

**U.S. Department of State
Annual Report on International Religious Freedom for 1999:
Kenya**

Released by the Bureau for Democracy, Human Rights, and Labor
Washington, DC, September 9, 1999

KENYA

Section I. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

The Government requires new religious organizations to register. Once registered, religious organizations enjoy a tax-free status and clergy are not subject to duty on purchased goods. Religious organizations generally receive equal treatment from the Government; however, some small splinter groups have found it difficult to register due to their inability to define their status as more than an offshoot of a larger religious organization. The Government has not granted registration to the Tent of the Living God, a small Kikuyu religious order banned during the single party era (pre-1992). However, due to the arrival of a multi-party system in 1992, this group virtually has disappeared.

According to rough estimates, the Protestant denomination is the largest religious group representing approximately 38 percent of the population. Approximately 28 percent of the population are Roman Catholic, while an estimated 10 to 20 percent are Muslim. Hinduism is practiced by 1 percent of the population and the remainder follows various indigenous African religions. Atheism is negligible.

Although the Constitution provides for freedom of assembly, the Government at times disrupted public meetings that religious groups organized or participated in for political reasons. On June 10, 1999, a collection of Protestant, Catholic and Muslim organizations held a peaceful demonstration to protest the Government's intention to have Parliament revise the Constitution instead of a commission. Police and thugs hired by the ruling party broke up the demonstration and beat some demonstrators, including the Reverend Timothy Njoya. After the demonstrators dispersed, widespread riots broke out and dozens of persons were injured in violent confrontations with the police.

In April 1998, police arrested Francis Tulel, the secretary of the Catholic Peace and Justice Commission for Eldoret Diocese, for cattle rustling. Some observers believe that Tulel was arrested for his activities with the Peace and Justice Commission.

Muslim leaders charge that the Government is hostile toward Muslims. Despite 1997 reforms and the subsequent registration of a large number of political parties, the Government refused to reverse its 1994 denial of registration of the Islamic Party of Kenya (IPK) on the grounds that the IPK had been involved in a number of violent confrontations with police in 1992. In September 1998, 1 month after

the terrorist bombing of the U.S. Embassy in Nairobi, the government's nongovernmental organization (NGO) board deregistered five Muslim NGO's for allegedly supporting terrorism, but without detailing the charges or giving them a chance to defend themselves. Many Muslims severely criticized the closures. The next week, the High Court stayed the board's decision, then in December 1998, reversed it and reinstated three NGO's that had appealed the deregistration.

On March 6, 1999, Muslim groups demonstrated in Machakos against alleged religious persecution by city council authorities. The Muslims claimed that the municipal authorities had confiscated equipment used by the Ukunda Muslim Propagation Group. The town clerk claimed that the group had conducted open-air meetings without seeking authority from the city council and had disparaged Christianity verbally.

The Government periodically arrested and briefly detained some members of the Mungiki order, a small, controversial Kikuyu traditional religious group. On February 7, 1999, 81 members of the Mungiki order were arrested and refused bail. The Government accused Mungiki members of requiring adherents to take illegal oaths against the Government, coercing females to undergo the practice of female genital mutilation, and coercing males to undergo circumcision rites. They were released on March 16, 1998. The debate over the rights of the Mungiki to practice their traditional religion and advance their political agenda is ongoing. It remains unclear to what extent the Mungiki may have broken the law in pursuing these religious practices.

The Government historically has been unsympathetic to tribal religious groups that have engendered protest movements. Prior to 1998, the Government treated another traditional religious group, the Tent of the Living God, in the same manner as the Mungiki and arrested its leader in the late 1980's. The Tent of the Living God was formed in part by Kikuyus frustrated with the Government's insistence on a single-party system and limits on political freedom. Due to the arrival of a multi-party system in 1992, the group virtually has disappeared.

