

Promoting Peaceful and Inclusive Societies for Sustainable Development in Kenya

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Abstract

Peace is considered an important element of sustainable development and has even been given attention under the 2030 Agenda on Sustainable Development Goals. Kenya seeks to become a middle-income country by 2030 and this, arguably, cannot be achieved if the factors that threaten the peaceful coexistence of all communities are not adequately addressed. This paper, largely informed by the Sustainable Development Goal 16, focuses on Kenya and offers some recommendations on how the country can successfully move towards the realization of peaceful and inclusive societies.

1. Introduction

Sustainable Development Goal (SDG) 16 requires all countries to ‘promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’.¹

The UN explains: “Goal 16 of the Sustainable Development Goals is dedicated to the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels. This aims to promote peaceful societies at national levels, as well as the role of cooperation at the international level”.² This is also captured in the *Addis Ababa Action Agenda*³ which commits to promote peaceful and

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¹ SDG 16, UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, 21 October 2015, A/RES/70/1.

² ‘Goal 16: Peace, Justice and Strong Institutions - SDG Tracker’ (*Our World in Data*) <<https://sdg-tracker.org/peace-justice>> accessed 26 November 2020

³ United Nations, *Addis Ababa Action Agenda of the Third International Conference on Financing for Development (Addis Ababa Action Agenda)*, adopted at the Third International Conference on Financing for Development (Addis Ababa, Ethiopia, 13–16 July 2015) and endorsed by the General Assembly in its resolution 69/313 of 27 July 2015.

inclusive societies and to build effective, accountable and inclusive institutions at all levels to enable the effective, efficient and transparent mobilization and use of resources.⁴

It has rightly been pointed out that we cannot hope for sustainable development without peace, stability, human rights and effective governance, based on the rule of law.⁵

2. Peace: meaning and Scope

While it is difficult to define the term ‘peace’ using particular words or phrases, many societies often link it to harmony, tranquillity, cooperation, alliance, well-being, and agreement.⁶ It is however worth pointing out that ‘peace is not just the absence of violence, it is much more.’⁷ Thus, every culture may have a unique but related understanding of what peace entails. Besides, peace may be classified into positive peace or negative peace, where negative peace is defined as the absence of violence or the fear of violence while positive peace is the attitudes, institutions and structures, that when strengthened, lead to peaceful societies.⁸

In this respect, positive peace is often seen as a true, lasting, and sustainable peace built on justice for all peoples, a concept that may have informed the drafting of SDG 16. The concept of positive peace is frequently associated with the elimination of the root causes of war, violence, and injustice and the conscious attempt to build a society that reflects these commitments. Positive peace assumes an interconnectedness of all life.⁹ On the other hand, in a negative peace situation, while there may not be witnessed conflict out in the open, the tension is usually boiling just beneath the

⁴ United Nations Inter-Agency Task Force on Financing for Development, ‘Promoting peaceful and inclusive societies’ <<https://developmentfinance.un.org/promoting-peaceful-and-inclusive-societies>> accessed 26 November 2020.

⁵ ‘Goal 16: Peace, Justice and Strong Institutions | UNDP’ <<https://www.undp.org/content/undp/en/home/sustainable-development-goals/goal-16-peace-justice-and-strong-institutions.html>> accessed 26 November 2020.

⁶ Spring Ú.O. (2008) Peace and Environment: Towards a Sustainable Peace as Seen From the South. In: Brauch H.G. et al. (eds) *Globalization and Environmental Challenges. Hexagon Series on Human and Environmental Security and Peace*, vol 3. Springer, Berlin, Heidelberg, 113-126<https://link.springer.com/chapter/10.1007/978-3-540-75977-5_5> accessed 26 November 2020.

⁷ Galtung, J., "Violence, peace, and peace research," *Journal of peace research*, Vol. 6, no. 3 (1969): 167-191.

⁸ Herath, O., "A critical analysis of Positive and Negative Peace," (2016), p.106. Available at <http://repository.kln.ac.lk/bitstream/handle/123456789/12056/journal1%20%281%29.104-107.pdf?sequence=1&isAllowed=y> accessed 26 November 2020.

