

Network for Inter faith Concerns

Christian-Muslim News Digest Issue 1 2009

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Introduction

Welcome to the first issue of the Digest for 2009. I, John Chesworth, of the Centre for Muslim-Christian Studies, (<http://www.cmcsoxford.org.uk/>) based in Oxford, am the new editor of the Digest and I wish to begin by explaining the approach that will be taken in this and subsequent issues.

It is the purpose of the Digest to present an analytical synthesis of news about Christian-Muslim relations throughout the world. Each issue will examine current events as well as having a regional or country focus, which aims to give a more detailed contextual study, including contributions from those with expert knowledge.

This issue looks at church closures in Algeria, Christians in Mosul, Iraq, electoral violence in Plateau State, Nigeria, and in more detail at Kenya and Tanzania.

Church Closures in Algeria

In June 2008, *Reuters* [reported](#) that six churches had been closed down and that Christians were being accused of converting Muslims.

In September 2008, *Christianity Today* [reported](#) that half of Algeria's fifty Protestant churches had been forced to close.

The Algerian government passed a law concerning non-Muslim worship in February 2006, Ordinance 06-03. This provides for the freedom of non-Muslims to practise religious rites, on condition that the exercise thereof is in keeping with the ordinance, the Constitution, and other laws and regulations, and that public order, morality, and the rights and basic freedoms of others are respected. The law requires organised religious groups to register with the Government, it controls the importation of religious texts, and increases punishments for individuals who proselytize Muslims. In addition, the Penal Code of 2001, which restricts public assembly for religious practice to approved public places of worship and prohibits efforts to proselytize Muslims, now appears to be being applied with more vigour.

Ordinance 06-03 requires churches to register, however it was not until February 2008 that the government began to enforce this. Since that time, churches have been closed down and Christians have been arrested and tried on charges of 'seeking to convert Muslims' and 'practising a non-Muslim religion without authorization'. *Reuters* reports that some Mosques have also been closed down under the Ordinance.

In June 2008, four Algerian Christians were given suspended sentences of two months and fined 100,000 Dinars (c. \$1,500), for seeking to convert Muslims; other cases have included a foreign Catholic Priest who was found guilty of praying in an unauthorized place and was given a two months suspended sentence and a 20,000 Dinar fine (c. \$300).

In late October 2008, three Christians were acquitted after facing charges of blaspheming Islam. Reports concerning the situation state that 'the acquittal was part of a larger trend of the Algerian government bowing to international media attention and government condemnations of such cases.'

Various churches report that they have attempted to register, in order to comply with the Ordinance. At present the Catholic Church is the only non-Islamic religious group which is officially registered to operate in the country. Leaders of the Anglican Church, Protestant Church of Algeria and the Seventh-day Adventist Church report that their applications for registration have been pending, without a response, for more than 2 years but report no government interference in their holding services. One church in Ouadhia reports that they attempted to apply for registration 12 times between February and April 2008. On each occasion, local authorities refused to accept the documents. Other churches, including Methodist and Presbyterian, have affiliated their organizations to the Protestant Church of Algeria.

According to reports, many Christian groups, especially evangelical churches, have not attempted to obtain legal status from the Government. This may be in order to avoid having an official existence thus allowing them to regroup after a church has been closed. One pastor is reported as saying that after the government closed one church, ten more have opened. Other churches operate without registration, some openly, while some secretly practise their faith within homes.

The largest number of Christians are in the Kabylie region where there are thought to be 10,000 Christians, largely from the Berber minority, who are seen to be disaffected from the Arab majority. The Arab press refers to 'mass conversions' and questions the motivation of the new converts.

The reasons for the government's actions seem to centre on a concern that Christianity is gaining a presence in the country, together with the build up to the 2009 elections and a desire to gather support from Islamists.

In November 2008, Parliament voted to allow President Bouteflika to stand for a third term in elections due in April 2009. This must have required the support of Islamist groups within parliament.

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Christians in Mosul, Iraq

In October 2007, two Syriac Orthodox Christian leaders were kidnapped, but released after the payment of a ransom. On 29th February 2008, Archbishop Paulus Faraj Rahho, the leader of Chaldean Christians in Mosul, was kidnapped. He [died](#) in captivity and his body was found on 13th March 2008.

