill that could be parlayed directly into a job. In the experience of most parishioners, civic education provided neither, and its possible long-term benefit of promoting greater democracy and accountability in the government was not perceived as a value.

Expectations for payment were not unreasonable, given that the payment of allowances was widespread among NGOs that taught civic education. Even though the lawyers anticipated parishioners' expectation of allowances, they deliberately decided not to pay them. Not only did the OHR lack the financial resources, but the lawyers wanted to promote a spirit of volunteerism and attract people who wanted to share their learning.

During the evaluation, trainers also pointed out that many parishioners were simply not interested in civic education, and referred to it as 'a waste of time'. Much of the community's ambivalence and apathy was directly related to Kibera's political reality. Decades of neglect by an authoritarian government that survived on ethnic patronage and violence had caused most Kiberans to turn away from the state. There was a sense among most parishioners that the government and politicians existed only to serve the interests of the rich, and that they themselves had no ability to influence the process.

Trainers from almost every SCC reported that some of their members resisted the classes because they objected to the parish talking about the government and the election – topics which they felt were off limits for the church. Moreover, a few parishioners mistakenly thought that because Mwai Kibaki was Catholic, the parish was conducting civic education to support his candidacy. Parishioners' concerns stemmed from prior experiences with civic education in the 1990s, when many opposition politicians and NGOs used civic education forums to promote certain political candidates. Some parishioners were afraid of retribution by the chiefs.

Cultural practices also restricted some trainers. In some groups which had men and women members, female trainers reported that they were given few opportunities to speak, particularly single mothers who were often treated as second-class citizens in their SCCs.¹⁰ In addition to gender obstacles, at least one trainer experienced age bias. A woman trainer aged twenty-eight reported that she was prevented from teaching because the elders in her SCC considered it an insult for a young person to claim to know more than they did.

The individual capacity of the trainers was another factor that affected their ability to teach. Illiteracy, however, was not necessarily a negative. For example, two SCCs reported that their trainers, all of whom were illiterate women, managed to convey the courses using their verbal skills, hand-outs and pictures. More significant than education was the trainer's personal ability to facilitate a meeting. The lessons on how to teach the information to their members were not adequate and, as a result, the

majority lacked the skills needed to teach a group of largely uneducated people in a participatory manner.

Phase Two (2003–5)

In the aftermath of the 2002 election, which witnessed the defeat of Moi's hand-picked successor, Uhuru Kenyatta, by Mwai Kibaki, about half the Saturday group members asked that the classes continue so that they could learn about the proposed changes in the constitution. The other half stopped attending the classes because many felt civic education was relevant only during an election period; some were also frustrated that they had not been paid at the end of the course. The thirty-five parishioners who remained involved were a mixed group with respect to ethnicity, age and gender, with an almost equal number of men and women.

In 2003, the lawyers expanded the curriculum to include classes on the constitution, rights of an accused, workers' rights and inheritance law. During the mid-year evaluation, participants said that the classes had improved their lives, because they could now join in the national discussion about the constitution. In addition, more people knew their legal rights and fewer people were paying bribes. They also asked the OHR coordinator to hire a part-time team from their membership to teach the classes in the SCCs in order to increase the number of parishioners who knew their rights. Following a formal interview process, the OHR coordinator hired four parishioners, one woman and three men, who are referred to as the OHR Team.

Prior to teaching the classes, the OHR Team was trained on the legal substance of the curriculum, participatory methodologies and Catholic social teaching that specifically addressed human rights and social justice issues. Based on the feedback of the SCC members, the OHR developed a new methodology to promote greater participation and comprehension, especially among women who typically were reticent to speak in front of men. Working in small groups, the Team used flashcards with basic concepts such as equality, justice, the rule of law and the common good to build consensus around their meaning and application in parishioners' daily lives. They then facilitated discussions on these concepts as they related to parishioners' SCCs, the parish, the Catholic Church and eventually Kibera and the country at a national level.

The response was overwhelmingly positive. In contrast to the trainers who had struggled to get ten or fifteen minutes to teach, most SCCs allocated anywhere from forty-five minutes to two hours for each class. Half the SCCs were so enthusiastic about the civic education classes that

they asked for classes on a weekly basis. Although the participatory methodology slowed the pace of the classes, it was more effective. One Team member explained: 'The level of participation was high. People spoke freely regardless of their age or tribe because everyone wanted to share their experiences in their families and they were not afraid of being told they were wrong' (Kadenyeka 2008 int.).

