

Public Policy Dialogue for Socially-Inclusive
Public Policy Making Processes in Kenya: The Role of the
Anglican Church of Kenya

Irene Akinyi Ayallo

A thesis submitted to Auckland University of Technology

in fulfilment of the requirements for the degree of

Doctor of Philosophy (PhD)

2012

Institute of Public Policy

Faculty of Culture and Society

Primary Supervisor: Associate Professor Love Chile

Table of Contents

Table of Contents.....	i
List of Figures.....	iv
Attestation of Authorship	v
Acknowledgement	vi
Ethics Approval	vii
Abstract.....	viii
Prologue.....	x
Chapter One: Introduction	1
Background.....	2
Rationale and Significance of Study.....	4
Structure of the Thesis	5
Chapter Two: Who are the Excluded in Kenya?	9
Colonial Kenya and social exclusion.....	16
Post-colonial Kenya and social exclusion.....	20
Meet the youth.....	28
Meet the women... ..	29
HIV and AIDS public policy making... ..	31
Chapter Three: Public Policy Processes in Kenya	37
Concept and Theory of Public Policy, and Public Policy Making.....	37
Public Policy Making Processes in Kenya.....	41
Ordinary Citizens’ Participation in Public Policy Process in Kenya	52
Civil Society in Kenya and Public Policy Making Processes.....	58
Chapter Four: The Anglican Church of Kenya’s Public Policy Discourse	60
The Anglican Church and models of understanding ‘church’	60
The Anglican Church is an institution	60
The Anglican Church is a mystical communion.....	63
The Anglican Church is a herald	67
The Anglican Church is a servant.....	68
The Anglican Church and religion and politics in Kenya.....	70
The colonial period.....	70
Kenyatta’s era	72

Moi's era.....	74
National Alliance for Change's era	75
Chapter Five: Philosophical-Political Perspectives of Justice	80
Justice as about institutions and perfect arrangements	82
Justice as centring the margins: social justice.....	85
Centring of the margins	94
Chapter Six: Biblical-Theological Perspectives of Justice	96
The problem of justice in the Old Testament.....	98
...for a burdened people you raised up a leader... ..	99
...for a confused nation you chose a king.....	99
...for a rebellious crowd you sent your prophets.....	101
The problem of justice in the New Testament.....	105
In these last days you have sent us your Son, your perfect image, bringing your kingdom.....	105
My preference: justice and options for the margins.....	108
Conclusions.....	116
Chapter Seven: Developing a Research Methodology	120
Research methodology.....	121
Participatory action research: beyond being an informant.....	123
Research design	125
Research participants	127
Dialogic workshops	128
Characteristics of dialogic workshops	130
Interview questions	133
Data analysis	134
Data analysis process.....	134
Chapter Eight: Research Participants' Perspectives on Decision-Making in Kenya	136
Perspectives on the general nature of decision-making in Kenya	136
Perspectives on how decision-makers were chosen.....	138
Perspectives on the importance of ordinary people's participation	140
Perspectives on barriers to ordinary people's participation	142
How ordinary people prefer to participate in decision-making processes	146
Participants' perspectives on the roles of organisations in facilitating dialogue for active participation in decision-making processes.....	159
Researcher's summary of research participants views	167
Chapter Nine: Theorising Public Policy Dialogue	169
Public policy dialogue and participatory democracy	169
Public policy dialogue and social justice	175

Chapter Ten: The Role of the Anglican Church of Kenya in Facilitating Public Policy Dialogue for Socially-Inclusive Public Policy Making in Kenya	182
Power to Define Public Issues and Problems	190
The Anglican Church Accompanying People at the Margins.....	203
Chapter Eleven: Socially-Inclusive Public Policy Making Processes are Dialogical and Participatory	209
Towards an Improved Process of Participation in Policy-Making: Public Policy Dialogue.....	210
Research Question Revisited	214
Research Contribution	216
Further Research.....	217
Bibliography	219
Appendices.....	242

List of Figures

Figure 1: Map of Africa showing the location of Kenya	10
Figure 2: Map of Kenya showing Provinces.....	11
Figure 3: Response to HIV/AIDS Epidemic - Administrative and Resource Management Structure.....	32
Figure 4: Three branches of Kenya's central government.....	43
Figure 5: KESSP Coordination, implementation, and accountability structure.....	55
Figure 6: Kenya Health Care Delivery System.....	57
Figure 7: Map showing the location of Nyanza Province where Bondo and Maseno West Anglican Dioceses are situated	127
Figure 8: Pictures of models of citizens' participation in public dialogue	132

Attestation of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor material which, to a substantial extent, has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Name: Irene Akinyi Ayallo

Signature:

A handwritten signature in black ink, consisting of a large, stylized initial 'I' followed by a series of loops and a horizontal stroke at the end.

Date: November 20, 2012

Acknowledgement

I would like to thank The College of St. John the Evangelist in Auckland, through Te Rau Kahikatea, for the scholarship offered for my postgraduate study.

A significant part of this thesis is informed by data collected during fieldwork in Kenya. I travelled to Kenya courtesy of scholarships from St. John's College, and Auckland University of Technology through the Institute of Public Policy.

I am indebted to the women and youth (within their Post-Testing groups), and clergy from the Anglican Dioceses of Bondo and Maseno West who generously offered their time and views, and whose perspectives were fundamental to this thesis. Thank you to Bishops Johannes Otieno Angela and Joseph Otieno Wasonga, to the Venerable Paul Nehemiah Onyango, and to the Young Women's Christian Association (Siaya branch) staff for enabling me to engage with the research participants.

I had the best supervisors. Their advice, criticism, and direction, which were generously and compassionately offered, enabled me to walk the journey with determination and confidence. I am extremely grateful to Associate Professor Love Chile and Dr Jenny Te Paa.

I am grateful to George Armstrong, Faith Gale, Jonathan Gale, Beryl Jack, and Rina van Bohemen who proofread, edited and formatted this thesis.

My family, the Ayallos, have provided me with the love and support I needed to complete this thesis. I salute my mothers Jane and Risper, and my father Apollo Ayallo. Your love and support always keep me motivated and hopeful.

There are many other people who contributed towards the completion of this thesis. I thank you all.

Ethics Approval

Ethics approval for research for this thesis was granted by the Auckland University of Technology Ethics Committee (AUTEK) under application No 09/213 on the 14th September 2009. The Kenya National Council of Science and Technology also granted a local approval for conduct of research under application No NCST/5/002/R/1063/5 on the 18th November 2009.

Abstract

Spirituality and religion are significant aspects of the lives of most Kenyans. Thus the church is one of the key anchors of identity for many Kenyans (Sabar, 2002; Gifford, 2009; Knighton, 2009). The church is generally autonomous in relation to government institutions, ethnically diverse, and financially independent. It permeates all levels of society's social, economic, political and spiritual groups, and provides opportunities to engage with both the powerful and those with less power (Okuku, 2003). Although the church in Kenya has played a significant role in providing social services to communities, it has not developed a coherent framework for engaging in public policy and social justice issues (Lonsdale, 1978, 2009; Musalia, 2001). This has deprived it of the opportunity to enact its prophetic role: to mobilise for political and social inclusion in Kenya.

This thesis investigates how the Anglican Church of Kenya (ACK) may facilitate public policy dialogue as a 'bottom-to-top' and socially inclusive approach to public policy making as part of the ACK's prophetic role. The study uses a social justice theoretical framework, drawing especially from critical aspects of the work of Nancy Fraser (1996, 1997a, 1997b, 2003, 2007), David Gitari (1986, 2001), Okullu (1974, 1984, 1997), (Oluoch, 2006) and Walter Brueggemann (1997, 2001) to help understand the church's role in influencing public policy on social justice issues.

Using participatory action research that actively engages participants' knowledge, experience and wisdom (Ife 1997) the research process sought to develop their critical consciousness and build their capacity to participate in decision-making on issues that affect their lives (Chile, 2007). Data for the study was collected using facilitated dialogic workshops with youth and women living with HIV, and in-depth interviews with diocesan bishops, clergy, and ordinands in the Bondo and Maseno West Anglican dioceses of Kenya.

The findings of the study revealed that the presence of the Anglican Church of Kenya at all levels of society, its long history of social welfare service, as well as the credibility of its leadership and perceived independence from the state, provide the potential to mobilise marginalised groups and communities to tell their stories in order

to humanise public policy. Barriers and other issues associated with the ACK's prophetic role to mobilise for political and social inclusion in Kenya were identified, and some recommendations provided which enhanced its facilitative role.

Without accepting the naturalization, legitimization and normalization of socially constructed differentiations, the thesis acknowledges that it will be difficult to eliminate socio-economic and political disparities in Kenyan society. However, public policy dialogue creates spaces to initiate intentional communication that includes the voices of all members of the community especially marginalised groups and not just the dominant voices of the privileged elite. Public policy dialogue facilitated by the ACK that encourages active participation of ordinary Kenyans ensures a 'bottom-to-top' and socially inclusive approach to public policy-making that centres the margins, legitimises the voices and aspirations of the poor, and exposes the church's theology of secular power to pluralism and a postmodern world by re-evaluating its existence and public relevance rather than recourse to sectarian isolation or public dominance. A key outcome of the study was to establish on-going development programs beyond the period of the doctoral thesis research which encourage communities' emancipation, criticism, reflexivity, and transformation.

Prologue

I write this thesis from particular perspectives. The sum of who I am: a young Luo woman with a strong sense of social justice, a community leader, a priest, an academic, and a church leader drove the topic and the methodologies selected for this project. Overall, this thesis is a three way dialogue between these social locations, a range of literature on the subject of justice, community participation and public theology, and the social perspectives of women and youth living with HIV whom I have referred to throughout this thesis as ‘ordinary’ or ‘marginalised’ people and citizens.

Youth and women living with HIV are a small but significant proportion of Kenya’s population. I have chosen them as examples of ‘ordinary’ and ‘marginalised’ people although, ‘ordinary’ people in Kenya are more than the small group of those affected by HIV. Theoretically, ordinary people form about 80 percent of the total population compared to the 20 percent elite and political class. They are mostly located at the grassroots levels, specifically in rural areas and within self-help groups such as women’s groups, youth groups and Post-Testing groups (support groups for people living with HIV). I use the terms ‘ordinary’ and ‘marginalised’ interchangeably to refer to those people who are in many, but not all cases, most *affected* by socio-political, economic and cultural problems. ‘Affected’ in this thesis means that decisions and policies significantly condition some individuals’ and groups’ options for action, often by limiting their maximum expression of interests, opinions, and perspectives relevant to the issues for which the decision-making process seeks solutions (Young, 2000, p. 23). Ordinary people are the least favoured and the most socially and economically disadvantaged members of Kenyan society. Because of their marginalisation, they have limited access to resources, information and knowledge, and processes of decision-making. Yet, this thesis illustrates that their very marginality gives them a privileged insight into the consequences of policy.

I strongly identify with the experiences of marginalisation. Through my upbringing and work as a community and church leader, I have gained insight into ‘how marginalisation works in Kenya’, and its consequences. The following pages recount

aspects of my story that are relevant to the marginalisation of ordinary Kenyans from decision-making processes.

Positioning Myself as a Researcher

I had a first-hand experience of engaging with contexts of privilege and under-privilege. My mother was a social worker and my father a teacher. The nature of their work meant that they were often transferred from one location to another. At one time my father taught in a rural secondary school and at another in an urban secondary school. My siblings and I were, therefore, exposed to rural and urban life in various parts of Kenya. Through my parents' professions, we met people from all levels of society. My parents' professions also placed us in a privileged position, with access to social power and resources. My parents, through their professions, sought to enable people to direct the course of their own lives. They handled their positions with great care and humility. Their occupations enabled me and my siblings to pursue formal academic education: such opportunities are not easily available to the majority of the Kenyan population. Thus from an early age, I was aware of the power differentials, between rural and urban living and between those with resources and those without.

My upbringing also developed my critical skills. My family attended church every Sunday and my parents were involved in church leadership. At an early age, I was familiar with the Anglican tradition. For five years I also attended a Roman Catholicism primary boarding school and throughout that time, as part of the school programme, we attended Mass twice each day. We were taught Roman Catholic religious education by the local priest so I was introduced to Roman Catholic, as well. Through my early engagement with these two Christian traditions which shaped my spirituality, I became aware of the gospel imperatives. For instance, I was taught to respect everything created in the image of God, to love my neighbours, to welcome strangers, to be hospitable, to respect and strive to live with diversity, and to serve God and humanity. In the light of these gospel teachings and imperatives, I became more aware that the power differentials I experienced living in rural and urban areas were not 'natural'.

In my adult life, I have identified the need for social justice through my roles as a social worker and a church leader. I was introduced to social work while volunteering

with a non-governmental organisation, the Young Women's Christian Association (YWCA) (commonly known as 'Y'). This is one of the oldest women's organisations in Kenya, having been founded in 1912. In 2000, I was elected a Youth Representative. In this position, I was one of five young people who represented the interests of the organisation at the YWCA-Kenya National Board level. I was also involved in facilitating various vocational training programmes. These programmes were aimed at developing the leadership and collective power of women and girls at grassroots levels to achieve social and economic empowerment and to utilise resources available to them in order to improve their livelihoods. My work with the YWCA exposed me to poverty at the levels where ordinary Kenyans are mostly located. In my observation, poverty was mainly caused by social disempowerment, economic underdevelopment, and lack of access to proper information on social and health issues. But the more I engaged with these communities, the more I became aware that the power to change these situations rested with the community itself. Problems in communities had solutions in those same communities. It was important, therefore, that they were given a chance to actively participate in decision-making on matters that affected them.

I made a similar observation during my first parish experience, after being made deacon in the Anglican Church of Kenya in the year 2004 and a priest in 2005. I was posted to a rural parish in Bondo diocese. The parish had six separate congregations. The majority of the members of each of the six congregations consisted of widowed women. Life in this area brought me face-to-face with the consequences of marginalisation. It was attractive because it was peaceful and neighbourly, but at the same time it repelled me because of the struggles and hardship that I observed members of my parish experiencing in their daily lives.

Work began as soon as people woke. No one was exempted from household tasks. During Sunday school sessions, children told stories of how they woke up early in the morning, took cattle out to the field or walked to the lake or tank to get water before they went to school. Every member of the household contributed to bringing food to the table. The nights were quiet and dark. Most houses were lit with tin and lantern kerosene lamps. Only about five percent of households owned by the wealthy few could afford electricity and other lighting systems such as generators.

Rural households such as those in this parish relied primarily on lakes, rivers, and streams for water for domestic purposes. These were often located long distances from households; therefore people had to walk for several hours just to get a few gallons of water. Access to primary health care was difficult, and most people walked several miles to access health facilities, and often they could not afford health care. The majority of families relied on subsistence farming for their food, but their source of livelihood was constantly shaken by natural disasters such as drought.

Resources and duties within households were distributed mostly according to gender and age. For instance, ownership of land was, and still is, deeply influenced by the patriarchal ordering of society. Men were more likely than women to own resources such as land, and more likely to take up leadership positions within public spheres. These attitudes were often transplanted into church circles. I observed that women relinquished key decision-making roles to men, despite the fact that women made up the majority of members of the parish. They undertook 'private' roles and duties such as cleaning, cooking and decorating the church in preparation for worship services. I also observed that their lives were controlled by powerful individuals, institutions and organisations with access to resources. I found as a church leader that my preaching and reading from the Bible was constantly challenged by the experiences of my parish members. I often contemplated how best I personally, and the Anglican Church, could be part of giving hope, enabling courage, and building mutual relationships in such communities, so that women, men and children could be part of the decision-making and public policies that affected their lives.

These communities were marginalised because historically, rural populations in Kenya have been neglected through the shift of power and economic resources to urban areas and towns. Major infrastructure such as roads, communication, major referral hospitals, major educational institutions, and major government institutions are mostly based in larger cities and towns. Poverty in rural areas has continued to increase despite programmes and policies by the government and various non-governmental organisations in the name of 'rural development'. I felt that 'rural development' was ineffective because the rural populations were not actively involved in the formulation and development of these policies and programmes. Most rural populations remained unaware of the very existence of these policies, let alone how they were formulated.

Furthermore, the language in the policy documents was highly technical and legal. Governments and non-governmental organisations assumed what the community needed. As a result, the majority of the rural development programmes were foreign and abstract to their actual needs and not owned by the community.

Based upon my experiences as a social worker and church leader, I felt that a socially-inclusive policy making process was needed. Such a process has the following elements: it values how people from across different strata of society are affected by the resulting policies; it acknowledges, addresses, and respects differences in society; and it meets the basic needs of individuals and groups from across different strata of society so they can live in dignity. Importantly, the process includes those directly affected by these policies in the formulation of strategies to address social issues, so that individuals and groups could be actively involved in finding solutions to social issues in their communities (Edwards, Armstrong, & Miller, 2001; Kirui, 2009; Labonte, 2004). In my view, the Anglican Church was (and is) in a privileged position to facilitate a process which ensures socially-inclusive public policy making.

I have had the opportunity to further my education and therefore gained academic skills, which have enabled me to engage further with the justice issues I identified as a social worker and church leader. In particular, the hermeneutical techniques, critical theories, and research methods which I learnt while writing my Masters thesis have been invaluable in my reading, analysis, and interpretation of texts, social issues, and contexts.

Why the Anglican Church?

Choosing to examine the role of the Anglican Church in socially-inclusive public policy making was a challenge to the public significance of the Anglican Church in Kenya and to my role as a leader and priest in the Anglican Church. My original thoughts were inspired by Nico Koopman.

In May 2008, Nico Koopman of Stellenbosch University, South Africa, presented a paper entitled *Churches and Public Policy Discourses in South Africa* at a public lecture at the University of Auckland's School of Theology. He addressed pertinent issues about religion's public significance. The South African situation, as presented by Koopman, showed many similarities with the situation of religion in Kenya. In both countries religion still enjoys a high level of hospitality. For instance, chaplains are appointed to statutory bodies like the police, army and jails. Also, various partnerships exist between governmental bodies and religious organisations which address the plight of those afflicted by drug and alcohol abuse. Those privileged partnerships support the church in the care of the aged, AIDS patients, AIDS orphans, in general health care, and in various types of educational initiatives, and diaconal services. The presence of prominent religious leaders and religions in the work of the Truth and Reconciliation Commission was a good example of the acceptance of religion in South African political life. In both South Africa and Kenya newspapers, television and radio stations not only offer explicitly religious programmes, but also invite religious perspectives when various public matters are discussed. The challenge is how religion, specifically the Christian religion, responds to this hospitality. Koopman asked, *What is the role of religion in public life?*

While the Anglican Church has contributed to public policy discourses in Kenya, it has focused more on justifying its relevance in the Kenyan public spheres rather than asking the question posed by Koopman. Asking such a question is tantamount to making a unique and indispensable input in examining the *processes* and *contents* of public issues and debates and, above all, who participates in them. The challenge is how the Anglican Church could extend its role beyond the current mandate and be more publicly relevant to ordinary Kenyans. In the case of this thesis, what role does

the Anglican Church play in mobilising the marginalised to participate in decision-making processes, linked to public policy making in Kenya?

The Anglican Church is advantageously located in Kenya. Structurally, it is present at all levels of society and so in touch with Kenyans from different strata of society. The Anglican Church has provided social welfare services such as education and health facilities to complement those offered by the state. It is also ethnically diverse. It therefore reflects the nature of Kenyan society.

Being a leader and priest in the Anglican Church of Kenya, among my other stated social locations, places me in a privileged position despite my experiences of marginalisation. Both social locations are valuable to writing this thesis. Sakamoto and Pitner (2005) argue that clarifying social locations enables one to realise that it is possible to be both ‘agent’ and ‘target’ (p. 442). This is important in two ways. It helps the agent examine possible power differentials, and lowers resistance to acknowledging their own privilege. It also enables the target to identify a common goal with the agent, in this case, eradicating marginalisation. Thus, the target does not simply blame the agent for owning social power; they unite in working towards social justice. Being both agent and target makes one less “threatened and more responsible for working towards social action” (Sakamoto & Pitner, 2005).

Positioning Women and Youth Living with HIV as Co-researchers

In this thesis, I deeply value the viewpoints of women and youth living with HIV because they shaped the design, analysis and subsequent actions of this investigation. This meant that in this project, I have intentionally been able to maintain that both the researcher and research participants are ‘real thinking-feeling persons’ whose diverse views should be taken jointly into account (Borda, 2001, p. 30).

In line with the research topic, I wanted to undertake research that would actively engage those people and groups in the different stages and moments of the research to solve the problem. Thus, I sought to deploy a methodology and research methods that were collaborative, educative, and empowering. I was drawn to participatory action research because of its implication of a collective effort in the naming and solving of social problems, and the production of knowledge so that research participants feel in control of their words, and can use them to exercise power over the material and

ideological conditions of their own lives (Kamberelis & Dimitriadis, 2005, p. 890). Central to the research method ‘dialogic’ workshops was the power of ‘dialogue’ and collective effort in the production and reproduction of knowledge.

Research by Graham and Lowe (2009) was influential to my thinking, especially about enabling and empowering people at the margins to develop understanding of issues affecting them so they can generate appropriate solutions to those issues. In their research, dioceses from the Church of England simply mobilised neighbourhoods and provided appropriate resources to encourage discussions which shaped public policies about improving the livelihoods of people in these neighbourhoods. This was done without the church assuming an ‘expert’ role. In tandem with such collaborative projects, I intentionally sought to determine first how marginalised people wanted to participate in public policy making processes, then to find out how the Anglican Church could be part of this method. This is the opposite of first determining how the Anglican Church thought ordinary people should participate in public policy making processes then testing the theory with women and youth living with HIV.

Chapter One:

Introduction

This thesis investigates issues of participation in decision-making, linked to public policy making processes, among marginalised individuals and groups in Kenya. The central question addressed by the research is: what is the role of the Anglican Church in Kenya in facilitating public policy dialogue for socially-inclusive public policy making processes? The inquiry is theoretically informed by a social justice perspective of participation in decision-making processes. The specific issue under scrutiny is how the Anglican Church of Kenya can facilitate a process which empowers marginalised individuals and groups to engage in making public policies which most directly affect them.

My research question is answered by exploring the views of six groups of women and youth living with HIV, as case studies of ordinary citizens, of their participation in decision-making. ‘Dialogic’ workshops were facilitated to determine how marginalised citizens preferred to participate in public policy making processes. Views of clergy and ordinands, representing the Anglican Church, were also explored. A number of in-depth interviews were conducted to determine the capability of the Anglican Church of Kenya to facilitate the approach of participating in public policy making processes suggested by women and youth living with HIV.

Findings show that these groups chose approaches to public policy making which value *dialogue* based at local public spheres. Dialogue is a social action and process which provides a framework that advocates the hearing of many voices and experiences before decisions are made, particularly the perspectives of those directly affected by these decisions. Local public spheres are the best places to begin dialogue because they are the spaces where ‘real’ life occurs and socialisation take place. Analysis of findings show that the Anglican Church, because of its organisational and structural positioning, has the capacity to mobilise, educate, and empower ordinary

citizens to engage in *meaningful dialogue*. This collaborative effort, informs the making of public policies which reflect the experiences of ordinary citizens.

Background

The push for this inquiry has been provided by a key factor which continues to shape policy making processes in Kenya. This is the politics of privilege which favours the perspectives and experiences of the elite to the detriment of ordinary Kenyans. In retrospect, the style of decision-making which socially-excludes ordinary people has for years underpinned the struggle for political control in Kenya (Ajulu, 2001, 2002).

Decision-making by successive governments since Kenya's independence created unequal access and distribution of the nation's wealth, goods and services. For instance, in the period before independence in 1963, Kenya's economic and social development strategies were defined according to the colonial authorities' priorities and ideologies in favour of the authorities and communities that collaborated with them (Ogude, 1997). The *Mau Mau* uprising, for example, was the consequence of colonial policies of exclusion (Atieno-Odhiambo, 1991). These policies continued with subsequent governments, after the country's independence in 1963. For instance, the first post-independence president, Kenyatta, focused on consolidating power and legitimising his presidency in the eye of the Kenyan public, in the process marginalising groups and individuals who questioned his unjust ways of consolidating power. He created an elite group drawn from his ethnic group, whose decision-making and policies favoured them (Sabar-Friedman, 1997).

The second president, Moi – like Kenyatta – silenced or eliminated many who opposed him by concentrating power and resources within his ethnic group (Adar & Munyae, 2001; Holmquist & Ford, 1994; Kagwanja, 2003). Such politics of privilege created tensions with the establishment of multiparty politics in Kenya in 1992, as party politics were based on ethnicity (Holmquist & Mwangi Wa Githinji, 2009; Ogude, 2002; Okullu, 1997; Omolo, 2002). Those at the centre of power felt threatened by the opening-up of public and political spaces within which state institutions and processes of decision-making were subjected to scrutiny, as opposition political parties provided avenues where ordinary people could express their opinions and have them incorporated in public policies (Ajulu, 2002).

The turning point was in 2002 when a coalition of opposition political parties came to power. Kenyans assumed that a coalition government formed by opposition political parties which identified with the experiences of marginalisation would work towards social inclusion. However, the government of the National Alliance for Change failed to deliver on their election promises on issues such as reviewing the national constitution, which led to the 2007/8 crises in Kenya (Cheeseman, 2008). As at 2011 this style of decision-making has continued, which will be analysed in Chapter Two.

Public policies have favoured each incumbent president and his inner circle (mostly men from his ethnic group) and associates, while the majority of the Kenyan population has remained unemployed, disempowered, and struggling to make a living. The majority of those historically excluded from decision-making processes are women, youth, children, people with disability, and people living with HIV.

This thesis emphasises the urgency for the formation and nurturing of critical consciousness by marginalised groups and individuals to participate in decision-making processes. It seeks social inclusion of ordinary citizens in public policy making processes through dialogue. It examines the role of the Anglican Church of Kenya in facilitating a process which engages people at the margins in making policies which directly affect them.

Conceptually, this inquiry is informed by a social justice perspective of participation in decision-making processes. This thesis expounds social justice from two theoretical frameworks, namely philosophical-political and biblical-theological. Social justice, within these frameworks acknowledges that public policy making in Kenya occurs in a society marked by kinds of social differentiations (most of which result from structural defects) (Amey & Leonard, 1979; Gakunju, 2001; Hanson, 2008; Lando & Bujra, 2009). It may not be possible to completely eliminate these socio-political, economic and spiritual disparities but it is possible to open up decision-making spaces so that they become accessible to all members within the community, particularly those traditionally marginalised by these processes (Coates, 2007). These processes are, therefore, evaluated as *just* or *unjust* depending on whether they fully engage those directly affected by consequent decisions. This thesis' critical project, therefore, is to

develop a method of participation in decision-making processes which intentionally encourages the participation of ordinary citizens.

Rationale and Significance of Study

The socio-political and economic importance of public policies requires that public policy making processes be subject to scrutiny through dialogue with those most affected by these issues and resulting decisions (Laird, 1993, p. 344). A number of social crises in Kenya have demonstrated that unjust public policies, which exclude ordinary people from policy making processes, not only worsen their lives but also contribute significantly to national discord and instability. An example was the disputed Presidential Elections in December 2007. The election was a catalyst for surfacing long harboured social tensions created by a complex web of issues such as poverty, HIV and AIDS, ethnic conflict and the marginalisation of certain groups (Cheeseman, 2008). Government policies since Kenya's independence, especially from the late 1990s created unequal access and distribution of the nation's wealth, goods and services, which resulted in mass unemployment while the wealthy few Kenyans, who form 20 percent of the population, became richer and continued to live in luxury. One thousand lives were lost during this crisis, and over 350,000 families displaced – the majority of whom were yet to be resettled by 2011. The country's food and economic security were threatened as many business people and farmers fled for fear of ethnic killings, or were unable to raise capital for their businesses (Commonwealth Secretariat, 2007; Ismail & Deane, 2008).

These critical tensions suggest that policy making processes and policies are too important to be left in the hands of the elite. To avert crises such as those before and after the 2007 Presidential Elections, an inclusive approach to policy-making is required. Public policy dialogue creates opportunities for individuals and groups from across different strata of society to participate in the making of public policies, which most directly affect them. This thesis, therefore, is an important resource for developing inclusive and participatory methods of community participation in such processes.

The Anglican Church in Kenya has contributed to public policy discourses in the past. It has tended, however, to use biblical and theological interpretations to justify why it should engage with public policy and has spent less time asking questions about the

content and processes of public policy, and who participates in these. There is a need to redefine and to widen the church's response to issues of social justice. This means engaging with other ideologies within Kenyan society or to develop new and complementary paradigms of justice. As at 2011 no such research existed within the Anglican Church of Kenya. This thesis offers a sustained theoretical analysis of social justice that blends a philosophical-political paradigm with a theological perspective. It is, therefore, a significant resource for the Anglican Church of Kenya's ongoing social justice discourse.

Structure of the Thesis

This thesis proceeds with an introduction to the background, rationale and significance of this project.

Chapter Two reviews the mechanisms and processes that have been used to exclude ordinary people from decision making processes in Kenya. Conceptually, this chapter is based upon the notions of 'social inclusion' and 'social exclusion', which have emerged in the 21st century as strong policy-leading concepts. Social exclusion describes the process of being shut out from the social, economic, political and cultural systems which contribute to the wellbeing of a person or a group in society. The concept is concerned with the invisibility of some individuals and groups in activities that are important to their livelihoods – for instance, the myth that policy formation belongs only to leaders restricts the participation of ordinary people in such processes. Social inclusion is often used to refer to processes of enabling people to overcome restrictions imposed on them which limit their active participation in society. (Edwards, et al., 2001; Kirui, 2009; Labonte, 2004). Chapter Two, therefore, examines who the marginalised individuals and groups in Kenyan society are and how they have been socially-excluded. The chapter is divided into two sections. It begins by highlighting the location, people, and politics of Kenya. It then describes the situation of social exclusion of ordinary people from decision-making processes in Kenya from the colonial period up to 21st century. This second section also identifies groups that have been most marginalised. For instance, youth form both the majority of the Kenyan population and majority of the unemployed. Principally, Chapter Two offers a general overview of social exclusion in Kenya.

Chapter Three discusses social exclusion in the context of public policy making processes in Kenya. This chapter is divided into four sections. The first section introduces the concept and theory of public policy arguing that it is everyone's affair, not just the government's and the elite's. In the second section, I present four public policy making processes in Kenya, highlighting ordinary citizens' participation in these processes. In the third section, I give specific examples of ordinary people's participation in the making of health and education policies. I use these examples to illustrate the gap between policy content and actual realities, thereby critiquing current forms of ordinary people's participation in public policy making. The final section discusses the place of civil society in public policy making in Kenya. Civil society advocates inclusive processes. In Chapter Four I discuss the place of the Anglican Church of Kenya as part of civil society.

Chapter Four reviews the Anglican Church's past and present contributions to public policy discourses in Kenya. The first section examines four understandings of the concept 'church' and argues that they enjoin the Anglican Church to significantly contribute to public policy discourses. Theoretically and practically, any understanding of what the 'church' is affects what the 'church' is meant to do (McGrath, 2007, p.391). In the second section, the contribution of the Anglican Church in public policy discourses is reviewed within the broader discourse of religion and politics in Kenya's socio-political history. Reviewing the Anglican Church's past contribution unveils weaknesses and strengths, thereby offering opportunities for self-appraisal. Chapter Four provides a road map to evaluate the future role of the Anglican Church in supporting socially-inclusive public policy making in Kenya.

The thesis for socially-inclusive public policy making processes is based upon a broader framework of justice, particularly social justice. Two broad understandings of justice are examined in Chapters Five and Six of this thesis. Chapter Five engages with the philosophical-political frames of justice and Chapter Six with the biblical-theological understandings of justice. These chapters review the meaning of justice and its components. The central argument in Chapter Five, which is divided into two sections, is that a socially-inclusive process requires an understanding of justice that is able to transcend the luxurious level of philosophical speculation and dive down into the practicalities of social life to address injustices without recourse to abstract

philosophy. Chapter Six reviews biblical-theological understandings of justice in two sections, arguing that a particular kind of participation is enjoined by the Anglican Church's holy gospel. In facilitating public policy dialogue, the Anglican Church will focus on the inclusion of the voices and perspectives of marginalised individuals and groups in defining and finding solutions to their public problems.

Chapter Seven discusses the research methodology, design, methods, participants, and the process used to analyse research data. In this chapter, I explain that throughout the research process the researcher and the research participants were treated as real-thinking-feeling persons whose diverse worldviews potentially influenced the research process and outcome. This acknowledgment is a characteristic of the post-positivist research traditions which form the epistemological foundations of this doctoral thesis research. In addition, the research used the methodology participatory action research which recognises and values research participants' knowledge and input in the research process. As such, research participants cease to be treated as lifeless and petrified objects to be filled by the researcher's narration (Freire, 1970, pp. 52-53). Instead, the researcher's role was to nurture the energy within research participants, to encourage them to discover within and among themselves the confidence and power necessary for them to express their perspectives and to learn to listen to one another. Chapter Seven explains how this was achieved.

The issues regarding ordinary people's experiences of decision-making processes, why ordinary people's participation in decision-making processes is important, and how ordinary people prefer to participate in these processes were deduced from research data which is reported in Chapter Eight. This chapter describes research participants' perspectives under six headings: perspectives on the general nature of decision-making processes in Kenya, how decision-makers were chosen, the importance of ordinary people's participation, barriers to ordinary people's participation, how ordinary people prefer to participate, and possible roles of organisations. These research participants' perspectives inform discussions in Chapters Nine and Ten.

Chapter Nine theorises the research evidence, supporting public policy dialogue with the theories of social justice and participatory democracy. Both theories imply a strong meaning of inclusion of ordinary people in decision-making processes, they also

present means through which marginalised individuals and groups can promote and strengthen their opinions, social perspectives and interests, and they offer means of collective problem solving and social action. Public dialogue as participatory democracy and social justice support open systems and multiple viewpoints in order to achieve better social inquiry outcomes (Besley, Pande, & Rao, 2005).

Based on research evidence in Chapter Eight, Chapter Ten examines how the Anglican Church can strengthen the contribution of and the inclusion of the perspectives of marginalised individuals and groups such as people living with HIV in public policy making processes through a process of public policy dialogue.

The final chapter, Chapter Eleven summarises the arguments developed in Chapters One to Ten. This chapter also highlights the contributions of my doctoral thesis to the fields of knowledge of community participation, public theology, and social justice.

Chapter Two:

Who are the Excluded in Kenya?

Kenya lies across the equator in east-central Africa, on the coast of the Indian Ocean. The country borders Somalia to the east, Ethiopia to the north, Tanzania to the south, Uganda to the west, and Sudan to the northwest. The 2009 *Housing and Population Census* showed that Kenya had a total population of 38,610,097 (Kenya Central Bureau of Statistics, 2009a). According to these census statistics, the Kenyan population increased by 28 million between 1969 and 2009. Of the total population, 67.7 percent lived in the rural areas compared to the 32.3 percent living in the urban areas. The female population in Kenya was higher than the male population by over 200,000. Sixty percent of the total population were between the ages of 15 and 64 years. I will highlight later in this chapter what these statistics mean for the location of women and youth.

Administratively, Kenya is divided into eight main administrative regions, known as provinces, with Nairobi as its capital city. The provinces are Eastern, Rift Valley, North-Eastern, Western, Nyanza, Central, Nairobi, and Coast provinces. Rift Valley had the highest population of 10,006,805, followed by Eastern province and Nyanza province with populations of 5,668,123 and 5,442,711 respectively. Except for the fairly heterogeneous Nairobi Province which is the site of the national capital and the country's most populous urban area, the other provinces are dominated by particular ethnic groups and while not entirely homogenous, comprise people closely related in terms of language and customs. Provinces are in turn divided into 70 subunits called districts. The 70 districts exhibit greater homogeneity in terms of ethnicity, population characteristics and economic activities. Districts are then subdivided into divisions. The division is then subdivided into locations and then sub-locations. The map in Figure 1 is a political map of Africa, showing the location of Kenya. Figure 2 shows the provinces of Kenya and the various ethnic groups.

People of African descent make up about 90 percent of Kenya's population. They are divided into up to 40 ethnic groups, of which the Bantu-speaking Kikuyu (Central

province), Luhya (Western Province), Kalenjin (Rift Valley province), Kamba (Central province), Gusii (Nyanza province) and the Nilotic-speaking Luo (Nyanza province) are predominant. Most people in the north-east of Kenya (North Eastern and Coast provinces) are Cushitic speakers. They make up less than three percent of the population, but occupy about one third of the country. Kenyan Asians and Arabs (spread across the country) make up only a small proportion of the population, but they have a lot of commercial power (Ajulu, 2002, pp. 254-258).

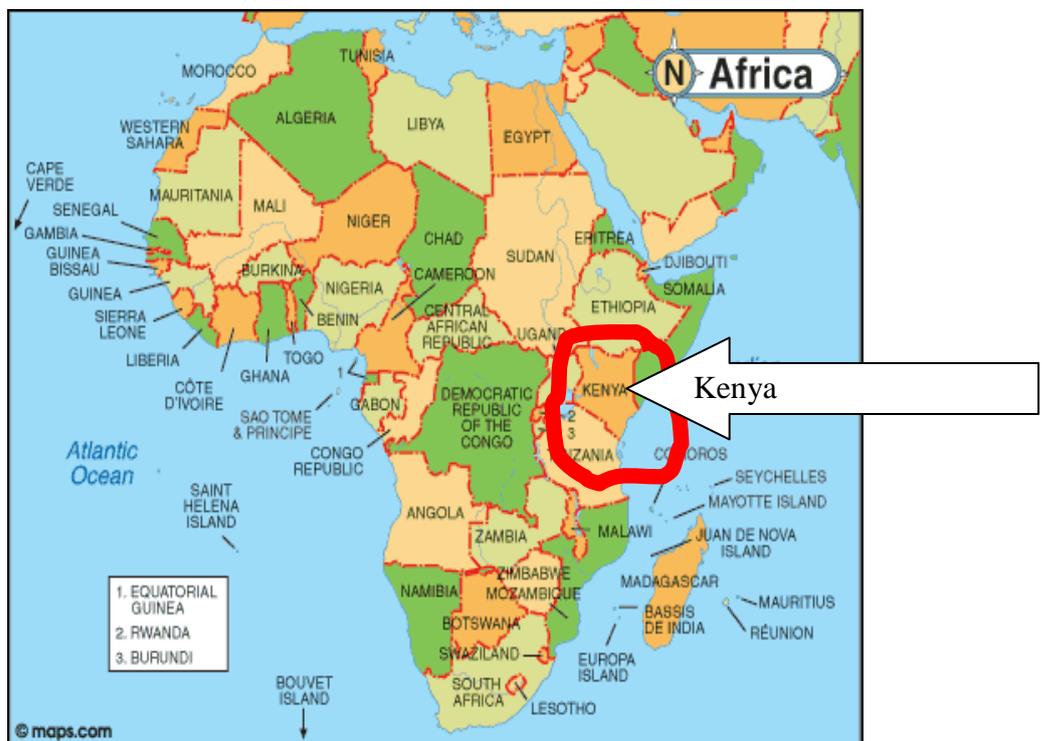


Figure 1: Map of Africa showing the location of Kenya



Figure 2: Map of Kenya showing Provinces

Ideally, these ethnic groups have distinct ways of encouraging socialisation, upbringing, and family socialisations. Their structure and organisation ensure that different genders and age groups know their place. These cultural traditions have remained despite forces of colonisation, urbanisation, modernity, and globalisation which threaten the neat ordering of society. Jon Abbink states that they have remained rooted in social memories, worldviews, values, ritual performances and are reproduced

in public spheres (Abbink, 2005, p. 24). There are no fundamental differences, such as those of religion that may threaten the harmony between different ethnic groups. With the exception of the Ogiek (Rambaldi, Muchemi, Crawhall, & Monaci, 2007), no ethnic group has demanded special treatment as in Sri-Lanka and Nepal (Ghai, 1998). Notably the Ogiek, one of the hunter-gatherer communities in Kenya, did not ask for special treatment intrinsically; instead, the community has fought to regain their legal status as an ethnic group with rights to land and identity which they lost during the colonial period. Lack of formal recognition by the state has placed the Ogiek in a vulnerable situation politically, economically and culturally - particularly between 1998 and 2008 when the Kenyan government overtly or tacitly permitted logging on the Mau Forest Complex, leading to a serious ecological disaster, the depletion of the forest and related biological diversity, and consequently the destruction of the Ogiek natural and cultural landscapes (Rambaldi, et al., 2007).

Other than that, cultural association is allowed in Kenya, and ethnic groups can communicate in two common languages, Swahili and English. Successive discussions will show, however, that intellectuals and political leaders have reminded ethnic groups of how superior their cultures are over others and of how certain changes in the nation would erode their cultures. Consequently ethnic groups have rebelled and become wary of each other. A Kenyan constitutional lawyer, Yash Pal Ghai, informally referred to this awareness as 'tribal consciousnesses'. It begins with an over-emphasis of ethnic differences, making them seem irreconcilable, and pitching ethnic groups against each other.

Kenya is a representative democracy whose President is both head of state and head of government, and of a multi-party system. Constitutional amendments between 2008 and 2010 arguably enabled sharing of executive powers between the President and a Prime Minister. But the roles of the President and the Prime Minister are murky and this is evident in the constant public display of discord by the two leaders on pertinent issues (Namunane & Gekara, 2011). Otherwise, executive power is exercised by the government, with powers shared between the President and a Prime Minister, who coordinate and supervise the cabinet.

Legislative power is vested in the National Assembly. The judiciary is independent of the executive and the legislature. The president is elected for a five-year term by the people. The constitution of Kenya has three requirements for any candidate to be declared winner. They must get the largest number of votes among all contestants nationwide in absolute terms, win at least 25 percent of the vote in at least five of Kenya's eight provinces, and must be elected Member of Parliament in a constituency. The country is divided into 210 electoral constituencies (which are components of the districts), and each constituency elects their representative to the National Assembly which is locally known as 'Bunge'.¹

The country's political framework, described above, therefore involves citizens in electing leaders and politicians who act as delegates and trustees. As delegates representatives sample opinions and interest of those they represent and as trustees they believe they know what is best for their constituents. Representatives promise to represent constituents' interests in debates and decision-making processes which take place in a central forum (parliament). Scott and Marshall describe the parliament as a "miniature demos" (Scott & Marshall, 2009b). The effectiveness of such a framework can be evaluated based on two moments – the moments of authorisation and accountability.

The authorisation process gives mandate to the representative, it describes the actions they should take and who they should be. Iris Marion Young argued that it establishes a relationship between the constituents and the representative (Young, 1997a). The major means of authorisation in Kenya is the general election. Ideally, moments of authorisation are characterised by just rules and structured processes of dialogue that allow constituents and representatives to listen and to be heard. Accountability is the second important process. It is a process of giving feedback, which enables constituents to call their representatives to account. Until 2011, the main form of

¹ The political framework and composition of the National Assembly as described in this thesis follows the 1969 Kenya National Constitution. This Constitution was reviewed and a new one passed in August 2010. However, the new Constitution was not implemented by the time I submitted the thesis for examination (June 2012). I, therefore, found it appropriate to quote from the current (or operational) Constitution. The country's political framework and composition of the National Assembly will change upon the implementation of the new 2010 National Constitution of Kenya. For instance, the future President will be directly elected by the entire electorate and need not to be elected a MP in a constituency. Also, under the 2010 Constitution, the National Assembly will increase from the present 222 to 350 MPs, plus a new Senate with 68 Senators.

accountability in Kenya was re-election at the next general election. Kenya's political history leaves a lot to be desired in relation to the smooth flow of authorisation and accountability between representatives and constituents. Within the politics of social justice, this flow could be evaluated according to three characteristics, namely:

- To what degree does it enable dialogue among constituents and representatives?
- To what degree does it aim to promote social, political and economic transformation?
- To what degree does it enable accessible local mechanisms of accountability?

In relation to the economy, about 75 percent of Kenyans earn their livelihood by farming or, in drier areas, by herding livestock. Farming is largely subsistence. Others work in Kenya's industries. These include milling maize and wheat flour, spinning and weaving cotton, making household goods, refining cane sugar, and brewing beer. In towns, increasing numbers work in small businesses such as, metal-workers or market traders locally known as *jua kali*, or the 'hot sun'. But such economic activities have been hampered by shortages in electric power and by inefficiency and corruption in the public and private sectors (Kenya Central Bureau of Statistics, 2009b). The country's transportation system continues to suffer from neglect, which affects the movement of goods to markets. Kenya produces minerals such as limestone, soda ash, gemstone, salt, and fluorspar. The country's chief exports are tea and coffee, although fluctuations in world prices and periodic droughts have had serious negative economic impact on these crops. Fishing is also a source of livelihood for many, particularly for the Luo of Nyanza province living along Lake Victoria.

Tourism is a growing source of employment as well as a major foreign exchange earner (Kenya Central Bureau of Statistics, 2009b). Tourists are largely lured to Kenya by its coastal beaches and varied wildlife which is protected in expansive parks such as the Tsavo National Park. The Masaai ethnic group of Kenya's natural habitats is a host to Kenya's wildlife. Ironically, host communities such as the Masaai who are now confined to a smaller fraction of their former range because of tourism have not benefited from their hospitality towards tourism. This 'involuntary' surrender is a major cause of frequent conflict within the host communities who have killed wildlife

in their fight to get their land back (Lück & Kirstges, 2003; Maasai Environmental Resource Coalition, 2003a, 2003b; Survival International, 2006). In the process, the host community suffers, the government loses revenue, and natural resources are degraded. This is one of the reasons why the tourism industry is rapidly becoming a liability to the nation's environment and a threat to the cultural and social wellbeing of host communities (Oketch, nd; Otieno, 2006).

Kenya's population growth continually exceeds economic growth. Corruption scandals, unimplemented economic policies, and marginalisation of communities and sectors from the mainstream have contributed to budget deficits and high unemployment. For instance, in 1997 the economy entered a period of stagnation. The International Monetary Fund (IMF) suspended lending for three years, and the World Bank put on hold its \$90-million structural adjustment credit because the government did not meet its commitment to implement reforms. These actions resulted in job losses, and pervasive frustration and hopelessness. The government took some positive steps, particularly in relation to corruption, with the establishment of the Kenya Anti-Corruption Commission (KACC) in 1999 with the mandate to improve the transparency of government procurements and reduce the government payroll. However, Dambisa Moyo argues that the Anti-Corruption Commission's work was threatened by deep-rooted politicised ethnicity and patrimonial politics (Moyo, 2009). Nevertheless, the 2011 economic report by the UN Economic Commission for Africa showed that Kenya's economy has moved from stagnation in the 1990s to broad-based robust growth in the ten-year period 2000-2010. Growth peaked at 7.1 percent in 2007 before the economy was hit by the four crises of 2007/8: post-election violence, food, energy and drought. The government played an important role in these growth results. It prepared a robust strategy for reviving the economy in 2003–2007, which targeted investments in infrastructure, agriculture and social development in a stable macroeconomic environment and an expansionary fiscal policy.

The government also made significant monetary policy changes, including reducing banks' reserve requirements and liquidity ratios, which led to an injection of loanable funds into the economy accessible both to the government and private sector. The strategy has been succeeded by Vision 2030, also with a significant role for the state (Economic Commission for Africa, 2011). Vision 2030 is an ambitious blueprint for

economic reform which, if implemented, has the potential to put the country in the same league as the Asian Economic Tigers. However, all these visions and economic projections hang in the balance following the political uncertainty occasioned by the aftermath of the 2007 disputed presidential polls. Further role confusion consequent upon creation of new ministries and government institutions in the name of power sharing has also contributed to this uncertainty.

The reported economic growth has not been reflected in social development particularly in the achievement of the United Nations Millennium Development Goals (MDGs). Poverty rates have remained high in Kenya and the recent positive growth spells have not transformed into solid employment creation, an important means of reducing poverty. Indeed, the employment-to-population ratio has largely stagnated since 1991 (Economic Commission for Africa, 2011). Slow progress in social development is most pronounced in marginalised and vulnerable groups particularly youth, people with disabilities, orphans and vulnerable children, women, and internally displaced persons. Kenya's overall performance in meeting the MDGs is mixed. On the one hand, the country has made considerable progress in a number of social development areas, such as primary school enrolment, measles vaccination, use of insecticide-treated bed nets, reductions in HIV prevalence rates and improvements in some aspects of gender equality. On the other hand, very limited headway has been made with poverty reduction, eradicating hunger, decreasing the maternal mortality rate (MMR) and addressing many disparities due to gender, income, and disability (Economic Commission for Africa, 2011). Disparities and marginalisation are not new in Kenya.

Colonial Kenya and social exclusion

The processes of social exclusion became pronounced with the country's inclusion in the British sphere of influence in 1890 and subsequent establishment of a British Protectorate and colony in 1920. Ngugi Wa Thiong'o claims that Kenya's colonial history has been distorted by colonial writers and by Kenyan historians trained and schooled in Western critical modes of thought (Ogude, 1997). Consequently, history from the perspectives of 'ordinary Kenyans' is not highly regarded because they are not formally trained in 'disciplined' theoretical approaches. It is commonly thought that history is better told from the perspectives of 'experts' (Ngugi wa Thiong'o,

1986). This recounting of history is proof of the exclusion of the voices of ordinary Kenyans, whose perspectives are often ignored or untold.

To claim that individuals and/or groups have been excluded is to privilege a particular perspective to Kenya's history. Ngugi has argued that telling a history from one perspective entails the suppression of histories from other perspectives. In my view, however, it is not about privileging one history over the other. One can best understand history by exploring the politics of interpretation that inform a specific historical subject or phenomenon (Ogude, 1997, p. 87). Hayden White also argued that any historical narrative rests squarely on the politics that inform the interpretation of that subject and that, "interpretation presupposes politics as one of the conditions of its possibility as a social activity" (White, 1987, p. 59). In other words, no interpretation is value-free or non-ideological. There can never be only one single interpretation of an historical subject. This does not mean, however, that every interpretation is adequate once the politics behind it have been established. One needs to explore the possibilities and limits within a given interpretation.

The politics of social justice inform my interpretation. I cite cases of deeply rooted varieties of socio-political, economic, and religious disparities in Kenya. These directly and indirectly influence the structuring of society. They dictate Kenyans' social locations and affect people's roles and behaviours. They shape ordinary citizens' ability to make informed choices. Social disparities influence the ability of Kenyans to make informed decisions and to actively participate in their transformation. The politics of social justice is appropriate to this chapter because of Kenya's routine politics of privilege. This history of upper class and elite protection often stands in the way of addressing past accumulated injustices and related state behaviour. Popular grievances are often framed in terms of geography and uniqueness, thereby legitimising disparities and marginalisation caused and perpetuated by ethnic and regional competition (Holmquist & Mwangi Wa Githinji, 2009, p. 107). I apply the lens of social justice to interpret such phenomena.

The aim of British colonialism in Kenya was to integrate the country into an imperial system and to develop its economic potential, defined according to its own priorities. However, these changes were not effected smoothly, nor were they uniformly

advantageous from an African perspective. Social exclusion was evident the moment colonial authorities realised that the climate and fertility of the Kenya Highlands made the region ideal for European settlement. They encouraged the reservation of large tracts of the country's best land for the white minority and corresponding restrictions on African and Asian land use. Social pressures engendered by these restrictions and the inability of limited African reserves to meet the land needs of an expanding population, together with resentment of the inferior status accorded Africans, provoked unrest that contributed to the formation of political action groups, organised by ethnic affiliation (Ajulu, 2002, p. 255), in the 1950s and 1960s (Sabar, 2002, pp. 48-50). Although Ngugi Wa Thiong'o blames ethnic affiliations entirely on colonialism (Ogude, 1997), they existed long before colonialism. The majority of the Kenyan population consisted of rural economies within administrative boundaries which set ethnic groups apart (Ajulu, 2002). However, unlike the traditional arrangement, the colonial authorities sought to create a common centre to which diverse ethnic groups were compelled to relate. The *Mau Mau* uprising is one of these unrests, and for decades has been the conjunction around which Kenya's pasts and Kenya's possible futures have been debated, contested and fought over (Atieno-Odhiambo, 1991).

The history of *Mau Mau* is evocative in Kenyan society. On the one hand the uprising is narrated as having led to Kenya's independence. On the other hand, *Mau Mau* has marked the history of ethnic marginalisation and politicised ethnicity in Kenya, in which ethnic households and groups were pitted against each other within competing traditions of loyalty, collaboration, and resistance (Atieno-Odhiambo, 1991, pp. 302-303). Whose history was it? Ogude criticised Ngugi Wa Thiong'o's linear representation of the *Mau Mau* as a monolithic nationalist movement devoid of contradictions. Such arguments are made in comparison with histories of the uprising told from colonial perspectives. Whereas colonialists gave a one-sided and perhaps a biased version of the *Mau Mau* war – which they commonly referred to as 'rebellion' – Kenyan historians and post-colonialists such as Ngugi tended to provide a 'romantic' picture of the uprising (Ogude, 1997).

In Ngugi's post-colonial novels, *Mau Mau* legitimises the anti-imperialist struggle in the post-colonial Kenyan political economy (Ngugi wa Thiong'o, 1986; Ogude, 1997).

He interprets the event within a Marxist methodology, presupposing the existence of a collective consciousness among the peasantry and the working class, the kind that engendered their struggle against colonialism. Consequently, he creates a national phenomenon of *Mau Mau* as a point at which the schismatic segments of Kenyan history are held at the centre. But *Mau Mau* was a localised war waged by a section of the Gikuyu fighting for their rights and land. Ethnic groups such as the Luo had no major reasons to fight since they occupied land that was of no significant value to the British. Conversely, the British had no development agenda or project for the Luo (Atieno-Odhiambo, 2002).

In overlooking such issues Ngugi suppresses the social exclusion, ethnic interests and dimensions of the *Mau Mau* war. Due to space restrictions, this chapter cannot adequately address the complexities of this event, except to highlight its social, political and economic implications in relation to local communities' roles in decision-making and social justice. The view here is that the production of *Mau Mau* history has always fallen within the terrain of power contestation, and contestants continue to appropriate *Mau Mau* to subvert or legitimise the politics of the day which support inclusion or exclusion (Atieno-Odhiambo, 1991). The history of the uprising from women's perspective is yet to be told; their stories and participation are scarcely recorded and their silence implies voices at the margins.

Ogude has stated that over the years, *Mau Mau* war survived as an ambivalent phenomenon in colonial and post-colonial Kenyan politics. It could be appropriated or negated for political gains. In the game of political manipulation, *Mau Mau* war veterans have tended to serve sectarian, conservative, and ethnic interests (Atieno-Odhiambo, 1991; Ogude, 1997). For instance, Kenyatta suppressed the role of *Mau Mau* fighters on the eve of independence and declared that all Kenyans fought for 'Uhuru' (freedom). In 1966, when Oginga Odinga broke ranks with Kenyatta and formed an opposition party, he rallied *Mau Mau* veterans, as custodians of the Gikuyu interest, against the perceived threat from Odinga's Luo-dominated Kenya People's Union. When Bildad Kaggia, a former *Mau Mau* detainee, joined the Kenya People's Union party to help Odinga to articulate the interests of the *Mau Mau* activists, especially on the question of land, he received no support from former fighters. Ethnic interest took precedence. In 1992, retired President Moi rallied an estimated three

thousand former *Mau Mau* fighters against the main opposition parties fighting for the restoration of democracy. In this shrewd and opportunistic political ploy, he reaped the spoils of *Mau Mau* heroism to subvert political participation (Ogude, 1997, p. 98). The history of *Mau Mau* is important, particularly to the Gikuyu household but also to all Kenyans as members of civil society.

Mau Mau left a deeply fragmented Kenyan society, with ethnic groups accusing each other for collaborating with or resisting colonial rule (Kagwanja, 2005b; Sabar, 2002). Moreover, the period leading up to the first independence elections saw a proliferation of regional and, at the very worst, clan-based political organisations. The burning question was: which group would secure control of the independent Kenyan state and what would they do with this control? On December 12, 1963 Kenya became a republic with Kenyatta as the first president.

Post-colonial Kenya and social exclusion

After independence, Kenyatta had to find ways to unite the ethnic groups of Kenya. The new ideologies of nation-state and nationalism provided a starting point. Political nationalism required all members of a 'nation-state' to be united and homogenous (Eriksen, 2002, pp. 107-108; Haynes, 1996, pp. 15-16, 97-190; Young, 1998, p. 2). These ideologies were uncritically transplanted in Kenya. It is generally accepted that independent Kenya did not effect a major ideological or structural break with the colonial state. All the government did was to expand on the former colonial administration and economic structures (Oluoch, 2006). Kenyatta's reign, as Lonsdale et al. stated, was focused on consolidating power and legitimising the newly-created state in the public eye (Lonsdale, Booth-Clibborn, & Hake, 1978, pp. 275-278; Sabar, 2002, pp. 67, 69). He demobilised political parties and ethnic unions, and silenced attempts to disrupt 'national unity'. Ironically, Kenyatta surrounded himself with an elite group of Kikuyus from the Kiambu district of Central Kenya. Post-colonial ideologies such as 'harambee' (Swahili word meaning *pull-together*) (Oluoch, 2006, p. 3), and colonial ideologies, such as nationalism and nation-state, were invoked to consolidate power.

In retrospect, however, 'harambee' served as an effective tool for integrating Kenyan society for the first few years, until it became a means for the elite to partake of

government largesse and to deprive and marginalise the ‘others’ (Ajulu, 2002, p. 257). At its best, the concept usefully diverted the attention of the political class downward and away from national policy-making, bound the polity to intense political-community interaction, and also kept a good deal of Kenyan politics to the local level (Holmquist & Mwangi Wa Githinji, 2009, p. 107). At its worst, those who did subscribe to Kenyatta’s ideologies were rewarded with employment, parastatal sinecures, government loans, and land. Moreover, “the regime’s monopoly of sanctions, economic rewards and patronage ensured that the opposition could not compete openly with the ruling party” (Ajulu, 2002, p. 260).

The reign of Moi, Kenyatta’s successor, (1978-2002) followed closely in substance (Oluoch, 2006, pp. 8,9). He surrounded himself with people from his ethnic group (Ajulu, 2002, p. 263) in a gradual process which Adar and Munyae have called the “Kalenjinization” (Moi’s ethnic group is Kalenjin) and “de-Kikuyunization” of the public and private sectors (Adar & Munyae, 2001). Moi also appealed to his ‘nyayo’ (Swahili word for *footsteps*) philosophy in attempts to solve the social differences he inherited from Kenyatta’s government (Lonsdale, et al., 1978, p. 275). Moi went as far as amending the constitution to introduce Section 2A which made Kenya a *de-jure* one-party state, and banned all opposition political parties and all ethnic-centred welfare associations. Consequently, political power was concentrated in the executive and the ruling party. Anyone or anything perceived to be a threat to this ‘unity’ was silenced or eliminated (Adar & Munyae, 2001). Ultimately, patronage and resources came to be concentrated around president Moi’s own ethnic group, the Kalenjin in general, and the Tugen in particular (Ajulu, 2002, p. 263).

To paraphrase Ajulu (2002), public participation and access to national resources during Kenyatta and Moi’s reigns were dependent on whether one was recognised by the government as a member of the president’s ethnic group or the ruling party, Kenya African National Union (KANU). This type of distribution could only be predicated on authoritarian control and fostered a ‘kleptocratic bourgeoisie’ whose existence depended heavily on its access to and control of this type of authoritarian state. They – the bourgeoisie – could not afford to lose state power as this would render them paupers overnight (p. 263). It is against this background that multi-party politics were introduced in Kenya in 1992. The prospect of an open public space and political

process, and a situation, in which state institutions would be subject to public accountability, was greeted with politicisation of ethnicity and, ultimately, provoked violence.

The 1992 and 1997 ethnic clashes in the Rift Valley and Coast Provinces respectively are examples of attempts to protect property by using power, and to consolidate power itself (Adar & Munyae, 2001; Ajulu, 2002; Atieno-Odhiambo, 2002). The political class called on ethnic associations to commit acts of violence against other ethnic groups perceived not to support the ruling party, KANU. A commission of inquiry set up to investigate the cases of violence, the Akiwumi Commission, released its report in 2002 after a High Court order, confirming that the 'ethnic clashes' were orchestrated by a powerful combination of serving and former political leaders (Oluoch, 2006, p. 24). The regimes were also hesitant to review the National Constitution, the only way the Kenyan public could retrieve some executive power and achieve social inclusion.

The 1990s were particularly important because during this period the concept of democracy entered public consciousness. Section 2A of the constitution was repealed, allowing for multi-partyism. Likewise, 15 African governments conceded to demands for pluralism or for national conventions with representatives from all political factions to discuss their countries' futures (Sabar, 2002, p. 235). In 1992 before the general election, several opposition parties were formed with the expectation that ordinary people's inclusion would be developed. The biggest and perhaps most powerful of these was the Forum for the Restoration of Democracy whose primary objective was the protection of the freedom and rights of Kenyans, abused during the Moi regime (Adar & Munyae, 2001). It provided Kenyans with previously restricted fora for opinion formation (Holmquist & Oendo, 2001, p. 204). Unfortunately, it suffered internal divisions and split into factions in 1992. It also struggled to convert the protest movement into a political party with coherent ideology and a clear line of command. The incumbent regime capitalised on the opposition parties' struggle, and captured power again in 1992 and 1997. The struggle could also have been because multi-partyism was introduced in Kenya without related changes in law (Kagwanja, 2005b, p. 57). In Fraser's words, opposition parties remained "weak publics" (Fraser, 1993).

Weak publics still rely on power holders to make decisions, even though they are well capable of participating in decision-making as they are the spaces where ordinary people dialogue and opinions are formed. Democracy did not mean much in relation to social inclusion other than the introduction of competitive politics. This allowed rapid growth of more parties (Holmquist & Oendo, 2001; Prunier, 2008) powerless to translate opinion into decision-making, and multiple political parties taking turns to lead national government. Nevertheless, democracy provided alternative spaces to discuss public policy even if opinions were not regarded in decision-making. Democracy remains elusive but is still appealed to by many Kenyans to negotiate space and freedom in public spheres although (Prunier, 2008) ordinary people remained marginalised.

The year 2002 was definitive in the history of ordinary people's social inclusion particularly in decision-making. Major opposition parties formed a coalition, the National Alliance for Change, fielding a single presidential candidate at the general election. Kenyans voted for the opposition and against KANU, ending Moi's 24-year patrimonial rule. In literature, this period is often referred to as Kenya's 'second liberation' (Kagwanja, 2005b, pp. 51-53; Nthiga & Mbaria, 2002). Prior to the elections, political opposition parties, Christian churches, non-governmental organisations, and the Civil Society united and undertook a countrywide civic education so that Kenyans increasingly became aware of their political and civic duties and rights. Consequently, they began to question the formulation and public expressions of truth claims by established orders, which had been taken for granted (Ayieko, 2004a; Barasa & Thuku, 2007; Kagwanja, 2005b).

It was not only remarkable that the opposition was in power, but also that the government was formed by people with first-hand experience of political marginalisation. Many National Alliance for Change members had been detained and tortured by Kenyatta and Moi's governments for criticising abuse of human rights (Adar & Munyae, 2001; Branch & Cheeseman, 2009; Oluoch, 2006). The expectation was therefore, that the National Alliance for Change government would work for social inclusion by reducing existing regional, ethnic, gender, and economic disparities. However, it came into power without a strong opposition party to keep it in check because the main opposition party, KANU, had been utterly shaken and divided

following their electoral defeat. Moreover, the civil society and pressure groups were originally naturally sympathetic to the National Alliance for Change government.

The coalition government made some significant changes but mostly backtracked on their major election commitments. In particular, they remained hesitant to review the country's national constitution still largely based on principles from the colonial Kenya. For many Kenyans, reviewing the national constitution was imperative to solving major social problems which the country faced (Ayieko, 2004a). At a public lecture I attended in 2009, constitutional lawyer Yash Pal Ghai, noted that a new constitution informed by principles of social justice, just policies and equitable consequences would enable economic development which would loosen ethnic tensions in Kenya. It would develop an authentic relationship between the government and civic society to aid better distribution of resources. And it would also enable Kenya to have a good sense of a welfare state system, unlike one informed by patrimonial politics and ethnic consciousness. Meaningful social change required unrelenting struggle to create space for political dialogue and change, particularly among those who had been marginalised. Power had to be shared and decentralised.

