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LOCAL AND GLOBAL INFLUENCES ON ISLAMIC NGOs IN KENYA

CECELIA LYNCH

Abstract

Islamic NGOs are critical to the nexus of humanitarianism and peacebuilding in many parts of the world, even in societies with a non-Muslim majority. An important example is provided by Kenya. However, Islamic groups in most of the Global North and much of the Global South also operate in a context shaped by global trends, especially the discourse of suspicion perpetuated by the global 'war on terror'. In Kenya, this discourse has both constrained and provided opportunities for Islamic NGOs. To understand the resulting constraints and opportunities, the relationship between Islamic organisations and Christian, interfaith and transnational groups needs to be taken into account. This article employs insights from constructivist international relations to analyse: 1) how the goals and programmes of Kenyan Islamic groups are affected by the 'war on terror', and 2) the resulting obstacles and opportunities for peacebuilding, development and interfaith dialogue.

Introduction

The 1998 bombing of the United States Embassy in Nairobi followed by the attacks of 11 September 2001 and the subsequent 'war on terror' caused significant problems for Islamic non-governmental organisations (NGOs) in Kenya. Many Muslim groups were forced out of the country. Christian and Muslim collaboration on peacebuilding was also strongly affected in sometimes contradictory ways: while suspicion grew among some groups, others, especially along the Indian Ocean coast, organised to challenge state policies that diminished Muslims' rights. The election violence in 2007 and 2008 and debates over a new constitution, approved in August 2010, continue to produce shifting allegiances among groups in Kenya that affect the goals, alliances and work of Islamic NGOs in the country.

This article argues that Islamic NGOs are significant players in peacebuilding, development and general humanitarian efforts in Kenya. Their significance stems in part from the fact that the Muslim population of Kenya represents an important, if minority, segment of the country, especially along the coast, and in part because of suspicions raised by global 'war on terror' discourses. Thus, it is argued, suspicions of Muslims that permeate Kenyan politics have resulted in the increased importance of Islamic NGOs. Yet these suspicions have also imposed obstacles to their work on peace and development. This context of obstacles and possibilities was relegated to the background during the post-election violence of 2007-8 that became known as 'ethnic' in nature, but religion came to the fore again during debates over the new constitution in the summer of 2010. As Kenyan civil society moves forward to consolidate peace and resolve social and economic problems, Islamic NGOs should be further incorporated as central actors in the process.

The argument, because it assumes the existence of a constitutive relationship between actors and structures on both the domestic and international levels, draws on what has become known as the 'constructivist' approach in international relations. In what follows, therefore, first the constructivist approach and its relevance to the case of Islamic NGOs in Kenya are outlined. Then some of the major Islamic NGOs in the country are mapped, situating them in two contexts: the religious context of Kenya and the national and transnational development of Islamic peace and humanitarian groups. The second part of the article traces the constraints and opportunities facing Islamic NGOs in Kenya arising from 'war on terror' policies and assumptions, including their work with Christian and interfaith groups. Then it notes the participation of some Islamic leaders in resolving post-election violence and the resurgence of suspicion against Muslims during the campaign for the new constitution of 2010. The article concludes by emphasising the importance of including Islamic NGOs in peacebuilding and humanitarianism, but also reasserts the necessity of examining both local and global factors in any ongoing assessment of the role of Islamic NGOs in Kenya.

Constructivism, Religion and NGOs

Constructivism as an approach to analysing political phenomena is based on the following central assumptions: 1) actors such as NGOs and structures (the global economy, the military balance of power) are mutually constitutive, i.e., they shape each other rather than one 'causing' the other; 2) context (historical, political, economic, social and cultural) matters; and 3) power can take many forms (military, economic, cultural) and struggles over power are endemic but contingent – how they turn out is not predetermined (Klotz & Lynch 2007). Constructivist approaches, therefore, take issue with structuralist assumptions; it is argued that they also differ from liberal ones.¹ Structuralists assume that either economic or military relations determine the behaviour of actors, and liberals assume that individual agents decide which goals to pursue and how to pursue them independently of situational factors according to rationally-determined interests.

