MILITARY INTERVENTION IN LOCAL CONFLICTS: JUSTIFICATION, PERCEPTIONS AND LESSONS AND RECOMMENDATIONS

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ABSTRACT

Military intervention in local conflicts has attracted little attention of the UN peace keepers. As result most countries have trusted civil police in quelling local conflict. Yet, peace and conflict practitioners agree that military intervention is very effective in ending conflicts. By ending violence military intervention usher in conducive atmosphere to begin restoration of social justice, reconciliation and trauma healing. This article argues local conflict pose threats to National Security and regional peace thus warrant military intervention. The use of military intervention in local conflicts is built around the two premises: one, that military intervention is a conflict management measure which is normally undertaken by the state when all other instruments of power have fallen short of resolving the conflict. Two, that military interventions are normally prompted by acute humanitarian problems and gross violation of human rights by militia groups. The study is cognizant that although military interventions may not always have a legitimate mandate and local support, they are more effective in decisively ending conflict. As such, the State ought not to look back in deploying her military when such crisis occur.

KEYWORDS:

Local conflicts – Refers to intra state conflict pitting one ethnic group against the other or inter-clan conflicts in a state.

Military intervention – The deliberate act of a nation or a group of nations to introduce its military forces into the course of an existing controversy.

Operation Okoa Maisha – (Save a Life in Kiswahili) is a code word used to refer to the military intervention in Mount Elgon conflict in 2008 aimed at flushing out members of SLDF.

Sabaot Land Defence Force (SLDF) – Non-state outlawed militia primarily of Soy clan of the Sabaot ethnic community that resorted to violence to reject government eviction of people in Chebyuk settlement scheme.
INTRODUCTION

World over, Militaries have been called upon to end both international and domestic violence that threaten peace. Any country Defense Forces remain the sword and shield of the state in the international conflicts and also during internal or local conflicts that profoundly pose a threat to national security. The threat to national security and the determination of the state to safeguard property and the right to life for her citizen has always pressured and given incentive to government to order their national military to intervene in conflicts. The humanitarian crisis witnessed during the conflict also gives the military incentives and willingness to intervene in local conflict. The theory offered in this article explores the interaction of legitimacy, institutionalization, and perceived use of national militaries in ending local conflict similar to application military intervention in international conflict like in Uganda, Nigeria, Pakistan, Afghanistan and Iraq among many more nations.

While the concern of this article is to debate on military intervention in local conflict, it is worthwhile to give in brief the historical background of the Mount Elgon conflict that warranted the deployment of the Kenya Defence Forces in Mount Elgon district. Mount Elgon district is an administrative unit in Bungoma County of Western Kenya carved out of Bungoma district in 1993. When the Sabaot community petitioned the then president Daniel Torotich arap Moi to grant them a district of their own. The district is located on the southeastern slopes of Mt. Elgon. Its population according to the 1999 census was approximately 135,033 people. The district occupies an area of 944 square kilometers. Mt. Elgon district borders Bungoma district to the South, Trans Nzoia to the East and the Republic of Uganda to the West. Although Kapsokwony is the district headquarters, Cheptais town is the economic heart of the district as it is the gateway to the largest open air market in Bungoma County, Chwele market. The district is predominantly occupied by the Sabaot, Bukusu and the Iteso ethnic groups. Due to her rich and fertile agricultural soils many other ethnic communities have since moved in making the district a melting pot of Kenyan cultures.

Mount Elgon district has had a long history of conflict dating back to the colonial period. The colonial government in Kenya alienated land in Mt. Elgon rendering the Sabaot community squatters. Subsequent failure by post colonial governments to address the historical land injustice aggravated the conflict. The re-introduction of multiparty democracy in 1991 saw the start of unprecedented conflicts as a result of various underlying historical injustices on land and political alignments. In 1992 for instance, the Sabaot attacked and evicted the
Bukusu and the Iteso who were labeled ‘foreigners’, and took over their land and property. Similar violence was re-enacted in 1997 and 2002 during the general elections campaigns. However, the impact of these conflicts was watered down by the general onslaught of land clashes witnessed in Molo and Burnt Forest in the Rift Valley.