Kenyans finally voted for a new national constitution in 2010. However, as Ghai once again critically noted, the new constitution was driven by misleading principles and was, therefore, bound to fail. Effective national constitutions should have as their primary aims the transformation of people's lives, creation of an accountable government, and development of better processes for distributing power so that ordinary people can make decisions on local and national issues. The new Kenya national constitution, however, was driven by the need for structures and institutions which gave maximum power to the ruling regime. This is a major reason why the implementation of the new constitution is creating more divisions among Kenyans than it is improving their livelihoods (Ghai, 2004). Ghai's observations are shared by a number of writers (Amran, 2010; Atsiaya, 2010; Makabila, 2010; Mutua, 2010; Mutua & Kemei, 2010; Oduor & Okwayo, 2010; Ojwang', 2010; Standard Team, 2010a, 2010b).

The reservations expressed by these authors underpin Nic Cheeseman's (2008) contention that the importance of the Kenya crisis of 2007/8 for the African continent

is not that Kenya may become ‘another Rwanda’, but that it reveals how fragile Africa’s new multi-party systems may be when weak institutions, historical grievances, the normalisation of violence, and a lack of elite consensus on the ‘rules of the game’, collide (Cheeseman, 2008, p. 166). In light of Cheeseman’s analysis one could ask two questions. First, why were the political classes so divided, (largely on ethnic terms) so that the state almost collapsed? Second, was the crisis a means of addressing the sour relationship between the state and its citizen? In Holmquist and Mwangi Wa Githinji’s (2009) words, the first question examines the politics of privilege and the second addresses the diffuse revolt from below (Holmquist & Mwangi Wa Githinji, 2009, p. 101).

The second question is particularly relevant to this chapter. It raises issues of ordinary people’s inclusion in decision-making processes. National violence came from all directions, but for the most part, targeted those perceived to be supporters of the state or beneficiaries of state largesse. For many, it was a verdict on a state that was acting in an unfair and unjust manner. In the absence of a coherent form of national planning or a rationalisation of resource allocation, people depended on politicians both to mobilise them and to gain access to the executive in order to ensure the delivery of resources. The Kikuyu in the countryside bore the brunt of criticism from opposition supporters. Historical grievances dating back to the Kenyatta era, about land allocation in the 1960s and 1970s were re-ignited. Kikuyu farmers in the Rift Valley, especially around Eldoret, found themselves driven off their land by Kalenjin militia. Elsewhere in the South Rift, disputes over land and access to jobs led to Kalenjin attacks on Kisii and Luo communities. It has been estimated that 1,000 to 1,300 people died and 3,000 to 6,000 were displaced (Holmquist & Mwangi Wa Githinji, 2009, p. 103).

In summary, therefore, four strands or historical themes have crisscrossed Kenya’s socio-political story.

The first is the high politics of state, which turned on the issue of state power and who should control that power. Its subtext was racialism until 1963, and tribalism subsequently... it has been re-baptised “ethnicity”. The second is the “tyranny of property,” pitting the haves against the have-nots and informing the nature of class formation. The third is the deep politics of clan and tribe, pitting insiders against outsiders, clansmen against foreigners, and original landowners against sojourners... Finally there is the theatre of world citizenship, which links the individual and the state to an international

discourse on democracy, and a desired moral world order, established by the modern protocols on human rights and international laws against all forms of discrimination (Atieno-Odhiambo, 2002, p. 225).

The third strand, the deep politics of clan and politicised ethnicity, is written all over Kenya's history. It is the deliberate mobilisation of 'tribal consciousness' in order to achieve certain political and economic objectives.² (Vermeulen & Govers, 1997). Ogude (2002) described it as politics that pit insiders against outsiders, clans against foreigners, and original landowners against sojourners (p.225). Politicised ethnicity has excluded communities, groups and individuals from decision-making. Taking forms of class and culture, it has been the bane of oppositional politics which determined access to national and regional resources, representation in decision-making, as well as allocation of Kenya's goods, services and privileges.

Obonyo (2010) observes that ethnicity has proved a handy tool for bargaining for national resources and annihilating political adversaries (Obonyo, 2010). At the national level, politicians and their friends control resources through political party affiliations. Ajulu (2002) asserts the intimate connection between ethnicity, political party affiliation and resource allocation, which should be understood within Kenya's socio-political history. It originated during Kenya's colonial history, but was perfected by Kenya's post-colonial leadership, particularly under Kenyatta's rule and Moi's reign (Ogude, 2002, p. 254-259). Political parties have been organised along ethnic identities and state-power aggressively contested on the basis of this mobilised ethnicity (Ajulu, 2002, p. 251). State resources have also been accessible along ethnic lines, in the sense that resources are concentrated in the hands of the ethnic group (and its allies) that is in power. Ogude (2002) further observes that the Luo of Nyanza Province and Kikuyu of Central Province have been at the centre of this resource contestation, mainly because these two ethnic groups are also the ones that have fought the most for political power and leadership in Kenya. Again, the disputes

² The politicisation of ethnic differences is commonly known in Kenya as 'tribalism' (*ukabila* in Swahili). For the academy, the term 'tribalism' remains ambiguous particularly for the negative connotations and identifications (Hutchinson & Smith, 1996; Shapiro & Kymlicka, 1997; Young, 1998; Young, 1997a). While this thesis acknowledges ongoing debates around the use of the term, I agree with Ajulu's (2002) argument that for ordinary Kenyans, 'tribalism' is a practical vocabulary for describing the incapacitating impediments of politicised ethnicity upon the hopes of individuals, and its blocking of opportunities for whole communities. I, therefore, retain the terms 'tribe' or 'tribalism' when quoting directly from research participants.

between the Luo and the Kikuyu ethnic groups must be understood within Kenya's socio-political history (Ogude, 2002, p. 206).

Nyanza province is generally considered by historians to be the home of oppositional politics (Atieno-Odhiambo, 2002; Holmquist & Mwangi Wa Githinji, 2009; Okullu, 1997; Oluoch, 2006; Sabar, 2002). Bondo and Maseno West Diocese where I collected my data are in Nyanza province. Most of the well-known critics of Kenyatta and Moi's governments were from this province (Atieno-Odhiambo, 2002, pp. 234-236). These people and their regions were marginalised. The long-term effect of this marginalisation has been to alienate Nyanza province from the inner sanctums of power, which is currently reflected in Nyanza's continuing struggle to catch up economically with provinces such as Central and Rift Valley. Nyanza province has the third largest population in Kenya and the second highest human poverty level (Kenya Central Bureau of Statistics, 2005, 2009a, 2009b). In my view, this is because the province's access to national resources and infrastructure has been restricted consequent upon being identified with critics of previous governments.

The tendency has been that political leadership from particular ethnic groups adopt policies that favour those groups and marginalise others. In most cases, the socially-excluded resort to violence in an attempt to gain entry into political, cultural and economic spheres (Mbaku, 2001, p. 3). Ajulu noted the relationship between politicised ethnicity and conflict, and says that this relationship is quite clear. It is stronger in times of crisis, when some groups see the need to defend their identity from a perceived attack from other ethnic groups or simply to promote an already dominant ethnic group (Ajulu, 2002, pp. 252-253). In Kenya's history, politicised ethnicity has been stronger in periods of acute contestation over resources and state power (Mbaku, 2001; Obonyo, 2010).

Post-colonial Kenya has sought to deal with politicised ethnicity through legislation. Examples of this includes the National Ethnic and Relations Act 2008 which outlaws discrimination on ethnic grounds, the Media Act 2007, Equal Opportunities Act 2007, and the Truth Justice and Reconciliation Commission Act 2008. The underlying assumption is that ethnic diversity in Kenya is the cause of politicised ethnicity. It can be solved, therefore, by denying ethnic differences or by limiting the expression of these differences (Kimenyi, 2001; Mbaku, 2001) or by inter-relating intimately.

Kenya's case is not isolated. Globally, crises consequent upon ethnic diversity are often remedied through legislation in the form of affirmative action, civil processes, and equitable rules (Shapiro & Kymlicka, 1997). However, a politics of social justice argues that the problem is not with the structures and institutional arrangements *per se*. The greatest challenge rests with who has access to the formation of these structures and institutions. 'Tribalism' cannot be averted if those most affected are not engaged in the remedy processes. It is helpful to ensure that those voices are heard, and not (just) those of the elite and the political class (Mwaura, 2010). The important question is how this can be achieved. In the following sections, I examine three groups of people who, in my observation, have been most disadvantaged by the politics of privilege and elite protection in Kenya.

Meet the youth...

In Kenya, anyone between the ages of 15 and 30 years is considered a youth. This categorisation is different from the United Nations' category of between 15 and 24. Kenya's categorisation takes into consideration economic, social, cultural and political factors that define transition from childhood to adulthood (Janneh, 2009). Importantly, young people in Kenyan society by no means form a homogenous group in terms of opportunities and outcomes. They differ through gender, urban/rural, and disability status. They are often involved in risky activities such as rebellious movements as well as criminal activities, to which they are easily recruited. This is because they are excluded from power and are socio-economically marginalised, although they form a numerical majority (Abbink, 2005; Kagwanja, 2005a; Kenya Central Bureau of Statistics, 2009a, 2009b). Generational conflicts also remain a major barrier to youth inclusion in Kenyan society (Kagwanja, 2005a, 2005b). Their experiences are shared by their global counterparts (Bernat & Resnick, 2006; Halpern, 2005; Janneh, 2009).

Youth constitute 75 percent of the country's population. According to the Kenya Ministry of Youth and Sports, they form 60 percent of the total labour force but most are unemployed. Over 50 percent of convicted criminals are youth, and youth experience little or no representation in socio-economic and political processes. To date training institutions have not effectively equipped them with the skills to respond to the dynamics of the labour market (Kirui, 2009). The lack of participation and inability to participate among the youth in Kenya are intimately connected, as Nzomo

(1978) argued. Although the majority of Kenyan youth are formally educated, 'education' has not enhanced their participation because the pedagogies are abstract to their actual needs.

However, the government and their partners are increasingly aware of the centrality of youth and youth issues to the country's development agenda. Youth are key stakeholders and contributors to developing and implementing policies and programmes, which directly affect them. This increased awareness is manifested through the adoption of international youth policy frameworks such as the 2006 African Youth Charter by the African Union. The purpose of such frameworks is to increase awareness of the dynamism of youth and promote better understanding of their concerns. Despite these efforts, the statistics above show, youth participation in Kenya is often not effective. Processes and programmes for improving participation are often confined to an urban elite marginalising certain groups such as younger adolescents, young women, poorer young people and those in rural and remote areas (Janneh, 2009). The input of all youth is necessary, because policies and programmes affect them.

Meet the women...

There are more women in Kenya than men (Kenya Central Bureau of Statistics, 2009a). According to these statistics too, there are more males (three years and above) attending pre-primary, primary, secondary schools and universities than women. The number of disabled females is higher than their male counterparts. The reasons behind these disparities have been extensively written about by Kenyan and African women, African women theologians to be specific (Apawo & Nadar, 2006; Dube & Kanyoro, 2004; Mwaura, 2008; Njoroge, 2006; Oduyoye, 1994, 1995, 2002). The comprehensive work done by Kanyoro (2006), Oduyoye (1994, 1995, 2002), and Njoroge (2006) also comprehensively explain how Kenyan women, and African women in general, bear the burdens of a patriarchal culture, ideology, and myths common to almost all ethnic groups throughout the country. For instance, the patriarchal cultures define and often confine the role of women from birth to death. This ordering of communities restricts women to private spheres (households) while men dominate public spheres (decision-making processes). Cultural components have

been inherently discriminatory towards women. They portray men as heroes and women as 'weaklings' (Ayallo, 2004).

Fraser (1993) opposed these 'private' and 'public' distinctions arguing that its primary aim was to restrict women's input in decision-making and to marginalise them (Fraser, 1989, 1993). These distinctions also conceal domestic violence and child abuse, which have been personalised or classified as 'private' issues and categorised under 'special topics'. 'Private' issues are shielded from general debate because they are not regarded as part of the 'dominant discourse'. They become issues that affect only few individuals and groups. In Fraser's words, this categorisation into 'private' and 'public' usually works to the advantage of males and disadvantages females who are mostly affected by 'private' issues. Therefore, notions such as 'private' and 'public' are vehicles through which gender, class, and other social disparities may continue to operate sub-textually and informally, even after explicit formal restrictions have been repealed (Fraser, 1993, pp. 22-23). In another work (Ayallo, 2004), I have demonstrated how the Luo of Nyanza Province have used language to reinforce the inferiority accorded to women. For instance, the birth of a boy is more celebrated than a girl's and a boy is often referred to as *siro* (a special pole which supports the house) or *thuon* (rooster) to symbolise strength and courage. A girl is an *ogwang*³ which means she has no permanent place in society. Most importantly, these beliefs are transplanted in spaces or spheres outside the household. In a speech delivered on the launch of the African Women's Decade held in 2010 in Nairobi, Minister Naomi Shabaan recognised that while women account for slightly more than half of the total population and comprise a large voting population in Kenya, they are still under-represented in strategic decision-making processes. Glaring gender gaps still exist in access to and control of resources and socio-economic opportunities. Similarly, women are grossly under-represented in senior decision-making positions within the civil service.

Kenya has taken measures to address gender inequalities through the development of a National Policy on Gender and Development and its Plan of Action which is guiding gender mainstreaming in all sectors. Legislation such as the Sexual Offences Act

³ This notion of transiency is derived from the behaviour of a wild animal *ogwang* (*in Luo*) known to roam around with no permanent place to live. I have not been able to find an English name/translation for this animal.

2006, and the Children's Act 8 of 2001 have attempted to safeguard women's rights. However there are still challenges. These include addressing regressive cultural practices, enhancing political will and strengthening institutional mechanisms to promote progress in attaining gender equality, equity and empowerment. Rural women's contributions, however, are missing or rarely taken into account. The need to demystify policies for women with no formal education is also necessary.

HIV and AIDS public policy making...

It is against this history of social exclusion, that HIV and AIDS was first diagnosed in Kenya in the 1980s. Statistics released in 2010 show that since 1997 HIV prevalence in Kenya has reduced significantly. The prevalence among adults (15-49 years) was 10 percent, declining to 6.7 percent by 2003, 7.1 percent in 2007 and further declining to 6.3 percent in 2008-2009 (Kenya Central Bureau of Statistics, 2003; National AIDS and STI Control Programme, 2007; National AIDS Control Council, 2009, 2010). This trend reflects a combination of factors, including the impact of HIV prevention efforts and the natural course of HIV epidemics (UNAIDS 2010). The decline is particularly attributed to intense campaigns across governmental and non-governmental sectors. These campaigns have increased public knowledge of HIV and AIDS and encouraged behavioural change. Knowledge of HIV prevention in Kenya is high among ordinary people. The government has also invested significantly in a variety of interventions including treatment, management, care and support (Hershey, 2009). Currently, the country boasts a comprehensive national multi-sectoral approach (National AIDS Control Council – NACC), mandated to coordinate and implement National HIV and AIDS policies. NACC operates within the structure below.

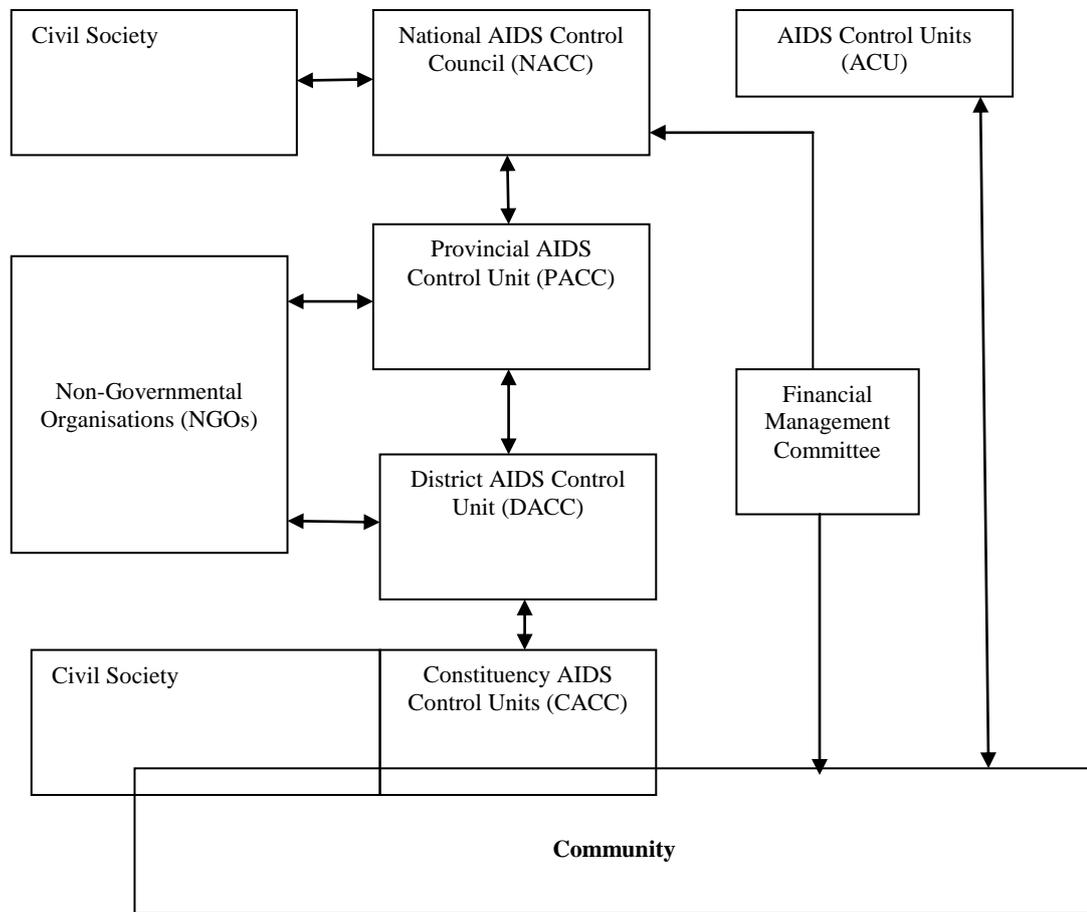


Figure 3: Response to HIV/AIDS Epidemic - Administrative and Resource Management Structure

The structure supports the inclusion of governmental (NACC and its departments) and non-governmental (civil society and NGOs) organisations and institutions in HIV and AIDS policy making processes. Local communities also participate, mainly through civil society and the Constituency AIDS Control Units. However, the effectiveness of this structure and its resulting policies need to be evaluated in further research (National AIDS Control Council, 2009). A re-examination of the participation those most affected by HIV and AIDS in the National AIDS Control Council’s structure and subsequently in HIV and AIDS policy making is required. According to my research findings (presented in Chapter Eight), people living with HIV at the grassroots are still excluded from the structure and processes of HIV and AIDS policy making in Kenya.

The decline in HIV prevalence rates flows from the changes in Kenya's HIV and AIDS policy environment which eventually involved stakeholders other than the Kenyan government and health authorities in HIV and AIDS debates. The struggle to include non-government institutions and non-health officials in HIV and AIDS debates in Kenya began in about 1985. Although HIV was spreading rapidly, there were no clear policies or strategies for dealing with the pandemic. Jo Olsgard narrated that the authoritarian Moi's government did not believe that health issues were of central importance, as his focus was for his own political 'health' (Jo Olsgard, 1996). He was reluctant to join global HIV and AIDS programmes such as those run by the World Health Organisation (WHO) because it meant risking the total control over the Kenya Ministry of Health which he enjoyed. However, after pressure from WHO, Moi capitulated and Kenya joined WHO programmes in 1985 and established a National AIDS Committee (NAC) through the Ministry of Health to advise officials on matters pertaining to the control and prevention of HIV/AIDS.

The government took further steps such as adding AIDS to the list of communicable diseases, and establishing the AIDS Programme Secretariat to support NAC. In 1987, through NAC, the government developed the first HIV and AIDS policy framework known as the First Medium Term Plan 1987-1992. The Plan was redrafted for the years 1992-1994 and 1994-1996. Its primary objectives were to monitor the AIDS epidemic, develop programmes to educate the population about HIV and AIDS and to control the spread of the disease. The focus of the policies and programmes was of prevention, and were developed either by government officials or health experts. Ordinary people's participation was conspicuously missing (Jo Olsgard, 1996).

However, in 1994 the government began to see AIDS as a development issue more than a health issue. This meant that HIV and AIDS were not confined to health professionals. As a result, in 1994 the government included AIDS in its National Development Programme for the first time. This enabled health authorities to begin researching how the epidemic affected demographic variables. For instance, AIDS added to families' huge monetary burdens. Women were at a higher risk of being infected than men because of their anatomical structure. Additionally, society placed the burden of providing and caring for AIDS patients on women. Including HIV and AIDS in the development plan was the beginning of the realisation that they arise from

social, economic, cultural, religious and biological conditions and that the epidemic could not be solved with simplistic behaviour modification programmes (Stillwaggon, 2006, p. 180).

This awareness provoked calls for greater public participation in HIV and AIDS. The campaign was spearheaded by a consortium of non-governmental organisations (NGOs). The AIDS Control and Prevention Project (AIDSCAP) funded consultations at various levels. With its help, the Medical Assistance Programme (MAP) International facilitated policy-oriented discussions among church leaders, while the Kenya AIDS NGOs Consortium (KANCO) solicited views of local constituents. This was done through a series of policy workshops (Rau, 1994, 1996) where issues were made more adaptable to policy responses. These included findings that a high level of sexuality among youth required more sex education. This could be achieved by mainstreaming sex education in school curricula. Such issues were included in the first comprehensive Kenya HIV and AIDS policy which was made public in 1996 and initiated in 1997. This document was the first to suggest the establishment of the multi-sectoral HIV and AIDS approach namely the National AIDS Consultative Council (NACC). NACC coordinated the implementation of HIV and AIDS policies and programmes (Rau, 1996). However, NACC was not established until 1999 after president Moi declared AIDS a national disaster. HIV prevalence peaked at 10 percent, gradually “reducing most families into beggars” (Rau, 1996). NGO’s advocacy also led to the administration of the first AIDS Policy Environment Score in 1998. Since then, the number of NGOs in Kenya working to reduce HIV prevalence grew exponentially. Benotsh et al. observed that they exist at all levels of society, are more likely to report community-level interventions, and are most likely to direct their attention to the general public as well as to the chosen target groups (Benotsch, et al., 2004). Ordinary people have participated in HIV and AIDS dialogues through these NGOs (Kelly, et al., 2006).

Kenya relies heavily on international funding and gifts, and in some cases technical assistance for its HIV and AIDS programmes. In particular the United States Agency for Internal Development (USAID), the World Bank, and the US President’s Emergency Plan for AIDS Relief (PEPFAR) gave the country millions of shillings each year for HIV and AIDS prevention and care (Stillwaggon, 2006). The Kenya

National AIDS Strategic Plan (KNASP) III has recognised the country's overdependence on international assistance. The global economic crisis of 2009/10 was likely to erode the gains already made in addressing HIV and AIDS (National AIDS Control Council, 2009). Kenya still has no financial strategy for HIV and AIDS which focuses on mobilising resources from domestic sources to complement international funding. International HIV and AIDS assistance is even speculated to exceed the entire budget of the Kenya Ministry of Health (Bongaarts & Over, 2010; Moyo, 2009; Wools-Kaloustian, et al., 2009). Most of these funds come with stipulations and target areas such that it is easy to ignore the needs of people most affected in the bid to fulfil funding requirements (Jo Olsgard, 1996). Policies and programmes are often tailored to meet donor demands, so programmes focus on prevention if donors are interested in HIV prevention.

HIV and AIDS in Kenya remain a real threat to the existence of the Kenyan nation. Nearly every family is touched by suffering and death caused by AIDS (Landry, Luginaah, Maticka-Tyndale, & Elkins, 2007). Many people have died and many live with the virus. KNASP III projects the number of orphans and other children (OVCs) made vulnerable by HIV and AIDS to grow beyond two million by 2012. Of these children, 650,000 will have lost both parents mostly due to AIDS (National AIDS Control Council, 2009). Research has shown that the suffering is particularly high among the poor, women, youth and people with disability (Datta & Njuguna, 2009; Fox, et al., 2004; Gill, 2010; Wambui, 2006). KNASP III showed that women have a prevalence rate almost two times higher than men, and young women (aged 15-24) have rates four times higher than young men of the same age (National AIDS Control Council, 2009). Funds and programmes hardly trickle down to grassroots communities, chiefly because of misuse and embezzlement of public funds (Caldwell, Caldwell, & Quiggin, 1989; Daily Nation, 2003; Hershey, 2009; Tanui & Ng'ang'a, 2006). These communities have no direct contact with funding bodies. So far, national HIV and AIDS policies have been repeatedly marked by failure which can be attributed to a complex interplay among context, content, actors and processes. The processes have often created a gap between issues identification, policy-making, and policy implementation. People most affected are often left out of these processes (Wouters, van Rensburg, & Meulemans, 2010). Yet the country struggles with justice questions as to the effect of HIV and AIDS (Dube, 2003).

The relationship between social exclusion, tension and violence is clear. To avert a repeat of the 2007/8 crisis, for example, Kenya requires a reform of formal institutions of state, a greater understanding of the structural features of institutional contexts and of how informal politics from below join the formal (Holmquist & Mwangi Wa Githinji, 2009). But a focus on institutions must go hand in hand with social transformation which includes a broad distribution of the benefits of growth and social inclusion of individuals and minority groups such as rural women and youth living with HIV. The social exclusion of these groups is reflected not only in lower incomes and poorer job opportunities, but also in terms of lower educational attainment rates, poor health and under-representation in political and policymaking processes.

This chapter has provided a general background on Kenya. In particular, I intended to identify individuals and groups traditionally excluded from this public life and decision-making. This is the context within which the Anglican Church continues to minister. In Chapter Three, I present the specific context within which I argue for the social inclusion of women, youth, and people living with HIV in Kenya.

Chapter Three:

Public Policy Processes in Kenya

This Chapter situates this thesis' research problem: the marginalisation of individuals and groups at the margins (in this case women and youth living with HIV) from decision-making processes, by discussing Kenya's public policy processes. I begin by defining the concept and theory of public policy, and public policy making.

Concept and Theory of Public Policy, and Public Policy Making

Parsons (1995) suggests that to understand the concept of 'public policy' one must consider what is meant by the ideas 'public' and 'policy'. But this is a problematic starting point because, as Bogenschneider and Corbett (2010) claim, the definition of both notions, 'policy' and 'public' are widely contested. Nevertheless, it is a basis that sets the study of public policy in a wider context.

Public: Theoretically, the 'public' comprises those dimensions of human activity outside the individual or household level. I use 'household' here, as opposed to 'private', in view of the ongoing debate about what is 'public' and what is 'private' (Fraser, 1989; 1993; Parsons, 1995, pp. 8-9). 'Public' also includes actions (even within households) which are regarded as requiring governmental and social regulations or intervention, or at least a 'common' action (Parsons, 1995, p. 3).

Policy: The *Concise Oxford Dictionary* defines 'policy' as a course or general plan of action adopted by government, party, or person in authority. In principle, any statement made by someone, or an institution in authority, intended for action or expressing an attitude towards an issue, is a 'policy'. Hogwood and Gunn (1984), quoted in Shaw and Eichbaum (2005) set out 10 ways in which policy is frequently used.

Policy can be a label for a field of activity; a desired state of affairs; a specific proposal; a decision of government; a formal authorisation; a programme; an output; an outcome; a theory; and a process (Shaw & Eichbaum, 2005, pp. 6-13). But as Bogenschneider and Corbett (2010) assert, sometimes policies are very specific and

obvious such as passed laws. In a larger sense policies can be less transparent and more diffuse such as unwritten standards that govern behaviour in organizations and bureaucracies. Even though these are not formalised, they govern interactions between people and have the force of policy.

With regards to national government, policy is the product of political influence, determining what the state does: (Osman, 2002) who gets what, when, and how (Shaw & Eichbaum, 2005, p. 1).

Public Policy: ‘Public policy’ exists, therefore, to deal with the ‘public and its problems’ (Dewey, 1954b). Smith (2005) defines a ‘problem’ as something perceived to be wrong in a society or its environment (p.1). Problems may be environmental, social, legal, economic, developmental, or international. This thesis examines how public policies relating to vulnerable individuals and groups engage the views and aspirations of those who are their direct target. It uses Keriga and Bujra’s (2009) definition of public policy as state intervention that directly affects social welfare, social institutions and social relations. It is concerned with management, redistribution, production, reproduction and protection, and works in tandem with policy related to national social and economic goals (p.1).

Governments decide which problems can be addressed and how to address them. A number of writers argue that public policy refers both to what governments choose to do, or not to do (Cheyne, O’Brien, & Belgrave, 2008; Dye, 2005; Gerston, 2004; Osman, 2002; Shaw & Eichbaum, 2005). Smith (2005) contends that government is not the only policy-making institution. While public policy entails a significant role for governments, other entities such as cultural and religious organisations, business and the private sector, education and other institutions’ policies also impact on people’s lives and be considered within the purview of public policy.

In this thesis, public policy refers to policies and programmes of private and public agencies, institutions and organisations, from across different social strata of society and how they address society’s problems. From this perspective, public policy discourse is conducted by individuals and groups from across all sections of society (Parsons, 1995; Hughes & Calder, 2007). Thus Shaw and Eichbaum (2005) argue that

public policy embodies “assumptions about things on which virtually all of us have something to say” (Shaw & Eichbaum, 2005, p. 5).

Public policy making: The totality of the process of deciding what is and what is not a problem in society, choosing which problems to solve, and deciding how to solve these problems is often termed as public policy making (Parsons, 1995, p. 1; Shafritz, Layne, & Borick, 2005, p. 23; C. F. Smith, 2005, p. 1). This is not merely a technical function of government and its institutions. Osman (2002) describes public policy making as an interactive process, involving a range of people (and institutions) known as ‘actors’.

Policy actors: Theoretically, policy actors include providers of goods, services, or activities related to the problem; consumers of goods and services in the problem area; experts with specialised knowledge of the problem; advocates and lobbyists representing particular interests in the problem; and officials with authority to solve the problem (C. F. Smith, 2005, p. 10). However, the degree to which different actors contribute to the process is dependent on approaches to public policy making.

Theories of public policy making: At one end of the spectrum, some subscribe to the view that public policy making is *rational*. Policy makers systematically utilise data and analyses to arrive at decisions aimed at achieving the maximum social gain (Bogenschneider & Corbett, 2010, p. 150). This conceptualisation assumes that neither policy actors’ personalities nor the institutional context of the policy matter because technical understanding of the problem triumphs (Shafritz, et al., 2005, p. 42).

At the opposite end of the spectrum *pluralist* theory perceives policy making as a confused and erratic process under no one’s rational control. It suggests that policy making comprises solutions among competing interests (Osman, 2002) and opinions, which are “always vetted in an environment where a marketplace of ideas plays out in the public arena” (Bogenschneider & Corbett, 2010, p. 23). The process involves (or should involve) negotiation, bargaining and accommodation of many different interests and values (Osman, 2002). Other views fall somewhere between these two, namely the *incremental* theory (Bogenschneider & Corbett, 2010, pp. 43-44; Lindblom, 1979) and the *mixed-scanning* theory (Etzioni, 1986).

Some writers consider policy-making as a top-down approach (Clemons & McBeth, 2001, p. 59) in which it is dominated by a powerful elite. It includes political leaders, special interest groups and influential citizens “who engage in wheeling and dealing in a smoke filled room to outmanoeuvre an adversary” (Bogenschneider & Corbett, 2010, p. 150). *Elite* theory suggests that ordinary citizens are apathetic and ill informed; that elites actually shape opinion rather than masses determining elite opinion. Thus the ‘top down’ approach to public policy is the preference of elites (Clemons & McBeth, 2001, p. 23).

Others writers argue that policy making is a circular process. Ordinary citizens relay their opinions and preferences to policy makers who reciprocate with information, analysis, and political advice that in turn help citizens better express their own needs (Bogenschneider & Corbett, 2010, p. 150).

Clemons and McBeth argue that for a ‘problem’ to be a problem it must threaten the values and interests of the most powerful in the society, or a significant number of citizens, or is seen as a serious threat to a small but favourably perceived group, or to a group that has traditionally received government protection (Clemons & McBeth, 2001, p. 5).

Given this diversity of opinions about what constitutes public policy and who drives its processes Shaw and Eichbaum (2005) argue that there are few lasting truths. Public policy is characterised by richness, diversity, and complexity. Concepts and theories are “dotted with competing definitions, terms are used in many different ways, and there are energetic debates over the best means of describing and making sense of the ways in which the policy process unfolds” (Shaw & Eichbaum, 2005, p. 13).

Osman (2002) asserts that a country’s socio-economic and political conditions of determine the network of its public policy making processes. Ho (2012) reiterates that public policy making processes happen in the context of given human societies, subject to its particular constraints and political reality (Ho, 2012). It is within this context that I discuss the public policy making process in Kenya.

Public Policy Making Processes in Kenya

Clemons and McBeth (2001) suggest that policy making processes are best understood within the traditional policy cycle model and within the political system of a country. The following section outlines public policy making processes in Kenya.

Policy cycle: The policy cycle model consists of a series of stages through which policy issues evolve from inception through to implementation and evaluation (Birkland, 2001; Gerston, 2004; Hughes & Calder, 2007; Shaw & Eichbaum, 2008). To understand Kenyan public policy making processes, I have adopted Shaw and Eichbaum's (2005) policy cycle which consists of five distinct but interrelated phases. These include agenda-setting; formulating policy; making decisions; implementation; and evaluation (p.16). Birkland (2001), Clemons and McBeth (2001), and Hughes and Calder (2007) similarly analyse the different stages of policy cycle, but Shaw and Eichbaum's explanations of activities, issues, and the key players involved are clear and simple. They are summarised below.

Stage	Activities	Policy actors
Agenda-setting	<ul style="list-style-type: none"> - Identifying issues and problems which require attention - Ranking policy priorities - Identifying political values - Responding to new issues 	<ul style="list-style-type: none"> - Ministers - MPs - Civil/Public servants - Judges - Interest/pressure groups - Media organisations - Employers/employee groups - International partners
Formulating policy	<ul style="list-style-type: none"> - Considering alternative responses, costs and benefits - Consulting with interests - Weighing implications - Selecting the most effective solutions 	<ul style="list-style-type: none"> - Ministers - Civil/Public servants - Select committees - Interest/pressure groups - Policy consultants - Service providers - Employer/employee groups - Citizen groups
Making decisions	<ul style="list-style-type: none"> - Sifting through options - Action or non-action - Taking decisions 	<ul style="list-style-type: none"> - President - MPs - Ministers in Cabinet - Civil/public servants
Implementation	<ul style="list-style-type: none"> - Choosing policy instruments - Drafting passing legislation - Allocating resources - Designing programmes - Publicising programmes - Delivering services 	<ul style="list-style-type: none"> - MPs - Government departments - Non-governmental bodies - Citizens
Evaluation	<ul style="list-style-type: none"> - Does policy achieve goals? - Is it cost efficient? - Is it fair/equitable? - Can it be improved? - Should it be changed? 	<ul style="list-style-type: none"> - Ministers - Select committees - Commission of inquiries - Public servants - Interest groups - Citizen groups - Employee/employer groups

These steps and activities do not necessarily accurately portray how policy processes work in practice (Parsons, 1995, p. 22) because policymaking is not always linear and/or sequential (Clemons & McBeth, 2001, p. 80). Shaw and Eichbaum (2005) suggest that it should be better understood against real world experience which, Lindblom and Woodhouse (1993) propose is mediated by elections, bureaucracies, political parties, politicians, interest groups and ‘deeper forces’ such as businesses, inequalities and the limited capacities of analysis which structure and distort the policy process (Lindblom & Woodhouse, 1993).

The policy cycle provides a framework for understanding the different stages of policy making processes and the participation of different policy actors in the processes.

Kenya's system of governance: Kenya is governed by central and local government. Article 185 (2), 186 (1) and 187 (2) of the Kenya constitution outlines the roles of the central government and local government respectively. The central government of Kenya consists of three branches: the Executive, the Legislature, and the Judiciary.

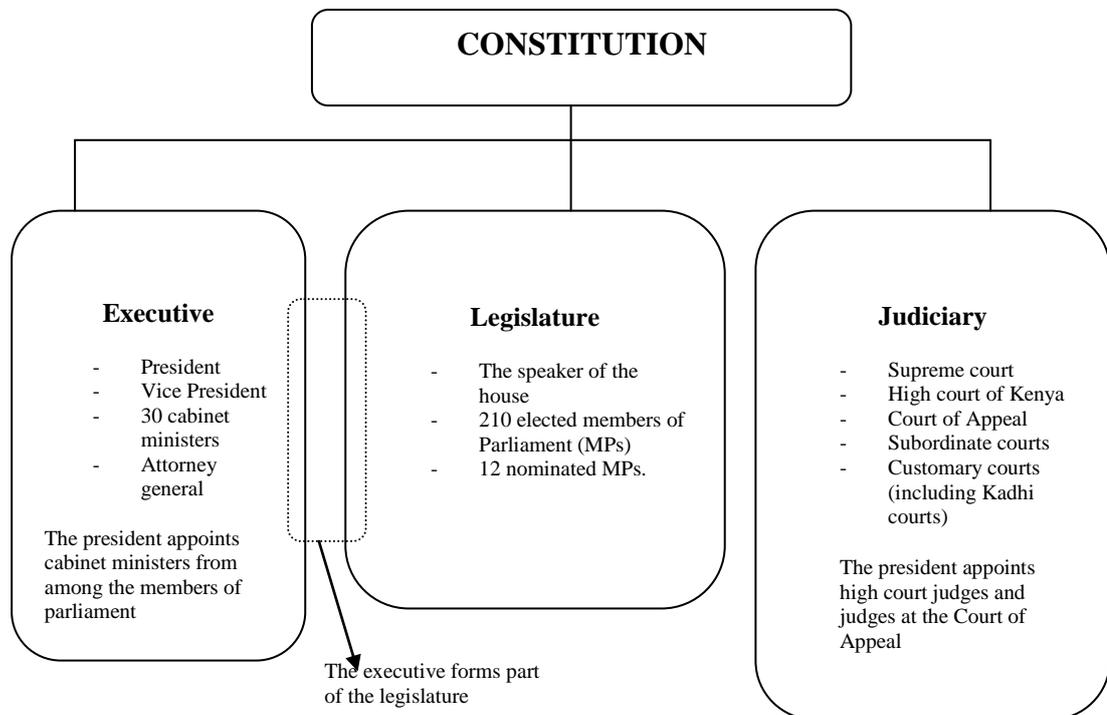


Figure 4: Three branches of Kenya's central government

These branches of governance are independent, but the Executive and the Legislature share legislative power.

The central government wields administrative power, through the Provincial Administration. The Provincial Administration system divides Kenya into hierarchical administrative units consisting of 8 provinces, 70 districts, 262 divisions, 3,000 locations, and 7,149 sub-locations (Kenya Central Bureau of Statistics, 2009a). A provincial commissioner heads each province and is appointed by the president. The district administrative head is the district commissioner, also appointed by the president. A district officer heads each division, a chief heads each location, and an assistant-chief heads each sub-location. District officers, chiefs, and assistant chiefs are appointed by the Provincial Administration in consultation with the president.

The Provincial Administration is, therefore, the face of the central government in provinces, districts, divisions, locations, and sub-locations. It performs similar functions at different levels of Kenya's administrative divisions. These roles generally include:

- Coordinating government business, public programmes and activities in the field
- Maintenance of law and order
- Mobilization of resources for community development
- Dissemination and interpretation of government policies
- Coordination of state and official functions
- Facilitation of counter-terrorism activities, peace building and conflict resolution
- Management of security agents in the field
- Promotion of statehood and nationhood
- Coordinating disaster management and emergency responses
- Acting on emerging policies
- Promotion of good governance (Bagaka, 2010).

Bagaka (2010) argues that the provincial administration has negatively represented the central government; it has been accused of being the face of repression, corruption and dictatorship (Bagaka, 2010). Consequently, a major debate during the Kenya Constitution Review Process of 2005-2010 was whether or not the Provincial Administration system should be scrapped (Dolan, 2010; Hanson, 2008).

The central government oversees all national policies that affect Kenyans. It is responsible for overall national infrastructure, and public goods and services such as education, health, employment, and housing (Cottrell & Ghai, 2007, pp. 3-4; Kimenyi & Shughart, 2010). It sets rules and regulations for good governance, access to goods and services, and manages national resources and wealth. It also has overall responsibility for national security and wellbeing of all citizens as provided for in Kenya's constitution.

Kenya is also governed through local authority. Kenyan laws establish four classes of local authorities: City, Municipal, Town and County Councils. The first three are urban authorities, and county councils are rural. In 2012, there were three authorities with City status: Nairobi, Mombasa and Kisumu; 43 Municipalities and 62 Towns councils generally named after their central town. Each district has a maximum of one county council that covers areas not managed by urban authorities. The 67 County councils are usually named after their respective districts, which often bear the same name as the district's capital. Thus county councils are often named after a major town, but their land area may cover a much larger area than the town itself. Some districts have only one local authority, which is usually a county council. Local authorities are usually separate from divisional and constituency boundaries used by central government administration (Commonwealth Local Government Forum, 2009).

Local authority administration consists of a mayor, town clerk and councillors. The town clerks are appointed by the central government in Nairobi, while councillors are elected by the public during the Kenya general elections held every five years, or by-elections when positions become vacant due to resignation or death. The number of councillors depends on the population and area of each local authority. The councillors then elect one member for the position of mayor (for the urban authorities) or chairperson (for county councils).

The local authorities are responsible for collecting taxes and user fees and charges. They are also in charge of local services, including but not limited to, markets, refuse collection, local road maintenance and street lighting. Their revenue comes from local levies and local business licensing fees. Local authorities also receive block grants from the central government.

Bagaka (2010) and Nthei (2012) find the relationship between central and local government ambiguous. A review of duties and responsibilities performed by various provincial administrators show that some roles are in conflict with those of local authorities. Further, local authorities in Kenya are weak and are overshadowed by central government's provincial administration (Bagaka, 2010; Nthei, 2012).

Public policy making in Kenya is primarily the responsibility of the central government. The key policy arenas are the *legislature*, the *bureaucracy or civil service*, *international conventions*, and policy processes by *non-statutory* actors.

International Conventions and Public Policy Making Process in Kenya

Kenya belongs to a number of regional and international organisations such as the East African Community - EAC (East African Community, 2011), Common Market for Eastern and Southern Africa - COMESA (Common Market for Eastern and Southern Africa, 2012), African, Caribbean and Pacific Group of States - European Union development cooperation (African Caribbean and Pacific Group of States, 2011), Intergovernmental Authority on Development - IGAD (Intergovernmental Authority on Development, 2010), and New Partnership for Africa's Development – NEPAD (The New Partnership for Africa's Development, 2012). Kenya also fully subscribes to the charters of the United Nations and the Organisation of African Unity and the Commonwealth, and seeks to work with other countries and international organisations to promote international political, social and economic development (Permanent Mission of the Republic of Kenya to the United Nations Office in Geneva, 2007).

Kenya's most significant international affiliations are with the East African Community (EAC), the African Union (AU) and the Commonwealth of Nations (Embassy of the Republic of Kenya - The Hague, 2009).

International treaties and conventions ratified by Kenya form part of the law of Kenya under the country's Constitution. Consequently, Kenya's public policy on domestic issues is also influenced by international treaties and conventions, as well as policy programmes and activities of international agencies and organizations.

Bureaucracy and Public Policy Making Process in Kenya

John (2011) defines bureaucracy as the public organisation that implements public policy decisions and acts on behalf of ordinary citizens. Shaw and Eichbaum (2005) explain that bureaucrats are civil servants and other actors such as appointed officials who advice, influence, implement, monitor, and evaluate the decisions arising from policy processes. They run the organisations that implement policy decisions (John, 2011).

A high quality bureaucracy fosters circles of trust in government, and cooperation between citizens and the state which improves policy outcomes. This is done by increasing and enhancing citizens' access to government services, and participation in decision-making processes and other state activities (John, 2011, p. 62).

Shaw and Eichbaum (2005) suggest that public servants do not only mould policy by defining what is feasible and what is not, they also create policy through the very process of designing and delivering the services which “give effect to Ministers’ decisions and to the bare bones of legislation. For citizens, the material experience of public policy is shaped by what officials do, rather than what ministers decide” (p.158). Thus bureaucrats are central actors in the public policy making process.

Haque (1997) argues that Kenya’s bureaucracy manifests pejorative traits such as elitism, paternalism, secrecy, formalism, aloofness, hierarchical rigidity, centralization, despotism, and urban bias (Haque, 1997, p. 433). Keiyah (2011) suggests that its bureaucracy is outdated and irrelevant in dealing with contemporary public policy issues because it is a remnant of the British colonial legacy. Kenya’s bureaucracy negatively impacts on ordinary Kenyans’ participation in public policy making processes. This is because bureaucrats control the information and services to which citizens should have access, they can promote policies and policy alternatives which favour their interests and values, instead of those that address the real problems of the public (Shaw & Eichbaum, 2005, p. 159).

Non-Statutory Bodies and Policy Making Processes in Kenya

For many Kenyans, direct involvement with politics amounts to little more than voting every five years at general elections. However, others take a more active interest through non-statutory bodies such as interest or pressure groups. These are motivated by a number of reasons including personal experience, and a desire to influence the direction of public policy and the ways governments make decisions (Shaw & Eichbaum, 2005, pp. 172-173).

Interest groups are citizen organised groups that seek to influence government policies “through means other than holding political office” (Shaw & Eichbaum, 2005, p. 173). These groups sit outside core policy-making institutions, and participate in policy process through different institutional points of entry (such as parliamentary select committees) in order to influence what is decided within government.

Clemons and McBeth (2001) describe interest groups as ‘linkage mechanisms’ in the public policy making process. They link citizens with the government by lobbying elected officials for specific policies using political means such as trading, rewarding, bargaining, and coercion (pp. 12-13). They may also encourage voters to support political parties sympathetic to the interest groups’ causes (Shaw & Eichbaum, 2005, p. 172). Smith, Catherine F. (2005) argues that interest groups are effective simply because they are organised, and to be effective players in policy process requires collective and organised effort (p. 10).

Some of the most organised and influential interests groups in Kenya include the Council of Islamic Preachers of Kenya (CIPK); the Kenya Human Rights Commission (KHRC); the Muslim Human Rights Forum; the National Muslim Leaders Forum (NAMLEF); the National Council of Churches of Kenya (NCCCK); the Roman Catholic and other Christian churches; the Supreme Council of Kenya Muslims or (SUPKEM); and labour unions. They provide alternative avenues for directly access to central and local government.

The legislature and Public Policy Making in Kenya

Kenya's legislative process is situated within the central government and the national political system.

The legislative power is vested in and exercised by parliament, but parliament can delegate its powers to make laws to other bodies. Power can be delegated to local authorities, government departments and institutions, ministers, or other bodies.

Kenya's government consists of the executive and the National Assembly (Government of Kenya, 2011). The National Assembly comprises 210 elected and 12 nominated Members of Parliament in 2012. Representation in national parliament is based on constituencies. The number of constituencies in Kenya is based on population numbers, using a formula outlined in the country's constitution (Parliament of the Republic of Kenya, 2010). Members of Parliament are elected in single member constituencies using the simple majority system (meaning each constituency elects only one MP) (Johnson, 2009).⁴

The legislature is the primary initiator of public policy making processes in Kenya.

Public policies are introduced in parliament as Bills. These may be introduced to parliament as private or public bills.

Public bills usually seek to alter the general law on questions of public policy. Broadly, they stem from the recommendations made by government Ministries, from promises made by political parties in their manifestos presented to electors during election campaigns, and from consideration by members at party meetings and in parliament.

Public Bills deal with matters that affect aspects of all people's lives such as income tax, the education system, the health system, and the organisation of local government. These Bills are usually introduced by ministers. Members of Parliament can also introduce Public Bills which are known as Member's Bills. An Opposition or

⁴ Following the promulgation of the new 2010 Constitution, the composition of Kenya's parliament is expected to change (see footnote 1). These changes will be implemented at the next General election in March 2013.

backbench government member may introduce a Member's Bill that deals with a matter of particular interest to that member (Hughes & Calder, 2007, p. 25).

Private bills differ from public bills in that they normally seek to confer benefits upon, or advance the interest of particular individuals or localities. Although a public bill may also adversely affect private rights of particular persons or bodies as distinct from the public at large, private bills are usually generated by particular persons, associations or corporate bodies (Government of Kenya, 2011).

In Kenya, a bill passes through a lengthy process to become law. It can be rejected at any stage. Once a bill is introduced in parliament, it is debated a number of times by a series of formal motions designed to ensure the approval of the parliament to the principle involved, as well as to its detailed provisions. The fundamental stages before a bill is passed are in progressive order, namely First Reading, Second Reading, Committee Stage, Third Reading, and Presidential Assent (Kenya Law Reports, 2011).

First Reading: This is when a bill is introduced in parliament, read to members, and assigned a tracking number. Theoretically, the Kenyan public may participate at this stage of the legislative process when or if they lobby their MPs to create and/or change laws.

Second Reading: During this stage, the bill is read a second time. It is at the second reading where the principles of the bill are affirmed or rejected. It is the time for critical appraisal of the principles and contents of the bill, and suggestions of improvement at a later stage. At the Second Reading the bill may be designated to a committee, decided by parliament. The public may make submissions.

Committee Stage: After a Second Reading, the bill is sent to the Committee of the Whole House, unless the House resolves to commit it to an Ad hoc Select Committee. These are appointed by the House as and when the need arises to investigate, study, and make recommendations on specific matters for consideration by the House.

The purpose of the Committee is to scrutinise the bill, receive comments, submissions and feedback from the public, professionals and other groups. Detailed provisions are then amended and refined in view of the feedback by the committee. The chairperson of the Committee reports the results of the committee to the house for approval.

Third Reading: At this stage the bill is read with all amendments and given full approval by the legislative body. Members of public may at this stage, and the Committee stage, still lobby their MPs to accept or reject the Bill. Once the parliament has passed the bill, it is taken to the President for Assent.

Presidential Assent: This is the formal method in Kenya's legislative process by which the head of the executive arm of the government completes the process by formally giving consent to a bill. The law cannot however, come into operation until it has been published in the Gazette.

The various stages of Kenya's legislative process should enable members of parliament to scrutinise legislation and, by means of examination and debate, become acquainted with the contents of every bill. Members of parliament are elected by the people, and their welfare should be their paramount consideration (Kibua & Oyugi, 2007). Therefore where bills are introduced to Parliament, MPs should consult constituents, and examine the bill to ensure it advances the welfare and interest of ordinary citizens.

In practice, the legislative process has been distorted by socio-political and international factors which have resulted in the marginalisation of ordinary citizens whose participation has been hindered by an overly strong Executive.

For the first three decades after independence (1963-1992) Kenya remained largely a one-party state. A marked feature of most of this period was the existence of a centralised system of government, partly based on administration tightly controlled by leaders who represented strong and extensive powers of the executive. This monopoly of power shaped the nature of policies (Ikiara, Olewe-Nyunya, & Odhiambo, 2004). The administration promoted a national culture where government actors dominated policy making processes which left little room for other stakeholders.

Kenyatta's regime (1963-1978) was characterised by the emergence of extremely influential individuals and groups based on ethnic and political patronage (see Chapter Two). The result was that the task of decision-making often resided in an elaborate structure built around Kenyatta. The president chose people who were close to him such as cabinet ministers, prominent civil servants and friends in the policy-making process (Soludo, Ogbu, & Chang, 2004, p. 200).

The change of government in 1978 with Moi taking power from Kenyatta did not shift the policy decision-making process to ordinary Kenyans. Rather, Moi's rule accelerated the consolidation of the power at the expense of ordinary people. A political culture emerged in which the authority of the president in many socio-economic and political spheres of national life was largely unquestionable. Moi, became the main actor in the making and execution of policies (Ikiara, et al., 2004, p. 210), even though a legislative process existed which stated otherwise.

The overbearing powers of the president meant that other actors in policy formulation and implementation were effectively shut-out. This trend also eroded the powers and the authority of parliament which became largely a rubber stamping institution (Ikiara, et al., 2004). The elite theory of policy making remained dominant. Nonetheless, ordinary citizens participated in the legislative process in a number of ways.

Ordinary Citizens' Participation in Public Policy Process in Kenya

Electoral process: Theoretically, ordinary Kenyans participate in the legislative process through the electoral system. Every five years, a general election is held enabling voters to determine the composition of Parliament (Commonwealth Secretariat, 2007). General elections should occur within the principles outlined in Sections 81 to 92 of Kenya's Constitution. Registered voters indicate which parties and candidates they wish as elected representatives, and at each election those MPs (along with other aspiring candidates) "must represent themselves to the people and seek a renewal of their mandate" (Shaw & Eichbaum, 2005, p. 120). Voters also elect the head of state (President). Through election therefore, voters influence the makeup of the National Assembly, which is vested with legislative power. Citizens must ensure they are registered to vote at the general elections.

However, the Kenyan electoral system is flawed. The process is often not 'free and fair'. The International Foundation for Electoral System (2008) argues that the flaws are consequent upon two factors.

First, the process is heavily dependent on political structures that reflect particular institutional imperfections in the country. For instance, Kenya's present configuration of constituencies systematically over-represents residents of the most sparsely populated areas of the country, and under-represents the residents of the most densely

populated areas. A *just* system of representation is required if voting is to be an authentic form of citizen participation. Secondly, previous attempts at reform have lacked necessary constitutional backing and have addressed specific issues arising from individual elections, rather than problems inherent in the system. The December 2007 general elections illustrated flaws in Kenya's electoral process (The International Foundation for Electoral System, 2008, pp. 3, 15).

Boards, committees, and associations: Ordinary people may also participate in the legislative process through local boards, committees, and associations. The following examples from the education and health sectors illustrate how this happens.

Ordinary citizen participation in education policy making

Keriga and Bujra (2009) assert that provision of education to all Kenyans is fundamental, because education promotes social equality, has a strong link to poverty reduction, produces a more informed citizenry, empowers individuals, and broadens the range of options available to them (Keriga & Bujra, 2009). These values are affirmed in *The Sessional Paper No 1 of 2005 on Policy Framework for Education, Training and Research* (Republic of Kenya: Ministry of Education Science and Technology, 2005b) and in the *Kenya Education Sector Support Programme 2005-2010* (Republic of Kenya: Ministry of Education Science and Technology, 2005a) respectively.

Education is also important for the government's overall development strategy, expressed in Swahili as 'Elimu Bora kwa Maendeleo'. This is translated to English as 'Quality Education and Training for Development' (Republic of Kenya: Ministry of Education Science and Technology, 2005a, p. 28).

Since independence the government has responded to the need to provide quality education by creating and introducing relevant policies most of which are consequent upon commission and committee reports, decreed by the President or the Minister of Education. Ten policy documents have guided the education sector from independence in 1963 to date. Examples include the Kamunge Report of 1988 which introduced cost-sharing in education between the government, parents and communities; and the Free Education National Conference on Education and Training of 2003 which introduced free primary education in Kenya (Republic of Kenya: Ministry of

Education Science and Technology, 2005b, p. 11). However, the degree to which these policies succeed depends on variables such as environment, resources, political and economic capacity, and the implementation process. The genesis of policy should be analysed. Is the policy needs-based or externally inspired and generated? If external, how grounded or domesticated? (Boit, 2008).

Policies risk being irrelevant if not informed by experiences of those it seeks to serve. Boit (2008) believes that policies may lack a connection between desired education practice espoused in policy and actual practice. Makori (2005) argues that the current education system in Kenya (initiated following the Commission of Higher Education Report of 1985), is irrelevant to the actual needs of Kenyan youth. It has neither directed them towards technical and vocational careers nor equipped them with appropriate employable skills (Makori, 2005). Nzomo has suggested that education in Kenya must concentrate on the needs of the majority of those engaged not in 'formal' sectors but in agriculture and other unorganised sectors (Nzomo, 1978). The current system does not take these realities into consideration.

To ensure that ordinary citizens participate in education policies the Ministry of Education has developed a system of committee and boards that provide avenues for public participation. The following structure is outlined by the Kenya Education Sector Support Programme (KESSP) (Republic of Kenya: Ministry of Education Science and Technology, 2005a, p. xi).

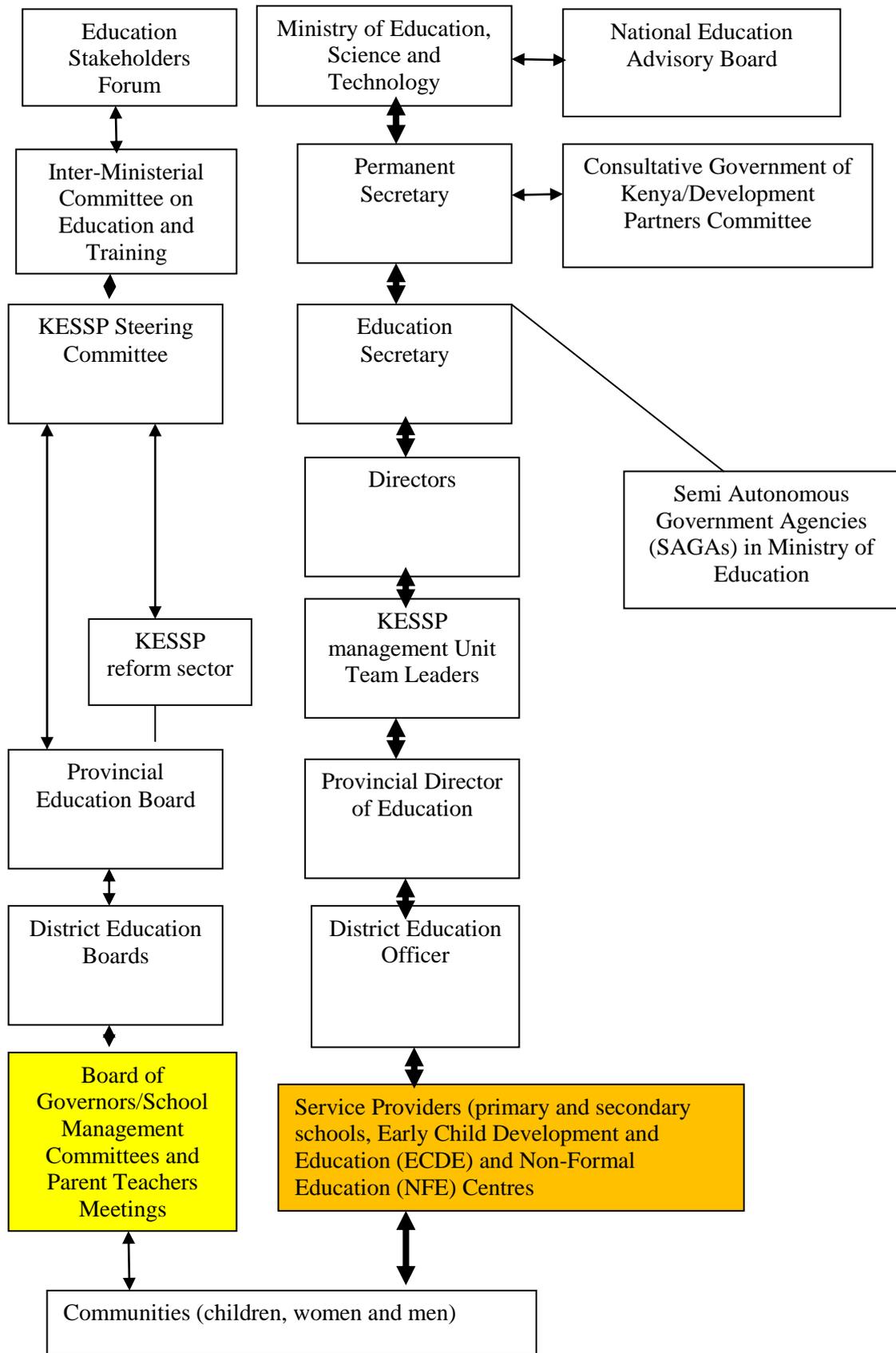


Figure 5: KESSP Coordination, implementation, and accountability structure

Ordinary citizens participate in decision-making bodies mainly as representatives at Board of Governors meetings, school management committees, and parents teachers meetings. In practice, the structure is hierarchical and always suffers from political interference (Keriga & Bujra, 2009).

Ordinary citizen participation in health policy making

The provision of good health satisfies a basic human need and contributes significantly towards maintaining and enhancing a nation's productivity. Indeed, its development depends upon economic and social conditions and the quality of health services provided to the population (Kimalu, et al., 2004, p. 23).

The mandate of the Kenyan health system is to ensure that people enjoy long healthy lives. Thus health policies and strategies are aimed at reducing disease and improving the health of Kenyans (Gakunju, 2001).

Health policies revolve around two issues, namely: how to deliver a basic package of quality health services to a growing population workforce and their dependants, and how to finance and manage those services in ways that guarantee their availability, accessibility and affordability to those in most need (Kimalu, et al., 2004).

Simiyu (2009) describes Kenya's health care delivery system as pyramidal, with national referral facilities forming the peak, followed by provincial, district and sub-district hospitals, with health centers and dispensaries forming the base.

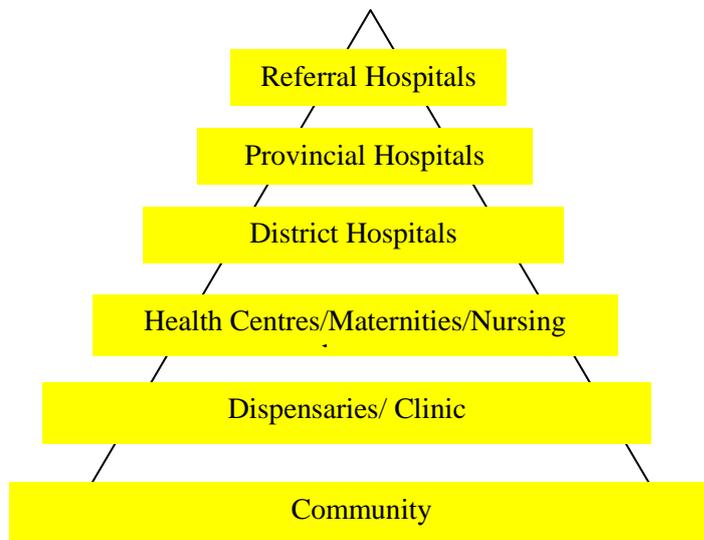


Figure 6: Kenya Health Care Delivery System

The referral system requires patients to start at the base, the dispensaries, and work their way up the pyramid by referral. While this intention is encouraged by a graduated fee system, it does not work very well because of patient disillusionment which arises from perennial resource scarcity at the base of the pyramid (Tabu, 2009).

Ordinary people participate in decision-making through health committees at community level. Their participation is important. For instance, inability to pay the out-of-pocket expenditure required to access health services is often cited as one of the main impediments to access healthcare particularly for the poor and the vulnerable (Muigai, 2012). Health facilities, at community level also suffer because of lack of drugs, inappropriate staffing and staff shortages, poor maintenance of equipment and facilities resulting in poor or no services. The majority of these issues are caused by inappropriate policy responses (Kimalu, et al., 2004). Consequently, ordinary people's health is compromised.

HIV and AIDS remain a major threat to Kenya's health care system, (Kimalu, et al., 2004). Ordinary people's participation in HIV and AIDS policy making is vital.

The examples from the education and health sectors illustrate how ordinary citizens may participate in public policy making processes. Unfortunately, their participation is

impeded by poor access to information and lack of commitment by government and political party officials.

A participatory model which allows ordinary people to be engaged in policy making is required. This thesis is a response to the increasing recognition of the value of greater public involvement into decision-making processes. Civil societies recognize the need for active participation and have begun to organize avenues for more effective participation of ordinary citizens.