Based on positive year-end evaluations in the SCCs and the Saturday group, the civic education programme continued in 2004 with classes on the rights of children, marriage and divorce, advocacy and lobbying, landlord/tenant rights, poverty and African culture.¹¹ Although the quality and depth of participation in the Saturday classes gradually improved, the number of regular participants dropped to twenty, with some classes attended by as few as ten people. This decline reflected the reality of the Kibera environment. Five of the most active men in the group found jobs in other parts of Nairobi and moved from Kibera. Two women suffered chronic illnesses, and two others returned to their rural homes to care for sick relatives. There were also a number of middle-aged women who wanted to spend their Saturday mornings in their shops or houses taking care of their families, and felt that they could learn the classes in their SCCs.

In an effort to attract more participants, the OHR invited all interested parishioners as well as a number of neighbouring churches and youth groups to attend, but only a handful of people responded. The parishioners were either not interested in or unavailable for the classes. The representatives from the churches and youth groups attended only once and did not return after they realised there were no allowances. The low attendance levels presented a dilemma to the OHR. Even though the Saturday group was small, the core members were very interested, and they were the only parish group that consistently monitored human rights abuses, as well as providing important information to the OHR. The lawyers resolved the issue by committing to teach classes if a minimum of fifteen participants attended. One of the lawyers explained: 'We all knew that if we wanted to see change in Kibera, we needed to start somewhere. It would take time to grow the number of active participants, but we felt it was better to start with a small group than to keep quiet and do nothing at all' (Otieno 2008 int.).

The OHR Team also continued to teach classes in the SCCs on good governance, nation building, forced evictions, rights of an accused, children's rights and inheritance. Attendance in the civic education classes remained high, with an average of fifteen to twenty people in each SCC attending the classes. Some classes were attended by more people because

the particular topic related directly to practical problems in their daily lives. For example, the topics in greatest demand were inheritance law (taught seventy-one times) because of the high prevalence of AIDS-related deaths, and the rights of an accused (taught fifty times) due to the high number of arbitrary arrests in Kibera.

In early 2005, the OHR coordinator succeeded in securing funding from a Catholic donor in Ireland, Trocaire, for the civic education programme starting in January 2006. In the meantime, the coordinator raised funds from her personal contacts to support the OHR Team's salaries and activities. During that year, the Saturday group remained relatively stable, but the number of classes was fewer due to declining interest. In addition to holding planning and evaluation sessions, classes were taught on international debt, tribalism, political and economic rights, African culture and witchcraft. While interest had begun to wane in the Saturday group, enthusiasm for civic education in the SCCs peaked. Feedback during the individual SCC assessments was positive, and all but two SCCs (whose total number had grown to twenty-eight) asked for and received classes on inheritance, marriage, divorce and slum upgrading.

In September, President Kibaki unexpectedly scheduled a nation-wide constitutional referendum for 23 November 2005. The referendum immediately polarised the country along ethnic lines, as it symbolised the power struggle between President Kibaki and Raila Odinga, and by extension between their ethnic communities.¹² In the midst of a highly charged environment, the Catholic bishops invoked a position of neutrality and did not distribute teaching materials. The lawyers in the OHR therefore created an eighty-page booklet, which explained the changes made by the different versions of the constitution. Between September and the referendum date, members of the OHR Team taught 125 classes on the constitution and distributed over 750 copies of the booklet to SCCs, groups and individual parishioners. In the classes taught in 2005, the highest attendance and participation was in classes taught to prepare parishioners for the constitutional referendum. The number of people attending the classes in the SCCs rose to an average of thirty-five or more. The OHR also taught the classes after mass in each of the four sub-parishes; attendance was high, with fifty to sixty parishioners from each sub-parish participating on a weekly basis.

THE LOCALISED IMPACT

Measuring the impact of the civic education programme is complicated. Not only is it difficult to assess rising levels of empowerment, but the

impact is not always immediately visible; often, it evolves gradually and manifests itself long after lessons end. Moreover, because no surveys of participants' democratic attitudes and beliefs exist from before the civic education programme began, it is difficult to draw definitive conclusions. Despite these limitations, the annual evaluations and on-going conversations between the participants and the OHR, as well as behaviour observed by the author over a four-year period, revealed that the civic education programme had a significant impact on the participants' democratic behaviour and practices at a localised level in numerous parish groups, as well as in the participants' families and neighbourhoods.