In 2006, when the conflict once again resurfaced, the violence took a new turn. The target of violence was no longer Bukusu or Iteso. Instead two Sabaot clans, namely: the Soy and Mosop turned against each other. The conflict was sparked by the Sabaot Land Defense Force (SLDF). This was a militia outfit primarily of the Soy clan that revolteed against the government over allegations of unfair land allocation in the Chepyuk Phase III settlement scheme.³

At the beginning of the revolt, the SLDF militiamen received the backing of the Soy clan of the Saboat because it believed that the group had “Just Cause and Right Intention”⁴. The cause of defending the community and their ‘ancestral’ land. With time, the SLDF activities took a different turn. The militia begun to engage in waves of criminal activities, destruction of property and to “butcher” the people it was meant to safeguard. The SLDF thus became a threat to national security. A spate of violence between October 2006 and April 2008 left over 600 people dead and about 63 000 persons displaced.⁵ By all means of threshold this was war that had to be checked.

In an effort to restore peace in the area, the government deployed security forces comprising of the regular and Administration police, the Anti-stock theft Unit (ASTU), the General Service Unit (GSU) and the Rapid Deployment Unit (RDU) to the area. Several police-led interventions failed to resolve the conflict. Despite the large number of forces in the area, SLDF continued to terrorize residents, leading to loss of more lives and a mass displacement.⁶

In March 2008, after the initial police-led security response coded Operation Tafuta Amani (Seek Peace) failed to contain the rapidly evolving armed militia, the Kenyan military was deployed to flush out the militiamen and to regain control of the region. This intervention was called Operation Okoa Maisha. The local residents of Mt. Elgon district initially welcomed the crackdown but were quickly alienated by the strategy pursued by the security forces that was viewed by some residents as harassment and brutality to the community.⁷

The Operation Okoa Maisha became a much-discussed topic among the residents of Mt. Elgon district and Kenya as whole. Some people were in support of the operation while others were against it. The operation was an unprecedented participation of the military and
the police jointly in an internal resources conflict based whose history - as discussed earlier in
the article - dated back to the colonial historical injustices on land alienation, among other
hosts of factors.
There was widespread public debate regarding whether the military intervention was
legitimate or illegitimate, favored or rejected. Politicians and human rights activists out
rightly criticized the operation but what remained unclear on this debate was whether the
state ought to order for the military to intervene or not and whether the rhetoric surrounding
the operation was true representation of the views of people of Mt. Elgon district about the
intervention. Despite criticism on the operation the government maintained that the operation
was a much needed intervention for national security.8 Beginning with the International
grounds for justification of military intervention in conflict, the article will highlight the
humanitarian view of the operation and wrap up with the views of Mt. Elgon district residents
on the military intervention that brought about the end of violence.

**Justification of the Military Intervention**

As the Cold War ended, many intrastate conflicts occurred warranting a rapid increase in
number of peacekeeping missions.9 These missions occurred when many national militaries
were faced with serious decisions over whether, when, and how to intervene in internal
conflicts for national security. Efforts to contain these new threats world peace increased at a
time when the debate was whether the only available means of restoring peace in internal
conflict was through military intervention.10

Since the early 1990s, humanitarian agencies have been intricately involved in debate with
the international community over the use of military force in situations of gross human rights
violations. For these reason, the humanitarian agencies have supported military intervention.
However, humanitarian agencies have also strongly objected the strategy of military
interventions.11 The military intervention in Mt. Elgon conflict therefore elicited different
opinions from the humanitarian agencies and residents of Mount Elgon.