Civil Society in Kenya and Public Policy Making Processes

Civil society in Kenya is diffuse and hard to define. It is, however, identifiable by two main characteristics: critique of the state and associational life.

Civil society underpins an effective and streamlined state, ensuring legitimacy, accountability, and transparency. It signifies a critique of state domination of public life, a preference for reform, and strategies for social and political change based upon dialogue, consultations and ‘free and fair’ elections (Allen, 1997, pp. 330-331; Bratton, 1994, p. 1).

Associational life is also an important aspect of civil society and allows the formation and expression of interests and opinions. It is a site for the consolidation and expression of social perspectives (Fergusson, 2004, pp. 146-147; Young, 1997a, p. 372), important for influencing policy making processes.

Taking into consideration the characteristics above, Okuku (2003) defines civil society as an aggregate of institutions whose members are engaged primarily in complex non-state activities such as economic and cultural production, voluntary associations, and household life, who in this way preserve and transform their identity by exercising or control upon state institutions (Okuku, 2003, p. 51). Civil society includes Non-Governmental Organisations, self-help groups, religious institutions and groupings, neighbourhoods, trade unions, academic institutions, women’s groups, and youth groups.

The role of the civil society in public policy making processes in Kenya conforms to the concept of ‘civil society’ in Africa in general and is part of the process of building and strengthening democracy around the world. It fills in gaps where governments

have failed to develop sound policies and provide goods and services. It provides ordinary citizens with an associational life, embracing activities, groups and organisations often ignored by the state. Civil society is open to local institutions and processes and provides an active public sphere where citizens can analyse, critique, and influence public policies (Lewis, 2002, pp. 572-582). Against this understanding, the following chapter examines the role of the Anglican Church of Kenya in facilitating public policy dialogue.

Chapter Four:

The Anglican Church of Kenya's Public Policy Discourse

The Anglican Church is an institution that wields considerable power and influence in Kenyan society, and as this thesis demonstrates facilitates dialogue for socially-inclusive public policy making processes. This thesis shows that the Anglican Church has contributed to public debate about effective participation in government, discussions of freedom, equality and equity, distribution and redistribution of resources, and issues of recognition and security in Kenya's socio-political history. This chapter traces the contribution of the Church to public policy discourse in Kenya and addresses the research question in light of the Anglican Church's public significance. But first I state my understanding of this 'church'.

The Anglican Church and models of understanding 'church'

McGrath (2007) argues that any understanding of the concept of 'church' affects what that 'church' is and does, in this case, how the Anglican Church determines its position in society, whether it has a public role, and how it relates to individuals and groups at the margins of Kenyan society (within and outside the Anglican Church's tradition).

The Anglican Church is an institution

The Anglican Church is a human association characterised by structures, and offices which are maintained by authority institutionalised in the form of office (Brueggemann, 1991, p. 129).

McGrath (2007) argues that the understanding of church as an institution originated from an emerging community of faith (Israel in the Bible) which was described in scriptures, particularly through ways it defined itself. Brueggemann (1991) explains that Israel worshipped in temples with priests who provided legitimate and stable leadership as well as kings who provided both secular and religious guidance. 'Sages' also provided intellectual legitimacy. Israel also had prophets who represented a means of divine guidance in times of difficulty or turbulence (Brueggemann, 1991, pp.

128, 129) These structures and organisations maintained and consolidated Israel's institutional identity.

Dulles (1974) suggests that as an institution church has three main characteristics (Dulles, 1974, p. 40). I follow Dulles' characteristics to define the institutional nature of the Anglican Church of Kenya.

Hierarchical conception of authority: The history of the Anglican Church of Kenya dates back to 1844 when the first missionary from the Church Missionary Society (CMS), Dr. Johann Ludwing Krapf arrived in Mombasa. He was joined by Rev. Johann Rebman two years later, and they established a mission station in Rabai (25 kilometres northwest of Mombasa).

The Anglican Church of Kenya, like all Anglican churches, embraces the three traditional orders of ministry: deacon, priest, and bishop. Geographical parishes are organized into dioceses. There are 31 of these, each headed by a bishop (Anglican Church of Kenya, 2009b). Like most Anglican communions, the archbishop is the highest authority and bishops heading independent dioceses. "The Archbishop's power is a matter of his personal standing, while the bishops have a great deal of independence and formal authority" (Sabar, 2002). The dioceses are linked to the Province (headquarters) through a Provincial Constitution, the House of Bishops, and the Provincial Synod consists of two elected representatives and bishop of each of the dioceses. The Province is also linked to the dioceses through wings known as 'departments' which have their central offices at the office of the archbishop and are adapted by each diocese to their needs, so their functionality varies. These departments include the Mothers Union, Development and Community Services, the Research Unit, Communication and Documentation Centre, and the Youth Department.

Major decisions about the Anglican Church of Kenya are made at the Provincial Synod, and each diocese has its own synod which makes major decisions about the diocese. The diocesan synod is made up of clergy of that diocese, representatives from local parishes, and administrative staff in the diocese. The synod makes the workday decisions of the bishop following discussions and voting in the synod and other diocesan bodies. Still, the bishop has a strong role and many powers in the diocese. Although he has oversight over the clergy, the local parish clergy have considerable

autonomy in the daily running of the parish and in expressing their personal views. As Sabar stated, through their sermons and catechism classes they have the freedom and opportunity to express their personal understanding on issues ranging from their parishioners' moral conduct to national politics (Sabar, 2002, p. 13). Laity may participate as members of the parish council, the highest decision-making organ at parish level, and other committees to which they are nominated or elected. Local churches also participate through membership in cell groups.

Membership: The Anglican Church of Kenya operates under one Provincial constitution and various diocesan constitutions which prescribe canon laws, doctrines, and the legitimate sacraments. The centre of the Anglican Church of Kenya's teaching is the life and resurrection of Jesus Christ. The basic teachings of the church, or catechism, include:

- Jesus Christ is fully human and fully God. He died and was resurrected from the dead.
- Jesus provides the way of eternal life for those who believe.
- The Old and New Testaments of the Bible were written by people under the inspiration of the Holy Spirit. The Apocrypha are additional books used in Christian worship, but not for the formation of doctrine.
- The two great and necessary sacraments are Holy Baptism and Holy Eucharist. Other sacramental rites are confirmation, ordination, marriage, reconciliation of a penitent, and unction.
- Belief in heaven, hell, and Jesus' return in glory.
- The threefold sources of authority in Anglicanism are scripture, tradition, and reason.

Members of the Anglican Church are those who profess the doctrines and teachings outlined above, and who recognise and subject themselves to the duly appointed church authorities of deacon, priest, and bishop.

Mission: The core mission of the Anglican Church is “to equip God's people to reach out and transform society with the gospel of Christ” (Anglican Church of Kenya,

2009a). Therefore, the church exists first for its members. It then enables its members to reach out to the rest of society.

In my opinion, the Anglican Church perceives itself as an institution because the features of an institution as discussed above give it a clear sense of mission and enable Anglicans in Kenya to know what they are and what they stand for. The church has, therefore, clear goals for missionary and social action. Its successes and failures are measured against its claims of its mission and identity. Emphasis on the continuity with Christian origins provides the Church with important links between an uncertain present and an esteemed religious past. In other words, it gives members of the church a strong sense of corporate identity, as Dulles asserted (Dulles, 1974, pp. 42-43).

For the purposes of this thesis, the institutional nature of the Church provides it with a specific mission: to enable its members to transform their lives based on the teachings of Christ. Its organisational structures enable the Anglican Church to reach out to wide constituencies, influence government, businesses, and people from across different strata of Kenya society especially the poor and marginalised. This position is essential for any institution seeking to engage with people at the margins, and facilitating a socially-inclusive public policy making in Kenya.

The Anglican Church is a mystical communion

The Anglican Church is a ‘mystical communion’⁵, that is, it is tied to its members and those outside the church by notions of ‘community’ and ‘society’. As an institution, its members are bound by doctrines, sacraments, and canon laws. In the church as mystical communion, bonds are primarily the interior graces and gifts of the Holy Spirit, although external bonds such as doctrines are also recognised to be important. ‘Members’ is used in an organic, spiritual, or mystical sense.

⁵ Conventionally, this concept ‘mystical communion’ is used and understood in comparison to church as a ‘mystical body of Christ’ and as a ‘communion of saints’. I have not used this category here in contrast to either of these two concepts. This is because my focus is not on how the Anglican Church and its leadership and membership are connected; or on the connection between the ‘seen’ and the ‘unseen’ (Catholic Church - *Congregatio pro Doctrina Fidei*, 1992). My use of ‘mystical communion’ is to emphasize the ‘union of purpose’ or ‘common agenda’ among those enlivened by the grace of Christ. It is an understanding which would open the doors of ACK for dialogue with other religions and denominations (the diverse perspectives and ideologies representative of the Kenyan public).

The church as mystical communion harmonises with two biblical images, the ‘body of Christ’ and the ‘people of God’ (Dulles, 1974, p. 50).

The body of Christ: As the body of Christ, the Anglican Church is analogical to the human body, equipped with various organs which are equally important (cf. Romans 12:3-8, I Corinthians 12:12-27 and John 15:5). The body of Christ describes a corporate understanding of the church whose (McGrath, 2007, p. 392) main concern is the mutual union, concern, and interdependence of faith communities (Dulles, 1974, p. 53). Augustine of Hippo stressed the mystical and invisible communion that binds those who are enlivened by the grace of Christ (Grabowski, 1957), not only doctrines, canon law, and sacrament (Healy, 2000, pp. 29-30; Minear, 1960, p. 218; Moltmann, 1977, p. 66). The image of the ‘body of Christ’ is also reinforced by imagery in the New Testament such as believers connected to Jesus Christ as the ‘true vine’ (McGrath, 2007, p. 393). This image draws the church closer to its divine head. Understanding the Anglican Church as the ‘body of Christ’ establishes that its mission is not its own but God’s and its function, organisational features, and mission should be based on scripture.

The people of God: Unlike the image of the church as the body of Christ, church as the ‘people of God’ allows greater distance between the church and its divine head (Healy, 2000, p. 28). The church is a community of persons, each of whom is free, and brought together by the mercy and grace of God. The church is both ‘holy and sinful’. The image of the church as the people of God stresses the continual need for repentance (Dulles, 1974, pp. 53-54). The Anglican Church as the people of God is not infallible and requires constant self-examination, to make sure its mission is in accordance with what God requires.

Understanding the Anglican Church as a mystical communion, embodied in notions of the ‘body of Christ’ and ‘the people of God’, is particularly important to this thesis because it connects all those Christians animated by their faith in Christ, regardless of origins. The primary bond is the reconciling grace of Christ (Dulles, 1974, pp. 57-58). The church’s mission is to lead people into communion with God and with one another.

The Anglican Church of Kenya is a mystical communion when it opens up paths to dialogue with other Christian denominations, and other religions. This is particularly important given the reality of denominationalism and religious diversity in Kenya. While religious diversity has always been significant, denominationalism has evolved concurrently with Kenya's socio-political history. The year 1963 was significant in relation to the growth of denominationalism. Political independence euphoria provided religious denominationalism with a fertile soil (Baur, 1994).

Before colonialism, Kenya's ethnic groups had their own ways of encountering the sacred (Bakare, 1997; Pobee & Ositellu, 1998; Shorter, 1978; Zahan, 2000) and connecting to the spiritual world. Stories, myths, and beliefs explained human existence and the natural world and were embedded in ritual practice, oral narratives, and the organisation of everyday life. This understanding is the opposite of a colonial perspective of religion as an expression of spirituality in thought-systems with written scriptures, explicit doctrines, and centres of authority and knowledge (Shaw, 1990, p. 182). This chapter is unable to engage in a detailed discussion of traditional spiritualities and religions because of space restrictions. Besides, traditional religions are now extensively written about, particularly by African Christian theologians arguing for a distinctive African Christian Theology and countering operative Western notions of African people as 'primitive' and their practices as 'backward' (Gibellini, 1994; Kofi & Sergio, 1977; Mbiti, 1969, 1996; Parratt, 1995; Perkinson, 2007, p. 455; Shaw, 1990, p. 180). Traditional religions and spiritualities add to religious diversity in Kenya. The three dominant religious groups in Kenya are Christians (79.3 percent in mid-2000), traditional religionists (11.5 percent in mid-2000) and Muslims (7.3 percent in mid-2000) (Knighton, 2009, p. 49).

Islam came to Kenya through the Arab traders who established communities near the ports along the Coast province, especially around the city of Mombasa around the tenth century. Christianity in Kenya arrived with British and Portuguese missionaries in the nineteenth century (Mwakimako, 2007). Initial encounters between these religions were mostly negative (Baur, 1994; Bediako, 1995; Gifford, 2009; Isichei, 1995; Kalu, 2005; Kresse, 2009; Lonsdale, et al., 1978; Njoku, 2005; Parratt, 1995; Pobee & Ositellu, 1998). Kenya, like most of colonised Africa, inherited a form of Christianity that discouraged relationship with people from other religions (Mbillah,

2010). Christian missionaries for the most part disregarded traditional religions, branding them 'sinful'. To become a 'Christian' a person had to shed traditional religions and replace them with 'Christianity'. Ngugi Wa Thiong'o describes this transformation using the imagery of a 'grain of wheat', borrowed from Kenyan peasantry (Walumungwe, 2001). To be converted to Christianity was to shed the old 'sinful African' self and embrace the new virtuous, 'sinless African'. Baur, writing on the origins of African Christian theology, observed that colonialism decried African cultural traditions, of which religions were a big part, as barbaric (Baur, 1994). Christian missionaries in Kenya also established denominational mission stations which were mostly allocated by geographical regions. Mwaura (2010) has noted that these religions coincided with ethnic boundaries. As such, they are linked with politicised ethnicity in Kenya. "A denomination composed largely of one ethnic group bred resentment and fear, especially in multi-ethnic contexts such as urban or mixed settlements areas" (p.131). So African Initiative Churches (AICs) grew out of dissatisfaction with the way Christianity was introduced in Kenya (Pobee & Ositellu, 1998), and led to cultural alienation and animosity between religions.

The Christian faith could but vegetate as an imported, 'second-hand' Western Christianity. The result has been the so often dichotomy of the African Christian personality: Christianity was grafted on to the person as an alien faith and exercised on the surface, while deeper convictions and reactions remained rooted in traditional religion... (Baur, 1994, p. 290).

Chesworth, Kresse, Mbillah, and Mwakimako argue that of all the religions in Kenya, Islam and Christianity have competed with each other the most since the 1840s. The history behind the bruising is now well documented under the subject area of Christian-Muslim relations in Kenya (Chesworth, 2009; Kresse, 2009; Mbillah, 2010; Mwakimako, 2007; PROCMURA, 2011). Overall, the continued disturbances between Muslims and Christians concern disagreements of ethnic origin in which religious differences have been used as an excuse (Chesworth, 2009, p. 178). The political class often gain from these disturbances (Mbillah, 2010, p. 115).

The Anglican Church in Kenya is a mystical communion when it enters into dialogue with people from different religions and denominations. It already participates in such dialogues, by virtue of its membership in ecumenical and inter-religious associations such as the National Council of Churches of Kenya (NCCCK) and the World Council of

Churches (WCC). In engaging with people from across denominations and backgrounds, it creates space for considering other theological, philosophical and political theories which represent the diversity of people at the margins. In my opinion, such dialogues are important to facilitating socially-inclusive public policy making processes.

The Anglican Church is a herald

The Anglican Church exists in response to the proclamation of the word of God in scripture. The church is a kerygmatic⁶ community which articulates the good news of what God has done for humanity through Christ, and which comes into being wherever the word of God is proclaimed and accepted (McGrath, 2007, p. 404). The mission of the church is to proclaim that which it has heard, believed, and been commissioned to proclaim (Dulles, 1974, p. 76). Richard McBrien argues that,

This mission of the Church is one of proclamation of the Word of God to the whole world. The Church cannot hold itself responsible for the failure of men [sic] to accept it as God's Word; it has only to proclaim it with integrity and persistence. All else is secondary. The church is essentially a kerygmatic community which holds aloft, through the preached Word, the wonderful deeds of God in past history, particularly his mighty act in Jesus Christ. The community itself happens whenever the Spirit breathes, whenever the Word is proclaimed and accepted in faith. The Church is event, a point of encounter with God (McBrien, 1970, p. 11).

McBrien rightly observes that the church, in this case the Anglican Church, exists to preach the 'good news of Christ' (cf. Matthew 28:18-20) and is sustained by this very proclamation (Dulles, 1974, p. 84). At the heart of this gospel message is the justice of God which effects transformation. God's desire for justice is expressed in the Old Testament notion 'shalom' and in the New Testament notion of 'bringing the Kingdom of God' (Marshall, 2005, 2006). Wholeness, peace, and harmony are at the centre of both concepts. The Anglican Church must therefore proclaim God's justice or it loses a sense of its very existence. The Church articulates this message through its prophetic role. In this role, the church must be aware of the issues which destroy God's ultimate desire for justice. In the case of this thesis, marginalisation from decision-making processes denies women and youth living with HIV the wholeness and peace which God desire for every person. It denies them the opportunity to have a

⁶ This is taken from the Greek word *kerygma* meaning herald.

say in matters which affect their livelihoods. The goal of the Church therefore, as God's representatives on earth, is to restore that wholeness by enabling and empowering these individuals and groups to actively participate in decision-making processes.

The Anglican Church is a servant

In this model of understanding church, I perceive the Anglican Church to be part of the human family, sharing the same concerns as all human beings. Dulles suggests that the concept of the church as a servant makes the world a proper theological locus. As such, the Anglican Church seeks to operate at the frontier, between contemporary world and the Christian tradition, rather than simply applying the latter as a measure of the former (Dulles, 1974, p. 92).

The Anglican Church exists to serve. The servant ecclesiology reflects a consciousness of the needs of both the church and the world. The Anglican Church of Kenya, its bishops, priests, and leaders must be in touch with current needs such as participation in public policy. The church must be aware of the conditions of its members and of the 'people of God', specifically knowledge of how and why certain individuals and groups are marginalised.

According to McGrath, this image of the church emphasises the continuity between the Old and New Testaments. God called the church to service (cf. 2 Corinthians 4:5) (McGrath, 2007, p. 393). The church announces the coming of the Kingdom of God not only in word, through preaching and proclamation, but more particularly in ministry of reconciliation, justice, transformation, and healing (Dulles, 1974, p. 92). The church's mission is to keep alive the hope and aspiration of all human beings for the Kingdom of God. The servant role of the church consists of its dedication to the transformation of the world into the Kingdom of God (Dulles, 1974, p. 98).

In summary, what the church may achieve depends on one's perception of 'church'. The four models outlined demonstrate the significance of the Anglican Church to Kenyan society. These models must be taken together, because taken independently, they are insufficient to describe the Anglican Church and its role. As Dulles explains, the institutional model seems to deny salvation to anyone who is not a member of the organisation; the communion model leaves it problematic as to why anyone should be

required to join at all; the church as herald seems to focus exclusively on witness to the neglect of action; and the church as servant is criticised because the term ‘servant’ contains certain ambiguities which must be carefully nuanced so as to keep alive the distinctive mission and identity of the church (Dulles, 1974, pp. 63, 76, 89, 195). Nonetheless, the church is not fully intelligible to the finite mind of human beings, and the reason for this unintelligibility is not poverty but the richness of the church itself. We cannot fully objectify the church because we are involved in it. We know it through a kind of objectivity (Dulles, 1974, p. 17).

It is significant to this thesis that the Anglican Church understands itself in ways that give its members a sense of identity and mission and relates to their socio-political and religious experiences. It should empower its members for transformation, and enable them to effectively converse with those outside their own tradition. In this way the Anglican Church will embrace its public role, particularly of facilitating social inclusion and dialogue with theoretical perspectives outside its tradition while remaining true to scriptures and its tradition.

In the next subsection is the contribution of the Anglican Church to public policy discourse. This contribution is traced within religion and politics discourse in Kenya. A comprehensive narrative history of the interaction between ‘religion and politics’ in Kenya has been recounted elsewhere (Lonsdale, 2009; Lonsdale, et al., 1978; Musalia, 2001; Okullu, 1974, 1984; Okullu, 1997; Oluoch, 2006; Sabar-Friedman, 1995, 1997; Sabar, 2002).

Religion and politics in Kenya have had an ambiguous and ambivalent relationship, but they are inevitable bedfellows (Knighton, 2009, p. 1). They are both vital for the preservation of identity and solidarity among the majority of Kenyans. It is common for Kenyans to introduce themselves by stating their religion, denomination, and maybe a political party of choice (Mbillah, 2010, p. 110; Sabar, 2002, p. 1).

The relationship between religion and politics is also visible by the overlap of religion and politics in personnel, functions, and national institutions (Knighton, 2009, p. 1). For instance, the constitution acknowledges ‘Almighty God’, and the national anthem, based on Christian principles of peace, love, and unity, is a prayer where Kenyans

beseech God to bless their country and protect them from foreign invasion (Parliament of the Republic of Kenya, 2010).

Lonsdale (2009) argues that religion and politics in Kenya are intimately connected because of its religious culture. Moral and religious premises and arguments have always shaped Kenyans' critical reactions to their successive political predicaments.

The Anglican Church and religion and politics in Kenya

I follow the major periods in Kenya's socio-political history to trace the contributions of the Anglican Church. For each of the periods, I ask the following questions. Did the Anglican Church participate in public policy discourse? Why? What was their approach? How did ordinary Kenyans respond? These questions will lead me to critically establish the significance of the Anglican Church, and consequently why it should have a role in facilitating a socially-inclusive process for public policy formation. Further questions include how do they obtain this role and who gives the mandate?

Theoretically, Kenyans measure the Anglican Church's contribution to public policy discourse by the degree to which it criticises the state's wrongdoings and injustices, and how it provides alternatives to improve their lives.

The colonial period

The Anglican Church of Kenya's public significance cannot be discussed without invoking the history of the church's establishment. Anglican missionaries, during colonial Kenya, established the church's presence by developing a network of extra-religious services and activities. They built schools, hospitals, vocational training centres, and villages where Africans were taught to read, to write, and were also educated in agricultural skills. As a result, the church was indispensable to the society and to the colonial government. For the most part, it was a mediator and constantly navigated its interests with regard to the British and the Africans, responding *ad hoc* to the needs and demands of both, while serving as a bridge between them. The Church kept both the Africans and the colonial government happy. However, it is widely argued that it operated mainly within the ideological framework of the colonial government (Lonsdale, et al., 1978, p. 269; Sabar, 2002, p. 27).

Ngugi Wa Thiong'o asserted that Christian religions, of which ACK was a part, strongly identified with colonial rule. In his novels, he described Christian religions as tools for oppressing the workers. Ngugi claimed that land belonging to the Africans was taken by the colonial government with the aid of religion. Educational institutions established by Christian missionaries instilled and perpetuated the mental slavery of the oppressed and buttressed the interest of the oppressor (Ogude, 1997). According to Ngugi religion was synonymous with colonialism. As I claimed in Chapter Two, Ngugi tended to romanticise African culture. He often failed to acknowledge the oppressive strands of African cultures, particularly to women. However, I support his argument in as far as he contends that missionary theology was essentially proselytizing. It focused on converting the Africans, which in most cases was tantamount to replacing their African ways with European ways. Oluoch also argues that even when Christian missionaries responded to the needs of the Africans, 'needs' were defined by the missionaries (Oluoch, 2006, p. 31) for the colonial government. The way Christian missionaries dealt with the *Mau Mau* uprising illustrates Oluoch's point. Christian missionaries rarely spoke against the injustices which provoked the uprising. Instead, they used their mission stations to recruit government loyalists and make good Christians out of the *Mau Mau* 'rebels' (Oluoch, 2006, p. 31; Sabar, 2002, p. 27). This is because they considered *Mau Mau* a form of disobedience. Consequently, the Christian missionaries were responsible for initiating cleansing ceremonies for *Mau Mau* detainees. The church was part of their 'rehabilitation processes'. However, liberal Christian missionaries, who were a minority, seized such opportunities to speak against injustices. They advocated justice from behind the pulpits, where they felt safe (Lonsdale, et al., 1978, pp. 268-270; Okullu, 1974, pp. 3-4).

Overall, literature shows that Anglican missionaries joined their counterparts in assisting the state to maintain social order. They did so with minimal questioning and were selective in their contribution to public policy discourse, apart from their extra-religious activities. The public welcomed their provision of social services which were seen to connote interest and commitment in the total wellbeing of ordinary people. Theoretically, the public mandated the church to speak on their behalf as long as they continued to provide social and welfare services. Sabar (2002) asserts that ideologically the missionaries were mandated by the liberal wing of the evangelical

movement in Europe, which argued that to win souls it was necessary to improve people's lives. In a practical sense, the provision of services was a 'temporal means' of attracting Africans to the church (Sabar, 2002).

Kenyatta's era

The Anglican Church continued to offer these social services in the period after independence, even building additional networks of organisations and associations, thereby maintaining their presence throughout most of Kenya. The Anglican Church had also gained over a million followers. It filled the vacuum in services for Africans left by the colonial government. Therefore "the combination of its spiritual authority, extensive infrastructure and various social services would, over the next several decades, give it a reach and power unmatched by any social or religious body other than the Catholic Church" (Sabar, 2002, p. 65).

Kenyatta is reported to have said, at the beginning of his presidency, that Christianity was the conscience of society (Musalia, 2001, p. 90). But he was interested in unity and autonomy, and to achieve these, his government had to be seen to be providing and controlling social services similar to those offered by the Anglican Church. Kenyatta and his government became wary of non-governmental bodies offering social services, and differed with them on the best ways to provide those services. He regarded them as partners rather than sole providers of social services. Yet this was the major way the Anglican Church contributed to public discourse. Kenyatta's government developed policies to centralise social services such as education and health. This move saw the church uncritically give the government control over their schools and hospitals. The Church, was, however, allowed to maintain the status of 'sponsor' which primarily meant it would be minimally involved in decision-making (Sabar, 2002, pp. 170-176).

Kenyatta invited the various religions to contribute to public issues but only as long as they did not contradict and criticise his government. As discussed in Chapter Two, rampant unequal distribution of wealth, land in particular, ethnic manipulation in the allocation of jobs and educational opportunities, corruption, and a culture of fear buffered criticism of the government. Okullu (1974), Sabar (2002), and Oluoch (2006) contended that the Anglican Church, as one of the religious institutions in Kenya, was

expected to bury its head in the sand as the rulers and more powerful elements of society abused their power. Ironically, Kenyatta used Christian ideologies, concepts, and arguments, to unify Kenyans and to reinforce the legitimacy of his regime (Lonsdale, 2009; Lonsdale, et al., 1978; Sabar-Friedman, 1997; Sabar, 2002). Sabar observed that the Anglican Church, among other religious institutions, uncritically subscribed to these ideologies, because they had no consistent ideologies and philosophies of their own or a clear policy on fundamental issues against which they could evaluate and criticise those of the government (Sabar, 2002, p. 173).

Nevertheless the Anglican Church continued to contribute to public policy discourse, particularly criticising programmes, policies, and legislation they considered unjust. The Anglican Church was present in the public domain in two main ways: through leaders who were passionate about social justice and through umbrella organisations such as the National Council of Churches of Kenya (NCCCK). Anglican bishops such as Okullu and Kuria employed every means within their reach, to contribute to public discourse. They used newspapers, sermon debates, biblical expositions, and radio programmes to present their personal views on public issues (Musalia, 2001; Okullu, 1997; Okwembah, 2005; Oluoch, 2006; Sabar, 2009). Kenya's public media often referred to them as 'firebrand clergymen' (Sabar-Friedman, 1997; Sabar, 2002, p. 14). Their perspectives were presumed to be 'the stand' of the church. The National Council of Churches of Kenya, on the other hand, was like a shield for the Church. Lonsdale (1978), Klopp (2009), and Okullu (1974) argued that members of the National Council of Churches of Kenya were better represented by the council because it provided a united front. From the government's point of view, its partnership with the National Council of Churches of Kenya rescued it from having to deal with individual churches and all the intricacies of denominationalism. The government tended to associate matters of national concern with such a body rather than with individual churches. Although NCCCK is not my focus here, my theory is that this was another strategy by the government to weaken the diverse voices from various churches. The government was well aware of internal divisions within NCCCK that challenged its position to present a united 'Christian' voice. Oluoch (2006) points out that it was not long before the National Council of Churches of Kenya was infested by 'tribalism' and ethnic affiliations. She quotes another influential Anglican, the late Bishop Muge, saying that NCCCK had nothing to lecture the nation on because all the

evils that ate the nation, politicised ethnicity, favouritism and nepotism, had found shape in NCCK (p.19).

Overall, the Anglican Church of Kenya contributed to public policy discourse during Kenyatta's reign. It derived its mandate from its historical legacy as providers of welfare and social services. But this legacy was shaken when these services were centralised and placed under government control. Secondly, influential clergy such as Okullu and Kuria, speaking in public, expounded scriptures and asserted that speaking for social justice was part of Christian calling. So the church was mandated by the Bible to contribute to public debates. The Kenyan public still welcomed the church because it provided a forum for discussing national issues. It was one of the places where people felt safe.

Moi's era

Moi's government did not depart much from Kenyatta's. The only differences were that he took the power away from the Kikuyu and placed it on the Tugen, and introduced his *nyayo*⁷ philosophy practice in order to maintain unity and consolidate power. The government functioned on ideologies that were intolerant of and vetoed open criticism. The Anglican Church continued to contribute to public policy discourse, mainly through influential bishops and clergy (Gitari, 1988; Gitari & Knighton, 2001; Nthiga & Mbaria, 2002; Sabar, 2009) and through the National Council of Churches of Kenya. Otherwise the church disappeared from public view. Yet during Moi's time social differentiation heightened. The poor became poorer and provinces, such as Nyanza, were cut off from centres of power. Those most affected by poverty were members of Christian churches. Poverty, therefore, became a major concern for the Anglican Church. It also contributed to other debates, such as campaigns for the review of the national constitution, and multi-partyism (Chesworth, 2009; Oluoch, 2006). It spoke against 'ethnic clashes' and politicised ethnicity (Klopp, 2009; Mwaura, 2010), and criticised the government for detaining 'political prisoners' without trial (Musalia, 2001; Oluoch, 2006). Sabar (2002) argued that the church moved from being a mediator, as it had been during the colonial period and during most parts of Kenyatta's reign, and instead adopted a stance of active opposition

⁷ *Nyayo* is a Swahili word meaning 'footsteps'. Moi introduced the notion to support his claims that he would follow Kenyatta's footsteps.

(p.177). During Moi's reign the church's mandate was primarily endorsed by the Kenyan population, by its legacy, and by scripture. The church's contribution to public policy discourses oscillated depending on the government of the day. It tended to be more vocal when it disagreed with government policies and actions, particularly when injustices caused crises. Kenyatta and Moi's reigns were characterised by injustices, and the church, through influential bishops and clergy and under NCCCK, criticised these regimes, although factors such as ethnic loyalties affected their participation (Musalia, 2001).

National Alliance for Change's era

In 2002 Moi's patrimonial rule came to an end (Kagwanja, 2005a, 2005b). A coalition of opposition political parties took power. The new government was composed of people who had in the past identified with ordinary Kenyans and had fought for their rights. It was not surprising that the Anglican Church together with other Christian churches identified with this government (Nthiga & Mbaria, 2002). In fact, the church identified so closely they became silent until the National Alliance for Change government backtracked on its election commitments (Ayieko, 2004a, 2004b; Lonsdale, 2009). And yet the Kenyan public began to be suspicious of the church's contribution to public policy discourse. Questions were raised as to whether it was genuinely committed to social justice or seeking political gain (Barasa & Thuku, 2007), and whether the commitment of the Anglican Church to social justice was confined to times of crisis. Subsequent events increased public suspicion of the role of the Anglican Church in public policy discourse.

In 2004, a leading Nairobi daily newspaper published a report headlined, "Rent-a-Bishop" (Sunday Nation Reporter, 2004). The report claimed that an Anglican bishop was on Nairobi City Council's payroll, and was paid large fees in return for a monthly prayer for the city's welfare. The majority of Kenyans thought that service should be freely rendered as part of Christian duty. Although the archbishop rebuked the bishop, there were no reports or confirmation that the bishop refunded the money paid 'for prayers'. Lonsdale argued that "Kenyans can be so cynical, not so much disillusioned as unillusioned, and yet at the same time take their religion seriously" (Lonsdale, 2009, p. 62). Although this was a case of one Anglican bishop only, public reaction could lead one to conclude that Kenyans had an acute sense of the fine line between

theory and practice, between faith and action. Theoretically, their awareness increased with the escalating uncertainties of life in Kenya and growing poverty although a minority of Kenyans became richer, shielded from these uncertainties. In 2005, Kenyans voted against a Proposed Draft Constitution that was backed by the government and Christian churches because the process represented mere tokenism, intended to serve external interests rather than the needs of Kenyans. Moreover, it focused on institutions and the best possible ways of controlling power instead of improving the livelihoods of Kenyans (Mugo, 2007).

The public's response in the examples cited above showed that the Anglican Church's contribution to public policy discourses was welcomed when it provided checks and balances for the state. Gitari, in a newspaper article, warned that "a government is a government; when you replace one, you must stay alert" (Barasa & Thuku, 2007). To regain public confidence, the Anglican Church publicly apologised to Kenyans through NCKK (Nation Reporter, 2008). NCKK claimed that it was in the process of rebuilding its image and restoring confidence among Kenyans. ACK also released a press statement reminding the government of its election commitment. The Anglican Church justified its role by quoting scriptures, and stating that contribution to public discourse was part of its biblical mandate to nourish the people of God (Githinji, 2004).

In this statement, the Anglican Church addressed numerous policy issues, referring to the national constitution review, HIV and AIDS, abortion, drug abuse, corruption, education, poverty, and Constituency Development Fund (CDF). The statement also offered alternatives and adjustments within the Church's structures to accommodate their facilitation of these policy issues.

Despite these assurances, the Anglican Church's participation in public policy discourses was scrutinised by Kenyans as much as those of the state. ACK no longer had a privileged voice in speaking for and against injustice. The events surrounding the disputed presidential elections of 2007/8 further affected the church's public discourse. Its leadership was divided on political issues and at times openly and directly supported specific political parties (Barasa & Thuku, 2007). The leadership of NCKK, an organisation the church in the past had used for public discourse, was

accused of political and ethnic affiliations and loyalties. Some of its well-known leaders and government critics sought elective political positions (Gathogo, 2009, p. 152). Retired Anglican bishop Gitari rebuked Christian churches, arguing that party politics compromised their public discourse. He asked churches to stick to preaching, evangelisation, counselling, exercising the ministry of reconciliation, and being the conscience of the nation, which he said was a full-time job (Barasa & Thuku, 2007). His perspective, which I follow, was that the church should not engage in partisan party politics. However, it should have a socio-political stand in matters such as those regarding equality and inequality, and distribution and re-distribution of resources. Such a stand is in accordance with the church's prophetic role. But was 'Gitari's model' useful for ACK's public policy discourse?

Gitari's and my view of the ACK's involvement in political issues are examples of the different theologies of power within the Anglican Church of Kenya. This diversity of views is accounted for by the Anglican Church's 'loose' organisational structure, helpfully explained by Sabar (2002). This structural outcome is strength and a weakness. On the positive side, it has allowed for plurality of views on political power within the Anglican Church to coexist, albeit without bringing them to dialogue. On the negative side, it has deferred engagement with social justice issues to outspoken lay and clergy persons with keen interest in social justice. Where such comments have been made, they were and are largely to be in most cases taken as individual views and not the voice of the Church.

Gathogo (2009) argued that Gitari's model derived its mandate from the Bible. It was prophetic and contextual. The basis of this approach is common in a Kenyan context. Lonsdale has observed that in Kenya the Old Testament, particularly the books of the Prophets (Gossai, 1993; Sweeney, 2000), are generally regarded as the main biblical archive in which to search for prophetic 'statements' of truth to power. The New Testament is the source-book of personal and societal salvation (Lonsdale, 2009, p. 60). The Bible was authoritative in Gitari's ministry, as he was aware that his followers were significantly influenced by biblical teachings (Gitari & Knighton, 2001; Sabar, 2009). His ministry was all-inclusive: he networked with other denominations and religions, while claiming to offer a distinctive Anglican position. Gathogo criticised this approach, arguing that it made the church look like a "mission

without borders.” Gitari was consistent in his contribution to public discourse and collaborated with other religious and political leaders. His approach remains exclusive to him so that he is only referred to in nostalgic terms: ‘If Gitari were still serving as an Archbishop, he would have continued with his stinging messages’. His approach remains only an example. Gitari’s model would have been useful for the church’s public discourse at the 2007 general election if it were developed further (Gathogo, 2009, p. 150).

In the period after 2007/8 the mandate the Anglican Church enjoyed in the past from ordinary Kenyans still remains but is not guaranteed. It almost seems as if the church must prove its sincerity and ability to defend marginalised groups. The presumed automatic biblical mandate is not enough, especially when it is not consistently articulated. In 2010, the Kenyan public voted for a new national constitution despite opposition from most Christian churches because of its provisions on abortion and *Kadhi* courts (Amran, 2010; Atsiaya, 2010; Makabila, 2010; Mutua, 2010; Mutua & Kemei, 2010; Oduor & Okwayo, 2010; Ojwang', 2010; Standard Team, 2010a, 2010b). The constitution promises devolution of power to local level and a consequent redistribution of wealth and national resources historically concentrated in the hands of an elite.

Macharia Gaitho (2010), blogging on the constitutional debate, argued that the Christian churches opposed to the constitution may well have had genuine problems with the issues of abortion and *Kadhi* courts. But their campaign, complete with expensive media advertising, reeked of excuses rather than real reasons to wage war against the new constitution. They were drawing lines in the sand instead of engaging in honest discourse on how the contentious issues could have been solved (Gaitho, 2010). A unique characteristic of the late Bishop Okullu’s approach to public discourse was that he criticised and made general comments but was not a bystander. Oluoch argued that Okullu’s prophetic ministry moved from protest to taking responsibility for proposing alternative solutions to current events (Oluoch, 2006). Participating in public discourse requires participants to ask two important questions (Gustafson, 1988, p. 270). What is going on? What ought we to do?

The Anglican Church of Kenya participates in public policy discourse as a means of creating a socially-inclusive process. The mandate for this derives from the fact that religion is a big part of Kenyans' spirituality (Sabar, 2002). The Anglican Church has a legacy of providing social and welfare services to its three million members and to broader society. The state also recognises the role of the Anglican Church by appointing chaplains to statutory bodies and reserving seats in decision-making bodies such the District Development Boards (DDBs) (Gifford, 2009). Furthermore, influential church leaders (Gitari, 1996; Okullu, 1997) have showed that participation in public policy discourse is part of the Church's calling, in particular to prophetic ministry. The structure and the composition of the church represent the ethnic diversity of Kenyan society, demonstrating the Anglican Church's presence at all levels of society. This structure allows the Anglican Church to move across socio-economic and ethnic divides to influence discourse on public policy.

Participation of youth, women, and people living with HIV in the making of public policies, and other issues which affect their lives, is important because it is a requirement of justice. Chapters Five and Six review literature on justice and examine the nature of justice from two theoretical frameworks.

Chapter Five:

Philosophical-Political Perspectives of Justice

In this chapter, justice is examined from perspectives which address institutional arrangements, and the need for it to redress poverty, marginalisation and exclusion. These perspectives transcend philosophical speculation and address the practicalities of human life. They address injustices without recourse to abstract philosophy, referred to in literature as the reformatory face of justice, or social justice (Choules, 2007; Manley, 1979; Novak, 2000; Raphael, 2001; Solomon & Murphy, 2000).

Justice is contested, and its theories fragmented. Karen Lebacqz claimed that there was no more urgent cry than ‘justice’ yet justice is the proverbial elephant examined by blindfolded explorers (Lebacqz, 1986). Duncan Forrester argued that theories of ‘justice’ were irreducibly incompatible because they lacked an acceptable procedure for resolving differences (Forrester, 1997, pp. 1-4). Michael Novak also claimed that justice is often assumed to “float in the air as if everyone will recognise an instance when it appears” (Novak, 2000, p. 11). Christopher Marshall contended that although we know justice is important, feel obliged to respond to its demands, and serve its primordial pull, we cannot say exactly what it is (Marshall, 2006, p. 1). Amartya Sen also argued that even when people have a strong sense of injustice, this sense is based on many perceptions. An action might be considered unjust by two people but they might not agree on a particular ground as the dominant reason for that action as an injustice (Sen, 2009, p. 2). Differences across disciplines of the understanding of justice continue to prevail (Capeheart & Milovanovic, 2007; Sagovsky, 2008; Sandel, 2009; Sider, 2008; Solomon & Murphy, 2000).

A number of factors account for these differences. These include how information is selected, the context from which a person is writing and, as in the cases of Lebacqz and Sen, whether one begins from a definition of ‘justice’ or ‘injustice’. Those who begin by defining ‘justice’ are mostly concerned with a perfect arrangement of societal institutions, while those who begin by defining ‘injustice’ are often concerned with the

place of the marginalised in society. The latter concern is often referred to in literature as social justice.

European and North American (excluding the indigenous) epistemologies dominate the study of justice (Sen, 2009, p. xiv). Therefore the discussions of theories and frameworks of justice depend on how it has been developed in Western literature.

These frameworks tend to base their studies of justice on classical Western theorists such as John Rawls, Friedrich Hayek, Plato, John Stuart Mill, and Robert Nozick (Baggini & Stangroom, 2004; BBC Education, 1987; Benewick & Green, 1998; Cahn, 2002; French, Wettstein, & Silver, 2004; Nozick, 1974; Plato, P. Shorey/1930; Rawls, 1971). Other frameworks depart from this conventional starting point, but still dialogue with classical theorists, such as Amartya Sen, Nancy Fraser, and Iris Marion Young.

Theories of justice are based on elements of proportionality and impartiality. Proportionality is about ‘an eye for an eye, tooth for a tooth’ (Cf. Matthew 5:38)⁸ meaning that the ways in which wrongs are rectified must be in proportion to the harm done, that the punishment must fit the crime (Cheyne, et al., 2008). It argues that there must be an arrangement or institution in society which ensures that wrongs and rights are redressed proportionally. However, the greatest challenge is to distinguish wrong from right, who makes such decisions, and under what conditions? Proportionality may be achieved through the principles of merit, contract, and entitlement. Impartiality, on the other hand, refers to the idea that people should be treated in an arbitrary fashion (Raphael, 2001). But who are these people who should be treated differently, who names them, and how differently are they to be treated, and by whom? The principles of need, redistribution, recognition, capability and development help answer these questions. The debate between proportionality and impartiality is also known as the sameness verses difference debate (Cheyne, et al., 2008; Wendell, 1996) and has dominated politics related to gender, race, disability, and age (Brenner, 2002; Cornwall, 2003; Wendell, 1996; Young, 1990).

⁸ The New Revised Standard Version (NRSV) is my preferred biblical translation. All the passages quoted are taken from NRSV.

Justice as about institutions and perfect arrangements

Classical Western theorists tend to argue for proportionality. Their point of departure, however, is how this is achieved. John Stuart Mill advocated the Utilitarian theory of justice. This theory has three components, namely: consequentialism, welfarism, and sum-making (Capaldi, 2004; Mill, 1968). A choice is judged to be just by its consequences. If a choice and its consequences generate good results, it is just. Utilitarianism restricts the judgement of state of affairs to the utilities in respective societies. Sen argues that it does not pay attention to the fulfilment or violation of rights and duties (Sen, 1999, p. 59). A choice is just when the aggregate merit of the sum total of the utilities of different people is high. It does not matter if some people are disadvantaged as long as the requirements of the majority are met. Sen (1999) remarked that the sum is maximised irrespective of the extent of inequality of distribution of utilities (Sen, 1999, p. 58). These are the principles by which proportionality is achieved, and consequently justice (Mill, 1968).

Rawls, whose theory is arguably the most influential disagreed with utilitarianism (Rawls, 1971, pp. 22-26). He recognised that society is socially differentiated, that people are disadvantaged and that they need to be recognised. Rawls essentially argued that a public sense of justice is what makes secure associations possible, and that justice is fairness. What is fair is determined when people strip off the 'Original Position' and put on the 'Veil of Ignorance'. 'Original position' is the natural and/or circumstantial location of a person. For instance, I am a young Kenyan Luo woman. This is my original position. My description locates me in my society in relation to role, status, abilities and may even determine my access to goods and services. However, when I put on the 'veil of ignorance' I forget my original position so that I do not know my status in society or my fortune in the distribution of my intelligence and strength, natural assets and abilities (Rawls, 1971, pp. 135-142). According to Rawls, it is only then that I can establish just (fair) principles to achieve proportionality. The 'veil of ignorance' enables members of a society to be similarly situated so that no one is able to design principles to favour particular conditions. Impartiality is not justified unless some people are disadvantaged, even under the 'veil of ignorance'. According to Rawls, disadvantage should not result when rules are made under the 'veil of ignorance'. It is only then that the state intervenes to enable those disadvantaged to be similarly situated as the rest of the members of society.

Therefore justice as fairness functions under two principles. The first principle is that every one has an equal right to liberty. The second principle is that social and economic inequalities should provide the greatest benefit to the least advantaged, consistent with justice, and (b) that offices and positions are open to all under conditions of equality of opportunity (Rawls, 1971, pp. 302-303). The first principle has priority over the second; liberty is to be restricted for the sake of liberty, and justice generally has priority over efficiency. Thus Rawls arrives at his general conception that all social primary goods (liberty and opportunity, income and wealth, and the bases of self-respect) are to be distributed equally unless an unequal distribution of any or all of these goods is to the advantage of the least favoured (Rawls, 1971, p. 303).

I concur with Alasdair MacIntyre who claimed that there are two things unclear in Rawls' principles. First, how he arrives at these principles is imprecise. Secondly, is it possible to be located as 'nothing'? People always define themselves even after the 'veil of ignorance'. Any location defines status and role which the 'veil of ignorance' intended to eliminate in the first place. Certain mannerisms and personality traits may not be suspended by the 'veil of ignorance' (MacIntyre, 1984, p. 247). Moreover, how long can those assigned to these principles wear the 'veil of ignorance'? Forrester also argued that Rawls' theory makes justice dependent on fairness which arise from ontology and provides the ability to maintain a critical distance from specific situations (Forrester, 1997, p. 116). However, Rawls acknowledges the existence of disadvantaged people even if his theory only seeks to give them a hearing instead of transforming their situations.

Nozick disagreed with Rawls'. In the entitlement theory by Nozick, the principle for achieving proportionality is merit by which principle, just acquisition and entitlement sets limits to allocation possibilities. Justice, therefore, requires that people only hold what they have worked hard for or fairly acquired through an act of transfer from another who had also acquired it justly (Nozick, 1974, pp. 151, 153). Distribution is just if everyone is entitled to the holdings under the distribution. Nozick derived his conclusions from premises about inalienable individual rights. These included the rights to life and to liberty. McIntyre contested Nozick's premises, arguing that he does not offer arguments for these inalienable rights (MacIntyre, 1984, p. 245).

In a case of disadvantage Nozick argued for interference with ‘entitlement’, maintaining that such interference is a price that has to be paid for justice (MacIntyre, 1984, pp. 245-246). Theoretically, Nozick assumed that every member of society had access to goods and services and that blame is attached to disadvantaged persons because they did not work hard to get what is rightfully theirs. Entitlement theory, like the contract approach, assumes a perfect institution in society capable of intervening in a case of injustice (Nozick, 1974).

Mill’s, Rawls’, and Nozick’s theories, although different, share common characteristics. They develop their theories for and within individualistic societies in which each individual has their own interests and the right to be free as long they do not interfere with another’s freedom. But it is also necessary that individuals accept certain conventions. The theories differ as to how these rules come about, and the degree to which they interfere with individual freedom. Individuals are in Mill’s, Rawls’, and Nozick’s accounts primary and society is secondary. For the most part, inequalities are tolerated and state intervention is seen either as a total interference or as an interference that should be tolerated as long as it is justifiable (MacIntyre, 1984, pp. 250-251). Intervention addressing inequalities is regarded as an act of charity or benevolence. Injustices are alleviated through individual acts of kindness (Choules, 2007, pp. 456, 466). Eventually, these actions contribute to a well-ordered arrangement of society where individuals’ rights are appropriately met.

Classical theories of justice have acquired a near-universal acceptance. In particular, the rights-based approach and the consensus-based approach to justice significantly borrow from them. The 1948 United Nations Declaration of Human Rights (UNDHR), which acts as a justice framework for most countries – Kenya included – is an example of the rights-based approach. Nicholas Otieno’s analysis of the effectiveness of the UNDHR in an African context showed that the individualistic approach is impractical for most African countries (Otieno, 2007). MacIntyre suggested that such a framework is not at home in societies whose primary bond is a shared concern for both the good of humanity and of the good of that community, and where individuals identify their primary interests with reference to those values (MacIntyre, 1984, pp. 250-251). Otieno also argued that the rights-based approach is contrary to the communitarian ethos that most scholars have argued (Mbiti, 1969; Perkinson, 2007;

Shaw, 1990) inspires and characterises African societies (Otieno, 2007). Any claims of the universality of these theories of justice and consequent approaches and laws are highly questionable, because justice is contextual.

Western classical theories have informed rival political groups and theories. Liberal, neo-liberal, or third-way political theories subscribe to classical Western theories of justice (MacIntyre, 1984, p. 253). They use them to express rival and incompatible social ideals and policies (Capeheart & Milovanovic, 2007; Raphael, 2001). MacIntyre contended that this pluralist political rhetoric often conceals the depths of real life issues (MacIntyre, 1984, p. 253). This is because theories of justice upon which these political theories are based tend to begin from general premises about the nature of human beings and societies which they assume are static. As a result, they remain abstract, removed from particular circumstances that give rise to claims of justice. Against this background other theories have argued justice is about day-to-day lives and have acknowledged and addressed inequalities in ways that are transforming to those disadvantaged.

Justice as centring the margins: social justice

Impartiality is a common argument among those who deviate from the ‘classical’ perspective. This approach is demonstrated by Amartya Sen, Iris Marion Young, and Nancy Fraser. In the following discussions, an analysis of their similarities and differences follows.

Social justice theorists tend to begin from substantive premises about social life which are derived from the actual context in which theorising takes place. Social justice emerged not from a vacuum but from concrete history (Jackson, 2005; Miller, 1999). One premise is that injustice is a lived reality – part of daily life. Lebacqz states that a simple act as a cup of coffee in the morning can serve as reminder of unjust labour practices in the ‘Two-Thirds’ world (Lebacqz, 1987). As an African woman, I live with the stereotypes attached to being African; I struggle with the reality that no race exists that does not consider itself above the African (Labi, 2001, p. 366). So I work harder to prove that I have something to offer to the world. Experiencing this injustice is important, but not as important as knowing that it exists and needs to be remedied. Sen also contends that what moves most people is not the realisation that the world

falls short of being completely just, but that there are clearly remediable injustices around us which we want to eliminate. She believes that identifying injustice that can be addressed, not only animates people to think about justice and injustice, but is central to a theory of justice (Sen, 2009).

Theoretically, social justice begins with marginalised groups and countries. These are individuals and groups marginalised by dominant discourse because of gender, race, age, socio-economic or, disability status, and sexuality. A common characteristic in theories of social justice is to situate oneself, so that no one claims universality. Rodney Coates argues that an emerging social justice discourse must state and acknowledge the social location from which it writes and evaluates other discourses, because social justice is about the politics of difference (Coates, 2007, p. 579). Unlike Rawls' 'veil of ignorance', social justice acknowledges that societies with their systems and institutions have an important influence on how members of that society think, act, and feel. This realisation explains the necessity of questions such as, whose justice are we talking about? Is it justice in the interest of the more established and dominant members of society, or is it more inclusive? (Hutchings, 2007).

Ideally, social justice recognises social, political, economic and religious distinctions. These distinctions result mostly from society's key units and structures which favour some people at the expense of others. However, unlike classical theories of justice, social justice is not just concerned with structures and institutions, but also with behaviour, so that culture is also examined. It questions the contribution of anything and anyone to the way society and its institutions are organised (Jackson, 2005, p. 357). Structural as well as individual transformations are key elements of social justice. For instance, Kenyan society in general has tended to adopt a politics of privilege, with the state as the source and distributor of goods and services, which are distributed for the benefit of the elite and supporters of the incumbent government. The state on the other hand is primarily shaped by cultural beliefs which inherently generate inequalities. It is mostly patriarchal. Kenyan women in particular have continued to question why their roles be restricted to the household while men dominate major decision-making bodies and arenas (Kanyoro, 2001; Nzomo, 1997; Oduyoye, 1995; Omosa, 1995; Walligo, 2002). Kenyan youth have been asking the same questions (Abbink, 2005; Kagwanja, 2005a, 2005b; Trudell, 2002). Furthermore,

Kenya is a country where people struggle for meagre resources and where ethnicity has been a significant determinant in the distribution of goods and services (Kerrow, 2011). It would, therefore, be expected that structures favour some and disadvantage others.

However, even though social justice theorists share a strong sense of injustice, they differ on how to diagnose injustice and consequent remedies. While Sen argues for critical discussion (Sen, 2009), Young begins with concepts of domination and oppression (Young, 1990, 2000), and Fraser with the concepts of politics, redistribution, and recognition which she refers to as a three-dimensional framework for justice (Fraser, 1996, 1997b, 2007; Fraser & Honneth, 2003). My social locations lead me to conclude that remedies of injustice do not have to be the same across different groups in society. The injustices I face as a woman may require different remedies from those I face as an African and Kenyan respectively. But my gender and ethnicity are not competing identities. Both categories contribute to my marginalisation. Situations of injustice may need one, two or a combination of remedies. But first, one has to name the many faces of injustice in context. Nancy Fraser, whose theory I engage with below, fascinates me because of her ability to articulate the intersecting nature of injustices and identities. I now turn to highlight the arguments of Sen, Young, and Fraser.

Amartya Sen asserted the role of public reasoning in establishing injustice. According to Sen, public discussions present diverse voices with the opportunity to argue their case, make their situations known, and listen to others. Together, individuals and groups decide what is just and unjust. These choices result from alternative assessments of what is reasonable against well-defended arguments in favour of different and competing positions (Sen, 2009, pp. 1-5). So the aim of public discussion is not to settle all questions and scores. It is possible that reasoned arguments in competing directions can emanate from people with diverse experiences and traditions, but they can also come from the same person. Sen explained that this is not a contradiction, but a manifestation of the many different social locations that make up an individual or group, and the many spheres within their reach. Sen argued for the need for reasoned argument with oneself and with others in dealing with conflicting claims. However, there is no guarantee that all conflicting claims will be solved. Even

the most critical examination can leave conflicting and competing arguments that are not eliminated by scrutiny. The necessity of public reasoning is not compromised by the possibility that some competing priorities will survive despite reasoning. Sen describes justice within this complex discussion of public reasoning, and attempts to connect justice, democracy, and public deliberation (Sen, 2009, p. 326).

I found Sen's attempt to link justice, democracy and public reasoning challenging because his explanation sometimes makes democracy a sub-ideal of justice, and sometimes treats democracy and justice as distinct values, and public reasoning as a separate contribution to both. Nevertheless, his theory of justice highlights important arguments. Injustice occurs when individuals and groups are sidelined from decision-making, particularly when their views are thwarted by censorship, informational exclusion and a climate of fear, which may involve suppression of political opposition and the independence of the media. These were strategies used by the Moi and Kenyatta governments in Kenya to retain power. Sen also reiterated that not all societies are homogenous. Societies characterised by ethnic diversity, for instance, defy arguments for perfect social arrangements. Justice is achieved when members from across different strata reason with each other, not when they establish perfect institutional arrangements. While Sen does not deny the necessity of institutions (Sen, 2009, p. xii) he is not explicit about how public discussions are to be organised and the conditions under which they might take place. Furthermore, he acknowledges the reality that addressing injustice is a process. It cannot be solved by formulating a few rules and principles, as Rawls' theory argued. Particularly significant is the recognition that individuals and groups come to public discussions to share their situations and experiences. Justice, therefore, focuses on day-to-day lives.

Iris Marion Young also criticised the classical reduction of individuals and groups to a unity, and the value of sameness and commonness over specificity and difference (Young, 1990). Young, however, offered a different starting point from Sen. In her judgement, claims of homogeneity are consequent upon the tendency to define injustice through two main lenses: namely in economic and political terms. Conversely, injustice has many faces. Young argued that the dominant faces are oppression and domination, which have other faces as well (Young, 1990, p. 3). Young is supported by Brian Barry, who conceded that,

...the pursuit of social justice in the twenty-first century will be considerably tougher than it has been in the last half of the twentieth; that the principles we defend ought to be ones that do not fly directly in the face of economic and social changes... and that we will have to think much harder about questions of scope, about what the universe of social justice should be in a world in which economic, social, and political boundaries no longer neatly coincide (Barry, 2005, p. 265).

Young's other faces of injustice enable the naming of other sites of injustice. Examples of these include injustices relating to decision-making with which this thesis is concerned, and justice in the division of labour which has preoccupied some women and feminist theorists (Bailey & Cuomo, 2008; DeFrancisco & Palczewski, 2007; Fraser, 1989; Squires, 2008). Young also raises issues of injustice in relation to cultural and group differences. Like Sen, Young's theory describes injustice as the inability of individuals and groups to participate in deliberation and decision-making processes about institutions to which their actions contribute, or which directly affect their actions. In particular, she perceives hierarchy and patriarchy to be major hindrances to inclusion of diverse perspectives in decision-making. LiPuma and Koelbe have offered a helpful critical analysis of this perspective in a South African context (LiPuma & Koelbe, 2009).

Nancy Fraser is also critical of the narrow categorisation of injustice into either economic or cultural. Her theory begins with a rejection of what she has called the increasing politics of identity which seeks to displace the politics of economy (Fraser, 1997a, p. 12). She debates the most appropriate paradigm: cultural or economic (Fraser, 1997a; Fraser & Honneth, 2003; Robeyns, 2003). Her theory generally attempts to address the schisms between economic and cultural struggles for justice. Initially, she suggested a theory of justice which combined economic and cultural concepts of justice. Fraser called this theory 'perspectival dualism' (Fraser, 1997a; Fraser & Honneth, 2003).

Perspectival dualism argued that the economic and cultural sites for injustices are analytically separate and irreducible. At the same time, they exhibit potential harmonies (Armstrong, 2008, p. 415). Economic and cultural struggles for justice relate to each other. Fraser's theory challenges other theoretical perspectives (Habermas, 1990) which argue that culture and economy are irreconcilable (Armstrong, 2008; Fraser & Honneth, 2003; Honneth, 2004; McNay, 2008; Yar,

2001). Proponents of economic injustice and the consequent remedy of redistribution of goods often reject the politics of recognition and its remedy of recognition. In the theory of perspectival dualism, Fraser sought to bridge this gap by claiming that the polarisation of the two concepts is based on a false antithesis that economy is restricted to class struggle while culture is restricted to struggles related to gender, sexuality, and race. Injustice is not clear-cut. Gender and race suffer injustices that do not necessarily neatly fit into either the politics of recognition or those of redistribution (Fraser, 1996). Fraser referred to these categories as bivalent collectivities. They wreak havoc on the conventional construction of either, or of choice between economy and culture.

Fraser's primary argument is that injustice cannot be neatly classified into two categories – culture or economy. My own social locations expose me to injustice that is at times economic, at others cultural, and at some point both. I welcome her acknowledgement of the different dimensions of injustice. However, there are analytical problems and inconsistencies in Fraser's perspectival dualism as observed by Young (1997b) and Armstrong (2008). Fraser is critical of the politics of recognition. She observes that the struggle for recognition is fast becoming the paradigmatic form of political conflict. Demands for acknowledgement of difference have fuelled struggles of groups mobilised under the banners of nationality, race, sexuality, ethnicity and age. Fraser is concerned that claims for cultural domination are replacing class interest as the chief medium of political mobilisation, and displacing socio-economic redistribution as the remedy for injustice and the goals for political struggle. In her observation, these struggles are occurring in a world of extreme material inequality such as income, access to education and health care. These issues are pressing and immediate and require maximum attention just as much as issues of culture. Neither the politics of economy nor those of culture are reducible to the other.

It may be argued that Fraser is doing exactly that in her 'perspectival dualism'. Robeyns (2003) argues that Fraser reduces the politics of recognition to politics of redistribution. She has, therefore, gone against her challenge to develop a critique that does not assume that one form of struggle is subordinate, or irreducible to the other. The incoherency is particularly clear in Fraser's critique of Axel Honneth, (Fraser & Honneth, 2003) a proponent of the politics of recognition where she reduces the

politics of economy to cultural politics (Deranty, 2004; Honneth, 2004). Young affirms Fraser's criticism of the tendencies for the politics of recognition to supplant concerns for economic justice, but is critical of Fraser's proposed solution. Young argues that to reassert a category of political economy entirely opposed to culture, is "worse than disease" (Young, 1997b, p. 147). Fraser's dichotomy between political economy and culture leads her to misinterpret struggles of categories, such as race and sex, making them appear more one-dimensional than they are. She assumes that all processes impacting on oppression can be conceptualised by culture and economy, or as a product of their intersection. Thus, redistribution and recognition are not only exclusive categories, but together represent everything relevant to oppression and justice. Fraser's position deepens the bifurcation of political struggle rather than achieving reconciliation. Armstrong (2008) further contended that:

... Fraser has at one point or another rendered her argument about a putative ontological separation between economic and cultural injustices in at least three different ways. The first version implies that while many forms of injustice are 'two-dimensional, at least some forms are one-dimensional in the sense of being either wholly economic or else wholly cultural. The second version implies that even though any given injustice may turn out to be two-dimensional, many injustices will turn out to have their ultimate origins in either culture or the economy. The third version claims that even though any given injustice may turn out to be two-dimensional, cultural and economic processes are of differing levels of importance with regard to different injustices. These three renderings not only present arguments of gradually decreasing strength, but are at least partly incompatible, and present quite different views on the presence or absence of an ontological distinction between economy and culture in contemporary societies... (Armstrong, 2008, p. 415).

Fraser has responded to her critics, asserting that even in integrating the two forms of justice, we cannot assume a harmonious relationship. The two could as well pull in different directions, and the job of the theorist is to suggest areas of potential common ground. Fraser maintains an analytical distinction because mutual interference may arise between recognition claims and redistribution claims. However, in order to integrate the two concepts, Fraser explains, a set of three issues have to be considered. These are the normative-philosophical issues which concern the relationship between recognition and distributive justice. Secondly, the social-theoretical issues which concern the relationship between economy and culture. Thirdly, the practical political issues which concern the tensions that arise when one is seeking to promote redistribution and recognition simultaneously (Fraser, 1997c).

Despite this defence, the inconsistency remains. Fraser still assumes that in real life injustices are experienced in isolation. However, a theory of justice is able to reconcile the two faces of injustice. The ambiguity in Fraser's theory would be minimised by acknowledging that injustice intersect in real life as in theory.

Fraser has since added a third component to her theory of justice: 'participatory parity'. This is a political aspect which connects politics of economy and politics of culture (Fraser, 2007, p. 20). But this notion may be built on a shaky foundation as revealed by Armstrong (2008) and Young (1990) above. It depends entirely upon a distinction between cultural and economic group-based injustice (Armstrong, 2008, p. 32). I find the primary argument for participatory parity attractive, though. It evaluates structures and policies to the degree to which they allow marginalised individuals and groups to be active participants. So it is relevant in a Kenyan context. Participatory parity encourages participation and equality of outcome for different strata of society. According to Fraser, the most general meaning of justice is parity of participation. It is based on a principle of equal moral worth. Justice requires social arrangements that permit all to participate as peers. To overcome injustice, institutionalised obstacles that prevent full participation need to be dismantled.

There are inconsistencies in Fraser's argument. On the one hand, she appears to reduce the previous two dimensions to the political when arguing that the political dimension sets the procedures for staging and resolving contests in both the economic and cultural dimensions. On the other hand, she argues that the political is a distinctive category independent of the economy and culture. To say that the political is a conceptually distinct dimension of justice, not reducible to the economic or the cultural, is also to say that it can give rise to a conceptually distinct species of injustice of misrepresentation. "Far from being reducible to maldistribution or misrecognition, misrepresentation can occur even in the absence of the latter injustices, although it is usually intertwined with them" (Fraser, 2007, p. 21).

