

Recognizing and Strengthening the Role of the Njuri Ncheke in Devolved Governance in Meru County, Kenya

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Abstract

After fifty years of mixed fortunes in governance, Kenyans hope that the devolved system of governance as enshrined in chapter eleven of the Constitution fulfills the potential the country anticipated since independence. However, the success of devolution will not only depend on the relationship between the national government and the devolved units but will also bank on involvement of other non-state actors such as indigenous institutions of social control. The Njuri Ncheke council of elders among the Ameru community, who occupies the upper Eastern region of the country, presents such an institution. Equipped with wealth of indigenous knowledge, the Njuri Ncheke council of elders can play crucial role in the devolved government, especially in regards to conflict resolution, environmental conservation, education and development, among other roles. This paper explores some of the roles the indigenous institutions of social control, such as the Njuri Ncheke, could play in the devolved system of governance in Kenya.

Keywords: Governance, Indigenous Knowledge Systems, Devolution, Njuri Ncheke

Introduction

Many African communities have over the years acquired a wealth of knowledge through interacting with environment. This knowledge is referred to as indigenous knowledge. The knowledge has been by generations in various ways, such as promotion of peace, conflict resolution, agriculture, environmental conservation, weather forecasting, food preparation, among others.

In the era of modernity, most of indigenous knowledge systems have either been eroded or replaced by modern and formal institutions. Moreover, the indigenous knowledge systems are

on the brink of extinction owing to the fact that most of them are not documented, and that the elderly custodians are fast dying. However, even in the wake of modernization, indigenous knowledge systems can be used to complement the modern institutions and technologies in solving the day to day problems.

Kenya has diverse cultures and communities, each with their unique indigenous knowledge systems. The Ameru just like most Bantu communities in Africa have for generations been ruled by a council of elders constituted by the most knowledgeable members of the community who by the virtue of living for many years and interacting with the environment for long have either devised new knowledge or are custodian of knowledge passed from the earlier generations. The Njuri Ncheke council of elders among the Ameru is an example of indigenous institution that continue to influence the community notwithstanding the changes in time.

Who is the Njuri Ncheke?

The phrase Njuri Ncheke is composite of two terms, namely, Njuri and Ncheke. Literally, the former means “panel of judges” or “jury” while the latter means “thinned out” or “select council”. Thus, the phrase Njuri Ncheke connotes a selected council of adjudicators with a definite social role. As the phrase suggests, members of Njuri Ncheke were carefully selected and comprised mature, composed, respected and incorruptible elders of the community. This was necessary because their work called for greater wisdom, personal discipline, and knowledge of the traditions. The Njuri Ncheke is also the apex of the Ameru morality, culture, and traditions and their edicts were binding across the entire community. After selection, each member was required to pay a fee consisting usually of a number of animals that had to be sacrificed and consumed in a ritualistic feast.

Njuri Ncheke was a symbol of culture and unity of the Meru people, a Bantu ethnic group that inhabits the North and Eastern slopes of Mount Kenya. The name “Meru” refers to both the people and the region, which comprises nine regions, namely the Igoji, Imenti, Tigania, Mitini, Igembe, Mwimbi, Muthambi, Chuka and Tharaka (Lambert, 1948; M’Imanyara, 1992). As a cultural symbol, Njuri Ncheke is a major custodian of tradition and cultural values of the Ameru. As a symbol of unity, Njuri- Ncheke made and executed community laws, listened to and settled disputes, and passed on indigenous knowledge and rites across the generations. It also handled matters related to religious values, economic system, and political unity of the Ameru. It is noteworthy that the Njuri-Ncheke still holds a good deal of these prerogatives hitherto. Local disputes are invariably first dealt with by the Njuri-Ncheke, and only when cases cannot be solved are they passed on to the modern Kenyan judicial system.

Role of Njuri Ncheke in Governance

Historically, the Ameru people were traditionally governed by elected and hierarchical council of elders right from the clan level (known as *Kiama*) to the supreme level (known as Njuri Ncheke) (Fadiman, 1973). Notably, Njuri Ncheke governed all the nine regions constituting the Meru County. Nowadays, the council is one of the few indigenous judicial system recognized by the Kenyan government and still wields power and influence when it comes to political decision-making amongst the Ameru.

