The Private Sector and Violence Prevention in Kenya, 2007-2013

Busines and Peace Case Study

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Description

This case study was written as a contribution to the collaborative learning project entitled: Business and Peace. It is a joint project of CDA Collaborative Learning Projects (CDA), the Peace Research Institute Oslo (PRIO), and the Africa Centre for Dispute Settlement (ACDS), funded by the Carnegie Corporation of New York and the Norwegian Ministry of Foreign Affairs. The project aims to fill the large gap in evidence regarding the effectiveness of business efforts for peace, providing a framework and practical guidance for more effective planning and evaluation of business-peace initiatives, policies and practices. Comments, critiques and corrections are welcome.

More information about the initiative can be found here:

http://cdacollaborative.org/cdaproject/business-and-peace/?src=pub

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Summary

This paper investigates the role of Kenya's business community in conflict mitigation and peacebuilding between 2007 and 2013. It has three overarching findings.

- Kenya is a powerful story about how business can play a positive role in peacebuilding when adopting a lens that focuses on the prevention of episodes of election violence and on business as a lever for change. However, this role was highly personalized and depended on strong relationships of business leaders across sectors and partisan interests. These relationships enabled a handful of individuals to play discrete roles in conflict and exert political leverage for peace with political factions.

- Key elements enabling this positive role are identified as (a) the shock generated by the 2008 violence, which prompted some business leaders to engage in immediate facilitation roles and subsequent conflict prevention roles, motivated both by ethical and moral commitments to further peace in times of violence; (b) hard-nosed business interests to prevent future economic losses; and (c) the tendency of business and politics to work 'hand-in-in hand' in Kenya, which enabled some business leaders to influence political factions holding the levers of violence based on the factions' strong interest in maintaining good business relations.

- Through a conflict systems lens, a more nuanced picture about business engagement in peacebuilding in Kenya evolves. By shaping prevention – deliberately or unintended – under the banner of a centralized state, the protection of private property and land rights, and the export-oriented structure of Kenya's economy, business roles in peacebuilding can inadvertently accentuate incompatibilities on exactly the issues at the heart of shaping conflict dynamics in Kenya. Combining the analysis of the two lenses – a more traditional focus on business values and interest, alongside a focus on conflict systems – results in the paradox that the role of business and peace is positive with respect to the prevention of violent events or episodes, but it does not reduce or transform the underlying sources of conflict that give rise to renewed episodes of violence.

These findings occur in the context of renewed conflict risk around the elections scheduled for 8 August 2017. Addressing systemic risks of conflict and violence means entering a different power game that needs careful assessment in terms of partisan interests and ethical convictions; yet leaving it aside may mean strengthening a fire brigade to extinguish fires without working on the full range of factors that initiate and fan so many fires in the first place. In the face of population, environmental, regional pressures and new conflict dynamics at the local level, Kenya may be reaching a tipping point in the next decade. The current economic system, marked by proponents

of 'closed' and 'open' access orders, may neither be adequate to provide a sufficient degree of justice and inclusion, nor possess the necessary economic opportunities to satisfy the aspirations of the growing number of young Kenyans. Rallying for a more pronounced systems change may therefore increase, resulting in increased pressures for change on incumbent political and business elites. There is a role for business leaders to play in shaping these transformations but they will be one of many actors within a multi-stakeholder coalition for change.

Introduction

The paper develops its argument in five sections. The first section provides a short history of Kenya including its experiences of election-related violence. The second section briefly describes Kenya's business environment. The third section outlines the role of the private sector in promoting peace in Kenya, both in terms of its immediate efforts to 'make' peace during the 2007/8 crisis, and vis-à-vis its longer-term strategy to 'build' peace going forward to the 2013 elections. The forth section explores three types of motivational drivers of the private sector to get involved in the prevention of violent conflict. The final section reveals some of the paradoxes of this specific case study when adopting a systems lens, in particular, how activities of the business can inadvertently shape violence dynamics, despite their longstanding efforts to prevent such violence.