Despite the essentially different views –as operation of torture or a necessary evil, it is
possible to identify common themes that most concern humanitarian agencies about military
intervention. Overall, it can be said that, in principle at least, the great majority of
humanitarian agencies welcome the intervention with reservations. This is because, there are
many serious concerns about the effect and an implication of how such force is applied.12 The
reality should be that the humanitarian agencies should make their reports in a way that is not biased or meant to please their donors.

The debate on military intervention can also be analysed and justified in line with UN policy which dictates that before any intervention the military should make decision about internal military intervention and ensure it takes place in accordance with international norms of non-intervention, the non-use of force and the primacy of state sovereignty as laid down in the UN charter. The military also needs to consider the high value placed on individual human rights as documented in the UN charter and the enacted Human Rights Laws. After meeting all these consideration the State may then sanction a military intervention.

Once military intervention has been sanctioned for a good course practical challenges arise in the field. The main challenge is about civilians’ and humanitarian agencies’ relationship with military forces at field. These relationship challenges are known as civil-military cooperation (CIMIC). They concern issues of association and perception; cooperation and coordination, roles and responsibilities. The military doctrine has however, been to operate in secrecy.

Although humanitarian agencies dealing with policy issues accept the need to distance themselves from the military operations so as not to seem partisan, they abhor the military strategy that sidelines them through the occasional denial of entry of civil society and the press. The military in return argue that their ethics require operation based on relationship of co-operation without co-option.

The justification of military intervention and war against the SLDF was valid on a number of explanations of international law and sovereign nature. Sovereignty dictated that the State (republic of Kenya) be the one to pressure warring parties in the Mt. Elgon conflict to negotiate for peace, as was in the case of USA NATO led military intervention in Kosovo. In this international military intervention the U.S. Secretary of State reportedly thought “three or four days of bombing would force the Serbs back to the negotiating table.” But what U.S conceived as coercive diplomacy became a medium-sized war. While intervening in Mt. Elgon conflict, the government was convinced that a short operation would compel the militia to pursue non-violent means of resolving the conflict. However, this was never the case of the two months military intervention in Mt. Elgon conflict against the armed militia.

According to Michael Walzer, the debate on military intervention can also be justified on the framework of just and unjust war. Walzer argues that a State can only wage war for the sake of a just cause of self-defence, protection of innocent and punishment for wrong doing. He adds that, military intervention also requires serious calculations within individual
The military intervention was also justified because it in no way went against the international law. The international legal regime advocates for the respect of territorial integrity of sovereignty of states. Thus, any military in a state that unilaterally intervenes without the consent of the UN in internal conflict is by definition not contentious and not in violation of International Law because it does so under its sovereign mandate. As such allegations are not within the jurisprudence of the International Criminal Court (ICC) as advocated by NGOs unless there is human rights violation.

Another important parameter on justifying the military intervention as “just war” was to assess the success of the operation. There are two issues to measure success of military or third-party intervention according to Regan.22 First, are the events or circumstances of
conflict that precipitate the intervention and secondly, the range of motivational factors behind the intervention. According to security intelligence briefs of the Kenya Police, the atrocities committed by SLDF were by any definitions beyond reproach for any state security organs. There was thus a need to restore the rule of law and to end impunity perpetuated by the militia.\textsuperscript{23}

The military intervention was also justified on the premise that there was no guarantee that a non-military intervention would be effective in ending violence. Prior to the police led operation Tafuta Amani the government had used the Provincial administration to resolve the conflict through non-violent means but the militia revolted against it. The SLDF also continued to engage in spate of violence even after peace agreement had been signed. The State thus had a moral obligation to intervene when people of Mount Elgon district were in peril.