Overall, the programme educated approximately 600 parishioners about their democratic rights and duties, good governance, and a wide array of legal and human rights. In addition, about 1,000 parishioners were educated on the country's constitution during the referendum campaign. The classes not only helped demystify the law, but also equipped participants with both legal and non-legal information that enhanced their ability to respond to socio-political and cultural issues that they considered important. Because the classes were taught from a Christian perspective, they also helped parishioners to connect their faith to the responsibilities of democratic citizenship.

The figures cited here represent the number of parishioners who attended the classes; the impact, however, is considerably larger due to the multiplier effect. Virtually every member of the Saturday group and most SCC members reported that they talked about the substance of the lessons with their family members, friends and neighbours. Many also distributed the written teaching materials, posters and pamphlets prepared by the OHR to other members of the Kibera community; some even translated the written materials into their local language for their family members living in the rural areas.

At the parish level, the most visible impact of the new knowledge gained in the civic education classes was manifested during the SCC leadership elections in July 2004, when about 75% of the leaders were voted out of office. One Team member explained: 'Many of the SCC members had been afraid of and intimidated by their leaders who were elected long ago and had controlled everything for so many years. After the civic education classes, people understood the values of Christian leadership and they changed their SCCs'. Another added: 'After civic education, people learned that the most important thing was to choose leaders that represent your views. The idea that leadership was only for the elites changed, and we realised that it was more important for the leaders to be honest and fair than a graduate of secondary school' (Kadenyeka 2008 int.). Many

parishioners also credited civic education with changing the approach and mindset of the leaders. The senior catechist noted: 'Before civic education, parish leaders spent their time discussing small, petty issues. After they learned about governance and democracy, leaders started addressing bigger issues like violence and tribalism' (Somba 2008 int.). In addition to removing the clique of ineffective leaders, the SCCs also voted for a two-year cap on all leadership positions, a practice they learned about during the classes on good governance.

There were also numerous changes in the SCCs and Saturday group, starting with a marked improvement in the scope and quality of participation. Many of the leaders in the SCCs adopted the methodology used by the OHR Team, and started giving everyone in the SCC the opportunity to speak as a matter of routine. Heightened participation was most notable among groups that were traditionally excluded, the illiterate and single women. As an example, one female participant explained: 'I now can speak out and even disagree with men in my SCC because I learned about my rights in civic education. I am no longer afraid that I will be laughed at' (Musa 2008 int.). Another observed: 'Before civic education, most women kept quiet and felt leadership was only for men. We thought that we could not contribute in a public meeting and could only support what the men were saying, but now things are different. In our SCCs we can say what we feel because we learned our rights and are no longer afraid' (Chaya 2008 int.).

In both the SCCs and the Saturday group, civic education also enhanced the ability of parishioners to discuss sensitive issues related to tribalism, marriage and divorce, and property rights for women, taboo topics that most parishioners had previously refused to discuss. As an example, one of the lawyers noted: 'During the classes on landlord/tenant rights, some of the women exposed the landlords who wanted sexual favours for rent. That was the first time that people talked about that and it gave the women courage to say "no" to those landlords' (Okioga 2008 int.).

Parishioners' ability to discuss and debate difficult issues improved in an even more visible manner in the Saturday group. According to one of the lawyers, 'the classes started with a lot of facilitation because they expected the lawyers or the church to have all the answers. Later there was much more listening by the lawyers and very little facilitation. We told them the law and they had the ability to question it and talk about what it meant in Kibera in their reality' (Mwangi 2008 int.).

In addition, parishioners grew in self-confidence and became less afraid to criticise the government or the parish. For example, in 2003 the classes

on good governance were difficult to teach, because people were not ready to criticise the government or ask questions about it. Parishioners were also afraid to criticise the parish priest and leaders because they did not want to jeopardise their relationships, especially if they were being given assistance with school fees or access to income-generating projects. After two years of openly discussing difficult topics, although a few SCC members still expressed reservations, most felt free to expose shortcomings in the government as well as the parish, including actions taken by the parish priest and other pastoral team members.