Today... the Keynesian-Westphalian frame is losing its aura of self-evidence. Thanks to heightened awareness of globalization, many observe that the social processes their lives routinely overflow territorial borders... decisions taken in one state often impact the lives of those outside it, as do the actions of transnational corporations, international currency speculators, and large institutional investors... The result is new sense of vulnerability to transnational forces. Faced with global warming, the spread of AIDS,

international terrorism, and superpower unilateralism, many believe that their chances for living good lives depend at least as much on processes that trespass the borders of territorial states as on those contained within them... Disputes about justice are exploding the Keynesian-Westphalian frame (Fraser, 2007, pp. 18, 19).

It is remarkable that the changing political situations such as boundary issues have caused Fraser to rethink her theory of justice. This demonstrates how flexible and adaptable a theory of justice should be. Particularly, her political aspect of justice recognises that justice in a global world concerns second-order and meta-level questions (Fraser, 2007, p. 20). A global perspective of justice, however, should not be mistaken for a universal theory of justice as often assumed by classical theorists. George Lawson (2008) is critical of Fraser's addition. Lawson contends that the fundamental problem with Fraser's work is that it is built on the same foundations as her normative constructions and they are insufficient for explaining core dimensions of either the current period or its future possibilities because of their scanty historical background. Fraser, he says, offers a symbolic schema which rests on problematic ontological claims. By doing so, "she is verifying a flawed vision of world politics that acts as an ideological cover, or as a new orthodoxy, which paradoxically closes down the space for progressive praxis" (Lawson, 2008, p. 885). Lawson's criticism does not take issue with Fraser's assessment of the present historical conjuncture as novel, or her reassertion of the centrality of issues of redistribution.

I have focused on Fraser's theory more than those of Sen's and Young's because of its relevance to Kenya, despite its ambiguities and inconsistencies. Overall, Fraser is the first theorist to attempt to develop a theoretical framework that consists of more than one concept of justice. She provided a starting point for theories of justice compatible with plurality of views in an ethnically diverse Kenya. Her theory demonstrates how issues of justice and injustice are intricately linked, and how a theory of justice can borrow from more than one concept to effectively address them although her theory implies that injustice exists only in two forms: maldistribution and misrecognition. Her notion of participatory parity enables advocates of justice, particularly social justice, to evaluate society and its institutions and structures. Fraser's framework has had a significant influence on critical social policy. Lister (2007) acknowledges the implications of Fraser's framework for social policy and social politics concerning disability and asylum-seekers (Lister, 2007). Sandra Liebenberg also draws on

Fraser's theory of justice to develop a theoretical understanding of the relationship between social rights and transformation in South Africa (Liebenberg, 2007). However, a three-dimensional theory is not adequate in a Kenyan context.

Centring of the margins

Despite disagreement with Sen's diagnosis of injustice, Young, and Fraser share a common concern. They call for the 'centring of the margins'. I borrow this phrase from Coates (2007) who used it in an educational context in the United States of America. Coates argued that to be effective, education methods must borrow from other cultural strands. Students from minority groups cannot succeed in education because of the irrelevancy of teaching methods to their worldviews. Paulo Freire also argued strongly for contextual pedagogies (Freire, 1970). Therefore 'centring the margins' is a "practical way in which formerly marginalised groups may redefine their struggles by viewing themselves at the centre of their cultural universe" (Coates, 2007, p. 586).

I argue that social justice focuses on those who have been left off the main discourses. Examples of main discourses include representation in decision-making bodies, distribution of resources, and access to information and services. Sen, Young and Fraser have all attempted to develop ways by which the marginalised can have access to these discourses. 'Centring the margins' is about looking for ways that go against the grain of dominant voices to engage those who have been previously sidelined.

Importantly, 'centring the margins' is not about shifting the power centres, but making sure that the many centres of powers in society are recognised, including those with least resources, and made equally viable, vibrant and acceptable (Coates, 2007, p. 587). It recognises that it may not be possible to eliminate all inequalities but to open up discursive terrains accessible to all, particularly to those with the least resources. Social justice involves an ongoing transformation of structures and behaviours (Novak, 2000).

Impartiality, which refers to the idea that people should be treated in arbitrary fashion (Raphael, 2001), is not an option for social justice. Certain groups and individuals in society should be treated differently, particularly when they are facing injustices. Women, youth, and people living with HIV in Kenya are examples of individuals and

groups who have been marginalised. I argue that to effectively transform their situations they have to 'single' themselves-out or be singled-out, not by way of removing themselves from the rest of the society, but so that they can identify and talk about issues causing their marginalisation, and address these issues. This kind of impartiality is a necessary. Addressing issues facing women and youth living with HIV may require 'special' policies and legislations. As Young (2000) claimed, sometimes what is required in addressing injustice is that those less favoured be favoured in a different way in order to catch up with the favoured, not in a way of compensation but with the intention of transforming their situation (Young, 2000, pp. 141-148).

The philosophical perspectives of justice examined in this chapter show that they emanate from people with diverse experiences and traditions, so that to some, justice entails a perfect arrangement of institutions and to others justice requires addressing concrete social issues. This is not a contradiction but a manifestation of the many different social locations that make up society (Sen, 2009, p. x). What is challenging is that the majority of 'classical' theories remain on the level of philosophical speculation without diving down into the practicalities of social life. Although latter theories of justice such as those of Fraser, Young, and Sen bridge this gap, by arguing for theories of justice which seek to redress social issues, they too assume that justice often fits neatly into political, cultural, or economic categories. So while their theories are invaluable they often ignore day-to-day problems.

The focus of this thesis is to critically examine the role of the Anglican Church in facilitating public policy dialogue. As a Christian Church which draws its mission, vision and principles from the Bible, it is important to examine the biblical-theological perspectives to provide a framework for locating the justice work of the Anglican Church. This is the focus of the next chapter.

Chapter Six:

Biblical-Theological Perspectives of Justice

This chapter examines the concept of justice from a biblical theological perspective to provide a basis for analysis of the Anglican Church of Kenya's justice framework.

My intention in this chapter is not to discuss in detail my theology of justice or to evaluate critically a particular theology of justice. Instead, I reflect on what I consider to be critical discussions in theological frameworks of justice. I examine biblical hermeneutics, biblical methodology, and contextual biblical criticism because they are pertinent to the Anglican Church's role of facilitating socially-inclusive public policy formation in Kenya. Biblical hermeneutic and methodology in relation to justice in the Bible caution the Anglican Church against assuming a uniform reading. Consequently, while advocating for the social inclusion of marginalised individuals and groups in policy-making in Kenya, the Anglican Church must creatively and cunningly apply biblical teachings on justice. I acknowledge Latin American liberation theology's "God's preferential option for the poor".

I assumed that theology and theologians would offer a uniform perspective on justice, unlike their philosophical-political counterparts. I also assumed that the Bible would be explicit about what justice is and is not but justice is a complex concept in theology as well. Biblical teachings on justice are by no means easy, as Chris Marshall asserts (Marshall, 2005).

Theological frameworks of justice are shaped by a number of factors. French philosopher Paul Ricouer classified these determinants as 'the world behind the text', and 'the world in front of the text' (Ricouer, 1991).

The world behind the text refers to issues such as genre and the socio-cultural locations of biblical authors and their ideologies. For instance, Wright (2004) contended that the legal corpus in Deuteronomy is preoccupied with the less disadvantaged in society, while Brueggemann (1999) observed that sections of

Proverbs present justice that maintains the status quo and protects power arrangements. Other biblical readers prefer the Prophetic books⁹ (Gitari & Knighton, 2001; Lonsdale, 2009; Sweeney, 2000) over the Pentateuch (Freedman, Myers, & Beck, 2000). There is, therefore, an ongoing tension between categories of texts. The dilemma is not easily resolved, given the hundreds of texts in the Old and New Testaments which speak explicitly about justice, and hundreds more which refer to it implicitly. These variations are largely because authors wrote from particular socio-cultural setting, and historical circumstances. Twenty-first century biblical readers cannot transplant the socio-cultural setting of the text into the present world. A perspective of justice also varies depending on whether one is reading from the Old Testament or the New Testament. Those who read from the Old Testament tend to begin with Exodus event (Brueggemann, 1997; Sagovsky, 2008), while New Testament readers focus on the ministry of Jesus (Marshall, 2001) and the Jesus movement.

The 'world in front of the text' is the one that has caused most diversity in relation to theological frameworks of justice. Primarily, it locates the present (real life) reader and interpreter of biblical texts on justice. One's perspective of justice will be shaped by their social location (Dube, 2001; Segovia & Tolbert, 1995; Sugirtharajah, 2006) which may go hand in hand with their hermeneutic (Adamo, 1999; Jasper, 2004; Kanyoro, 2001; Klemm, 2004), methodology (Bowman, 1995; Powell, 1990; Ricouer, 1991; Schneiders, 1999), and ideology (Houston, 2006; Mosala, 1993; Yee, 1995, 2003, 2004). But even within Kenyan society, concepts of justice will differ depending on location. My perspective of justice will be similarly middle class and grassroots, because of my constant engagement with grassroots communities. Likewise, a gay person may have a perspective of justice different from a non-gay person. These are the influences of the world in front of the text, the current world of day-to-day readers. As with the philosophical-political frameworks, the politics of difference dominate theological frameworks of justice. Theological traditions also shape perspectives of justice. My Anglican tradition in its many diversities influences how I think about and practise justice, the same way that Evangelical, Pentecostal, and Roman Catholic

⁹ These include the Major Prophets (Isaiah, Jeremiah, Ezekiel, and Daniel); and Minor Prophets (Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, and Malachi).

traditions respectively might inform their adherents' view of justice (Kim, 2006; Lebacqz, 1986; Sider, 2008).

Nevertheless, there are common concepts of justice throughout the Bible and among theologians. This chapter asserts that the interpretation of these concepts differs depending on the two worlds of the text discussed above. For the sake of consistency I examine these concepts under the conventional classifications of Old Testament and New Testament.

The following proclamation within the Anglican Church of Kenya's liturgies of the Holy Eucharist provides a useful starting point for a critical discussion in justice frameworks based on the Old and the New Testaments.

...from a wandering nomad you created your family, for a burdened people you raised up a leader, for a confused nation you chose a king; for a rebellious crowd you sent your prophets. In these last days you have sent us your Son, your perfect image, bringing your kingdom, revealing your will, dying, rising, and reigning remaking your people for yourself. Through him you have poured out your Holy Spirit, filling us with your light and life (Anglican Church of Kenya, 2002, p. 80).

The problem of justice in the Old Testament

I was about 7 years old when my Sunday school teacher first taught me about 'timo gik makare' (Luo word for justice)¹⁰ in the Bible. We read chapters from the book of Exodus, particularly Chapters 1-15. These chapters are accounts of the nation people of Israel crying out to God because of the suffering they were experiencing at the hands of the Egyptians. God responded to their calls by raising up a reluctant leader and after a series of events freeing them from their suffering. At least this was how the story was first told to me. My teacher's theology was that God cares for His people and does not want to see them suffer. God liberates them, and punishes those who had caused his people to suffer. I wondered about who God's people were. Did the story imply that some people are God's and others are not? My teacher did not provide me with answers to these questions. They are questions I still grapple with. This was my initiation to knowledge about justice in the Old Testament.

¹⁰ All Luo translations of the bible do not use a single word for 'justice'. A phrase is used instead, 'timo gik makare'. This phrase is literally translated as 'doing the right things'. Theoretically, this is because within Luo culture 'justice' is practised, it is more about what a person does in acts and less in words.

...for a burdened people you raised up a leader...

The Exodus event is a central narrative to perspectives of justice in the Old Testament. Theological literature supports this observation although (Brueggemann, 1997, p. 28; 2002; Lebacqz, 1986; Sagovsky, 2008; Wright, 2004) how people have espoused this narrative has differed depending on their social locations.

It is generally agreed that this event attests to the centrality of a God of justice according to the Hebrew context. As Wright (2004) puts it, justice on earth flows from justice in heaven (Wright, 2004, p. 253). As my Sunday school teacher taught, justice begins with the Lord's intention for all creation to be whole in the sense of finding fulfilment in themselves, and with God (Brueggemann, 1997; Westermann, 1992). In the Exodus event, God refuses to make peace with powers that destroy well-being. Therefore God delivers Israel from oppression in Egypt. In this narrative, the agent of such destructive power is Pharaoh (Brueggemann, 1999, p. 48).

Moses is chosen by God to lead Israel during their liberation (Exodus, Chapters 2-5). Pharaoh imposes a range of oppressive acts on the Israelites. He 'deals shrewdly with them', 'makes their lives bitter with hard work', and denies the people straw to make their bricks: 'Let them go and gather straw for themselves' (Exodus 5). Brueggemann (1997) contends that in all these happenings, the social political dimensions of reality experienced by Israel is matched by the revolutionary character of God who refuses to accept the disturbing of well-being (Brueggemann, 1997, p. 741). Schneiders affirmed that God championed Israel's cause to overturn oppressive structures (Schneiders, 1999). As a result, Israel escaped its oppressors, exercised freedom for its own life, and became the subject of its own history. In this event, God displays a preference for the oppressed and a radical notion of inclusive justice (Brueggemann, 1999, p. 49).

Theological frameworks of justice, therefore, are generally founded on God's justice and in the God of justice. God's radical inclusive justice which favours the downtrodden is however contested. I return to explain this debate later when I discuss the justice notion, namely 'options for the margins'.

...for a confused nation you chose a king...

After being delivered from oppression in Egypt, Israel is set on course to establish itself as a 'nation' and be subject to its history based on God and His justice. And to

make sure they do not forget their foundation, God makes covenants with Israel through its leaders. God's justice is not exercised in a vacuum. Brueggemann argued that the covenants played the important role of transforming the vision (in Exodus) into sustainable social practice with institutional power, authority, and credibility (Brueggemann, 1999).

As part of this reality, Israel established forms of leadership, laws and rules based on God's justice. Throughout the Old Testament, leadership is named according to the theology and main events at a particular time in Israel's history. For instance when Israel was still under different tribes, leaders were called 'judges', and when the tribes in Israel united to form nations they were called 'kings'. The expectation was that leaders would deliver the justice of God, and act on behalf of the just God (Brueggemann, 2002, p. 177; Frey, 1992; Gossai, 1993; Knierim, 1995; Moshe, 1992). Israel's polity was set within a history where the weak, powerless and vulnerable were protected. The leaders were believed to be appointed and anointed by God to protect the weak. The place of God is evident when leaders act contrary to perceptions of divine justice. Several texts in the books of Judges and Kings show God's displeasure with a leader: they are dethroned, vehemently rebuked, punished or killed. (cf. Psalms 82; Isaiah 1:10; Jeremiah 22:13-14, 17; I Kings 3). At the same time, they are compared with leaders who show justice, or who fail to administer it but apologise and are praised (cf. I Samuel 12:3-4; II Chronicles 19:4-11; II Kings 23:25). Wright (2004) discusses the comparison of leaders' administering of justice (p.275).

The laws set by Israel through their leaders are, however, contradictory. At one time, they are preoccupied with the less advantaged in society. Widows, orphans, and aliens are to be protected by all means because they lack social leverage. So for these groups, those who have much give all or some up (cf. Exodus 3:21-22; 12:2; 12:35-36). At other times, particularly after the Israelites came from Egypt, Brueggemann asserts that Moses sought to fashion procedures, structures, and values for a genuinely egalitarian community in which political processes and economic resources were made available to all (Brueggemann, 1999, p. 49). Within this perspective, there is no preference for the weak and powerless. Everyone is treated the same way. The tension between the two perspectives remains unresolved in the Old Testament and in theological literature on justice based on the Old Testament although most frameworks

of justice choose between the two depending on the interpreters' social location. Brueggemann contended that,

This conversation is always an adjudication of vision and experience (sometimes the experience of deprivation and sometimes experience of privilege). That disputatious conversation in which the community of faith must be engaged includes disputes about the character of God, the ethical mandate for the faithful, and the public policy possibilities that flow from decisions about the character of God and the ethical mandate for the faithful. That conversation cannot ever, in the historical process be resolved... What is certain is that the heirs of this textual tradition are heirs to this difficult conversation and must continue such difficult and conflictual reflection (Brueggemann, 1999, p. 58).

The Exodus event illustrates different ways in the Old Testament of ensuring justice in relation to allocation of resources. People are punished when they do wrong – retributive justice. Resources are reallocated to people who have less, or equally to all – redistributive justice. There is also what I have called transformative justice which is evident when the justice of God is denied. In the literature it is generally known as prophetic justice.

...for a rebellious crowd you sent your prophets...

In Chapter Three, I observed that the Anglican Church has referred to biblical texts in some cases when calling for justice in Kenya. Bishop Okullu and retired Bishop Gitari often quoted from the Old Testament, particularly the prophetic books. Lonsdale (2009) asserted that Gitari often used texts from the prophet Isaiah to rebuke the wrongs of the government. International Christian organisations also appeal to the Prophets for words on justice. For instance, the Micah Challenge movement is founded on the words of prophet Micah: 'to do justice, love with kindness, and to walk humbly with God' (Micah 6:8) (Micah Challenge International, 2009). These are only two examples of frameworks of justice taking their cue from the prophetic books of the Bible.

The majority of theological literatures on justice based on the Old Testament texts generally regard the Minor and Major Prophets as the biggest critics of injustice. The injustice the Prophets spoke against often resulted from the breakdown of social structures and social relationships in light of Israel's covenants with the just God. Brueggemann (1999; 2002) helpfully explains who the prophets were and what their role among the Israelites was. Briefly, they were people who had uncommon access to

matters pertaining to God's will and purpose that were hidden to other human beings. The prophets were situated realistically among issues of social power, functioning as speakers and advocates for a variety of social interests that they believed to be congruent with God's will and purpose (Brueggemann, 2002, pp. 158-159). Prophets delivered their criticisms by way of denunciations, oracles, judgements, utopian promises and moral exhortations in the law (Brueggemann, 1999, pp. 52-55). They spoke against injustice in a setting where justice was expected from God, from the leadership, and from the community. However, biblical justice as proclaimed by the Prophets is not wholly welcomed by all theological frameworks. For instance, Houston (2006) contended that prophets largely remained 'outsiders'. They critiqued but seldom provided solutions and were hardly involved with the system.

Houston (2006) was critical of the prophetic model of justice. Prophets, Houston argued, often condemned the moral choices of individuals, state and classes but had nothing to say about power and structure. They did not seem concerned with their functions and legitimacy. In Houston's view, they were simply privileged but sympathetic observers convinced of God's anger against oppressors of the poor and of the danger which threatened a society where justice was not practised (Houston, 2006, p. 96). But Houston is making his argument from his own social location and through the lenses of his framework of justice, which clearly is anti-prophetic. Houston's reading could be from within an elite position of the rulers rather than the ruled. Mosala also warns against applying the 'prophetic motif' uncritically (Mosala, 1993).

Instead of dismissing the prophets, Mosala argued for the use of ideological criticism (Yee, 2003, 2004) when interpreting justice according to the prophets. Mosala was writing in a South African context. While interpreting the book of Micah, Mosala asserted that the same book had been used in South Africa both by those for and against apartheid (Mosala, 1993, p. 268). Mosala and Houston demonstrate how theological frameworks for justice are significantly shaped by social locations, ideological and historical contexts. So applying Old Testament motifs in the 21st century requires a great deal of care and creativity. Brueggemann has referred to such creativity as 'prophetic imagination' (Brueggemann, 2001).

Theological frameworks borrowing from the prophetic model must be aware of differences between the biblical world and the world in the 21st century. First, the

match was often ‘prophet versus king’. Micah confronted Jotham, Ahaz, and Hezekiah, kings of Judah concerning Samaria and Jerusalem (cf. Micah 1:1). Isaiah proclaimed God’s justice during the reigns of Uzziah, Jotham, Ahaz, and Hezekiah, kings of Judah (cf. Isaiah 1:1). Unlike the Old Testament world, the 21st century ‘prophets’ confront and are confronted with states composed of many leaders, and institutions that are intricately linked, in complex ways. Realistically, it may be hard to know where to direct criticism. Moreover, Old Testament leaders were believed, or acclaimed by their societies, to be God-ordained therefore representative of God on Earth. This is not the case in 21st century society. Even in Kenya, where Christianity is the dominant religion, most people do not make the connection between political leaders and God. Sabar argued that political leaders have in many cases only acknowledged God to manipulate the deeply religious Kenyan public to get them into political power (Sabar-Friedman, 1997).

Secondly prophets were regarded as having enough clout or imagination either socially or morally, to gain a hearing. Against Houston’s (2006) thoughts, the Israelites perceived prophets to be people who lived for justice, had not been involved in any injustice, and/or acknowledged their role in injustice and sought to address it. This is why they were chosen by God. In 21st century society, Christian churches would be considered the prophets. However, historical complicity among Christian churches is without doubt. The cases of Kenya, South Africa (De Gruchy, 2004), Canada (Grimshaw & May, 2010), and Rwanda (Gatwa, 2005) discussed in Chapter Three are only a few examples. Although the church still has a prophetic role, it is different from Old Testament prophets.

Norman Habel asserted that we cannot simply transplant the world of the prophets into ours. Brueggemann’s prophetic imagination is founded on a similar argument. “Prophetic imagination requires more than the...old confrontation if the point is not posturing but effecting change in social perspective and social policy” (Brueggemann, 2001, p. xii). Rather than directly replicating and re-enacting prophetic texts 21st century prophets could use the same material to give wisdom and courage, and to use imagination to move from such materials to actual circumstances (Koopman, 2008; Preston, 1983). Whatever is ‘prophetic’ must be more cunning and more nuanced and perhaps more ironic (Brueggemann, 2001, p. xii). Prophetic imagination begins by

asking where the love of God is leading, and enabling this love in concrete situations (Davis, 1980).

Prophets in the Old Testament proclaimed justice when wrongs were done. Only the book of Job, questions God's justice. Job had done everything right, was just, yet calamity befell him (Job 19:7). But God is under assault for not practising the justice which is His being (Brueggemann, 1997, pp. 739-740; Houston, 2006, pp. 203, 222). God fails to reward those who deserve to be rewarded. In the 21st century, this kind of justice is founded on the concept of merit and desert discussed in Chapter Five. Job's case challenges frameworks for justice that perceive God to hear the voice of the poor and oppressed and responds to their cry. While Job maintains his innocence, his friends take the fact of his suffering as 'proof' that he must not be innocent. Behind this 'standoff' between Job and his friends lies a common assumption: only the guilty merit suffering. Therefore if a person suffers, he is either being treated unjustly (the view taken by Job), or is guilty (the view taken by Job's friends) (Lebacqz, 1987, p. 76). This tension is unresolved in literature, and is somewhat tackled further in New Testament perspectives of justice.

African women in general, and perhaps women throughout the world, have often questioned whether their oppression is caused by their 'guilt', and if not then why does God not deliver them from oppressive societal structures and institutions (Dube & Kanyoro, 2004).

African women are suspicious of the conventional representation of the God of justice because of its traditional male characteristics such as 'father', 'son', 'lion' and 'warrior'. This presentation is a problem for women facing oppression in patriarchal societies. Consequently, women have wondered if such a male, masculine God is capable of saving women (Dube, 2001; Ruether, 1981). African women theologians' views on this argument are widely documented (Dube, 2001; Dube & Kanyoro, 2004; Kanyoro, 2001; Njoroge, 2006). They have resisted relating to a God compared to male figures who are mostly perceived and experienced as oppressors.

The New Testament concepts of justice attempt to answer the justice questions raised by Job and African women theologians.

The problem of justice in the New Testament

In these last days you have sent us your Son, your perfect image, bringing your kingdom...

In the New Testament, Jesus' ministry continues and clarifies and magnifies the reign of God's justice which began in the Old Testament. The continuity is evident in the way texts in the New Testament refer to those texts in the Old Testament. For instance, while introducing the ministry of Jesus, the gospel of Luke repeats the words of the prophet Isaiah (cf. Luke 4:18-21). Jesus, who is the perfect image of God, is at the centre of New Testament frameworks of justice which reflect on what Jesus did, and how he may be emulated in real life.

It is generally accepted that Jesus primarily brought justice by bringing the kingdom of God. The kingdom of God brings deliverance from servitude and inaugurates a new covenant, as Christopher Marshall asserted (Marshall, 2005, p. 10). In saying that, however, explanations of what the kingdom of God is and how it is realised differ. In many ways even the New Testament community could not escape the same difficult and conflicting understandings of justice which the Israelites faced.

For readers in the 21st century, the primary causes of contention are language and the gaps between the New Testament world and our world. Marshall (2001) demonstrated how language has become a barrier to reconciling perspectives of justice in the New Testament which emerges within concepts such as 'righteousness'. Yet in English translation the word 'righteousness' has little obvious connection with justice. As Marshall argued, 'righteousness' carries the sense of personal ethical purity and religious piety, while 'justice' relates to public judicial fairness and equality of rights. One belongs to the private, moral, religious realm, the other to the public, political, legal realm (Marshall, 2001). This problem is not peculiar to English. In the Swahili translation of the New Testament, two phrases are used interchangeably for 'righteousness'. These are *matendo yenu mema* (literally, 'your good deeds') and *mungu atakavyo* (literally, 'what God desires from you'). This is partly why Lonsdale (2009) observed that in Kenya, the New Testament is often the source-book of personal and societal salvation (Lonsdale, 2009, p. 60) and not justice. I see the

language issue to be mainly about the limitation of languages in relation to religious issues, and the differences between the biblical worlds and the 21st century.

In the gospels according to Luke, John, Matthew and Mark, Jesus arrives in Galilee to proclaim and realise God's justice. As Sagovsky (2008) explained, present day readers encounter at least four perspectives of God's justice. Firstly, readers encounter the liberating authority of Jesus. Jesus is actively involved in justice, confronting and cleansing the practice of the religious establishment (John 2:13-22). He acts contrary to exclusivist or separatist ideas of holiness; he eats with tax-collectors and sinners (Mark 2:15-17). Jesus shows the poor how they are not excluded by their poverty from God (Luke 18:9-14), (Sagovsky, 2008, p. 60). Jesus forgives, and heals the sick, thereby expressing the liberating justice of God (Mark 2:5, 4:39; Luke 8:24). Jesus taught people through creative interpretation such as parables (Mark 1:1; Luke 10:27 Matthew 5:44-45).

Secondly, readers meet Jesus bringing justice by affirmation of the law. Jesus is explicit about keeping the law in the Sermon on the Mount (Matthew 5:7-20). Sagovsky (2008) contends that Jesus was dedicated to keeping the law to restore those to the covenant, like the beggar Lazarus, who saw himself as irredeemably excluded (Luke 16). Jesus teaches fulfilment, not abrogation (Sagovsky, 2008, p. 63). This is why he often clashed with the Pharisees because they had different understandings of the demands of the law (Matthew 5; Mark 2; Luke 5).

Then we encounter Jesus proclaiming justice by the meeting of people's needs. Importantly, Jesus recognised the needs of the poor and took trouble to see that their needs were met even if it meant going against the Pharisees. Jesus fed the five thousand, against the advice of his disciples (Matthew 14; Mark 6; Luke 9; John 2). He went against religious establishment to meet the needs of the downtrodden. "Jesus goes beyond safe boundaries of the normal workings of God's justice into the dark and unsafe area which we encounter in the laments and protests of job..." (Sagovsky, 2008, p. 65). Jesus preached responsible action through his journey to the cross (cf. John 19:11). To follow him, one took up one's own cross.

However, the extent to which Jesus deliberately adopted the role of the sacrificial victim remains a matter of conjecture. The image of a 'sacrificial lamb' is problematic,

particularly in the 21st century where it has connotations of silence and suffering without questioning. Esther Mombo has argued against this image in her *vumulia* (Swahili word for tolerance) theology (Mombo, 1998). She claims that the theology is apparent when religious language such as ‘giving up your life’, ‘losing your life so you can gain it’, and ‘do not worry because we are guests in the world’ are used to naturalise the situation of the poor in Kenya, and to legitimise violence against women. Black theology, which originated in a South African context, also grappled with such issues (Cone, 1997). The death of Jesus points readers to a fourth perspective of justice: eschatological justice of God (Sagovsky, 2008, p. 81). It is perhaps the key theme of the book of Revelations (Revelation 5, 15).

The Pauline letters¹¹ follow closely the gospels’ perspectives of justice. Paul also used the language of justice in at least four ways (Marshall, 2001). Marshall argued that in these letters, God’s justice is saving, reconciling justice, and the death and resurrection of Christ represent the concrete realisation and visible demonstration of this justice. Notably, Paul’s explanation of restorative justice, as in the ministry of Jesus, is more than a retributive or vindictive justice. His utilisation of justice as justification by faith (Sagovsky, 2008, pp. 73-75) is a form of restorative justice. Paul understands the cross of Christ to be emancipation and not substitutionary punishment (Marshall, 2001, p. 40).

Although there is no uniform understanding of justice, Marshall affirms that in the New Testament,

...God’s justice as (is) a redemptive power that breaks into situations of oppression or need in order to put right what is wrong and restore relationships to their proper condition. Paul speaks of...the death and resurrection of Christ as a comprehensive work of justice-making that liberates oppressed humanity from the power and sin and death and from the guilt of actual transgression, and brings peace with God and reconciliation between former enemies. Jesus speaks of the in-breaking of divine justice as the coming of God’s kingdom, which starts to put right what is wrong on earth, establishes a relationship of new intimacy between God and humanity,

¹¹ These include Romans, I Corinthians, 2 Corinthians, Galatians, Ephesians, Philippians, Colossians, 1 Thessalonians, 2 Thessalonians, 1 Timothy, 2 Timothy, Titus, and Philemon. Although all these works bear Paul’s name, there is an ongoing debate among biblical scholars as to whether Paul wrote Ephesians, Colossians, 2 Thessalonians and the three ‘Pastoral Epistles’ 1 Timothy, 2 Timothy, and Titus.

and calls into being a new community to live a transformed way of life in the midst of the old order... (Marshall, 2001, pp. 93-94).

My preference: justice and options for the margins

At the centre of the Old and New Testaments' frameworks are the marginalised. These are people with resources which hinder them from establishing themselves, being subjects to their own history, and, as in Jesus' ministry, often think their situations are irredeemable. The notion 'options for the margins' best captures my preference for justice. It is a perspective of justice suitable in a Kenyan context. Kenyan public spheres at all levels are significantly influenced by the politics of privilege. Women, and youth in particular, have been excluded as a result of this kind of politics. This section provides a brief background against which 'options for the margins' were born within the context of Latin America's liberation theology.

The original concept of 'God's preferential option for the poor' was born at the crossroads of a changing Catholic church and the revolutionary political-economic ferment of the late 1960s and early 1970s. In the 1960s, Latin American and Caribbean Christians' struggle for justice and solidarity with the poor led them to raise new questions, which also pointed them to fertile new pathways in the discourse about faith. Liberation theologians wanted to convert reflection into practical theology. They sought to understand Christian concepts of grace and salvation within the situation of the poor (Rowland, 1999, p. 16). Therefore, their theology was founded against the churches' struggle to remain faithful and relevant to their followers in the face of poverty.

Poverty, they believed, was caused by two major issues: capitalism and politics. Liberation theology, therefore, developed texts and notions to counter the major contributors to poverty. For instance, socialism was preferred to capitalism. Politics, on the other hand, was defined as the struggle over state power. This was a narrow definition of power and has since been critiqued in literature. Essentially, it overlooked other sites of struggle and politics such as gender, ecology, race, and popular culture (Petrella, 2004, p. 1).

The socio-political and religious context within which liberation theology emerged has changed dramatically since the 1960s and 1970s. The breakdown of socialism

represented the loss of a practical alternative to capitalism. Capitalism was blamed for the decline of the nation state's ability to control economic activity. Similarly, state politics in Latin America could no longer be defined within their own boundaries. Globalisation saw an upsurge of culture as a politically contested site and subsequent downgrading of the traditional political sphere, the struggle for state power (Petrella, 2004, p. 2). It is easy to argue that concepts and notions of liberation theology are no longer relevant in the 21st century because the situations under which they were founded have changed or have taken other forms. Liberation theology's methodology is criticised from within and without (Lebacqz, 1986, p. 113; Petrella, 2004; Rowland, 1999).

Yet, its concepts remain influential. Its impacts are apparent in the development of parallel frameworks in other parts of the world and contributed to frameworks in which oppression, vulnerability or marginalisation has led to a sustained reflection on Christian theology particularly African (Gibellini, 1994; Kofi & Sergio, 1977), and Black theology. These theologies explore in different ways the dialogue between social context, scripture and tradition (Petrella, 2004, pp. 132-136; West, 2009). Attraction to liberation theology is because of its discourse and rhetoric of transformative justice, insistence on economic and socio-political analysis, gospel frameworks for doing God's justice, and prospects of freedom for the oppressed (Weiler, 1991, p. 450).

Gerald West stated that there are four movements that have marked faith in South Africa. These are liberation hermeneutics, postmodernism, reader-response criticism, and enculturation hermeneutics. Liberation hermeneutics, with its privileging of the epistemological point of view of the poor and marginalised, he claimed, is the most easily-recognised of the four movements. Liberation theologies in their various forms, particularly feminist theologies, cannot be accommodated, appropriated and co-opted simply as 'interesting theologies'. They have challenged the essence of Christian faith. Their resources are not simply additions to 'theology proper', meaning Western theology but a proclamation that all theology is interesting. Their presence has destabilised Christian faith (West, 1995, pp. 445, 446).

Latin America's liberation theology has been redefined by parallel liberation theologies and reformulated to the 21st century. But Latin America liberation

theologians have also responded to the change of contexts. They have responded in three ways. Liberation theologians have either set out to reassert core ideas, revise or reformulate central categories of their theology or to criticise capitalism and modernity generally. Either way, according to Petrella, their response has not been satisfactory. The three positions suffer from the inability to devise concrete alternatives to the current social order (Petrella, 2004, pp. 2-18).

Women's theologies also observed a gap in original liberation theology. The original assumptions of collective experiences of oppression did not adequately address the realities of women. Universal ideals failed to address women's specific situations. Conversely, women's theologies recognised the contradictions between conflicting oppressed groups and the ways in which an individual experiences oppression in one sphere while being privileged or oppressive in another (Weiler, 1991, p. 450; Welch, 1985, pp. 74-92). So they sought to be specific and not claim a total experience of oppression. African women's theologies argue for specificity (Apawo & Nadar, 2006; Dube, 2001; Dube & Kanyoro, 2004; Oduyoye, 1995, 2002). They have remained aware of the continuing force of sexism and patriarchal structures and of the power of race, sexual preference, physical ability and age used to discriminate against individuals and groups (Weiler, 1991). The original 'preferential options for the poor' can be reformulated to 'options for the margins' to incorporate a wide range of marginalised individuals and groups (Jazreel, 1997; Pope, 1993). Analytically, the 'poor' may be seen to represent only one category of oppression – economic poverty.

God's preferential option for the poor was reflected and articulated in two conferences in Latin America: the Medellin and Puebla conferences (Jezreel, 1997, p. 30). Latin American theologians and bishops at these two conferences were concerned with poverty. The preferential option for the poor acknowledged a concern for poverty in particular, and other problems that render other individuals and groups invisible.

The bishops at Puebla and Medellin were aware of widespread deprivation and a church history of disregard even disdain for the poor (Jezreel, 1997, p. 31). The Second Vatican Council (1962-1965) contributed significantly in shifting the Catholic Church from a conservative and authoritarian stance to one that supported democracy, human rights, social justice, and political pluralism. Indeed Puebla introduced the term, "preferential option for the poor" (Kirylo, 2006, p. 267).

The Second General Conference of the Latin American episcopate in Medellin was held on September 6, 1968. This conference adopted a clear preference for and solidarity with the poor. This change in methodology was monumental. It represented a shift from a perspective that was dogmatic, deductive and top-to-bottom to one that was exploratory, inductive, and bottom-to-top. Thus, the church identified with all the people of God, particularly those people at the grassroots. The final Medellin document stated that the church in Latin America was a sinful church in an unjust society marked by structured inequality. Participants concluded that Latin America suffered from evils of external dominance, and internal colonialism. The church needed to change and participants moved to support the poor and oppressed. Even though this led to the loss of support of the traditional elite, including the military, the participants felt that the commitment had to be made. It was, in their words, a gospel imperative. They stated that the “The Church – the People of God – will lend its support to the downtrodden of every social class so that they might come to know their rights and how to make use of them. To this end the Church will utilise its moral strength and will seek to collaborate with competent professionals and institutions” (Thomas, 1995, p. 189).

A commitment to a horizontal rather than a vertical church had to be made. The church was to reach out to the poor. This would be accomplished through evangelisation and lay participation from which grassroots communities would emerge (Thomas, 1995, pp. 187-188). Their position was reaffirmed by the bishops at the Puebla conference in January 28, 1979 (Hennelly, 1990, pp. 225-253; Scherer & Bevans, 1992, pp. 99-111).

...we affirm the need for conversion on the part of the whole church to a preferential option for the poor, an option aimed at their integral liberation. The vast majority of our fellow humans continue to live in a situation of poverty and even wretchedness that has grown more acute. We wish to take note of all that the church in Latin America has done, or has failed to do, for the poor... The poor too have been encouraged by the church. They have begun to organize themselves to live their faith in an integral way and hence to claim their rights... Service to them (the poor) really calls for constant conversion and purification among Christians. That must be done if we are to achieve fuller identification each day with the poor Christ and our own poor (Hennelly, 1990, p. 254).

Despite the commitment a number of questions remained unanswered. These included why the poor were to be privileged and not the rich. Did this mean that God loved the

poor more? The two conferences' arguments were that in the New Testament Jesus mostly evangelised the poor. A second reason was that service to the poor was a gauge of Christians following Christ. But these arguments showed a lack of impartiality and failed to represent God's justice.

The most controversial term in the original phrase was 'preferential'. Preference suggested a priority in which the claims of the poor were given precedence over the other claims. Gregory Baum illustrated when he stated that, "when confronted by a conflict between rich and poor (or powerful and powerless, or masters and slaves), then the Gospel demands... that (we) side with the oppressed" (Baum, 1981, p. 84). Did this mean, therefore, that God loved the poor more than the rich? This developed into a criticism of the original statement. Critics generally stated that the phrase 'God's preferential option for the poor' constituted partiality (Paprocki, 1995, p. 12).

'Preference' is derived from the Latin word *partialitas* meaning 'partiality'. It suggests that only part of the whole is considered, appreciated, or properly weighed. According to the Oxford English Dictionary 'partial' suggests bias, unfairness, and prejudice. On the other hand, it refers to a kind of fondness, favourable disposition, or predilection. As a character trait, "impartiality" implies a disposition to fairness, freedom from bias, and resistance to favouritism. The notion of choice constitutes a form of partiality or impartiality. This form of 'partiality' is a necessary partiality.

Stephen Pope (1993) argued that there are different ways of explaining partiality (p. 246). A cognitive explanation of partiality suggests ignorance, imbalance and a failure of intellectual honesty which are required to make decisions on the basis of a reasonable gathering of relevant facts. Therefore an option for the poor would mean that theology has failed adequately to explain the situation of the other social groups only those people at the margins. The moral explanation of impartiality implies fair play. The third explanation is the religious perspective used by the original liberation theologians. Unexplained, 'options for the poor' violated central tenets of Christian faith of the universal love of God, and the significance of the death and resurrection of Jesus Christ (Pope, 1993).

However, a hermeneutic of privilege could explain the 'preference' because it acknowledges the influences of social location while interpreting biblical texts and

Christian traditions. Social location influences sensibilities, attitudes, priorities, and moral commitments. So to be in solidarity with the poor and people at the margins, theology must locate itself with the poor. It requires active engagement which leads to an understanding of the experiences of the poor. In this sense, claims of partiality are justified because they come from concrete experiences of people at the margins. But utilitarianists, egalitarians and those who subscribe to the equality brand of redistributive justice are not satisfied with this explanation (Pope, 1993, pp. 251-252).

Marshall (2005) justified preference for people at the margins on the basis of the Old and New Testaments. He argued that justice in the Bible is partial, biased and unbiased, equal and unequal, depending on the issues at stake. In some circumstances justice requires impartiality, particularly in matters of criminal wrongdoing or arbitrating disputes (Cf. Deuteronomy 1:16-17; 16:19; 2 Chronicles 19:7). In other circumstances it demands an unequivocal partiality, a definite bias towards the interests of certain parties over those of others, particularly when it concerns the way wealth, social resources, and political power are 'distributed' in society. Preferential option for the poor is defensible when it concerns the welfare of four groups in particular – widows, orphans, immigrants, and the poor. The struggle for social justice must be biased in favour of certain parties because some groups are more frequently the victims of injustice than others, and because the condition of the impoverished and the oppressed violates God's intentions for the world (Marshall, 2005, pp. 39-48).

Jezreel suggests that,

...partiality is justifiable when it contributes to inclusiveness, a value which pertains to our cognitive and affective comprehension, to our recognition of the dignity of every human being, and our acknowledgment of the comprehensiveness of God's love and of the solicitude for the needy which flows from that love. In all three phases of partiality (cognitive, moral, and religious)... the preferential option appeals to an expansion rather than contraction of love and wisdom... (It) works for an extension rather than restriction of the interrelationships of parts to one another and of parts within the whole rather than substitution of one system of dominance for another... Unity of the church is only real when it includes the faith, the experiences, and the voices of the poor. Unjustifiable partiality furthers the dominance of one part over the others and... over the whole; justifiable partiality...strives to create opportunities for deprived and oppressed parts so that all parts will be able someday to participate fully in the whole (Jazreel, 1997, p. 32).

I am critical of this notion. I propose that first, the concept be reformulated to ‘options for the margins’ to open it up to all forms of oppression. Secondly, there are less problematical ways of looking at the concept.

First, ‘options for the margins’ is a social category. A social category enables its membership and the people who define it to articulate, and claim particular historical and social identity. They are also able to locate themselves in relation to other groups in society. Those who choose to identify with the category begin their work of justice from the socio-political realities of that category, rather than from the vantage point of elite policymakers. They identify with its suffering and marginalisation. Such a starting point is useful for understanding why that category is experiencing oppression and how to ensure appropriate transformation.

However, the poor as a social category is elusive, in the sense that the description of ‘poor’ keeps shifting and is contextual. Questions such as ‘who are the poor’ or ‘what makes people poor’ have no universal answers. For instance, the majority of grassroots communities in Kenya understand ‘poor’ from a socio-economic perspective so that the ‘poor’ are those without material things such as clothing and money. ‘Options for the margins’ expands experiences of marginalisation to include those who are ‘poor’ because they lack the power and skills to participate in decision-making bodies. It includes those who are marginalised politically and culturally.

Weiler asserts that socially given identities such as ‘poor’ are precarious, contradictory and in process constantly being reconstituted (Weiler, 1991, p. 454). The subject is not fixed in a static social structure, but constantly and actively recreating itself, and struggling for new ways of being in the world through new forms of discourse or social relationships. This analysis makes us aware of the essential and universal nature of ‘poor’ and the ‘poor’ experience. The category evokes the power of ‘naming’ (Fiorenza, 1996; Kanyoro, 1996, p. 191).

The ‘poor’ is a multifaceted group. The ‘poor’ is a part of the whole hence the need for dialogue with other parts of that whole. The ‘poor’ and agents of transformation that accompany them must build coalitions through recognition of the partial knowledge of constructed identities (Weiler, 1991, p. 470; West, 1995, p. 451). There is an imperative to enter into dialogue with others.

‘Options for the margins’ is a theological ideal, a utopia, a world of possibilities. I am aware of the debate over whether utopia is a playful satire or a serious proposal for an ideal community. Utopia as an ideal has remained a critical focus of all visions of a better society. In a positive sense, utopia is not a place but the spirit of hope, the essence of desire for a better world (Ashcroft, 2009, p. 8; Gur-Ze'ev, 1999, p. 120).

Advocates for ‘Options for the margins’ believe that a different world is possible – a world where people at the margins take control over their lives and change them. Jose Castillo argues that if we are convinced that a ‘different world’ is possible and really want this it to become a reality, our first action must be to regain a utopian consciousness (Castillo, 2004, p. 35). This is because utopia represents both a critique of what exists: injustice facing people at the margins, and a proposal for what should exist, the centring of the margins to include marginalised individuals and groups (Benzaquen, 1998).

...if we neither criticize the world we have nor make proposals for the world that should exist – that is, if our lives and plans are not guided by ‘utopian reason’ and its corresponding state of mind and way of thinking and of feeling – it will become clear that we are happy as we are, that we are satisfied with the present ‘order’... and then logically people satisfied with what they have cannot... produce any sort of change (Castillo, 2004, p. 35).

Utopianism may thus be linked to the Christian teaching of hope. A society without an ideal of utopia in the face of marginalisation and poverty is a society without hope in which the privileged hold on to what they have, while the majority, those excluded and marginalised, cannot get beyond the desperate desire for survival. A perspective of utopianism offers alternate visions of society, and causes us to reject as injustice anything that affects the well-being of any member.

Commitment to a better world involves a series of steps including, but not limited to, a careful analysis of a particular category and the source of the injustice affecting it. It will also involve a self-critical analysis (of the group or individual committed to action) and distance from the injustices to be reduced. Careful planning with those affected is needed and actions at every level of society to challenge injustice. Practical alternatives to the structures and institutions challenged must be found as well as, the process of bringing these alternatives into being.

In all situations it is most important that the agent opting for the margins does not set the agenda or provide the answers. Instead, the people at the margins should speak and act autonomously. This is not to ‘romanticise and essentialise’ people at the margins. Instead, it is my contention that people at the margins have privileged knowledge of their circumstances. Their experiences of marginalisation become their strength and assets. Decision-making processes should therefore begin from this ‘position of experience’, and not ‘position of privilege’.

People at the margins know how they have coped with marginalisation, thus are better placed to know what is appropriate, what works and what does not work. Therefore, the role of the agent is to mobilise individuals and groups at the margin to meaningfully dialogue about issues and problems causing marginality. In this way, the agent will empower these people. Empowerment which was the focus of the ‘dialogic’ workshops, explained in the next Chapter, is based on a ‘strength-based approach’ not pity. It is a process which turns what is considered to be weaknesses into strengths. This thesis sought to turn experiences of marginalisation into strengths by letting women and youth living with HIV inform effective HIV-AIDS public policy making.

Conclusions

How are the justice frameworks discussed in the previous two chapters useful to the Anglican Church of Kenya’s public policy dialogue work? The two frameworks examined in Chapters Five and Six complement each other. Both the philosophical-political framework and the theological-biblical framework help our understanding of the justice work of the church. The theoretical framework for this thesis draws from both frameworks. This is because issues such as public policy intersect, and no one theory adequately addresses them. Theories of justice need to engage with and borrow from each other, not to surrender to another’s philosophies but to cover a wide range of ideas and concepts. De Gruchy maintains that a church cannot engage in public life if it is ill-informed about substantive issues; but only if it is willing to learn from those whose task is to investigate them and it is able of entering into a meaningful discussion (De Gruchy, 2004, p. 55).

Latin America’s liberation theology, at its inception, dialogued extensively with the social sciences. Its proponents realised that theology was ill-equipped to undertake social analysis. The social sciences, because of their methodologies, provided

liberation theology with the required tools. However, liberation theology was criticised for losing its 'theological voice' to the social sciences (Campell, 1999; Petrella, 2004). Rowland has defended the liberation theologians' approach, stating that it was necessary for total transformation (Rowland, 1999, p. xii). Analysis from the social sciences enabled theology to name structures that systemically denied poor people access to public resources and decision-making bodies.

Duncan Forrester wrote extensively on theology dialoguing with other disciplines (Forrester, 1997). Forrester's book *Christian Justice and Public Policy* inspired my initial thoughts on theology and Christian churches' public role. Theology has much to offer to 'secular' frameworks of justice, but theology and theologians have vacated the public sphere thinking they have nothing to offer. Or they are excluded by other disciplines. Forrester engaged dominant philosophical-political theories of justice such as those of Rawls's, their relationship to theology, and theology can contribute to these theories. No single theory is adequate. Theories of justice are fragmented and can always learn from each other. They are impoverished when they exclude other disciplines. Forrester maintained that disciplines complement each other, modify each other's theories or enlarge them (Forrester, 1997, p. 3). Nicholas Sagovsky has analysed current understandings of justice by linking theological insight and philosophical framework (Sagovsky, 2008). He is committed to ecumenical action for justice, hence his concern that theology dialogues with non-theological theories. His analysis demonstrates how Rawls's ideas have contributed to a Christian theology of justice without losing its distinctive voice.

Theological-biblical motifs such as the prophetic model have limited use in the 21st century world when transplanted from the Old Testament. It is time to upgrade it to *prophetic imagination* as proposed by Brueggemann and complement it with justice frameworks outside the religious circle. The ability to connect with other discourses and movements may result in social, economic and political success. David Fergusson suggested that some of the most influential religious personalities such as Desmond Tutu succeeded in their public role because they were able to base their theories on religious and non-religious traditions which resonated with a global audience (Fergusson, 2004, pp. 70-71).

The Anglican Church of Kenya practises justice in a diverse public with diverse frameworks. As De Gruchy (2004) and Preston (1983) state, the church exercises its ministry in a pluralistic public, so it needs to think critically how its theology relates to other disciplines and philosophies (De Gruchy, 2004, pp. 60-61; Preston H., 1983, p. 126). Increasing awareness of public theology provides an arena where such trans-disciplinary and interdisciplinary frameworks can be developed (Davis, 1980; De Gruchy W., 2005; Forrester, 1988; Graham, 2005; Scott & Cavanaugh, 2004; Storrar & Morton, 2005; Valentin, 2002).

Valentine (2002) suggested that there are a number of tasks and qualities that define a public theology. Such a theology must determine significant public issues and focus on them. It is not enough to make general comments or remain confrontational. It is not enough to remain an outsider and a bystander. Secondly, it must elucidate the meaning of public theology, and clarify benefits that result from the adoption of a 'public' orientation. Thirdly, public thought and discourse are characterised not only by naming social issues but by the provision of visions and systemic, solutions to the numerous inequalities faced by many in society. Koopman has demonstrated how Christian churches can actively engage with systems (Koopman, 2008). The ultimate goal of public thought and discourse and action must be the transformation of the whole society (Valentin, 2002, p. 118).

Discussions in Chapters Five and Six have established that there are competing versions of justice. There is no universal understanding of justice. I approach these theories of justice from the view that every theorist comes to an understanding of justice from a particular social location(s). This is a pragmatic approach which takes into consideration economic, cultural, political, regional, and religious differences. As a young Luo woman, I am inclined to understandings of justice which offer theoretical and practical tools which enable me to address kinds of marginalisation experienced as a result of my age, gender, and ethnicity.

My emphasis of justice as the 'centering of the margins' and as 'preferential options for the margins' establishes the centrality of a well-considered 'justice', which goes against the grain to deliberately include individuals and groups previously excluded from decision-making processes: in this case, from public policy making processes in

Kenya. I discuss my research design which was informed by this kind of justice in the next Chapter.

Chapter Seven:

Developing a Research Methodology

The goal of this Chapter is to explain how I conducted my research, and the philosophical and ethical issues surrounding it.

Two groups of participants were involved in this research, namely women and youth living with HIV (as ordinary people) and clergy and ordinands (as institution/organisation wielding considerable power). The research's focus was to find out how women and youth living with HIV participated in decision making, particularly in public policy making processes. Clergy and ordinands were also interviewed to find out how the Anglican Church enables the active participation of ordinary people in public policy making processes.

To the best of my knowledge, a number of studies have examined the public role of the Anglican Church in Kenya. The majority has examined how the Anglican Church of Kenya has participated in public policy discourses from the colonial period to the end of Moi's era. Such studies have been based on observations, literature review, and review of archival material (Sabar-Friedman, 1995, 1997; Sabar, 2002) while others used biographies. Many focused on the influential Anglican Church's clergy and laity in negotiating their place in the public sphere amidst a culture of fear instilled by previous regimes (Gathogo, 2009; Gitari, 1988, 1996; Musalia, 2001; Okullu, 1997; Oluoch, 2006). My research was unique because it moved beyond examining individuals and their influence, to examining how the Anglican Church as an influential institution could become a conduit for facilitating individuals and groups at the margins to effectively participate in public policy making processes. Moreover, this inclusive examination was not to be prescribed by the Anglican Church (an institution with well placed financial, organisational, and human resources) but was developed in dialogue with people at the margins (in this case women and youth living HIV).

This research was parallel to initiatives by churches in South Africa advocating for the increase of ordinary people in public policy discourse, as described by Koopman (2008). Koopman explains how churches there have been proactive in presenting alternative policies by engaging with people directly affected by such policies. However, the approach of the South African churches may be criticised as being too expert-based with theologians, academicians, and church leaders presenting issues on behalf of marginalised groups and communities, instead of letting them represent themselves. As Elaine Graham and Stephen Lowe stated, churches can be responsible agents in public policy discourses, without playing the ‘expert’ role. For example, some dioceses in the Church of England encouraged local people to think about their neighbourhoods and what would improve their well-being (Graham & Lowe, 2009). The church facilitated dialogue with people directly affected by social problems, and helped them to understand and solve those issues.

Research methodology

Research is traditionally conceived of as objective knowledge, following a scientific method. Data and facts are a basis for empirically-grounded conclusions, and for generalisation and theory-building. This approach, broadly termed as ‘positivism’, is applied whether research examines ‘objective reality’ (social facts) or explores people’s subjective or intersubjective experiential worlds (meaning) (Alvesson & Sköldbberg, 2009). My contention is that the majority of researchers following this tradition separate knowledge from action (Margonis, 2007) and knowledge may not be judged by its workability (Greenwood & Levin, 1998, p. 77). Knowledge, therefore, is often not contextualised (Borda, 2001, pp. 27-29; Greenwood & Levin, 1998, p. 79; Nash, 2003, p. 253). Such approaches undervalue local knowledge and perspectives (L. T. Smith, 2005). Moreover, the power relationship between the researcher and research participants is inequitable with the researcher being the expert and the participants the objects to be inspected, interrogated, interviewed, polled, investigated, researched, written about, photographed, experimented with, operated upon and acted upon (Borda, 2001, p. 30). Prasad (2005) observed that positivism continues to influence a substantial body of research in social sciences, especially organisation and business studies (Prasad, 2005, p. 4). However, positivism is inadequate for understanding the complex, nuanced and context-dependent processes (L. T. Smith,

2005, pp. 85-86) contained in this study. The value of local knowledge and experiences were important for this research.

I contend that any research focusing on citizens' participation in public policy making processes must take seriously the complex relationships involved in groups, communities and with the elite policy makers. This recognises both the outcomes of knowledge development (Alvesson & Sköldbberg, 2009, p. 8) by research participants and their understanding of their world historically and culturally (Lock & Strong, 2010).

I borrowed from a number of methodological approaches to develop a framework for this study. These include hermeneutics, ethnography, critical theory, and Participatory Action Research (PAR).

I argued in Chapter Two that public discourse in Kenya, including public policy making, is significantly shaped by the politics of privilege and exclusion. The elite theory of policy making is dominant in Kenya. Consequently, public policy making processes are influenced by prejudices. Hermeneutics therefore helps identify these prejudices, their sources, how to address them and how to create socially-inclusive processes. Gadamer argues that hermeneutics enables us to see through prejudices and tear away pretences that hide reality (Gadamer, 1977, p. 263). Hermeneutics is generally defined as the process of explaining and clarifying with the intent of making the obscure more obvious (Prasad, 2005, p. 30). It developed through the insights of European philosophers and thinkers, notably Hans-Gorge Gadamer, Martin Heidegger, Jurgen Haberman, and Paul Ricoeur (Jasper, 2004; Klemm, 2004; Ricouer, 1991; Spivey Jr, 2002; Thiselton, 2006).

From a hermeneutic perspective, the participation of women and youth living with HIV in public policy making processes cannot be understood without understanding the place of women and youth in Kenyan society, and how they are perceived. The primary limitation of hermeneutics is its concern with texts over and above human action and conversation (Prasad, 2005, p. 39). The focus of this study is to facilitate a process (public policy dialogue) that leads people to processes that improve the conditions of women and youth living with HIV. Hermeneutics by itself is not sufficient for this study.

I have also borrowed from critical theory. I use the term ‘critical theory’ to include its variants related to cultural studies, race theory, and critical feminism (Alvesson & Sköldberg, 2009, p. 144; Prasad, 2005, p. 136) characterised by its principle of emancipation. To understand the exclusion of ordinary people from public policy making processes in Kenya demands an understanding of its history, the historical treatment of women, youth, and people living with HIV. Te Paa (2001), for example, used critical theory to analyse the historic injustices of colonialism in New Zealand, particularly the devastating subsequent legacy of education failure among Maori people, proposing a model for bicultural education that addressed racial injustice (Te Paa, 2001). Despite its richness, critical theory is largely conceptual (Alvesson & Sköldberg, 2009, p. 162), thus providing a philosophical starting point for this study, from which more empirical approaches such as ethnography and participatory action research can be developed.

Ethnography is associated with in-depth studies employing participant observation as a primary component of the research (Foley & Valenzuela, 2005). It involves close association with research participants and their experiences in their own situations (Hammersley, 1992; Josselson & Lieblich, 1995; Prasad, 2005). It requires cultural familiarity to gain insight into the meaning of data gathered from observation, thus limiting the impact of power and privilege which may affect the researcher’s ethnographic gaze (Prasad, 2005, p.85). Furthermore, ethnography often may not actually encourage participants to develop their own understanding and participate in dialogue to change their situations. It is not as open-ended as participatory action research.

Participatory action research implies a collective (Kindon, Pain, & Kesby, 2007b, pp. 13-14) effort between participants and researcher in the naming and solving of problems and production of knowledge, so that research participants control their words and use them to exercise power over the investigation and conditions of their own lives (Kamberelis & Dimitriadis, 2005, p. 890).

Participatory action research: beyond being an informant

I chose to use participatory action research as a methodology mainly because of its starting point. It begins from the premise that participants are capable of learning,

changing, acting, and transforming their world. They have the capacity to develop solutions both to their struggle and survival (Travers, 1997). Participatory action research, therefore, values participants' knowledge, experience and wisdom (Ife, 1997). It, therefore, seeks to develop participants' critical consciousness, and builds their confidence that enables them to participate in decision-making on issues that affect their lives (Chile, 2007). Mertens observed that PAR provides a concrete methodology for creating socially inclusive public policy making processes (Mertens, 2009, p. 182).

Participatory action research is not a single entity, but an umbrella term covering a variety of approaches to action-oriented research (Kendon, Pain, & Kesby, 2007a, p. 1). Other terms used include 'action research', 'participatory action research' and 'action learning'. 'Participatory research' is often used to refer to processes that seek to increase citizens' voice and power while 'participatory action research' signals political commitment focusing on social action, policy reform and systemic change (Zuber-Skerritt, 1996). In developing a framework for an inclusive policy making process, this study focuses on all three approaches, namely; action, participation, and learning – all vital for hearing the voices of women and youth living with HIV. Dialogic workshops used primary data collection methods as a vehicle for increasing research participants' understanding of public policy, a means for projecting their voices about HIV and AIDS, and a means for mobilising social transformation through inclusion in decision-making processes. Kendon et al. suggest that participatory action research represents a major epistemological challenge to mainstream research traditions because those most systematically excluded, oppressed or denied, reveal wisdom about history, structure, consequences and the fracture points in unjust social arrangements (Kendon, et al., 2007b, p. 11). Furthermore, it challenges assumptions that knowledge resides in formal or academic institutions, and is something that can be measured, analysed and predicated by suitably qualified individuals. And yet, knowledge resides in a variety of institutions and locations.

Therefore, to change the balance of power and to recognise the knowledge, wisdom and urgency of research participants' contributions, participatory action research methods privilege dialogue, storytelling and visualisation to broaden the inclusiveness of the process (Mertens, 2009, p. 183). Such approaches emphasise shared knowledge,

and structured, flexible collaborative analysis. The researcher relinquishes control and becomes a facilitator rather than director: “Both the researcher and participants reflect on their (mis)understandings and negotiate the meanings of the information generated together” (Kindon, et al., 2007b, p. 17) through the process referred to as reflexive critique (Cunningham-Burley, Kerr, & Pavis, 1999, p. 191; Winter & Munn-Giddings, 2001, p. 13).

Mertens suggests that participatory action research process is cyclical (Mertens, 2009, p. 183), and consists of five stages, namely:

- The group decides on the focus and questions of the research.
- Researchers and participants observe, engage in action, observe and record.
- Researchers and participants immerse themselves in action and elaborate and deepen their understandings.
- Group members reassemble and share their knowledge, using this as an opportunity to revise their plans for the next cycle of research.
- This cycle might be repeated between six and ten times depending on the complexity of the research context.

The desired outcome of the process is the increased ability of participants to control their own destinies (Nash, 2003, pp. 254, 257).

Research design

The design for this study was based on the five-stage cyclical process outlined above, and focussed on the principle of collective action and dialogue. Freire argues that a dialogic person is critical, and community dialogue creates opportunities for the use of exchange of ideas (Freire, 1970, p. 72) which can be a source of social transformation. Dialogic workshops were, therefore, the primary method of engaging research participants and data collection for this study. The approach is predicated on the understanding that despite being currently excluded from public policy making processes, women and youth living with HIV can develop the capacity to engage in dialogic processes that not only create policies which enhance their well-being but also lead to their transformation. This is why I termed this method ‘dialogic workshops’ rather than the conventional name, ‘focus groups’.

The research was based in the townships of Siaya and Bondo districts, part of 19 districts that make up Nyanza province whose capital is Kisumu (Commonwealth Local Government Forum, 2009).



Figure 7: Map showing the location of Nyanza Province where Bondo and Maseno West Anglican Dioceses are situated

Research participants

This research involved two groups of participants. The primary participants were women and youth living with HIV. They preferred to be called Post-Testing (Post-T) groups, which means that they have accepted their HIV serostatus, and are determined to live positively with the virus. Post-T groups is how they are referred to throughout the research. Six Post-T groups of ten participants were involved in the dialogic workshops. These groups had up to 40 members but with the help of their coordinators, each group chose ten members to participate in the study. The size of the groups was limited because of time and financial resources required to work with larger groups, as well as the desire to give the participants maximum opportunity to engage in workshop sessions. The groups were identified through existing lists from district offices and hospitals, through referral by friends and acquaintances, and

through non-governmental and community-based organisations working with these groups. Diversity of membership was a major consideration in selection. Women aged between 18 and 35 years made up at least a quarter of each group. Their HIV status created a fundamental similarity that overshadowed differences in background and to some extent age.

The second group were clergy and ordinands (students training for the ordination process) from the Anglican dioceses of Bondo and Maseno West. 30 individuals participated in one-to-one oral interviews. The researcher wrote to the bishops of Bondo and Maseno West Anglican dioceses for permission to interview them and to outline the significance of the study to the social justice work of the Anglican dioceses. The bishops granted permission and also recommended potential research participants. It was, however, up to the researcher to follow up and seek participants' consent to participate in the research.

Dialogic workshops

Dialogic workshops are an adaptation of focus groups. In setting them up, attention was given to details that are often not high priority in focus groups, such as venue, meeting times, seating arrangements, tools for discussion, and methods for facilitating dialogue both for the quality of data and building the confidence of research participants.

Kamberlis & Dimitriadis (2005) stated that focus groups are essentially collective conversations or group interviews (p.288) discussing a specific set of issues with a predetermined group of people (Hennink, Bailey, & Hutter, 2011) to ascertain information on collective views of social issues (Kitzinger & Barbour, 1999, pp. 4-5). Focus groups have a “goal of eliciting participants’ feelings, attitudes and perceptions about a selected topic” (Puchta & Potter, 2004, p. 6). The research tool is conversation. Rather than asking questions in turn, group participants are encouraged to talk to one another, exchange stories, and comment on each other’s experiences and points of view. The researcher takes the role of a moderator and facilitator.