**Circumstance Leading to Operation Okoa Maisha in Mount Elgon.**

The Operation Okoa Maisha was according to the government necessitated by a host of security factors.\textsuperscript{24} The police security briefs indicated that in the months preceding the March 2008 military intervention, numerous incidents of violent crime had been witnessed and reported in Mount Elgon and surrounding areas. All the incidents were attributed to a local criminal gang- SLDF- which had been operating with impunity for over two years.\textsuperscript{25}

The State Security organs showed that the Mount Elgon conflict which initially started as local land dispute confined to Kipsiro and Cheptais divisions of then Mount Elgon District had spread to affect neighboring districts. It also showed that the militia was engaged in absolutely unjustified criminal acts of murder, robbery, arson, rape and extortion. The net result of this wave of violence was distress to the region.

According to the police, the last criminal incidence by the SLDF that prompted the military intervention was the grisly murder of twelve civilians who had been accused of betraying the gang in Kimama village. Prior to this, the police had investigated over 145 cases of murder as well as several cases of rape and mutilation. Schools had been closed with over 10,000 primary school children not attending school. The small scale farmers in the area had also lost over 712 heads of cattle. All subsistence farming, the economic base of the region, had been grounded exposing the populace to the possibility of famine.\textsuperscript{26} All these amounted to gross violation of the law and threats to nation security and regional peace.

As violence intensified the residents of Mt. Elgon district begun calling for a more formidable force to end the violence. The government therefore launched the operation Okoa Maisha on the night of 10\textsuperscript{th} March 2008 to restore security. The mission of the operation was,
first, to apprehend criminals who had committed crimes against innocent people and recover all the firearms illegally held in the area. Secondly, the government was to create an enabling environment for the population to cooperate with the police in the investigation of serious crimes reported in the area. Thirdly, to arrest and bring to justice persons responsible for the crimes committed in that area. Fourth was to prevent commission of further crimes in the area. Fifth, the government also intended to restore law and order in the region that would enable relevant government authorities to comprehensively deal with the root cause of the conflict.

The operation Okoa Maisha was an extensive exercise meant to achieve results as soon as possible. The first phase involved thorough security patrols in Mt Elgon forest, caves and the inhabited areas to apprehend criminals and recover illegal firearms. It also included interrogation of all persons suspected of committing, aiding and abetting the commission of crimes in the area. Phase one lasted five days and involved the screening of over 300 persons ranging from chiefs, assistant chiefs and teachers at Kapkota military camp. The first success of the operation was the ending of the fear of retribution by criminals which the local resident's had been subjected to. This fear had blocked citizens from volunteering information to security forces on criminals and criminal activities in the area. The second success was the recovery of illegally held firearms. In the first phase of the operation, the security forces had disarmed the militiamen of 41 AK47 rifles and over 1,027 rounds of assorted ammunition, hand grenades and other crude weapons like machetes, bows and poisoned arrows. The military also recovered 93 camouflage uniforms within the five days of the operation.

The fourth mandate of the operation included the prevention of commission of further crimes in the District. The military successfully stopped cases of murder, rape, extortion and stealing of livestock that had been reported in Mt. Elgon district. Finally, the police report indicated that schools had reopened and teachers, civil servants and internally displaced persons had returned. Clearly, law and order once again prevailed in Mt. Elgon district after 18 months of anarchy.

Okao Maisha as an Operation of torture: The Human Rights View.

From several reports from Human Rights groups detailing the violations of human rights and torture in Mt Elgon district, the study concluded that from the onset the civil society regarded the government security response to SLDF abuses as that of lackluster, fostering a climate of
The Human Rights Watch argued that since the emergence of the SLDF, the militia gradually increased its control over the area, levying taxes over the already impoverished population. It had also terrorized those who failed to follow their orders, but the government kept mum or took unnecessarily long time before decisively responding to SLDF atrocities in 2008.31

The Human Rights Watch in its submission to the 41st Session of the United Nations Committee against Torture on Kenya voiced concerns over serious and widespread torture by state security forces in Mt. Elgon district. At the same time it laid blame on the state for having failed to protect the rights of citizens by being unwilling to hold both state and non-state violators to account.32