Another visible change in attitude was the participants' increase in the respect for the rule of law, evidenced by the number of cases that they referred to the OHR lawyers for assistance. In 2003, parishioners active in civic education referred about five cases per month to the OHR. By 2005, the average number of cases rose to forty-five each month. According to the lawyer in the OHR who provided legal advice, the increase in referrals was attributed to parishioners' enhanced awareness of rights (Okioga 2008 int.). Most cases related to landlord/tenant and domestic disputes, conflicts that had previously been resolved by paying a bribe to the local chief. In addition, there were numerous cases involving employment matters, child abuse, rape and incest, and corruption on the part of local officials. At the same time as the number of cases rose, the number of parishioners trained in civic education who visited the OHR for advice on personal legal problems gradually declined. According to one of the lawyers in the OHR, these parishioners started analysing problems on their own and taking the initial steps to solve them; they came to the OHR only when they needed specific advice from a lawyer, not basic information on the law (Mulinge 2008 int.).

Civic education also equipped participants with better conflict resolution skills. Many parishioners who received civic education, particularly those in the Saturday group, helped family and friends resolve personal conflicts and problems related to domestic matters, landlord/tenant disputes, and demands for bribes by chiefs. As an example, one participant narrated: 'My SCC had a lot of widows from AIDS and there was a woman whose in-laws tried to take her land. They burnt her house and were ready to chase her away. We told her what we had learned about inheritance laws so she went home and reported the actions of her in-laws to the chief and he stopped them from taking her plot' (Nandwa 2008 int.). Another parishioner, an illiterate elderly woman, was able to help numerous Kibera residents. She explained: 'When one of my neighbours told me her rent was going up, I told her about her rights as a tenant. She explained the law to her structure owner and he stopped trying to raise the

rent' (Nduku 2008 int.). Although it is not possible to measure with precision how many SCC members took personal actions to assist someone, because many did not report their interventions to the OHR, the number of documented cases steadily grew over the years. In 2003, 38% of the cases in the OHR were referred by SCC members, increasing to 52% in 2004 and 60% by 2005.

The greatest changes in behaviour and attitude were observed by members of the Saturday group, who participated in the programme in the most consistent manner and for the longest period of time. For example, members of the group became much more democratic in their internal practices. Unlike the early classes that were dominated by the educated men, by 2005 everyone in the group spoke freely and no one was excluded from the discussions. Moreover, the group on its own volition formed small committees to plan the curriculum and follow specific issues in Kibera. All decision-making was by consensus, not dictated by a small clique. Accountability was also important, and was best exemplified in the group's insistence on following a merit-based interview process with the parish priest. Members of the OHR Team were the first people hired in the parish's history that followed such a process, and it set a precedent that was subsequently followed for all parish employees. The group also insisted on regular evaluations of the programme and the OHR, a practice that was eventually replicated in all parish ministries.

The Saturday group also created an important communications network that gathered and disseminated information about human rights issues that arose in Kibera. At the end of each Saturday meeting, parishioners raised emerging issues, problems and concerns in the community. They also regularly reported to the OHR any human rights incident they either observed or heard about from others. The OHR was able to document this information and disseminate it to outside interested parties from the church, government, the press, diplomatic community and other civil society organisations for use in lobbying efforts; no other organisation in Kibera provided such detailed information. Besides supplying information about how such issues affected the community, parishioners disseminated information and advice to their SCCs, friends and neighbours about how to respond to these issues. This was important because the state's failure to provide the community with information had created an environment rife with rumours, lies and speculation.

In addition to improving the flow of information internally, the Saturday group played a key role in transmitting the viewpoints of the community to outside decision-makers. For example, there were numerous individuals, including academics, human rights lawyers,

ambassadors and high-level international officials, whose interest in Kibera grew following the government's decision to undertake an upgrade in Soweto village in Kibera. The Saturday group was asked on a regular basis to participate in discussions with these constituencies about issues arising in Kibera. The process of dialogue and exchange with high-profile decision-makers enhanced the quality of information received by the visitors and raised the confidence and self-reliance of the parishioners involved in the discussions.

The programme enhanced parishioners' tolerance and respect for other views. As a mixed ethnic group, the members of the Saturday group were keenly aware of the challenges of tribalism. Over time, conversations about ethnicity became more open and respectful as the participants gained a deeper understanding of historical factors and their own role in perpetuating tribalism. Although few in number, their ability to meet as an ethnically mixed group and discuss deeply engrained prejudices and conflicts represented the potential of parishioners to address the multi-faceted issues related to ethnicity in the parish and Kibera. The group's diverse ethnicity was the centrepiece of their annual liturgy and feast to celebrate the successes and losses of the year.