⁹ Herath, O., "A critical analysis of Positive and Negative Peace," (2016), p.106.

surface because the conflict was never reconciled and thus negative peace seeks to address immediate symptoms, the conditions of war, and the use and effects of force and weapons.’¹⁰ In Kenya, both situations may be existing in different parts of the country, depending on the political and socio-economic conditions of the group of people in question. This is because conflict is grounded in social, structural, cultural, political and economic factors since depreciation in one increases the chances of conflict in a particular society.¹¹ This paper mainly focuses on the ways through which Kenya can promote peacebuilding measures that will ensure the realization of the dream of a peaceful and inclusive society. Peacebuilding approaches and methods are geared towards ensuring people are safe from harm, have access to law and justice, are included in the political decisions that affect them, have access to better economic opportunities, and enjoy better livelihoods.¹²

3. Peace efforts in Kenya: Challenges and Prospects

The Government of Kenya has undertaken various measures to foster national unity and patriotism. For instance, it adopted Sessional Paper No. 9 of 2013 on National Cohesion and Integration (NCI), Sessional Paper No. 3 of 2014 on National Policy and Action Plan on Human Rights and the Sessional Paper No. 5 of 2014 on Peacebuilding and Conflict Management.¹³

¹⁰ Ibid, pp.106-107.

¹¹ Maiese, M., ‘Social Structural Change,’ in G. Burgess & H. Burgess (eds), *Beyond Intractability*, (Conflict Information Consortium, University of Colorado, Boulder, July 2003), available at <http://www.beyondintractability.org/essay/social-structural-changes> accessed 26 November 2020; See also Maiese, M., ‘Causes of Disputes and Conflicts,’ in G. Burgess & H. Burgess (eds), *Beyond Intractability*, (Conflict Information Consortium, University of Colorado, Boulder, October, 2003), available at <http://www.beyondintractability.org/essay/underlying-causes> accessed 26 November 2020.

¹² The Institute for Economics and Peace (IEP), ‘Pillars of Peace - Understanding the Key Attitudes and Institutions That Underpin Peaceful Societies - International Security Sector Advisory Team (ISSAT)’, p. 2 <<https://issat.dcaf.ch/ser/Learn/Resource-Library/Policy-and-Research-Papers/Pillars-of-Peace-Understanding-the-key-attitudes-and-institutions-that-underpin-peaceful-societies>> accessed 26 November 2020.

¹³ *Realisation of the National Values and Principles of Governance and Fulfilment of Kenya’s International Obligations for the Period 2013-2017: Jubilee Government Score Card* (Kenya National Commission on Human Rights 2017), 10 <<https://www.knchr.org/Portals/0/GeneralReports/Jubilee%20Government%20Scorecard.pdf?ver=2018-06-06-193327-647>> accessed 26 November 2020.

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These efforts have been informed by the fact that Kenya has grappled with historical land injustices that not only violate a raft of economic, social and cultural rights but also posed a threat to national unity due to marginalisation and dispossession of community land.¹⁴

Despite these efforts, Kenya is far from boasting of a peaceful and inclusive society as it still experiences widespread poverty, huge gaps between the rich and the poor and conflicts among and between communities. Indeed, this state of affairs may have informed the National ‘Building Bridges Initiative’¹⁵ which has been pushed by the Jubilee Government and its allies and hailed as capable of promoting peace, security and unity in Kenya. The resultant report is still undergoing political deliberations.

The bottom line is that Kenya is still experiencing social, economic and political injustices which in turn lead to conflicts and marginalization of various communities and groups of people. This is despite the constitutional and statutory provisions which seek to promote equality, peace and inclusive development in the country.

4. Promoting Sustainable Peace and Inclusive Societies for Sustainable Development in Kenya

Kenya has been making efforts geared towards peacebuilding as opposed to peacemaking only.¹⁶ Peacebuilding efforts aim at addressing the reasons that lead to fights and/or conflicts and seek to

¹⁴ *Realisation of the National Values and Principles of Governance and Fulfilment of Kenya’s International Obligations for the Period 2013-2017: Jubilee Government Score Card* (Kenya National Commission on Human Rights 2017), 11.