Dialogic workshops used in this study were constructed following an interpretivist paradigm. Cunningham-Burley (1999) observed that focus groups constructed from positivist paradigm perceive participants as passive subjects. Although they hold

opinions, these are considered objective facts expressed in a group situation under the control of the researcher. Knowledge is thus removed from the context in which it was generated and research participants have no control over its use (Cunningham-Burley, et al., 1999, p. 188), and remain largely ‘untouched’ by their participation.

Dialogic workshops, however, constructed by an interpretive paradigm emphasise engagement and dialogue, working *with* rather than *on* participants (Morgan, 1997, p. 13) to foster collective identity and provide a point of contact to initiate grassroots change (Kitzinger & Barbour, 1999, p. 19). Such a process combines the strategic purposes of teaching and learning, challenging hegemonies, individual and collective transformation and research (Morgan, 1997, p. 20). It is a transformative process, rather than group discussions used in traditional focus groups. Dialogic workshops provide spaces where participants do not simply answer the question asked but reflect on the questions, discuss underpinning issues, and plan a way forward with regards to discussing the question further. It exemplifies the liberative model of education that Freire asserts (Freire, 1970, pp. 52-53).

Matogo (2010) used a similar approach to collect data on the perceptions of young women between 16 and 25 years, on the relationship between HIV and AIDS infection, prevailing customs, and sexual practices. Her research also investigated strategies the women considered appropriate, practical and effective to cope with these risks. The difference between Matogo’s focus group approach and dialogic workshops used in this study is that while focus groups end when the research period is complete, dialogic workshops constructed for this study encouraged research participants to commit to on-going dialogue and action even after the project was completed.

The decision to use ‘dialogic’ workshops with youth and women living with HIV was intentional, and not an alternative to other methods such as interviews (which I conducted with the ordinands and clergy). Youth and women living with HIV were already marginalised and needed enablement and empowerment. A significant part of empowerment is the power to act together (collective power), and this was the ultimate goal of ‘dialogic’ workshops. The workshops brought together youth and women living with HIV to dialogue about issues and problems affecting them and act together to transform their situations.

Characteristics of dialogic workshops

The concept of 'workshop' was borrowed from Hope and Timmel (1995) to indicate the coming together of members of a Post-T group to participate in an informal but structured dialogue on decision-making processes. Hope and Timmel stated that a workshop is a group discussing a topic or studying an overall subject (Hope & Timmel, 1995b, p. 11). It also describes a process of reflection and action to improve a particular situation. It is an on-going process that encourages participants to turn personal troubles to public issues as advocacy for transforming their circumstances. Dialogic workshops are best used with pre-existing groups which will continue to exist even after the active research period. Therefore, I also used the word to name Post-T groups working together.

Dialogic workshops create an affirming atmosphere so that even the shyest person gains the confidence to contribute their experience and insights within the workshop. Therefore in planning the workshops, the groups chose workshop venues, meeting times and dates, and seating arrangements. Decisions about venue involved theoretical questions about research aims and possible outcomes (Kitzinger & Barbour, 1999). All six Post-T groups preferred to have their workshops in church halls or community centres. In all cases, these dialogues were held in church halls. Access to the venue was granted only to workshop participants.

Post-T groups also expressed the importance of meeting times. Workshops could not be held during rainy seasons as women were busy attending to their farms. They could not be held on open market days when goods (food included) were cheaper, and the women also took small trade goods there. Post-T groups also preferred to meet during school holidays because school-going children were at home and could help with household duties. The seating arrangement was done in such a way that all workshop participants were able to see each other, in other words in a circle. Participants felt the space was safe and they could express their views without the fear of being judged. At the beginning of each workshop, each participant was given the opportunity to share their fears and hopes about the workshops. This was in addition to the objectives stated in their sheets (PIS) which ensured that participants felt safe. It is for the same reason that the researcher was granted ethics approval from AUTEK and KNCST (Appendix A).

Dialogic workshops stress the importance of teamwork. In a team, people take risks, show initiative, and try out new ideas in ways that may be difficult for a person working alone. They can also support and challenge, which leads to on-going commitment and development of skills (Hope & Timmel, 1995a, p. 10). At the beginning of each workshop, research participants took part in team building activities. They set common rules for the three-day period. Each dialogic workshop group was divided into smaller groups of three who they worked together on ideas before sharing them in the plenary session. This encouraged team building and gave participants an opportunity to dialogue with each other, to build confidence and gain support before going public in the larger group.

Dialogic workshops focus on developing critical perspectives. Material and methods were designed to encourage research participants' independence (Hope & Timmel, 1995b, p. 10). They were supplied with basic information but were encouraged to translate this in ways that were understandable to them. They were also encouraged to share in the smaller groups and plenary sessions, their reasons for interpreting the information, and to appreciate other participants' perspectives. The objective was to help participants develop critical consciousness (Freire, 1970).

This approach enabled participants to identify concepts using their own language and own them, and to achieve greater understanding of issues previously considered too technical for ordinary people. Construction of meaning is important in enabling participants' development of critical awareness, speak their own words, and express their feelings and fears (Chiu & Knight, 1999, p. 109; Mertens, 2009, p. 182; Padilla, 1993). Speaking for other people, or making them speak your words, does not promote critical thinking (Hope & Timmel, 1995a, p. 25).

To facilitate critical consciousness, sessions began with a general introduction to the topic. Morgan (1997) suggests that because research participants may not follow a researcher's thinking, a detailed introduction can lead them to restrict thoughts when constructing meaning. This was resolved by adopting a problem-posing approach, in which human sculpture, brainstorming, codes, pictures, and trigger questions stimulated participants to think of different possibilities (Hope & Timmel, 1995a, p. 25). For example, they were asked to describe a picture and relate that description to

knowledge which might help them participate in public policy dialogue. Examples of pictures provided included,

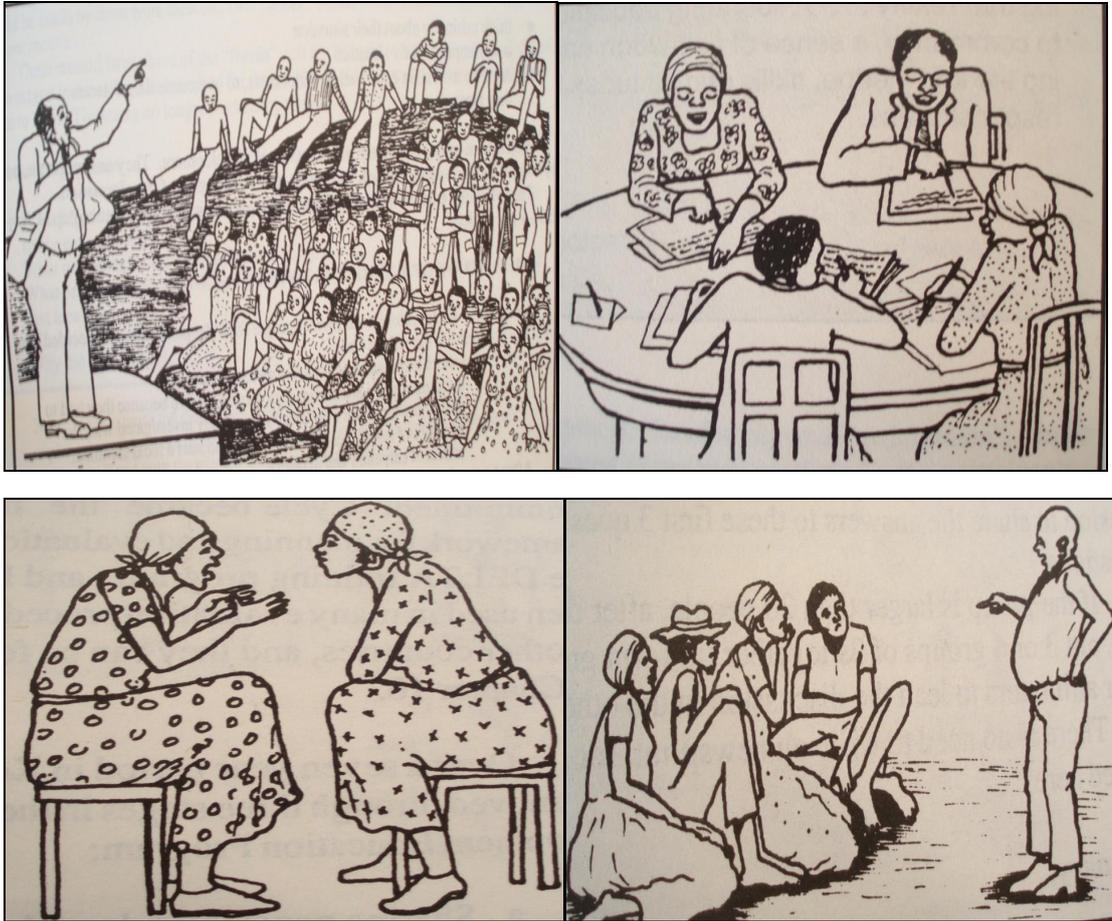


Figure 8: Pictures of models of citizens' participation in public dialogue

‘Dialogic’ derives from ‘dialogue’ which basically means people sharing perceptions and experiences, offering opinions and ideas and creating opportunity collaboratively towards transformation (Hope & Timmel, 1995). Freire (1970) observed that human beings are inherently dialogic. Dialogue is the main way we develop our capacity to think and make judgements. We remember and apply the things we learn in dialogue more than in lectures from experts. Dialogue replaces monologues, slogans and communiqués which are instruments for domesticating marginalised groups and individuals (Freire, 1970, pp. 36, 41).

In developing and conducting dialogic workshops, I was aware that all groups create power inequalities. Dialogue and the shared knowledge invariably reflects the dominant discourse (Kendon, et al., 2007b, p. 20; Pain, Kesby, & Kendon, 2007, p.

227). Mertens has suggested, therefore, that great care is taken not to replace one set of dominant voices with another (Mertens, 2009, p. 218), while Parfitt (2004) has warned against romanticising and essentialising the poor and the social systems so that participation does not diminish the complexity of power relations (Parfitt, 2004, pp. 541-542).

To ensure that all participants contributed to group empowerment, all dialogic workshops developed as a systematic learning process. Their objective was to encourage diversity of views, encourage group inquiry leading to debate about change, and create spaces for participation to influence other's perceptions, but be willing to accommodate conflicting views. At the end of each workshop, participants were encouraged to draft long-term and short-term plans of action. A short term plan included actions such as inviting politicians, administrative officers, and religious leaders to annual celebrations of World AIDS day (December 1st) to create awareness on issues affecting Post-T well-being, and on-going regular group discussion of social justice issues.

Interview questions

Interview was the most appropriate method for dialoguing with clergy and ordinands. I chose this method for practical purposes as well as for quality of data.

The clergy had different schedules and were at different locations, and the ordinands were from different theological institutions and on different timetables which would have made it difficult to use data collection methods (such as dialogic workshops) which required participants to come to a central venue. Interviews gave me access to the majority of clergy and ordinands because I was able to travel to their different locations and work with their schedules. The method also enabled me to get quality data from these participants, which would not have been possible if I used a method such as dialogic workshops. The majority of clergy and ordinands were not able to be available for three consecutive days which were the minimum days needed for quality data out of dialogic workshops.

The design of the interview questions was semi-structured to allow research participants to articulate their understandings of the various ideas and themes as comprehensively as possible. Follow-up and probing questions were shaped by what

emerged during interview sessions. Predetermined questions were asked mainly at the start of the conversation and also when it was necessary to keep interviews on track. This allowed participants the opportunity to explain and highlight areas of interest that may not have been explored in a fully-structured interview.

Data analysis

Denzin and Lincoln defined data analysis as the process of inspecting, cleaning, transforming, and modelling data in order to retrieve useful information. In the case of qualitative data, data analysis and interpretation is expected to bring about systematic understanding (Denzin & Lincoln, 2005). Because of the volume of data collected for this study, inductive thematic analysis was used for data analysis. Inductive data analysis involved coding field notes and interview transcripts to verify meaning (Miles & Huberman, 1994).

Data analysis process

Individual interviews were digitally recorded and workshop proceedings written on flip-charts. Data gathered from the workshops and interviews were reported according to the main question of the research project. The research question was – ‘What is the role of the Anglican Church in facilitating socially-inclusive public policy dialogue in Kenya?’ Therefore, the focus of inductive thematic analysis concerned participants’ experiences of decision-making making in Kenya and their perception of the role of the Anglican Church in facilitating public policy dialogue.

In some cases, data collection and analysis occurred simultaneously such as during dialogic workshops when research participants’ responses were separated and grouped according to questions posed, as well as responses during workshops recorded on flip-charts. Audio recorded interviews were transcribed and the transcripts read many times over to identify emerging themes. These were then categorised in the form of labels, headings, phrases and paraphrases to highlight relevant themes and patterns (Miles & Huberman, 1994).

I used the descriptive display of data as stipulated by Miles and Huberman (1994). I used visual layout, descriptive displays, and information outlines to make valid conclusions and take necessary actions. I coded categories, transferred them into relevant themes and explained their meanings. This process included data

transformation which helped me understand the flow, position it and correlate it with my research experience.

Chapter Eight presents the results of the research.

Chapter Eight:

Research Participants' Perspectives on Decision-Making in Kenya

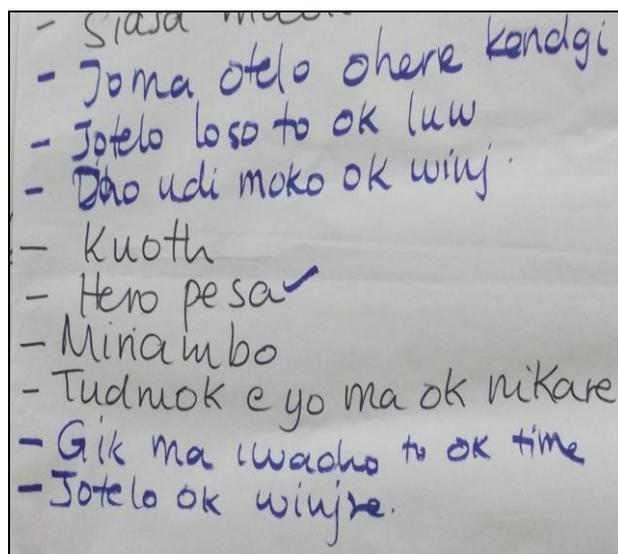
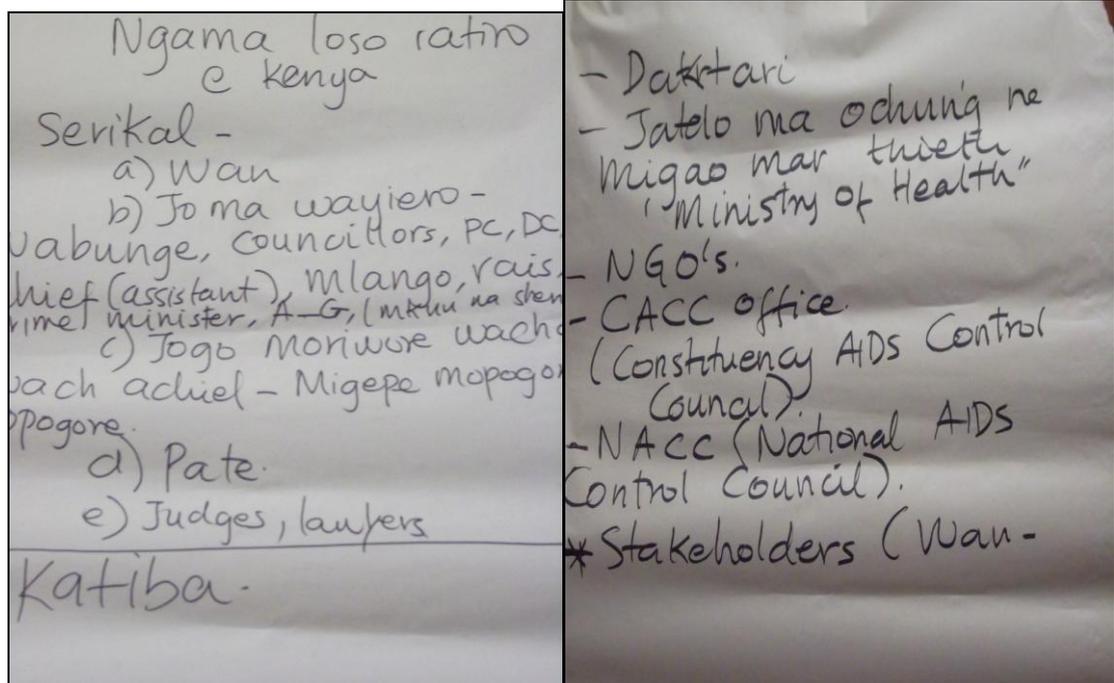
Six questions helped understand research participants' perspectives on decision-making processes linked to public policy in Kenya. They were

- What did participants say about the nature of decision-making in general?
- What did participants say about how those who make decisions came to be in those positions?
- What did participants say about why ordinary people's participation in decision-making was important?
- What did participants say were the barriers to ordinary people's participation in decision-making, and how could these barriers be addressed?
- What did participants say about how they, as ordinary people, preferred to participate in decision-making processes?
- What did participants say about the role of institutions, fora, and organisations such as the Anglican Church with regard to facilitating ordinary people's participation in decision-making processes?

This chapter will address each of these questions.

Perspectives on the general nature of decision-making in Kenya

Decision-making processes were dominated by “government officials and government institutions” (dialogic workshop 1), “persons, institutions, and organisations in power” (dialogic workshop 5), the “elite” (Rev. Y) who make decisions. The elite identified included “the president, prime minister, government ministries, political leaders, academics, men, church institutions, and opinion leaders” (dialogic workshop 6). Participants' responses were recorded on flip charts as follows,



Research participants described decision-making processes in Kenya as “generally hierarchical and bureaucratic” (Rev. Y), because “it begins from those at the top...who keep forgetting to fully involve ordinary people like us – at the bottom” (dialogic workshop 4). One participant observed that because of the many stages of decision-making, “issues are often diluted by the time they reach top decision-making authorities” (Rev. Y).

Consequently, ‘top-bottom’ decisions were “based on assumptions; the elite either think they know what ordinary people want or they base their decisions on what the

majority want” (dialogic workshop 2). “The decisions are made according to the needs of the elite and not concrete needs of the ordinary person” (Rev. F).

Further, although ordinary people were involved in decision-making processes, their participation was considered very minimal (Rev. O) because “the processes were either too long or discouraging for most of us; it is too complex for us ordinary people to understand” (dialogic workshop 4). Also, “history and cultural beliefs hinder groups such as ours, I mean women and youth, from participating in such processes” (dialogic workshop 1).

According to the participants, participation in decision-making processes and bodies was by representation. “People, institutions, and organisations are elected through voting or appointed by the government and government institutions to speak on behalf of ordinary people” (dialogic workshop 5).

One research participant observed that, generally, decision-making processes at all levels in Kenya are dominated by two concepts:

...the first concept is concerned with the identity of Kenyans, and how they live together in harmony. This concept is concerned with advocacy for human rights, free expression of self and realisation of each other’s potentials. The second concept, which is the most common in Kenya, is all about power and domination. Adherents of this concept are concerned with structures and institutions that give them maximum power, as opposed to commitment to human rights, social policy and values. It is more concerned with excluding other people. This is the concept that dominates decision-making processes. The solution lies in the first concept (Rev. G).

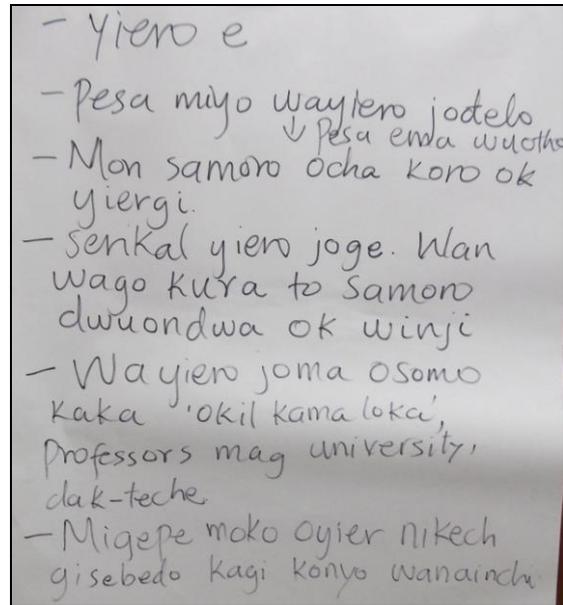
Another participant observed that “decision-making is generally not done with aim of reaching or finding the common good. In most cases, decision-making bodies and avenues turn out to be more of face-offs between opposing camps” (Rev. P)

Research participants’ response led to the next key question: how those who made decisions came to be in those positions.

Perspectives on how decision-makers were chosen

In the first question, research participants stated that decisions were made by people they generally described as the *elite*. The second question was to help explain how the ‘elite’ came to be in those positions. Participants outlined four main ways in which

decision-makers attain positions. Their views were summarised on a flip chart as follows:



They are high economic capability and status, high social standing, high academic qualifications such as university degrees, and political support or placement. All these privileged the elite group against ordinary people such as those in this study who did not have these qualifications.

Participants observed that “money determines who is elected or chosen” (dialogic workshop 3), “we elect those leaders because they have money, and money is associated with power” (dialogic workshop 5). Participants gave examples of how the majority of political leaders were chosen:

...in the period leading to elections, these people campaign, they know we are vulnerable, we don't have the kind of money they have, so they buy us 'unga' (maize flour), sugar, give us money, or fundraise for our community projects such as building of schools and water dams... then we vote for them. We take these 'gifts' because we also want to meet our daily and basic needs... (Dialogic workshop 1)

Decision-makers were also reported to have been chosen by the ‘structure’. Participants stated, with regard to political leaders, that, “sometimes it seems we have a say on who gets elected... but we really do not have a say” (dialogic workshop 5) because “ordinary people may want to vote in someone whom they know will make their lives better. But if the system (meaning current government) does not approve of

that person, then they cannot make it to *Bunge* (parliament)” (dialogic workshops 2). Rev. H noted that “the governments of Moi and Kenyatta were known to manipulate the election processes...they rigged-in their people” (Rev. H). Both Kenyatta and Moi surrounded themselves with people from their ethnic groups (Ajulu, 2002, p. 263).

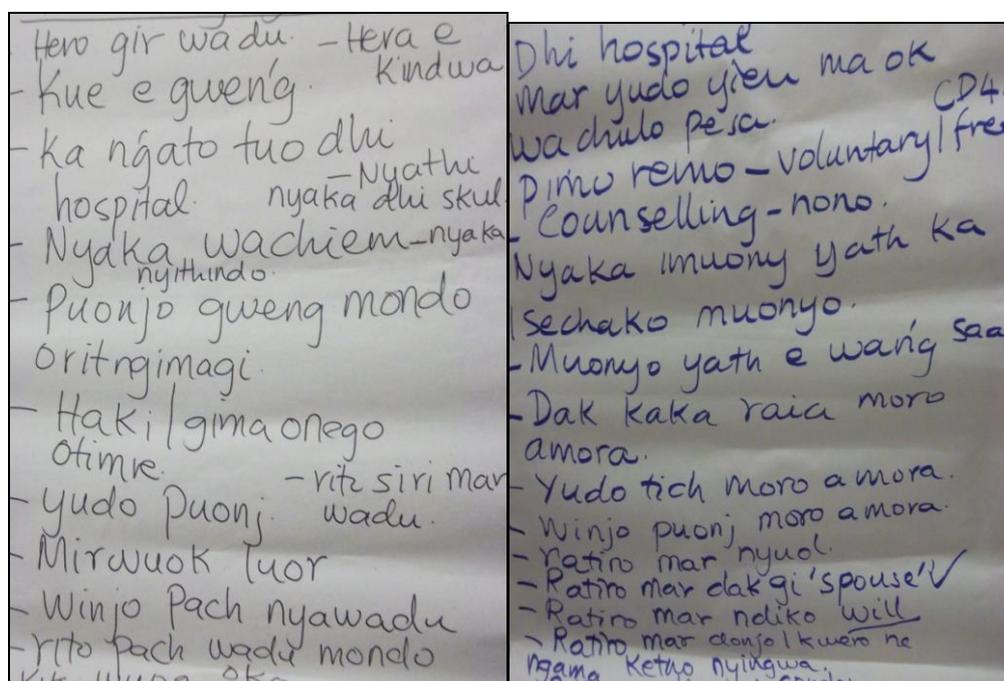
Participants also noted that factors such as cultural beliefs and practices, and historical legacies made some individuals and groups automatic decision-makers. Research participants gave three main examples. “Cultural beliefs and practices place men and older people as heads of everything, including decision-making... a woman or young person has no place” (dialogic workshop 4). Also, “people with formal academic qualifications such as university degrees are twice as likely to be elected as decision-makers than us – people without such qualifications...they are thought to be more articulate and are able to communicate in English...the main language used by important decision-making bodies” (dialogic workshop 6). Finally, “organisations and institutions such as the mainstream churches (Anglican, Methodist, Roman Catholic, and Presbyterian) have had a long history of being decision-makers...they speak on behalf of their followers...therefore have reserved positions in decision-making bodies” (Rev. H).

Sabar (1995; 1997; 2002; 2009) has asserted that the Anglican Church has always had a decision-making role throughout Kenya’s socio-political history. Additionally, the Anglican Church has a structural and organisational advantage: “ACK is at all levels of society, whether at grassroots, rural or urban. The parish system and the diocese system have reinforced our presence” (Rev. H), and the “membership of ACK is diverse so we have access to individuals and groups of all social status in the community. Some of the politicians and state officials are members of our churches. Professions such as doctors, academicians are members of the church too” (Ordinand A).

Perspectives on the importance of ordinary people’s participation

Research participants noted that it was important that every citizen, especially ordinary people, participate in decision-making processes. Participants associated decision-making with matters relating to “laws” (dialogic workshop 2), “rights and policies

relating to distribution and access to services and resources by all Kenyans” (dialogic workshop 1). Responses from workshop participants’ were summarised as follows:



Dialogic workshop participants gave examples such as “decisions are made so that we can have access to health facilities... so that Post-T groups can have access to free and confidential voluntary testing and counselling...and access to antiretroviral drugs” (dialogic workshop 1); decision-making enables

...people living with HIV/AIDS to have equal rights as other Kenyan citizens. We have the right to life, the right to speech, the right to have any job (although we know institutions such as the Army refuse PLWHAs jobs), the right to be safe, the right to make responsible decisions in relation to our sexuality (such as decisions regarding family planning and use of protection, the right to live with a spouse, and we have the right to access public information and teachings relating to HIV and AIDS (dialogic workshop 5).

Participants stated it was also important that ordinary people participate in decision-making because laws, policies and rights “contained decisions about protecting different groups in society” (dialogic workshop 1). Research participants stated that “some groups in society are weak because they do not have access to resources” (dialogic workshop 3) “because of political marginalisation and disablement by diseases such as HIV and AIDS and malaria” (Rev. H). The marginalised groups

identified by participants included “women, widows, orphans, and people living with HIV” (dialogic workshop 1).

Workshop participants observed that decision-making processes serve to “regulate public behaviour” (dialogic workshop 1), such as “stop discrimination against people living with HIV” (dialogic workshop 2), or “to make us aware of our roles and obligations as citizens of Kenya” (dialogic workshop 3).

Primarily, it was important that ordinary people participate in decision-making for “sustaining life and livelihood, recognising the humanity and personhood of society members, building relationships and respecting others, and harmony in society and in communities” (dialogic workshop 1).

“It is within our democratic and political rights...all citizens of Kenya have the right to participate in decisions that affect their livelihoods, protect life, protect marginalised groups in society and ensures equal distribution of resources...it is a requirement of justice” (dialogic workshop 1). “It is a biblical requirement... Jesus preferred to work with the poor” (Ordinand D). Furthermore, “you cannot respond to ordinary people’s basic needs and their values without listening to them...ordinary people-participation is therefore important for effective policies” (Rev. N).

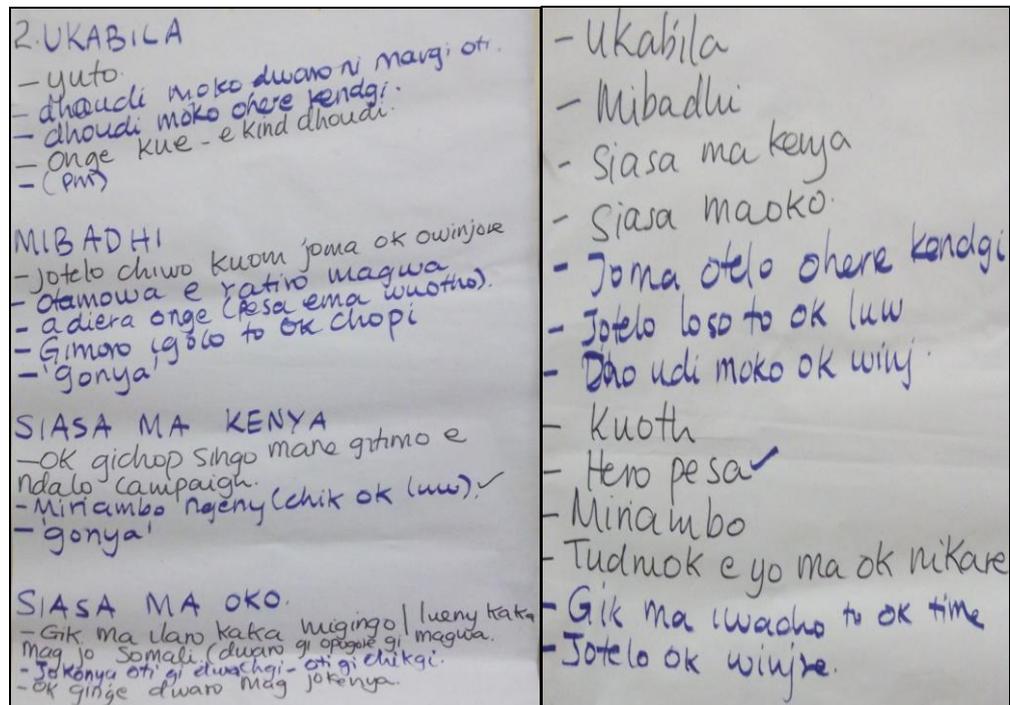
Participants perceived their participation in decision-making processes as minimal. The next question discussed barriers to ordinary people’s participation in decision-making.

Perspectives on barriers to ordinary people’s participation

Research participants noted that ordinary people’s participation in decision-making processes was hindered by the process of appointing decision-makers as well as the process of decision-making itself.

Participants stated that “our participation is limited because we are only women, and such roles are mostly reserved for men... women’s role is said to belong within the household” (dialogic workshop 3), “we do not have money...we are not rich” (dialogic workshop 1), “the majority of us have no formal academic qualifications... or we have no university degrees” (dialogic workshop 1), and “we cannot speak English... the

language used in important decision-making bodies” (dialogic workshop 5). Because of these factors, research participants felt that they were automatically ruled out of decision-making processes. Other barriers were summarised as follows:



Dialogic workshop participants observed other barriers to their participation, including “local politics, characterised by ‘tribalism’...causes some leaders and groups to exclude those who do not come from their ethnic groups...‘tribalism’ make Kenyans overly conscious about each other” (dialogic workshop 1).

Participants observed that,

...a culture of discrimination, stigmatization, and fear...the common assumption is that people living with HIV like us are dying, we are sick...we are a waste of resources and time...people wrongfully assume that we cannot make any meaningful contributions...such comments affect us, so we shy away from participating in decision-making processes...for fear of being labelled further (dialogic workshop 2).

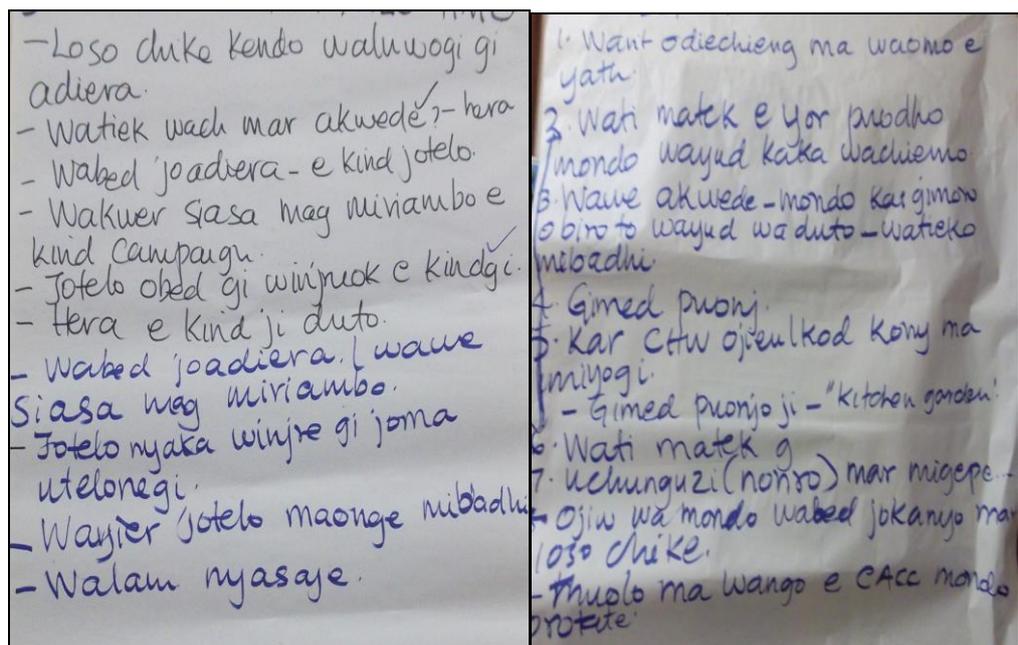
Participants also noted that “the processes of including ordinary people were either not clear” (dialogic workshop 6), “marked with role duplication and confusion” (dialogic workshop 3), or were “deliberately ignored by the elite...for their own benefit”

(Ordinand A). Participants associated the confusion in these processes, especially public policy making processes, to “*siasa ma oko* (international politics)” (dialogic workshop 1):

We know international communities and bodies mean well, particularly those providing development assistance. However, they also hinder our participation in decision-making. First, we are often told that these funds come with stipulations and prescribed conditions so we do not have a say on which programs we need or how the funds can be effectively used. Our voices as the receiving communities and our real needs are silenced when this happens (dialogic workshop 1).

With regard to international aid, the participants further noted that “the majority of donors only communicate with project managers (government institutions and NGOs) so our voices are not really important” (dialogic workshop 2), “the project managers are not answerable to the local communities...they feel they are answerable only to the donors” (dialogic workshop 5), and “too much intervention encourages *kutegemea manna* (culture of handouts and dependency)...this syndrome makes most of us lazy and dependent on other individuals and groups to do everything for us...including making decisions on our behalf” (dialogic workshop 4).

However, they asserted that the majority of these barriers could be eliminated or reduced. Responses from dialogic workshops were summarised as follows:



Research participants, for example, suggested that “there is a need to change the approach of decision-making at all levels in this country... the current top-to-bottom approach is very excluding...I think bottom-to-top approach is very inclusive...beginning with people who have the real experience” (Rev. H).

A change of approach was observed to be essential because “groups such as women, youth, and people living with HIV will feel that their experiences are valued...and may have the courage to break free from the cultures of fear, intimidation, and discrimination...to actively participate in decision-making processes” (dialogic workshop 1). The bottom-to-top approach “encourages dialogue with those directly affected by social issues first...then legislation...unlike the tendency in this country to legislate first and consult when it is too late” (Rev. G).

Ordinary people “should be educated on processes of decision-making, their key components and concepts... and on how ordinary people can participate in these process” (dialogic workshop 2), “some of us do not participate because we do not know how these processes work... they should be available in a language we can understand” (dialogic workshop 5), “we need such information if we are to effectively participate in these processes” (dialogic workshop 1). Research participants indicated that such education will not only help them, but also “we can teach our children these things... such as their rights, to enable them control their own destinies” (dialogic workshop 3). Such education needs to be localised; for example “we really liked the method of using workshops to dialogue about public policy...we have learnt a lot from this process...it is a model worth sharing with other stakeholders... so they know we have so much to teach them and learn from them” (dialogic workshop 6).

Research participants indicated that “because some ordinary people do not participate because they are shy” (dialogic workshop 5), other “indirect means such as anonymous suggestion boxes could be used to gather their opinions” (Rev. O).

To reduce barriers such as politicised ethnicity, participants observed that “Kenyans should change their attitudes towards ‘others’...so that all Kenyans feel a sense of belonging” (dialogic workshop 4), “Kenyans should be able to see themselves as members of one nation, facing similar social problems...although in varying degrees” (Rev. G), “people should be taught to love one another... that is a Christian teaching...

and the personhood of each member of Kenyan society should be emphasised above all other classifications such as economic status, and levels of literacy” (Ordinand B).

Participants also observed that ordinary people “should be empowered” (dialogic workshop 5); “they cannot effectively participate in decision-making processes when they are hungry, unclothed, unhealthy, under-utilised and under-empowered” (Rev. G). According to the participants, empowerment included “given access to resources” (Ordinand D) and “enabling individuals and groups who have been marginalised” (Ordinand C). One clergyman interviewed stated that empowering ordinary people “will require a critical and intentional redistribution of resources” (Rev. G).

With regard to citizens’ participation at a national level, research participants observed that “the state had too much power” (Rev. H), “the state is the source of all goodies and manager of all contracts and so can do what they want” (Rev. W). Participants perceived this as a barrier, and suggested that “there is an urgent need for authentic partnership with other stakeholders...to ensure everyone is included in these processes...and also for purposes of accountability” (Rev. G). This cooperation “may just result in clear systems and processes of decision-making” (dialogic workshop 1). How then did the participants as ordinary people prefer to participate?

How ordinary people prefer to participate in decision-making processes

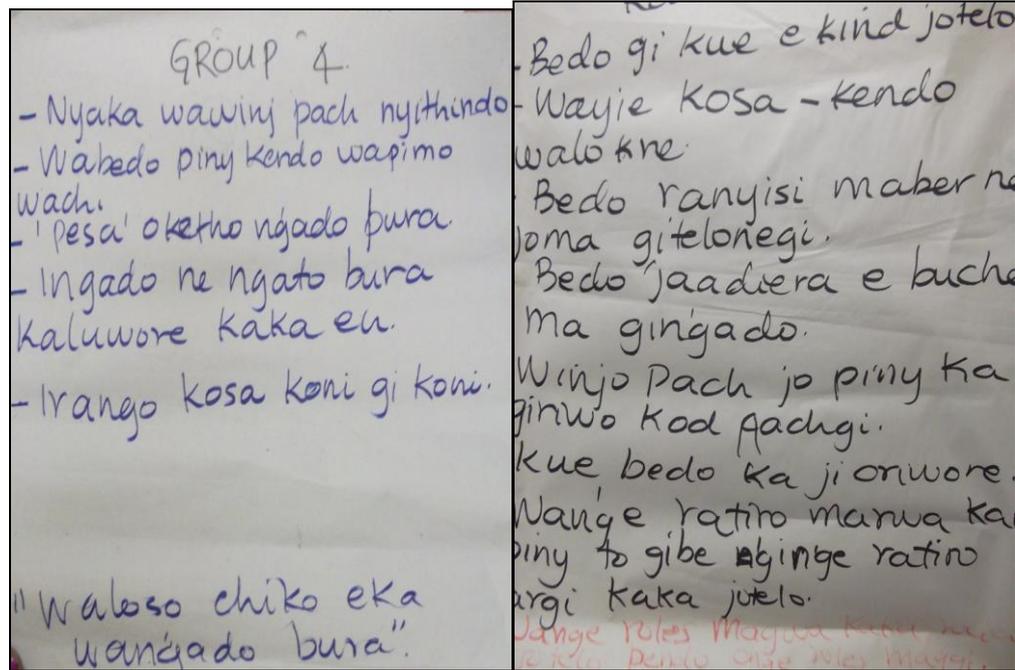
Responses to five were drawn from two exercises undertaken by dialogic workshop research participants. In the first exercise, they were encouraged to share how they make decisions in the various public spheres of which they are members. In the second exercise, they were given four pictures representing different approaches to decision-making and asked to analyse them, to list the advantages and disadvantages of each picture, and to choose a picture which illustrated was their preferred way of participating in decision-making. In all six dialogic workshops, the participants did not simply name or label their preferred way of participation, they described it. These descriptions were all written on flip charts. Below are pictures summarising the participants’ responses to question five.

- GROUP 2.
- luonge, ipenje (nono wach)
 - Imiye kuu.
 - Bedo piny (pimo kosa - kendo wakwayo ngwuono).
 - Iwinjo dho ngato ka ngato.
 - Jibet piny, lero ni kosa mare kendo wakwayo weruok.
 - Jokombe kanisa bet piny, Iwinjo dhuond Jokanisa.
 - Bedo thulo nyiso jotelo kosa margi.
 - Jopuonj pimo wach kad jonyuol
 - Nyathi bende mondo omi thulo mar wuogo.
 - Bed gi japuonj piny kendo onyise kosa mare.

- GROUP 3.
- Keto nyithindo piny
 - Puonjogi
 - Imiyo gi fich ma gitigo.
 - Wanonogi
 - Chiwruok luor Kaka jonyuol (gi nyithindo).
 - Wabedo ranyisi. ^{KIPINU}
 - Jotelo bet piny kendo kuotho wach - basta lero ne oganda.
 - Wawinjre kanyakla adiel.
 - Nyaka wahan wach kapok wangado bura.
 - Janyuol nyaka dhik ite.
 - Wawuo gma omiyo japuonj Okoso.

- Ngado bura (decision making).
- Wachiwre gik ma watano
 - Bet pimo wach. loso
 - Somo muma
 - Puonjruok
 - Somo timbe
 - Jonyuol puonjo.
 - Keto timetable
 - Miji Kum.
 - Joma dongo bet piny - wahia onge.
 - Chike kanisa nitie
 - Walure gi chike ma wayuola e skol.
 - Cluk luo

- Chiwo luor.
- bet piny kanyakla.
- Bedo thulo gi jotelo.
- ^{tero} kwayo wach e galamoro
- kwayo ngwuono.
- Winjo padh nyithindo - ji duto.
- Bedo ranyisi.
- Rango kosa koni gi koni
- Keto nyithindo piny
- Nono wach lero wach kapok oga d bura.
- X Pesa oketho ngado bura
- X Ingado bura kaluwure gi kaka ngato en (good & bad leadership).



These descriptions were translated into English and summarised. The most common ones included:

- Calling people to sit down in a safe and open space
- People ‘connecting thoughts’ and sharing experiences
- Finding root causes of social problems
- Analysing, explaining and clarifying issues
- Talking and listening
- Reaching a consensus
- Giving people a chance to be heard, especially those who have been wronged
- Proper information
- Truthfulness and accountability
- Making informed choices and decisions
- Reconciliation
- Teaching people
- Being aware of people’s differences

Workshop participants were asked to describe how they have used ‘approaches’ to decision-making in different circumstances such as the household, school committees, church committees and their Post-T group meetings, and some of the challenges of

using that ‘approach’. For example, participants in dialogic workshop 1 described how they would settle a disagreement before a committee such as a parent-teacher meeting:

...we often call all those affected by the issue and begin by finding out what really happened. We ask each person to give their side of the story. We ask them questions when we have not understood what they have said...for clarification. Then the leader at that particular time guides us in reaching a decision. In the end, no matter what the decision is, we hope everyone has learnt something from the process (dialogic workshop 1).

Participants in this dialogic workshop further compared and contrasted their way of solving issues to the way the elite make decisions. They stated that,

Our method is opposed to how people at the higher levels work. They often forget to look deeply into issues such that they overlook root causes of issues and often take a stand without ‘hearing the other side of the story’. We try to take these into consideration here at the local level. They could learn a thing or two from this, dialogue (dialogic workshop 1).

Finding root causes of problems was observed to be important in decision-making processes, and so was sharing information. Participants stated that they use “dialogue – call people to sit down” when we

...simply want to understand what is going on. Well, you always find that some people have more information about social issues than others. This method gives them the opportunity to share information with us. We try to use localised means of communication. We communicate in a language and symbols that are understandable to everyone in the group. In the end, the process gives us access to information we did not have access to (dialogic workshop 3).

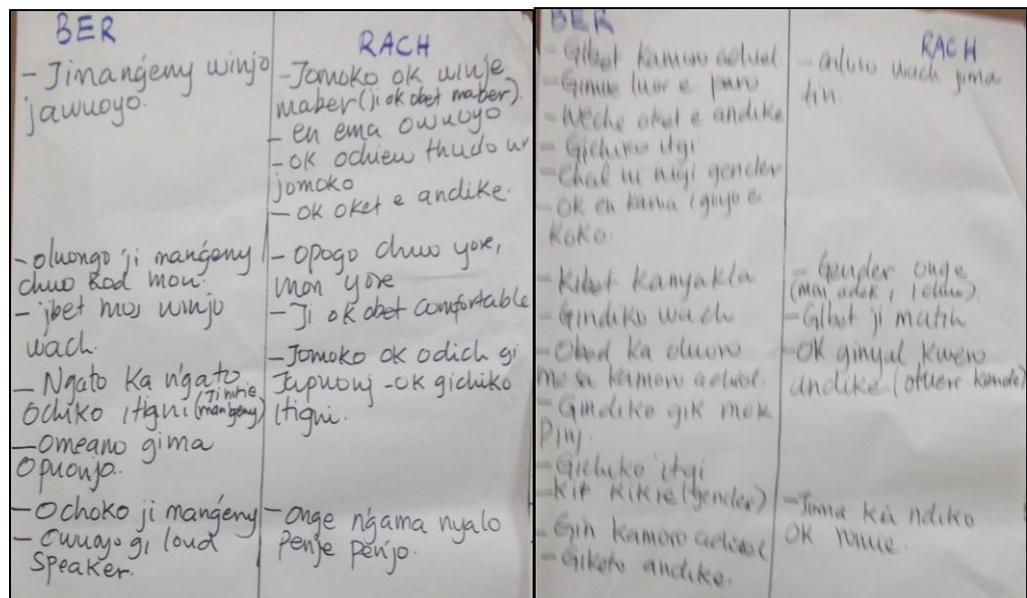
Sharing information can include information on roles and obligations, which research participants asserted need to be clarified and clearly stated in decision-making processes. They observed that

It is always good to sit down and talk when we are not sure about our roles and what is expected of us...for the sake of accountability and transparency. We have found this method helpful especially when planning for actions such as fundraisings, and starting a community project. It has helped us avoid conflict of roles, to identify our weaknesses and strengths...just to provide proper information (dialogic workshop 6).

In all the examples above, dialogue was an important part of decision-making processes. People “were called to sit down and talk” to solve disagreements and problems, share information and experiences, and to give and clarify roles and

obligations. However, in dialogic workshop 1, one small group disagreed on when dialogue should begin in a case of disagreement. Some participants observed that “dialogue begins after people have fought...maybe abused each other... and vented out their anger” (dialogic workshop 1) while other participants in the same group stated that “dialogue should be initiated at the onset to avoid fighting...and further conflicts” (dialogic workshop 1). Participants in this workshop group finally agreed to disagree about when to begin dialogue. They suggested that “we should leave it to the leaders to decide...or maybe the situation or culture to decide...there are times when we cannot control what comes first, dialogue or fights...no matter what comes first, dialogue should be the end result of the process...”(dialogic workshop 1).

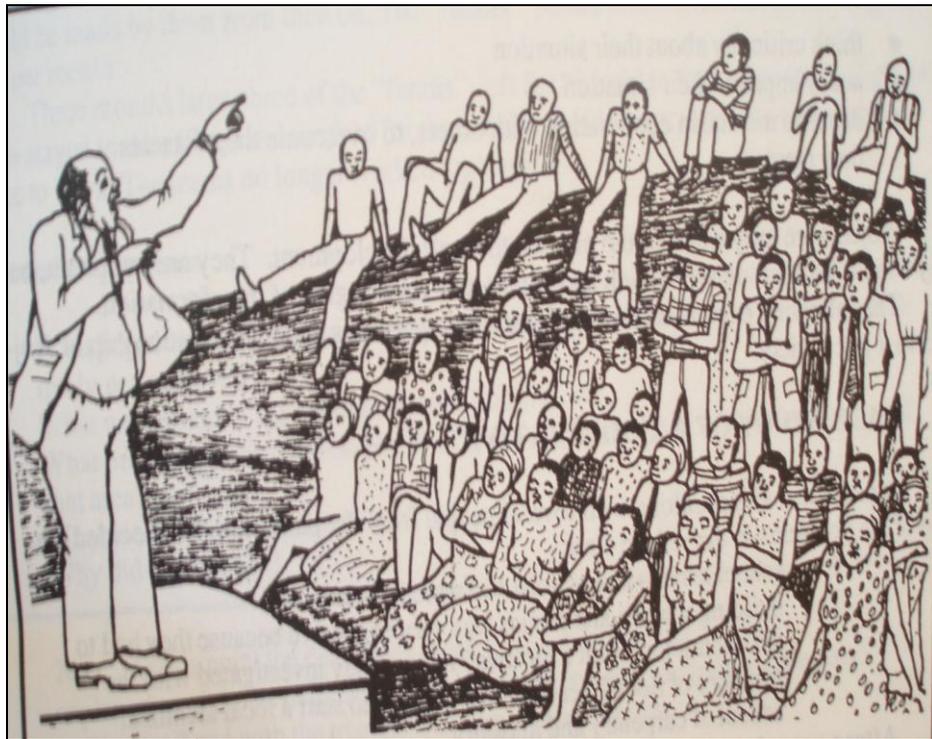
In a second exercise, participants were provided with four pictures and asked to comment on how they responded to the approach to dialogue in each picture. Below are pictures of flip charts summarising how workshop participants completed the exercise.



<p>BER</p> <ul style="list-style-type: none"> -Gipimo wach ji anyo. -Gibet kamungre-niyato ka ngato wungu wadgi -Gibet kanyakla. -Gichiko itgi -Mato wayo to Rijato -Ochuko ite -obet machigini <p>4/10 - hunde gi joma / mingo wach - Wach ma idizi wacho</p> <ul style="list-style-type: none"> -area -somo /chal mar ji 	<p>RACH</p> <ul style="list-style-type: none"> -Ochal yar kuoti -Ngato achiel ema wudyo -Onge gima okel e andika ngama ok onge ndiko ok anyal chupo e andiko?" -Wachgi gikoto kaka Sira -Gikuotho. -gikuotho -Gitin 	<p>BER</p> <ul style="list-style-type: none"> -Ji obet pny gieluko itgi. -Ochuko gender -Gibet mos ka giungre e wach. -Ochoko ji mangeny. -Onono wach -Jogi chal joot 	<p>RACH</p> <ul style="list-style-type: none"> -Ngat achiel ema wungu -onge andiko -Chal wach deda -Ochal ngama chwo order -ochoko ji matin -ochal ngama chwo order. -ngato achiel ema wungu -Ochoko ji matin -Ochung maber gi joot. -ochal ngama chawo
--	---	--	--

Their responses were translated to English and are summarised in four tables. Each table corresponds to each picture discussed.

Picture 1



Dialogic workshop group	Key themes	Example of key statements
Workshop 1	Reaching many people, open space	“he looks like a politician looking for votes”, “everything is in the open so no possible secrets”
Workshop 2	Reaching many people, monologue, open space	“the speaker is the only one speaking”, “the listeners may not have a chance to ask questions because there are too many people”, “he is addressing them directly”
Workshop 3	Reaching many people, dictatorship, open space	“the women look fearful”, “this man looks like a dictator”
Workshop 4	Reaching many people, gender representation	“both men and women are represented in this picture”
Workshop 5	Reaching many people, gender representation	“he is a politician looking for votes”, “both men and women are attending the meeting, which is a good thing”
Workshop 6	Reaching many people, gender representation	“a politician looking for votes, campaigning”, “both men and women are there”, “the women look scared”

Participants in dialogic workshops 1, 2, and 3 observed that the advantages of the method in picture 1 reached out to many people at the same time. The ‘dialogue’ takes place in the open so there are no secrets or hidden agenda, and the speaker is addressing the audience directly and not through agents. The disadvantage is that those listening may not have the opportunity to ask questions because of the size of the

audience. The groups also noted that the women's posture in the picture suggested they were either uncomfortable or scared of the speaker. Participants generally associated picture 1 with a political campaign. They said, "This is a politician looking for votes". Both men and women were present which suggests "gender balance". Only participants in workshop group 5 chose this picture as their preferred method of public dialogue. They explained that an effective means of public dialogue should be able to reach as many people as possible and have a fair or equal gender balance" (dialogic workshop 5).

Picture 2



Dialogic workshop group	Key themes	Example of key statements
Workshop 1	Participants small in number	“those involved in dialogue are small in number which makes it easy to reach consensus and hear everyone’s opinion”
Workshop 2	Good sitting arrangement	“they are seated around the table, each person can see the other and engage with each other”
Workshop 3	Proceedings are being recorded	“the discussions are being written down, meaning they are binding...written things are binding, but writing can also exclude”
Workshop 4	Gender representation	“there are two men and two women in the picture, good balance”
Workshop 5	Good sitting arrangement	“the round table sitting arrangement makes dialogue easier, everyone is equal”
Workshop 6	Participants small in number	“the small number is good, it is easy to hear each other”

Workshop participants observed that the number of people involved in the dialogue in this picture was small; thus agreement and consensus could be more easily reached. The small number also made it easier to express and listen to different opinions: “They are seated around the table, each person can see the other, and all opinions could be heard” (dialogic workshop 1). Participants also noted that proceedings were recorded. This has positive and negative implications. From a positive perspective, writing down discussions makes any resolution from this forum binding. However, but ‘writing’ excludes those who are unable to read or write. There were lengthy discussions about

what to do in situations where some participants were unable to read and write. Participants reached a compromise. They stated that, “It is true that situations arise when some participants cannot read or write, but discussions can be audio taped...it is equally binding” (dialogic workshop 3).

Picture 3



Dialogic workshop group	Key themes	Example of key statements
Workshop 1	Intimate conversation	“we saw this picture and figured it might be a counselling session...not a method for public dialogue”
Workshop 2	Good listening skills	“the other woman is listening carefully, while the other women speaks. This is active listening”
Workshop 3	Face-to-face dialogue	“the two women are sitting very close to each other...no barriers”
Workshop 4	Private conversation	“this almost looks like a gossip session, it is not a public process”
Workshop 5	No gender balance	“there are only two women in dialogue”
Workshop 6	Targeted dialogue	“looks like the dialogue is only between women...maybe they are discussing a woman’s issue”

Many research participants did not like the method of dialogue represented by this picture. They stated that “it portrays more of a private conversation, rather than a public dialogue process” (dialogic workshop 4). Participants suggested that it was generally best suited for one-to-one talks rather than a dialogue that involved more than two or three people; it almost looked like “a gossip session” (dialogic workshop 4). However, other participants observed that the picture represented some good qualities of dialogue such as active listening.

Picture 4



Dialogic workshop group	Key themes	Example of key statements
Workshop 1	Addressing participants directly	“the speaker is addressing participants directly, not through an agent”
Workshop 2	Monologue	“the man looks like a dictator, it doesn’t seem like participants will have a chance to ask questions”
Workshop 3	Gender representation	“both men and women are represented in this small gathering”
Workshop 4	Small number of participants	“the small number of people makes it easy to hear what the speaker is saying”
Workshop 5	Sitting arrangement	“participants are seated very close to each other, it almost looks like they are scared or uncomfortable...no personal space”
Workshop 6	Speaker is a dictator	“the speaker looks like a dictator, from the way he is pointing his finger and his posture”, “looks like his word is law”

As in the case of picture 1 participants across the workshop groups identified both positive and negative qualities of public dialogue represented in this picture. Positive qualities included the speaker addressing the audience directly, a fair representation of both men and women, and the small size of the group making it easier to reach consensus. However, participants observed that the speaker looked like a dictator. The way he was standing and pointing at the audience could imply that “his word was law” (dialogic workshop 6), and thus may force his opinion on the listeners, with the audience afraid to ask questions.

These two exercises enabled participants to discuss different methods of understanding public dialogue and comment on which was most effective. Question six was designed to develop participants' perspectives on how institutions and organisations could facilitate public dialogue to enhance more effective involvement of ordinary people in the public policy making process.

Participants’ perspectives on the roles of organisations in facilitating dialogue for active participation in decision-making processes

I will address this question in two parts. I will first outline what participants suggested could be achieved through public dialogue. Second, I will highlight fora, institutions and organisations that participants identified as having the potential to bring people together. These are institutions participants considered potential sites of public dialogue because they open and inclusive at local and national levels.

Benefits of Public Dialogue

Participants’ perspectives on what could be achieved through public dialogue were drawn from exercises undertaken in their workshops. In these exercises, they were asked to discuss five ‘elements of empowerment’, namely personal growth, self-respect, love and belonging, safety, and meeting physical needs. They were also asked to report on how these could be achieved in ways that were not currently happening.

With regard to two of these elements – love and belonging, and safety - participants stated, “We would really like to see changes in policies about discrimination against people living with HIV” (dialogic workshop 1) “because the majority of us feel like or are treated like outsiders, we do not belong” (dialogic workshop 2), and if these policies are already in place, “we would like to see them strengthened and implemented so that people get punished if they discriminate against us... the fact that we are HIV positive does not mean we are going to die tomorrow...the public should also be educated” (dialogic workshop 5). Participants also associated love and belonging to membership in support groups such as Post-T groups, stating that, “support groups are really important to us, it is a place where we share our experiences with people who identify with those experiences...so we would like to see support groups recognised by law and their roles strengthened” (dialogic workshop 6).

Participants also observed that they would feel safer and the public would treat them with respect if they were independent: “stop making us too dependent on handouts – the majority of us are still well-capable of providing for ourselves” (dialogic workshop 1); instead “give us the skills, *miwa tol* (give us the fishing net – not the fish)” (dialogic workshop 3), “proper information and education” (dialogic workshop 1), and opportunities to represent themselves in decision-making bodies “it is important that

we are included in decision-making bodies, especially those concerning us...it is empowering (people living with HIV)...it was only at this workshop that we learnt of reserved positions for people living HIV in bodies such as Constituency AIDS Consultative Councils” (dialogic workshop 5). Participants also observed that they had suffered the consequences of not being well represented:

...most of us have been mistreated when we go to hospitals for our check-ups and to collect medication. This is mainly because those in-charge of the services do not identify with our experiences of living with HIV. We don't mean to say that everyone should be HIV positive. If people living with HIV cannot be trained to take up such positions then public dialogue can enable people to understand our opinions and social perspectives (dialogic workshop 1).

Participants observed that they have so far relied on other institutions and organisations to represent their perspectives at decision-making bodies, but this had positive and negative implications. They stated that:

...although Non-Governmental Organisations and Community-Based Organisations continue to do a commendable job in educating us, supporting us and generally keeping us informed, some of them have exploited us too. They get money from donors in the name of working with people living with HIV but they do not really work with us. Some of them only use us as research 'objects', they are not really interested in our well-being. Through dialogue Post-T groups can partner with the government to put in place structures, policies, or institutions to monitor the work of these organisations (dialogic workshop 6).

Regarding meeting physical needs and self-respect, participants stated that resources from the government

...should be legislated so we don't feel like charity cases...the government occasionally distributes things like food, but this is only short term. We need something more long term. We need something recognised in a binding document such as laws, policies, or even the Constitution. Besides, in most cases these occasional goods do not reach us. At times the officials concerned distribute it among themselves and their friends. At other times we are shy to collect the food for fear of being labelled as dependent and called other names (dialogic workshop 4).

From the examples discussed above, workshop participants emphasized that public dialogue was important. They also suggested a number of things that could make public policy dialogue effective and sustainable means for engaging marginalised groups in public policy decision-making:

We think public dialogue would be the best way to go. However, certain issues should be considered when thinking about public dialogue. Public dialogue should be first and foremost targeted and well informed. We should ask questions such as, what is at stake, is it resources, community vs. Individual rights...and where is the balance? Knowing what is at stake will help organise public dialogue appropriately (dialogic workshop 4).

Public dialogue should be well structured. Some organisations have tried to use a similar method in the past to discuss national issues but they failed because it was not properly thought through. Moreover, local politicians have a tendency to use disorganized dialogues to divert Kenyan's attention from serious discussions. They have turned dialogue fora into arenas for blaming each other. There is an urgent need of consistent systems and mechanisms to facilitate these processes. It cannot be left to chance. Well, Kenyans are used to leaving dialogue until crisis and extreme violence occurs (dialogic workshop 1).

Fora, Institutions and Organisations as Potential Sites for Facilitating Policy Dialogue

Participants identified fora such as *barasa* (local weekly chief meetings), “we attend *barasa* every week, get updates on what is going on and we discuss community issues at these meetings facilitated by local government administrators, village elders, and clan leaders” (dialogic workshop 2). However, *barasa* are based on cultural practices that privilege male leaders and voices and because of this there were concerns that “women’s voices are not taken seriously at these fora...in fact sometimes the men question our attendance...the expectation is that we only attend when we are summoned” (dialogic workshop 4). For *barasa* to develop inclusive dialogue processes they will require restructuring and constant evaluation.

Workshops and programmes run by non-governmental organisations were also identified as fora for public dialogue. Participants stated, “we have learnt a lot through NGOs working with us and with local communities...they bring us together to discuss issues, teach us our rights and some skills so we are self-dependent” (dialogic workshop 2). However “NGOs’ programmes only focus on issues that fit within their objectives... so a lot of other issues can be left out” (dialogic workshop 5).

Vernacular radio stations also provide fora for public dialogue. They run programmes that discuss social issues and encourage the public to ask questions and/or express

opinions. “Radio stations such as Ramogi FM run programmes such as *ohigla* (Luo for big cooking pot) where they discuss social issues and you can call and give your view of these issues” (dialogic workshop 1). However, lack of access to phones and the cost of calls to radio stations limits the capacity to participate by a large part of the community: “You need a phone and money to participate in these programmes...sometimes you hear people calling the stations but are cut off in the middle of a discussion because they have run out of money” (dialogic workshop 6).

Other fora identified by participants include self-help groups: “We are always members of merry-go-round groups where we collect money, discuss issues affecting us and look for solution to these issues” (dialogic workshop 5). Market places: *chien'g chiro* (market day) is the day to hear about what is going on, open markets are neutral grounds for most people...market days always bring people together” (dialogic workshop 2).

The Anglican Church of Kenya was cited as an example of an institution capable of facilitating public dialogue, mainly because, “the church is at all levels of society, is in touch with Kenyans from all walks of life, and has the organisational and financial resources ” (Rev. O) to facilitate this process. “The church is local...it is based at the grassroots so is aware of the pressing issues affecting different groups and individuals in society....this placing gives it an upper hand in problem identification” (Rev. H). The Anglican Church also has networks and departments which could be utilised to facilitate public dialogue. One ordinand observed that the Anglican Church “has departments such as youth, Mother’s Union, Men’s Association, and Inter-Diocesan Christian Community Services (IDCCS)...these wings of the church reach so many people and could be used to empower ordinary people” (Ordinand C), as well as “networks with faith-based organisations working at the grassroots levels” (Rev. C). Furthermore,

Departments such as Peace and Justice are invaluable in this Diocese. This section has enabled us to carry out activities such civic education and conflict management and resolution, without having to rely on external organisations as some dioceses do. But the department is not sustainable at the moment (Rev. H).

However, participants stated that even with such resources, the Anglican Church still needed to be hands-on, particularly in light of the predominant politics of privilege in Kenya. One clergyman said that,

Yes, the church has a role, but this role is not automatic as we have often assumed. Given the political climate in Kenya, whereby politicians hate competition and the church is seen as competition, we have to 'earn' this role. If the church does not hijack the opportunities, then no one will seek their involvement. We have to press on and make our voices heard, otherwise we are sidelined (Rev. K).

The Anglican Church could begin by evaluating its role and impact in decision-making bodies where it has reserved positions. One clergy challenged the church saying,

I often wonder what the actual role of ACK is in these committees and boards (he was referring to District Development Board, District Education Board and Board of Governors). This is because in practice I don't think our presence there has made significant differences in the lives of those we represent. In my opinion, we have played no more than a 'rubber-stamp' role. We have agreed with what the majority wants and how things are normally done... these are the same 'ways' that continue to exclude ordinary people (Rev. A).

