

**REPORT OF THE DINNER HELD ON 12 FEBRUARY 2018 AT THE SAFARI PARK HOTEL**



If you were not able to attend the Church Governance Dinner hosted by Hesabika Trustees on 12 February 2018, you missed a great conversation on how poor governance in the church, and its organizations, affect national life. One of the speakers, Hon. Justice Richard Mwongo, went as far as concluding that “Christians are the greatest threat to good governance in Kenya.” Dr. Michael Schluter echoed the same conclusion and exhorted us that we in the church cannot point a finger at the politicians for poor governance and corruption, unless we can model these values in our churches. In a panel conversation hosted by KTN’s Yvonne Okwara, three church leaders, Archbishop Ole Sapit, Canon Peter Karanja, and Bishop David Oginde, discussed how the church can improve its governance and model accountability and transparency for national engagement. This newsletter shares the highlights of the meeting, but full talk and pictures can be assessed from [www.hesabika.com](http://www.hesabika.com) or <https://www.youtube.com/watch?v=E8gEaAqDU4>.

Hesabika, in furtherance of its fifth strategic priority, namely: Serving the Church in its Prophetic Role to the Nation, commits itself to the following:

1. In partnership with the Institute of Certified Public Secretaries of Kenya (ICPSK), develop **Church Governance Guidelines**, which various churches can adopt or customize to their contexts. These guidelines will also contain a section on **Alternative Dispute Resolution (ADR) mechanisms**.
2. Set up a **Christian Dispute Resolution Bureau** through drafting of a policy and regulations in line with Article 159 to enhance relational peace building among Christians in conflict. We will be calling a number of Christian professionals who can support this initiative to offer their services for the body of Christ.
3. Set up a **Christian Institute of Public Affairs (CIPA)** to support church engagement in public affairs.
4. Support NCKK and EAK in setting up of a **Religious Freedoms Commission (RFC)**. NCKK and EAK have drafted Religious Organisations Regulations that will first be discussed internally and then forwarded to the Attorney General (AG) for formal adoption. Among the proposals in the draft is formation of Religious Freedoms Commission (RFC) that supervises four different councils, namely Christian, Hindu, Muslim, and Others. The RFC will function under the AG’s office working through different councils to deliver on its mandate.



## The Puzzle of Governance and the Church in Kenya

Hon. Justice Richard Mwongo, EBS. Principal Judge of the High Court of Kenya

***“Christians are the greatest threat to good governance in Kenya”***

Hon. Justice Richard Mwongo

At 84% of the Kenyan population (2009 census), Christians are the greatest threat to good governance in Kenya. This is because:

- Many corruption cases are perpetrated by Christians. Justice Mwongo cited real life examples from a long career in public service to illustrate this reality.
- Christians keep quiet in the face of bad governance and corruption, thereby hiding our light and failing to be the salt of the earth.
- The Kenyan 2010 constitution has borrowed a lot from biblical principles of good leadership (preamble, articles 6, 10, 232, 201), yet Christians, even in their organized bodies, ignore these and demonstrate greed, hypocrisy, selfishness, lack of a servant heart, pride etc.
- Leadership wrangles in churches, often related to fraudulent elections, struggle for power or misappropriation of resources, belie the church's claim to be positive influencers of society.
- Lavish and ostentatious lifestyles of some church leaders are not an example of the good governance we desire to see and implement; These easily happen in church because many of our constitutions do not provide for member participation in governance and establishment of transparency.
- The mention of churches in cases of grabbing of public land. The church has not considered repentance and recompense for some of these ills of the yesteryears.
- The church's refusal to engage in self-regulation, ultimately inviting government regulation. The church stifled and bypassed one of the best chances at cracking down on rogue pastors. If the church were to self-regulate, there would be no need for the state to regulate the church.
- There has been a deafening silence of the church as a temple of good governance. The church may have lost its voice in advocating for good governance in Kenya.
- The lack of moral authority to require accountability. In our nominalism, we have no roots of faith and obedience. If you have skeletons in your cupboard, as a Christian, it is very unlikely that you will ask others to remove theirs.