¹⁵ Republic of Kenya, ‘Report of the Steering Committee on the Implementation of the Building Bridges to a United Kenya Taskforce Report,’ *Building Bridges to a United Kenya: from a nation of blood ties to a nation of ideals*, October, 2020 <https://e4abc214-6079-4128-bc62-d6e0d196f772.filesusr.com/ugd/00daf8_bedbb584077f4a9586a25c60e4ebd68a.pdf> accessed 26 November 2020.

¹⁶ ‘Sustainable Peacebuilding Strategies : Peacebuilding Operations in Nakuru County, Kenya : Contribution to the Catholic Justice and Peace Commission (CJPC)’ <<https://repository.globethics.net/handle/20.500.12424/3863583>> accessed 26 November 2020; ‘Peacebuilding Networks and Alliances in Kenya: A Retrospective Look at Collective Peacebuilding Effectiveness - Kenya’ (*ReliefWeb*) <<https://reliefweb.int/report/kenya/peacebuilding-networks-and-alliances-kenya-retrospective-look-collective-peacebuilding>> accessed 26 November 2020; Rono EC, ‘The Role of Women in Post Violence Peace Building in Kenya: A Case Study of Nakuru County in 2007-2008 Post Election Violence’ (PhD Thesis, University of Nairobi 2013); Mutahi P and Ruteere M, ‘Violence, Security and the Policing of Kenya’s 2017 Elections’ (2019) 13 *Journal of Eastern African Studies* 253.

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support societies to manage their differences and conflicts without resorting to violence.¹⁷ It, therefore, involves a broad range of measures, either focusing on before, during and/or after conflict. These are meant to prevent the outbreak, escalation, continuation and recurrence of conflict.¹⁸ These efforts can also be geared towards either ‘positive’ or ‘negative’ peace.¹⁹ This section offers some diverse recommendations that, if explored, may assist the country in moving closer to achieving sustainable peace and building an inclusive society as part of efforts geared towards realizing the sustainable development agenda in Kenya.

5. Securing Sustainable Community Livelihoods for Peace: Sustainable Development Planning and Capacity Development

It has been suggested that food security and a healthy agricultural sector can play a critical role in preventing conflict and distress migration, and in building peace. This is because, in many countries, disasters or political instability have resulted in protracted crises and food shortages.²⁰ Also, rural populations continue to be the most affected in conflicts; attacks on farming communities undermine livelihoods and may result in forced migration. As such, any peacebuilding efforts should include ensuring food security as part of addressing the root causes of conflict since peace and food security are often mutually reinforcing.²¹ Economically and socially empowered people are likely to participate more in governance matters and less likely to be influenced politically as they may not follow their political leaders blindly.²² This is because

¹⁷ Muigua, K., *Nurturing Our Environment for Sustainable Development*, Glenwood Publishers, Nairobi – 2016),

¹⁸ International Alert, “What is Peace Building?” Available at <https://www.international-alert.org/what-we-do/what-is-peacebuilding> accessed 26 November 2020.

¹⁹ Ibid.

²⁰ ‘SDG 16. Peace, Justice and Strong Institution | Sustainable Development Goals | Food and Agriculture Organization of the United Nations’ <<http://www.fao.org/sustainable-development-goals/goals/goal-16/en/>> accessed 26 November 2020.

²¹ Ibid.