1. Kenya, Conflict and Electoral Violence

The relevant history of socio-political conflict in Kenya dates back to the colonial era when the country fell under the rule of the British Empire. During this period, the colonial administration expropriated approximately 7,000,000 acres of land, much of it within the fertile Central and Rift Valley provinces of the country. Certain local ethnic groups were particularly affected by these seizures, and grievances related to land rights can indeed by traced as one of the principal causes of the Mau Mau Uprising which took place between 1952 and 1960. The British response to that uprising involved a divide and rule policy that substantively politicized ethnic identities.

Beyond land expropriation and the politicization of ethnic identifies that it provoked, the issue of grievances over the political system under which Kenya is governed was also significant. The British colonial regime imposed a strong central state administration on the country and did so – largely – in order to reorder the political economy of the country around an export-orientated model grounded on agricultural production. In taking these steps, however, the administration tended to ignore local power structures, which remain relevant to this day. In consequence, there still exists a political struggle in the country between those who would prefer to maintain a centralized state with a relatively homogenous Kenyan national identity, and those who favored moving towards a 'majimbo' federalist constitution. These tensions remain alive today, in spite of the 2010 introduction of a new semi-devolved constitutional structure, as we will explore further below.

This British legacy of state centralization continued after independence, and particularly during the Moi regime (1978-2002), which saw Kenya ruled under an authoritarian form of government. Notably, this period also further exacerbated the role of ethnic identity in conflict as President Daniel Arap Moi consolidated his power through economic corruption, patronage, and rent-seeking that favored his own Kalenjin tribe and several allied tribes above other ethnic groups. It was not until 1991 that multi-party rule was restored in Kenya. Immediately, and due to a failure to deal with the aforementioned grievances, violence was common whenever elections were held in the country.

Until 2007, however, violence was relatively sporadic and limited in scope, never reaching the scale that it did in 2007. In 2007, accusations of vote rigging led to mass demonstrations and cross-national violence with the wide ranging deadly consequences and economic cost noted in the introduction. Much of this violence is attributed to domestic political shifts in alliances that saw political parties, which were nominally ‘national’ in membership, align their support-bases with ethnic divisions in the country, despite their electoral campaigns focusing broadly on poverty, youth empowerment, and economic progress. Following a delay in announcing the results of the election, opposition supporters attacked those they perceived to be supporters of the incumbent president Mwai Kibaki. Although violence initially began only in slums around Nairobi and the Rift Valley, it spread quickly to other urban centers across the whole of Kenya and continued to divide along ethnic lines, sometimes with direct involvement by the police and other armed authorities. The violence continued until February 2008, becoming particularly intense in the Rift Valley, where armed militias also participated in the violence.

Explanations for the scale of violence in 2007 vary. Principally, it is argued that the role of ethnicity and patronage in Kenyan politics has incentivized incumbent politicians to appeal to ethnic identities among constituents and, so, “to mobilize voters in exchange for promised access to land or public services.” More specifically, Mueller argues that the centralization of power in the Kenyan state means “politics is viewed primarily as a winner takes all zero-sum ethnic game. The national economic cake is the prize. Various ethnic groups argue openly that it is their turn to ‘eat.’” Another explanation has been what Kagwanja calls “an entrenched legacy of ‘informal violence’” from the Moi era and that this, combined with the ethnic divisions cultivated by politicians, explains why ethnic tensions so easily erupted into conflict.” As we have seen, however, all of these issues – land rights, the distribution of economic benefits, and ethnic conflict – find their roots in colonial policies that have up until now remained powerful conflict drivers in Kenya. Indeed, arguably the reason violence erupted strongly in 2007 relates to an inability to address these longstanding socio-political grievances.

2. Understanding Kenya's business environment

Kenya has the reputation for being East Africa's major economic hub. The dominant sectors are agriculture, tourism, construction, financial services, energy, media, and telecommunication. After major terrorism incidents in 2013 and oil developments in the Turkana region, a key growth sectors is private security.

Kenya's business environment has multiple layers of complexity. Consultations have shown that business transactions also occur in the context of a 'low-trust society' in which many people would not trust anyone outside their immediate personal or clan network. Kenya's private sector activity is also informally regulated, especially through government issued contracts or licenses for projects at the national or sub-national level. Obtaining such opportunities requires participation in tenders which in turn rely on informal payments by those actors who wish to win them. Such practices have created an elite of 'tenderpreneurs' that spans across business and politics.