In September 2008, following the earlier failure to pass an election law, the Iraqi parliament passed a revised provincial election law requiring elections by 31st January 2009. The revised law removed Article 50, which would have protected the rights of minorities by guaranteeing their representation on provincial councils, by allotting 13 reserved seats (spanning six provinces) to the Christian, Yazidi, and Shabek minorities. This, despite the creation by Prime Minister Maliki of a Minorities Committee, led by a cabinet-level official, in June 2008.

In October 2008, *Reuters* [reported](#) that some 2,000 families, an estimated 12,000 people, fled Mosul after a campaign of threats and attacks against the Christian community, when around 12 Christians were reported killed, and several Christian homes were targeted in bomb attacks.

It is estimated that before the US-led invasion in 2003 there were up to 1.2 million Christians in Iraq. Current population estimates range from 550,000 to 800,000. About two-thirds of Christians in the country are Chaldeans (an eastern rite of the Catholic Church), nearly one-third are Assyrians (Church of the East), and the remainder are Syriacs (Eastern Orthodox), Armenians (Roman Catholic and Eastern Orthodox), Anglicans, and other Protestants. The majority of Christians are in Baghdad or in and around Mosul, capital of Nineveh province.

The reasons for the events in Mosul, with the consistent targeting of Christian groups, are complex. Mosul is in territory which is presently disputed by Kurds and Sunni Arabs, leading to Christians being targeted by radicals from both sides. The Kurdish interest in Mosul is a recent one, as they attempt to gain control of a larger portion of Iraq at a time when the central government is ineffective.

The kidnappings and killings have sometimes been in order to extract ransom money, but at other times are claimed to be because of the failure of the Christians to pay 'protection money', with the term *jizya* specifically being used. *Jizya* is a tax payable by non-Muslims, particularly 'People of the Book', as tribute to Muslim leaders. This claimed explanation seems to be the result of Sunni radicals wishing for a return to the imposition of the regulations that governed client communities in classical Islamic times, with Christians paying *jizya* for protection in lieu of being required to fight.

The Guardian reported that 'The targeting of Christian intellectuals, professionals and priests - and the bombing of churches - has been seen as an attempt to destabilise the community and encourage it to leave Iraq.' This indicates that some Muslim groups wish to remove minorities from Iraq.

The cartoonist Gary Trudeau highlighted the situation of Christians forced out of Iraq in his [Doonesbury](#) strip from 29th December to 3rd January 2009, where his 'inept' TV reporter Roland Hedley interviews Iraqi Christians who are in Syria. This strip demonstrates the media's interest in the success of 'the surge' while ignoring of the reality of the plight of this group.

Attacks on Christians in the area of Mosul, possibly motivated by the revision of the law, contributed to an exodus of Christians from northern Iraq and the continued fragility of Iraq's political and security situation.

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Electoral violence in Plateau State, Nigeria

Local elections at the end of November 2008 in Plateau State, Central Nigeria led to an **outbreak** of violence in Jos, with as many as 500 people being killed, including six pastors, and with at least 10,000 people being displaced.

Violence erupted after rumours spread that the All Nigerian People's Party (ANPP) candidate had lost the local government chairmanship in Jos North to the ruling People's Democratic Party (PDP) candidate.

A local source, from the University of Jos, relates the events as follows:

The rioting, killings and burnings were said to have started at about 2am, on the night after the election, that is, before the announcement of the outcome of the elections. The rioters were protesting the counting of votes sensing a deliberate act by the Independent Nigerian Electoral Commission (INEC) officials to rig the election of the Kabong ward in favour of the People's Democratic Party (PDP). Whether this is true or not, the inhabitants of Ali-Kazaure, where the riot actually started, were said to have been taken by surprise as what had started as disagreement turned to wanton killings and burning of churches, houses and shops belonging to Christians who knew nothing about what was going on, considering the fact that the election ended peacefully. Christians in other parts of Jos North were said have responded by burning Muslims' houses, schools and killing of same, having received information that their fellow Christian brothers were being destroyed in Muslim dominated areas of Jos North.