According to some of the Human Rights Organization reports the victims of the SLDF received no justice from government.33 The say that the militia abducted civilians from their homes, while looting their homes and livestock and then marched their victims into the forest where they beat them, strung them up on trees and then mutilated them by cutting of their ears cut. Some were then forced to eat their own ears, and feces. Further, the victims were warned not to report the crimes to the police or they would face serious consequences. Many complied with this threat.34

An overview of these reports also showed that from August 2006, civilians living in Mount Elgon had been terrorized through increased violence from several different groups: the Sabaot Land Defense Force, police operations, criminals and or vigilante groups. The civilian population was double victimized first by the militia and secondly by the torture committed during the military intervention.35 The reports add that the civilians have struggled to protect themselves and were frequently been forced to move in order to find safety either on the upper slopes of the mountain, down the hill or in neighboring districts. The civilian population lived in a precarious condition, dependent on local communities and humanitarian assistance.36

The negative reports over the military intervention was further given credence by the Report of The Special Rapporteur on Extrajudicial, Arbitrary or Summary Executions which claimed that the police killings were officially sanctioned and that there existed a police “death squad”. The report also highlighted that the government laxity which had allowed organized criminal gangs to operate with impunity amounted to abating crime, claims which the government refuted. The government asserted that no torture had ever taken place and does not condone extrajudicial killings. Instead the government was committed, to ensuring the
The perceptions of Residents of Mount Elgon District on the military intervention

As early as May 2007, the residents of Mt. Elgon district had expressed fear and skepticism over the impending security operation to flush out Sabaot Land Defense Force (SLDF) militia. They feared that innocent people, including men, women and children, could be harassed and sometimes killed in such operations. The operations might also lead to closure of schools. They also feared that some criminals could take advantage of such operations to rape women and commit other crimes. But when the SLDF activities increasingly became brutal and the police and GSU security contingents present in region seemed to be out rightly overwhelmed by the militia, the residents of Mt. Elgon called for a more formidable force to stem out the vice.

Initially, the civilians in Mt. Elgon happily welcomed the military. Prior to the military intervention in March 2008, the residents had gone through a rough time in the hands of the militiamen and the initial police led operation called operation Tafuta Amani. The suffering occasioned by these groups made the intervention by the military highly welcome. Immediately the military stepped in, the victims of SLDF volunteered information on the whereabouts of the militiamen to the military. Women also frequented military camps for food aid and clinical services. As the operation and hunt of SLDF intensified, the SLDF adopted a new strategy. The militias run out of their hideout in the Mt. Elgon forest and caves into Cheptais town and villages. They concealed themselves amongst the residents.

The military also changed tact and resorted to pursue the militia up to the villages rounding them for interrogation and screening at Kapkota. This strategy of rounding all males was never taken kindly by the community. A section of women blamed the military for using excess force against their husbands and sons and failing to distinguish between the innocent civilians and the militia. Overall, the women supported the intervention in ending the violence. The women perceived the military action at least as a lesser evil. As one informant recounted:

When the military choppers were first spotted in Cheptais and Kopsiro. The villagers were elated, but this elation was short lived. The military’s biggest mistake during the operation
was failure to draw a line between the local man and the militia. They made everyone a target and causality. The soldiers swooped on villages at dawn as scared residents ran for their lives. Virtually everyone was tortured. But at the end the military saved as from the merciless militia.  

The residents of Mt. Elgon district especially women had different perceptions about the military intervention. Their perceptions reflected their diversity. Depending on the category of their victimization and by which group, the Mt. Elgon district women were either “military widows” or “SLDF widows”. The SLDF victims or women whose widowhood was occasioned by the militia killing their husband and the women that became victims to SLDF atrocities supported the military intervention. Most of these women are members of the Mosop clan. These women denied the allegations that the military committed any rape. They also argue that although the military tortured and killed their relatives, some of the residents deserved such treatment since most the said victims were members of the SLDF militia who failed to surrender to the military. Therefore, when the amnesty period ended the military acted and should not be blamed.