Such 'tenderpreneurship' or other forms of state-controlled economic development is a common phenomenon in many developing countries; and also described in terms of 'limited' or 'open' access orders. In 'limited access orders', authorities limit access to valuable political and economic opportunities through barriers-to-entry such as patronage, tenders or licenses. It allows governments to create a credible commitment among elites not to fight each other because they are better off participating in a mutually beneficial network than by challenging the authorities. 'Open access orders' structure access to political and economic opportunities in competitive terms through markets, elections, and merit. In Kenya, business takes place within the full spectrum of limited and open access orders. Within this spectrum different camps have an interest in maintaining their position within a 'limited-access' order, or in levelling the playing field to allow access to be defined by merit, quality and delivery of results.

3. Business and Peace in Kenya

Within the context of Kenya's heterogeneous business environment, we now investigate what actors associated to the private sector actually did to mitigate and prevent violent conflict between 2007 and 2013. We can distinguish between three phases of action: a) early forms of private-sector alliance building with other key stakeholders in Kenya which occurred prior to 2017, b) forms of crisis-response work that occurred immediately during the 2007/8 outbreak of election-related violence, and c) peacebuilding work that occurred in preparation for the 2013 election. Most analysis has previously focused only on the peacebuilding role of the private sector which took place after the violence of 2007/8 ended and that is celebrated as a particularly high profile success story in the business and peace literature.

Business and Conflict Pre-2007

The private sector's activities on peace and conflict issues began around 2002 and is connected to the creation of a 'Partnership for Peace'. This was largely an "ad-hoc", NGO-driven initiative motivated by the early small-scale violence that had occurred during and after every election since multi-party rule was re-established in 1991. A "loose and informal network," the partnership nonetheless drew on financial support from the private sector. However, in 2004 business actors became more actively involved when a memorandum of understanding signed in 2002 between major political parties, prior to the elections of that year, faced problems in its implementation. A group of eight key figures from civil society and the private sector, including the Kenyan Private Sector Alliance (KEPSA) came together to mediate these difficulties. In particular, although the 2002 memorandum of understanding identified religious leaders as the formal mediators, those religious leaders asked KEPSA to step in given the complexity of religious leadership in Kenyan society and their relative lack of leverage over political agendas. Ultimately, these efforts failed due to – as one key informant puts it – "the obstinacy and hidden agendas of the politicians."

The consultation revealed that another precursor was the relationship building that occurred across a mixed group of individuals engaged in the development of World Bank's Poverty Reduction Strategy (PRS) for Kenya. As part of the PRS, the World Bank convened a number of leading thinkers and practitioners in a three months process to develop an economic recovery strategy for Kenya. Critically, these groups managed to work together without associating labels with each other. The PRS and economic recovery strategy was ultimately undermined by political wrangling; nonetheless, the strong relationships of those who participated in it remained. These relationships facilitated some of the individuals to play the role of honest brokers in 2007/8. In parallel, the creation of KEPSA in 2003 was also a vehicle to build strong relationships. KEPSA brought together Kenyan business representatives who cared not only for their businesses but for a more level-playing field in Kenya's economy.

Thus the period prior to 2007/8 generated a set of strong relationships – based not least on friendship – that cut across sectors and partisan interests. These relationships enabled some individuals associated to the private sector – and others from NGOs – to play discrete roles in mitigating the 2007/8 crises.

Business and Conflict during 2007/8

In the midst of the 2007/8 crisis, prominent figures from Kenya's civil society established Concerned Citizen for Peace (CCP). It was conceived as a "meeting place for members of the peacebuilding community, leaders of civil society groups, representatives of the private sector, reporters from the media, social analysts, politicians and professionals from a variety of disciplines, all expressing their concerns and all seeking to be helpful". The CCP became an important actor to urge an end to violence and to conduct discrete negotiations with members of the government and opposition. KEPSA became an important vehicle for discrete interactions based on "concern about the turn of events, coming, as it did, at a time when optimism regarding Kenya's business environment – after years of stagnation – had been upbeat" key individuals were ready to play there part because they had strong relationship from activities prior to the 2007/8 crises described above. Because of these strong relationships, key business figures were able to exert leverage over political actors. Their relative independence from the political elites enabled them to both directly influence events and strengthen the hands of religious leaders and civil society groups.

