



HAKIMANI

e-Newsletter of Jesuit Hakimani Centre
the faith and justice centre of the Society of Jesus in Eastern Africa
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News and Events



From (R) Bishop Alfred Rotich of Military Ordinariate, Mr Denis Oricho and Jesuit Hakimani Centre Director Fr Ignatius Ikunza, SJ. Bishop Rotich said reconciliation is meaningful when people involve God in their lives and Kenyans need to transform their religious values into public life. He noted that good relationship with God and fellow man is part of what sustains human life. Bishop Rotich commended Hakimani's efforts of facilitating social justice agenda. PHOTO: Zacharia Chiliswa

Basic Needs Basket Annual Survey

The Nairobi Basic Need Basket annual house hold survey covering 320 households kicked off on 26th September 2009. The survey in 16 slums aims at providing insights on how much families in spend on food and non food items. The 2009 survey will aim at comparing subsequent findings since the inception of the programme. The survey will explore what coping strategies slum dwellers are using given the water, energy and food crisis the country is experiencing. The global financial crisis and the aftermath of the post election crisis will also feature in the annual survey.

The catholic economic justice group network

The catholic economic justice group network met on the 5th October to discuss possible interventions that the network would pursue in dealing with the reform agenda. They agreed that there is an urgent need for the network to be proactive when dealing with

matters of national importance. Key among the items that the network planned to embark on are

- Liaison with the Catholic Justice and Peace Commission on advocacy issues surrounding economic justice.
- Collaborate with other faiths and civil society organisations

The network agreed to re-engage the debt movement campaign and will issue a press statement on the current state of Kenya's external and domestic debt. This will coincide with the Global financial week on debt.

TJRC working group meeting

On 7th October Hakimani attended a working group meeting on Truth Justice and Reconciliation Commission (TJRC) convened by Catholic Justice and Peace Commission. The working group has been working on awareness programmes to help

In this Issue:

- BNB Annual Survey
- TJRC Working Group Meeting
- Nairobi Judicial Vicars Workshop
- The Second African Synod: What it Means for Africa

APPEALS

- In the next issue of Hakimani e-Newsletter: November, we will focus on: "As dissatisfaction continue to grow in national judicial systems, how African values and wisdom be utilised in the modern restorative justice system?"
- Deadline for E-Newsletter submissions, every last Thursday of the Month.

members of public engage meaningfully with TJRC when it begins its work.

The ongoing programmes focused on:

- Raising awareness among communities of the current process by Kenya government to address past human rights violations through TJRC and help them understand its mandate and purpose,
- Undertake thematic and regional mapping of key transitional justice issues and past human rights violations,
- Identify victims and alleged perpetrators to be brought together at local level through TJRC to effect meaningful healing and reconciliation.
- Train communities on giving evidence, including testifying under oath and writing memoranda
- Assist communities seek justice in form of reparations through the JTRC mechanisms,

Upcoming activities

Nairobi metropolitan tribunal workshop

From 2nd – 6th November 2009 Hakimani in collaboration with archdiocese of Nairobi will hold a three day workshop aimed at enlighten the judicial vicars and tribunal officials on the need to set up functional tribunals. The workshop will among others cover

- Ministries of tribunals and their functions/ process of trial
- Grounds of nullity
- Types of tribunals/ experiences of working tribunals
- Criminal proceedings./ process of civil trials/ jurisdictions

Other Activities

- From 16th – 18th October Hakimani will be in Dodoma Tanzania for workshop on Catholic Social Teaching, conflict resolution and Review of the ongoing African Synod on Church as an Instrument of Justice, peace and reconciliation.
- On 10th November Hakimani will offer a workshop on human rights to Beyond the Vision women group in Machakos on the rights of people living with HIV and surrogate mothers.

Help Children Hit By Post-Election Violence

Jesuit Hakimani Centre and Radio Waumini are seeking donations for children affected by the post-election violence living in internally displaced camp in Naivasha.