### WHAT CAN THE CHURCH DO?

- **Discipleship:** Until those in the church are influenced by God's word in what they do, we will never influence the nation in what it does.
- **Embrace and act on good national laws:** We should seize the opportunity provided by good legislation to work for positive influence. Kenya does not suffer from inadequacy of laws and regulations. We have enough, a lot of it drawn from scripture. Christians should be at the forefront in living out the godly principles and dictates of our constitution and governance laws.
- **Positive modelling:** The church must wake up to its God given place in the governance of itself and in the governance of the nation. Deal with the skeletons in our cupboards, then speak up for good governance.
- **Dispute resolution in church:** The church should strive to avoid disputes in the public eye. We can make good use of the "Alternative Dispute Resolution" mechanisms encouraged by our constitution, provided for and encouraged by the judiciary, and taught in scripture. Many churches and faith-based groups have in-house disciplinary procedures, but lack in-house dispute resolution guidelines. Rather than wash our dirty linen in public, the church should be an example of good governance.



# The Importance of Relationships in the Life of the Church

*Dr Michael Schluter, CBE. Former World Bank Economist for East Africa & Founder CEO Relational Research, and Jubilee Centre, Cambridge, United Kingdom.*

## Introduction

Dr Schluter opened his address by examining the challenge of governance in Kenya, eating away at it like a cancer and strangling its growth. Kenya has a paradox of numbers: it is the 159th most corrupt country in the world, out of 175 studied by TI, yet it is also one of the most Christian countries in the world. Christianity should impact on public life, not just on private life. God is concerned about relationships and public life.

## Contextual Realities:

1. Land tenure: Kenya has imported from the West a pattern of individual ownership of land that goes against the traditions of its people and the biblical teaching on land in Leviticus 25.
2. Ballooning debt: Debt is toxic for families and human relations; creating an unhealthy balance of power. No wonder the bible is always against debt. But the debt situation in Kenya also applies to corporate and personal debts.
3. Business interests: There are companies run only on the interest of shareholders, sometimes absentee shareholders, completely ignoring the interests of other stakeholders, especially the broader society.
4. Democracy and governance: Kenya may have adopted a Western understanding of constitution and government, around social contract and individual voting, resulting in a winner-take-all constitution, which in turn causes deep distress and divisions.
5. Schooling system: The schooling system is based on competitive individualism, so people compete all the while to be better than the others. The spirit of cooperation and relationships is ignored.
6. Salvation and relationships: Salvation is often seen as an individual relationship with God, while ignoring its relational and communal aspects. Yet the cross, the heart of the Christian faith, is about relationships and forgiveness. The church is meant to be a relational community; not with superficial relationships and networking, but with deep, genuine relationships.

## How can Kenya be changed by the church?

The churches can mobilise people towards public causes and public good, but this depends on the leadership of the church recognising that responsibility. We in the church cannot point a finger at the politicians in any of these areas, unless we first of all get them right and model them in our churches.

1. The church should examine the biblical teaching on debt and campaign against it. We need to advocate for a debt free growth strategy. We should not over burden the younger generations.
2. Re-define land ownership outside the cities to be within the context of community; not bought and sold on individualistic basis.
3. Schools and learning should be based on a relational ethos, instead of competitive individualism.
4. Time, our scarcest resource, should come under public scrutiny. We should use time to build and enrich relationships. We need to have time for God and our families. Christians should be conscious about the time demands on those we relate with in our families and those who work for us.
5. We need to focus on relationship building, beginning within the church. This can be evidenced in genuine concern for one another, modelling forgiveness in society, and demonstrating love.





## Summary of Panel Conversation with Church Leaders hosted by Yvonne Okwara

### 1. Regulation of Churches

The church leaders explained that, though the churches are not allergic to regulations and have internal mechanism for self-regulation, the umbrella bodies of NCK and EAK are struggling with the how to deal with rogue pastors with single congregations not under their umbrella. These independent charismatic congregations are not under anyone's authority since the constitution provides for freedom of worship. Once registered by the government, they have the right to determine how to govern themselves with little regard to umbrella bodies. In this regard, it is difficult for umbrella bodies to oversight individuals not under their umbrella.

The leaders agreed that there is need for a discussion and talk within the church and with government to find a mechanism for either self-regulation or regulation by existing bodies. In the meantime, the status is that if any church violates the law, then the laws of the land should be applied. Even with this, there is need to grapple with a solution to deal with these churches without stifling them.