Informants for this study with detailed first-hand knowledge of events confirmed that key business figures were especially crucial in gaining influence over the political factions involved in the violence and bringing it to a halt. The business figures engaged in discrete mediation and leveraged their economic roles to convince key stakeholders to end violence. This work included identifying "the good people" – as one informant put it – within government and allying with them to "strengthen them, to support them, to link them up, to give them scripts that they can use, to coach them, to council them." This involved sessions with both Kenyan ministers and private secretaries who ultimately thanked business for their peace lobbying.

In sum, business leaders were important for the mitigation of the 2007/8 crises because they had the political leverage that religious leaders, women's' associations, trade unions and no other CCP members had. Their intervention worked because they prioritized discrete over public means of engagement, as well as an attitude that was described by key informants as 'low-ego patriotism'.

Business and Conflict, 2008-2013

Following 2008, organizations like KEPSA and the CCP shifted gears and took up peacebuilding roles in order to prevent a relapse of violence. The most visible activity carried out by KEPSA was a public communication campaign, Mkenya Daima (My Kenya Forever), which communicated the importance of peaceful elections to the public and civil society, trained representatives from partner groups as peace ambassadors, and disseminated its message via media and events. The private sector also became involved in tackling root causes of poverty, as well as corruption and public sector patronage, while continuing to lobby politicians. KEPSA also worked to organize presidential debates for the 2013 elections, increasing democratic legitimacy and transparency in a way that Kenya had not witnessed before.

Meanwhile, great attention was placed on influencing the media in order to prevent the instigation of violence through incitement. Training and sensitization programs for media owners and journalists were launched and the Media Owners Association provided one free commercial of the Mkyenya Daima campaign for every commercial purchased. Similar efforts were targeted at mobile phone companies whose services had been used to spread hate speech in 2008. Particularly notable are the efforts by Kenya's largest telecoms operator Safaricom, which when threatened with a shutdown of the SMS system, convinced the government to instead allow providers to disseminate messages of peace and calm, which the company sent to 9 million customers. In addition, Safaricom blocked inciting text messages, and donated 50 million text messages to the NGO 'Sisi Ni Amani' ('We are peace'), which in turn used these to specifically target groups in conflict-prone areas.

Due to the unfolding of violence across ethnic lines in the earlier elections, numerous firms of various sizes also sought to mitigate potential personnel costs via the conducting of employee seminars and harmony-building activities, and granting employees paid leave during election time. Safaricom went so far as to produce a video stressing tolerance, which became mandatory viewing for all employees, and KEPSA had all employees sing the national anthem once a week in the spirit of fostering unity. These efforts have been broadly recognized as important factors in preventing a further outbreak of electoral violence in 2013. However, informants suggested that these public and high-profile activities were also paralleled by discrete mediation and lobbying with political figures. Assessing the importance of one approach over the other is difficult to gauge, yet many informants stressed the importance of impartiality and independence, and strong relationships across the entire political spectrum as a precondition for credible business engagement in conflict prevention and peacebuilding.

4. Motivations for business engagement

This section investigates why businesses did or did not engage in conflict mitigation or peacebuilding in Kenya between 2007 and 2013. .It does so by through the lens of three types of motivations, including 'value-driven', 'performance-driven', or 'stakeholder-driven' motives. Value-driven motives refer to the ways in which the core identity of a business or consortium of businesses compels it to act, while performance-driven motives focus on the economic benefits of peace, as opposed to violence, for businesses. Finally, stakeholder-driven motives refers to the demands for intervention from actors with influence over businesses or whom businesses have interests in assisting.

Value-driven motives

Value-driven motives suggest that a core set of ethical or moral commitments held by a company might compel its leaders to engage in conflict mitigation or peacebuidling. This set of motives is based on the notion that corporations can be considered not merely as legal entities but as moral communities. Arguably, the growing influence of the private sector as a decision maker and source of influence in the globalized world increases this moral responsibility to engage in conflict mitigation and peacebuilding. Many business people share the conviction that human suffering should be prevented and so these personal ethical standards also pervade their thinking. Within the Kenyan context, there is evidence that values did motivate business leaders to intervene. Key informants for this study confirmed that – above all else – it was the shock of the scale of the violence that erupted in 2007, and the human suffering it caused that prompted some business leaders to become actively involves in conflict mitigation. There was a strong feeling about the importance of preserving Kenyan national unity as reflected in campaigns like KEPSA's Mkyenya Daima which sought to unite conflicting ethnic groups and reawaken a sense of national unity.