Muslims complain that non-Muslims receive better treatment when applying for proof of citizenship. According to Muslim leaders, government authorities more rigorously scrutinize the identification cards of persons with Muslim surnames and require them to present additional documentation of their citizenship (i.e., birth certificates of parents and, sometimes, grandparents). The Government has singled out the overwhelmingly Muslim ethnic Somalis as the only group whose members are required to carry an additional form of identification to prove that they are citizens. They must produce upon demand their Kenyan identification card and a second identification card verifying screening. Both cards also are required in order to apply for a passport. This heightened scrutiny appears to be due to an attempt to deter illegal immigration, rather than to the religious affiliation of the ethnic Somalis.

Foreign missionary groups of nearly every faith operate in the country. The Government generally has permitted their assistance to the poor and their founding of schools and hospitals. The missionaries openly promote their religious beliefs and have encountered little resistance. However, in July 1998, the Government deported an American evangelist who handed out leaflets in front of a mosque in Nakuru and made anti-Muslim statements that Muslims considered blasphemous. Government authorities had to intervene to prevent a riot by local Muslims (see Section II).

There was no change in the status of respect for religious freedom during the period covered by this report.

There were no reports of religious detainees or prisoners.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

There is generally a great level of tolerance among religious groups. Intermarriage between members of the Christian religions is common and interfaith prayer services occur frequently. Intermarriage between Muslims and Christians, although infrequent, is also socially acceptable and mosques and Christian churches can be found on the same city blocks.

However, there were a few instances of violence between adherents of different religions. For example, in April 1999, a large fight broke out between Christians and Muslims in Eldoret. The two sides exchanged insults and then fought during simultaneous open-air prayers held in the town square. Some individuals reportedly were stabbed with knives before riot police intervened.

In late summer 1998, there were violent protests by groups of Muslims in Garissa and Wajir in response to reports of an American evangelist handing out leaflets in front of a mosque in Nakuru. The evangelist made anti-Muslim statements that Muslims considered blasphemous. Government authorities had to intervene to prevent a riot. The Government deported the man to the United States in July 1998.

Mob violence is a problem and in 1998 resulted in the deaths of at least 16 persons suspected of practicing witchcraft. In one instance a mob in a Kisii village beat and burned to death 10 rumored "witches." Some local Christian ministers praised the perpetrators for "saving" the villages from Satan.

For years Muslims and Christians have held an open debate over their respective place in society. Each group claims to have a larger number of adherents than is plausible, and some Muslim groups believe that government and business communities deliberately have impeded development in predominantly Muslim areas. The debate sometimes created a sense of mutual mistrust. The August 7, 1998 bombing of the U.S. Embassy in Nairobi stirred up suspicion toward Muslims on the part of non-Muslims.

There have been efforts to bridge religious divides, including an ecumenical prayer service that was held in August 1998 in the aftermath of the U.S. Embassy bombing. Persons of all faiths as well as government officials attended the service. In addition, the Inter-Faith Peace Movement represents a broad religious spectrum, and its members include the Anglican Church of Kenya, the Supreme Council of Kenyan Muslims, the Muslim Consultative Council, the Methodist Church, the Catholic Church, the National Council of Churches of Kenya, the Inland African Church, the Presbyterian Church of East Africa, and the Hindu Council. The Inter-Faith Peace Movement announced plans to hold a joint demonstration on June 10, 1999 to protest the President's plans to return the review of the

Constitution back to Parliament. The disruption of the peaceful demonstration by police who beat demonstrators resulted in widespread riots and violent confrontations between the police and members of the public (see Section I).

Section III. U.S. Government Policy

The U.S. Embassy made a concerted effort to bridge gaps that exist between Muslims and Christians. Embassy officials maintain regular contact with leaders and members of all religious communities. The Ambassador and other embassy officers often meet with Catholic, Protestant, and Muslim leaders while traveling. The Ambassador regularly hosts meetings with religious leaders to discuss issues affecting those communities.

After the August 7, 1998 bombing of the Embassy, certain Muslim groups believed that the U.S. Government had treated them unfairly in the ensuing investigation. As reported in the local press, embassy officials went into the Muslim community to dispel any myths surrounding U.S. Government policy towards Muslims. The embassy public affairs officer also wrote an editorial in October 1998 explaining U.S. Government actions following the bombing and stressing that U.S. policy is not influenced by religious affiliations.

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