### 2. Church and Politicians: Opportunities and Challenges

The panel conceded that boundaries are broken between the church and the politicians. In a few instances where these boundaries are not broken, they are becoming thinner and thinner. Churches have become popular spaces for politicians to visit and make political statements in the name of the greeting the church. Unfortunately these statements are on accusations and counter accusations. Churches are struggling to put clear boundaries on how politicians should engage since politicians are the main benefactors. Thus, most churches are opening up their podiums for politicians to trade accusations. Even highly organized churches such as the Anglican Church where some dioceses are independent, the Archbishop can only write advisory letters. Similarly, the umbrella bodies have no mechanism of dealing with churches that go outside their articles since they do not have a supervisory role.

The leaders agreed that, although politicians need moral and spiritual support like anyone else, caution must be taken not to allow them abuse the church. This is especially a challenge for churches in rural areas in dealing with politicians who are members of the church and are local to the congregation as there is always an expectation that a leader must 'greet' the worshippers. Often, the pastors may not always weigh wisely the impact of allowing politicians to use their podiums to make political statements. Sometimes the clergy open their podiums to give undue advantage to certain politicians because they are either relatives, or belong to the same political parties or have heavily contributed to the development of those churches. As a result of breakdown of these boundaries, the church has become a podium for political narratives communicated from church pulpits, thus making church members reflect the character and behavior of politicians that could be potentially toxic to the wellbeing and unity of the nation. This conflicts with the role of the church as salt and light of the nation and a unifying force among its people.

The leaders felt that there is need for churches to have a conversation among its members on how best to heal the ethnic rift, the hatred and suspicion ripe in the country today. This will be achieved if the church leads Kenyans to hold genuine authentic conversations. There is also need for accountability mechanism or framework that ensure all churches deal with politicians in a similar manner and confront politicians when they go outside the articles of the church.



### 3. Financial probity and accountability

Accountability in churches and how money collected from members are used is one of the clergy's key responsibility. However, most churches have very poor accountability structures and mechanisms. Majority of them do not have structures that allow public participation among members on how their churches are run.

The umbrella bodies are not able to push for accountability for churches under them since every church is a body corporate and it's assumed it's the responsibility of the church head and those who share administration with him/her that should ensure adherence and accountability of the churches. For instance, NCCK and EAK cannot ask churches under them to submit their audited accounts to them because they do not have that supervisory role. Besides the churches that are not under the umbrella bodies, there are many churches that do not hold AGMs to discuss the expenditure and budget for the next financial year. Therefore financial probity has been a challenge within the church.

This approach has given the church a beating since the church now has no moral ability to tell the government that it is getting it wrong in the management of public finances and resources. On the other hand, churches that are transparent find substantial growth in their revenues. The opaque ones are limited in their revenues because of the lack of confidence by members.

### 4. Church's involvement in peace and justice for the nation

The church leaders observed that as a nation, Kenya is not well. Kenya has remained for too long a country of 42 tribes who are uneasy about each other. Kenyans have bound themselves in a constitution and a system of government that govern their public affairs in a certain way that makes them very angry when they are outside and a bit evasive when they are inside. This is not sustainable.

Kenyans are talking and genuinely examining the national processes asking what works for us. There are many initiatives going on but they require a bipartisan approach driven by Kenyans who are not political players for Kenyans to talk. NCCK General Secretary shared that they are rolling out conversations in its nine regions for communities to talk among themselves as a ground swell for grassroots' mobilization to ensure no community isolates others while serving its interest without looking at their interests as well.

### 5. Way forward

1. Develop guidelines for good governance of churches, including ensuring that each church has a constitution;
2. Create a framework and guidelines that would help pastors to put systems and structures that will enable them be accountable on finances and meet regulatory obligations;
3. Engage with government to make it possible for umbrella bodies to have supervisory role on churches under their oversight as a way to foster self-regulation of churches;
4. Empowerment of rural pastors by heads of churches and those they share administration so that they can be able to set boundaries on handling politicians. There is need to develop guidelines on how to handle politicians when they come to church;
5. The church should initiate dialogue platforms for church members to talk with each other on what ails the nation and what they can do to reverse the tide that causes tension and fights when electing leaders;
6. The church to be at the forefront in forming a bipartisan approach with a commitment for Kenyans to engage on what kind of constitution and government they would like to govern them.