The Saturday group also produced several leaders in the broader Kibera community. One of the group members, an elderly illiterate woman, was elected as a representative for the structure owners in the Soweto upgrade. Explaining her decision to stand for office she said: 'It was not easy for a woman to stand in public and speak but I got used to standing in front of men in civic education classes so I wasn't afraid to get involved' (Wanjiku 2008 int.). Two OHR Team members also assumed leadership roles. In 2006, one joined the People Settlement Network, a grass-roots group representing all slum dwellers in Kenya, and was elected the regional chairwoman to represent Kibera. In that capacity, she presented the People's Budget to more than 5,000 people including NGO personnel, diplomats and other slum dwellers gathered for a national forum to expose the shortfall of the country's national budget. Publicised on national television and in the daily newspapers, her analysis presented Kibera's economic reality to the whole country. In 2007 another team member was hired by the neighbouring Catholic parish to establish a human rights ministry similar to the OHR.

Despite the numerous positive impacts on the participants, the scope of the civic education programme remained relatively small; 85% of the parishioners did not participate. For most parishioners, learning about democracy and human rights was not a priority because of their preoccupation with survival needs. Others lacked interest in learning

about the government and political processes, due to feelings of apathy, frustration and cynicism caused by decades of government corruption and mismanagement. Civic education had also been politicised in Kenya. In an environment heavily influenced by ethnic politics, many parishioners were afraid to be associated with civic education because of its political overtones.

THE CIVIC AND POLITICAL ARENA

Contrary to the expectations of many civil society advocates, participants in the civic education programme were unable to take their new skills and knowledge to the next level, and advocate for the rights and interests of Kiberans on a larger community or national level. During 2002–5 the OHR responded to several large-scale human rights crises that affected the entire Kibera community. While the interventions varied considerably, the manner in which parishioners in the SCCs and Saturday group responded was similar. In each case, the role of the parishioners was limited primarily to monitoring human rights abuses, and gathering and disseminating information about them. The advocacy work was done almost exclusively by the lawyers. Due to space limitations, I focus on one crisis – the government's threat of forced evictions – to illustrate how the repressive political and socio-economic environment in Kibera inhibited most parishioners from promoting the community's common interests in the broader civic and political arena.¹³

In February 2004, in violation of binding international law, three ministers in the Kibaki government (including Raila Odinga, who had been appointed Minister of Roads, Housing and Public Works) announced their intention to demolish all slum structures located within one hundred feet on either side of the railway line, under power lines, and in areas set aside for a link road that would connect the southern and northern bypass routes of the city (COHRE 2006).¹⁴ In violation of international norms governing forced evictions, the government had no plan to provide the affected communities with adequate notice of the evictions, consultation or alternative housing. These threatened evictions would have been the largest in the country's history, and would have displaced over 100,000 Kiberans in addition to 200,000 people in other slum areas (UN-Habitat 2005: 19).

Efforts by the OHR to mobilise members of the Saturday group and SCCs to resist the threatened eviction proved mostly futile. Even though over 600 parishioners had been taught their rights in the context of a forced eviction, only about 20–25 parishioners were willing to participate

in public events organised by the OHR, including meeting directly with local officials, signing petitions, attending prayer services, and participating in a lawsuit against the government. Despite the lack of community response, the OHR along with several other Catholic parishes located in the slums mobilised a group of high-ranking diplomats, including representatives from the Vatican, who successfully lobbied the government to suspend the evictions (Mbaria 2004).

The main reason parishioners were not willing to get involved in the OHR's campaign was fear of retaliation by local officials. One SCC leader explained: 'During that first week we learned about the evictions, the chiefs moved around Kibera threatening us with physical harm if we tried to fight the government over the evictions. We knew what they were capable of doing to us, so many decided to keep off' (Njoroge 2008 int.). Parishioners knew that if they confronted the chiefs they risked having their property destroyed, being flogged, thrown into a cell and even killed. In 2004, more than forty bodies were found dismembered along the railway line: all people who had been involved on the wrong side of a political issue.

Parishioners were also afraid to oppose the government's eviction plan because Raila was actively supporting it. They knew that any protest against Raila's plan could invite immediate and possibly violent retaliation by his youth wingers. In addition, Raila was no longer just the area MP; he was now a powerful cabinet minister who had the full support of the government. Many felt it was just too dangerous to confront his agenda. According to one Team member, 'we knew our rights, but we couldn't fight for them because the youth wingers were everywhere monitoring the situation and they were malicious. If you did not listen to them, you would be attacked at night or targeted for harassment later' (Namenje 2008 int.). Given the parishioners' fears and the real threat of danger, neither the Saturday group nor the SCCs wanted to become a strategic group within the parish that played a front-line role mobilising for the parish's or community's interests. Parishioners preferred, instead, to attend meetings and gather information that could be used by the lawyers, who had greater immunity because they did not live in Kibera. They also knew how to use the legal system to combat the tactics of the chiefs and youth wingers.