To ensure its presence on national and regional policy decision making bodies, the church should train its clergy and laity to more effectively reflect the voices and interests of the marginalised:

...We need to train clergy, laity, and departmental leaders on topical issues and encourage them to disseminate the information in their parishes. I know it is hard to ascertain whether or not they make use of the training. The implementation is often hindered by lack of follow-up (this is difficult because of the vastness of the diocese). Networking among clergy within and outside the diocese should be encouraged for the widening of knowledge. Clergy should also be encouraged to grow past 'clericalism' and involve other people (Reverend B).

The importance of training clergy was supported by clerics. One stated that:

In this diocese, for instance, majority of the clergy are only trained up to diploma level. Most diploma curriculum does not go deeper into critical thinking. Participation in the public sphere in general requires critical thinking. It is important that the church invest in and encourage clergy to go for further training. The church will be more effective with highly and diversely trained personnel. I, however, wonder if the church is ready for such highly trained people. We have only a few of such people and they are on the verge of exiting the church because we do not have jobs for them. If

we cannot keep them, then we lose out and will keep lagging behind in relation to participation in public policy (Reverend W).

Yet another cleric emphasised clergy training, saying:

We need to train our clergy and diversify our training, full stop! Let me give you an example. There is no one from the church on the Committee of Experts that is looking into the 2010 Constitution. Yet these are the fora where we should play our role in facilitating public policy. I know politics had something to do with whoever was chosen to that committee. But it was also to do with qualifications. When people are searching for the best material (personnel), they will not think of looking within the church. This is because we have not been known to have such people, particularly among our clergy. Higher levels of training and diversity will increase our bargaining power. Simply, being only spiritual leaders is becoming dated in Kenya today. We need to back it up with academic qualification, able to compete in the market. Moreover, the church might have good ideas for public policy issues but do we have the capability to influence the rest of the processes? Are we able to compete with other faculties? The reality is that other faculties often only dialogue with people who matter (who can challenge them), and the church is thought not to matter because of lack of personnel. Church needs to exert a strong position by backing up our 'spiritual strength' with other essential disciplines (Reverend O).

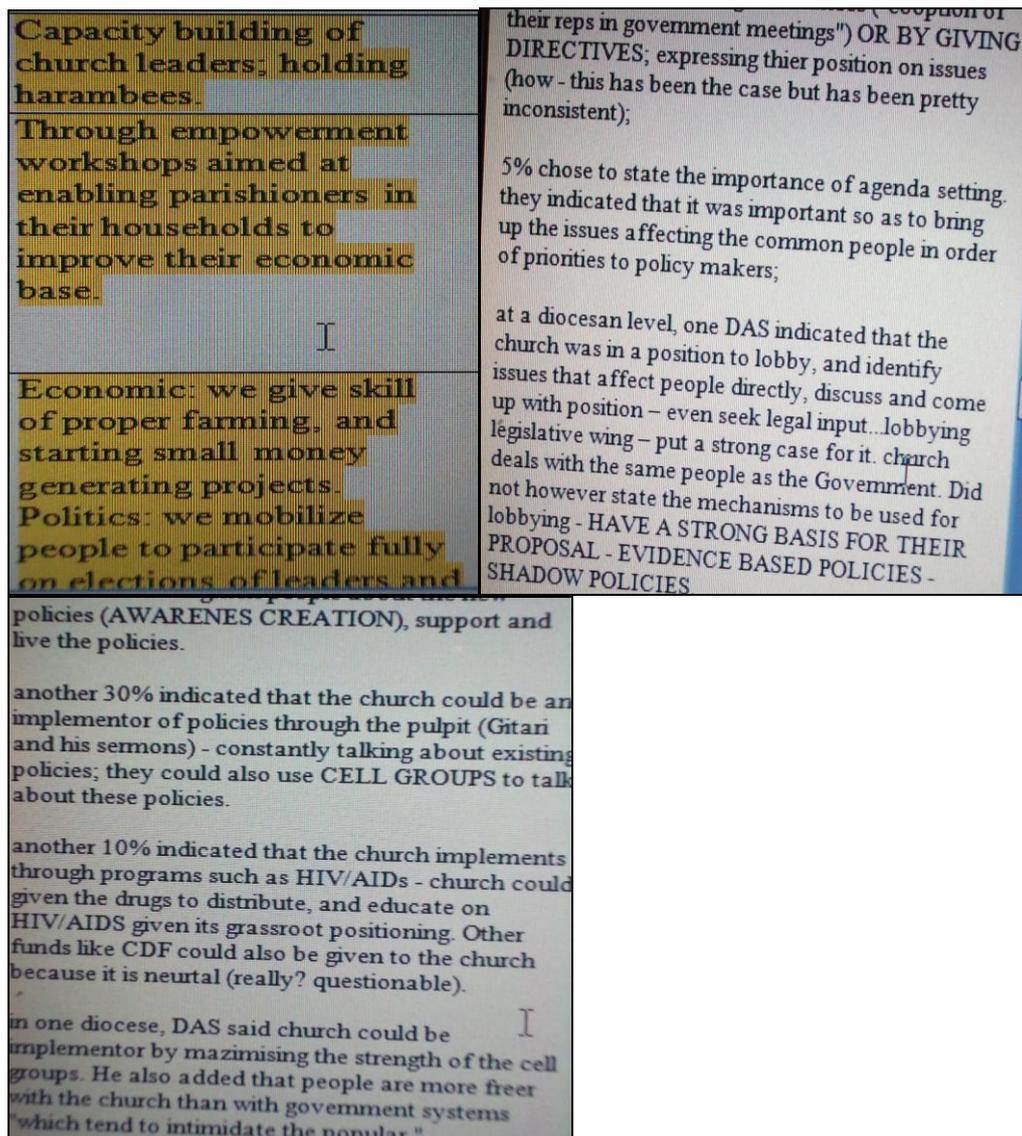
The Anglican Church could also be creative in the way it gathers ordinary people's opinions:

I think we should think creatively, come up with other structures and ways, outside of what already exists, that could effectively source the opinions of ordinary people and enable them engage with issues affecting their livelihoods. I am thinking that we could have a desk such as a 'legal desk' both at parish and diocesan levels. This desk would deal with policy issues and other topical issues affecting people. Issues would be raised, analysed, formulated, and presented to relevant government authorities. Otherwise a lot of issues are dealt with at the synod level which is a one day or a week affair and this does not give appropriate space and time to engage with these issues. A desk such as the 'legal desk' would also deal with the interpretation of the laws and policies, and look at daily newspapers and draw out issues for discussion (Ordinand B).

In light of the Anglican Church's organisational, structural, and financial resources, participants suggested roles that it could play in facilitating public dialogue.

<p>It helps with mobilisation; advocate for bursaries for needy children (especially orphans and vulnerable children).</p>	<p>Economic: we give skill of proper farming, and starting small money generating projects.</p> <p>Politics: we mobilize people to participate fully on elections of leaders and</p>
<p>Agriculture; income generating projects; education; and politically they contribute a lot in political action.</p>	
<p>It is not involved.</p>	
<p>Sensitising; teaching.</p>	
<p>By holding seminars and also encouraging our Christians to be attending public meetings (barazas) conducted by chiefs.</p>	

<p>Through Christian Community Services – health, education, social transformation and also encouraging members to vie for executive positions.</p>	<p>Civic education be made a subject (how do we do this) – be streamlined in parish programs.</p> <p>Awareness creation on specific (important) policy issues be formalised in parish activities.</p> <p>In the proposed devolved government (HDC), the church to be considered key 'patron' in policy formulation and implementation.</p> <p>Church and State remain separated BUT the government seek the church's opinion in all policy decisions for moral guidance. Policy makers should encourage consensus (really?).</p> <p>There should be more consultation between the church and state on socio-economic issues - especially the ones that</p>
<p>It helps with mobilisation; advocate for bursaries for needy children (especially orphans and vulnerable</p>	



The roles identified from collected data (pictures above) originated mainly from clergy and ordinands. Their perspectives were:

- Education
- Issue identification
- Creating awareness
- Mobilization
- Giving moral guidance
- Advocacy
- Interpretation of issues
- Reconciliation

- Being a watch-dog and team-dog

Researcher's summary of research participants views

Research data analysis focused on understanding participants' views on decision-making processes in Kenya. This information was important for understanding public policy making, from the perspectives of youth and women living with HIV (as individuals and groups at the margins of Kenyan society).

The two categories of research participants were aware of the importance of ordinary people's participation in decision-making processes. This could be deduced in the way they described their involvement in making decisions at different levels of society, including at home and in school committees where some were members.

However, participants felt excluded from decision-making processes, outside these local spheres. Even at the local level their participation was hindered by socio-cultural and political factors such as age, gender, and academic qualifications. They were excluded by structures and institutions which favour the elite, a history which gave preference to institutions and organisations such as religious institutions with long standing over emerging organisations, and 'qualifications' such as university degrees which favoured the literate. In my observation, however, participants were not only excluded from decision making by these inequalities: their own attitudes led them to exclude themselves. They said they 'gave up' because the processes were too long, the structures were overly manipulated, or they did not understand how the processes and institutions functioned.

The researcher observed an urgent need not only to transform structures, institutions, and processes which marginalised ordinary people, but also personal attitudes and behaviours which lead ordinary people to vacate public spheres for fear of intimidation and/or belief that they are inadequate. Empowerment, education, and awareness creation are important in achieving this transformation. For instance, research participants as ordinary people need to go out and vote in general elections, attend important community meetings, and understand how socio-political processes work.

Research participant's responses revealed an underlying assumption that 'major' decision-making should only take place at central locations and within government

institutions. Often it is the ministers and MPs at the central government who are the object of criticism. There is an urgent need to transform this popular belief, although it is one that is based on historical realities. It originates from the fact that in practice, ministers and MPs at the central government significantly influence activities and decisions at the local levels. For instance, it is common knowledge that the chief at the Location level or assistant chief at the Sub-location must be ‘approved’ by the local Member of Parliament. Nevertheless, there is a need for a process of participation which negates this belief, and emphasises the interrogation of government and non-governmental institutions at all levels of the society.

Empowerment for ordinary people is important because decision-making involves a series of steps that require the input of information, experiences, and beliefs as well as feedback from all stakeholders, especially from those directly affected by those decisions. Any decision-making process is only as effective as the experiences that informed it, and as good as its accessibility and the mechanisms that exist to implement it.

As workshop participants suggested, mobilising those directly affected by socio-political decisions to *dialogue* is an important part of an effective decision-making process particularly that which seeks to include marginalised individuals and groups. Organisations and institutions directly involved with marginalised individuals and groups are potential facilitators of public dialogue, according to research data. The Anglican Church, for instance, as observed by clergy and ordinands provides fora for mobilising ordinary people to participate in decision-making processes.

The data raised important questions about methods of public participation that would enhance more effective involvement of ordinary people in the public policy making processes. Consequently, I propose *public policy dialogue* as a socially-inclusive method for including the perspectives and experiences of individuals and groups at the margins (in this case women and youth living with HIV) in the public policy making process in Kenya. Simply, public policy dialogue is *public dialogue about public policy*.

In Chapter Nine, I explain the theoretical foundations of public policy dialogue.

Chapter Nine:

Theorising Public Policy Dialogue

What does public policy dialogue as a model of participation in public policy making mean in theory? This chapter responds to this question by discussing public policy dialogue in the context of understanding public policy dialogue as participatory democracy and social justice.

Public policy dialogue and participatory democracy

The idea of increasing ordinary people's participation in public policy making processes is commonly referred to as participatory democracy (Catt, 1999; Dewey, 1954a; Goode, 2005; Gutmann & Thompson, 1996; Rossteutscher, 2005; Scott & Marshall, 2009a; Young, 2000). The rationale for creating spaces for the active and direct engagement of citizens in decision-making processes is that ordinary people have a stake in the outcome of policy-making. They are the direct beneficiaries of policy decisions, have views and insights on what is important to them and what actions best address their needs. Socially inclusive policy-making also creates opportunities for greater transparency and accountability of outcomes to ordinary citizens.

Socially-inclusive public policy-making creates a normative requirement that subjects decisions to scrutiny through power sharing with the people most affected by such issues and resulting decisions (Laird, 1993, p. 344). Inclusive policy-making enables citizens to better understand their interests, as well as empowering ordinary people to have substantive influence over policy outcomes, promote social justice, and a collective approach to addressing community's social and economic issues (Boulding & Wampler, 2010).

Democratic legitimacy requires that decision-making occurs in a framework of broad public discussion in which participants debate the various issues in a careful and reasonable fashion (Vitale, 2006, p. 745). Jurgen Habermas emphasised the establishment of procedures in the form of laws, norms and regulations which allow

people to engage in decision-making processes through consensus, with consensus as the best possible outcome (Calhoun, 2002; Elstub, 2010; Goode, 2005; Habermas, 1990, 1996). Habermas argued that the fundamental source of legitimacy of decisions was the collective judgement of the people, not just in the expression of unmediated popular will, but in a disciplined set of practices defined by the deliberative ideal. He defined the deliberative ideal as the ‘ideal speech situation’, a condition where people take part in decision-making without coercion within established procedures (Gutmann & Thompson, 2004, p. 9).

However, participatory democracy requires more than procedures which avert coercion during deliberations as Habermas suggests. Daniel Schugurensky further elaborated that:

By participatory democracy I do not mean token consultations without authentic decision-making power, clientelistic relationships that disempower and control people, or even basic associationalism in the sense of membership in community associations. Instead, I mean inclusive processes of deliberation that are bound to real and substantive decisions (Schugurensky, 2004, p. 607).

Focus on rules and norms of participation create barriers to ordinary people’s participation. Bureaucracy and hierarchy vest decision-making powers in the political class, people with high economic status and capabilities and people with higher academic qualifications. Participants reported that “people with formal academic qualifications such as university degrees are more likely to be elected to be decision-makers than people without such qualifications” (dialogic workshop 6), and that “we elect those leaders because they have money, money is associated with power” (dialogic workshop 5).

The higher up the hierarchy decisions are made, the more removed they are from ordinary people because the structures, norms and culture of bureaucracy are at odds with the flexibility necessary for ordinary people’s active engagement in decision-making (Woodford, 2004, p. 685). Thus, while Kenyans may have formal citizenship of their country, many individuals and groups remain excluded from exercising ‘effective citizenship’ (McCowan, 2006) due to historic high levels of socio-economic inequalities and political exclusion (Lando & Bujra, 2009).

Effective participatory democracy requires the establishment of mechanisms and systems at the community level that enable ordinary people to gain the skills, knowledge and confidence to engage in decision-making processes. Participants observed that “ordinary people need to be taught...even shown how the system works...a hungry nation, unclothed, unhealthy, under-utilised, and under-empowered cannot think or even contribute to decision-making processes” (Rev. G). Any process beyond the community’s capacity to either change the structures or build the needed capacity is inauthentic (García-Guadilla & Pérez, 2002, p. 90). Research participants advocated the establishment of more participatory elements to complement the existing process of representative participation, that would encourage and enhance effective participation (Secker, 2009, p. 702) by ordinary people.

Research participants suggested that schools, work places, market places, villages, neighbourhood associations, churches and social movements could form community level structures that support participation. For instance participants stated that “market places are effective fora for initiating discussions...disseminating information...because each village has some sort of open-air market and many people go there...” (dialogic workshop 1). The process should be concerned with all spheres where ordinary people exist, markets, local youth and women’s groups, and local support groups. Effective participation goes beyond the public and the political and includes ‘private’ spheres where ordinary people make links between their private personal issues and political and public policy, making participation relevant to their own experience (Sklar, 1983, p. 11). It is a process that strengthens citizens’ political engagement (Zittel, 2003).

To achieve this it is necessary to develop programmes that develop the understanding of policy-making processes, the skills required to engage in dialogic processes, and to strengthen the capacity of institutions that facilitate public dialogue.

Building ordinary people’s capacity for effective participatory democracy is about empowerment: what Abers (2004) described as increasing individual and groups’ capacity to understand and decide about issues affecting their lives. It is also a process of conscientisation whereby ordinary people gain skills, knowledge and capabilities to define their needs (Woodford, 2004, p. 682) and assess ways of addressing them

(Secker, 2009, p. 697). Research participants described the opposite of empowerment as *kutegemea manna* (dependency) and powerlessness. Dependency is reinforced when decisions are always made for people rather than with them:

...The feeling of being part of making decisions concerning our livelihood is empowering. At the moment, we cannot help but feel dependent when all decisions are made for us. The dependent feeling is what results from the culture of handouts...being part of the decision-making processes through public dialogue help us deal with the rampant dependency syndrome and powerlessness. Surely we do not want to be fed. Most of us are well capable of providing for ourselves. All we need is access to proper information and tools. Give us the skills... 'miwa tol' (give us the fishing net – not the fish) (dialogic workshop 3).

Citizen participation in decision-making facilitates redistribution of power because it increases their perception of their ability to influence decision-making (Conger & Kanungo, 1988; Gutierrez, DeLois, & GlenMaye, 1995; Itzhaky & York, 2000; Margot, 1994; Perkins & Zimmerman, 1995). Research participants suggested that their participation in the workshop enabled them to “clearly see issues that hinder our responsibilities and rights as citizens of Kenya” (dialogic workshop 1), to “realise that our contributions in decision-making processes are equally important” (dialogic workshop 2), and to “realise that there is unequal distribution of power and resources at various levels of Kenyan society...and that we can be part of the solution” (dialogic workshop 3).

The workshop enabled them to develop a network. “We now know how we can present our local issues to people up there...and how we can follow up on our issues...until they are addressed” (dialogic workshop 4). Dialogue enables participants to understand each other’s values, interests, and concerns (Moote, McClaran, & Chickering, 1997, p. 879). Participants observed that. “We now know that not all stakeholders always have our best interests at heart... and we should be careful to discern what their agendas are when they are claiming to represent us” (dialogic workshop 6). Participation also enables people to refine their own views in relation to issues discussed. Ordinary people’s participation is, therefore, self-determined rather than induced or coerced (Sklar, 1983).

Public policy dialogue is also an educative process that provides powerful opportunities for learning. Ansell (2005) and Schugurensky (2004) suggest that

citizens' participation in decision-making constitutes an informal school of citizenship. They both use 'informal learning' to refer to any organised educational activity that takes place outside the formal education system that goes from preschool to graduate studies. Informal learning does not include education based on curriculums, such as short courses, and professional development learning environments (Ansell, 2005, p. 235; Schugurensky, 2004, p. 607). Education is understood in the widest sense (Pateman, 1970), including both the psychological aspects and the practice of decision-making skills and knowledge (Freire, 1970). Education is related to attitudes, knowledge and skills. Therefore informal education recognises the importance of local spheres such as households, and community-based groups where people at the margins are found (Schugurensky, 2004, p. 614). Public policy dialogue negates any belief that the decision-making process is an exclusive monopoly of professionals or experts and renders the process accessible to people from across the different strata of society.

The educative process of public policy dialogue consists of sharing experiences, asking questions: of participants clarifying their own thoughts, broadening their outlook, and making connections between personal issues and public policies (Pateman, 1970, p. 31). Participants stated that public policy dialogue enables them to share "experiences... are things that are really going on in our lives...real life issues...so when we communicate to someone we know where they come from and what they are going through...we understand their perspectives and values" (dialogic workshop 1), "each other's questions and concerns...we hear their side of the story and ask when we have not understood what they have said, for clarification. We avoid assumptions and stereotypes" (dialogic workshop 4), "information...you always find that some people have more information about social issues and other things happening around us more than others...dialogue gives them the opportunity to share information with us" (dialogic workshop 1). In the end, the process gives access to new and refined information.

Public policy dialogue is self-sustaining, because the qualities required of participants for the process to work are those the process of participation develops. The more individuals and groups participate, the better they are able to participate because learning takes place through the process itself (Pateman, 1970, p. 25).

Another aspect of empowerment derived from citizen participation in public policy dialogue is efficacy (Moote, et al., 1997, p. 878; Schugurensky, 2004, p. 609), the confidence in one's capacity to influence decision-making. Research participants reported that ordinary people shy away from decision-making, because they feel that their perspectives are not considered in policy decisions. "We have decided that we will never bother voting at any election or on any issue because our votes make no difference...if what we want or need is contrary to the views of the elite...or threatens their power... then our issues will never be fulfilled...why bother then?" (dialogic workshop 2).

Despite its potential, participation presents three dilemmas, namely implementation, inequality, and co-option (Abers 2003). Implementation problem refers to the fact that even when policy-makers genuinely seek to implement participatory decision-making that includes the less powerful, more powerful groups resist such changes. This is complicated by inequality of power.

Kothari asserts that even among marginalised groups, there are decisive power differentials determined by age, economic status, and gender (Parfitt, 2004). Gender was an important factor for research participants who reported that women were historically excluded from decision-making because beliefs and practices restricted their roles to domestic levels. Ayallo (2004) claimed that these begin at birth, at the very local spheres within which identities are constructed, deconstructed, and reconstructed. The learned ways and values of interaction at these levels are always reproduced in other public spheres. Participatory decision-making models such as public policy dialogue may not necessarily reverse power equations in which the micro is set against the macro, the margins against the centre, the local against the elite, and the powerless against the powerful, because social control and power are not found solely at the macro level. Furthermore, those who wield power are not located only at institutional centres, but at local and regional levels. The social complexity, particularly power relations, at local levels should not be concealed or oversimplified (Parfitt, 2004, pp. 541-542).

Abers (2003) observed that irrespective of fora designed to maximise the participation of ordinary people, resource inequalities between policymakers and ordinary citizens

lead to manipulation of decision-making processes and outcome. Cooption also occurs where policy-makers give more space in participatory fora to groups that align with government politically rather than those representing the interests of marginalised groups.

Creating spaces for inclusive public policy decision-making is, therefore, not just about democratic participation but an issue of social justice.

Public policy dialogue and social justice

Active participation of ordinary people in decision-making is a matter of justice. Social justice is concerned with issues of inequalities of political and social power and economic wealth (Coates, 2007), discrepancies in access to resources, and access to information (Solomon & Murphy, 2000, p. 4). In discussion about the difficulty of participation in decision-making as ordinary people, research participants referred to themselves as “only women and we do not have money...or access to formal education and qualifications like the majority of men who get elected or selected to represent us at major decision-making bodies” (dialogic workshop 1). They also reported that “we live in the rural areas...where there is no easy access to information...such as that available on internet and facilities...such as major referral hospitals... that are available in towns and big cities such as Nairobi” (dialogic workshop 2).

Amartya Sen attempts to connect public dialogue (which he refers to as public reasoning) to a theory of justice and democracy (Sen, 2009, p. 326). He argues that public dialogue strengthens democracy and the ideals of social justice in relation to decision-making. He suggests that this is particularly important in communities where historically expressions of public views have been thwarted by press censorship, information exclusion, and suppression of political opposition the independence of media. Although not exempt from manipulation, where it is controlled by government structures, public dialogue – unlike other forms of democratic participation such as voting – creates spaces for a diversity of voices to be heard. When located within local communities and civil society, it is more difficult for rulers to use public dialogue to force conformity, achieve landslide victories, suppress public discussion and freedom of information, and generate apprehension and anxiety (Sen, 2009, p. 327).

Gutmann and Thompson (2004) assert that public policies are the most consequential decisions a nation makes because they concern people's day-to-day lives. In Kenya, and many other countries, public policy decisions are dominated by 'experts', the elites, which make such policies incomprehensible to most ordinary people, and are far removed from their experiences. Research participants reported that "government officials such as the president, prime minister, cabinet ministers and their appointees make all the decisions in this country" (dialogic workshop 3), and "assumptions take the upper hand in decision-making...meaning that in most cases their decisions have nothing to do with the actual needs of the people...their decisions are simply forced on us" (Rev. G). Such an approach to public policy is not socially just.

To bring about socially just public policy-making processes requires structures and the reorder of society which destabilises the centres of power, listens to stories of injustices, identifies and names institutions furthering injustice, and implements an effective way to change them (Calhoun, 2009; Fraser, 1993; Goode, 2005; Habermas, 1962/1989; Robbins, 1993; Thompson, 1993). With regard to structural change, participants stated, "We would like to see a change in the way resources are allocated, the occasional distribution of goods and services is not enough...we need something long term....which is recognised in a binding document such as laws, policies or even the national constitution" (dialogic workshop 1). Participants also called for "Opportunities to tell our stories, such as our experiences of discrimination which could lead policy-makers to change and strengthen the national laws on discrimination against people living with HIV and also help educate the public and create awareness about HIV and AIDS" (dialogic workshop 3). Public dialogue provides a process to undertake these kinds of evaluation (Barry, 2005, p. 265).

Such process engages individuals and groups across different strata of society, particularly those on the margins. It validates the local spheres where marginalised groups are found. It also has potential to realise the educative effect of participation, address issues that directly affect lives and apply the learning to participate at higher levels (Pateman, 1970, p. 31).

Participation in public policy dialogue also helps to clarify decision-making regarding distribution of community resources. Those at the top of the power pyramid make

decisions that privilege their position often at the expense of those at the bottom. Research participants reported that, “We feel discouraged from participating in processes such as voting because in the past we have voted for people we believe can change our lives by making things better for us...but in most cases they do not get elected because the system disproves of them...they are threats to existing structures” (dialogic workshop 1). Also “those at the top keep forgetting that we are people too and that the decisions they make affect our lives, the processes are complex and we do not understand what goes on up there, decisions are based on assumptions and they are imposed on us” (dialogic workshop 3). Decision-making about resource distribution is an expression of power. Reporting on international aid, research participants expressed their powerlessness stating that “...These funds come with stipulations and prescribed conditions so we do not have a say on which programmes we need or how these funds are to be used...they hold the power...and us as the receiving communities and our real needs are silenced when this happens” (dialogic workshop 2). One clergy interviewed observed that “in Kenya, the state is the source and manager of all goods and services...without clear checks and balances in place, the state can do what it wants with these goodies...reward its supporters and punish its critics” (Rev. O).

From a social justice perspective, public policy dialogue seeks to bring marginalised groups and individuals closer to centres of public policy making. While it may not be possible to eliminate social-economic and political differences because they are deeply rooted in society, opening up spaces for active engagement enables groups to redefine their struggles and develop their capacity to influence decision-making both within and beyond their immediate spheres (Coates, 2007).

Public policy dialogue as a socially just process gives voice to individuals and groups often excluded from decision-making. Ordinary people are able to share their experiences through storytelling, songs, drama, pictures and role-playing. Research participants stated that “dialogue gives us the opportunity to communicate using localised means of communication...in symbols, signs, a language understandable to community members...we include songs, drama...anything that will make information accessible to everyone” (dialogic workshop 6). This gives participants a sense of worth and increases their agency. The process encourages participants to ask questions of their representatives, and focus attention on the effects of public policies (Young,

1997a, p. 366). For instance, participants reported that “non-governmental organisations and community-based organisations have done a commendable job in keeping us informed and training us...but some of them exploit us too. Through public dialogue we can partner with the government and funding organisations to put in place structures, policies, or institutions to monitor the work of these organisations” (dialogic workshop 1).

The educative outcome of public policy dialogue is to empower participants to become “justice-oriented citizens” (Westheimer & Kahne, 2004). These are individuals or groups who critically assess social, political and economic structures and consider strategies for change that challenge injustice, and when possible, address root causes of problems. A social justice-oriented individual or group will not only give food to a hungry neighbour or help organise a food drive, but will also explore why he or she is hungry and act to solve the root causes (Westheimer & Kahne, 2004, pp. 242-243). Research participants stated “surely most of us do not want to be given handouts throughout our lives...we are very capable of feeding ourselves and finding solutions to our problems...all we need is access to proper information on how decision-making processes and systems work...we need the skills” (dialogic workshop 5). Public dialogue as social justice supports the assumption that to solve problems and improve society, marginalised people must question and change established systems, attitudes and structures particularly when they reproduce patterns of injustices over time. Research participants stated that undertaking such a critical analysis is possible “when we come together, sit down and connect our thoughts” (dialogic workshop 6).

Citizens the participants desired are contrasted with two other kinds, namely the ‘personally responsible’ and the ‘participatory’ citizens (Westheimer and Kahne 2004). The personally responsible individual or group acts responsibly in his or her community. They obey laws and volunteer in community activities. A personally responsible citizen’s basic assumption is that to solve social problems and improve society, people must have good character. They must be honest, responsible and law-abiding members of the community. Morality is central to the personally responsible. Participatory persons or groups believe in community. They are active members of community organisations and/or improvement efforts. They organise community efforts to care for those in need or promote economic development. Participatory

people know how government agencies work and know strategies for accomplishing collective tasks. Their core assumption is that to solve social problems and improve society, people must actively participate and take leadership positions within established systems and community structures. They do not focus overtly upon questioning the systems and structures and examining the root causes of problems (Westheimer & Kahne, 2004, p. 240).

Many organisations working with marginalised groups and individuals tend to adopt the roles of ‘personally responsible’ and ‘participatory citizens’, and encourage ordinary people to undertake similar roles. Participating clergy observed that while the Anglican Church has reserved positions in a number of decision-making bodies, these have been largely to ‘rubber-stamp’. Rev. G wondered about “the actual role of the ACK in committees and boards where we have reserved positions”. In one participant’s opinion, “I don’t think our presence there has made significance differences in the lives of those we represent.” Furthermore, Rev A observed that, “I think we have played no more than a ‘rubber-stamp’ role. We have agreed with what the majority wants and how things are normally done...without questioning...yet these are the ways which continue to exclude ordinary people”. The church’s knowledge on how the system works has examined it sufficiently, something required of justice-oriented citizens. For the most part, it has overly-focused on moral guidance.

Research participants ascribed this to a lack of a well-articulated critical framework, theological training, and church structure. Theological institutions shy away from exposing their students to ‘radical theologies’ such as liberation theologies which would develop students’ critical thinking and contribute to the emergence of a critical framework that is currently lacking. Lack of diversification of clergy training was also noted to be a barrier. For instance, one clergyman observed that “in this diocese the majority of the clergy are only trained up to diploma level. Most diploma curriculum does not go deeper into critical thinking. Participation in the public sphere requires critical thinking. It is important that the church invest in and encourage clergy to go for further training (Rev. W). Another participant reported that

One’s basis for involvement with matters other than the ‘spiritual’ is significantly influenced by their theological training. Those who are actively involved were often exposed to ‘radical theology’ such as Black theology and Liberation theology. But certain theological institutions do not want to

expose their students to these 'radical theologies'. They prefer indoctrination and spiritual theology. This is a theology that focuses on life in heaven and not on matters of life and death on centring. It is such a shame though because these so called 'radical theologies' exposes students to critical thinking which is what the church requires in this day-and-age (Student A).

Similarly, many social development non-governmental organisations were noted to face significant operational challenges including limited organisational infrastructure (Akukwe, April 1998; Kelly, et al., 2006), limited long-term funding (Kobia, 2003, p. 144), and a degree of government indifference and opposition (Kelly, et al., 2006). Research participants observed that “The political climate in Kenya does not foster competition; politicians hate competition and any organisation or institution working with the poor and the marginalised is seen as competition...they almost have to hijack opportunities to be involved” (Rev. K). One participant also reported that “Non-governmental organisations rely on international funding which comes with stipulations and only covers certain objectives and goals. The way I see it, this can be good and bad at the same time...their work is limited to these objectives and also their work may be terminated when funding ends” (Rev. G). Research participants’ observations are supported by Stephen Orvis’ argument:

Pro-government forces see virtually all NGOs as tools of self-interested opposition forces and foreigners bent on undermining the regime. Rural residents frequently complain that when urban based NGOs make their way to rural areas, they stay only for a day-long seminar, inviting the same small circle of relatively well-educated and well connected friends to each event. Other than a free lunch, their impact is minimal. The only partial exceptions to these criticisms are the church organisations, which by their very nature have a long-standing and well organised rural presence. Their ‘pro-democracy’ work, however, often faces the same criticisms that secular NGOs receive (Orvis, 2003, p. 249).

Nevertheless, public policy dialogue as social justice provides avenues where ordinary people can ask questions, change structures and institutions. They can dialogue with non-governmental organisations and other community-based organisations working with them.

Public policy dialogue in the context of participatory democracy and social justice is reciprocal, because the process is enriched through participation; participants learn from the process; it is expansive because whatever is learnt is transferable (Anderson, Cissna, & Clune, 2003, p. 4); and it is anticipatory because the learning acquired

enlarges participants' realm of possibility and also has a realistic dimension (Anderson, et al., 2003, p. 1).

In the following chapter, I discuss the practical implication of public policy dialogue. I analyse the role of the Anglican Church in facilitating public policy dialogue as a method that will enable socially-inclusive public policy making in Kenya?

Chapter Ten:
**The Role of the Anglican Church of Kenya in Facilitating Public
Policy Dialogue for Socially-Inclusive Public Policy Making in Kenya**

Public policy dialogue is a process which, Sen (2009) states, is particularly ideal in situations where expression of public views is thwarted by factors such as informational exclusion, a climate of fear as has existed in Kenya, and flawed processes of public participation such as Kenya's voting (electoral) process (Sen, 2009). The model contributes to public policy making processes which reflect citizens' experiences. It enables citizens to dialogue with and interrogate the state and non-state organisations as well as local and national institutions involved in policy-making at all levels of society. This chapter presents an analysis of the role of the Anglican Church in facilitating public policy dialogue among people at the margins, in this case among women and youth living with HIV in Kenya.

In Chapter Eight, workshop participants suggested roles for grassroots-based institutions and organisations in general, and clergy stated specific roles for the Anglican Church in Kenya in public policy discourses. This variation is not necessarily because workshop participants did not think the Anglican Church had a role or because they lacked confidence in the Anglican Church. Rather, the difference in responses was mainly a consequence of how the research question was conveyed to the two categories of research participants.

Workshop groups consisted of women and youth living with HIV from various Christian denominations in Kenya and I did not want to exclude non-Anglican participants by asking directly what the role of the Anglican Church should be. Instead, I found it most appropriate to ask the question within the context of the role of (grassroots and community-based) organisations and institutions, including the Anglican Church, in facilitating socially-inclusive public policy processes. Conversely, it was fitting to ask the question directly to clergy and ordinands since

they all worked within the Anglican Church and, therefore, were familiar with its functions and mission.

Analysis in this chapter consists of participants' observations of role of the Anglican Church and those of grassroots-based institutions and organisations' perceived barriers and opportunities, and critical reflections on how barriers could be addressed. But before I explain these roles, I articulate the theoretical and practical principles underpinning my discussions in this chapter.

Background to my theoretical claims

Two major proposals underpin discussions in this chapter. Firstly, public policy dialogue is an effective model for increasing the participation of marginalised individuals and groups in public policy making processes, Secondly, the Anglican Church is an important facilitator within the public policy dialogue model.

I make the proposals above within two contexts. The first is that historically, knowledge of public affairs has been monopolised by the elite in Kenya, particularly the political elite, and similarly so too have the processes seeking to address them. All religions in Kenya, particularly the Anglican Church originates, hold a special place in the lives of Kenyans mainly because religion to many is essential to life (Perkinson, 2007). This claim, however, does not negate the ambiguous roles of religious institutions in Kenya's colonial and post-colonial history.

The elite theory of public policy making is dominant in Kenya. Lando & Bujra (2009) argue that it was inherited from the British colonial tradition, whereby the role of the elites and their norms and values were emphasised over those of ordinary Kenyans (Lando & Bujra, 2009). A small minority, comprised of members of a socio-economic and political elite hold the most power and influence in policy making processes. The underlying assumption, of the elite theory, is that ordinary citizens have neither the educational background, the contextual knowledge, nor the capacity to deal with abstract concepts that sustain an organized set of beliefs over a wide range of political issues. The views of elites, on the other hand, are richer in detail, structured and more coherent because elites have "more information about politics and society and... more sophisticated concepts for interpreting, storing, and using

this information” (Putnam, 1976, p. 87). As such, the elite are ‘well equipped’ to make policies *for* the ordinary citizens. In the case of Kenya, the elite have also preserved their interests through public policies, which resulted in an unequal distribution of wealth and resources (Dani & Haan, 2008).

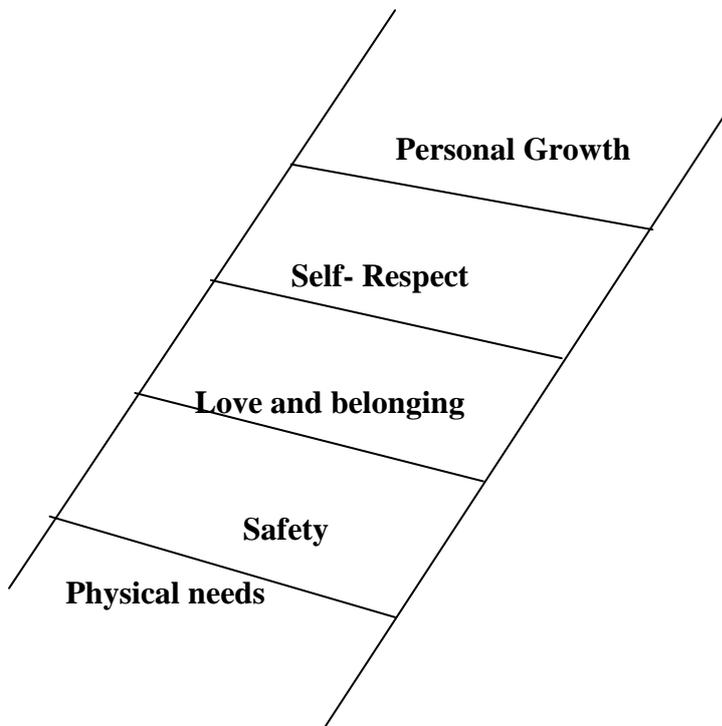
Since 1890, ordinary Kenyans have either been completely denied access to fora and processes which define public issues, or else past models of public participation have failed because of factors such as politicised ethnicity. In the 1890s, the colonial government defined public problems and prescribed solutions without consulting the ‘Africans’ who were most affected by the decisions. After independence (1963), the first president Kenyatta controlled decision-making processes by appointing an elite group of people from his ethnic group in key decision-making bodies. He dismantled unions and organisations so that ordinary people were denied alternative public spheres where they could express their views. After Moi succeeded Kenyatta in 1978, he followed a similar socio-political pattern. Participation in decision-making processes depended on whether an individual or group was recognised by the government as a member of the ruling political party or a member of the president’s ethnic group. Marginalised individuals and groups have not, therefore, participated in defining their issues or in finding-solutions to them.

This thesis sheds light on the extent of participation of people at the margins of Kenyan society in defining their issues and problems after the reign of Moi (since 2002).

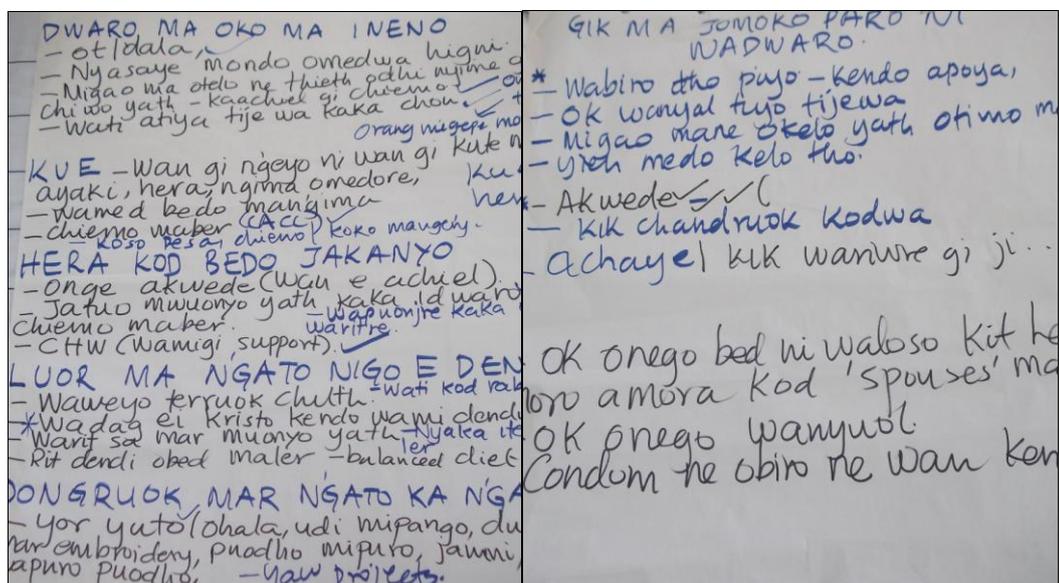
The year 2002 was widely perceived by the majority of Kenyans to be the beginning of a ‘second liberation’: a period where the participation of previously marginalised individuals and groups in public policy making processes would be welcomed. It would be the beginning of an era where decision-making processes in general would be more accessible to different strata of Kenyan society. It was not unreasonable that Kenyans expected changes from the new coalition government. This government was formed by people who had been marginalised by Kenyatta and Moi’s governments and had experienced marginalisation, particularly political marginalisation.

As an exercise undertaken by workshop groups during research showed, women and youth living with HIV: people at the margins of Kenyan society are yet to be included in the definition and solutions for their problems.

Participants were presented with a framework (adapted from Maslow's ladder of human needs) (Maslow, 1970).



They were asked to write on the left side of the paper what they thought was required to fulfil each of these needs (based on their experiences); and to write on the right side of the paper how these needs have been met in the past by ‘decision-makers’. They then compared and contrasted their views on each side of the ladder. The pictures below show a summary of participants’ views (from the 6 workshop groups).



Workshop participants generally observed a significant disparity in what they actually needed and what decision-makers thought was basic to women and youth living with HIV. For instance, workshop participants observed the following:

Physical Need	
What others think we need	What we really need
<p><i>"...We hear and we are told/taught the right nutrition...the kind of food we should be eating. You know they tell us to eat a balanced diet..."</i> (dialogic workshop 3)</p>	<p><i>"...Eating a balanced diet is good...but if only if you can afford those kinds of food. What is more important to us is that we are taught or enabled to be able to find that food in the first place. There is no point giving us a long list of 'right food' when we cannot afford it. They would know if they sought our opinions before coming up with such lists of food...such as teachings us skills on how to start income-generating projects..."</i> (dialogic workshop 3)</p>
<p><i>"...We as people living with HIV need access to medication and to health facilities...and we have a right to these services. We have heard and been taught that this right is acknowledged in policy documents...by people who make such decisions..."</i> (dialogic workshop 6).</p>	<p><i>"But we wish that, in addition to decision-makers giving us access to medication and health facilities, they would train people like us (people living with HIV) to take up leadership positions at health facilities particularly those dealing with HIV and AIDS... people who can identify with our experiences. We say this because some of us have been mistreated in the past...when we go for medical check-ups...we feel uncomfortable..."</i> (dialogic workshop 6).</p>

Love and Belonging	
What others think we need	What we really need
<p><i>"...We know there are laws stating that we should not be discriminated against...that we have rights like everyone else...all these make us feel part of the community as a whole..."</i> (dialogic workshop 4).</p>	<p><i>"...well, for one, no one is ever punished if they discriminated against...the point here is that yes such laws make us feel loved...they make us feel at home with our families and friends. But we feel more comfortable among people living with HIV like us...in support networks and groups. We needs the laws against discrimination but what we really need is for our groups-such as support groups that we form- to be recognised by law and supported not only by giving handouts like they do but by offering opportunities for education and empowerment..."</i> (dialogic workshop 4).</p>
<p><i>"...There are several organisations and institutions working with us nowadays. Some of these are good, and some are bad because they just use us as research objects...or to get funding for their projects then they disappear... We are appreciate those non-governmental organisations and community-based institutions who genuinely care for us, because the majority of us have learnt so much from them...some of us are even still alive because of such organisations... It is good that the government allow them work with us..."</i> (dialogic workshop 1)</p>	<p><i>"...We do not like those organisations and institutions who only use us for their research, and we wish there were policies in place to identify them and punish them really... we are best placed to identify such organisations...if decision-makers would only dialogue with us..."</i> (dialogic workshop 1)</p>

The common explanation of these variations, in all workshop groups, was that policy decisions were based on assumptions rather than concrete experiences of those most affected by these policies. This reality was best summarised by workshop group 1 participants who said, "They (decision-makers) make all the decisions based on what they think we want and need. They keep forgetting that their decisions affect our day-to-day lives, and this is a good enough reason for us to be involved..."

I, as a researcher was surprised that participants still felt excluded, discriminated against, and cited poverty even though the government has enacted legislation to address such issues.

In 2006, the African Youth Charter was adopted to address inequalities facing youth in Kenya; in 2008, the government passed the National Ethnic and Relations Act to address politicised ethnicity; in 2009, the National Aids Control Council reviewed the Kenya National Strategic Plan in a bid to effectively address issues facing people living with HIV; and in 2010 a National Policy on Gender and Development was developed to address gender inequalities in the country. Why this legislation has not adequately achieved its purposes is a concern for this thesis.

The examples cited above are worthy measures because they acknowledge that there are issues and problems among certain individuals and groups in society that need to be addressed. My contention is that such legislation has been ineffective because the problems they address have not been defined through by those most affected by them. This omission is the result of ineffective models of engaging people at the margins. Research participants challenged the representation model of public participation which dominates Kenya's decision-making processes, mainly because of the wide gap between representatives and the represented. There are no locally-based accessible mechanisms for representatives to give feedback to their constituents, with the result that representatives may not take seriously their commitment to their people. Workshop participants stated that, "Once we elect these people (meaning MPs) we probably do not see them until when the next elections are near... they supposedly have offices around here but reaching them is so hard, you have to go through so many people before you get to see them, which is discouraging for many of us..." (dialogic workshop 5).

Attempts to initiate inclusive processes such as the Kenya Constitution Review Commission's public hearings of 2001 and 2002 (Chesworth, 2009; Constitution of Kenya Review Commission (CKRC), 2005; Kanyoni, 2006) and the referendum of 2005 (Cottrell & Ghai, 2007; Kimenyi & Shughart, 2010; Mutua & Kemei, 2010) have been ineffective mainly because they are engineered, facilitated by the elite and open to interference from rival groups. Furthermore, general election which is currently the

main form of authorisation and accountability is an ineffective model of citizen participation in decision-making. First, the electoral process is inherently flawed, as (The International Foundation for Electoral System, 2008) observed. Second, the system does not have a proper and accessible way of ensuring representatives' accountability to those who elect them. From this analysis I propose public policy dialogue as an inclusive model of participation. A dialogical process such as this one would ensure an active engagement of citizens even after general elections. Groups could organise dialogic forums and call their representatives to discuss issues – thereby influencing decision-making processes and even the electoral process. Public policy dialogue draws upon the broad theoretical frameworks of justice. Justice, particularly social justice, empowers people at the margins (in this case women and youth living with HIV) of Kenyan society to define their own issues and find solutions to their problems. The next subsection develops this claim.

Power to Define Public Issues and Problems

Justice, particularly social justice requires that individuals and groups participate in defining and finding solutions or developing policies, to problems which usually affect them. For example, women and youth living with HIV should contribute in to the making of HIV and AIDS policies. Power should be vested in them rather than solely in the elite. However, one cannot appeal to justice without defining the context in which one employs it.

Theoretically, any process of including people at the margins in public policy making processes could be argued to be *just*. What is *just* depends on factors pertinent to participation. Participation through voting at general elections may be an adequate way of including people at the margins in decision-making processes, simply because elections are carried out according to the requirements of the country's constitution. Indeed, this is justice according Rawls who argues that a *just* process is one established under 'fair' rules – meaning rules established when all members of the society are similarly situated (*Veil of Ignorance*). This understanding of a *just* process of participation fails in Kenya. Research participants reported that rules are never established 'equally', because the power to establish them is automatically vested in individuals and groups with the 'right credentials'. Kenya's history supports their

views. Three workshop groups used the following descriptions to explain why they as ordinary Kenyans do not have the ‘right credentials’:

- We are only women...(dialogic workshop 1);
- We do not have money like those decision-makers...(dialogic workshop 2);
- Most of us have never been to school so do not have the required academic qualifications... (Dialogic workshop 1).

A process to include people at the margins in Kenya’s public policy process is ineffective if established under Rawls understanding of justice.

From a utilitarian perspective, Mill (1968) argues that what is *just* is that which benefits the (numeric) majority. Following his argument, the power to define issues and solutions to problems would be vested in ordinary people who form 80 percent of Kenya’s population. The fact that the majority in Kenya are excluded indicates a defective process, and confronts Mill’s theory of justice. Even so, it begs a scrutiny of ‘majority’ and ‘minority’.

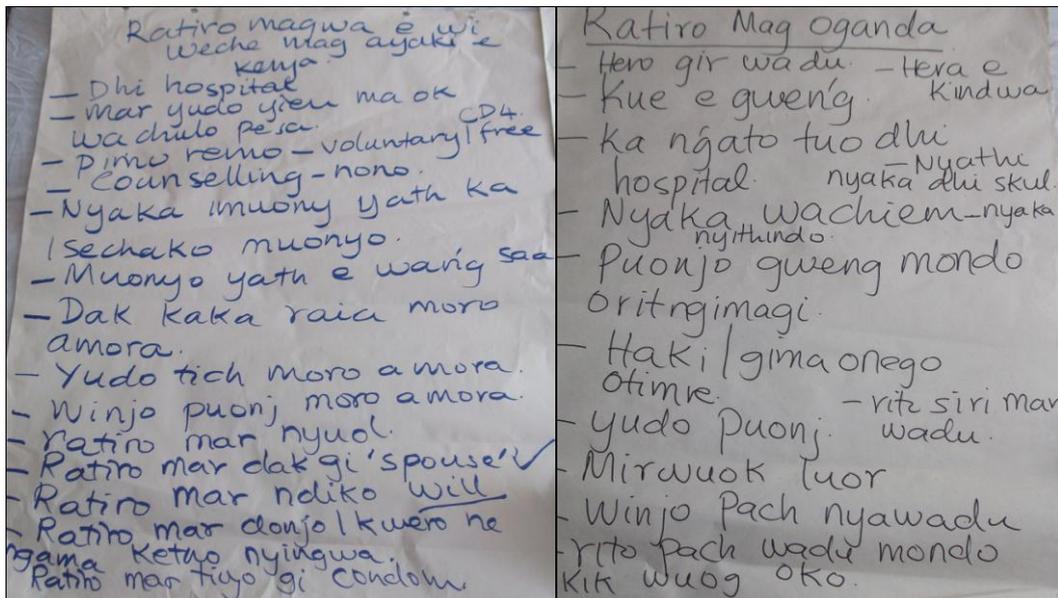
While criticising Mill’s theory of justice, Sen (2009) argues that social exclusion violates human rights of the minority (minority is defined as people at the margins such as women, youth, and people living with HIV in Kenya). Indeed, the exclusion of such groups is a violation of human rights, and a *just* process of participation must seek the fulfilment of their rights. Sen argues that justice is the fulfilment of rights. Workshop participants emphasised their right to participate in decision-making processes. The most common phrase in all workshops was ‘en ratiro marwa’ (it is our right). But is it enough to seek fulfilment of rights as an end?

The Bill of Rights in Section 24, Articles 1-8 of the Kenya Constitution clearly stipulates the rights of individuals and groups to participate without discrimination in any public process. As a Kenyan citizen, I am attracted to the idea that every Kenyan citizen regardless of gender, age, ethnic group, economic status, and education has basic rights which others should respect. Besides, the rights framework is supported by Christian teachings, with the majority of Christians citing biblical teachings on the ‘image of God’ (Magesa, 1990, p. 90). The truth that every human being is created in the image of God gives every human being the *right* to be respected and to be treated

without discrimination. Yet research participants in dialogic workshops (as ordinary people) reported experiences of marginalisation, discrimination, and exclusion from decision-making processes, although the current constitution clearly expresses their right to participate in them. Moreover, the Bible clearly states that everyone is created in the ‘image of God’: they are, therefore co-equal.

In my opinion, participants’ responses were an indication that a human-rights framework of justice is inadequate for establishing participation which gives people at the margins power to define and solve their problems. This is not because of what justice prevents or achieves but because of the process through which rights evolve in the first place and their inadequate implementation.

A Human-rights approach has failed to guarantee marginalised groups and individuals access to decision-making processes in Kenya. For instance, workshop participants clearly knew their rights and recorded them:



Workshop participants listed *rights* such as:

- the right to education and health facilities,
- the right to express one’s opinion,
- the right to make independent and informed decisions about their lives,

- and the right to participate in public fora.

However analysis revealed that in five out of six dialogic workshops, research participants were aware neither of how these rights come to be. “We learn about our rights through vernacular radio, and Non-Governmental Organisations working with rural communities, but we really do not know who makes them” (dialogic workshop 6), nor the practicalities of implementing these rights, particularly what to do where an individual or group felt their rights were violated,

...We think this rights thing would have more power if perhaps people who abuse us or deny us jobs or food because we are HIV positive were punished according to what the law says... such actions would act as warnings to other members of the community. But the way things are now; anyone gets away with discriminating against us” (dialogic workshop 1).

In the participants’ experiences, mechanisms for implementing these rights lack detail or are inaccessible. I conclude that a human rights approach is inadequate for developing a socially-inclusive method of participation in the public policy making processes.

Choules (2007) suggests that a human rights approach is useful for developing effective participation of people at the margins if it considers in greater depth the concept of responsibility. It is essential to ask who fulfils those rights. Otherwise “human rights for the vulnerable become the second best option available for vulnerable groups. Whereas the rich and powerful obtain justice, the others get human rights” (Choules, 2007, pp. 469-470). Nevertheless, it is my contention that the rights-based framework of justice, particularly the Bill of Rights in Kenya’s constitution, recognises the vulnerability of certain individuals and groups and encourages the development and implementation of a participatory model of participation which *creates spaces* for people at the margins to inform the public policy process.

Otieno (2007) argues that the fulfilment of rights has failed in Africa, including Kenya, because of the values upon which the rights framework is based. The framework emphasises individualism, a concept foreign to communitarian and kinship societies that prevail in Kenya. Otieno’s analysis corresponds to workshop participants’ views that although participating in decision-making processes is

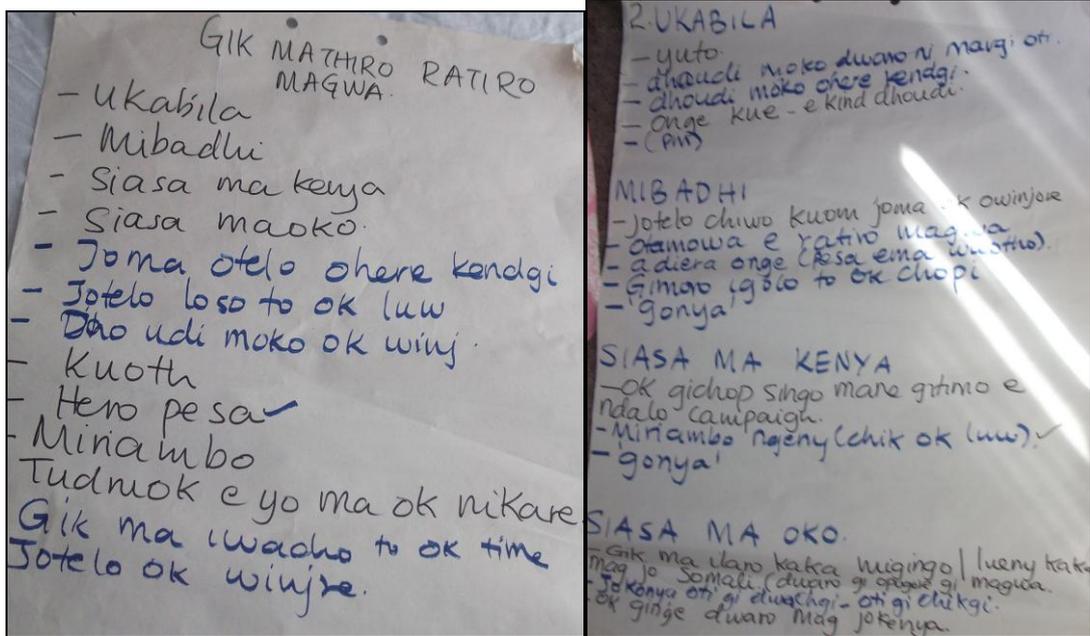
personally important to them, it is more important for the well-being of future generations and their communities.

Workshop participants stated that, “When we are discriminated against, it affects the whole community...whether other members of the community realise this or not...if we are excluded, the rest of the community do not benefit from our knowledge...and the general contribution to society. Well, we know most people think we have nothing to contribute” (dialogic workshop 4).

They also observed that, “We have to teach our children these things so they know their roles and obligations as Kenyans... that they are required to participate in making policies because these policies affect their futures” (dialogic workshop 2). A participatory model should, therefore, focus not only on individual participants but the whole community.

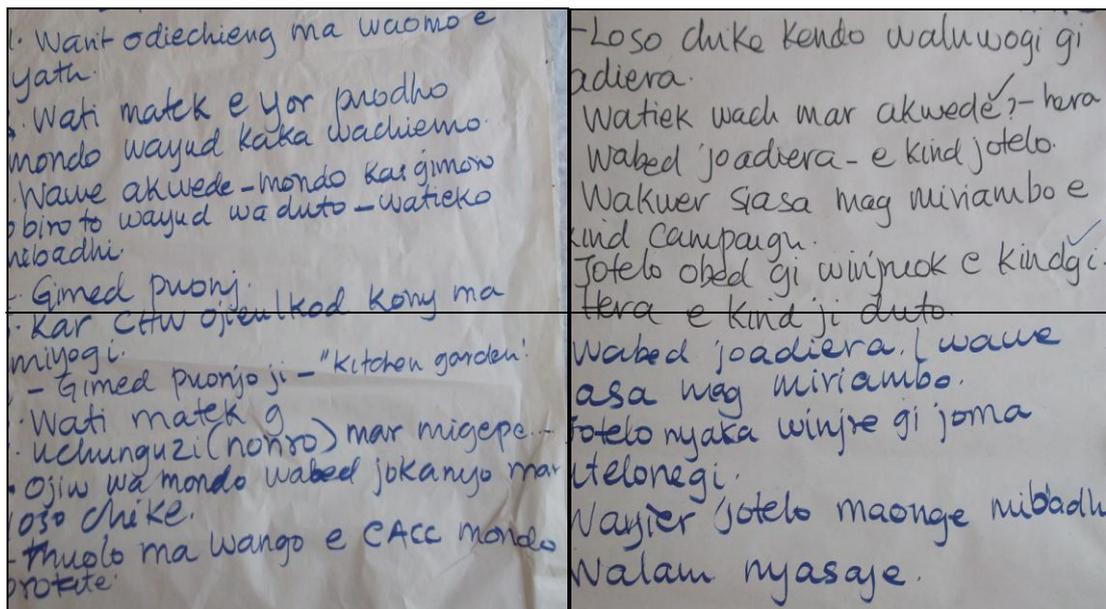
Social justice also informs public policy dialogue because it empowers people at the margins and enables them to participate in its processes. Consequently, they are able to:

Recognise and name injustices: This is important because it encourages people at the margins to examine the root causes of their problems. After participating in the workshop groups, women and youth living with HIV became more aware that their exclusion from decision-making processes was neither ‘normal’ nor ‘legitimate’. Institutions, structures, behaviour and history caused their marginalisation. They named and listed them:



The most common causes of marginalisation identified in the six workshop groups were: ‘tribalism’, greed and selfishness, ignorance, culture, socialisation and expectations, lack of accountability among leaders and representatives, local politics, corruption, and international politics.

Most importantly, participants suggested solutions:



- Citizens to know their rights and laws;
- attend any forum which provides the opportunity to express views on public issues;
- creation of awareness so people are confident to speak out against social ills;
- teach love of neighbours and ‘others’. “Love will change people’s attitudes; will reduce discrimination and ‘tribalism’...” (dialogic workshop 6);
- educate children– so they know what is going on, and know their rights. “They are the future of our communities and the future of Kenya...” (dialogic workshop 2);
- know God and learn what God requires.
- work together (networks and partnerships)

Validate local public spheres: Dialogic workshops were successful in mobilising women and youth living HIV to discuss their exclusion from decision-making processes mainly because they were locally based. The venue was easily accessed so participants felt comfortable. Workshops were held on days of the week/time of the month when participants were available. The researcher and workshop participants dialogued at a time of the day chosen by participants.

Stories of decision-making processes were based on participants’ experiences of living in local public spheres. They spoke about how they made decisions in school committees, self-help groups, and in their households, and how these spaces were important (see Chapter Eight pp. 139-140).

The obvious difficulty noted during research was the lack of proper recognition and validity of these spheres and intermediary institutions where dialogue about public issues and problems takes place on a day-to-day basis. And yet social justice acknowledges the importance of local public spheres because they empower people at the margins (who occupy these spaces) to define their own issues. It is my contention that this gap originates from a misconception that participation only takes place at designated (central) centres preferably government institutions (such as at the *barasa*). ‘Decision-makers’ must realise that spaces created by women, youth and people living with HIV are as valid as any centralised government fora. I have already referred to

this recognition and validation in my thesis as the ‘*centering of the margins*’, a phrase borrowed from Coates (2007).

Enable and empower meaningful dialogue: It is not enough simply to bring people at the margins together. Giving these people the power to define their issues also requires meaningful dialogue. Marginalised individuals and groups should learn key components of meaningful dialogue while retaining confidence in their own ability for effective dialogue.

Dialogue is social and happens when people – women and youth living with HIV – gather to talk in a meaningful way about issues affecting them as they did during the workshops. Dialogue happens at various levels and in multiple public spheres, essentially where participants feel comfortable. The most successful outcome of dialogue is that people get a chance to share their interests, perspectives, and social locations. Indeed, any outcome is welcomed as long as participants recognise that they have contributed to and influenced the outcome, even if they disagree with the outcome. Agreeing to be part of the dialogue is a winning outcome, is a means as well as an end. In this sense, public dialogue is not concerned with maintaining equilibrium. It transforms rather than maintains. Dialogue transforms because sharing experiences and reasons encourages people, for example, those at the margins, to a new understanding of processes, such as who is involved, at what level, and how can they be involved. This understanding of process develops an ongoing process of reinterpretation in the light of new experiences after interaction with others.

Dialogue cannot happen without access to appropriate information and resources which include:

- Summaries of pertinent facts and policies. This could also be information on how public process works, and how citizens participate. It was effective, for instance, for people living with HIV to be informed about structures, instruments, and processes of the National Aids Control Council because it was the institution that developed HIV and AIDS policies. Citizens became aware of the functions of the Council, and their mandate to participate equally in the NACC’s structures. Workshop participants said that, “We did not know until this workshop that we had reserved seats in the Constituency Aids Control

Council (CACC)... no one really tells us these things... even then two representatives in the committee are not enough” (dialogic workshop 2). Workshop. They also observed that the majority of documents (policy documents) are in English: “Now the majority of us do now speak, read and understand English... In saying that however, even when the documents are in, let us say Swahili...this is alright, but most of the time the language is too technical for us to understand. We need someone to explain it to us” (dialogic workshop 3).

- Human resources such as access to teachers/educators, MPs, and decision analysts;
- Material resources such as books, pens, recording devices, and illustrative pictures (such as pictures showing various examples of dialogue used with participants in workshop groups. These are simple tools that help marginalised groups evaluate the effectiveness of their own dialogue in order that they can effectively participate in public policy process);
- Time resources such as participants having sufficient time to dialogue.

Restrictions on any of these resources are liable to have an impact on the quality of dialogue. It is important is that people at the margins know how to use the available resources.

The following examples of dialogic processes of public participation demonstrate how dialogue occurs. They also illuminate practical challenges to dialogical processes. My hope is that people at the margins and the Anglican Church will examine these barriers and find ways of addressing them.

Dialogical processes have been utilised by a wide range of organisations and institutions including the *Indaba*¹² process by the Anglican provinces in Communion and the *gacaca* courts in Rwanda.

¹² *Indaba* is a Zulu word for the process of decision-making by consensus. However, ‘indaba’ as adapted by the Anglican Communion may not necessarily produce a consensus outcome. Indaba is currently used as a process of dialogue – to bring Anglican Provinces together to discuss the issue of Sexuality and the Bible.