This gives an idea of how events started. Accounts of what happened then vary, but it is clear that both Muslims and Christians were involved in fighting, using guns and machetes, and that churches and mosques were burnt down. However, the relationship between the election result and inter-religious violence is still unclear. It has been suggested that groups were ready to implement previously-laid plans for violence, merely waiting for an opportunity, which was provided by the disputes arising over the election results.

Reports state that up to 1,500 unidentified youths from neighbouring states and from Abuja were arrested carrying dangerous weapons, and that other youths, wearing police uniforms, were also arrested for harassment and looting.

Jonah Jang, Plateau State Governor, gave a 'shoot on sight' **order** to the police and soldiers. It is believed that many of those killed were shot by the forces.

Umaru Yar'Adua, President of Nigeria, **ordered** Federal Police and Military chiefs to co-ordinate the suppression of the fighting and stopped the Plateau State Governor from swearing in the winning candidate until calm was restored.

The State Governor **accused** mercenaries from neighbouring Niger of causing the violence. A local source confirms that mercenaries from Niger were not the cause of the violence. However they were accused of being used by the perpetrators to kill and destroy houses of Christians and indigenes. The government of Niger denied the accusation, stating that the Niger citizens who had been arrested in Jos were long-term residents who worked as water sellers.

Political and religious leaders each made accusations about who had instigated the violence. The spokesperson for the Imam of the main Mosque was reported by *Reuters* as **saying**: "The PDP provided an all-Christian ticket. They started the trouble because they couldn't win." He also accused the security forces of heavy-handed tactics, "As far as we are concerned, we have stopped the violence, but the police have not."

The same local source, from the University of Jos, comments:

The police were accused by some Muslims of killing a lot of Muslims in their homes even after the crisis had been suppressed. An informant said a woman told of how her husband was called out by a group of police men and killed, having been accused of keeping guns and distributing same to aid the rioters. The Muslims feel this is a deliberate act by the state government and indigenes to kill their Muslim brothers under the guise of being policemen. They believe that the majority of the Muslims killed were killed by the combined forces of military and police, who were believed to be Christians.

The Nigerian paper *The Punch* reported that 'The Conference of Nigerian Political Parties (CNPP) has attributed the two-day crisis in Jos to religion and not politics.' It also stated that the Pentecostal Fellowship of Nigeria had said that the crisis was in furtherance of the age-long desire to 'Islamise the whole of Northern Nigeria.'

In a press statement by the Commissioner of Information of the Plateau State government, given two days after the crisis, he noted that the riot cannot be said to be political as the targets of destruction were Churches and not political offices. He also insinuated that the riot was pre-planned to take place on Friday as was the 2001 crisis which also started on a Friday. He also stated that if the cause of the riot was the outcome of the elections, the perpetrators would have waited until the results of the elections were announced before any protest could take place.

Various groups claimed that they were being targeted, with calls for the exhuming for identification of the up to 400 bodies buried in mass graves. *The Punch* reported that the youth wing of the Christian Association of Nigeria and the Igbo community had asked for this, as they were sure that many of the bodies were not Muslims as had been claimed.

The British paper *The Guardian* [reported](#) that the tensions in Plateau State have their roots in decades of resentment by indigenous minority groups, mostly Christian or animist, towards migrants and settlers who come from Nigeria's Hausa-speaking Muslim north.

The House of Representatives set up an Ad Hoc Committee on 2nd December 2008, to find out the causes of the November sectarian crisis and suggest ways of averting a recurrence. It [met](#) in Jos in early January 2009 to receive submissions. Following the setting up of the Ad Hoc Committee, the Plateau State government filed a law suit against the Federal government for setting up a panel of enquiry stating that the constitution of the country gives only the State House of Assembly the right to set up panels of enquiry into any issue relating to the state.

The actions and statements by the Plateau State governor and authorities can be viewed as a reaction to the intervention of the President and Federal government and can only serve to exacerbate the situation.

The Anglican Archbishop of Jos, Most Revd. Benjamin Kwashi, [wrote](#) with sadness about the situation in his Christmas Message, raising important questions as to the causes of the violence.

