

INTER ETHNIC CONFLICT MANAGEMENT IN THE HORN OF AFRICA. THE CASE STUDY OF THE BORANA AND RENDILLE OF KENYA

by Mutuku Mwenga

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CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1 General Introduction and Background to the Study

The Horn region, which in this context refers to IGAD, is one of the areas affected by conflict in Africa. In terms of African politics, the region is popular for high poverty levels, hostility and volatility. Most people from the area have experienced numerous inter and intra state conflicts. While the wars in the region are closely linked, most conflicts in the area are intra-state, inter-state and inter-community.¹

The Horn region has faced numerous intra and inter-state wars. In the past ten years, various countries from the Horn of Africa such as Sudan, Eritrea, Somalia and Ethiopia have been involved in major conflicts. Equally, wars have been witnessed in Djibouti, though at a lower scale. The conflicts experience across the IGAD region have been aggravated by inter-state conflict in many countries, with varying frequencies and intensity.²

In the Horn of Africa, rather than been an exception, violent conflict are a regular occurrence. The wars are conducted at regional, local and state levels. As such, the conflicts involve different participants including governments, groups, national groups is more the norm than the exception in the Horn of Africa, they are waged at various levels: state, regional, and local and involves various actors: groups, governments, nationalist groups, identity groups and communities, among others. Mostly, the internal actors receive aid from external players. As a

¹Cliffe, L. (1999). Conflict in the IGAD region *Fifth World Quarterly*, 23(3), 101-131. <http://www.tandfonline.com/doi/abs/10.1080/01436599913938> (Accessed October 2, 2016)

²Assefa, H. (1996). Inter- community Conflict in the Horn of Africa,35. <http://collections.unu.edu/eserv/UNU:2376/nLib9280809083.pdf#page=43> (Accessed September 17, 2016)

result of ethnic identity transcending boundaries and the colonial history in the region, most of the conflict in IGAD are trans-boundary. The result is often displacement of persons and flow of refugees contributing to region destabilization.³

The diversity of conflicts in Horn of Africa has brought renewed interest on the origin of conflicts and their probable causes. Conflicts over natural resources have contributed to the decline in socio-economic developments and resulted to untold human suffering in many countries around the world. Ethnic conflict is not a preserve phenomenon of pastoral communities alone, rather is worldwide phenomenon. The conflict has led to deep divisions, manifesting themselves in varying forms; the ethnic hostilities, interstate conflicts, intra-state and extra-state conflicts.⁴

Africa boundaries that were drawn by colonial government have contributed to conflict escalation. Boundaries, limit the desire of ethnic communities to control and retain resources that span over territories thus boundaries have been perceived as one of the causes of ethnic conflicts. Boundaries has led to different ethnic groups finding themselves in one county, although they may not be compatible. A case in point of pastoralists and agriculturists. This has provided opportunities that give rise to conflict. The Horn of Africa (HoA) is associated different conflicts linked to ethnicity within and across borders.⁵

Based on the KNCHR (Kenya-National-Commission-for-Human-Rights)⁶ Kenya is a large multi-ethnic country that has over forty diverse ethnic groups. Kenya has suffered its share of inter-community conflicts ranging from pastoral conflict, land conflict, ethnic clashes to post election

³ Ibid

⁴Muhabie Mekonnen Mengistu(2015). Conflict causes in the Horn of Africa. <http://article.sciencepublishinggroup.com/pdf/10.11648.j.ajap.20150402.12.pdf>(Accessed October 4, 2016)

⁵ Ibid

⁶ KNCHR. (2014). State of security in Northern Kenya ((Accessed October 2, 2016)

violence of 2007. Inter-community conflict are commonly experienced in pastoral areas and in Rift valley province in Kenya. The high levels of conflict in these regions are occasioned by a number of factors: resource competition, ethnic rivalry, marginalization's, clanism, proliferation of small arms, and cattle rustling.