The *Indaba* process is an ongoing ‘mutual listening process’ initiated by the Anglican Communion (The Anglican Communion, 2011). It began as a response to a request by the bishops attending the Lambeth Conference in 1998 in Resolution 1.10 to establish a means of monitoring work on human sexuality in the communion, and to honour the process of mutual listening, including “listening to the experience of homosexual persons” and the experience of churches around the world in reflecting on these matters in the light of scripture, tradition and reason (Anglican Communion News Service, 2009, p. <http://www.aco.org/acns/news>).

In 2005, the Anglican Consultative Council (ACC), the communion’s main policy-making body, called for ‘mutual listening’ and requested that adequate resources be allocated so that study, discussion and reflection could commence within each member church of the communion (ENS staff, 2010, p. <http://www.episcopalchurch.org>). Work done between that meeting and the 2009 ACC gathering constituted the bulk of the ‘listening process’ which emerged from the Indaba-style format used at the 2008 Lambeth Conference. *Indaba* is a Zulu word for decision-making by consensus. However, the ‘indaba’ as adapted by the communion did not necessarily produce a consensual outcome of all issues identified. As Archbishop Rowan Williams commented:

I’ve no crystal ball about the future. Clearly the division is very real. Nobody is denying that. The question is how we cope with it, how we argue with one another, whether we are still able to sit in the same room and argue the case, and that’s why I’m sorry that there are not those here to continue that argument among us... (Lyle, 2011, p. <http://au.christiantoday.com>).

Primarily, the process has sought to bring together members of the communion to discuss sexuality, which has threatened mission, unity and relationships and within the global Anglican Communion. As a result of this process, a series of pilot conversations were expected to take place between dioceses from different parts of the communion during 2010 and 2011. They were to draw upon biblical models of conversation across a diversity of cultural insights to energise the local and global mission. The process aimed to restore trust so that Anglicans can listen to one another (Kwon, 2009). The Rev. Canon Phil Groves May 2-12 Anglican Consultative Council meeting, stated that the project aimed to escape the Western top-down ‘adversarial democratic processes’ and ground itself on ‘biblical models’ of mutual listening (Anglican Communion News Service, 2009, p. <http://www.aco.org/acns/news>).

Groves recognised that the project was not the answer to the communion's problems but that part of the journey towards reconciliation;

These people have been severely affected by the affirmative action of The Episcopal Church on matters of human sexuality and they have gone through certain measure of suffering and in some cases persecution and therefore we feel it is necessary that the Listening Process be extended to include a hearing of their case including hearing from those who have called for primatial oversight from outside North America and also to hear from those who have agreed to provide that... It is only in this way that the hearing is said to be balanced so that there could be a possible healing and restoration of the church in North America... (Virtue, 2010, p. <http://www.virtueonline.org>).

The aims of the project:

- Develop theological resources to inform the process of seeking a common mind by the utilisation of theologians around the world reflecting on Scripture and the traditions of the church in the context of diverse cultures, with an emphasis on non-Western cultures, and to publish them in culturally appropriate forms. Develop and publish training materials for the convening and facilitation of Anglican Indaba processes.
- Run five pilot conversations of typically three dioceses meeting across diversity. The focus will be upon on the primary mission issues in each context and will not avoid hard questions – not only related to sexuality, but also to the authority of Scripture, faithfulness to tradition and respect for the dignity of all. The hope will be that the result of the conversations will be a depth of agreement and the clarification of disagreement resulting in positive missional relationships.
- Run theological and process evaluation groups to ensure the process is faithful to the Anglican way, valuable in enabling mutual mission and replicable across the Communion (The Anglican Communion, 2011).

A dialogical process such as this enables the hearing of voices otherwise ignored.

The *gacaca* courts' dialogical processes are set within a restorative justice framework (Corey & Joireman, 2004; Fierens, 2005; Sarkin, 2001; Schabas, 2005; Staub, 2004). Decades of violence between Hutu and Tutsi groups in Rwanda and Burundi peaked in the 1994 genocide of 800,000 Tutsi and moderate Hutus. With 120,000 accused 'génocidaires' awaiting trial, the Rwanda government sought ways to establish a

historical record of the genocide, bring perpetrators to justice and reintegrate them into their communities without provoking retributive violence from victims and survivors. The *gacaca* courts were established as a means to bring about community healing through restorative justice processes.

Traditionally, *gacaca* was a community-based informal arbitration convened by the parties to a civil dispute. Its legitimacy was founded upon the willing participation of the parties and the community. The parties chose respected persons to serve as neutral arbiters and the outcome was limited to resolution of the dispute at hand. *Gacaca's* goal was to achieve settlement that was accepted by both parties to the dispute, and the restoration of tranquillity within the community. It was this concept that formed the basis for the establishment of *gacaca* courts to try perpetrators of the 1994 genocide. However, unlike their traditional counterpart, *gacaca* courts are state-sanctioned criminal tribunals created by statute, whose legitimacy is derived from their status as governmental institutions (Le Mon, 2007).

The dialogical process consists of the accused being brought to trial in a public place to face the victims' families. The accused is given the opportunity to plead guilty or not. The villagers can either speak for or against the accused. Unfortunately corruption and violence have kept the public from active engagement in the process (Le Mon, 2007, p. 16).

These two examples illustrate how dialogical processes can be bottom-to-top and socially-inclusive. They also demonstrate that public dialogue requires people to have sufficient information to engage in the conversations (Gutmann & Thompson, 2004), and develop social and political capacities (Pateman, 1970, p. 43).

Develop Partnerships and Linkages: Developing coalitions and networks with other stakeholders is a characteristic of social justice as it enables the voices of people at the margins to be heard beyond their local public spheres. Workshop participants suggested that, "We would like to invite opinion leaders such as health officials, church leaders and leaders of non-governmental organisations to our monthly meetings so they can spread the word. They can make our voices heard in places we cannot reach" (dialogic workshop 2). I argue here for the importance of community

and grassroots-based institutions and organisations, particularly the Anglican Church to facilitate public policy dialogue.

It is my contention that a combination of the four characteristics of social justice already outlined will lead to *effective participation* of women and youth living with HIV as ordinary people in the public policy making process. Effective participation will in turn lead to holistic transformation, structures, institutions and behaviours which currently hinder people at the margins from defining and solving to their problems. What then is effective participation in the context of public policy dialogue?

‘Input’ is a key phrase. It is an act whereby citizens, particularly those most affected by a decision have an input in that decision from which policy might be derived. Participation methods, such as general elections, committees, and boards often seem to involve the public in some way, assuming that involvement is an end in itself, rather than a means to an end. I consider this to be the intention of the elite in Kenya: the appearance of involvement is sufficient, yet little desire exists to implement genuine change. Consequently, the participation of people at the margins in these processes has been ineffectual, simply used to legitimate decisions or give an appearance of consultation (Ajulu, 2001; Ghai, 2009). For instance workshop participants expressed their hesitation to vote in the next General Elections in Kenya (scheduled for 2013) saying, “We do not even think we will vote in the next elections because our votes do not really count or matter. If we vote for someone the government does not like, they do not get through anyway, so why vote? We see it as a waste of time and energy” (dialogic workshop 5).

Effective participation resulting from public policy dialogue is substantive rather than procedural, meaning its focus is on how to measure the quality of final decisions rather than process. Effective participation is achieved when the output (from the policy dialogues) has a genuine impact on policy and is seen to do so. Marginalised individuals and groups must see that their ideas are taken seriously and inform the making of policies. This kind of transformative participation is achieved in partnership with other stakeholders. What then are the implications for people at the margins networking with the Anglican Church?

The Anglican Church Accompanying People at the Margins

Anglican Church is well placed as a facilitator of public policy dialogue because of its privileged position in Kenyan society – a position established historically by its public role. Specifically, the Anglican Church in Kenya has provided social welfare services to ordinary citizens in Kenya for over 100 years (Okullu, 1974, 1984; Sabar-Friedman, 1997; Sabar, 2002). This long history of service gives the Anglican Church credibility in advocating for the welfare of ordinary Kenyans. “The Anglican Church has played a big role in this society. The Church has facilitated education services, ministered to communities through health facilities such as dispensaries... and been part of several decision-making bodies at all levels of society” (Rev. G). However, in the 21st century its authority is not secure.

On the one hand, religious institutions ‘threaten’ the dominant positions of the elite, particularly the political elite. Rev. G explains, “our privileged standing in society is no longer automatic as we have often assumed mainly because of the political climate in Kenya whereby any institution able to provide Kenyans with an alternative forum to express their views becomes an enemy of politicians. Politicians hate competition”. On the other hand, the authority of religious institutions, including the Anglican Church is currently under scrutiny by Kenyans themselves. Rev. W explains:

...Religious institutions...and because I am an Anglican I will speak for the Anglican denomination...have let Kenyans down. I can cite several cases, the 2005 referendum for example. The church became partisan, following either the ‘oranges’ or the ‘bananas’. In my opinion we contributed to the divisions in the society at that time. Kenyans are justified to question our authority, and in my opinion we now have to earn their trust...our role in public issues is not guaranteed.

The Anglican Church still has the organisational, financial, and human resources to engage with people at all levels of society in Kenya. Rev H observed that, “The Anglican Church is an institution widely spread...both in rural and urban...it reaches people of all kind, the educated, uneducated, rich and poor...we are, therefore, in a position to gather all these categories of people to tell their stories and to discuss issues affecting them.” This pervasive presence gives the Anglican Church the capacity to mobilise people at the margins to tell their stories and, therefore, to humanise public policy.

The Anglican Church in the Bondo and Maseno West Dioceses where this research was based also has structures which (departments) minister to specific communities and to address particular problems.

Rev C gave an example of the Inter-Diocesan Christian Community Services (IDCCS). “IDCCS targets farmers... empowers them, gives them information they need. IDCCS teams teach them various farming techniques relevant to their geographical regions.” The Mother’s Union ministers to women on issues related to the household. The Youth department reaches out to youth, so they become responsible members of their communities.

The fact that the church networks with other organisations and institutions helps build its capacity. Rev. O explained that, “in this diocese X we do not run our own HIV and AIDS programs mainly because we lack the personnel and resources to do so. However, we network with government and non-governmental organisations focusing on HIV and AIDS. Particularly, they train our clergy on prevention measures, and awareness creation”.

The Bible underpins the public and political role of the Anglican Church. In the Old Testament God’s representatives spoke against abuse of political power and sought *just* use of power (Brueggemann, 1997; 2001). In particular scriptures calls for an ‘options for the margins’, meaning the Anglican Church is called to identify with the experiences of women and youth living with HIV, those marginalised from public policy making process (Marshall, 2005; Sagovsky, 2008). It is further called to accompany them in their journey to reclaim their place in these processes (Marshall, 2001; Thomas, 1995; Wieler, 1991). To opt for the margins is not to ignore other individuals or groups in society but to acknowledge a theological ideal that things should be better for all God’s people – that everyone should enjoy life in its fullness and be in control of their own destinies (Marshall, 2006; Sagovsky, 2008).

However, the role of a facilitator requires more than mere quoting of scriptures or transplanting the worlds of the New and Old Testaments communities into Kenyan society (Brueggemann, 2001; Norman, 1995). Clergy and ordinands interviewed suggested changes the Anglican Church must make to support marginalised individuals and groups.

One issue that emerged strongly in research data was the need for a theology which recognised that the Anglican Church is not deviating from its 'mission' by engaging in public policy discourses. A total of 30 research participants (15 ordinands and 15 clergy) were asked whether they thought the Anglican Church had a role in public policy discourse. In response to this question, Ordinand A stated that, "I do not think so, it is none of our business. Besides, it is pointless when we always have to justify our participation or fight with politicians over our role in political issues. I think we should stick to the pulpit." Ordinand A's views were shared by five of the 30 research participants interviewed. While this may seem a small number, I contend that this response indicates that the church may only be partially engaging with people at the margins rather than supporting them wholly as part of the Church's mission.

The Church's role in public policy discourse need not be justified any further (Lonsdale, 2009) but developed so that it is relevant to the 21st century Kenya (De Gruchy, 2004; Graham & Lowe, 2009; Koopman, 2008).

The changes suggested by clergy and ordinands strongly indicate moving forward rather than spending time justifying why church should participate in matters of 'politics'. Rev. X stated that:

...The challenge to our engagement in public policy discourses is nothing to do with whether or not the Bible supports us being 'political'. In my opinion, our role depends significantly on how we understand ourselves. The reality in Kenya is that the concept of 'church' is confusing...for some it means a denomination, for some a religion, for some umbrella organisations such as National Council of Churches of Kenya, and yet for some 'church' includes all of the above. I think the Anglican Church needs to go back and refine its ecclesiology, to make it is relevant in a Kenyan context. The current context in Kenya, where political, religious, social, and economic issues are so intimately connected, requires an understanding of 'church' that is whole and inclusive. My belief is a church that understands itself to be inclusive will also give birth to a theology of public engagement that is inclusive (Rev. X).

Avis' (2000) argument is in line with Rev. X's observation. After reviewing different understandings of Church, Avis concludes that the public role of any Christian church, particularly the Anglican tradition, is enriched if it understands itself through an inclusive communion-through-baptism model. In this model, the church dialogues with individuals, groups, and theories outside its tradition because it is non-hierarchical, corporate, and communal. It is the 'body of Christ' (Avis, 2000, p. 24).

The importance of building the capacity of the Anglican Church's human resources, particularly its clergy must be recognised.

Research participants interviewed suggested three main ways to achieve this. They include training clergy beyond diploma levels; diversifying clergy training and strategic positioning of trained clergy (see Chapter Eight, pp.140-150).

Ordinand A summarised these needs: In my opinion participation in public policy discourse require clergy to engage with 'life in heaven' issues as well as 'matters of life and death on earth' ...and to do this we need to be exposed to theological training that encourages critical thinking and incorporates courses such as social development, public policy, and social justice."

However, clergy training is not enough if clergy are not be appropriately placed, as Rev. H explained. "Trained clergy...and also laity...must be properly placed and utilised... The reason I say this is because sometimes I don't think our dioceses are ready for highly-trained clergy. The few we have feel under-utilised or we do not have appropriate jobs for them...in most cases they leave the church and seek jobs in other institutions."

Building the capacity of clergy and laity to become community leaders would transform parishes to local public spheres for ordinary people, especially the marginalised to participate. The Anglican Church requires training that exposes clergy and laity to critical theory, analytical skills, and the capacity to respond creatively and productively to situations both within the church and the community.

These changes require self-analysis and *prophetic imagination*, meaning the use of theological material to stimulate imaginative responses (Brueggemann, 2001). West (1995) explains why theologies, such as feminist theologies, borrowing from Latin America liberation theology have remained influential. It is because of their ability to challenge the notion of Christian faith, their refusal to be co-opted and appropriated simply as 'interesting theologies', their capacity to work with people at the margins, and to consider non-theological frameworks that encourage a critical analysis of all levels of society, particularly the marginalised.

By absorbing the arguments of these liberation theologies, the Anglican Church's role of facilitating public policy dialogue is not simply an addition to its 'normal' mission but part and parcel of its original mandate to establish *shalom* (in the Old Testament) (Brueggemann, 2001; Sagovsky, 2008) and establish the Kingdom of God (in the New Testament) (Marshall, 2001; 2005; 2006).

Linking with people at the margins is also an effective way of the church building its capacities. Putnam (1995) argues that the more groups, organisations, institutions, and communities connect with each other, the more they build their capacities and become better placed to influence decision making processes because of their collective power (Putnam, 1995).

I propose the following tasks for the Anglican Church of Kenya as a grassroots-based institution and part of civil society.

- The Anglican Church must discover the public spheres where socialisation takes place, where identities are constructed, are deconstructed and are reconstructed. It must encourage the formation of local fora (such as women groups and youth groups) and encourage people at the margins to participate at these local public spheres. The Anglican Church must help to validate these fora by working with the government and related decision-making bodies.
- The Anglican Church must provide ordinary people with information which will enable them to better understand issues affecting them. Because of its position of power, the Church is able to access information. The Church's challenge is to make this accessible to ordinary people, especially to people at the margins of society.
- The Anglican Church must educate people at the margins to carry out effective dialogue, utilise information available to them, and to make their voices heard beyond local public spheres. Such education will build the capacities of marginalised individuals and groups, and develop their self-esteem.

Gutmann & Thompson (2004) assert that when ordinary people participate in public policy making processes, it not only makes those processes relevant but also provides ordinary people with reasons to own them (p. 3).

Public policies are humane only when they are developed in consultation with people who are recognised as stakeholders in society and its governance not merely as objects of legislation or passive subjects to be ruled (Gutmann & Thompson, 2004, p. 3).

The public policy dialogue model yearns for marginalised individuals and groups to develop ‘critical consciousness’ and recognise the value of their own knowledge and experience to decision making processes. My hope is that, through this model, marginalised individuals and groups will see themselves as the most important resources for defining and transforming their situations.

I challenge community and grassroots-based institutions in Kenyan society, such as the Anglican Church to see themselves as important partners in the transformation of people at the margins. In the case of the Anglican Church, I hope the practical proposals above will inform and influence the evaluation of old ways of engaging with people at the margins and facilitate a more socially-inclusive policy making process in Kenya.

The public policy dialogue model informs and encourages the development of locally-based model(s) of community participation with a particular focus on the participation of marginalised individuals and groups. Such models will empower these people to access and actively participate in decision-making processes.

Chapter Eleven:

Socially-Inclusive Public Policy Making Processes are Dialogical and Participatory

This final chapter highlights the key arguments of this thesis and emphasises my contribution to the discourse on ways in which institutions (in this instance the Anglican Church of Kenya) can be encouraged to engage in socially-inclusive public policy making processes.

For the women and youth living with HIV, those ‘ordinary’ people featured within this investigation, the impact of social exclusion from decision-making processes have been detrimental. These exclusive processes continue to undermine their access to education and health, and thus their ability to participate fully in society. They contribute to social-political and economic inequalities between the elite and ordinary citizens, which remain great in Kenya. Such inequalities are a threat to Kenya’s social and political stability (Makoloo, 2005), as illustrated by crises such as those before and after the disputed Presidential Elections of 2007 (Holmquist & Mwangi Wa Githinji, 2009).

An overview of Kenya’s socio-political history provided in Chapters Two and Three showed that the politics of privilege has dominated public policy making, favouring those close to power. The colonial government of 1920 made important decisions without consulting the ‘Africans’. Kenyatta appointed his friends, family and people from his ethnic group to key decision-making bodies. Moi followed Kenyatta closely in this practice of political nepotism. The coalition government which took over from Moi has failed in its attempts to initiate inclusive approaches to public policy making. According to Gitau (2005), the politics of privilege still rewards political and ethnic loyalty with political positions, socio-economic goods, and direct access to decision-making bodies. This is a serious distortion of equal chance and fair play. These politics have become entrenched in Kenya despite a legislative process which encourages the broader participation of all Kenyans (Sihanya, 2011).

The politics of privilege contribute to a ‘top-to-bottom’ approach to public policy making which suggests that policy making is controlled by influential citizens and special interest groups, because they are more ‘entitled’ or familiar with public policy process than ordinary citizens (Ghai, 2009; Ikiara, et al., 2004; Keriga & Bujra, 2009). Public policies within this undemocratic framework often turn out to be the preference of the elite (Clemons & McBeth, 2001). They fail to address the real needs of individuals and groups at the margins of Kenyan society. Moreover, one group of people cannot claim exclusive knowledge of society’s problems. As Hughes and Calder (2007) argue, individuals and groups in society are not affected by the same issue in exactly the same way. The living conditions in the rural area where I worked, and which are narrated in the prologue attest this fact.

Towards an Improved Process of Participation in Policy-Making: Public Policy Dialogue

I began this project with the desire to see public policies in Kenya address the real needs of ordinary people. The essence of this thesis is that public policies can only effectively address the problems directly affecting marginalised individuals and groups if they are fully engaged in the public policy making processes. Equity in participation is a matter of social justice, because it is a commitment to equality of outcomes for all in which power and resources are equitably distributed and nobody is excluded on the basis of factors such as gender, age, HIV status, socio-economic group or ethnicity (conditions which perpetuate injustices) (Choules, 2007). Further, because of their own experiences, people at the margins have a privileged insight into the consequences of public policies on their lives. There is a need for participation which enables people at the margins in particular to view themselves as critical agents in public policy making processes.

‘Any’ form of participation is insufficient. As illustrated in Chapter Three, ordinary Kenyans have participated in public policy making in the past through representation in parliament, select committees, and boards. But analysis of participants’ views in this investigation has shown that this kind of somewhat arbitrary or incomplete representation is inadequate. This is mostly because there are no established processes which connect Members of Parliament and their constituents after elections – such as consistent, open channels of communication. According to Young (1997),

participation by representation is only effective if there is a circular movement between the moments of authorisation (election) and accountability (which should not be left until re-election). Furthermore, representation as a method of participation fails because there are no fora where ordinary people can ask questions such as those outlined in chapter eight. Indeed, I contend that the processes through which representatives are chosen are unjust in the first place. At the national political level, elections are the main mode of choosing representatives. However, the International Foundation for Electoral Processes (2008) observes that Kenya's electoral system is inherently flawed, because it is founded on political structures which reflect institutional imperfections in the country. There are no processes or participatory fora which empower ordinary people to critically evaluate important processes such as elections.

Public policy dialogue developed in this thesis derives from a concept of social activism which focuses on increasing the participation of individuals and groups at the margins in decision-making processes. It is founded on 'public dialogue' which Bohman (1996) describes as a social action because of its emphasis on people taking action, directing their own behaviour, and giving meaning to their situations. Some underlying assumptions behind the elite theory of policy making which is dominant in Kenya is that people at the margins are either too busy and ill-equipped to be involved in policy-making so the elite have to act on their behalf, or that their situations are too daunting such that they cannot be bothered participating in policy-making processes. My contention is that people at the margins should be able to make informed choices, to participate or not to participate, and they can only make such choices with access to proper information and decision-making bodies. Participants in this investigation described the process as 'sitting down together', and 'coming together to talk about issues'. I argue, therefore, that public policy dialogue creates opportunities for ordinary people to make informed choices; to unite to talk about public policy issues. These include real conversations about the problems they face and how best to address them. This is the essence of public policy dialogue.

The decision to develop public policy dialogue as a method of participation in collaboration with the participants paralleled my contention that problems in communities have solutions in those same communities. People at the margins,

therefore, should be empowered to develop their own methods of participation in decision-making processes. The methodology of participatory action research was selected following this argument. Research participants are real ‘thinking-feeling’ people capable of learning, of changing, of acting, and of transforming their world (Borda, 2001; Freire, 1970; Prasad, 2005). They are not empty objects to be filled with information (Freire, 1970) or to be researched, acted upon, and investigated (Smith, 2005). The data collection method through ‘dialogic’ workshops followed a similar line of thought. Based on a problem-posing approach (Hope & Timmel, 1995), they were designed to encourage dialogue among participants. The researcher was present as a facilitator. Thus, unlike methods of participation based on the experiences of the elite, public policy dialogue as a method and process of participation is founded on the context, experience, and social perspective of women and youth living with HIV as ordinary people. It recognises the centres of people at the margins as valid, vibrant, and capable as those of the elite (Coates, 2007). Such recognition encourages maximum participation of ordinary citizens’ in public policy making processes.

Public policy dialogue links ordinary people to larger socio-political and economic environments. This is because dialogue not only takes place between ordinary people themselves, but also between them and other stakeholders (including representatives). Hughes and Calder (2007) define stakeholders as people or groups directly affected by a particular issue, or those who might be interested in that issue. In the case of HIV and AIDS, stakeholders include, but are not limited to people living with HIV and their families, health professionals, religious institutions, Community Health Workers, Non-Governmental organisations, and regulatory bodies such as the National AIDS Control Council. Public policy dialogue, therefore, helps bridge the gap between representatives and the represented, a problem cited by participants in this investigation. The ‘dialogue’ component encourages continuous and consistent engagement between representatives and constituents.

Public policy dialogue is founded on theories of justice which begin from a critical examination of real life experiences, as opposed to those that start from general premises about the nature of society and the nature of human beings. I have considered the differences between these theories in Chapters Five and Six. Theories of justice by Rawls (1971), Mill (1968), and Nozick (1974) which begin from an analysis of the

nature of society focus, therefore, on balancing society's equilibrium or perfect arrangement. Such theories argue that equal rules are required to increase the participation of ordinary citizens in public policy processes. Theories of justice developed by Fraser (2007), Sen (2009), and Young (1990) recognise that certain individuals and social groups are disadvantaged even in 'perfectly' arranged institutions and communities and that more than equal rules are required to meet their needs. These theories, therefore, focus on challenging the status quo and 'centering the margins' (Coates, 2007). What is required to increase ordinary citizens' participation in public policy making processes are initiatives which contravene the status quo to deliberately include these people, even if it means breaking equal/fair rules (Young 1990). I referred to this initiative as 'options for the margins' in Chapter Five. Public policy dialogue is one such process because it begins in local public spheres where ordinary people live, socialise and narrate their own experience.

I argued in Chapter Nine that participatory democracy supports participation through public policy dialogue. Participatory democracy requires that decision-making processes occur within a framework of public discussion in which participants from different strata of society debate various public issues (Goode, 2005). The theory supports a process of participation which vests the power to decide on individuals and groups most affected by those decisions. Public policy dialogue creates opportunities for ordinary citizens to dialogue issues affecting them and to fully participate in processes which address those issues.

Public policy dialogue as a method of participation derives from theoretical foundations summarised above, but also from what is considered to be the most 'successful' outcome. I argued in Chapter Eight that the preferred result of public policy dialogue is that participants share their perspectives. Any outcome is welcome as long as participants recognise that they have contributed to and influenced the outcome, even when they disagree with the outcome. Agreeing to be part of the dialogue is a successful outcome. It is a means and an end. As I stated before, public policy dialogue is not concerned with maintaining equilibrium. It is a transformative paradigm rather than one of maintenance.

In summary, in developing a model for public policy dialogue, I have fulfilled my own desire to see ordinary citizens participate more in the making of policies which directly affect them. This desire began with my work as a community and church leader, working mostly with grassroots communities. Given the current political environment in Kenya, public policy dialogue when implemented enables full participation of ordinary citizens in public policy making processes because it is locally based and, therefore, within the reach of ordinary citizens. Its ‘dialogic’ component encourages them to talk about their own issues and to find solutions for them, among themselves and other stakeholders. Thus public policy dialogue contributes to closing the gap between the elite and people at the margins, and between representatives and constituents. It addresses socio-political and economic inequalities which result from a long history of the marginalisation of ordinary people from decision-making in Kenya.

Research Question Revisited

The functional task of this thesis was to develop a model of participation which would enable ordinary citizens, in this case women and youth living with HIV, to actively participate in public policy making processes. I argued for public policy dialogue as a model of participation. Refining this model enabled me to answer the overarching research question posed in chapter one: *what is the role of the Anglican Church in facilitating public policy dialogue for socially-inclusive public policy making processes in Kenya?*

This question originated out of my deep desire to contribute to the Anglican Church of Kenya’s ongoing social justice discourse. I wanted to know exactly how the Church could use its resources to empower ordinary citizens to make decisions which affect their livelihood. As a church leader, I recognised that I belonged to an institution well placed to accompany people at the margins (West, 2009). Thus the journey of answering this research question has been a fulfilment of my personal longings as a priest and an academic, and, therefore, as a leader in the Anglican Church of Kenya and beyond.

An overview of the Anglican Church in Chapter Four showed that it has the organisational, structural, financial, and theological resources to critically engage with

issues of social justice in Kenya. However, in my analysis in Chapters Three and Eight I indicated that the church's social justice role, which includes contributing to public policy discourses, remains ineffective because of its refusal to more critically and equitably deploy its rich resources for the common good of the people of Kenya. In relation to its theological foundations, Sabar (2002, 2009) and Lonsdale (1978, 2009) rightly contended that the Anglican Church lacks an articulated theoretical framework for engaging with social justice issues. An overview of the Anglican Church's public policy discourse in Kenya in Chapter Four illustrated its dependence on charismatic clergy and on lay persons passionate about social justice. Literature reviewed in Chapter Six challenges this manner of engaging with public issues. The social justice role of the Anglican Church is not to be left to individuals. It is a mandate of the church enjoined by the Christian gospel. The Anglican Church has a responsibility to accompany people at the margins in their journey to transform their lives. However, this role requires a new reading of theological and biblical resources, referred to by Brueggemann (2001) as prophetic imagination. This is the ability use theological and biblical resources critically and reflectively, without simply transplanting the biblical world into the 21st century world.

Analysis of in-depth interviews, conducted with clergy and ordinands, reported in Chapter Eight suggested changes the Anglican Church needed to make towards developing prophetic imagination – and subsequently strengthening its social justice role.

- The first of these is the development of a broad theoretical framework for engaging with public issues. Lonsdale (2009) and Sabar (2009) have argued that the reason the Anglican Church fails to challenge oppressive ideologies is its lack of a consistent ideology of social justice against which negative ideologies may be evaluated. Facilitating public policy dialogue is a public role because it takes faith into the 'market places' (Valentine, 2002), and requires a 'publicly' appropriate theoretical framework. In Chapter Six I indicated that a public theology would enable the Anglican Church to engage in theory and in practice with concrete social issues and ideologies operating in Kenyan public spheres. Such a theology is essential when dealing with interdisciplinary issues

such as public policy making. The church needs to be aware of and engage with disciplines dealing with similar issues.

- The second change concerns clergy training and positioning. The Anglican clergy could be points of contact with individuals and groups at different levels of Kenyan society. It is important to train these clergy, both as church leaders *and* community leaders. Analysis in Chapter Eight showed that the tendency is to choose to train clergy either as church leaders or as community leaders. Furthermore, clergy training must be strategic. The Anglican Church needs to educate its clergy in areas of knowledge or expertise that it lacks, specifically in areas of social justice and public policy. With such expertise, the church will be better able to understand the content, process, and issues of participation in decision-making processes, before facilitating the participation of ordinary citizens in decision-making.

Research Contribution

There are three areas which I wish to highlight. The first concerns theories of social justice. My critical engagement with literature on justice led me to further claims by Sen (2009) that generally there are few theories of justice based on non-American and European epistemologies, which includes African (or to be specific) Kenyan epistemologies. This lack of contextual frameworks of justice affects the ability of Nation States to address justice issues effectively. For instance, Otieno (2005) noted that Kenya, like most African countries, has struggled to achieve the United Nations Millennium Development Goals for a number of reasons. One is the fact that these goals are based on ‘foreign’ theories of justice. Otieno contends that the ‘rights-based’ approach upon which the MDGs are founded is ‘individualistic’ therefore impractical framework in Kenya where the majority of communities are ‘communitarian’. Consequently, I suggest further study of how the concept of justice may be developed in African literatures and contexts. This thesis is an attempt to provide a starting point to engage critically with European and the America’s concept of justice and examine their relevance in a Kenyan context. I offer an analysis of social justice that blends a philosophical-political paradigm with a theological-biblical perspective and provides a new perspective on theories of justice.

The second is a methodological contribution, which concerns how the Anglican Church engages with people at the margins of Kenyan society. The research demonstrated through ‘dialogic’ workshops, that participation through *dialogue* can make a difference in the way problems within communities are addressed. Participants in this investigation held specialised knowledge about the impacts of decision-making processes, and how they desired to participate in this processes. As researcher, I could only gain this knowledge through dialogue with them. I facilitated this by providing trigger questions and encouraging brainstorming. This is opposed to research described by Smith (2005), where theories are tested on participants because the researcher assumes that participants have little knowledge of about their own situations. In a similar manner, the dominant elite theory of public policy making in Kenya assumes that ordinary Kenyans are ill-equipped to understand and analyse problems affecting them. The end product of *my dialogue* with women and youth living with HIV is participation (public policy dialogue) which validates their experience, knowledge, and public spheres in which they move. It also encourages accountability and transparency in decision-making processes, and thus motivates ‘ordinary people’ to participate in them (Bohman, 1996). This thesis demonstrates how the Anglican Church may also facilitate public policy dialogue without consistently engaging only with the ‘elite’ like itself or assuming the role of an expert.

Finally, a key outcome of the study was to establish on-going development programmes that encourage collective capacity building of the research participants beyond the period of research which encourages their own emancipation, reflexivity, and transformation. I encouraged women and youth living with HIV (Post-T groups) to use the ‘dialogic’ workshop format during their weekly meetings to critically discuss their issues and problems.

Further Research

An important area I wish to explore further in future is theories of justice. Kenya faces many issues of injustice such as lack of participation in public policy making, poverty, HIV and AIDS, corruption and politicised ethnicity which can only be addressed within a framework of justice developed in context. The negative impacts of HIV and AIDS on the well-being of the majority of Kenyans and on the country’s socio-

political and economic stability demonstrate the urgency of exploring theories of justice based on Kenyan epistemologies.

A second area to explore further is public theology for the Anglican Church of Kenya. An informed and imaginative theology will encourage the Anglican Church to engage with other disciplines and ideologies representative of the Kenyan public. Competing against them will encourage the church to redefine its mission, mandate, and vision thereby strengthening its public role in social justice discourse. It will, therefore, be better equipped to engage with issues such as those of public policy making explored in this thesis.

Bibliography

- Abbink, J. (2005). Being Young in Africa: The politics of despair and renewal. In J. Abbink & V.-I. Kessel (Eds.), *Vanguards or Vandals: Youth, Politics and Youth in Africa* (Vol. 4, pp. 1-36). Leiden: Brill Academic Publishers.
- Adamo, D. T. (1999). African Cultural Hermeneutics. In R. S. Sugirtharajah (Ed.), *Vernacular Hermeneutics* Sheffield: Sheffield Academic Press.
- Adar, K. G., & Munyae, I. M. (2001). Human Rights Abuse in Kenya Under Daniel Arap Moi, 1978-2001. *African Studies Quarterly*, 5(1), 1.
- African Caribbean and Pacific Group of States. (2011). *Secretariat ACP*. Retrieved March 6, 2012, from <http://www.acpsec.org/content/secretariat-acp>
- Ajulu, R. (2001). Kenya: one step forward, three steps back: the succession dilemma. *Review of African Political Economy*, 28(88), 197-212.
- (2002). Politicised Ethnicity, Competitive Politics and Conflict in Kenya: A Historical Perspective. *African Studies*, 61(2), 251-268.
- Akukwe, C. (April 1998). The Growing Influence of Non Governmental Organisations (NGOs) in International Health: Challenges and Opportunities *The Journal of the Royal Society for the Promotion of Health*, 118, 107-115.
- Allen, C. (1997). Who needs civil society. *Review of African Political Economy*, 24(73), 329-337.
- Alvesson, M., & Sköldbberg, K. (2009). *Reflexive methodology : new vistas for qualitative research* (2nd ed.). Los Angeles ; London: SAGE.
- Amey, A. B., & Leonard, D. K. (1979). Public Policy, Class and Inequality in Kenya and Tanzania. *Africa Today*, 26(4), 3-41.
- Amran, A. (2010). *Anglican bishops still divided on new document*. Retrieved May 4, 2011, from <http://www.standardmedia.co.ke/print?id=2000009025&cid=4>
- Anderson, R., Cissna, K. N., & Clune, M. K. (2003). The Rhetoric of Public Dialogue. *Communication Research Trends*, 22(1), 1.
- Anglican Church of Kenya. (2002). Service of Holy Communion. In *Our Modern Services* (pp. 66-85). Nairobi: Uzima Press.
- (2009a). *About Us*. Retrieved from http://www.ackkenya.org/ack/vision_mission.html#
- (2009b). *ACK Dioceses*. Retrieved from <http://www.ackkenya.org/dioceses/index.html>
- Anglican Communion News Service. (2009). *The Continuing Indaba and Mutual Listening Project*. Retrieved from <http://www.aco.org/acns/news.cfm/2009/5/6/ACNS4610>
- Ansell, N. (2005). Rights, Participation, Activism and Power. In *Children, Youth and Development* (pp. 225-254)
- Apawo, I. P., & Nadar, S. (Eds.). (2006). *African Women, Religion, and Health: Essays in Honor of Mercy Amba Ewudziwa Oduyoye*. Maryknoll, New York: Orbis Books.
- Armstrong, C. (2008). Collapsing categories. *Philosophy & Social Criticism*, 34(4), 409-425.

- Ashcroft, B. (2009). The Ambiguous Necessity of Utopia : Post-Colonial Literatures and the Persistence of Hope. *Social Alternatives*, 28(3), 8-14.
- Atieno-Odhiambo, E. S. (1991). The Production of History in Kenya: The Mau Mau Debate. *Canadian Journal of African Studies / Revue Canadienne des Études Africaines*, 25(2), 300-307.
- Atieno-Odhiambo, E. S. (2002). Hegemonic Enterprises and Instrumentalities of Survival: Ethnicity and Democracy in Kenya. *African Studies*, 61(2), 223-249.
- Atsiaya, P. (2010). *Anglican bishops still divided on new document*. Retrieved from <http://www.standardmedia.co.ke/InsidePage.php?id=2000007631&cid=&>
- Avis, P. (2000). *The Anglican Understanding of the Church* London: SPCK.
- Ayallo, I. (2004). *Highlight of Sex Related Practices in Luo Related to Canaanite Rites; Their Impact on the Empowerment of Women*. (Research Paper). St. Pauls University, Limuru.
- Ayieko, F. (2004a). Church-State intimacy has its dangers. *Daily Nation*. Retrieved from <http://www.nation.co.ke/oped/-/1192/274454/-/view/printVersion/-/ekfgk3/-/index.html>
- (2004b). Religious leaders have forsaken the flock. *Daily Nation*. Retrieved from <http://www.nation.co.ke/oped/-/1192/19014/-/view/printVersion/-/xmrc9/-/index.html>
- Bagaka, O. (2010). *Restructuring the Provincial Administration: An Insider's View*. Retrieved April 4, 2012, from <http://www.sidint.net/docs/WP3.pdf>
- Baggini, J., & Stangroom, J. (2004). *Great thinkers A-Z*. London: Continuum.
- Bailey, A., & Cuomo, C. J. (2008). *The feminist philosophy reader* (1st ed.). New York: McGraw-Hill.
- Bakare, S. (1997). *Jubilee in an African Context: The Drumbeat of Life*. Geneva: WCC Publications.
- Barasa, L., & Thuku, W. (2007). Keep off politics, Gitari tells clergy. *Daily Nation*. Retrieved from <http://www.nation.co.ke/News/-/1056/166438/-/view/printVersion/-/plgqy2z/-/index.html>
- Barry, B. (2005). *Why Social Justice Matters*. Cambridge: Polity Press.
- Baum, G. (1981). Liberation Theology and 'the Supernatural'. *The Ecumenist*, 19(6), 84.
- Baur, J. (1994). *2000 Years of Christianity in Africa: An African History 62-1992*. Nairobi: Pauline Publications, Africa.
- BBC Education. (1987). The great philosophers. Nth. Sydney: BBC Educational Videos.
- Bediako, K. (1995). *Christianity in Africa: The Renewal of a Non- Western Religion*. Edinburgh: Edinburgh University Press.
- Benewick, R., & Green, P. (1998). *The Routledge dictionary of twentieth-century political thinkers* (2nd ed.). London ; New York: Routledge.
- Benotsch, E. G., Stevenson, L. Y., Sitzler, C. A., Kelly, J. A., Makhaye, G., Mathey, E. D., et al. (2004). HIV prevention in Africa: programs and populations served by non-governmental organizations. *Journal of Community Health*, 29(4), 319-336.
- Benzaquen, A. S. (1998). Thought and Utopia in the Writings of Adorno, Horkheimer, and Benjamin. *Utopian Studies*, 9(2), 149.
- Bernat, D. H., & Resnick, M. D. (2006). Healthy Youth Development: Science and Strategies. *Journal of Public Health Management, November(Suppl)*, S10-S16.

- Besley, T., Pande, R., & Rao, V. (2005). Participatory Democracy in Action: Survey Evidence from South India. *Journal of the European Economic Association*, 3(2/3), 648-657.
- Birkland, T. A. (2001). *An introduction to the policy process : theories, concepts, and models of public policy making*. Armonk, N.Y.: M.E. Sharpe.
- Bogenschneider, K., & Corbett, T. J. (2010). *Evidence-Based Policymaking: Insights from Policy-Minded Researchers and Research-Minded Policymakers*. New York: Routledge.
- Boit, L. (2008). *National policies and practices for education, skills and sustainable growth: The Kenyan case*. Retrieved February 29, 2012, from <http://www.norrag.org/issues/article/1112/en/national-policies-and-practices-for-education-skills-and-sustainable-growth-the-kenyan-case.html?PHPSESSID=724af9d987905e4f3ae70db7f5ebf8e9>
- Bongaarts, J., & Over, M. (2010). Global HIV/AIDS Policy in Transition *Science*, 328, 1359.
- Borda, O. F. (2001). Participatory (Action) Research in Social Theory: Origins and Challenges. In P. Reason & H. Bradbury (Eds.), *Handbook of Action Research: Participative Inquiry and Practice* (pp. 27-37). London: Sage Publications.
- Boulding, C., & Wampler, B. (2010). Voice, Votes, and Resources: Evaluating the Effect of Participatory Democracy on Well-being. *World Development*, 38(1), 125-135.
- Bowman, R. G. (1995). Narrative Criticism: Human Purpose in Conflict with Divine Presence. In G. A. Yee (Ed.), *Judges & Method: New Approaches in Biblical Studies* (pp. 17-44). Minneapolis: Fortress Press.
- Branch, D., & Cheeseman, N. (2009). Democratization, Sequencing, and State Failure in Africa: Lessons from Kenya. *African Affairs*, 108(430), 1-26.
- Bratton, M. (1994). Civil Society and Political Transition in Africa. *IDR Reports*, 11(6), 1-22.
- Brenner, A. (2002). Age and Ageism in the Hebrew Bible, in an Autobiographical Perspective. In A. G. Hunter & P. R. Davies (Eds.), *Sense and Sensitivity: Essays on Reading the Bible in Memory of Robert Carroll* (pp. 303-310). Sheffield: Sheffield Academic Press.
- Brueggemann, W. (1991). Rethinking Church Models Through Scripture. *Theology Today*, 48(2), 128-138.
- (1997). Old Testament Theology and the Problem of Justice. In *Theology of the Old Testament: Testimony, Dispute and Advocacy* (pp. 735-743). Minneapolis: Fortress Press.
- (1999). *The Covenanted Self: Explorations in Law and Covenant*. Minneapolis: Fortress Press.
- (2001). *The Prophetic Imagination* (Second ed.). Minneapolis: Fortress Press.
- (2002). *Reverberations of Faith: A Theological Handbook of Old Testament Themes*. Louisville: Westminster, John Knox Press.
- Cahn, S. M. (2002). *Classics of Political and Moral Philosophy*. Oxford: Oxford University Press.
- Caldwell, J. C., Caldwell, P., & Quiggin, P. (1989). The Social Context of AIDS in sub-Saharan Africa. *El contexto social del SIDA en Africa al Sur del Sahara*, 15(2), 185-234.
- Calhoun, C. (Ed.) (2002). *Habermas, Jurgen*. Oxford Reference Online. Retrieved from

- <http://www.oxfordreference.com.ezproxy.aut.ac.nz/view/10.1093/acref/9780195123715.001.0001/acref-9780195123715-e-733?rskey=BPWPWS&result=3&q=habermas>
- (Ed.) (2009). *Public Sphere*. Oxford Reference Online. Retrieved from <http://www.oxfordreference.com.ezproxy.aut.ac.nz/views/ENTRY.html?subview=Main&entry=t104.e1369>
- Campbell, M. M. (1999). *Critical Theory and Liberation Theology: A Comparison of the Initial Work of Jurgen Habermas and Gustavo Gutierrez*. New York: Peter Lang.
- Capaldi, N. (2004). *John Stuart Mill : a biography*. Cambridge, New York: Cambridge University Press.
- Capeheart, L., & Milovanovic, D. (2007). *Social Justice: Theories, Issues, and Movements*. New Brunswick, New Jersey and London: Rutgers University Press.
- Castillo, J. M. (2004). Utopia Set Aside. In L. C. Susin, J. Sobrino & F. Wilfred (Eds.), *A Different World Possible* (pp. 35-41). London: SCM.
- Catholic Church - Congregatio pro Doctrina Fidei. (1992). *Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion: Issue 536, Part 4*. Boston: St. Paul Book and Media.
- Catt, H. (1999). *Democracy in Practice*. London: Routledge.
- Cheeseman, N. (2008). The Kenyan Elections of 2007: An Introduction. *Journal of Eastern African Studies*, 2(2), 166 - 184.
- Chesworth, J. (2009). The Church and Islam: Vyama Vingi (Multipartyism) and the Ufungamano Talks. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 155-180). New York: Palgrave, Macmillan.
- Cheyne, C., O'Brien, M., & Belgrave, M. (2008). *Social Policy in Aotearoa New Zealand* (4th ed.). Auckland: Oxford University Press.
- Chile, L. (2007). Community Development Research. In L. Chile (Ed.), *Community Development Practice in New Zealand Exploring Good Practice* (pp. 313-328). Auckland: IPP-AUT.
- Chiu, L.-F., & Knight, D. (1999). How useful are focus groups for obtaining the views of minority groups. In R. S. Barbour & J. Kitzinger (Eds.), *Developing Focus Group Research: Politics, Theory and Practice* (pp. 99-112). London: Sage Publications.
- Choules, K. (2007). The Shifting Sands of Social Justice Discourse: From Situating the Problem with "Them," to Situating it with "Us". *Review of Education, Pedagogy & Cultural Studies*, 29(5), 461-481.
- Clemons, R. S., & McBeth, M. K. (2001). *Public policy praxis-theory and pragmatism : a case approach*. Upper Saddle River, NJ: Prentice Hall.
- Coates, R. D. (2007). Social Justice and Pedagogy. *American Behavioral Scientist*, 51(4), 579-591.
- Common Market for Eastern and Southern Africa. (2012). *History of COMESA*. Retrieved March 6, 2012, from http://about.comesa.int/index.php?option=com_content&view=article&id=95&Itemid=117
- Commonwealth Local Government Forum. (2009). *The Local Government System in Kenya*. Retrieved February 29, 2012, from <http://www.clgf.org.uk/userfiles/1/files/Kenya%20local%20government%20profile%202011-12.pdf>

- Commonwealth Secretariat. (2007). *Kenya General Election: The Report of the Commonwealth Observer Group* Retrieved February 29, 2012, from http://www.thecommonwealth.org/shared_asp_files/GFSR.asp?NodeID=174448
- Cone, J. H. (1997). *Black Theology and Black Power*. Virginia: Orbis Books.
- Conger, J. A., & Kanungo, R. N. (1988). The Empowerment Process: Integrating Theory and Practice. *The Academy of Management Review*, 13(3), 471-482.
- Constitution of Kenya Review Commission (CKRC). (2005). *The Final Report of the Constitution of Kenya Review Commission*. Retrieved from <http://www.ldphs.org.za/resources/local-government-database/by-country/kenya/commission-reports/Main%20report%20CKRC%202005.pdf>
- Corey, A., & Joireman, S. F. (2004). Retributive justice: The Gacaca courts in Rwanda. *African Affairs*, 103(410), 73-89.
- Cornwall, A. (2003). Whose Voices, Whose Choices? Reflections on Gender and Participatory Development. *World Development*, 31(8), 1325-1342.
- Cottrell, J., & Ghai, Y. (2007). Constitution Making and Democratization in Kenya (2000-2005). *Democratization*, 14(1), 1-25.
- Cunningham-Burley, S., Kerr, A., & Pavis, S. (1999). Theorizing subjects and subject matter in focus group research. In R. S. Barbour & J. Kitzinger (Eds.), *Developing Focus Group Research: Politics, Theory and Practice* (pp. 186-199). London: Sage Publications.
- Daily Nation. (2003). Tempers Flare At HIV Conference Over Funds. Retrieved from <http://allafrica.com/stories/200312010551.html>
- Dani, A. A., & Haan, A. d. (2008). Social policy in a development context: structural inequalities and inclusive institutions. In A. A. Dani & A. d. Haan (Eds.), *Inclusive states : social policy and structural inequalities* (pp. 3-38). Washington, D.C.: World Bank.
- Datta, D., & Njuguna, J. (2009). Food security in HIV/AIDS response: insights from Homa Bay, Kenya. *SAHARA J: Journal Of Social Aspects Of HIV/AIDS Research Alliance / SAHARA , Human Sciences Research Council*, 6(4), 170-178.
- Davis, C. (1980). Faith and social policy. In *Theology & Political Society* (pp. 51-74). Cambridge: Cambridge University Press.
- De Gruchy, J. W. (2004). *The Church Struggle in South Africa* (25th Anniversary ed.). London: SCM Press.
- De Gruchy W., J. (2005). From Political to Public Theologies: The Role of Theology in Public Life in South Africa. In W. F. Storrar & A. R. Morton (Eds.), *Public Theology for the 21st Century: Essays in honour of Duncan B. Forrester*. London: T & T Clark.
- DeFrancisco, V. L., & Palczewski, C. H. (2007). *Communicating gender diversity : a critical approach*. Los Angeles: Sage Publications.
- Denzin, N. K., & Lincoln, Y. S. (2005). *The SAGE Handbook of Qualitative Research* (3rd ed.). Thousand Oaks: Sage Publications.
- Deranty, J.-P. (2004). Injustice, Violence and Social Struggle. The Critical Potential of Axel Honneth's Theory of Recognition. *Critical Horizons*, 5, 297-322.
- Dewey, J. (1954a). *The public and its problems*. Chicago: Swallow Press.
- (1954b). *The Public and Its Problems*. Chicago: The Swallow Press.
- Dolan, G. (2010). *Kenya: It's Time to Dump the Provincial Administration*. Retrieved April 4, 2012, from <http://allafrica.com/stories/201007020875.html>

- Dube, M. (2003). Towards Multi-sectoral Teaching in a Time of HIV/AIDS. In M. W. Dube (Ed.), *HIV/AIDS and the Curriculum: Methods of Integrating HIV/AIDS in Theological Programmes* (pp. vii-xiii). Geneva: WCC Publication.
- (Ed.). (2001). *Other Ways of Reading: African Women and the Bible*. Geneva: WCC Publications.
- Dube, M., & Kanyoro, M. (Eds.). (2004). *Grant Me Justice! HIV/AIDS & Gender Readings of the Bible*. Pietermaritzburg, South Africa: Cluster Publications.
- Dulles, A. (1974). *Models of the Church* (Expanded ed.). New York: Images Books Doubleday.
- Dye, T. R. (2005). *Understanding Public Policy* (Eleventh ed.). New Jersey: Prentice Hall.
- East African Community. (2011). *History of EAC*. Retrieved March 6, 2012, from <http://www.eac.int/about-eac/eac-history.html>
- Economic Commission for Africa. (2011). *Economic Report Africa 2010: Promoting high-level sustainable growth to reduce unemployment in Africa*. Retrieved from http://www.uneca.org/eca_resources/publications/books/era2010/ERA10_Book.pdf
- Edwards, R., Armstrong, P., & Miller, N. (2001). Include me out: critical readings of social exclusion, social inclusion and lifelong learning. *International Journal of Lifelong Education*, 20(5), 417-428.
- Elstub, S. (2010). The Third Generation of Deliberative Democracy. *Political Studies Review*, 8(3), 291-307.
- Embassy of the Republic of Kenya - The Hague. (2009). *Kenya's Foreign Policy*. Retrieved February 28, 2012, from <http://kenyanembassy-nl.com/foreign-policy>
- ENS staff. (2010). *ENGLAND: Continuing Indaba project puts resources on web*. Retrieved from http://www.episcopalchurch.org/81808_121951_ENG_HTM.htm
- Eriksen, T. H. (2002). *Ethnicity and Nationalism: Anthropological Perspectives*. London: Pluto.
- Etzioni, A. (1986). Mixed Scanning Revisited. *Public Administration Review*, 46(1), 8-14.
- Fergusson, D. (2004). *Church, State and Civil Society*. Cambridge: Cambridge University Press.
- Fierens, J. (2005). Gacaca Courts: Between Fantasy and Reality. *Journal of International Criminal Justice*, 3(4), 896-919.
- Fiorenza, E. S. (1996). Introduction: Feminist Liberation Theology as Critical Sophiology. In E. S. Fiorenza (Ed.), *The Power of Naming: A Concilium Reader in Feminist Liberation Theology*. Maryknoll, New York: Orbis Books.
- Foley, D., & Valenzuela, A. (2005). Critical Ethnography: The Politics of Collaboration. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage Handbook of Qualitative Research* (Third ed., pp. 217-234). London: Sage Publications.
- Forrester, D. B. (1988). The Responsibility of Political Theology. In *Theology and Politics* (pp. 150-171). Oxford: Basil Blackwell.
- (1997). *Christian Justice and Public Policy*. Cambridge: Cambridge University Press.

- Fox, M. P., Rosen, S., MacLeod, W. B., Wasunna, M., Bii, M., Foglia, G., et al. (2004). The impact of HIV/AIDS on labour productivity in Kenya. *Tropical Medicine & International Health: TM & IH*, 9(3), 318-324.
- Fraser, N. (1989). *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*. Cambridge: Polity Press.
- (1993). Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy. In B. Robbins (Ed.), *The Phantom Public Sphere* (pp. 1-32). Minneapolis: University of Minnesota Press.
- (1996). *Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation* The Tanner Lecturers on Human Values. Delivered at Stanford University April 30-May 2, 1996.
- (1997a). From Redistribution to Recognition? Dilemmas of Justice in a "Postsocialist" Age. In *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*. (pp. 11-41). Routledge: New York & London.
- (1997b). *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*. Routledge: New York & London.
- (1997c). A rejoinder to Iris Young. *New Left Review*(223), 126.
- (2007). Re-framing justice in a globalizing world. In T. Lovell (Ed.), *(Mis)recognition, Social Inequality and Social Justice: Nancy Fraser and Pierre Bourdieu* (pp. 17-35). New York: Routledge.
- Fraser, N., & Honneth, A. (2003). *Redistribution or Recognition? A Political-Philosophical Exchange* (J. Golb, J. Ingram & C. Wilke, Trans.). London and New York: Verso.
- Freedman, D. N., Myers, A. C., & Beck, A. B. (2000). *Eerdmans Dictionary of the Bible*. Grand Rapids, Mich.: W.B. Eerdmans.
- Freire, P. (1970). *The Pedagogy of the Oppressed* (M. B. Ramos, Trans.). New York: Continuum.
- French, P. A., Wettstein, H. K., & Silver, B. S. (2004). *The American Philosophers*. Boston, MA: Blackwell Pub.
- Frey, C. (1992). The Impact of the Biblical Idea of Justice on Present Discussions of Social Justice. In H. G. Reventlow & Y. Hoffman (Eds.), *Justice and Righteousness: Biblical Themes and their Influence* (pp. 91-116). Sheffield: Sheffield Academic Press.
- Gadamer, H.-G. (1977). *Philosophical Hermeneutics* (1st paperback ed.). Berkeley: University of California Press.
- Gaitho, M. (2010). May it never be said that the Church denied us the law. Retrieved from <http://www.nation.co.ke/blogs/-/446672/446672/-/jye7ntz/-/index.html>
- Gakunju, E. M. (2001). *Determinants of Health Status in Kenya*. Makerere University Institute of Economics. Retrieved from worldbank.org/INTWBISFP/.../Gakunju_Edward_M.pp
- García-Guadilla, M. P., & Pérez, C. (2002). Democracy, Decentralization, and Clientelism: New Relationships and Old Practices. *Latin American Perspectives*, 29(5), 90-109.
- Gathogo, J. (2009). Meddling on to 2008: Is There any Relevance for Gitari's Model in the Aftermath of Ethnic Violence. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 143-154). New York: Palgrave, Macmillan.
- Gatwa, T. (2005). *The Churches and Ethnic Ideology in the Rwandan Crises 1900-1994*. Bletchley: Regnum Books International.

- Gerston, L. N. (2004). *Public policy making : process and principles* (2nd ed.). Armonk, N.Y.: M.E. Sharpe.
- Ghai, Y. (1998). Decentralization and the Accomodation of Ethnic Diversity. In C. Young (Ed.), *Ethnic Diversity and Public Policy* (pp. 31-71). London: Macmillan Press.
- (2009). *Decreeing and establishing a constitutional order: Kenya's challenge*. Retrieved January 28, 2012, from <http://pambazuka.org/en/category/comment/54036>
- Gibellini, R. (Ed.). (1994). *Paths of African Theology*. Maryknoll: Orbis Books.
- Gifford, P. (2009). Christianity Co-opted. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 201-222). New York: Palgrave, Macmillan.
- Gill, T. B. (2010). Modeling the impact of HIV/AIDS upon food security of diverse rural households in Western Kenya. *Agricultural Systems*, 103(5), 265-281.
- Gitari, D. (1988). *Let the Bishop Speak*. Nairobi: Uzima Press.
- (1996). *In Season and Out of Season*. Oxford: Regnum.
- Gitari, D. M., & Knighton, B. (2001). On Being a Christian Leader: Story Contesting Power in Kenya. *Transformation*, 18(4), 247-261.
- Githinji, J. (2004). *ACK's Stand on the following Issues*. Retrieved from http://www.anglicancommunion.org/provincialnews/kenya/client/news/client_news_detail.cfm?naid=220
- Goode, L. (2005). *Jurgen Habermas: Democracy and the Public Sphere*. London: Pluto Press.
- Gossai, H. (1993). *Justice, Righteousness and the Social Critique of the Eighth-Century Prophets* (Vol. 141). New York: Peter Lang.
- Government of Kenya. (2011). *The legislative process*. Retrieved April 20, 2011, from http://www.information.go.ke/index.php?option=com_content&task=view&id=456&Itemid=555&limit=1&limitstart=1
- Grabowski, S. J. (1957). *The Church: An Introduction to the Theology of St. Augustine*. Herder: St. Louis.
- Graham, E. (2005). Public theology in the age of voter apathy. In W. F. Storrar & A. R. Morton (Eds.), *Public Theology for the 21st Century: Essays in honour of Duncan B. Forrester* (pp. 385-404). London: T & T Clark.
- Graham, E., & Lowe, S. (2009). *What Makes a Good City? Public Theology and the Urban Church*. London: Darton, Longman and Todd.
- Greenwood, D. J., & Levin, M. (1998). *Introduction to Action Research: Social Research for Social Change*. London: Sage Publications.
- Grimshaw, P., & May, A. (2010). *Missionaries, Indigenous Peoples, and Cultural Exchange*. Brighton: Sussex Academic Press.
- Gur-Ze'ev, I. (1999). Walter Benjamin and Max Horkheimer: From Utopia to Redemption. *Journal of Jewish Thought & Philosophy (Routledge)*, 8(1), 119.
- Gustafson, J. M. (1988). An Analysis of Church and Society Social Ethical Writings. *The Ecumenical Review*, 40(2), 267-278.
- Gutierrez, L., DeLois, K., & GlenMaye, L. (1995). Understanding empowerment practice: Building on practitioner-based knowledge. *Families in Society*, 76(9), 534-542.
- Gutmann, A., & Thompson, D. (1996). *Democracy and disagreement: Why moral conflict cannot be avoided in politics, and what should be done about it*. Massachusetts: The Belknap Press.

- (2004). *Why Deliberative Democracy?* Princeton: Princeton University Press.
- Habermas, J. (1989). *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (T. Burger, Trans.). Cambridge: Polity Press. (Original work published 1962)
- (1990). *Moral Consciousness and Communicative Action* (C. Lenhardt & S. W. Nichol森, Trans.). Massachusetts: The MIT Press.
- (1996). *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (W. Rehg, Trans.). Massachusetts: The MIT Press.
- Halpern, R. (2005). Instrumental relationships: A potential relational model for inner-city youth programs. *Journal of Community Psychology*, 33(1), 11-20.
- Hammersley, M. (1992). *What's wrong with ethnography? : methodological explorations*. London ; New York: Routledge.
- Hanson, S. (2008). *Understanding Kenya's Politics*. Retrieved April 4, 2012, from <http://www.cfr.org/kenya/understanding-kenyas-politics/p15322>
- Haque, M. S. (1997). Incongruity between bureaucracy and society in developing nations: a critique. *Peace & Change*, 22(4), 432.
- Haynes, J. (1996). *Third World Politics: A Concise Introduction*. Oxford: Blackwell.
- Healy, N. M. (2000). *Church, World and the Christian Life: Practical-Prophetic Ecclesiology*. Cambridge: Cambridge University Press.
- Hennelly, A. T. (Ed.). (1990). *Liberation Theology: A Documentary History*. Maryknoll, New York: Orbis Books.
- Hennink, M. M., Bailey, A., & Hutter, I. (2011). *Qualitative Research Methods*. London: SAGE.
- Hershey, M. (2009). Kenya's Delayed Response to HIV/AIDS: A Case Study. *Conference Papers-Midwestern Political Science Association*, 1.
- Ho, L.-s. (2012). *Public policy and the public interest*. Retrieved from <http://www.AUT.eblib.com.au/patron/FullRecord.aspx?p=735284>
- Holmquist, F., & Ford, M. (1994). Kenya: State and civil society the first year after the election. *Africa Today*, 41(4), 5.
- Holmquist, F., & Mwangi Wa Githinji. (2009). The Default Politics of Ethnicity in Kenya. *Brown Journal of World Affairs*, 16(1), 101-117.
- Holmquist, F., & Oendo, A. (2001). Kenya: Democracy, Decline, and Despair. *Current History*, 100(646), 201-206.
- Honneth, A. (2004). Recognition and Justice. *Acta Sociologica*, 47(4), 351-364.
- Hope, A., & Timmel, S. (1995a). *Training for Transformation: A Handbook for Community Workers, Book I*. Zimbabwe: Mambo Press.
- (1995b). *Training for Transformation: A Handbook for Community Workers, Book II*. Zimbabwe: Mambo Press.
- Houston, W. J. (2006). *Contending for Justice: The Ideology and Theology of Social Justice in the Old Testament*. London: Continuum.
- Hughes, F., & Calder, S. (2007). *Have Your Say: Influencing Public Policy in New Zealand*. Wellington: Dunmore Publishing Ltd.
- Hutchings, K. (2007). Whose History? Whose Justice? *Theory, Culture & Society*, 24(4), 59-63.
- Hutchinson, J., & Smith, A. D. (Eds.). (1996). *Ethnicity*. Oxford: Oxford University Press.
- Ife, J. (1997). *Rethinking Social Work : Towards Critical Practice*. South Melbourne: Longman.