Jos has experienced violence on several previous occasions, particularly in 1994 and 2001, when many were killed in inter-religious violence. After 2001, the Inter-Religious Council worked hard to develop better relations and feared that the renewed violence was a major backward step. A comment was made that if the recommendations following the previous episodes of violence had been implemented, the situation may have been avoided.

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Islam and Christianity in Kenya and Tanzania

Demography

Reliable religious demographics are notoriously difficult to obtain. Both Kenya and Tanzania conduct ten-yearly censuses, but do not ask about religious affiliation.

Kenya

In Kenya the reported percentage of Christians varies between 60% and 80%, whilst those for Muslims vary from less than 10% to more than 30%, and a small percentage of traditionalists.

Coast Province, including Mombasa and Lamu, has a majority of Muslims, dating back from the arrival of the first Muslims; North East Province and Eastern Provinces have many a large number of Muslims, especially amongst the pastoralists in the North and amongst the Somali community. Muslims are also found in all large towns as well as in pockets in Rift Valley and Western Provinces, dating back to the development of Arab trade routes in the nineteenth century.

Tanzania

Officially, Tanzania states that one third of the population is Christian, one third Muslim and one third traditionalist. The proportion of Christians and Muslims are probably closer to 40% each, with a slightly greater number of Christians, but this is hotly contested by Muslims.

The coastal Regions have a majority of Muslims, together with significant numbers inland around Tabora, Ujiji and Bukoba, all on the Arab trade routes. Most large towns have a Muslim presence, even where the indigenous population has rejected Islam. The population of the Islands of Zanzibar and Pemba is nearly all Muslim. The islands joined Tanganyika as the United Republic of Tanzania, following a revolution in January 1964, just after independence. Previously they had been ruled by the Sultan of Zanzibar, an Ibadi Muslim of Omani origins. Before the European colonization in the 1880s the Sultan had controlled the 10 mile coastal strip of the mainland and obtained guarantees of the continuance of shari'a (Islamic law) after the strip was occupied by Germany and Britain.

Islam

Islam arrived in East Africa within a short time of the Prophet Muhammad's death, brought by traders. It became established on the coast and spread inland from the eighteenth century. During the colonial period, the coastal strip was under the rule of the Sultan of Zanzibar and shari'a was applied. Muslims were involved in the independence struggles and have a sense of having been disinherited at independence, which took place in Tanganyika in 1961, in Kenya in 1963, and in Zanzibar in 1963.

Most African and Hadrami Arab Muslims are Sunni, following the Shafi'i Madhhab (School of Law). Many Asians are members of one of the Shi'a groups; there is an Ibadi presence due to those with Omani origins. The various Sufi turuq (orders) present have had an effect on the spread of Islam. Wahhabi-inspired reform movements have recently made an impact among younger Muslims.

Christianity

When Vasco da Gama reached East Africa in 1498, he was accompanied by Catholic missionaries. The Christian presence established during the sixteenth century did not survive the withdrawal of the Portuguese during the seventeenth century.

Christian missionaries returned in 1844 when Ludwig Krapf, serving with CMS, arrived in Zanzibar and then moved to Mombasa. During the second half of the nineteenth century, Protestant and Catholic missionary societies arrived from Britain, Germany and France and opened up 'mission stations' in different parts of East Africa, which were later to be designated as 'spheres of interest'.

Amongst the Protestant denominations, the earliest to become established were the Anglicans, Lutherans and Unitas Fratrum (Moravians) in Tanzania and the Anglicans, Methodists and Presbyterians in Kenya. They were followed in both Kenya and Tanzania by the Society of Friends (Quakers), the Seventh Day Adventists and the Africa Inland Mission, which formed its own denomination, Africa Inland Church.

Various Roman Catholic orders sent missions to East Africa: the Missionaries of Africa, known as White Fathers (WF) arrived in 1878; the Holy Ghost Fathers (HGF) arrived in 1885; the Benedictines arrived in 1887.

Christianity succeeded in attracting followers through preaching and the provision of education and health services, and spread especially in inland areas, away from the Muslim presence. After the Second World War, there was a rapid growth of Pentecostal churches in East Africa and African Instituted Churches (AICs), particularly in Kenya.