²² ‘Promoting Empowerment of People in Achieving Poverty Eradication, Social Integration and Full Employment and Decent Work for All’: <<https://digitallibrary.un.org/record/777727?ln=en>> accessed 26 November 2020; ‘Political Empowerment’ (*GSDRC*) <<https://gsdrc.org/topic-guides/voice-empowerment-and-accountability/supplements/political-empowerment/>> accessed 26 November 2020; ‘Social and Economic Empowerment’ (*GSDRC*) <<https://gsdrc.org/topic-guides/voice-empowerment-and-accountability/supplements/social-and-economic-empowerment/>> accessed 26 November 2020.

politicians often exploit the people's social vulnerability, marginalization and poverty to cause conflicts and divisions for their selfish interests.²³

5.1. Addressing Gender Equality and Equity for Sustainable Peace and Inclusive Society

Notably, inequalities in wealth and income lead to a cascade of consequential social inequalities in a range of areas such as housing, work, energy, connectivity, health care, education, and related social benefits.²⁴

It has been acknowledged that where conflict strikes, men are more likely to die on battlefields, but a disproportionate share of women will be targeted for sexual violence, among other violations, and homicide rates among women typically rise.²⁵ It has also been documented that more broadly, whether in global, regional or national governance, women tend to be underrepresented in the governance of institutions. This is discriminatory, but it also entrenches gender disparities, during times of war and peace, as women's voices go unheard in decision-making.²⁶

Some of the recommendations from the United Nations work on gender equality and equity focus on strengthening good governance, inclusive rule of law, and access to justice; removing structural barriers to women's participation in decision-making and promoting inclusive and sustainable

²³ 'Exclusion as a Cause and Consequence of Violent Conflict' (*GSDRC*) <<https://gsdrc.org/topic-guides/social-exclusion/dynamics/exclusion-as-a-cause-and-consequence-of-violent-conflict/>> accessed 26 November 2020; Nantulya, Paul. "Exclusion, Identity and Armed Conflict: A historical survey of the politics of confrontation in Uganda with Specific Reference to the Independence Era." In *Politics of Identity and Exclusion in Africa: From Violent Confrontation to Peaceful Cooperation, conference proceedings, Senate Hall, University of Pretoria*, pp. 81-92. 2001; Nduku E, *Corruption in Africa: A Threat to Justice and Sustainable Peace* (Globethics net 2015).

²⁴ 'Expert Group Meeting on "Tackling Global Challenges to Equality and Inclusion through the Gender-Responsive Implementation of the 2030 Agenda for Sustainable Development: Spotlight on SDGs 10, 13 and 16": Report and Recommendations | UN Women – Headquarters', 7 <<https://www.unwomen.org/en/digital-library/publications/2019/06/egm-tackling-global-challenges-to-equality-and-inclusion>> accessed 26 November 2020.

²⁵ 'Sustainable Development Goal 16: Peace, Justice and Strong Institutions' (*UN Women | Europe and Central Asia*) <<https://eca.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-16-peace-justice-strong-institutions>> accessed 26 November 2020.

²⁶ Ibid.

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economic growth and social development that achieves gender equality and empowers all women and girls; investing in national statistical capacities to promote evidence-based policy-making, planning, and budgeting, and ensure better monitoring of progress and accountability for results; and increasing financing for the gender-responsive implementation of the 2030 Agenda through domestic resource mobilization policies and global action to address the systemic imbalances in domestic and international tax, trade, and investment arrangements.²⁷

It has been asserted that *realizing SDG 16 on peaceful, just, and inclusive societies requires a power shift that re-centres work on equality, development and peace around the voices, human security and rights of women and those most marginalized. This requires not just technical fixes, but the structural transformation that moves from institutionalizing a form of governance that enables domination and violence to institutionalize a form of governance that enables equality and peace for people and planet (emphasis added).*²⁸

In some countries such as Colombia, women have been at the forefront of peacebuilding efforts.²⁹ There is thus a need to promote gender equality and equity as a way of promoting peaceful and inclusive societies for sustainable development. The human rights of both men and women and indeed all groups in society should be respected, protected and implemented for the realization of just, inclusive and peaceful societies. The *UN Conference on Environment and Development, Agenda 21*³⁰ under section 23 calls for full public participation by all social groups, including women, youth, indigenous people and local communities in policy-making and decision-making.³¹

²⁷ ‘Expert Group Meeting on “Tackling Global Challenges to Equality and Inclusion through the Gender-Responsive Implementation of the 2030 Agenda for Sustainable Development: Spotlight on SDGs 10, 13 and 16”’: Report and Recommendations | UN Women – Headquarters’, 7 <<https://www.unwomen.org/en/digital-library/publications/2019/06/egm-tackling-global-challenges-to-equality-and-inclusion>> accessed 26 November 2020.