In contrast, constructivist insights lead to studying religion in social, mutually constitutive terms. Frameworks that treat religious affiliation as primordial essentialise religious identities, missing the evolution of both doctrine and practice. Frameworks that treat religious affiliation as instrumental are also insufficient because they tend to view religious identities as more or less insincere or surface manifestations of 'genuine' economic or political interests. Instead, religion, like other forms of identity and affiliation, is a socially constructed category and any given religion can be constitutive of multiple types of belief, rituals and forms of practice (Lynch 2009). Similarly, the NGO phenomenon can be viewed in a liberal fashion as a manifestation of civil society against the state, bringing genuine 'social' concerns to bear on domestic and international politics. Conversely, it can be viewed through a critical structuralist lens, as a product of the ever-increasing privatisation of state functions, including social welfare and foreign and emergency assistance. But a constructivist view of civil society instead emphasises how NGOs are situated in broader political, economic and social contexts, including the increasing privatisation of social welfare, while also examining how some NGOs, their personnel or those they serve can challenge aspects of these contexts and bring newly derived values, policies and programmes to bear that can reshape contextual factors.

One aspect of the way religion is constituted and practised is through the ever-growing NGO phenomenon. No one knows exactly how many religious NGOs exist in the world today, but observers increasingly recognise that their numbers are huge and in all likelihood growing rapidly. For example, estimates suggest that between 30% and 70% of healthcare is provided by faith-based NGOs in Africa, depending on the community (*Africanpress* 2010). Attitudes

toward Islamic NGOs, however, reflect specific phenomena. These concern external perceptions of Muslims and Islam that have become increasingly negative with the discourse of the global 'war on terror' versus Muslims' own perceptions of their situation, needs and obligations. Consequently, while Islamic NGOs are inevitably involved in political projects

In Kenya Islamic NGOs work to address ongoing needs in healthcare, education, development and conflict resolution, but they are also affected by suspicion of their work on the part of some non-Muslim NGOs, government officials and outsiders.

(e.g. Benthall & Bellion-Jourdan 2003), the political and politicised nature of Islamic NGOs is not always of their own choosing. In Kenya, for example, Islamic NGOs work to address ongoing needs in healthcare, education, development and conflict resolution, but they are also affected by suspicion of their work on the part of some non-Muslim NGOs, government officials and outsiders. Examining

the religious composition and mapping Islamic NGOs in the country provide important background for understanding how the 'war on terror' affects the goals and interactions of these Muslim groups in Kenya.

Religion and Islamic NGOs in Kenya

Religion is extremely important in cultural, social and political life in Kenya. Kenyan society is religiously plural with a majority of Christians, a minority of Muslims, a small percentage of Hindus and a significant segment of the population that practises traditional religions or combines traditional practices with either Christianity or Islam. It is a tricky business to provide statistics for religious adherence, because they do not take into account the frequent blending of religious rituals, practices and beliefs in various syncretic forms; consequently, statistics on religion in Kenya vary widely.² One estimate claims that Kenya is roughly 45% Protestant, 33% Catholic, 10% Muslim, 10% traditional African religions and 2% other, including Hindu, but sources acknowledge that 'estimates for the percentage of the population that adheres to Islam or indigenous beliefs vary widely' (NationMaster 2010). Another source puts the range of Kenyan Muslims between 6% to more than 20%, Christians from 35% to more than 60% and adherents of African traditional religions from 10% to more than 50%.³

While Muslims are a minority in Kenya, they are a significant one historically and politically. In the Indian Ocean Coast province Muslims make up about 50% of the population, and many Muslim-majority Swahili communities have long histories, beginning with initial explorations of the coast by Arabs dating from the eighth and ninth centuries. These consolidated in the 14th and 15th centuries into communities on Lamu island and in the Mombasa area. Nevertheless, syncretism abounds, and Islam, like Christianity, is also frequently infused with traditional religion. In the North Eastern province, near Somalia, the population is majority Muslim, with frequent additions of new immigrants from Somalia and elsewhere. Kenya's Muslim communities are therefore multiple, and while they intersect, they do not represent a unified front (Møller 2006: 10)

NGOs are also extremely important actors in Kenyan society. To understand the role of Islamic NGOs in this complex of non-state actors in Kenya, it is necessary to contextualise their growth more broadly, historically as well as transnationally. Like other NGOs, Islamic peacebuilding and development groups can be local, national or transnational, with particular motive forces and periods of origin. At the local level, mosques and the NGOs that sometimes develop in association with them can be considered some of the oldest social service and peacebuilding groups in many communities (Salih 2002: 4). In most countries, including Kenya, mosques in many ways act as neighbourhood NGOs. The requirement that observant Muslims give *zakat* (alms) to be distributed to the poor, as well

as *waqf* ('permanent charity' or giving money to be kept as a trust to support specific causes such as building mosques, schools, orphanages and health clinics), along with their ongoing roles in religious formation and education, helps to make mosques reliable providers of aid at the local level. Networks of mosques and mosque-based activities – in

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Islamic centres and other organisations – have systematised the requirements of charity and channelled them to NGO programmes for social welfare in many areas.