Relations between Christians and Muslims

At independence, Muslims were at an educational disadvantage, meaning that often they were unable to gain government employment; this increased a sense of being 'second-class'.

In the early years of independence, Christian-Muslim relations in general were harmonious.

Tensions increased due to a variety of factors, particularly the growth of a more aggressive style of outreach: Evangelistic campaigns by Christians, often called 'Crusades' and the development of Comparative Religious Study by Muslim preachers, using the Bible to show the truth of Islam in *mihadhara* (Swahili: public debates).

In Tanzania, Muslims and Christians were warned by the government not to preach against other religions. In 1998, the then President, Benjamin Mkapa, spoke about *kashfa za dini* (Swahili: religious slander), which was seen as an attack by the government on Muslims.

The place of shari'a, which has been followed for centuries on the coast, using a system of Kadhi's (Arabic: *qadi*) Courts (see below), has recently become an issue in Kenya, where its place in the constitution is questioned, and on mainland Tanzania, where it was abolished after independence. This has increased tensions between Muslims and Christians.

In August 1998, the American Embassies in Dar es Salaam and Nairobi were bombed by al Qaida which led to heightened tensions between Muslims and their governments. The 9/11 attacks on the US, served to remind people how Americans had been seen to look after their own, rather than Kenyans and Tanzanians, at the time of the embassy bombings in East Africa. This contributed to anti-American feelings.

Crusades and Mihadhara

Christians and Muslims have both used public rallies in order to reach out and try to convert, or often antagonize, each other.

Christian outreach

From the mid-1980s, Christians regularly began to organise outreach in the form of public rallies. These 'Crusades' are usually held on open ground in an easily accessible part of a town. Meetings are held daily in the late afternoon for up to two weeks. They usually have several choirs and a well-known speaker, either from within the country or abroad.

A feature of some of these meetings has been the trend of being aggressive toward other religions. Muslims have found this approach offensive and threatening.

In addition street preachers are to be found in any large town often providing lunch-time 'entertainment' for workers.

Another form of current evangelism is the use of radio and television by evangelists. In Kenya the state broadcasting channel, Kenya Broadcasting Corporation (KBC) and Family TV both regularly broadcast programmes featuring evangelists. Family TV has a regular lunch-time spot featuring Bennie Hinn, who also visits and holds rallies. Two regular 'tele-evangelists' are Bishop Margaret Wanjiru of Jesus is Alive Ministries and Evangelist Pius Muiru of Maximum Miracle Centre. In 2006 Hope FM, a Christian radio station in Nairobi was attacked after it persisted in broadcasting phone-in programmes concerning Muhammad and Islam, despite threats.

Some Christian groups have been involved in polemical preaching amongst Muslims. In Tanzania, one group, *Biblia ni Jibu* (The Bible is the Answer) has been particularly outspoken and its leader has been stopped from speaking and arrested on several occasions.

Muslim outreach

Muslim outreach (*da'wa*) has become increasingly visible in recent years, using a variety of methods, some of which are copied from methods used by Christians.

One reason for the greater level of activity is the arrival of Kenyan graduates from Saudi Arabia, Sudan, Libya, Tunisia and Egypt which has brought friction not only between the graduates and conservative Muslims, but also between them and the followers of other religions especially Christianity. This in turn has led to polemical public debates (*mihadhara*) in big towns like Nairobi, Mombasa and Nakuru; foreign preachers from Tanzania often conduct these.

In January 1998, President Mkapa, speaking at a meeting in Tabora, spoke out against "People who go about distributing cassettes, booklets and convening meetings where they insulted and ridiculed other religions". It was seen by Muslims as an open attack only on them, whereas both faith groups have used these methods. The Muslim weekly *An Nuur* reported such apparent discrimination, when an Assemblies of God Church was given permission to hold a meeting, whilst at the same time the Imam of Chaurembo Mosque was taken in by the Police

for planning a meeting. Muslims were upset by this action which they saw as a clear case of discrimination against them.

Muslims preachers began using *mihadhara* from 1984 onwards as a method of presenting 'comparative religious study,' this followed a visit to Dar es Salaam in 1981 by the South African Muslim polemicist Ahmed Deedat (1918-2005). He subsequently visited Nairobi and Mombasa in 1993.

