

Acting Out Justice in Kenya

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Drama group in Rift Valley seeks to dispel misconceptions about international justice process.

It is a warm Saturday lunchtime and the playing fields next to the Cheptiret market are packed with people. Men, women and children are jostling for position in front of a raised wooden stage.

Without warning, a voice calls out from the crowd, and a man clearly dressed to look like a politician makes his way, panting and clumsy, onto the stage.

"I'm finished! I'm finished! We're all finished! Our people... we are being targeted! Our community! They want to finish us politically and economically!" he shouts.

At this, a band of young men run panic-stricken onto the stage, brandishing machetes and other weapons, and shouting "What? Who? Where? Why? ICC! ICC! ICC!"

They come to an abrupt halt. One brave soul makes his way across the stage, trembling as he walks, and asks the politician softly, "Where is he? I mean, ICC?"

As the audience applauds, the politician bows his head. A split second later, a pastor walks out from the crowd to tell everyone that the ICC is the International Criminal Court, "a permanent international court established to investigate, prosecute and try individuals - not a group, a tribe or a community - accused of committing the most serious crimes of international magnitude".

Cheptiret is a small town located 300 kilometres northwest of Nairobi, in the Rift Valley, one of the regions worst hit by the violence that shook Kenya after the disputed presidential election of December 2007.

The local drama group, known as the North Rift Peace Theatre Ambassadors, is performing plays and comedy sketches across the region to help people gain a better understanding of the ICC, and expose the misconceptions that are being peddled about it in the run up to presidential, parliamentary and regional elections on March 4.

The Hague court has charged four Kenyans, including a leading presidential candidate - with crimes against humanity, accusing them of orchestrating the bloodshed of 2007-08. Deputy Prime Minister Uhuru Kenyatta, former cabinet secretary Francis Muthaura, former member of parliament William Ruto, and journalist Joshua Arap Sang all face trial for the violence that killed more than 1,100 people and displaced 600,000 others.

Their trials are scheduled to start on April 10 and 11 in The Hague.

Kenyatta is standing for the presidency, with Ruto as his running mate. Last month the two ICC suspects formed the Jubilee Alliance to consolidate their support among the Kikuyu and Kalenjin communities, which opposed one another in the 2007-08 unrest.

When the ICC began its investigations in Kenya in 2009, it met with wide public support. Kenyans desperately wanted to see justice for the two months of atrocities.

But in the Rift Valley, that support quickly diminished when the court announced charges against senior members of the government and other popular figures in the region.

When the ICC confirmed the charges against the four suspects in early 2012, Kenyatta and Ruto held "prayer rallies" that quickly became seen as a concerted bid to undermine the international judicial process in the eyes of the electorate.

"The Eldoret meetings [in the Rift Valley] were represented as a peace programme but over time it milled into a programme to fight accountability, against ICC," George Kegoro, executive director of the Kenyan Section of the International Commission of Jurists, said.

Meanwhile, Prime Minister Raila Odinga, who is also standing for president, and another leading candidate, Musalia Mudavadi, have sought to win votes by promising that, if elected, they will bring the four ICC cases back to be tried in Kenyan courts rather than in The Hague.

"Before Kenyans knew who was on the ICC list of suspects, the support for the court was very high. Immediately after [prosecutor Luis Moreno-Ocampo] revealed the names of six suspects, the support dropped by about 50 per cent," said Betty Murungi, vice-chair of the board of the Kenya Human Rights Commission. "This was due to ethnic and political mobilisations that followed afterwards in the country."

Kenyatta and Ruto have maintained that they will cooperate with the ICC even if they are elected president and vice-president in March. But as campaigning has gathered pace, they and their supporters have increasingly engaged in anti-ICC rhetoric.

Portraying the court as a colonial-style institution imposing itself on the Kenya people has had the desired effect in many areas of the Rift Valley.

“I no longer have faith in the ICC process,” Paul Rotich, who lives in Cheptiret, told IWPR. “I have heard many things about the court that have made me lose interest and confidence in the whole process. I don’t see justice being done, because the court is biased and [has] targeted only leaders of certain communities.”

Through performances like the one in Cheptiret, the Rift Valley theatre group is trying to change things. It is currently trailing the presidential campaigners in an effort to reverse misunderstandings about the ICC and rebuild Kenyans’ confidence in the justice process.

The theatre group’s performance in Cheptiret went down well with the audience.

“I now understand a bit about [the] ICC,” said Gladys, a mother of five, carrying her baby on her back. “For two hours, I have been standing here watching this group perform and I realise our politicians don’t tell us the truth. Seeing them act how the ICC works and how it is structured, I now believe it’s the best thing to deal with our leaders.”

Ken Rutto, coordinator of the theatre programme, says making people understand the role of ICC in Kenya and countering the many falsehoods about the court has been “a hard nut to crack”.

“It has not always been easy to convince locals that the ICC is like any other justice process – independent, free from interference by any state, and [one] that doesn’t target any community or country,” he said.

The North Rift Peace Theatre Ambassadors have been welcomed by the ICC, especially as they are working in a part of the country where the court has found it particularly difficult to make its aims and activities understood. The performers have been able to explain important elements of the court’s work as well as the legal basis for its intervention in Kenya.

“This group is popular and dynamic,” Maria Kamara, the ICC’s spokeswoman in Kenya, said. “It has been helpful in explaining difficult parts of ICC process through theatrics.”

The group uses drama and dance to communicate messages about peace and raise public awareness about serious subjects.

Rutto, 30, said he began acting at primary school and used to earn a living by impersonating politicians and radio and television presenters. He found that mimicking major personalities was a good way to get people to engage with important issues.

“I noticed that talking with people was not effective, and started acting [things] out whenever I wanted to pass [on] any message – especially to many people,” he said.

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