On a personal level, value-driven motives were associated with a group of "extraordinary patriots" who invested much time into groups like KEPSA out of a general desire to see Kenya progress, economically and socially. Those invested in the future of Kenya gain their motivation from an vision of assuring progress for the broader Kenyan population.

Value driven motives must, however, also be qualified in some way. As noted above, Kenya has a violence history and has seen multiple episodes of election-related violence. Yet, such violence did not immediately trigger value driven motives among the business community. The question therefore arises whether sustained business engagement in peacebuilding requires a certain 'threshold' of violence, conflict or instability – such as the one seen in 2007/8 - so that value-driven motives translate into proactive roles of business in conflict mitigation and peacebuilding. In additional, the 'low ego patriots' of certain segments of Kenya's private sector by no means represent a majority of business sectors in Kenya. In 2007/2008 and 2013, they were sufficiently influential to be "force for good" but large segments of Kenya's business community did not engage in peacebuilding, especially Asian and other international investors and those defending partisan interests in a 'closed access' economy.

To conclude, when discussing value-driven motives, it is important to understand the underlying specifics of these values, beyond a broad commitment to a particular nation state's well-being. It is notable, for example, that the Kenya Vision 2030 "development blue-print" is presented as a model that the private sector wishes to see occur in the country. This vision represents a relatively 'neoliberal' model for development – focused on extending the reach of the export sectors and liberalizing government controls over issues like land rights – and is therefore a contentious element of Kenya's party politics. Indeed, most of these driven to engage in peacebuilding appear committed to a vision of "levelling the playing field" and standing against the previously discussed 'tenderpreneurism'. The business actors engaged in peace mitigation and peacebuilding, therefore, unite with respect to their value-driven motives to ensure a prosperous Kenya, but also with respect to a shared belief in transforming Kenya into the direction of an 'open access' economy.

Performance-driven motives

Hard-nosed business interests to prevent future economic losses are the essence of performance-driven motives for business engagement in peacebuilding. Guibert and Perez-Quiros estimate the economic costs of the 2007/8 crises in Kenya resulted in an average reduction of $70 in per capita

GDP between 2007-2011, equivalent to 5% of the 2007 baseline level. According to the World Bank, GDP growth plummeted from 7% in 2007 to 0.2% in 2008. FDI to Kenya decreased by almost 75%, from $729 million in 2007 to $183 million in 2008 following the election violence. What is more, violence affected key sectors, contributing to a 24% reduction in flower exports and at least a 40% decline in tourism in the year after the 2007 election. The tourism industry alone lost revenue of at least US $270 million in addition to 140,000 jobs. Tea industry losses amounted to US $2 million a day. Tea estates also became a deliberate target of the post-election violence. From the perspective of performance-driven motives, therefore, the severity of the economic costs of violence simply demanded action.

In additional to direct economic costs, there were also performance costs associated to employee safety. Wachira motes that the ethnic conflict that was already threatening to paralyze the public sector, was at risk to expand to affect the workforce of major businesses. From a corporate perspective, conflict risked affecting the unity and co-existence of different ethnicities within the workforce and threatened to affect production. Performance-driven motives therefore stress the partisan interests of business in economic and social stability and stable operating environment at the heart of Kenya's export-orientated sectors.

Coupled with concerns about direct costs and operational stability, were fears that violence would affect Kenya's global competitiveness. International business partners might begin to look elsewhere for more stable suppliers in the event that violence in Kenya continued or periodically relapsed. In this regard, and as noted by Rettberg, on-going perceptions of threats to stability are an important explanatory factor for business engagement to peacebuilding. While a single 'event' of violence might not put a countries global competitiveness at risk, a periodical relapses of violence certainly might.