Donations of food, clothes, and other items will be collected and taken to the children. The exercise, called 'Bless a Life Campaign, started on September 1st and will go on till October 24, 2009. The

two institutions are also requesting for cash donations for sponsoring vocational courses to help guarantee a better future.

Please drop your donations at: Karen Catholic Church, St John the Baptist Catholic Church Riruta, Consolata Shrine, Our Lady of Guadalupe, Holy Family Basilica, Holy Cross Catholic Church Dandora, Kahawa West Catholic Church or at Jesuit Hakimani Offices, Hekima College or at Royal Media Offices.

For more information

Contact: Tel: +254 020 359 7097 Mobile: 0710657200.

The Second African Synod: *What it Means for Africa*

Peter Henriot, S.J.¹

“Church in Africa in Service of Reconciliation, Justice and Peace” – what does this mean for Africa?

That’s a question I puzzled over the preparation for the Second African Synod taking place in Rome. For many of the AMECEA countries – e.g., Uganda, Kenya, Eritrea, Somalia, Sudan, Ethiopia – reconciliation is surely a burning issue, a major challenge. Daily military conflicts or outbreaks of violence mark the lives of the people. How can reconciliation within a context of justice and peace be achieved amidst such conflicts and violence? Moreover, what is the role of the church as a promoter of that reconciliation? Yes,



From right Archbishop John Cardinal Njue, Bishop Philip Sulumeti, President Mwai Kibaki and Apostoli Nuncio Archbishop Alain-Paul Lebeaupin.

problems of poverty, bad governance, HIV/AIDS, corruption, and ethnic violence.

Reconciliation is Social Harmony

Well, as I thought more deeply about this issue, I came to realise that “reconciliation” is indeed an important topic for all of the African countries that will participate in the Synod. For this theme does not only apply to places where there is military action or conflictive clashes. It speaks to the much wider, much deeper theme of *social harmony*.

A search on my computer for synonyms for “reconciliation” showed me that lesson very clearly, since I found words like settlement, forgiveness, understanding, resolution, compromise, reunion, agreement, consensus, bringing together. All of these words apply to situations conducive to the other two themes of

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the Synod, justice and peace.

A bit of historical recollection as well as theological reflection helped me relate the theme of this Second African Synod to the First African Synod held 15 years earlier. That Synod opened the first week of April 1994 – the moment of the Rwandan tragedy of genocide. Moreover, it closed at the beginning of the first week of May – the moment of the South African miracle of the inauguration of Nelson Mandela. Between these moments of sinful disaster and of graced hope, the bishops laboured greatly.

Relevant and Credible

As one West African bishop put it during the debates, “Our task is clear: Church of Africa, how can we be *relevant* and *credible*?” Relevant in touching the real lives of people, credible through practising what we preach. A true challenge, indeed!

I think it is the experience of that First Synod and what followed it that is preparing our African Bishops to take up the topic of the Second Synod. For as we look back over the past 15 years, we see signs of hope but also of desolation. Especially the mix of hope and desolation in areas of reconciliation in Sudan, Sierra Leone, Congo, Zimbabwe, Liberia...

The *Agenda* document for the Second African Synod (*Instrumentum Laboris*) that Benedict XVI presented to the African Church during his visit to

Cameroon in March of this year sketches out the meaning of this theme of reconciliation as it relates to justice and peace. In addition, as I read it I came to understand more deeply just how relevant the theme is to Africa. There are plenty of areas where reconciliation is needed if we are to enjoy the justice and peace central to our future development.

Let me suggest seven contexts within which reconciliation is necessary. I am sure that these contexts are replicated in so many other African countries. What are the key questions that arise in these areas of needed reconciliation?

Political context for reconciliation

Politics is all about the lives of the people in community and how we cooperate with each other to promote the common good. In many African countries, these are some of the questions that must be faced if a political context of reconciliation is possible.