In addition to mosques, at least two different types of Islamic organisations at the national level provide social services, work on issues of development and promote peacebuilding. These organisations, as well as locally based mosques and transnational groups, frequently consider humanitarian or social service work and peacebuilding efforts to be complementary. One type of national group is the council of *imams* and non-religious Muslim leaders that advocates for Muslims vis-à-vis secular governments in religiously plural societies. In Kenya, there are two such groups: the Supreme Council of Kenyan Muslims (SUPKEM) and the Council of Imams and Preachers of Kenya (CIPK). These organisations are important for incorporating Muslim voices into peacebuilding efforts, although the former has stronger ties to the government. The Muslim Education Welfare Association, founded in Kenya in 1986, is a type of national Muslim social service NGO: in contrast to the councils, it exists not to advocate vis-à-vis the government, but to run social service programmes, including a hospital and educational programmes to help those who cannot afford school fees for their children's education (primary school is free, but secondary school is beyond the means of many Kenyan families). Similar organisations exist for Christians – for example, the National Council of Christians of Kenya (NCCCK) – and the leaders of these organisations frequently know each other and sometimes work together on selected issues.

Finally, transnational Islamic NGOs can also be subdivided into several categories. One type, usually found within Shi'a Islam, consists of groups that are spearheaded by a spiritual figure and spread out to establish mosques, schools and other social service programmes in a given region. For example, the Bilal Muslim Mission, a Shi'a group operating in East Africa since 1963, considers its primary mission to be fulfilling the message of Islam by propagating the faith and carrying out its teachings of 'upliftment' (a term used in web-based materials to indicate both spiritual and material development) and aid to the poor. As a result, it carries out teacher training (for Islamic religious education), but also runs food programmes and health clinics and training days in the Coast province, where it is based. It offers these service programmes to everyone regardless of religious affiliation (Bilal Muslim Mission of Kenya 2007; Ahmed 2009).

Another type consists of the transnational Islamic NGOs that were founded in the late 1970s and early 1980s when a number of Muslim majority countries experienced conflict and famine (Petersen 2010; Barnett & Weiss 2008). Both the Soviet invasion of Afghanistan in 1979 and the severe famines in Ethiopia and elsewhere in northeast Africa in the early 1980s prompted an influx of foreign aid that also benefited numerous Christian and secular humanitarian organisations. In response to these crises, individual Muslims and Muslim majority governments founded a number of Islamic humanitarian NGOs (Petersen 2010; Barnett & Weiss 2008; Ghandour 2003; Kaag 2008). These new Islamic NGOs emanated from both the 'West', such as the UK-based Islamic Relief, founded in 1984, and the Middle East, such as the Saudi-run International Islamic Relief Organisation (IIRO), founded in 1979. Muslim Aid, also based in the UK, was founded in 1985; the Africa Muslims Agency and the International Islamic Charitable Foundation based in Kuwait were founded in 1982 and 1986, respectively. Islamic Relief and the IIRO anchor more or less what has

become over time two broad networks of transnational Islamic NGOs: those based in Western countries and cooperating with Western donors and other agencies, and those based in the Middle East, with headquarters in countries such as Saudi Arabia, Kuwait and Egypt that receive primary funding from Middle Eastern governments.

A third broad category of transnational Islamic NGOs are those based in the Middle East that also have close ties to Western donors and aid communities (unlike the Saudi-based IIRO or Kuwaiti groups). This category includes many of the 'RINGOs', or royally sponsored NGOs, such as the foundations and charity work associated with the wealthy Aga Khan Foundation, which has headquarters in Geneva and offices in Pakistan, India, Bangladesh, Kenya, Uganda, Tanzania and Tajikistan. Some of these pre-date the 1970s and 1980s creation of Western and Middle Eastern transnational NGOs; the Aga Khan, for example, founded his complex of NGOs and foundations in 1967.