The performance-driven motives also relate to advancing partisan interest in structural economic reforms or changing the business environment. As noted above, Kenya's economy is characterized by a spectrum of closed and open access economies. By engaging in peacebuilding, business actors can gain entry points for leveraging influence over the political sphere. Business influence in 2007/8 and associated lobbying for peace went as far as drafting, advisory, or counselling roles with political leaders. Such extensive influence poses two possible sets of longer term opportunities for business. First, those who seek to "level the playing field" can use the entry points gained through peacebuilding to gain influence over reforms at a later stage. The same can be true when the confidence built though engagement in peacebuilding between individual business leaders and politicians lead to a successful future business deal. However, it remains difficult to dissect the value-driven and performance driven motives at this point. Business engagement for peace in the political sphere, even with good intentions, will always present – or be perceived by others to present – opportunities for advancing business deals. These real or perceived opportunities can become problematic for business engagement in conflict mitigation and peacebuilding when they affect independence or impartiality, as further elaborated below.

Stakeholder-driven-motives

Stakeholder-driven motives are illustrated by the earlier cited concern over ethnic conflict among employees of a firm. The employees of a firm are not mere 'resources' for exploitation but hold leverage over its very capacity to operate. Employees have a 'stake' in feeling safe and secure in their workplace and, hence, their wishes or interests may tacitly compel a firm to take action. Indeed, to ensure their safety, employees were often granted paid leave during election time in 2013. During the violence, employees were also provided with accommodation at their workplaces to ensure they could work in safety, and were provided with better protected transport to and from work.

Aside from the employees of firms, however, it is important to also consider the role of international investors. Given, Kenya's export oriented economy, many businesses are at least partially foreign owned. At least in principle, one could imagine an external influence for Kenya's private sector to engage in conflict mitigation and peacebuilding, not the least to create a stable business environment. Yet the research for this article did not find any such direct involvement of foreign actors. However, Kenya's businesses were well aware of the concern about Kenya's competitiveness in case violence and conflict would persist in the long term, as discussed above.

4. Business and the Conflict System in Kenya

This section extends the investigation of business roles in conflict mitigation and peacebuilding beyond the a focus on specific violent event or episodes to system-level drivers of conflict. Such a broader perspective can help local and international observers to see business not in isolation – whether villain or hero, depending on the policy perspective – but as one element of a conflict system that is defined primarily at the local level. Such an understanding builds from systems approaches in development policy, expressed in terms of "states of fragility" that underline "the diversity of risk and vulnerabilities that generate fragility in so many forms." It is also increasingly understood that a company does "not exist in a vacuum but in the wider community in which it operates." Being part of a complex environment, local or international companies become actors in local conflict dynamics, whatever their intentions and whatever the externally-imposed norms by which they are guided. At the same time, they are only one of the many mitigating or amplifying factors of conflict in a given system: just one part of a far bigger picture.

Kenya faces major systemic risks that have become more acute over time, including environmental pressures associated to drought and other climate related effects, resource-based conflicts over land and extractive resources, population pressure especially among young people, and regional risk factors such as military escalation in Somalia. Conflict dynamics have also become ever more localized as a result of devolution which confirms the importance of micro-dynamics of conflict as an over-arching approach to identify entry-points for conflict mitigation and prevention. Localized conflict dynamics often play out as competition over power and resources and are frequently polarized along ethnic or clan lines. At the national level there is little confidence in electoral management bodies, which means that – whatever the results will be – the election may not represent an outcome that the people will believe in, which in turn may prevent 'closure' to the perpetual state of electioneering in Kenya.

Given the scale of conflict risk, it is clear that businesses by themselves will not be able to provide a magic solution for conflict and violence prevention in Kenya. Their constructive role in conflict mitigation and prevention will depend on identifying their comparative advantage within a multi-stakeholder coalition. The research and stakeholder consultation for this article suggest that this value added can be both direct and indirect. Business can play a direct role in conflict mitigation and peacebuilding because specific business people still maintain strong relationships with politicians and can leverage their influence for the purpose of prevention, especially at the national level. Business can play an indirect role in mitigating violence because of its access to capital. It can, therefore, indirectly contribute to violence prevention by financing activities of other actors who possess entry-points for localized prevention such as youth entrepreneurship activities.