Although fear was the primary inhibiting factor, it was not the only one. Some did not take steps to resist the eviction because of a general attitude of apathy and resignation. In the words of one parishioner, 'a lot of us just kept quiet because we had given up. We were tired and we let the government do what it wanted to do because there was no way we could physically stop the bulldozers' (Nderi 2008 int.). Others were too busy

managing their businesses and coping with daily survival. One parishioner commented: 'I was fed up being called for meetings about evictions along the railway. I could not close my shop every time someone wanted to call a meeting' (Njoroge 2008 int.).

In addition to feelings of fear and apathy, the Saturday group and SCCs did not respond to the eviction threat because they lacked the basic capacity and resources necessary to lobby the government. According to Robert Fatton (1992), for a voluntary organisation to participate effectively in advocacy, the members of the group require relatively high levels of education, access to financial resources, and free time – all attributes of the middle class. Parishioners had none of these traits. Most had low levels of education and even less knowledge of complex policy matters related to land and housing. They lacked adequate resources such as electricity, computers, printers, telephones and office supplies, and depended on the OHR coordinator to fundraise for basic materials such as pens and paper. They also had no formal leadership, organisational structure, or access to decision makers.

The parishioners' desire to avoid confronting local officials over the eviction threat also related to restrictive rules and practices in the parish and local Catholic Church that prevented parishioners from discussing human rights issues in their SCCs and organising other parishioners to respond to the issues. One Team member explained: 'A SCC member who raised any issue in his SCC that involved a political issue like an eviction involving the government would have been rebuked in front of everyone. Our Christians thought political problems needed to be solved by politicians and the church was there only for spiritual matters' (Chaya 2008 int.).

Civic education participants were also afraid to take any initiative to organise around the issue because they did not want to single themselves out. According to one parish leader, 'if you acted like you had new information for the SCC, people would start saying you were pretending to know more and wanted to be seen ahead of everyone else. No one wanted to be seen that way because you would have been abandoned by your friends and left on your own alone' (Waema 2008 int.). In an environment where people relied heavily on friends and neighbours as a safety net, most parishioners felt it was safer to remain silent. They were also inhibited by hierarchical practices endemic in the Catholic Church. Following a traditional Roman model, most parishioners paid a high level of deference to the archbishop of Nairobi. Since he was not willing to confront the government over the illegal eviction plan, parishioners felt they could not take a public stand on the issue.

Parishioners in the SCCs and Saturday group were also not united in their desire to stop the eviction threat because at a fundamental level they did not share the same goals and aspirations. Although four years of meeting, praying together and supporting one another on a personal level had created a new degree of trust and friendship, parishioners were still divided along ethnic lines. Their willingness to expose the underlying tensions around the issue of ethnicity (particularly the landlord/tenant divide) and share their customs and traditions did not translate into a broader sense of solidarity or a shared sense of Kiberan identity that trumped ethnic identities. Most parishioners were tenants who viewed the evictions as a problem for the Kikuyu and Nubian landlords because they had more to lose. Given the long history of conflict and deep-seated resentment between the two groups, most tenants were unsympathetic to the landlords' potential losses. Nor did they want to be viewed as disloyal to their political patron, who was promoting the eviction. As a result, even if parishioners had overcome the other obstacles, they were not in a position to mobilise a united front on the issue of forced evictions.



This study shows that the civil society advocates are only partially right in their argument. With organisational assistance and funds provided by an expatriate missionary combined with the professional expertise of a team of Kenyan lawyers, the civic education programme was able to inculcate a small percentage of parishioners with democratic values and principles, in a modest but significant way. The civic education programme not only raised awareness and enhanced the participants' communication and participation skills; it also improved their ability to resolve personal and local conflicts.

However, the civil society advocates' hope that civic education can transform ordinary citizens into political actors is unrealistic in an environment like Kibera, where people struggle with poverty, ignorance, violence and corruption on a daily basis. Only about 15% of the parishioners participated in the programme. Contrary to the advocates' assumption that citizens in fledgling democracies are ready and willing to learn about democracy, the majority of parishioners preferred to use their time securing a daily wage or maintaining the status quo.