Kenya is a natural place for transnational Islamic groups to take hold. Kenya's government has long been tied to the West and its majority Christian population has had a strong relationship with denominational NGO offshoots, such as Caritas, the Mennonite Central Committee and the Lutheran World Federation, among many others. Thus it is not surprising that groups such as Islamic Relief and Muslim Aid, both based in the UK with contacts with these other NGOs, would establish projects in Kenya to work with Muslim-majority populations in the country. Kenya is also a major regional site for United Nations offices in sub-Saharan Africa, and it is near Ethiopia, where famine in the 1980s spurred the creation of Middle Eastern NGOs. Its Indian Ocean coastline and significant Muslim population in the coastal region also make it a natural home for Saudi, Egyptian and

The range of 'social constructions' of Islamic NGOs in Kenya both imposes constraints and provides opportunities for their goals and programmes.

organisations. As detailed below, Kenyan Islamic networks take different positions depending on their relationship with the government. Transnational groups with close ties to Western donors have tended to emphasise their 'secular' orientations, while other groups that rely on a specifically Islamic identity have found themselves regarded with suspicion. The resulting range of 'social constructions' of Islamic NGOs in Kenya both imposes constraints and provides opportunities for their goals and programmes.

Kuwaiti-based NGOs. Finally, Kenya's South Asian population (of Indians and Pakistanis), also makes it a good base for the Ismaili-run Aga Khan agencies and the regional Bilal Muslim Mission. Nevertheless, the 'war on terror' affects each of these types of Islamic

Constraints and Opportunities for Islamic NGOs in Kenya: National and Transnational Intersections

Much scholarly attention is paid to whether, to what degree and how religious NGOs proselytise as a condition of the services they provide. Proselytising can be viewed as a normal function of the religious marketplace, or a nefarious characteristic of religious NGOs that can breed social tensions (Ghandour 2003). Where Islamic NGOs are concerned, however, much scholarly work is concerned with allegations of ties to extremists. Proselytising takes on a different cast because of assumptions that, for Islamic NGOs, *da'wa*, or inviting non-Muslims to join the faith, is tied to transnational, anti-Western agendas. Such assumptions also influence perceptions of the ethics and ability of Islamic NGOs to engage in peacebuilding (Abu-Nimer 2003). As a result, Islamic NGOs that do not portray themselves as essentially 'secular' bear a particular burden of proof – of 'pure' motivation devoid of 'Islamist' leanings or objectives. Islamic NGOs in Kenya have particular experiences of this burden of proof.

By the early 1990s the explosive growth of NGOs of all kinds led many governments in both the North and South to institute procedures for monitoring and regulating them. In Kenya and other countries this took the form of creating an NGO Coordinating Board and registration system (Lind & Howell 2008). The registration system has often been contentious in Kenya and was especially so for Islamic groups after 1998. In August of that year, the United States embassies in both Nairobi, the capital of Kenya, and Dar-es-Salaam, the capital of neighbouring Tanzania, were bombed. Tensions between the Kenyan government and Muslim groups heightened again in the aftermath of the 11 September 2001 attacks in the U.S.

After the 1998 embassy bombing, the Kenyan government ordered five Islamic NGOs to be closed down, thereby also de-registering them. The five organisations – Mercy Relief International based in the U.S., Al-Haramain Foundation based in Saudi Arabia, Help African People based in Nairobi, and the International Islamic Relief Organisation and Ibrahim Bin Abdul Aziz Al Ibrahim Foundation, also based in Saudi Arabia – were charged with being ‘involved in activities and matters that are not in the interest of state security’, according to the NGO Coordinating Board Director at that time (Achieng 1998; Møller 2006).

At the same time, the Kenyan government began to institutionalise its close cooperation with U.S. counter-terrorism efforts. The East African Counter-terrorism Initiative was set up in 2003 and included U.S. support for funding and training the Kenyan Anti-terrorist Police (Hammer 2007; Hirsch 2006). Results included increased deportations, house and office raids and reports of police profiling according to Islamic dress and appearance.

Some scholars conclude that Kenyan civil society has responded in a lukewarm manner to anti-terrorism policies (Lind & Howell 2010). Most Muslims live in the Coast province, known for its live-and-let-live attitudes, or in the sparsely-populated north, away from

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Nairobi. Moreover, Kenyan Muslims are represented by multiple voices, hindering coordination. However, Kenya’s participation in the Bush Administration’s counter-terrorism initiatives was particularly galling for many Kenyan Muslim NGO leaders as well as Muslim and interfaith activists along the coast.⁴ Muslim leaders condemned the raids

accompanying some of the closures, charging that ‘Kenyan Muslims have been subjected to provocative, discriminatory, vindictive, anti-Muslim and anti-Islam actions’, according to the head of SUPKEM at the time (Achieng 1998). These events also spurred greater intra-Muslim collaboration and increased interfaith collaboration in Kenya, especially in the Coast province, to protect and advance Muslim human rights and interfaith peacebuilding as well as development efforts.⁵