Promotion of Peace, Conflict Resolution and Reconciliation

Traditionally among the Ameru, the governance system was essentially gerontocratic based on elected leaders and a hierarchal council of elders, which ranged from the clan council (the lowest level) to the supreme council (the highest level), also known as the Njuri Ncheke. The supreme council was guided by wisdom, discipline, knowledge, and experience of the Ameru history and culture. It operated as the traditional judicial system and existed even before the arrival of the colonialists in 1908 (Laughton, 1938). Although the judicial functions of the Njuri Ncheke have been replaced by the modern institutions, the council still occupies a crucial niche among the Ameru community, especially with regard to peace-building, conflict resolution and reconciliation.

Nowadays, many people of the Meru County prefer the Njuri Ncheke to the modern judicial systems. This is because the latter is basically adversarial in its approach, while the former embraces the restorative justice approach, which aims at unifying and pacifying the offenders, victims and the community as a whole. It further seeks to create dialogue and re-examine how the concerned people perceived justice. In addition, its restorative approach is sealed through communal rituals and ceremonies that enhance peace, corporate living, diminish the feelings of shame, and ensure that justice, peace and reconciliation are paramount.

Education and Development

At the onset of formal education, the Njuri Ncheke were at the forefront in campaigning and encouraging the communities to take their children to school. They even donated 641 acres of community land in 1983 for the establishment of the present day Meru University of Science and Technology. The University is located next to the Njuri Ncheke headquarters at Nchiru in Meru County.

Currently, the top organ of the Njuri Ncheke has a professional group of elders' wing which advises the others on matters concerning education and development as needs arise. Their advice helps the Meru people to bargain for economic space within government and political arena.

Environmental and Heritage Protection

The Njuri-Ncheke oversees and enforces the rules and regulations on the use and conservation of open grasslands, salt-licks, forests, and other natural resources. The hallmark of conservation is enshrined in the Njuri Ncheke Shrine, which is located at the heart of Meru and sits on a twenty acres piece of land. The shrine is a symbol of the Ameru culture and heritage, and has been gazetted by the Kenyan Government as a cultural and tourist attraction (Ngeno, 2010). It is cylindrical in shape, symbolizing the Ameru homesteads as well as the Njuri Ncheke's supremacy in decision making process. The shrine is protected and managed by the National Museum of Kenya as a national monument of the highest importance to the national and international community. It is the headquarters of learning Meru ethnography, especially how ethics and justice were dispensed in the olden days. The monument exhibits the Ameru culture by displaying various tools, artifacts, local geology, stuffed mammals and birds. It is situated in an environment that is home to a variety of flora and fauna, thus providing a pristine retreat for visitors. Throughout its existence, the Njuri Ncheke council has been able to use the monument for making decision on variety of issues, environmental conservation, settling land disputes, fighting crimes, promoting human rights, among others.

Environmental degradation has been identified as a major challenge in Meru County. The main environmental challenges affecting the County include deforestation, soil erosion and

destruction of water catchment areas. Most of these have been occasioned by human activities. Njuri Ncheke has been instrumental in promoting environmental conservation practices that were used by earlier generations. They have also championed the conservation of trees and water catchment areas (Wambui, 2015). In addition, the Njuri Ncheke has also come out strongly against retrogressive traditional practices such as the Female Genital Mutilation (FGM) which was once a widespread vice among the Ameru. They have instead proposed alternatives rites of passage for girls (Muchui, 2013a).