The advocates' belief that participation in civic education will stimulate increased involvement in advocacy and lobbying efforts on behalf of the community's collective interests is also overstated in Kibera. After four years of consistent participation in civic education classes, apart from 20–5

parishioners, most members of the Saturday group and SCCs took no initiative to confront the state about a variety of injustices regularly meted out by the government functionaries. The key reason for avoiding the political sphere was the fear of violent retaliation by corrupt government officials, politicians and youth wingers. In addition, many Kiberans were not interested in the change process because of a general attitude of apathy and resignation resulting from decades of government neglect and corruption. Nor did limited resources and parish practices foster a supportive environment for active participation in social justice issues. Parishioners were also divided along ethnic lines.

As a result of decades of government-enforced silence and ignorance, holding the state to account was not as important as securing a place for open and honest dialogue where parishioners felt their input was valued. Given the repressive political environment in Kibera, the most important role of civic education was to break the culture of silence in their families, the SCCs and the broader parish. The main concern of the parishioners was spreading their new knowledge and responding to the personal legal problems of their families, neighbours and SCCs. Participants in the civic education programme also wanted to create a sense of community within the parish and discuss things together beyond issues related to their basic survival. Even though they lived almost on top of each other, they were not a community. They were too divided and too busy trying to cope with daily survival. Dialogue and debate on social and political issues was a luxury, especially for the women. Through their weekly discussions, the participants were able to see that they had common interests, and started to try to reconcile their differences and find a different way to respond. They slowly began to find equal footing with other Kenyans in terms of their knowledge and understanding of the government, politics and the legal system. Although their dialogue did not empower them to take political action, it was an important step in reclaiming their dignity and identity as Kenyans citizens.

NOTES

1. A number of scholars including Lewis 2002 and Azarya 1994 argue that civil society is a uniquely Western concept that is difficult, if not impossible, to apply to Africa.

2. Benson 2009; Gifford 2009; Githiga 2001; Lonsdale 2009; Ngunyi 1995; Sabar-Friedman 2002. The exception is Stephen Orvis' (2004) study, which analyses a civic education and paralegal training programme offered by three Kenyan NGOs and the Catholic Justice and Peace Commission in four rural areas of Kenya during 1999–2000. Orvis' research, however, has limited application for this study because it focuses almost exclusively on the three urban NGOs and makes only nominal reference to the church body.

3. Lonsdale 2009 and Gifford 2009 extend their analysis to the 2000s.

4. The lack of scholarship is not limited to Kenya. Only three scholars have undertaken studies that address the Catholic Church's role as a member of civil society in Africa: Von Doepp 2002 in Malawi, Kassimir 1998 in Uganda, and Kuperus 1999 in South Africa and Zimbabwe.
5. 'About 60 % of Nairobi's residents or about 2 million people live in slums' (AI 2009: 3).
6. These findings plus additional information gathered during a two-year parish analysis were summarised and published by the author in Bodewes 2005.
7. There are forty-two ethnic groups in Kenya; the largest groups are the Kikuyu (22 %), Luhya (14 %), Luo (13 %), Kalejin (12 %), Kamba (11 %), Kisii (6 %) and Meru (6 %).
8. The SCCs in Kenya differed from the Latin American base Christian communities which emerged in the 1960s in the context of liberation theology to promote social and political change. The bishops of Kenya adopted the SCC model to improve the organisational base of the church by shifting from a centralised, clerical model to a more localised one that enhanced the role of the laity, not to become a vehicle of social transformation.
9. OHR Evaluation, 15 February 2004.
10. Approximately 75 % of the female parishioners were single mothers.
11. The classes on poverty and African culture were taught by a local college student who was studying African culture and Christianity.
12. For details on the referendum see Bannon 2007; Cottrell & Ghai 2007; Lynch 2006.
13. The other two advocacy campaigns related to (1) the distribution of illegal alcohol by police and local officials, and (2) political interference by youth wingers and the area MP in the Soweto upgrade.
14. Although the notices said that the demolitions were being done in the interests of public safety, the real reasons for the unplanned evictions were related to the government's desire to enter into lucrative donor agreements to privatise the railway and power and lighting corporations. Raila wanted the future bypasses cleared because he was in the process of trying to raise international donor funds for the road construction.

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