- Are political leaders trusted servants? Do they have the interests of the people before their own interests?
- Do we have mature multi-partyism in our everyday political activity? Alternatively, is the Opposition seen only as undesirable enemies, not to be listened to or cooperated with?
- Are elections “free and fair” and acceptable? Do national results reflect dangerous tribalism or regionalism?
- What is general feeling of the people about the Government of the Day and the Ruling Party? Is it trusted and respected?
- Do we have a good Constitution, one with strong separation of powers and basic constitutional guarantees (e.g., Bill of Rights)?

The Church in Africa, the 1995 letter of Pope John Paul II that laid out the follow-up to the First African Synod, emphasised that Africa needed “holy politicians.” Surely, that is a requirement for the political reconciliation so necessary on our Continent!

Governance context for reconciliation

For any country in Africa, to develop in a sustainable fashion, it needs the spirit, instruments, and attitudes of good governance. Where this is not present, reconciliation is strongly required. Some questions to ask:

- Is there a democratic culture that promotes and respects government *of the people, by the people, for the people*?
- Does the public service really serve all our people?
- How localised and decentralised is government? Is it close enough to the people throughout the country that it readily knows the needs and responds quickly to the problems?
- What is the extent and consequence of *corruption* at various levels? Do we tolerate corruption or is it effectively fought against?

Governance embraces the elements of power and authority. A spirit of reconciliation spreads the participation in the power and authority across the wider society and that is certainly necessary for the justice and peace we long for.

Economic context for reconciliation

The economy is the activity of a country in its overall efforts to meet the needs of the people. Resources both domestic and external must be utilised in a sustainable fashion. However, reconciliation challenges arise when the economy is not serving the people.

- How is Africa feeling the consequences of the global economic crisis? Are we experiencing problems not of our own making or of our ability to solve on our own?
- Is external trade really benefiting the people or only the foreign investors who now own all our mines? Do these

investors pay fair taxes that will benefit all our people?

- Do we have economic planning that puts people first in terms of decent employment with good wages and safe conditions?
- How stable is our national currency? Is inflation pushing the price of the basic needs out of the reach of ordinary people?
- How about economic cooperation with the other countries in our region?

Social context for reconciliation

When we speak of reconciliation, we probably first think of relationships among people. Therefore, it is necessary to look at the social context, the milieu within which people relate to each other, respecting rights and fulfilling duties. Some questions to ask include:

- Do we recognise the growing gap that presently exists between the rich and poor, between the urban and rural populations?
- Can we challenge economic plans and business practices that do not prioritise social indicators, that is, the measurements of health, education, and general well-being of the people?
- How do we promote gender equity in our society and in our church? Are women treated as second-class citizens or fully incorporated into decision-making and benefits?
- What about youth empowerment? Are young people considered only as the “future” of the country or do we see them as essential players in the “present”?
- Is the HIV and AIDS pandemic looked at as a development and justice issue and not simply as a medical or behavioural change issue?
- How does our church identify with the poor, the majority of the population?

The African wisdom of *ubuntu* stresses that “A person is a person only through other persons.” That surely is a necessary route for social reconciliation in Africa today.

Ecological context for reconciliation

Increasingly in Africa (and all over our world!) we are recognising that we humans belong to the community of creation, the wider environment that nourishes and sustains all human life. However, we have not always respected that truth, with the disastrous ecological consequences that we now face every day and in every place. How can we reconcile with Mother Earth?

- Do our government, our civil society organisations (CSOs), our business community and our church prioritise environmental issues?
- Is there sometimes a trade-off between the promotion of foreign investment and the protection of ecological

concerns?

- Do our church patterns promote a “green culture” that is respectful of the environment? (We have the strong teaching of Pope Benedict XVI to guide us on this point!)
- What effect do our personal life-style choices have on environment?

The reconciliation required in this context means that we should hear more Sunday homilies and catechism lessons on the beauty of creation and our duties to respect the integrity of creation.