The second category of widows was the “military widows”, widowed as a result of the military intervention. These widows also happen to be the widows of ex- SLDF combatants. This category holds a contrary opinion to that held by the former category. They blamed the military for using excess force against their husbands. They hold that their men were fighting for just cause of the community. However, this category of women as the former also was of the opinion that the SLDF actions had lacked a sense of direction. Some of the women in this category also became victims of the SLDF. They were very bitter about the militia because they had been forcefully made ‘wives’ of the militia and were occasionally raped by the other militiamen.

This second category of women also absolved the military from rape but blame the police Rapid Deployment Unit (RDU) and the GSU. These two police contingents had participated in the earlier operation that the local termed anti-janjaweed. Other than rape, the women also blamed the police for wanton destruction of property. This view was also shared by women peace builders. They say that the information on the press that accused the army of rape was unfounded. However, it is possible for one to argue that in a state of fright it was hard for civilians to distinguish between the military personnel and the police. To dispel these claims, the women of Mount Elgon however say that most of the rape associated with security personnel happened well before the operation Okoa Maisha was put in place.
In general, most of the women in Mt. Elgon district found the military friendly. They often visited the military camp for medical attention and also to seek food aid as the military had it in plenty.48 Majority of these women also argued that if any of the women became a victim of rape by the military then it was “voluntary”. As Rosemary recounted:

The military camped on top of the mountain and far away from the people but the women still followed them up the mountain. I cannot deny. Some of these were young girls that had been widows of ex-SLDF. Thus after the death of their husbands they feared the military would target them for torture and so they run to military for a cover up. The death of their SLDF husband also left them without the food they were so used to. These girls had also gotten used to befriending the security personnel especially the police and ASTU in the region in order to spy the police. If at all they slept with military personnel it was for their convenience.49

The overall assessment of the intervention shows that although the military generally did well, it was blamed for the torture leading to death of some innocent members of the community. They were also blamed for having dumped the bodies of those who succumbed to death during torture at Chepcheiwa cave just like the SLDF. Women peace activists believe that there were about 800 human skulls at Chepcheiwa cemetery in Mt. Elgon.50

The Mt. Elgon residents’ perception of the military intervention is similar to what Nicholas Wheeler sums up as “the agonizing moral choices” involved in any decision to use force in the rescue and protection of people enduring massive cruelty and suffering.51 Thus, while all military intervention tend to bring about an end to violent conflict setting the beginning of post-conflict reconstruction and peace building the success of interventions have been compromised by atrocities committed by the military while in operation.52

The existence of this blame has made it impossible to give the military a clean bill of health in the intervention thus warranting them as ‘a necessary evil’. During the intervention in Mt. Elgon the military thus never intended to do no harm but some good. Therefore, the women supported their roles. This is evident in the cordial cooperation between the military and women in the region. The women assisted the military through volunteering information leading to arrests of the militia and the subsequent disarmament. In fact, residents of Mount Elgon trust the military more than local police in handling criminal issues. They travel to Kapkota camp to report cases of drug abuse and of theft which are under the police jurisdiction.53 This is a testimony that Mount Elgon women supported the military action in ending violence.
Changing the Military Image on Intervention in Internal Conflicts

Military interventions worldwide continue to receive sharp criticism from the Humanitarian organizations because of the difference in strategies of operation. Military institutions on one hand place a high value on command and control, top-down hierarchical organizational structures and clear lines of authority, discipline and accountability i.e. directive and coercive approach. The humanitarian organizations on the other hand are less hierarchical and more participatory in their style of decision making and operations. They also attach more importance to long-term impacts, while the military with huge financial back-up engage in short-term objectives that can be met within a short time. The military’s approach is informed by security rather than long-term development considerations, while the NGOs take the message of reconciliation, conflict transformation and culture of peace directly to the people.