Conflict in Northern Kenya are mostly linked to fight over natural resources among ethnic groups, with some of these conflicts leading to death, disruption of lives and destruction of property. Conflicts between the Borana and Rendille in Northern Kenya, who are pastoralists and whose main economic activity is livestock keeping have been in existence for many decades.⁷ Most wars are caused by intense competition over scarce resources such as water, grazing land and pasture. Cattle raiding is a common practice among cattle rearing communities. As such, the communities use the practice to restock, particularly, after their animals succumb to livestock diseases or severe drought. From the practicing communities the culture is there to stay. The disputes and conflicts, if not well addressed or resolved early can pose a threat to national security, peace and stability, which are the basic parameters to measure the development of a nation.⁸

1.2 Statement of the Research Problem

Inter- state and intra state wars have been a common occurrence in the horn of Africa region with the region having experience at least four major conflict over the past four decades. The inter-state wars and intra-state wars have been linked to claim over territorial disputes. In addition to intra state and inter-state wars, countries in the Horn of Africa, have faced many inter-community armed conflict which have been fought between various ethnic groups over resources. These inter-community conflicts have been aggravated by factors both internal and external. Although, the

⁷ Ibid, p1

⁸ Urmilla, B. and Bronkhorst, S., Conflict Issues and management , P. 9.

inter-community conflicts are linked to historical causes, questions still abound as to the historical antecedents

Communities have engaged in frequent conflicts that have affected the Horn of Africa for close to a century. The conflict between communities has claimed thousands of lives, due to hostilities existing between communities. The continued hostility and conflict has had effects in the communities. The continuation of conflicts in the Horn of Africa has attracted a number of actors who have instituted a number of intervention to resolve conflicts in Horn of Africa. Part of this study examines the intervention that have been instituted to resolve conflict. These interventions have been implemented by AU, IGAD, national government, NGO's, religious organizations and international community

Interventions that have been carried out in the Horn of Africa involve: declarations, arbitration, peace agreements, peace keeping, traditional mechanism and splitting of states. These initiatives have been championed by international actors, IGAD, and AU with support from international community. Despite, the various responses that have been initiated, conflict still persists in the Horn of Africa thereby calling into question the strength and weakness of existing conflict management initiatives. This study was carried out with an aim of examining inter-community conflict management in Horn of Africa, specifically focusing on Rendille and Borana Conflict.

1.3 Objectives of the Study

The overall objective of this study is to examine the question of inter community conflict management in the IGAD region. Specifically the study aims to:

1.3.1 Discuss the historical antecedents of the inter community conflicts in the IGAD Region

1.3.2 Examine the causes and effects of inter community conflicts among the Borana and Rendille communities in Kenya

1.3.3 Examine the intervention measures taken to manage inter community conflicts among the Borana and Rendille communities.

1.3.4 Recommend measures to manage inter-community conflict in IGAD

1.4 Research Questions

In conducting this study, the following questions were addressed:

1.4.1 What are the historical antecedents of inter-community conflicts in the IGAD region?

1.4.2 What are the causes and effects of inter-community conflicts between the Borana and Rendille communities?

1.4.3 What intervention measures have been taken to manage inter community conflicts among the Borana and Rendille communities?