Muslims for Human Rights, CIPK and the Coast Interfaith Council of Clerics (CICC), for example, were all founded in 1997, the year before the U.S. embassy bombing in Nairobi. In the aftermath of both 1998 and 2001, each of these organisations, and others, became much more overtly political, actively watching and reacting to government policies. They also tended to be mutually supportive. For example, CICC leaders supported Muslims for Human Rights in many of their demonstrations against arrests and deportations, and CIPK consulted with many of the churches and other faith-based organisations.⁶

CIPK was founded initially to address issues regarding the welfare of imams, providing a forum for them to meet regularly. It is registered as a trust, which is different from an NGO, although it functions similarly. Soon after its founding, CIPK became more politically

active in national issues, including increasing education and employment opportunities for Muslims. CIPK is made up of imams only, whereas SUPKEM includes Muslims who are not religious leaders *per se*. Additional issues that the imams of CIPK felt needed to be addressed specifically included responses to charges of terrorism from abroad – the network has continued to challenge the government’s participation in U.S. counter-terrorism initiatives and condemned the resulting problems of arrests, deportations and house raids of Muslims, as well as the slow pace of issuing new identity cards to Muslim constituents.

Unlike SUPKEM, CIPK is based in Mombasa and its organisation is strongest in the Coast province. As a result, it is active in trying to address resource conflicts along the coast and especially the Tana River district, where farmers and herders clash over land and water rights. Thus, while CIPK developed a reputation for outspokenness and criticism of the government and its partners in the ‘war on terror’, it has also initiated new efforts to further peacebuilding in the Coast province, drafting templates for peace-themed Friday sermons, founding a radio programme and developing community ‘peace committees’.⁷ CIPK perceives itself, therefore, as more willing to take on controversial political issues than SUPKEM, which some think is compromised by its closeness to the government. SUPKEM has spoken out on important issues, including its sharply worded statement after the embassy bombings criticising the de-registration of the five transnational Islamic NGOs mentioned above (Achieng 1998). However, some Muslims describe a tendency for SUPKEM leaders to succumb to government pressure by toning down the network’s critiques of U.S. and Kenyan anti-terror policies.⁸

Transnational Islamic NGOs were also affected by anti-terrorism debates in various ways. For example, the UK-based Islamic Relief has been working with orphans in Kenya since 1993, but it was only in 2006 that it ‘registered a field office in the country and carried out an emergency response to the food crisis in Mandera district’ (Islamic Relief Worldwide 2010). Muslim Aid, like Islamic Relief based in the UK, also works in Mandera district, which is in the northeast and borders Somalia and Ethiopia, to provide clean drinking water by digging wells, constructing water reservoirs and installing hand pumps. Muslim Aid worked for several years to obtain approval from the government. ‘Our representative in Kenya ... has been working to establish linkages for Muslim Aid with the government of Kenya and various international bodies, including the UN and other NGOs’ (Muslim Aid 2010). The organisation was granted a temporary licence to operate in Kenya in February 2008 in the hope of obtaining permanent registration.

Both Islamic Relief and Muslim Aid also actively and immediately rebut any charges of relations with extremists anywhere in the world (Muslim Aid 2010). Once again, the ‘war

The ‘war on terror’ discourse puts an extra burden on the transnational Islamic organisations operating in Kenya.

on terror’ discourse puts an extra burden on these transnational Islamic organisations operating in Kenya. As Lind and Howell (2008) point out, this burden is at least as great, if not greater, for ‘organisations such as the Africa Muslim Agency, Young Muslims Association and Northern Aid’ that are based in Middle Eastern countries; they ‘continue to operate but under stringent conditions and in spite of administrative interference by provincial authorities’. Moreover

many civic leaders in Muslim communities contend that the crackdown on larger welfare-oriented Muslim NGOs has caused a ripple effect impacting community based organisations who partnered with the larger NGOs in running orphanages, schools and health centres, particularly in North Eastern Province (Lind & Howell 2008: 28).

Interestingly, however, this burden does not seem to hold to the same degree for some of the wealthy Islamic NGOs led by Middle Eastern royalty, or for the Aga Khan Foundation, perhaps because their titular leaders are also well connected to Western diplomats.

These examples demonstrate the cross-cutting nature of the social construction of Islamic NGOs in Kenya in the context of the global 'war on terror'. This context places a burden of proof of innocence on most Islamic groups, including local mosques and most transnational groups. However, somewhat paradoxically, long-standing religious rivalries and more recent 'war on terror' discourses also provide opportunities for Islamic and interfaith organising.