²⁸ By Abigail Ruane, *Women’s International League for Peace and Freedom (WILPF)* (as quoted in ‘SDG 16 – Governing for Gender Equality and Peace? Or Perpetual Violence and Conflict?’ <<https://www.2030spotlight.org/en/book/1883/chapter/sdg-16-governing-gender-equality-and-peace-or-perpetual-violence-and-conflict>> accessed 26 November 2020).

²⁹ Newsroom, ‘Women the “Driving Force” for Peacebuilding in Colombia’ (*Modern Diplomacy*, 31 October 2020) <<https://moderndiplomacy.eu/2020/10/31/women-the-driving-force-for-peacebuilding-in-colombia/>> accessed 26 November 2020.

³⁰ United Nations Conference on Environment & Development Rio de Janeiro, Brazil, 3 to 14 June 1992.

³¹ See also Article 10, Constitution of Kenya 2010 on national values and principles of governance.

5.2. Streamlining Environmental and Natural Resources Governance and Climate Change Mitigation

The 2030 SDGs Agenda acknowledges that while the causes of conflict vary widely, the effects of climate change only aggravate them.³² Climate-related events such as drought threaten food and water supplies, increase competition for these and other natural resources and create civil unrest, potentially adding fuel to the already-disastrous consequences of conflict.³³ Thus, investing in good governance, improving the living conditions of people, reducing inequality and strengthening the capacities of communities can help build resilience to the threat of conflict and maintain peace in the event of a violent shock or long-term stressor.³⁴

Article 69(1) of the Constitution of Kenya outlines the obligations of State in respect of the environment as follows: The State should: ensure sustainable exploitation, utilisation, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits; work to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya; protect and enhance the intellectual property in, and indigenous knowledge of, biodiversity and the genetic resources of the communities; encourage public participation in the management, protection and conservation of the environment; protect genetic resources and biological diversity; establish systems of environmental impact assessment, environmental audit and monitoring of the environment; eliminate processes and activities that are likely to endanger the environment, and utilise the environment and natural resources for the benefit of the people of Kenya. Besides, every person must cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources.³⁵

The Government should work closely with all the relevant stakeholders to meet these obligations as a way of ensuring that communities benefit from such resources for empowerment as this will

³² SDG Goal 13.

³³ Muigua, K., Securing Our Destiny Through Effective Management of the Environment, *Journal of Conflict Management and Sustainable Development*, Volume 4, No 3, (May, 2020).

³⁴ United Nations, *The Sustainable Development Goals Report, 2018*, p.15. Available at <https://unstats.un.org/sdgs/files/report/2018/TheSustainableDevelopmentGoalsReport2018-EN.pdf> [Accessed on 22/01/2020]; Muigua, K., Securing Our Destiny Through Effective Management of the Environment, *Journal of Conflict Management and Sustainable Development*, Volume 4, No 3, (May, 2020).

³⁵ Article 69(2), Constitution of Kenya, 2010.

go a long way in promoting peaceful and inclusive societies for sustainable development. This is due to the likely effect of reduced poverty levels.

5.3. Building Accountable and Inclusive Institutions for Peaceful and Inclusive Society

Putting in place accountable and inclusive institutions governed by the rule of law may promote and ensure participatory decision-making and responsive public policies that leave no one behind, ensuring citizens have unfettered justice and rule of law, without which there can be no sustainable development.³⁶

The law can be useful in contributing to the change in institutional norms as well as shaping the changes in attitudes and behaviour.³⁷ The rule of law provides a viable framework for the peaceful management of conflicts due to its defining features: establishing the operating rules of society and therefore providing reliability, justice and stability in the society; norms defining appropriate societal behaviour; institutions able to resolve conflicts, enforce laws, and regulate the political and judicial system; laws and mechanisms protecting citizens' rights.³⁸