Since military intervention play a significant role in bringing about peace, there is need to enhance its performances to avoid widespread criticism. This can be done through reorientation of the military strategy to address the impact of its operations. For instance, there is need to change the isolationist and responsive short sightedness of the military that tends to ignores the impact of their activities on the people. This can be changed by adopting the international call for surrogate security institution. This adjustment however might be done with little disruption to the operational routines in the military. It is therefore very possible though with challenges for the military intervention to bring sustainable peace without compromising their security role.

The military can do this through acting as a surrogate institution and through civic – military operations (CMO). Anthony Anderson argues that societies suffering from atrocities committed by militia welcome the military interventions because the post-conflict societies view the military as a surrogate because it replaces former discredited institutions. Therefore, it is expected to have a significant impact on the transformation of popular attitudes toward security until new local institutions are built. While intervening in local conflicts the military should establish a good will through ethical behavior, impartial implementation of the mandate, basic humanity and military professionalism.

The military should also involve the community in security issues. In most cases the traumatized post-conflict population is willing to offer details of atrocities and torture by the rebels or militia. But once their good will towards the military intervention fades, they tend to
refrain from giving security information that would help the military operation to restore law and order.\textsuperscript{59} This is what hampered the police led operation Tafuta Amani in Mt. Elgon.

The initial police led operation failed because the police compelled the residents to give information about the SLDF militia. As a result the local community found it extremely difficult to divulge information or to relate positively with the police unless encouraged to do so. This never happened until the army intervened in March 2008. Failure of coercion to succeed implies that the military need not to employ the strategy of rounding up victims for screening. Instead, for success in operations the military, should take active measures to involve the population in the security situation on a hierarchical basis over time as the situation permits. As soon as it is possible, the local people should have a voice in community security affairs through a consultative mechanism. The civilian voice should be expanded as the security situation improves. Such a progressive program must ensure that the surrogate security force does not impede the drive to self-sufficiency but rather encourage the local population including women and the youth to build capacity to take control of its own affairs.

Another way to improve the image of the military is through developing a proper complaint process. The military should guarantee a free and fair complaint process that ensures the exercise rights of victims vis-a-vis security. An independent ombudsman-type of office to which citizens could bring complaints should be established and feedback given to the community through the independent office on how the complaint was dealt with. The creation of such system earlier on in the post conflict period would assist in building confidence within the civil society.\textsuperscript{60}

During the intervention the government agents should be democratic. Both politicians and provincial administrators should not take sides. In Mt. Elgon the provincial administration was accused of wrong doing through encouraging corruption and illegal land allocation. The politicians were also blamed for funding the SLDF militia. To ensure impartiality there is need for military intervention in local conflict to be sanctioned and controlled by a civilian body like the UN. However, the setback to this is the UN bureaucracy which takes long to intervene.

The military can also cultivate a good image through civil-military cooperation and using its resources to support local reconstruction that are not only seen to be aiding their operations. The dilemma is when the military does undertake CMO projects, the civil society is often critical, arguing that the activity is ill considered and motivated by military considerations as opposed to needs of the community. In Mt. Elgon district the military opened new roads only
to be accused of doing so in order to ensure accessibility to their logistics and the success of the operations.

CONCLUSION

Even though the military intervention won the hearts of the local residents in Mt. Elgon district by ending the violence, in the opinion of residents of the area, lasting peace can only be achieved if the root causes of the conflict are addressed. The success of the operation despite of the criticism is a clear indication that if well timed and managed, military intervention should serve the immediate purpose of restoring law and order in internal conflict and never to come as a last resort. The operation Okoa Maisha thus serves as a good example for the military’s capability to restoring national security and peace in the wake of increased civil armed conflict by militia.

Notwithstanding, the military’s ability to do ‘good’ is tainted by isolated cases of brutality and torture leading to death. In such cases the commanders and the perpetrators should accept liability as required by the international Human Rights Law. The Department of Defense should also not be a stumbling block between the individual perpetrator and the call for justice.

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