Cultural context for reconciliation

We know that culture comprises customs, values, languages, traditions, and all the way of life, that enriches a people. In Africa, we have a rich and vibrant culture, but there are many areas in which reconciliation is required.

- Is there really something that we can describe as “African culture”? Should we strive to keep it pure and unchanged or is it good that it is evolving and assuming new shapes?
- Are values entering into our societies threatening traditional culture? What is the impact of globalisation on our traditions?
- Are there cultural elements and practices that we should challenge because they are not truly beneficial to the community today?
- Are our youth becoming “deculturated” in the sense of losing touch with good traditions like respect for elders and promotion of community?
- Within our church, are there “clashes” of culture manifested in liturgical disputes over songs and dancing?

It seems to me that meeting the big challenge of “inculturation” in our Church in Zambia really demands a spirit of reconciliation if we are to move forward in unity and beauty. It is not surprising then that the Agenda for the Synod can say that “Inculturation is more crucial than ever...” (*Instrumentum Laboris* #71)

Ecclesial context for reconciliation

One more very important context for reconciliation in Africa is within the Church itself. That is no surprise, since the First African Synod taught us that the Church is the “Family of God” and surely reconciliation must begin with us.

- Is our church experienced as really *relevant* and *credible*?
- Are our Small Christian Communities (SCCs) places of peace and justice in practice and promotion?
- As the “Family of God” are we welcoming, encouraging, teaching, forgiving, life sustaining, self-governing?

- Is justice and peace ministry a priority? Alternatively, does it take a second place to other demands of parish and diocesan life (in terms of personnel and budget)?
- Are laity respected and involved as responsible Christians? Are parish councils active and influential in the direction of our Church?
- Do youth feel at home in our church? Or are they attracted more to other groups like Pentecostal sects?
- Are women recognised fully in our church and is sexism (discrimination) seen as a sin?
- Are our clergy and women/men religious respected in their commitments and life styles?

The social teaching of the church reminds us that those who would speak justice to others must first be seen to be just themselves (*Synod on Justice in the World*, 1971). Surely, that applies very strongly to promotion of the theme of reconciliation. Only a Church that works to be reconciled within itself can be an effective instrument of reconciliation in the wider society of Africa today.

Conclusion

Now obviously the Church in Africa does not have all the answers to all these questions about reconciliation either in theory or in practice. However, for the Second African Synod to promote a church that is relevant and credible to the people, it must address these areas of reconciliation.

I began my reflections by expressing the uneasy feeling that I had that a Synod theme of “reconciliation” might not be that applicable to all African countries, some are blessedly absent from war and internal conflict. Further reflection has taught me that this theme of the Second African Synod is extremely appropriate to many if not all.

Democracy: Guaranteeing Representation

Simon Rugu

As Kenyans contest the nature of interests government should respond to (internally displaced persons, the saving of the Mau Forest, the process and content of a new constitution) the effectiveness parliament in facilitating these concerns is in doubt. The debate alludes to parliament as the key institution that should lead in facilitating reforms. Thus, the common thread in Kenya as in many other countries, the debate is about the inherent strains of parliamentary democracy and how it can be managed more effectively.

For many centuries, democracy has evolved to become the central feature of good governance discourse. Now, though the ideals of constitutional democracy are far from being fully realised, this model of governance has proliferated the world, particularly in the post cold war era. A token of the new understanding of constitutional democracy is the binding together of the executive and the legislature in a reciprocal balance under the law. However, admittedly, this has fostered dynamics that have been shaped by the unique nature of states and the challenges they face.

The Strains of Democracy in Kenya

Democracy starts from the premise that government should respond to people's interests. In Kenya, ministers affiliated with the Government have cautioned about the possibility of the parliament reconfiguring itself into an attenuated form of dictatorship.