The Role of Interfaith Peacebuilding vis-à-vis Islamic Groups

Several interfaith networks in Kenya include Muslims as significant partners. These networks combine engagement in dialogue with work on health and education, development and peacebuilding. Some see their bases of operation as being within Kenya, but others are regional or continent-wide groups that have headquarters in Nairobi due to its status as a hub for NGOs and UN agencies. These networks also have been affected by the combination of 'war on terror' discourses and national debates over post-election violence and the new constitution.

The Programme for Christian-Muslim Relations in Africa (PROCMURA) was founded by Christians in 1959 during the decolonisation struggles, even before independence was achieved by many African states, and moved from Nigeria to its headquarters in Nairobi in 1977. PROCMURA recently celebrated its 50th anniversary, noting that its founders

recognised that future independent nations, which African nationalist movements were agitating for, would be made up of Christians, Muslims and practitioners of African traditional religion(s) among others, and that Christianity and Islam were likely to be the best or worst of rivals since both religions are missionary in character (PROCMURA 2009).

As a result, it encourages mutual respect and ensures 'that conflicts that may arise between adherents of the two religions are addressed in a non-violent manner and that they are able to cooperate and collaborate for peace and peaceful co-existence'. PROCMURA promotes the view that both Christian witness and Muslim *da'wa*, or invitation to others

PROCMURA promotes the view that both Christian witness and Muslim *da'wa*, or invitation to others who are non-Muslims to become Muslim, should not be sacrificed; rather, the question is how to witness and invite others in non-aggressive ways.

who are non-Muslims to become Muslim, should not be sacrificed; rather, the question is how to witness and invite others in non-aggressive ways. PROCMURA also sees itself as instituting interfaith relations in ways that draw on specifically African histories and traditions and that consciously try to transcend the attempts of the colonisers to pit religions and ethnicities against each other. Its efforts

also arise from a concern about the impact of secularisation in Africa and the belief that secularisms of various kinds are 'foreign' to Africa. PROCMURA remains, however, a Christian-led organisation that fosters dialogue with Muslims. In Kenya, it has maintained a relationship with SUPKEM and has not taken an active role in challenging the Kenyan government's policies vis-à-vis Islamic organisations.⁹

On the coast, however, Islamic and interfaith groups have remained extremely active in challenging what they argue are biased policies and violations of Muslims' human rights.

CICC includes clerics from CIPK, the Catholic church, the Evangelical Alliance of Kenya, the Organisation of African Instituted Churches, NCCCK, the Hindu Council of Kenya, African traditional religions and SUPKEM. CICC was founded in 1997 and soon became involved in trying to coordinate responses to the anti-terrorism policies of the government and the U.S., while also demonstrating to the outside world that there was no need to fear that the Kenyan coast had become a haven for terrorists. Even though it is an organisation of religious leaders, CICC also sees itself as representing the coastal grassroots faith communities to bring together Muslims and Christians. Many of the same Muslim leaders are involved in CICC and CIPK.¹⁰

Islamic Organisations, Post-election Violence and Constitutional Debates

'War on terror' discourses and policies are not the only constitutive factor shaping the identity, goals and programmes of Islamic groups in Kenya. Domestic issues, including elections and constitutional reform, have also provided both opportunities and constraints for Muslim participation in peacebuilding and related concerns. These opportunities and constraints are situated in a history of both positive and negative involvement by Kenyan religious leaders in political campaigns and constitutional debates (Gifford 2009). While some religious leaders were close to the government of former president Daniel arap Moi and his KANU party (1978-2002), many also distanced themselves from his oppressive and corrupt rule, pressuring the government first for multi-party elections, then for constitutional reform. An interfaith coalition of religious groups (including the Catholic church, members of NCCCK, SUPKEM and the Hindu Council of Kenya) formed the Ufungamano initiative in 1999 and a 'people's commission' in 2000 to continue to put pressure on the government for constitutional reform, promote impartiality in debates and begin work on new constitutional provisions (Network for Interfaith Concerns 2009). Sporadic and low-scale violence arose in the midst of these efforts. This violence often concerned issues of land tenure and ownership, but tended to flare during electoral periods when disputes were manipulated by candidates (RoK 2006: 19).

However, the aftermath of the Kenyan presidential elections of December 2007 instigated the worst violence in many years. Religious leaders and congregations took sides in visible ways: Christian denominations were sometimes split between the two primary candidates, Mwai Kibaki (the president since 2002) and Raila Odinga, the candidate for the major opposition coalition. Most Muslims supported the Odinga opposition (but not necessarily Odinga himself), arguing that the opposition would provide a fresh start that would help resolve land tenure issues in the Coast province as well as change the nature of Kenyan-U.S. cooperation in anti-terrorism strategies. After the election, the electoral commission proclaimed Kibaki the winner, but the results were widely denounced as rigged and therefore fraudulent, and violence ensued.