- Ikiara, G. K., Olewe-Nyunya, J., & Odhiambo, W. (2004). *Kenya: Formulation and Implementation of Strategic Trade and Industrial Policies*. Retrieved January 18, 2012, from http://web.idrc.ca/en/ev-71256-201-1-DO_TOPIC.html
- Intergovernmental Authority on Development. (2010). *History*. Retrieved March 6, 2012, from http://igad.int/index.php?option=com_content&view=article&id=93&Itemid=124
- Isichei, E. (1995). *A History of Christianity in Africa: from Antiquity to the Present*. Grand Rapids, Michigan: William B. Eerdmans.
- Ismail, J. A., & Deane, J. (2008). The 2007 General Election in Kenya and Its Aftermath: The Role of Local Language Media. *Politics*, 18(3), 319-327.
- Itzhaky, H., & York, A. S. (2000). Empowerment and community participation: does gender make a difference? *Social Work Research*, 24(4), 225-234.
- Jackson, B. (2005). The Conceptual History of Social Justice. *Political Studies Review*, 3(3), 356-373.
- Janneh, A. (2009). *African Youth Report 2009: Expanding opportunities for and with Young people in Africa*. Addis Ababa, Ethiopia. Retrieved from http://www.uneca.org/eca_programmes/acgd/publications/africanyouthreport_09.pdf
- Jasper, D. (2004). *A Short Introduction to Hermeneutics*. Louisville, London: Westminster John Knox Press.
- Jazreel, J. (1997). What is a preferential option for the poor? *U.S. Catholic*, 62(11), 32.
- Jezreel, J. (1997). Why the preferential option for the poor is not optional. *U.S. Catholic*, 62(11), 30-35.
- Jo Olsgard, P. (1996). *Policy Formation: HIV/AIDS in Kenya and Malawi*. University of Denver.
- John, P. (2011). *Making Policy Work* (1 ed.). London: Routledge.
- Johnson, S. (2009). *Constituency Delimitation in Kenya: An analysis of the Current Status, International Examples and A Proposed Approach*. Retrieved January 18, 2012, from <http://kigafira.org/downloads/Constituency%20Delimitation%20in%20Kenya%20-%20A%20proposed%20Approach%20Presentation.pdf>
- Josselson, R., & Lieblich, A. (1995). *Interpreting Experience : The Narrative Study of Lives*. Thousand Oaks, CA: Sage Publications.
- Kagwanja, P. M. (2003). Facing Mount Kenya or Facing Mecca? The *Mungiki*, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002. *African Affairs*, 102, 25-49.
- (2005a). Clash of generations? Youth identity, violence and the politics of transition in Kenya, 1997-2002. In J. Abbink & v.-I. Kessel (Eds.), *Vanguards or Vandals: Youth, Politics and Youth in Africa* (Vol. 4, pp. 81-109). Leiden: Brill Academic Publishers.
- (2005b). 'Power to Uhuru': Youth Identity and Generational Politics in Kenya's 2002 Elections. *African Affairs*, 105, 51-75.
- Kalu, O. U. (Ed.). (2005). *African Christianity: An African Story. Series 5, Volume 3*. Pretoria: Department of Church History, University of Pretoria.
- Kamberelis, G., & Dimitriadis, G. (2005). Focus Groups: Strategic Articulations of Pedagogy, Politics and Inquiry. In *The Sage Handbook of Qualitative Research* (Third ed., pp. 887-907). London: Sage Publications.
- Kanyoni, D. (2006). *Kadhi Courts: Implications for Christian-Muslim Relations*. St. Paul's University, Limuru.

- Kanyoro, M. R. A. (1996). Naming In L. M. Russell & S. J. Clarkson (Eds.), *Dictionary of Feminist Theologies* (pp. 191). Louisville, Kentucky: Westminster John Knox Press.
- (2001). Cultural Hermeneutics: An African Contribution. In M. Dube (Ed.), *Other Ways of Reading: African Women and the Bible* (pp. 101-113). Geneva: WCC Publications.
- Kelly, J. A., Somlai, A. M., Benotsch, E. G., Amirkhanian, Y. A., Fernandez, M. I., Stevenson, L. Y., et al. (2006). Programmes, resources, and needs of HIV-prevention nongovernmental organizations (NGOs) in Africa, Central/Eastern Europe and Central Asia, Latin America and the Caribbean. *AIDS Care*, 18(1), 12-21.
- Kenya Central Bureau of Statistics. (2003). *Kenya Demographic and Health Survey 2003*. Retrieved July 4, 2006, from <http://www.measuredhs.com/pubs/pdf/FR151/FR151.pdf>
- (2005). *Geographic Dimensions of Well-being in Kenya: Who and Where are the Poor? A Constituency level Profile Volume II*: Central Bureau of Statistics.
- (2009a). *Kenya 2009 Housing and Population Census Highlights*. Retrieved from <http://www.knbs.or.ke/Census%20Results/KNBS%20Brochure.pdf>
- (2009b). *Kenya Facts and Figures*. Retrieved from <http://www.knbs.or.ke/knbsinformation/pdf/Facts%20and%20Figures%202009.pdf>
- Kenya Law Reports. (2011). *Stages in the Legislative Process*. Retrieved April 20, 2011, from <http://www.kenyalaw.org/klr/index.php?id=112>
- Keriga, L., & Bujra, A. (2009). *Social Policy, Development and Governance in Kenya: An Evaluation and Profile of Education in Kenya*. Nairobi, Kenya: Development Policy Management Forum (DPMF).
- Kerrow, B. (2011). Ethnicity is a cancer in public service recruitment. *The Standard Online Edition*. Retrieved from <http://m.standardmedia.co.ke/opinionM.php?id=2000032974>
- Kibua, T. N., & Oyugi, L. N. (2007). *Influencing development policies through research: the Kenyan experience*. Retrieved January 17, 2012, from http://web.idrc.ca/en/ev-115591-201-1-DO_TOPIC.html
- Kim, C.-H. (2006). Prophetic Preaching as Social Preaching. *Evangelical Theological Review*, 30(2), 141-151.
- Kimalu, P. K., Nafula, N. N., Manda, D. K., Bedi, A., Mwabu, G., & Kimenyi, M. S. (2004). *A Review of the Health Sector in Kenya*. Social Sector Division: Kenya Institute for Public Policy Research and Analysis (KIPPRA) Working Paper No. 1. Retrieved from <http://www.kippira.org/docs/WP11.pdf>
- Kimenyi, M. S. (2001). Harmonizing Ethnic Claims in Africa: A Proposal for Ethnic-based Federalism. In J. M. Mbaku, P. O. Agbese & M. S. Kimenyi (Eds.), *Ethnicity and Governance in the Third World* (pp. 101-124). Burlington: Ashgate.
- Kimenyi, M. S., & Shughart, W. F. (2010). The political economy of constitutional choice: a study of the 2005 Kenyan constitutional referendum. *Constitutional Political Economy*, 21(1), 1-27.
- Kindon, S., Pain, R., & Kesby, M. (2007a). Introduction: connecting people, participation and place. In S. Kindon, R. Pain & M. Kesby (Eds.),

- Participatory Action Research Approaches and Methods: Connecting people, participation and place* (pp. 1-6). London: Routledge.
- (2007b). Participatory Action Research: origins, approaches and methods. In S. Kindon, R. Pain & M. Kesby (Eds.), *Participatory Action Research Approaches and Methods: Connecting people, participation and place* (pp. 9-18). London: Routledge.
- Kirui, S. K. (2009). *Promoting Social Inclusion of Youth in The MDGs*. Retrieved from www.uneca.org/.../Stephen%20Kirui%20Promoting%20social%20inclusion%20of%20
- Kirylo, J. D. (2006). Preferential Option for the Poor. *Annual Theme*, 266-270.
- Kitzinger, J., & Barbour, R. S. (1999). Introduction: the challenge and promise of focus groups. In R. S. Barbour & J. Kitzinger (Eds.), *Developing Focus Group Research: Politics, Theory and Practice* (pp. 1-21). London: Sage Publications.
- Klemm, D. E. (2004). Hermeneutics. In J. H. Hayes (Ed.), *Methods of Biblical Interpretation* (pp. 147-153). Nashville: Abingdon Press.
- Klopp, J. (2009). The NCKK and the Struggle Against "Ethnic Clashes" in Kenya. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 183-200). New York: Palgrave, Macmillan.
- Knierim, R. P. (1995). Justice in Old Testament Theology. In *The Task of Old Testament Theology: Substance, Method and Cases* (pp. 86-122). Grand Rapids, Michigan: William B. Eerdmans.
- Knighton, B. (2009). Introduction: Strange but Inevitable Bedfellows. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 1-94). New York: Palgrave, Macmillan.
- Kobia, S. (2003). *The Courage to Hope: The Roots for a New Vision and the Calling of the Church in Africa*. Geneva: WCC Publications.
- Kofi, A.-K., & Sergio, T. (Eds.). (1977). *African Theology En Route: Papers from the Pan-African Conference of Third World Theologians, December 17-23, 1977, Accra, Ghana*. Maryknoll, New York: Orbis Books.
- Koopman, N. (2008). *Churches and public policy discourses in South Africa*. Beyes Naude Centre for Public Theology, University of Stellenbosch. Stellenbosch.
- Kresse, K. (2009). Muslim Politics in Postcolonial Kenya: Negotiating Knowledge on the Double-Periphery. *The Journal of the Royal Anthropological Institute*, 15, S76-S94.
- Kwon, L. (2009). *Anglicans renew listening process to help mend rifts*. Retrieved April 21, 2011, from <http://au.christiantoday.com/article/anglicans-renew-listening-process-to-help-mend-rifts/6211.htm>
- Labi, K. (2001). Transforming Ecumenism in Africa in the 21st Century. *Ecumenical Review*, 53(8), 366.
- Labonte, R. (2004). Social inclusion/exclusion: dancing the dialectic. *Health Promotion International*, 19(1), 115-121.
- Laird, F. N. (1993). Participatory Analysis, Democracy, and Technological Decision Making. *Science, Technology, & Human Values*, 18(3), 341-361.
- Lando, S., & Bujra, A. (2009). *Social Policy, Development and Governance in Kenya: Class Formation and Inequality in Kenya*. Nairobi: Development Policy Management Forum (DPMF).
- Landry, T., Luginaah, I., Maticka-Tyndale, E., & Elkins, D. (2007). Orphans in Nyanza, Kenya: Coping with the Struggles of Everyday Life in the Context of

- the HIV/AIDS Pandemic. *Journal of HIV/AIDS Prevention in Children & Youth*, 8(1), 75-98.
- Lawson, G. (2008). A Realistic Utopia? Nancy Fraser, Cosmopolitanism and the Making of a Just World Order. *Political Studies*, 56(4), 881-906.
- Le Mon, C. J. (2007). Rwanda's Troubled Gacaca Courts. *Human Rights Brief*, 14(2), 16.
- Lebacqz, K. (1986). *Six Theories of Justice: Perspectives from Philosophical and Theological Ethics*. Minneapolis: Augsburg Publishing House.
- (1987). *Justice in an Unjust World: Foundations for a Christian Approach to Justice*. Minneapolis: Augsburg.
- Lewis, D. (2002). Civil Society in African Contexts: Reflections on the Usefulness of a Concept. *Development & Change*, 33(4), 569.
- Liebenberg, S. (2007). The Adjudication of Social Rights in South Africa. In T. Lovell (Ed.), *(Mis)recognition, Social Inequality and Social Justice: Nancy Fraser and Pierre Bourdieu* (pp. 177-201). New York: Routledge.
- Lindblom, C. E. (1979). Still Muddling, Not Yet Through. *Public Administration Review*, 39(6), 517-526.
- Lindblom, C. E., & Woodhouse, E. J. (1993). *The Policy Making Process* (3rd ed.). Prentice-Hall: Englewood Cliffs, N.J.
- LiPuma, E., & Koelbe, T. A. (2009). Deliberative democracy and the politics of traditional leadership in South Africa: A case of despotic domination or democratic deliberation? *Journal of Contemporary African Studies*, 27(2), 201-223.
- Lister, R. (2007). (Mis)recognition, Social Inequality and Social Justice: A Critical Social Policy Perspective. In T. Lovell (Ed.), *(Mis)recognition, Social Inequality and Social Justice: Nancy Fraser and Pierre Bourdieu* (pp. 157-176). New York: Routledge.
- Lock, A., & Strong, T. (2010). *Social constructionism sources and stirrings in theory and practice*. Cambridge: Cambridge University Press.
- Lonsdale, J. (2009). Compromised Critics: Religion in Kenya's Politics. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 57-94). New York: Palgrave, Macmillan.
- Lonsdale, J., Booth-Clibborn, S., & Hake, A. (1978). The Emerging Pattern of Church and State Co-operation in Kenya. In E. Fashole-Luke, R. Gray, A. Hastings & G. Tasié (Eds.), *Christianity in Independent Africa* (pp. 267-284). London: Rex Collings.
- Lück, M., & Kirstges, T. (2003). *Global ecotourism policies and case studies : perspectives and constraints*. Clevedon ; Buffalo: Channel View Publications.
- Lyle, J. (2011). *Re-establishing relationships in the Anglican Communion will be a 'long task', says Archbishop* Retrieved April 21, 2011, from <http://au.christiantoday.com/article/re-establishing-relationships-in-the-anglican-communion-will-be-a-long-task-says-archbishop/10134.htm>
- Maasai Environmental Resource Coalition. (2003a). *Ethical Conduct of Tourism Industry Project- MERC*. Retrieved October 18, 2006, from <http://www.maasaierc.org>
- (2003b). *Maasai: A Living Legacy*. Retrieved October 18, 2006, from <http://www.maasaierc.org/maasailegacy.html>
- MacIntyre, A. (1984). Justice as a Virtue: Changing Conceptions In *After Virtue: A Study in Moral Theory* (pp. 244-255). Notre Dame, Indiana: University of Notre Dame Press.

- Magesa, L. (1990). Human Rights in the Church in Africa. In J. N. K. Mugambi & L. Magesa (Eds.), *The Church in African Christianity: Innovative Essays in Ecclesiology* (pp. 89-110). Nairobi, Kenya: Initiatives Ltd.
- Makabila, S. (2010). *Unity test as churches oppose proposed law*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000008950&cid=4>
- Makoloo, M. O. (2005). *Kenya: Minorities, Indigenous Peoples and Ethnic Diversity*: Minority Rights Group International. Retrieved from <http://www.unhcr.org/refworld/docid/469cbf0.html>
- Makori, A. (2005). *The Kenya's Educational Policy: Exploring some of the major impediments to redesigning pedagogy: A paper presented at the International conference (30th May to 1 June 2005: Nanyang Technological University, Singapore)*. Retrieved from <http://conference.nie.edu.sg/paper/new%20converted/ab0687.pdf>
- Manley, M. (1979). Justice in a Developing Country's Perspective. *Ecumenical Review*, 31(2), 146-154.
- Margonis, F. (2007). Reconstructing Pragmatism to Address Racial Injustice. *Journal of Philosophy of Education*, 41(1), 141-149.
- Margot, B. (1994). On the Meaning of Empowerment and Empowerment-Oriented Social Work Practice. *Social Work with Groups*, 17(3), 23-37.
- Marshall, C. D. (2001). *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment*. Grand Rapids, Michigan: William B. Eerdmans.
- (2005). *The Little Book of Biblical Justice: A fresh approach to the Bible's teachings on justice*. Intercourse, PA: Good Books.
- (2006). The Meaning of Justice: Insights from the Biblical Tradition. In A. J. W. Taylor (Ed.), *Justice as a Basic Human Need* (pp. 25-38). New York: Nova Science Publishers.
- Maslow, A. H. (1970). *Motivation and Personality* (Third ed.). New York: Harper and Row.
- Mbaku, J. M. (2001). Ethnicity, Constitutionalism, and Governance in Africa. In J. M. Mbaku, P. O. Agbese & M. S. Kimenyi (Eds.), *Ethnicity and Governance in the Third World* (pp. 59-100). Burlington: Ashgate.
- Mbillah, J. A. (2010). Interfaith relations in Africa. In D. B. Stinton (Ed.), *African Theology on the Way: Current conversations* (pp. 109-117). London: SPCK.
- Mbiti, J. S. (1969). *African Religions and Philosophy*. London: Heinemann.
- (1996). African Views of the Universe. In R. S. Gottlieb (Ed.), *This Sacred Earth: Religion, Nature, Environment* (pp. 174-180). New York and London: Routledge.
- McBrien, P. R. (1970). *Church: The Continuing Quest*. New York: Newman.
- McCowan, T. (2006). Educating citizens for participatory democracy: a case study of local government education policy in Pelotas, Brazil. *International Journal of Educational Development*, 26(5), 456-470.
- McGrath, A. E. (2007). The Doctrine of the Church. In *Christian Theology: An Introduction* (Fourth ed.). Oxford: Blackwell.
- McNay, L. (2008). The Trouble with Recognition: Subjectivity, Suffering, and Agency. *Sociological Theory*, 26(3), 271-296.
- Mertens, D. M. (2009). *Transformative research and evaluation*. New York: Guilford Press.
- Micah Challenge International. (2009). Retrieved January 7, 2009, from <http://www.micahchallenge.org.nz/index.php/micah-international>

- Miles, M. B., & Huberman, A. M. (1994). *Qualitative Data Analysis : An Expanded Sourcebook* (2nd ed.). Thousand Oaks, Calif: SAGE.
- Mill, J. S. (1968). *Utilitarianism ; Liberty ; Representative government*. London: Dent.
- Miller, D. (1999). *Principles of Social Justice*. London, England: Harvard University Press.
- Miner, P. S. (1960). *Images of the Church in the New Testament*. Philadelphia: The Westminster Press.
- Moltmann, J. (1977). *The Church in the Power of the Spirit* (Second ed.). London: SCM Press.
- Mombo, E. (1998). Resisting *vumilia* theology : the Church and violence against women. In K. Ward, A. Wingate & C. Pemberton (Eds.), *Anglicanism: A Global Communion* (pp. 219-224). London: Mowbray.
- Moote, M. A., McClaran, M. P., & Chickering, D. K. (1997). Theory in Practice: Applying Participatory Democracy Theory to Public Land Planning. *Environmental Management*, 21(6), 877-889. doi:10.1007/s002679900074
- Morgan, D. L. (1997). *Focus Groups as Qualitative Research*. London: Sage Publications.
- Mosala, I. J. (1993). A Materialistic Reading of Micah. In N. K. Gottwald & R. A. Horsley (Eds.), *The Bible and Liberation: Political and Social Hermeneutics* (Revised Edition ed.). London: SPCK.
- Moshe, W. (1992). Justice and Righteousness: The Expression and Its Meaning. In H. G. Reventlow & Y. Hoffman (Eds.), *Justice and Righteousness: Biblical Themes and their Influence* (pp. 228-246). Sheffield: Sheffield Academic Press.
- Moyo, D. (2009). *Dead Aid: Why Aid is not Working and How There is Another Way for Africa*. London: Penguin Books.
- Mugo, N. (2007). President asks Church to guide country on polls. *Daily Nation*. Retrieved from <http://www.nation.co.ke/News/-/1056/220402/-/view/printVersion/-/bmxv3ez/-/index>
- Muigai, J. (2012). *Government focuses on providing access to healthcare services for the poor in Kenya*. Retrieved February 29, 2012, from <http://www.gtzkenyahealth.com/blog3/>
- Musalia, M. W. (2001). *Archbishop Manasses Kuria, A Biography: Strong in the Storms* Nairobi: Cana.
- Mutua, M. (2010). Church fails to cede ground in draft talks. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000008569&cid=4>
- Mutua, M., & Kemei, K. (2010). Referendum date set as Church insists 'No'. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000007637&cid=253>
- Mwakimako, H. (2007). Christian-Muslim Relations in Kenya: A Catalogue of Events and Meanings. *Islam & Christian-Muslim Relations*, 18(2), 287-307.
- Mwaura, P. N. (2008). Stigmatization and Discrimination of HIV/AIDS Women in Kenya: A Violation of Human Rights and its Theological Implications. *Exchange*, 37(1), 35-51.
- (2010). Christian Identity and ethnicity in Africa: reflections on the gospel of reconciliation. In D. B. Stinton (Ed.), *African Theology on the Way: Current conversations* (pp. 128-138). London: SPCK.
- Namunane, B., & Gekara, E. M. (2011). One government, different positions on trials. *Daily Nation*. Retrieved from

- <http://www.nation.co.ke/News/politics/One+government+different+positions+on+trials/-/1064/1136754/-/2icm3bz/-/index.html>
- Nash, S. J. (2003). On Pragmatic Philosophy and Knightian Uncertainty. *Review of Social Economy*, LXI(2), 251-272.
- Nation Reporter. (2008). Clergymen own up to partisan role in post election chaos. *Daily Nation*. Retrieved from <http://www.nation.co.ke/News/-/1056/462380/-/view/printVersion/-/mgerhvz/-/index>
- National AIDS and STI Control Programme. (2007). *Kenya AIDS Indicator Survey 2007: Preliminary Report*: National AIDS Control Council. Retrieved from www.nacc.or.ke
- National AIDS Control Council. (2009). *Kenya National AIDS Strategic Plan 2009/10-2012/13*: National AIDS Control Council. Retrieved from www.nacc.or.ke
- (2010). *UNGASS 2010: United Nations General Assembly Special Session on HIV and AIDS. Country Report - Kenya*. Nairobi.
- Ngugi wa Thiong'o. (1986). *Decolonising the mind : the politics of language in African literature*. London, Portsmouth, N.H.: Heinemann.
- Njoku, C. A. (2005). The Missionary Factor in African Christianity, 1884-1914. In O. U. Kalu (Ed.), *African Christianity: An African Story. Series 5, Volume 3* (pp. 218-256). Pretoria: Department of Church History, University of Pretoria.
- Njoroge, N. J. (2006). Let's Celebrate the Power of Naming. In I. Phiri, Apawo & S. Nadar (Eds.), *African Women, Religion, and Health: Essays in Honor of Mercy Amba Ewudziwa Oduyoye* (pp. 59-74). Maryknoll, New York: Orbis Books.
- Novak, M. (2000). Defining Social Justice. *First Things: A Monthly Journal of Religion & Public Life*(108), 11-13.
- Nozick, R. (1974). *Anarchy, State and Utopia*. New York: Basic Books.
- Nthei, S. (2012). *Role Of Provincial Administration In Modern Kenya*. Retrieved April 4, 2012, from <http://www.area254.com/index.php/eng/LifeStyle/Health/Forum-Archives/Role-Of-Provincial-Administration-In-Modern-Kenya>
- Nthiga, S., & Mbaria, L. (2002). Moi Failed the leader's test, argues Gitari. *Daily Nation*. Retrieved from <http://www.nation.co.ke/News/-/1056/300344/-/view/printVersion/-/12303bz/-/index.html>
- Nzomo, M. (1997). The Kenyan Women in Politics and Decision-making. In G. Mikeli (Ed.), *African Feminism: The Politics of Survival in Sub-Saharan Africa*. Philadelphia: University of Pennsylvania.
- Nzomo, N. (1978). *Education for Executive Jobs: a study in occupational Kenyaization Indigenization* Nairobi: Kenya Literature Bureau.
- Obonyo, O. (2010). Why tribal politics just won't end yet. *East African Standard*. Retrieved from http://www.standardmedia.co.ke/?articleID=2000000171&story_title=Why-tribal-politics-just-won%E2%80%99t-end-yet
- Oduor, A., & Okwayo, J. (2010). Anglican bishops still divided on new document. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000009097&cid=159>
- Oduyoye, M. A. (1994). Feminist Theology in an African Perspective. In R. Gibellini (Ed.), *Paths of African Theology* (pp. 166-181). Maryknoll: Orbis Books.
- (1995). *Daughters of Anowa: African Women & Patriarchy*. Maryknoll: Orbis Books.
- (2002). *Beads and Strands: Reflections of African Women on Christianity in Africa*. Cumbria: Editions Cle and Regnum Africa.

- Ogude, J. (2002). Ethnicity, Nationalism and the Making of Democracy in Kenya: An Introduction. *African Studies*, 61(2), 205-207.
- Ogude, J. A. (1997). Ngugi's Concept of History and the Post-Colonial Discourses in Kenya. *Canadian Journal of African Studies / Revue Canadienne des Études Africaines*, 31(1), 86-112.
- Ojwang', A. (2010). Anglican bishops still divided on new document. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000008982&cid=159>
- Oketch, R. N. (nd). *Sustainable Ecotourism and Local Communities: Cooperation, Compromise or Conflict*. Retrieved October 9, 2006, from <http://www.ecotourismkenya.org/newsview.php?key=2>
- Okuku, A. J. (2003). Civil Society and the democratisation process in Kenya and Uganda: a comparative analysis of the contribution of the Church and NGOs. *Politikon*, 30(1), 51-63.
- Okullu, H. (1974). *Church and Politics in East Africa*. Nairobi: Uzima Press.
- (1984). *Church and State in Nation-Building and Human Development*. Nairobi: Uzima.
- Okullu, J. H. (1997). *Quest for Justice: An Autobiography of Bishop Henry Okullu*. Kisumu: Shalom.
- Okwembah, D. (2005). Kuria stood firm in turbulent times. *Daily Nation*, pp. <http://www.nation.co.ke/magazines/-/1190/82684>.
- Oluoch, J. A. (2006). *The Christian Political Theology of Dr. John Henry Okullu*. Oxford: regnum.
- Omolo, K. (2002). Political Ethnicity in the Democratisation Process in Kenya. *African Studies*, 61(2), 209-221.
- Omosa, M. (1995). Persistent Cultural Practices: A Review of the Status of Women in Kenya. In AA WORD (Ed.), *From Strategies to Action: A Research Perspective*. Nairobi: Views Media.
- Orvis, S. (2003). Kenyan Civil Society: Bridging the Urban-Rural Divide? *The Journal of Modern African Studies*, 41(2), 247-268.
- Osman, F. A. (2002). *Public Policy-making: Theories and their Implications in Developing Countries*. Retrieved February 27, 2012, from <http://www.cdrb.org/journal/2002/3/3.pdf>
- Otieno, J. (2006). South Africa leads Kenya in tourism ranking. *Daily Nation*. Retrieved from <http://myafrica.wordpress.com/2006/10/12/kenya-south-africa-leads-kenya-in-tourism-rankings/>
- Otieno, N. (2007). *Human Rights and Social Justice in Africa: Cultural, Ethical and Spritual Imperatives*. Nairobi: AACC.
- Padilla, R. V. (1993). Using dialogical reseach methods in group interviews. In D. L. Morgan (Ed.), *Successful Focus Groups: Advancing the State of the Art* (pp. 153-166). Newbury Park, CA: Sage.
- Pain, R., Kesby, M., & Kindon, S. (2007). Conclusion: the space(s) and scale(s) of Participatory Action Research. In S. Kindon, R. Pain & M. Kesby (Eds.), *Participatory Action Research Approaches and Methods: Connecting people, participation and place* (pp. 225-230). London: Routledge.
- Paprocki, T. J. (1995). Option for the Poor: Preference or Platitude? *America*, 172(14), 11-14.
- Parfitt, T. (2004). The ambiguity of participation: a qualified defence of participatory development. *Third World Quarterly*, 25(3), 537-556.

- Parliament of the Republic of Kenya. (2010). *The Constitution of Kenya, 2010*: Kenya Law Reports,. Retrieved from http://www.parliament.go.ke/index.php?option=com_docman&task=doc_details&gid=460&Itemid=
- Parratt, J. (1995). *Reinventing Christianity: African Theology Today*. Grandrapids: Eerdmans.
- Parsons, D. W. (1995). *Public policy : an introduction to the theory and practice of policy analysis*. Aldershot, UK ; Brookfield, Vt., US: Edward Elgar.
- Pateman, C. (1970). *Participation and Democratic Theory*. Cambridge: Cambridge University Press.
- Perkins, D., & Zimmerman, M. (1995). Empowerment theory, research, and application. *American Journal of Community Psychology*, 23(5), 569-579. doi:10.1007/bf02506982
- Perkinson, J. W. (2007). John S. Mbiti. In K. Pui-Lan, D. H. Compier & J. Rieger (Eds.), *Empire The Christian Tradition: New Readings of Classical Theologians* (pp. 455-470). Minneapolis: Fortress Press.
- Permanent Mission of the Republic of Kenya to the United Nations Office in Geneva. (2007). *Kenya's Foreign Policy*. Retrieved February 28, 2012, from http://www.kenyamission-un.ch/?About_Kenya:Kenya_Foreign_Policy
- Petrella, I. (2004). *The Future of Liberation Theology: An Argument and Manifesto*. Aldershot, England: Ashgate.
- Plato. (1930). *Plato: The Republic Books I - V* (P. Shorey, Trans.). Cambridge, Massachusetts: Harvard University Press.
- Pobee, J., & Ositellu, G. I. (1998). *African Initiatives in Christianity: The Growth and Diversities of Indigenous African Churches, A challenge to Ecumenical Movement*. Geneva: WCC.
- Pope, S. J. (1993). Proper and improper partiality and the preferential option for the poor. *Theological Studies*, 54(2), 242-271.
- Powell, M. A. (1990). *What is Narrative Criticism?* Minneapolis: Fortress Press.
- Prasad, P. (2005). *Crafting qualitative research : working in the postpositivist traditions*. Armonk, N.Y.: M.E. Sharpe.
- Preston H., R. (1983). *Church and Society in the Late Twentieth Century: The Economic and Political Task*. London: SCM Press.
- Preston, R. H. (1983). Politics, the Church and the Gospel in the Late Twentieth Century. In *Church and Society in the Late Twentieth Century: The Economic and Political Task* (pp. 114-139). London: SCM Press.
- PROCMURA. (2011). *PROCMURA Background*. Retrieved April 7, 2011, from http://en.procmura-prica.org/pages/About_Us.vrt
- Prunier, G. (2008). *Kenya: roots of crisis*. Retrieved July 6, 2010, from http://www.opendemocracy.net/article/kenya_roots_of_crisis
- Puchta, C., & Potter, J. (2004). *Focus group practice*. London ; Thousand Oaks: SAGE.
- Putnam, R. D. (1995). The Prosperous Community: Social Capital and Public Life. In W. D. Burham (Ed.), *The American Prospect Reader in American Politics* (pp. 61-70). Chatham, NJ: Chatham House.
- Rambaldi, G., Muchemi, J., Crawhall, N., & Monaci, L. (2007). Through the Eyes of Hunter-Gatherers: participatory 3D modelling among Ogiek indigenous peoples in Kenya. *Information Development*, 23(2-3), 113-128.
- Raphael, D. D. (2001). *Concepts of Justice*. Oxford: Clarendon Press.

- Rau, B. (1994). Policy and HIV / AIDS prevention: lessons learned. *Aidscriptions*, 1(3), 30-32.
- (1996). Influencing HIV / AIDS policy in Kenya: NGOs build consensus. Policy profile. *Aidscriptions*, 3(2), 49-51.
- Rawls, J. (1971). *A Theory of Justice*. Harvard: The Belknap Press.
- Republic of Kenya: Ministry of Education Science and Technology. (2005a). *Kenya Education Sector Support Programme 2005-2010*. Nairobi: Government of Kenya.
- (2005b). *The Sessional Paper No 1 of 2005 on Policy Framework for Education, Training and Research*. Nairobi: Government of Kenya.
- Ricouer, P. (1991). *From Text to Action: Essays in Hermeneutics, 11* (K. Blamey & J. B. Thompson, Trans.). London: Northwestern University Press.
- Robbins, B. (1993). Introduction: The Public As Phantom. In B. Robbins (Ed.), *The Phantom Public Sphere* (pp. vii-1). Minneapolis: University of Minnesota Press.
- Robeyns, I. (2003). Is Nancy Fraser's Critique of Theories of Distributive Justice Justified? *Constellations: An International Journal of Critical & Democratic Theory*, 10(4), 538-553.
- Rossteutscher, S. (2005). *Democracy and the Role of Associations : Political, Organizational, and Social Contexts*. New York: Routledge.
- Rowland, C. (1999). Introduction: the theology of liberation. In C. Rowland (Ed.), *The Cambridge Companion to Liberation Theology* (pp. 1-16). Cambridge: Cambridge University Press.
- Ruether, R. R. (1981). Christology and Feminism: Can a Male Saviour Save Women. In *To Change the World* (pp. 45-56). New York: Crossroad.
- Sabar-Friedman, G. (1995). "Politics" and "Power" in the Kenyan Public Discourse and Recent Events: The Church of the Province of Kenya (CPK). *Canadian Journal of African Studies*, 29(3), 429-453.
- (1997). Church and State in Kenya, 1986-1992: The Churches' Involvement in the 'Game of Change'. *African Affairs*, 96(382), 25-52.
- Sabar, G. (2002). *Church, State and Society in Kenya: From Mediation to Opposition 1963-1993*. London: Frank Cass.
- (2009). "Was There No Naboth to Say No?" Using the Pulpit in the Struggle for Democracy: The Anglican Church, Bishop Gitari, and Kenyan Politics. In B. Knighton (Ed.), *Religion and Politics in Kenya: Essays in Honor of a Meddlesome Priest* (pp. 123-143). New York: Palgrave, Macmillan.
- Sagovsky, N. (2008). *Christian Tradition and the Practice of Justice*. London: SPCK.
- Sakamoto, I., & Pitner, R. O. (2005). Use of Critical Consciousness in Anti-Oppressive Social Work Practice: Disentangling Power Dynamics at Personal and Structural Levels. *British Journal of Social Work*, 35(4), 435-452.
- Sandel, M. J. (2009). *Justice: What the Right Thing to Do?* London: Penguin Group.
- Sarkin, J. (2001). The Tension between Justice and Reconciliation in Rwanda: Politics, Human Rights, Due Process and the Role of the Gacaca Courts in Dealing with the Genocide. *Journal of African Law*, 45(2), 143-172.
- Schabas, W. A. (2005). Genocide Trials and Gacaca Courts. *Journal of International Criminal Justice*, 3(4), 879-895.
- Scherer, J. A., & Bevans, S. B. (Eds.). (1992). *New Directions in Mission & Evangelization 1: Basic Statements 1974-1991*. Mary Knoll, New York: Orbis Books.

- Schneiders, S. M. (1999). *The Revelatory Text: Interpreting the New Testament as Sacred Scripture*. Collegeville: Liturgical Press.
- Schugurensky, D. (2004). *The tango of citizenship learning and participatory democracy*. Ontario Institute for Studies in Education, University of Toronto. Retrieved from http://legacy.oise.utoronto.ca/research/tlcentre/conference2003/Proceedings/s_w.pdf
- Scott, J., & Marshall, G. (Eds.). (2009a). *Democracy*. Oxford Reference Online. Retrieved from <http://www.oxfordreference.com.ezproxy.aut.ac.nz/views/ENTRY.html?subview=Main&entry=t88.e535>
- (Eds.). (2009b). *Public sphere versus private sphere distinction*. Oxford Reference Online. Retrieved from <http://www.oxfordreference.com.ezproxy.aut.ac.nz/views/ENTRY.html?subview=Main&entry=t88.e1845>
- Scott, P., & Cavanaugh, W. T. (Eds.). (2004). *The Blackwell Companion to Political Theology*. Oxford: Blackwell Publishing.
- Secker, E. (2009). Expanding the concept of participatory rights. *International Journal of Human Rights*, 13(5), 697-715.
- Segovia, F., & Tolbert, M. A. (Eds.). (1995). *Reading from this Place: Social Location and Biblical Interpretation in Global Perspective* (Vol. 2). Minneapolis: Fortress Press.
- Sen, A. (1999). *Development as Freedom*. Oxford: Oxford University Press.
- (2009). *The Idea of Justice*. Cambridge, Massachusetts: Belknap Press.
- Shafritz, J. M., Layne, K. S., & Borick, C. P. (2005). *Classics of Public Policy*. New York: Pearson.
- Shapiro, I., & Kymlicka, W. (Eds.). (1997). *Ethnicity and Group Rights*. New York: New York University Press.
- Shaw, R. (1990). 'Traditional' African Religions. In U. King (Ed.), *Turning Points in Religious Studies* (pp. 181-191). Edinburgh: T&T Clark.
- Shaw, R., & Eichbaum, C. (2005). *Public Policy in New Zealand : institutions, processes and outcomes*. Auckland, N.Z.: Pearson Education.
- (2008). *Public Policy in New Zealand : institutions, processes and outcomes* (2nd ed.). Auckland, N.Z.: Pearson Education New Zealand.
- Shorter, A. (1978). *African Christian Spirituality*. London: Geoffrey Chapman.
- Sider, R. J. (2008). Justice. In *The Scandal of Evangelical Politics: Why are Christians Missing the Chance to Really Change the World* (pp. 101-126). Grand Rapids, Michigan: BakerBooks.
- Sklar, R. L. (1983). Democracy in Africa. *African Studies Review*, 26(3/4), 11-24.
- Smith, C. F. (2005). *Writing Public Policy: A Practical Guide to Communicating in the Policy-Making Process*. Oxford: Oxford University Press.
- Smith, L. T. (2005). On Tricky Ground: Researching the Native in the Age of Uncertainty. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage Handbook of Qualitative Research* (Third ed., pp. 85-108). London: Sage Publications.
- Solomon, R. C., & Murphy, M. C. (Eds.). (2000). *What is Justice? Classical and Contemporary Readings* (Second ed.). Oxford: Oxford University Press.
- Soludo, C., Ogbu, O., & Chang, H.-J. (Eds.). (2004). *The Politics of Trade and Industrial Policy in Africa: Forced Consensus?* Asmara, Eritrea: Africa World Press.

- Spivey Jr, J. T. (2002). The Hermeneutic of the Medieval and Reformation Era. In B. Corley, S. W. Lemke & M. T. Loveland (Eds.), *Biblical Hermeneutics* (Second ed., pp. 101-115). Nashville, Tennessee: Broadman & Holman.
- Squires, J. (2008). Deliberation, Domination and Decision-making. *Theoria: A Journal of Social & Political Theory*, 55(117), 104-133.
- Standard Team. (2010a). Church plots referendum battle. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000008923&cid=159>
- (2010b). State, clerics meet over thorny issues. *The Standard Online*. Retrieved from <http://www.standardmedia.co.ke/print.php?id=2000008496&cid=4>
- Staub, E. (2004). Justice, Healing, and Reconciliation: How the People's Courts in Rwanda Can Promote Them. *Peace & Conflict*, 10(1), 25-32.
- Stillwaggon, E. (2006). *AIDS and the ecology of poverty*. New York: Oxford University Press.
- Storrar, W. F., & Morton, A. R. (Eds.). (2005). *Public Theology for the 21st Century: Essays in honour of Duncan B. Forrester*. London: T & T Clark.
- Sugirtharajah, R. S. (Ed.). (2006). *Voices from the Margin: Interpreting the Bible in the Third World* (Revised and expanded 3rd ed.). Maryknoll, New York: Orbis Books.
- Sunday Nation Reporter. (2004). Njonjo Calls for Action On 'Prayers-for-Cash' Bishop. *Daily Nation*. Retrieved from <http://allafrica.com/stories/200402010090.html>
- Survival International. (2006). *African Tribes: Maasai People*. Retrieved October 18, 2006, 2006, from <http://www.africaguide.com/culture/tribes/maasai.htm>
- Sweeney, M. A. (2000). *The Twelve Prophets* (Vol. Two). Collegetown, Minnesota: The Liturgical Press.
- Tabu, S. (2009). *Kenya - The Health Sector*. Retrieved from http://international.iupui.edu/kenya/resources/Health-Sector_PowerPoint.pdf
- Tanui, K., & Ng'ang'a, N. (2006). Corruption and HIV/AIDS. Corruption in Kenya's National AIDS Control Council. *IAPAC Monthly*, 12(2), 39-41.
- Te Paa, J. P. (2001). *Contestations: Bicultural Theological Education in Aotearoa New Zealand*. Graduate Theological Union, Berkeley, California.
- The Anglican Communion. (2011). *Continuing Indaba*. Retrieved April 21, 2011, from <http://www.anglicancommunion.org/ministry/continuingindaba/about.cfm>
- The International Foundation for Electoral System. (2008). *The Electoral Process in Kenya: A Review of Past Experience and Recommendations for Reform*: Submitted to: Open Society Institute, East Africa Initiative (OSIEA). Retrieved from http://www.ifes.org/publication/077c11dc773ce6e94745f7ab711cf11e/IFES%20KENYA%20OSIEA_Aug2_FINAL.pdf
- The New Partnership for Africa's Development. (2012). *About NEPAD*. Retrieved March 6, 2012, from <http://www.nepad.org/about>
- Thiselton, A. C. (2006). *Thiselton on Hermeneutics: Collected Works with New Essays*. Grand Rapids, Michigan: William B. Eerdmans.
- Thomas, N. E. (1995). Mission as Liberation. In N. E. Thomas (Ed.), *Classic Texts in Mission & World Christianity* (pp. 185-205). Mary Knoll, New York: Orbis Books.

- Thompson, J. B. (1993). The Theory of the Public Sphere. *Theory, Culture & Society*, 10, 173-189.
- Travers, K. D. (1997). Reducing Inequities through Participatory Research and Community Empowerment. *Health Education & Behaviour*, 24, 344-356.
- Trudell, B. (2002). Introduction: Vulnerability and Opportunity among Africa's Youth In B. Trudell, K. King, S. McGrath & P. Nugent (Eds.), *Africa's Young Majority* (pp. 1-16). Edinburgh: Centre of African Studies, University of Edinburgh.
- Valentin, B. (2002). *Mapping Public Theology: Beyond Culture, Identity, and Difference*. Harrisburg: Trinity Press International.
- Vermeulen, H., & Govers, C. (1997). From Political Mobilization to the Politics of Consciousness. In C. Govers & H. Vermeulen (Eds.), *The Politics of Ethnic Consciousness* (pp. 1-22). London: Macmillan Press.
- Virtue, D. W. (2010). *Anglican Communion Standing Committee Gives A Pass to Episcopal Church: Separation would inhibit dialogue, say liberal ACC leaders*. Retrieved April 21, 2011, from <http://www.virtueonline.org/portal/modules/news/article.php?storyid=13009>
- Vitale, D. (2006). Between deliberative and participatory democracy. *Philosophy & Social Criticism*, 32(6), 739-766. doi:10.1177/0191453706064022
- Walligo, M. J. (2002). *Struggle for Equality: Women Empowerment in Uganda*. Limuru: Gaba Publications
- Walumungwe, P. M. (2001). The Limits of Difference: Ngugi Wa Thiong'o's Redeployment of Biblical Signifiers in *A Grain of Wheat* and *I Will Marry When I Want*. In G. West & D. W. Musa (Eds.), *The Bible in Africa: Transactions, Trajectories and Trends* (pp. 163-183). Leiden: Brill Academic Publishers.
- Wambuii, H. (2006). The Politics of HIV/AIDS and Implications for Democracy in Kenya. *Conference Papers - Midwestern Political Science Association*, 1.
- Weiler, K. (1991). Freire and a feminist pedagogy of difference. *Harvard Educational Review*, 61(4), 449.
- Welch, S. D. (1985). *Communities of Resistance and Solidarity: A Feminist Theology of Liberation*. MaryKnoll, New York: Orbis Books.
- Wendell, S. (1996). *The rejected body : feminist philosophical reflections on disability*. New York: Routledge.
- West, G. (1995). Reading the Bible and Doing Theology in the New South Africa. In D. M. R. Carroll, D. Clines J. A & P. R. Davies (Eds.), *The Bible in Human Society: Essays in Honour of John Rogerson* (pp. 445-458). Sheffield: Sheffield Academic Press.
- (2009). Liberation Hermeneutics after Liberation in South Africa. In A. F. Botta & P. R. Andinach (Eds.), *The Bible and the Hermeneutics of Liberation* (pp. 13-38). Atlanta: Society of Biblical Literature.
- Westermann, C. (1992). Peace (*Shalom*) in the Old Testament. (W. Sawatsky, Trans.). In P. B. Yoder & W. M. Swartley (Eds.), *The Meaning of Peace: Biblical Studies* (pp. 16-48). Louisville, Kentucky: Westminster/John Knox Press.
- Westheimer, J., & Kahne, J. (2004). What Kind of Citizen? The Politics of Educating for Democracy. *American Educational Research Journal*, 41(2), 237-269.
- White, H. V. (1987). *The content of the form : narrative discourse and historical representation*. Baltimore: Johns Hopkins University Press.
- Winter, R., & Munn-Giddings, C. (2001). *A handbook for action research in health and social care*. New York: Routledge.

- Woodford, M. R. (2004). *Empowerment and Participation in Government Policymaking: Do they belong Together? Can they belong Together? Reflections on the Experience of Newfoundland and Labrador*. Faculty of Social Work, University of Toronto. Retrieved from http://legacy.oise.utoronto.ca/research/tlcentre/conference2003/Proceedings/s_w.pdf
- Wools-Kaloustian, K., Kimaiyo, S., Musick, B., Sidle, J., Siika, A., Nyandiko, W., et al. (2009). The impact of the President's Emergency Plan for AIDS Relief on expansion of HIV care services for adult patients in western Kenya. *AIDS (London, England)*, 23(2), 195-201.
- Wouters, E., van Rensburg, H. C. J., & Meulemans, H. (2010). The National Strategic Plan of South Africa: what are the prospects of success after the repeated failure of previous AIDS policy? *Health Policy & Planning*, 25(3), 171-185.
- Wright, C. J. H. (2004). Justice and Righteousness. In *Old Testament Ethics for the People of God* (pp. 253-280). Downers Grove, Illinois: InterVarsity Press.
- Yar, M. (2001). Beyond Nancy Fraser's 'perspectival dualism'. *Economy and Society*, 30(3), 288-303.
- Yee, G. A. (1995). Ideological Criticism: Judges 17-21 and the Dismembered Body. In G. A. Yee (Ed.), *Judges & Method: New Approaches in Biblical Studies* (pp. 146-167). Minneapolis: Fortress Press.
- (2003). What is Ideology? In G. A. Yee (Ed.), *Poor Banished Children of Eve: Woman as Evil in the Hebrew Bible* (pp. 10-27). Minneapolis: Augsburg Fortress.
- (2004). Ideological Criticism. In J. H. Hayes (Ed.), *Methods of Biblical Interpretation* (pp. 345-348). Nashville: Abingdon Press.
- Young, C. (1998). Ethnicity and Public Policy: An Overview. In C. Young (Ed.), *Ethnic Diversity and Public Policy* (pp. 1-30). London: Macmillan Press.
- Young, I. M. (1990). *Justice and the Politics of Difference*. Princeton, New Jersey: Princeton University Press.
- (1997a). Differing Group Representation. In I. Shapiro & W. Kymlicka (Eds.), *Ethnicity and Group Rights* (pp. 349-376). New York: New York University Press.
- (1997b). Unruly categories: A critique of Nancy Fraser's dual systems theory. *New Left Review*, p. 147.
- (2000). *Inclusion and Democracy*. Oxford: Oxford University Press.
- Zahan, D. (2000). Some Reflections on African Spirituality. In O. K. Jacob (Ed.), *African Spirituality: Forms, Meanings and Expressions* (Vol. 3, pp. 3-25). New York: The Crossroad Publishing Company.
- Zittel, T. (2003). *Participatory Democracy and Political Participation*. Paper Presented at the Joint Sessions of Workshops of the European Consortium of Political Research, Edinburgh, 28 March – April 2, 2003.
- Zuber-Skerritt, O. (1996). Introduction: New Directions in Action Research. In O. Zuber-Skerritt (Ed.), *New Directions in Action Research*. London: Falmer.

Appendices

Appendix A: Ethics Approvals

Appendix B: Guiding Questions for Dialogic Workshops

Appendix C: Guiding Questions for Clergy and Ordinands

Appendix D: Letters of Access to Bishops

APPENDIX A



MEMORANDUM

Auckland University of Technology Ethics Committee (AUTEC)

To: Love Chile
From: **Madeline Banda** Executive Secretary, AUTEC
Date: 9 October 2009
Subject: Ethics Application Number 09/213 **Participatory parity: a paradigm for facilitating critical social policy an promoting public dialogue in Kenya, by the Anglican Church in Kenya.**

Dear Love

Thank you for providing written evidence as requested. I am pleased to advise that it satisfies the points raised by the Auckland University of Technology Ethics Committee (AUTEC) at their meeting on 14 September 2009 and that I have approved your ethics application. This delegated approval is made in accordance with section 5.3.2.3 of AUTEC's *Applying for Ethics Approval: Guidelines and Procedures* and is subject to endorsement at AUTEC's meeting on 9 November 2009.

Your ethics application is approved for a period of three years until 9 October 2012.

AUTEC advises that should the research design or practice alter as consequence of the further consultation that will occur in Kenya, then approval for the amendments needs to be obtained from AUTEC before the data collection continues. Furthermore, the researcher and you are advised that you must ensure that all the participants, including the coordinators, are given full information about the length of the workshops and the provision of meals and hospitality as part of them before they consent to participate.

I advise that as part of the ethics approval process, you are required to submit the following to AUTEC:

- A brief annual progress report using form EA2, which is available online through <http://www.aut.ac.nz/research/research-ethics>. When necessary this form may also be used to request an extension of the approval at least one month prior to its expiry on 9 October 2012;
- A brief report on the status of the project using form EA3, which is available online through <http://www.aut.ac.nz/research/research-ethics>. This report is to be submitted either when the approval expires on 9 October 2012 or on completion of the project, whichever comes sooner;

It is a condition of approval that AUTEC is notified of any adverse events or if the research does not commence. AUTEC approval needs to be sought for any alteration to the research, including any alteration of or addition to any documents that are provided to participants. You are reminded that, as applicant, you are responsible for ensuring that research undertaken under this approval occurs within the parameters outlined in the approved application.

Please note that AUTEC grants ethical approval only. If you require management approval from an institution or organisation for your research, then you will need to make the arrangements necessary to obtain this. Also, if your research is undertaken within a jurisdiction outside New Zealand, you will need to make the arrangements necessary to meet the legal and ethical requirements that apply within that jurisdiction.

When communicating with us about this application, we ask that you use the application number and study title to enable us to provide you with prompt service. Should you have any further enquiries regarding this matter, you are welcome to contact Charles Grinter, Ethics Coordinator, by email at ethics@aut.ac.nz or by telephone on 921 9999 at extension 8860.

On behalf of the AUTEK and myself, I wish you success with your research and look forward to reading about it in your reports.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Madeline Banda', with a small flourish at the end.

Madeline Banda
Executive Secretary
Auckland University of Technology Ethics Committee

Cc: Irene Akinya Ayallo rynix2000@yahoo.com

APPENDIX A

REPUBLIC OF KENYA



NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY

Telegrams: "SCIENTECH", Nairobi
Telephone: 254-020-241888, 2213103
254-020-310571, 2213123
Fax: 254-020-2213215, 318245, 318246
When replying please quote:

P. O. Box 50623-00100
NAIROBI-KENYA
Website: www.ncst.go.ke

Our Ref: **NCST/5/002/R/1063/5**

18th November, 2009

**Ayallo Irene Akinyi
Auckland University of Technology
Private Bag, 28 907
Remuera, Auckland, 1541
202 St. Johns Road
NEW ZEALAND**

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*Participatory parity: A paradigm for facilitating critical social policy and promoting public dialogue in Kenya by the Anglican Church in Kenya*" I am pleased to inform you that you have been authorized to undertake your research in *Bondo and Siaya Districts* for a period ending *31st January 2010*.

You are advised to report to **The District Commissioners, Bondo and Siaya Districts and The District Education Officers, Bondo and Siaya Districts** before embarking on your research project.

Upon completion of your research project, you are expected to submit two copies of your research report/thesis to our office.

A handwritten signature in black ink, appearing to read 'S. A. Abdulrazak'.

**PROF. S. A. ABDULRAZAK Ph.D, MBS
SECRETARY**

APPENDIX B

GUIDE FOR DIALOGIC WORKSHOPS

The proposed workshops present a full-day experiential process of engaging participants in learning and evaluating critically decision-making processes in Kenya. Based on a dialogic design and problem-posing education, these workshops will honour the life experience, observations and wisdom of participants. I hope that during the workshops, participants will themselves develop plan for action(s) for addressing complex socio-economic, cultural and political problems in Kenya.

Techniques

On the first day of the workshops, the researcher and the participants will develop together the process and the shape of the workshops, taking local factors into consideration.

The workshops will generally be facilitator-led, and delivery style will mostly involve interactive group work (trigger questions, stimulations, discussions, and brainstorming). The technique is mainly to raise participants' critical consciousness and to encourage them to engage in critical reflection inextricably linked to socio-political action in the real world.

Activities and schedule

Each workshop will need at least up to five participants to ensure meaningful number of responses to the dialogic capacity building. Participants will be seated in a circle. The sessions will be planned as one-day workshops over a six hour period with two scheduled break, for three days.

Materials

Materials available to participants include note books, pens and presentation materials (flip-charts, and markers).

DAY ONE: INTRODUCTIONS

Session one: Introduction to words and terms.

Session one will begin with introductions. The participants will introduce themselves to the researcher; the researcher will then introduce herself to the participants, highlight key areas of the research, issues in the Participant Information Sheet and Consent forms. This will then be followed by an introduction to key terms and concepts of the study:

CONCEPT	BRIEF INTRODUCTION
Social justice	<ul style="list-style-type: none"> • It is concerned with giving individuals or groups what belongs to them. • General fairness of a society in its division and distribution of rewards and burdens; having the same results and/or negotiating differential treatment based on needs to achieve same results.
Policy	<ul style="list-style-type: none"> • It can be a purposeful statement, written or spoken, by persons in authority aimed at solving a particular problem. • It should be, ideally, the best course of action selected among alternatives in light of given conditions to guide and determine present and future decisions. • Good policy promotes good governance and advances the general well-being of the population while bad policy has the opposite effects.
Public policy	<ul style="list-style-type: none"> • The decisions (course of action or inaction) that affect citizens and are made by government or its representative with regard to a particular issue or a set of issues. • They are expressed in Constitutions, Law-making parliamentary acts (legislative), and court/legal decisions (judicial).
Social policy	<ul style="list-style-type: none"> • It is the part of public policy that has to do with social issues such as public access to social programmes. • It aims to improve human welfare and to meet human needs of education, health, housing and social security, among other social needs.
Public dialogue	<ul style="list-style-type: none"> • It is founded on the assumption that how people communicate determines the kind of world in which they live in. • It is concerned with high quality communication on public issues: involving discussion, debates, and active involvement so that outcomes are used to inform decision-making . • It creates a society in which problems can be explored collectively, solved using available limited resources, differences explored understandably, and better future determined for the entire community.

Session two: brief introduction to processes of policy-making in Kenya

- Kenyan constitution – display copy will be available
- How the government works – display copy will be available
- The Kenya legislative process – display copy will be available
- Kenya’s political climate and its impact on policy-making in the country (impact of 2007 General elections on the roles of the government).
- Public engagement in public decision-making (political participation including in the making and implementation of the ruling party(s) manifestos).
 - Explore public fora that participants are engaged in.
 - Discuss some of the public sites that participants have to talk about issues affecting them and their communities.
 - Explore opportunities for individuals, groups and communities to speak out when services are inadequate.
- How can everyone be more active in participation (explore the “Participatory Model” of policy development).

DAY TWO: SHARING OF GROUP MEMBER'S SOCIAL ECONOMIC, POLITICAL AND RELIGIOUS EXPERIENCES

Session one: Storytelling and raising your voice...

Building the collective learning from day one, participants will share their experiences of participation in decision-making . These will range from decision-making at home/family, Church etc.

A panel of speakers (volunteers) will be identified to begin the session by sharing their own experiences. Participants will then be divided in groups of 3s and each participant invited to share a story from her own life, or explain why they might share an experience with any of the panel of speakers.

This session will end with each group reporting back, and all the participants engaged in identifying the common threads within the shared experiences. The following questions will then be explored:

- What learning can be taken from those levels to decision-making at district, provincial, and national levels?
- How could these be developed for important social and public policy issues such as HIV/AIDS and education?

Session two: Introducing the public's participation in the formation of HIV/AIDS policies in Kenya

This session will begin with brainstorming to test the participants' awareness of HIV/AIDS policies in Kenya.

- What do we collectively know about the policies relating to HIV/AIDS in Kenya?
- How are these policies done?
- Who is responsible for HIV testing, distribution of drugs, care and support – and who makes the above decisions?

After the brainstorming session, the researcher will share with the participants her knowledge of HIV/AIDS policy-making in Kenya. This will include:

- Brief history of HIV/AIDS policies in Kenya
- Which body(s) are responsible for making these policies

The day will end with a trigger question relating to the place of the public (particularly stakeholders – those directly affected by HIV/AIDS) in National HIV/AIDS making processes. This will be explored further in day three.

- What is the place of stakeholders (support group) in making of these policies?

DAY THREE: PUBLIC POLICY DIALOGUE ABOUT HIV/AIDS POLICIES IN KENYA

Building collective learning from Day one and two, participants will be engaged in exploring the most effective ways of engaging stakeholders for just public policy relating to HIV/AIDS.

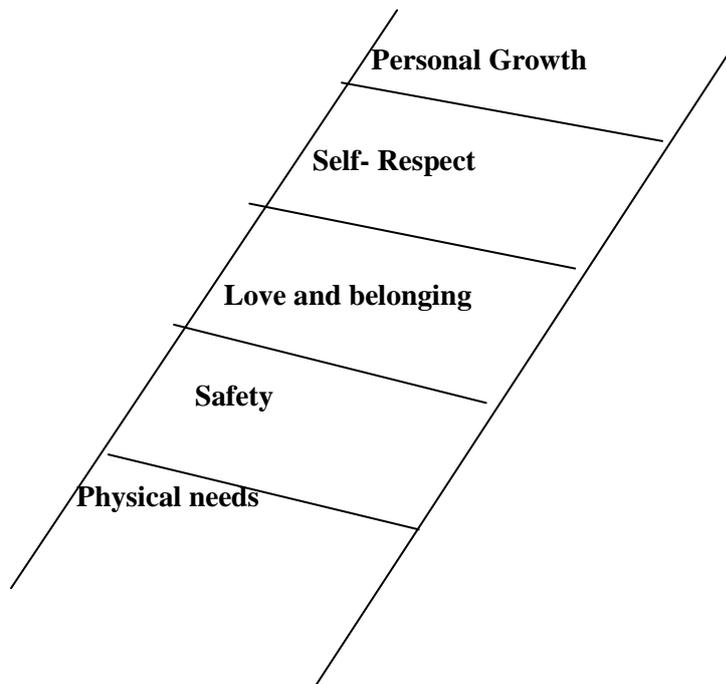
Session one: engaging in needs identification (an example):

Participants will be presented with a framework (adapted from Maslow's ladder of human needs), and in group of 3s, asked to do the following:

- Write their views of each need on the left side of the paper (in relation to your experience)

- Write their views on what other people outside the group may think they need under each need on the right side of the paper.
- Do these lists coincide completely? If not, why not?
- Finally, which of the needs you listed on the left side of the paper do you think are the main needs of your group? Why?

This session will end with participants coming together and comparing and contrasting the needs they identified as most important, and exploring the needs.



Session two: participating in public policy

This session will begin with brainstorming on ways through which the needs identified in session one could be addressed – the best possible ways among other options.

The group will explore how these can be communicated to the public (those outside the group), particularly policy makers to ensure effective policies concerning HIV/AIDS. Pictures and trigger questions will be used to facilitate this discussion:

- Explore the best ways to ensure that you are part of the making of these policies (as an individual, and as group) – *writing comments, face-to-face meetings, conferences, workshops, phone calls, small committees, public debates, and/or consultation meetings?* (use the following pictures to explore best practices)



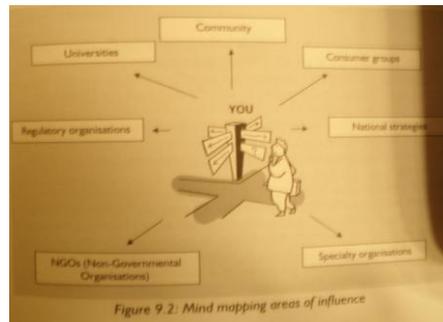


Pictures adapted from Hope and Timmel (1995)

- Whose participation should be encouraged in these processes?
- Whose participation should be minimized in these processes?
- Could the Anglican Church of Kenya in your diocese/district help to make sure you are part of decision-making, and have an active say in these policies? Explores ways through which they could do this. If not, why?

The session will close with participants mapping a way forward for their further work of social transformation. As individuals and as a group:

There are many areas where you could potentially shape and influence, after this workshop. Using the diagram below as an example, where do you see yourself being most influential? How?



Adapted from Hughes & Calder (2007)

- The participants will then collectively identify tools needed for further action. The following with picture will be used to lead the discussion



We need INFORMATION; GOAL; FREEDOM OF PEOPLE INVOLVED; THE PLAN; CHECK ON PROGRESS; OUTCOME

THANK YOU FOR YOUR TIME ☺

APPENDIX C

INDICATIVE QUESTIONS FOR CLERGY AND ORDINANDS

PART I: Introduction (basic introduction to key themes).

CONCEPT	BRIEF INTRODUCTION
Social justice	<ul style="list-style-type: none"> • It is concerned with giving individuals or groups what belongs to them. • General fairness of a society in its division and distribution of rewards and burdens; having the same results and/or negotiating differential treatment based on needs to achieve same results.
Policy	<ul style="list-style-type: none"> • It can be a purposeful statement, written or spoken, by persons in authority aimed at solving a particular problem. • It should be, ideally, the best course of action selected among alternatives in light of given conditions to guide and determine present and future decisions. • Good policy promotes good governance and advances the general well-being of the population while bad policy has the opposite effects.
Public policy	<ul style="list-style-type: none"> • The decisions (course of action or inaction) that affect citizens and are made by government or its representative with regard to a particular issue or a set of issues. • They are expressed in Constitutions, Law-making parliamentary acts (legislative), and court/legal decisions (judicial).
Social policy	<ul style="list-style-type: none"> • It is the part of public policy that has to do with social issues such as public access to social programmes. • It aims to improve human welfare and to meet human needs of education, health, housing and social security, among other social needs.
Public dialogue	<ul style="list-style-type: none"> • It is founded on the assumption that how people communicate determines the kind of world in which they live in. • It is concerned with high quality communication on public issues: involving discussion, debates, and active involvement so that outcomes are used to inform decision-making . • It creates a society in which problems can be explored collectively, solved using available limited resources, differences explored understandably, and better future determined for the entire community.

PART II: ACK and public policy discourse

1. What is your understanding of how public policies are made in Kenya?
 2. Who is involved in public policy-making in Kenya?
 3. Who should be involved?
 4. Do you think the Church has a role?
- b. If yes, what should this role be?
- c. If not, why?
5. Who should facilitate this role within the Church?
 6. In what ways does your parish engage with public policy-making at the present in Kenya (at National level, Provincial level, and District level)?
 7. Who facilitates these conversations of public policy-making?
 8. What do you think of the Church's theology of political/secular power?
 9. Where does the Church derive its mandate for the theology of secular/political power?
 10. Do you know if the Anglican Church in Kenya (or your diocese) has a theology of secular power?

- b. If yes, what is it?
- c. If no, should it have one, why?
11. Do you discuss with your parishioners about socio-political and economic issues affecting them?
 12. Do you do the same with other groups and individuals outside the Church?
 13. Is this important (referring to question 12)?
 14. Do you consider dialogue about socio-political and economic issues an important role for the Church? Why?
 15. In what ways has your parish been involved in mobilisation for economic and political action for your parishioners?
 16. What has been your experience for these mobilisations?
 17. The table below is a basic indication of the different policy components. In what ways do you think the Church can be involved in each of the policy stages?

Policy stage	How the Church can help
Agenda setting Convince policy makers that the issue does indeed require attention	
Formulation Inform policymakers of the options and build consensus	
Implementation Complement government capacity	
Evaluation Review experience and channel it into the policy process	
Underlying Capacity building for church aiming to influence policy	

18. At which of these stages do you think the Church would be most effective. Why?
19. Are there other areas around public policy dialogue we have not discussed that you would want to bring up?
20. If we were going to make recommendations, what kind of policy changes would you want to see to support parishioners to be more actively involved in public policy dialogue?

THANK YOU VERY MUCH FOR YOUR TIME ☺

APPENDIX D

The Reverend Irene Akinyi Ayallo
Private Bag, 28 907
Remuera, Auckland 1154
New Zealand
Email: rynix200@yahoo.com or ckh5475@aut.ac.nz
Tel: +64 (0)21 0479190

RE: PERMISSION TO ACCESS RESOURCES IN DIOCESE

Dear Bishop,

Greetings in the name of Jesus Christ! My name is Reverend Irene Ayallo. I am a student at Auckland University of Technology enrolled for a degree in Doctor of Philosophy. I am doing this research to enable me complete my degree programme.

The purpose of this study is to contribute to the fields of social policy and critical public dialogue for social justice. This research identifies the Anglican Church of Kenya to be an agent of social change. My research aims to help the Anglican Church in Kenya to find ways to help ordinary people to better understand relevant policies that speak on issues of social justice.

Through this study, we hope to start the process whereby the Anglican Church of Kenya may create opportunities for people to become aware of public policies made by government. We also hope to help people understand how people can become active participants in the process of policy development.

Through this research, the diocese may contribute to better ways of making policy that speak to social justice. You may also contribute to opening up of public spaces for ordinary persons to participate in policy development, and other decision-making processes.

Accordingly, I am kindly requesting your permission to access within your diocese materials and documentation relevant to this research and to dialogue, through interviews, with identified resource persons and departments.

I will make available information relating to my research to the diocese and to participants within the diocese. It is my hope that you will be part of this long term development plan. The diocese's participation in this study will be fully and appropriately acknowledged in the final thesis.

Thank you in advance.

Yours Sincerely,
Irene Akinyi Ayallo