The introduction of the live broadcasting of parliamentary proceedings and the opening up of committee sessions to stakeholders under Kenya's Parliament new standing orders will subject parliamentarians to public scrutiny. Thus making it possible for the public to hold their political leaders accountable, yet, there remain several challenges that make Kenyan parliamentary democracy less than what it should be. Much of these are reflections about effective means of ensuring accountability in Kenya's representative democracy and thus the efficacy of the traditional elections based systems. This reflection generates concerns for tolerance while ensuring pluralism and by extension tolerance.

In Kenya, elections are a weak mechanism for ensuring accountability and guaranteeing tolerance. For the most part, political parties are just partaken as vehicles to steer people to positions of political leadership. Political parties are not informed by ideologies. Their manifestos are just tools used in anticipatory representation. They are modeled around civil masses' needs and make election campaign pledges that are aligned to such interests. The duty bearers have therefore managed to escape accountability by denying people the space to engage in deliberations about actions and decisions that affect them. Observations point to the fact that despite heavy anti-incumbent voting in Kenya over the last two elections, the voting pattern has not yielded the type of responsiveness that would match people's expectations. The relationship between parliamentary representation and tolerance therefore remains skewed.

The purpose of this discussion is not to dismiss parliament as a key institution for democracy, it is an essential element in maintaining political order. Nevertheless, accountability and tolerance within the scope of the social contract between the political mass and the representatives is flawed. New models of governance like coalitions government formed have exploited jurisdictional gaps and have made parliamentary democracy in Kenya blunt for ensuring tolerance. The Kenyan parliament is still grappling with the notion of a grand opposition that would help reinforce tolerance under the new political arrangement.

The *sui generis* nature of the state in which there are several ethnic nations has also led to parliamentary democracy failure in Kenya. The power relations between factions based on party affiliation in which ethnicity is a variable, has characterised legislative processes in Kenyan.

Tolerance through the exertion of pressure on parliament by the civil society has also not been successful. Parliament has succeeded in passing anti-media legislation. The civil society groups' initiatives have also not ensured democratic deliberations. They have themselves been comprised of the society's elites and many have not managed to incorporate people at the community levels. Even where they have managed to reach the grassroots, they have not been initiatives of the local and have thus been a case of 'the powerless answering to the powerful'.

Conclusion

Institutionalised accountability mechanisms can guarantee the space that Kenyans need for pursuing democratic ideals. These ideals should feature in the current debate on political and constitutional reforms. However, mechanisms for public participation in these processes need to be enhanced, as this is the only sure way in which the challenges of parliamentary democracy in Kenya can be transcended.

APPEALS

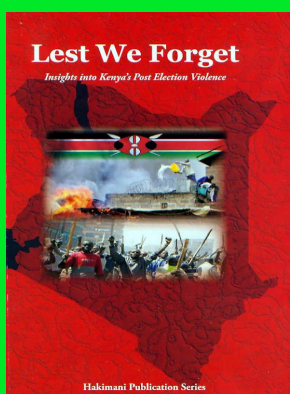
Hakimani Publications

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- Interested in contributing a reflection on a social justice issue in your locale in Eastern Africa?
- Are you organising or have attended an event seeking to promote social justice in the region?
- Are you involved in a campaign for transformation of unjust social structures?

Email us: editor@jesuithakimani.org



New Book

Jesuit Hakimani Centre has just published a new titled **Let We Forget: Insights into Kenya's Post Election Violence**. This book is a contribution to the ongoing struggle in Kenya to deal with past evils and forge a new shared future.

Copies are available at Catholic Bookshop and Hakimani Centre. **Price Kshs. 200/=**

Hakimani e-Newsletter is the electronic monthly supplement of Hakimani: Jesuit Journal of Social Justice in Eastern Africa.

It offers reflections on issues of concern to social justice in the region, as well as announcements of news and events.

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Working for a Just World

Jesuit Hakimani Centre is the social justice, research and advocacy centre of the Eastern Africa Province of the Society of Jesus. The province comprises of Ethiopia, Kenya, Sudan, Uganda and Tanzania.

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