According to the report of the Nairobi Peace Initiative-Africa,

In less than two months of violence [after the December 2007 elections], more than 1,300 people lost their lives – almost half of that number within the first two weeks of the violence – while more than 500,000 people were displaced from their homes. The crisis led quickly to the collapse of law and order, threatening Kenya's very survival as a nation. According to international media coverage, another African country was following a familiar, if inglorious path (Wachira 2010: xvii).

The Coast province remained relatively calm compared to the Rift Valley region and Nairobi in the post-election period. Some observers attributed this calm to the role of Islamic and interfaith humanitarian and peacebuilding networks in the region, including the organisations discussed above. In addition to their ongoing work on the coast, Muslims from the area were also incorporated into the peace process at high levels. The most prominent example is that of Dekha Ibrahim Abdi. A well-known Muslim activist living in Mombasa (although originally from the North East Province), Abdi went to Nairobi to work as one of five core members of Concerned Citizens for Peace (CCP), founded and supported by the non-sectarian Nairobi Peace Institute-Africa along with other organisations. Ibrahim has since won numerous awards for her role in bringing the voice of Muslims centrally into the Kenyan peace process as well as for her work in her home province. She and CCP worked both at the highest levels of government, bringing in external Eminent Persons to mediate between the presidential challengers, and at the grassroots (Wachira 2010: 22). The parties eventually agreed to a coalition government in which Mwai Kibaki retained the presidency but also turned over significant responsibilities to Raila Odinga, who became prime minister in what was supposed to be a power-sharing relationship. Nevertheless, many tensions remain among the principals and their followers in the current government.

Despite the progress made by Islamic and inter-religious organisations in challenging 'war on terror' discourses and resolving post-election issues, tensions between Christians and Muslims in Kenya rose in 2009 due to conflicting stances on provisions of the new draft constitution, which was finally passed by referendum in August of 2010. Leaders on different sides of the political spectrum agreed on the importance of establishing a new

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constitution to ensure long-term peace and reduce graft and corruption. Ironically, in this case both governing political parties, whose electoral dispute had caused the recent violence, agreed that the draft constitution should be passed; each side campaigned in favour of it. Nevertheless, despite the fact that some church leaders were exposed as having been complicit in the 2007-2008 election violence, their public apologies did not prevent

them from voicing strongly anti-Muslim sentiments in the renewed debates over the constitution. Moreover, as Paul Gifford (2009) states, the Christian-Muslim tensions over specific constitutional provisions were often abetted by government factions.

Tensions centred on provisions for the Islamic *kadhis*, or family law courts, and these tensions spilled over into suspicions cast in terms of the 'war on terror'. The Islamic family law courts system was instituted by the British colonial authorities as part of a deal to keep the Coast province part of Kenya. It was formalised by the Kadhi Courts Act of 1967 (Møller 2006), and one of the major sticking points in the summer 2010 debates over a new draft constitution was whether the Kenyan government would continue to pay for the administration of the family courts system. Some Christians, including mainline denominations and evangelical and Pentecostal groups, charged that the provision unfairly taxed Christians to give a subsidy to Muslims. Moreover, a few Christian leaders also stoked fears that continued government support for the courts would intensify Islamic extremism, even though they applied only to family and inheritance issues in which all parties to the decision were Muslim. In appealing to counter-terrorism rhetoric, for example, Bishop Pius Kagwe, the Coast branch chairman of the National Council of Christians in Kenya (NCCCK), asserted that 'This issue started immediately after the 2001 bombings in America and many Christians fear a similar situation in this country' (Bocha 2009). As a result of these fears, the NCCCK, an organisation that had worked frequently with Muslim groups, came out forcefully against the proposed constitution.

Thus domestic issues and ‘war on terror’ fears were deployed to reconstruct Kenyan Muslims and many of the local and national groups that supported them in negative and even threatening terms. Even CICC, despite its previous collaborative work in raising support for Muslim rights against Kenyan counter-terrorism policies, disagreed on whether to support the draft constitution. According to the *Daily Nation*, participants were ‘split down the middle’ at the CICC forum, ‘with Christians digging in their heels against the inclusion of the courts in the constitution, while Muslims declared the issue was non-negotiable’ (Bocha 2009).