The approach used by Muslim preachers is modelled on that of Ahmed Deedat. The speaker will commonly use the Bible to show the truths of Islam, demonstrating that the 'Five Pillars' of Islam were being followed by Jesus and Moses. Challenging the listeners as to why it is that Muslims still follow these practices, whilst Christians have rejected them.

In addition Paul is vilified, as the perverter of Jesus' message, arguing that if Christians knew what Jesus had really taught they would revert to Islam.

In recent times Muslims have become suspicious of certain Christian groups who have been offering educational support for Muslim children, as they insist on the children receiving Christian education as part of the sponsorship.

Both Christian and Muslim outreach can at times lead to a heightening of tension and a increasing divisions between the communities.

Kadhi's Courts

Before Independence, both Kenya and Tanzania had court systems allowing for the application of Islamic law in cases where all parties profess Islam in cases relating to personal status: marriage, divorce and inheritance. The Sultan of Zanzibar insisted that the original agreement for the 'coastal strip' to continue to have Kadhi's Courts should be upheld following Independence.

In Tanzania, the government of Julius Nyerere, the first president, removed all Kadhi's Courts on the mainland, but subsequently introduced the 1971 Marriage Act, which is considered to cover all the aspects of Islamic Law that the Kadhi's Courts had dealt with formerly. Since 1998 there have been calls for the government to reinstate Kadhi's Courts.

In Kenya, the government of Jomo Kenyatta, the first president, increased the number of Kadhi's Courts, with one being established in each Province, and their role being 'enshrined' in the Constitution.

In recent years the governments of both countries have had to re-examine the place of Kadhi's Courts.

Kadhi's Courts in Tanzania

In 1985, Julius Nyerere stepped down as president, and a limit of two five year presidential terms was started. The next president was chosen from Zanzibar, Ali Hasan Mwinyi al-Haji. This led to concerns that Muslims would be favoured, as it was now 'their time to eat'. However, various incidents in 1993 showed the effectiveness of the separation of powers and an independent judiciary. In Dar es Salaam several pork butchers' shops were wrecked by Muslim youths, who expected the president to allow such things to happen unchecked. The police and judiciary arrested ring-leaders and some Muslim missionaries were deported. The president summoned religious leaders and warned them not to get involved in politics.

International pressure forced the introduction of multi-party (Swahili *vyama vingi*) politics for the 1995 elections. In order to avoid ethnically based parties, new parties could only be registered, if they had membership from all regions, both mainland and islands. Many parties were registered but they have never gained sufficient support to oust Chama Cha Mapinduzi (CCM) the ruling party on the mainland. On Zanzibar and Pemba, one opposition party, Civic United Front (CUF) has gained a considerable following leading to election violence on several occasions, when its members believed it won an election and that they were being denied power.

One group has espoused the break-up of the union and the separation of mainland and the islands. This group, originally the Tanganyika Party, now Democratic Party, led by Rev. Christopher Mtikila, has pursued its claim through the courts, so far without success. It clearly does not conform to criteria for registration and can also be suspected of being a party with a religious agenda.

CCM was re-elected in 1995 with a new President, Benjamin Mkapa, a Christian from the mainland. In early 1998 he spoke against religious slander, then in February police raided Mwembechai Mosque, in Dar es Salaam, suspecting sedition; several deaths resulted. These events reminded the Muslim community of previous perceived injustices.

At around this time, Muslims began agitating for the reinstatement of Kadhi's Courts. However some Muslims wanted Kadhi's Courts to be separated from the government, as it was felt that if a Kadhi's (Islamic Judge) receives his salary from the government, he is also controlled by the government.

The CCM manifesto for the 2005 elections stated that Kadhi's Courts would be set up. CCM was again returned as the governing party and a new president was elected, Jakaya Kikwete, a Muslim from the mainland.

Following opposition challenges about the intentions of the government, Kikwete, in November 2007, speaking at the installation of the head of the Lutheran Church, distanced himself and the government from the proposal.