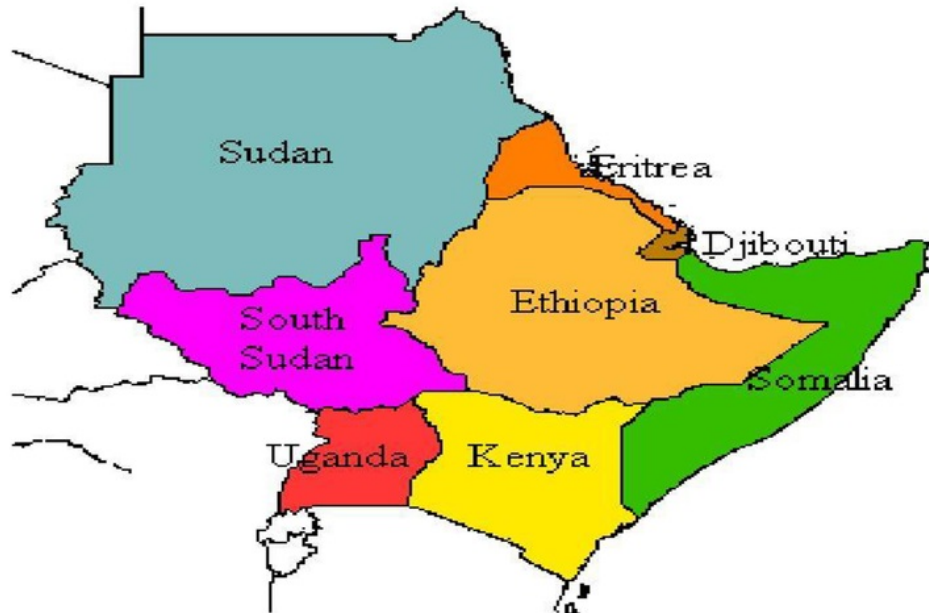
1.5 Study Hypotheses

The study proceeded from the following two hypotheses:

1.5.1 Political and traditional practices are a hindrance to the inter community conflict management among the Borana and Rendille communities.

1.5.2 Weak normative and institutional mechanism largely explain the persistence of inter community conflict in Borana and Rendille Communities.

Figure 1: A Map of the IGAD Region



Source: From United Nation

<http://www.un.org/Depts/cartographic/map/profil/horn-r.pdf>

(Accessed September 8, 2016)

Note: Border between South Sudan and Sudan is yet to be demarcated.

1.6 Study Justification and Significance

The study has both academic and policy justifications.

1.6.1 Academic Justification

Over the last three decades, conflicts has grown rapidly in Africa and, particularly, in pastoral areas, which are the most susceptible. Wars are currently rampant in areas that are arid and semi-arid and, frequently combines with food insecurity, high poverty levels, which in turn, exacerbate the livelihoods of most pastoral communities.⁹ Most of these conflicts that are related to resources have gone over a long period of time without solution. This necessitates study to

⁹Wario Arero, H. (2007). Conflictet in northern Kenya. *Journal of Eastern African Studies*, 3(4), 292-304. (Accessed November 28, 2016)

understand the causes and dynamics of conflict in order to develop or enhance effective strategies for its prevention among pastoral communities.

This research will broaden researchers' understanding of inter-community conflicts among the Borana and Rendille of Northern Kenya. The research findings forms a source of reference in identifying long lasting solutions to conflicts globally and specifically in Kenya (as it expands the knowledge base on this topic). The research will also contribute to improving peace building research. The study can also be used as a means of conflict resolution by creating awareness on the danger of engaging in conflict.

1.6.2 Policy Justification

The final version of the NPPBCM (National Policy on Peacebuilding and Conflict Management) was produced by the Kenyan Government in December 2011. This Policy prescribes a multi-pronged approach to peace building and conflict management. This research can therefore be used to make contributions that will make operationalization of the policy. In addition, the research can be useful to the practitioners dealing with conflict resolution and management. Through these findings they will be able to develop effective mechanisms by knowing what works best under what circumstances. Finally, it is important to recognize the recurrence of conflict in Marsabit and the negative impact it has on populace. The findings from this research in terms of identification challenges facing the current conflict management mechanisms can be helpful in policy formulation that could contribute to the prevention, mitigation and transformation of violent conflict in Marsabit County.

The study also adds to the body of knowledge relating to conflict management in pastoral regions. It also provides information that would enable political leadership, law enforcement and policy makers make better decision on conflict management in the country.

1.7 Theoretical Framework

This study utilizes conflict transformation theory to explain the effects of conflicts. Based on the theory, conflicts can either affirm or destroy life. Conflict arise due to structural contradiction in society which become manifest through attitudes and behavior. After formation of conflicts, conflict undergo transformation process that can either entrench conflict or reduce the conflict. Conflict transformation process involves many actors and factors that affect it both directly and indirectly. The incompatibility which arises between actors can be reduced or increased through association and disassociation of the actors.