Islamic organisations, for their part, had long viewed *kadhis* as a means of ensuring local autonomy and respect for Muslim traditions and minority rights. Even the non-political (and Shi’a) Bilal Muslim Mission joined other Muslim organisations to support the courts. SUPKEM, CIPK and other Muslim human rights organisations actively supported the new constitution, although some used stronger language than others. A representative of CIPK, for example, argued at a November 2009 forum sponsored by CICC that the courts were important because they addressed critical matters for Muslims, adding that they should not be of concern to Christians and other non-Muslims because they had no effect on their affairs. The Coast branch chairman of SUPKEM was more blunt, warning Christians, ‘For the sake of peace, review your hardline stand against these important courts as we are already sitting on a volcano.’

The constitutional debates thus raised suspicions against Muslims among many Christians. Ironically, most government officials, including President Kibaki and Prime Minister Odinga, spoke in favour of the proposed constitution and minimised the impact of the *kadhis*. Thus, instead of the government (with U.S. support) enacting questionable policies

Religious rather than political leaders deployed ‘war on terror’ discourses to influence the outcome of this major national issue.

against Muslims, some Christian leaders used ‘war on terror’ discourses to challenge Muslim loyalty and stoke the fears of Christians. Religious rather than political leaders deployed ‘war on terror’ discourses to influence the outcome of this major

national issue. The constitutional debate illustrates an important stage in the ongoing construction and reconstruction by both national and external actors of Muslims and Islamic NGOs in Kenya in the context of the global ‘war on terror’.

The Future of Islamic NGOs in Kenya

These examples demonstrate the ways in which transnational security discourses and domestic political issues both constrain Islamic peacebuilding and development efforts and enable new forms of interfaith cooperation in this important religiously plural society.

Religion is not a consistent fault line in Kenyan politics and social life, but there are some issues – the *kadhis* for instance – that tend to divide Kenyans according to religious affiliation. Other issues – some of the conflicts over land and water – can bring them together to find solutions. Discourses and policies arising from the ‘war on terror’ do both, producing an uneasy balance that can spill over into other areas. Along the Coast, Christian, Muslim, and Hindu communities have come together to challenge counter-terrorism policies, but provisions for Islamic family and inheritance courts raise charges of favouritism and suspicion of what is seen as an influx of extremist activities. It is interesting that while transnational ‘war on terror’ politics intersect (and interfere) with the work of transnational Islamic NGOs, these larger NGOs did not drive domestic debates either on challenges to counter-terror policies or on the draft constitution.

Following constructivist insights, then, this article points to the intersecting local and global factors that are critical for understanding both religion and the phenomenon of NGOs in Kenya. Islamic NGOs in Kenya, in sum, are significant players in major national debates on social welfare as well as peacebuilding. Consequently, they should be incorporated as equal partners in policies on these issues. Using any one lens to study Islamic NGOs in the country misses the interplay of global, national and local influences that shape their identities and goals. Instead, understanding the multiple but intersecting traditions that make up Islamic social groups and NGOs in the context of the 'war on terror' helps explain the ongoing possibilities for both productive interfaith peacebuilding initiatives and the continuing points of tension that threaten them.

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Endnotes

¹ This stance is more controversial, since some constructivists essentially make liberal assumptions as a point of departure. For the range of constructivist work, see Klotz & Lynch 2007.

² At least two websites compile and compare statistics from numerous sources. These include NationMaster.com and Adherents.com.

³ Statistics sourced from Adherents.com (www.adherents.com, accessed 9 April 2010). Many of Kenya's Christians belong to traditional denominations (Catholic, Anglican, Presbyterian etc.), or the growing number of evangelical and Pentecostal churches. A significant percentage, however, are affiliated with African Initiated, Instituted or Inland Churches, which began over a century ago with the objective of ensuring that Christian practices blended with rather than superseded traditional ones.

⁴ Personal interviews, 29 June 2007. These were the first in a series of interviews that the author conducted with 19 leaders of Muslim, Christian, interfaith and secular NGOs and networks in Nairobi and Mombasa in June and July 2007 and July and August 2008.

⁵ Personal interviews, 29 June 2007 and 29 August 2008.

⁶ Personal interviews, 29 June 2007 and 29 August 2008.

⁷ Personal interview, 29 June 2007.

⁸ Personal interviews, July 2007 and August 2008.

⁹ Personal interviews, June and July 2007 ; PROCURA newsletters.

¹⁰ In addition to the interfaith councils, there are several important peacebuilding organisations and networks based in Kenya that are secular in name, but include religious organisations of all kinds, including the Nairobi Peace Initiative and PeaceNet Kenya, originally funded by the Mennonites, Anglicans and Oxfam, with more recent support by government donors such as USAID and Japan.

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