Understanding Kenya's conflict systems also has an important temporal dimension that underlines the continued relevance of Kenya's colonial legacy for the structure of its current political economy. The first section of this paper highlighted the colonial legacy of British rule and its influence on the political economy of Kenya. This influence plays out at several levels. Firstly, many of the issues that shape conflict dynamics in Kenya today have their roots in colonial times, particularly with respect to the distribution of land rights among particular ethnic communities. These issues also relate to the spatial strategies employed by colonial powers to govern populations and create a strong national state. Thus, "the economic foundation and practice of the [Kenyan] state emerged out of colonial developments that saw the country incorporated into the unequal world economic and political order as a producer of primary commodities." The distribution of land rights continues to cause grievances today especially with communities who were dispossessed of their lands to make way for export oriented sectors. In the words of Materu "We continue to ship raw materials, we continue to grow produce for Europe and pass for specialists of unfinished products."

This focus on carving up Kenyan land for the benefit of export-driven markets also speaks to a spatial perspective and the fact that the Kenyan economy, and so key business sectors, are reliant on actors and markets outside its borders (see also Stakeholder-driven motives, above). While, in and of itself, such system dynamics do not explain any specific decision for Kenya's private sector to engage in peacebuilding, it may be indicative of the strategies they used – intended or unintended. For example, the focus of the private sector on disseminating a homogenous national Kenyan identity (see Value-driven motives, above), is in line with colonial policies and more disinclined towards a 'federal' system or another form of decentralized political organization that would better meet the needs and expectations of particular ethnic groups. Yet, the development and capture of Kenya's key commercial opportunities after colonization also meant the development of a centralized state that participates in global markets and neo-liberal agendas.

For example, one of the longstanding grievances that surrounded the violence in 2007/8 was precisely the issue of whether or not Kenya should be divided into federal units that would return power to local ethnic groups that felt marginalized by the central state. The 2007 elections were preceded by a process of polarization, which happened after the Kenya's 2005 constitutional referendum. The intensity of the violence in 2007/8 pushed this issue to the front of the political agenda, and lead to the introduction of a new devolved constitution in 2010. Several business associations – including KEPSA – were supportive of this new constitution. However, when street protests erupted in 2011 seeking reforms and amendments to this new constitution that would go further in devolving power, the private sector condemned the protests and supported the government. For many observers, this overt support of the government compromised the role of business as a 'neutral' broker across Kenya's entire political spectrum. By siding with the government, it placed a premium on a sense of 'status quo' that would assure a stable operating environment while missing the opportunity to address some of the underlying conflict drivers at the heart of conflict in Kenya.

The private sector did not oppose devolution per se, but rather wished to minimize the market and operational uncertainty created by political and institutional change. It is such systemic forces that might be – without any conscious intention – 'pushing' the Kenyan business community towards particular types of activities – those that are built on the premise of a centralized state, the protection of private property and land rights, and the export-oriented, 'open access' economy. But in so doing, they risk alienating themselves from standing as a neutral broker while at the same time feeding the very conflict dynamics they wish to prevent. Another issue is the problem of 'national' and 'ethnic' identity. "Both before and during the early British colonial period Kenya's different ethnic communities enjoyed a relatively peaceful co-existence… Conflict, when it occurred, was a consequence of sharing of resources." The legacy of British rule was an increase in conflict over resources that involved unequal land distribution as part of a broader strategy to develop an export-driven economy. These foundations of the Kenyan economy remain a primary strategic interest for export-oriented Kenyan businesses. This interest is closely associated to the issues land rights which are essentially off the table in the conversation about business engagement in peacebuilding because they represent key interest for the export-oriented economy to function.

This line of argument is not about judging the wisdom of the decisions of Kenya's economic orientation – which is neither necessarily 'negative' nor 'unusual' as a development strategy of a country – but to indicate a paradox for conflict prevention. Many of the key issues behind conflict dynamics in Kenya – a centralized state, the protection of private property and land rights, and the export-oriented structure of Kenya's economy – are shaped by the very pillars holding up Kenya's economy and framing the overall operating environment of business in Kenya today; yet since 2007, business has developed a partisan interest to prevent violence and build peace to address episodes of violence, especially surrounding elections. In other words, in case business engagement sets out an agenda for building peace that is framed along its own strategic interest – the maintenance of a centralized state under a homogenous national identity, limited yet swiftly implemented devolution of power, the protection of private property and land rights, and the continued export-orientated nature of the Kenyan economy – its peacebuilding role may be self-defeating as it will increase rather than mitigate conflict risk, and – collaterally – undermine its position of neutral broker.

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