The role of law and the above features are exemplified in the Constitution which provides that ‘the national values and principles of governance in this Article bind all State organs, State officers, public officers and all persons whenever any of them applies or interprets this Constitution; enacts, applies or interprets any law; or makes or implements public policy decisions.’³⁹ The national values and principles of governance include- patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development.⁴⁰ All these values and principles are not only meant to promote good governance but also build a peaceful and inclusive society for the people of Kenya. There is a need for active

³⁶ ‘SDG 16 as an Accelerator for the 2030 Agenda’ (UNDP)
<<https://www.undp.org/content/undp/en/home/blog/2019/sdg-16-as-an-accelerator-for-the-2030-agenda.html>>
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³⁷ Muigua, K., Securing Our Destiny Through Effective Management of the Environment, *Journal of Conflict Management and Sustainable Development*, Volume 4, No 3, (May, 2020).

³⁸ Peace Building Initiative, “Introduction: Justice, Rule of Law & Peacebuilding Processes, 2009”
<<http://www.peacebuildinginitiative.org/indexe33f.html?pageId=1844>> accessed 26 November 2020.

³⁹ Article 10(1), Constitution of Kenya 2010.

⁴⁰ Article 10(2), Constitution of Kenya 2010.

promotion and implementation of these national values and principles of governance as part of the peacebuilding efforts in Kenya. Ensuring that all governance institutions abide by these values and principles will also strengthen these institutions and ensure that they discharge their constitutional and statutory mandates effectively for the eventual realization of the sustainable development agenda in Kenya.

6. Conclusion

Some commentators have asserted that achieving SDG 16 — and the SDGs in general — requires partnerships, integrated solutions, and for countries and member states to take charge and lead in reshaping the institutional and social landscape, preparing grounds for important reforms that help build sustainable peace.⁴¹ This is because it is crucial to have an inclusive and participatory approach to development to counteract the potentially destabilizing impact of marginalization and exclusion.⁴²

Peaceful societies have enjoyed better business environments, higher per capita income, higher educational attainment and stronger social cohesion.⁴³ Better community relationships tend to encourage greater levels of peace, by discouraging the formation of tensions and reducing chances of tensions devolving into conflict.⁴⁴

Peacebuilding is done collaboratively, at local, national, regional and international levels. Individuals, communities, civil society organisations, governments, regional bodies and the private

⁴¹ ‘SDG 16 as an Accelerator for the 2030 Agenda’ (UNDP)
<<https://www.undp.org/content/undp/en/home/blog/2019/sdg-16-as-an-accelerator-for-the-2030-agenda.html>>
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⁴² ‘SDG 16 as an Accelerator for the 2030 Agenda’ (UNDP)
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⁴³ The Institute for Economics and Peace (IEP), ‘Pillars of Peace - Understanding the Key Attitudes and Institutions That Underpin Peaceful Societies - International Security Sector Advisory Team (ISSAT)’, p. 2
<<https://issat.dcaf.ch/ser/Learn/Resource-Library/Policy-and-Research-Papers/Pillars-of-Peace-Understanding-the-key-attitudes-and-institutions-that-underpin-peaceful-societies>> accessed 26 November 2020.

⁴⁴ The Institute for Economics and Peace (IEP), ‘Pillars of Peace - Understanding the Key Attitudes and Institutions That Underpin Peaceful Societies - International Security Sector Advisory Team (ISSAT)’, p. 6.

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sector all play a role in building peace. Peacebuilding is also a long-term process, as it involves changes in attitudes and behaviour and institutional norms.⁴⁵

Kenya cannot achieve peaceful and inclusive societies through investing in security alone; it must address the various underlying factors such as poverty, marginalization, environmental degradation and corruption, among others. In the absence of measures to deal with these, peace will only be short-lived or even impossible to achieve. Peace is the outcome of concerted efforts geared towards building self-sustaining societies where all people can meet their socio-economic needs. Promoting peaceful and inclusive societies for sustainable development in Kenya is a goal that is clearly attainable, in the fullness of time.

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⁴⁵ International Alert, “What is Peace Building?” <<https://www.international-alert.org/what-we-do/what-is-peacebuilding>> Accessed 26 November 2020.

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