According to the supporters of theory¹⁰ current conflicts goes beyond establishing the position of actors to allow for give and take by both parties. The very nature of conflict involve actors who are joined in relationship that extends beyond the conflicting issues. Conflict transformation is thus a process is thus a process that involves relationships among parties in a conflict with an aim of continuing the conflict. Constructive conflict is therefore, a critical catalyst/agent for change.¹¹

According to Lederach, conflict transformation must be rooted in the cultural, social, economic and political environment. This is key in understanding the conflict from the perspectives of the insiders as opposed to the perspectives of the outsider and therefore understanding conflict in community settings.¹²

This theory is relevant in order to offer important insights for the resolution and prevention of such forms of societal mishaps. The management of conflict requires people within the conflict parties and even outside to play a role in peace building process as in Borana and Rendile case.

¹⁰ Miall, H. (2004). Transformation in Ethnic Conflicts. <http://link.springer.com/chapter/10.1007/978-3-663-05642>

¹¹ Ibid.

¹² Lederach, J.P. 1995. Conflict transformation in different Ethnic communities (Accessed October 7, 2016)

This shows that conflict transformation occurs in communities through a change process among actors.

1.8 Research Methodology

The methodology used in this research is presented in this section. As such, various facets of the methodology articulated in the section include research design, study site, population and sampling procedure, data collection methods, and data analysis procedures.

1.8.1 Case Study

Case study was used in the study to help in understanding the complex issue of conflict dynamics through new lenses that will add new knowledge to the existing knowledge. The main emphasis on case studies is analyzing context, events and the relationship in a case and as such it fits the study and its objectives.¹³

Case study research is helpful in scenarios where the researcher is concerned with the questions of how and what.¹⁴ This fits the study that has how objective. Neuman¹⁵ argues that the use of case study is helpful in situations where the researcher has little control over the study. Therefore, case study method was useful in the study because it brought more insight on conflict within the Borana and Rendille communities.

1.8.2 Population and Sampling

The study target population of the study was approximately 200 key informants from Marsabit County. This was according to cohesion officers in Marsabit County. The study used purposive and snowball sampling technique to identify the 43 respondents from the seven sub-counties. Out

¹³Hamel, J. (with Dufour, S., & Fortin, D.). (1993). *Methodological issues in Case study Research*. Thousand Oaks, CA: Sage.

¹⁴Perry, C. (1998b), Case study methodology in *International Relations*, European Journal of International relations, vol. 14, no. 9/12.

¹⁵Ibid.

of a target sample size of 43, the researcher managed to get a sample size of 41. This was due to unavailability of some key respondents who had initially indicated their availability. The first point of contact used in the sampling technique was the County Commissioner who were identified through purposive sampling. They later identified deputy county commissioners who subsequently referred the researcher to the chiefs to help identify respondents who fit the study criteria.

1.8.3 Data Collection Methods

The study used both primary and secondary sources of data. The primary data was collected through interview guides from the target population which consisted of conflict resolution stakeholders. The interview guides were developed in conjunction with the supervisor, an expert in peace and conflict resolution. This contributed in ensuring the right questions were asked to the respondents. The study inclusion criterion was men and women who have been involved in conflict resolution initiatives. The targeted respondents are helpful in the study as they helped to provide information that met the research objectives.

Secondary sources of data were acquired from journal, unpublished government documents, reports, relevant books and working papers on the research area. Systematic literature review was used to select the rightful documents for the study and this helped the researcher to select the right-fit documents.

1.8.4 Data Analysis Procedures

In case study, data analysis as Miles and Huberman¹⁶ argue that data analysis in case study contend is best done through the process of content analysis. This involved the following procedure.