In August 2008, parliament debated the setting up of Kadhi's Courts and was unable to agree on the way forward. In October 2008, the Christian Council of Tanzania (CCT), the national organisation of Protestant churches together with Pentecostal churches submitted a petition to the government signed by 64 church leaders. They asked that the Kadhi's Courts should not be set up, as they saw that they would lead to an increase in religious tension. An underlying concern about Kadhi's Courts is the suggestion that Tanzania may try to join the Organisation of Islamic Conferences (OIC), reviving the tensions in 1992-1993 when Zanzibar was forced to withdraw from OIC having joined unilaterally.

If Kadhi's Courts are rejected, this may well confirm the Muslim community in their sense of being treated as 'second-class' citizens and in their jibe that CCM stands for 'Christian Church Movement'.

Kadhi's Courts in Kenya

Under the first president, single party rule was introduced, and from 1969 only members of Kenya African National Union (KANU) could become Members of Parliament. Daniel arap Moi, the second president (1978-2002), became increasingly autocratic, but international pressure in the early 1990s forced the re-introduction of multi-party politics, by the removal in December 1991 of clause 2a of the current constitution. This allowed the registration of opposition parties, and multi-party elections in 1992. Moi and KANU retained power following these elections.

A Muslim group in Mombasa attempted to register a political party, the Islamic Party of Kenya (IPK), but its registration was rejected. A charismatic street preacher, Khalid Balala, became involved in IPK and he began to arrange protests against the Moi government, which became violent. Balala was expelled from the party and went to Germany, returning in 1997.

In 1997, in spite of increased protests against the regime, one of which led to the desecration of All Saints Cathedral by Security Police, Moi and KANU retained power. Pressure was put on them by civil society and the churches as well as from international organizations to carry out a review of the constitution. This process was started in 1998 with the passing of the Constitution of Kenya Review Commission (Amendment) Act. Religious groups were not convinced that the government would carry the process through with impartiality, and continued to speak out. They began the Ufungamano initiative in 1999, when a coalition of religious groups, meeting at Ufungamano House in Nairobi, agreed to work together to help in the process of forming a new constitution for Kenya.

The membership of this group was drawn from different faith groups, including the Catholic Church, member churches of the National Council of Churches of Kenya (NCCCK), the Supreme Council of Kenya Muslims (SUPKEM) and the Hindu Council of Kenya. In June 2000 they announced the formation of a People's Commission, which would draw up its own proposals for the Constitution.

It could be said that the establishing of the Peoples' Commission impelled the government to start the long-expected process of establishing an official commission. The Parliamentary Select Committee on Constitutional Reform guided an Enabling Act through Parliament in October 2000, the Constitution of Kenya Review Act, under which the 15-member Constitution of Kenya Review Commission, headed by Professor Yash Pal Ghai, was established.

At the end of 2000, there was an outbreak of violence in a suburb of Nairobi. Fighting broke out when Muslim youth objected to hawkers (street traders) setting up their kiosks too close to a mosque. In the ensuing fighting the mosque was burnt down. On Friday 1 December, Muslim youths from all parts of the city arrived in the suburb and surrounded a Roman Catholic Church, 'Our Lady of Peace', and attacked it and then burnt it down. As this confrontation developed, the then Anglican Archbishop, David Gitari, visited the site, together with other religious leaders, in an attempt to calm things down. When the visitors were identified, they were pelted with rocks and the Archbishop was injured; at this point the Muslim leaders surrounded him in order to protect him and allow him to be taken to hospital for treatment.

This incident serves to illustrate the risk of violence in Kenya, and to point up situations where religion is used as the reason for violence, when the underlying cause are actually politically motivated, arising from economic and ethnic factors. The fact that Muslim leaders protected the Archbishop is a refreshing show of unity against such actions.

For the December 2002 elections most of the opposition parties united into the National Rainbow Coalition (NARC). Crucially they chose one candidate for President, Mwai Kibaki, who won the election against the KANU candidate Uhuru Kenyatta, the son of the first president.

The new government was welcomed, but divisions formed rapidly, with the Constitutional Review becoming the catalyst. Public discussions on Drafts of the constitution raised questions about whether Kadhi's Courts should be in the constitution. The Muslim members withdrew from the Ufungamano initiative when several church leaders backed the Kenya Church in opposition to the Kadhi's Courts.