Politics and Leadership

Njuri Ncheke has always had political clout right from the pre-colonial, colonial and post-colonial periods. In the pre-colonial period, the Njuri Ncheke elders were in charge of the political and governance matters. In the colonial period, the Njuri Ncheke negotiated with the colonial administration to treat the Ameru as a separate entity from the neighbouring Embu and Kikuyu communities. This resulted in the recognition and involvement of the Njuri Ncheke as a critical institution in matters pertaining to colonial administration, administrative networks, native customs, and laws. This further led to the formation of the Meru Native Council in 1925 and the Meru Native Land Unit in 1953. In fact, the Njuri Ncheke was taken so seriously that was represented at the Lancaster House Conference in Mombasa (Kenya) where Kenya's independence was negotiated (Thomas, 2003).

The present day political and administrative divisions of the Meru County were by and large influenced by the Njuri Ncheke. As the highest institution of social control among the Ameru, Njuri Ncheke plays a critical role in the modern day governance especially in the current devolved system of governance. When there is a crucial political decision affecting the Ameru, the Njuri meets to chart the way forward regarding the issue. The caliber of its members coupled with respect they command in the community make the Njuri Ncheke exercise considerable influence regulating the norms and customs that govern the Ameru nowadays (Mwagiru, 2011).

It is common-place that all those vying for political positions must be endorsed by the council. Before a major political decision affecting the Ameru is made, the council must be consulted (Mauta, 2010). It is no surprise that even the current system of devolved government supports the efforts of Njuri Ncheke by encouraging the elders to continue with their judicial roles (Mutembei, 2014). The council has been instrumental in arbitrating matters related to security, intra-county and inter-county disputes.(Gitonga, 2013).

The current political orientation of the Ameru is anchored largely in the Njuri Ncheke. This is enabled by the fact that the Njuri Ncheke recognized the role of professionals in political milestones. For example, on the 31st of January 2015, a renowned lawyer and current Senator of Tharaka Nithi County, Mr. Kithure Kindiki, was installed as a Njuri Ncheke elder which was a great step in furtherance of Njuri Ncheke's political space. The council also ensures that the political elite work together to achieve the unity of the Ameru and that the larger Meru region speaks in one voice especially during the national elections (Kithuka, 2011). The Njuri Ncheke has even taken the prerogative of appointing and installing the spokesperson of the Ameru in all political matters affecting them at the regional, national and international levels (Muchui, 2013b).

The Changing Face of Njuri Ncheke

Times have changed and so are the societies. The introduction of formal education, religion, sophisticated technology, Western culture, and globalization has slowly eroded some cultural norms. Gone are the days when the governing affairs in African societies were solely left in the hands of elderly men. The days when leadership was dictated by the age-sets, governance directed by council of elders, and rituals officiated by ritual elders are long gone.

Similarly, the Njuri Ncheke has undergone transition over time. The council, which for years was dominated by elderly men, is slowly admitting educated and urbanized youth into its echelons. Njuri Ncheke is no longer a council only made of aged elderly men; it also includes young professionals. It is no longer a requirement to be an elderly man of prime age to qualify to join the council. It is normal for a 25 year old young man to be a member of the Njuri Ncheke council something that was almost unthinkable ages ago. The incorporation of young professionals in the council of elders brings a new element that help the elders solve some of the modern problems. This outlook is meant to boost the youth leadership especially in the matters of ethics, integrity, social values as well as preservation of culture (Wanyoro, 2014). This is informed by the fact that Njuri Ncheke should not only play a key role in governance of the Ameru, but also the entire nation (Murimi, 2013).

Conclusion

Since its inception, the Njuri Ncheke council has been instrumental in promoting peace and unity not only among the Ameru, but also their neighbouring communities. Nowadays, the council continues to play major role in the devolved system of governance in Meru County in Kenya. The devolved system of governance in Kenya is meant to bring leadership closer to the people at the grassroots level. The implementation of the system has presented challenges and opportunities, but nevertheless, the Ameru like many other Kenyans are excited that devolution will fulfill the economic potential that they so yearned since independence. The success of devolution in Meru County depends on how the County government harnesses the strengths and opportunities of the Njuri Ncheke to run the affairs of the people. The fact such an old institution like Njuri Ncheke continues to exercise considerable influence nowadays is clear proof that indigenous knowledge systems can synergize with the modern ones to address the challenges that arise from the devolved system of governance.

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