Case description: Each community's individual report was prepared using data from the reviewed interviews and documents. One of the main advantages of the approach is its ability to integrate evidence from numerous sources.¹⁷ Effort was made to identify any incongruence between the various interviews, or between the interview results and the results of the documents reviewed.

Cross-case analysis: Preparation was made for a cross-case analysis for the two communities studied so as to identify common patterns. According to Patton,¹⁸ the cross-case analysis entails development of responses from different individuals or an analysis of various perceptions on central issues.

Content analysis: The procedures proposed by Cavana, Delahaye and Sekaran¹⁹ were used to analyze the information obtained through interviews. As such, the collected data was enhanced data analysis. Data coding entails assigning phrases, words or paragraphs to data. As such, investigators are able to combine and distinguish data from interviews into classes generate themes, ideas or concepts.²⁰ Through direct quotations from interviews, the investigator justified conclusions regarding differences between cases in cross-case analysis.

¹⁶ Miles, M.B. & Huberman, A.M. (1994), *Data Analysis in Qualitative Research*, Sage, Newbury Park, CA.

¹⁷ *Ibid*, p21

¹⁸ Patton, M.Q. (2002), *Qualitative Research*, Sage, California.

¹⁹ *Ibid*.

²⁰ Carson, E (2001), *Qualitative Research*, Sage, London.

Data cleaning was done before the data analysis was undertaken. Magnitude content analysis method was used in the study. This method of content analysis allowed for representation of the data collected into figures and tables. This method also allowed for development of categories and themes which was entered into the SPSS 20.0 and thereby analyzed in line with the research question. Descriptive content analysis method was used to describe the data in cases where data could not be expressed in quantitative terms. This was latter expressed through verbatim, word count and word clouds.

1.8.5 Data Presentation

The research findings were presented in terms of thematic maps, categories, themes and verbatim that were used to connect the findings with research hypothesis. Quotes from interviewees are used to demonstrate, inform and support findings. Care was however employed to ensure reliability and validity of each quote..

1.9 Limitations of the Study

This study encountered some challenges such as; lack of adequate co-operation from the respondents. Since the main purpose of the study was to discuss conflict management in the IGAD region particularly on the Borana and Rendille communities, the respondents considered some information sensitive and confidential. Thus, the researcher had to convince them that the information was confidential and would be used for academic research only and will not be used for any other intentions.

1.10 The Organization of the Study

Five chapters are used to organize the study. The first chapter is Introduction and Background to the Study: It lays out the general description of conflict within the context of the broader IGAD region with a particular focus on the study area: Borana and Rendille Community

in Marsabit County. The chapter introduces the background, problem statement, study objectives, research questions, significance and limitations of the study, literature review, theoretical framework and methodology used in the research. The second chapter deals with the historical antecedents to the inter community conflicts in the IGAD Region. The major conflicts and wars of the IGAD Region include inter-state conflicts and wars. Equally, factors in the conflicts and wars are examined. The third chapter examines the main causes and effects of inter-community conflicts among the Borana and Rendille communities. Equally, the conflict's contextual background is explored in the chapter. As such, an overview of the Rendille and Boran communities is provided, and then, other main events in the conflict between the two communities are. **Chapter Four** examines the intervention measures taken to resolve and manage inter community conflicts among the Borana and Rendille communities. It looks at the traditional and formal measures undertaken by the community, authorities and other stakeholders to find local solutions to these problems. **Chapter Five** gives a summary, conclusions and recommendation. This chapter summarizes the key issues raised during the research and offers recommendations that may help resolve and manage inter-community conflicts in the IGAD region in general but more specifically between Borana and Rendille communities in Kenya.

Chapter Two

THE HISTORICAL ANTECEDENTS OF THE INTER COMMUNITY CONFLICTS IN THE IGAD REGION

2.0 Introduction

This chapter's discusses the historical antecedents to conflicts in the IGAD region. The focus is on reviewing the literature on the IGAD's major wars and conflicts, highlighting some of the intra and inters wars and conflicts in the IGAD region. It further discusses the causes and factors that led to wars and conflicts in the colonial and pre-colonial periods.