In 2005, a draft constitution, produced by the Attorney General, Amos Wako, was presented to the people in a referendum. Wako included Religious Courts for Christians and Hindus as well as Muslims as his way round the problem. This was seen as an attempt to avoid the issue and was one of the factors leading to the rejection of the proposed constitution in the referendum.

Publicity for the referendum used Bananas for 'Yes' and Oranges for 'No'. Quickly, those politicians, who were disaffected by Kibaki, became polarized and formed the Orange political alliance, led by Raila Odinga, to campaign to reject the proposed new constitution. The result of the referendum was a resounding rejection of the proposed constitution. Nationally the 'No' side received 57%, and the 'Yes' side 43% of the vote. Only in Central Province, the home of the president, was there a majority in favour, with 92% voting 'Yes', whilst in the home province of the leader of the 'No' campaign (Nyanza), 87% voted against it. This indicates that many people voted on ethnic lines. The two Provinces with a majority of Muslims (Coast and North East) also heavily rejected the draft constitution, with 80 and 75% respectively, also indicating that Muslims were not in favour of the proposals.

Post-Election Violence in Kenya

Following the referendum, the group who opposed the constitution continued to be identified as being in opposition to the President, Mwai Kibaki; calling themselves the Orange Democratic Movement (ODM), they contested the 2007 elections, with Raila Odinga as the Presidential candidate.

In September 2007, a Memorandum of Understanding (MoU), between Raila Odinga and NAMLEF was 'leaked' by the Evangelical Association of Kenya (EAK). This document was purportedly signed on 29 August 2007. It pledged the support of Muslims for Raila Odinga and ODM, in return for privileges for the Muslim community after the elections. Co-incidentally this was used by right wing American 'bloggers' to smear Barack Obama, who was claimed to be Raila's cousin.

The December 2007 elections were keenly contested with the votes cast for choice of president being very close, between Kibaki of the Peoples National Union (PNU) and Raila of ODM. After a delay of several days, when tension grew, Kibaki was declared the winner by the Electoral Commission and was sworn in straight away. The next morning the country erupted into violence, with inter-ethnic attacks in all but two provinces. (The peaceful provinces were Eastern and North Eastern Provinces, both have significant Muslim populations.)

Burning and looting took place and many people were forced to flee their homes, becoming Internally Displaced Persons. In one of the worst cases, a church in Eldoret, where many Kikuyu were sheltering, was burnt with them still inside.

In Mombasa, the Muslim leaders quickly spoke out against the violence and the levels of violence were much lower in Coast Province than had been experienced there during previous elections.

The post-election violence continued until the end of February 2008. International intervention, led by Kofi Annan, led to an accord between ODM and PNU, with Kibaki remaining as president and Raila becoming Prime Minister, a post that had to be re-introduced by parliament.

A commission, with international membership was appointed in May 2008, under the chairmanship of a senior Kenyan judge, Phillip Waki, they submitted a lengthy [report](#) in October 2008. This detailed over 1100 deaths, almost 750 occurring in Rift Valley province. One third of the deaths were found to be from gunshot wounds, suggesting that they were caused by security forces. In addition over 3,500 people were reported as being injured and more than 117,000 private buildings were burnt.

In August 2008, church leaders acknowledged that they had not acted to prevent the violence and desired to repent of their inaction.

The Waki Report stated:

The 2007-2008 post-election violence was also more widespread than in the past. It affected all but 2 provinces and was felt in both urban and rural parts of the country. Previously violence around election periods concentrated in a smaller number of districts mainly in Rift Valley, Western, and Coast Provinces.

As regards the conduct of state security agencies, they failed institutionally to anticipate, prepare for, and contain the violence. Often individual members of the state security agencies were also guilty of acts of violence and gross violations of the human rights of the citizens.

Ten individuals were named in a sealed part of the report and the Kenyan Government was charged, by the commission, with setting up a Special Tribunal to try post-election violence suspects before the end of January 2009. The Kenyan parliament has been recalled early in order to debate the setting up of the tribunal. If this does not happen they are to be arrested and tried at the International Criminal Court in The Hague.

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