2.1 IGAD Region's Major Wars and Conflicts: Inter-State Wars and Conflicts

Inter-state wars have been a common occurrence in the Horn of Africa with the region having experienced at least both violent conflict and inter-state wars have been experienced over the past decades. The inter-state wars have risen due to border and territorial disputes with contextual factors playing a significant role in stoking the inter-state wars, as the boundaries were established in the precolonial times. The Southern Sudan wars (1956–72; 1983–2005) owes its source to colonial boundaries defined by colonialists, Turko-Egyptian rule and geographical administration created by the British. On the other the Ethiopia-Eritrea war (1960-91) can be traced to the Italian and British occupation.²¹

Among the region's major wars, three were fought between Ethiopia and Somalia. The first war was fought over Somalis claims for Ogaden in 1961 while the second war was fought over Ogaden between 1977 and 1977 and involved external actors such as Cuba and USSR.²² The third

²¹ Bereket Habte-Selassie (1980). Conflict in the Horn of Africa. <http://www.jstor.org/stable/524354?origin=JSTOR-pdf> (Accessed November 16, 2016)

²² Ibid

war occurred between 2006 and 2009 between Islamic Courts Union (ICU) and Ethiopia. Ethiopian government viewed ICU as a threat to their stability through their pursuance of one state for all Somalis. As a result, the Ethiopia government intervened in Somalia with an aim to overthrow ICU and to support the Transitional Federal Government (TFG) that was deemed ineffective since 2004.²³

The Ethiopia invasion of Somalia had the support of USA which was concerned with the radical ideals of ICU, this mirrored the ideals of Al-Qaida. Besides, the head of ICU was a sympathizer of Al-Qaida and other terrorist organization thereby leading to his mention in the terrorist most wanted list after the September 9/11 attack. Ethiopian troops succeeded in removing the ICU from power but failed in pacifying Somalia as a country since the TFG government had little support among the warlord in Somalia. After the removal of ICU, TFG efforts of pacifying Somalia was met with resistance, and a result power vacuum emerged in some region of Somalia. This provided platform that allowed for the emergence of Al-shabab in Somalia. However, to curb the rise of Al-Shabab, UN brokered negotiations that led to the formation of TFG-ARS unity government under the leadership of Sheik Ahmed Sherif in December 2005.²⁴

In April 2002, Eritrea was favoured by the AU commission ruling at the expense of Ethiopia.. The consequence was the reluctance of Ethiopia in accepting the ruling and failing to bind by the ruling on matter demarcation of border. In absence of Ethiopia refusing to bind by the commission ruling the commission ruling is yet to be a reality.²⁵In addition to the above four major

²³ Berouk Mesfin (2010). The Horn of Africa as a Security Complex: Towards a Theoretical Framework., http://www.psa.ac.uk/journals/pdf/5/2010/1256_1136.pdf (Accessed November 16, 2017)

²⁴ Cliffe, Lionel. (1999). "Regional Conflict in the Horn of Africa". *World Quarterly* 22(4), 101-111. <http://www.tandfonline.com/sci-hub/cc/doi/abs/10.1080/01436599913938> (Accessed November 18, 2016)

²⁵ Kalib Yussuf (2007). Consequences of Conflict in Horn of Africa. https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=0ahUKEwixue_Ah_DVAhWkDpoKHW0dAhMQFghCMAM&url=http%3A%2F%2Fhafrica.org%2Fdocs%2Fyussuf_icsds_080207.pdf&usq=AFQjCNHslr7MMx8CIBZeb-4mGe9vXggxRA (Accessed November 16 2016)

wars, the region has also a number of small inter-state conflicts such as the shifta wars between Kenya and Somali between 1963-67); conflict between Sudan and Uganda over support for rebel groups in each other's territory and border dispute between Djibouti and Eritrea in June 2008.²⁶

2.1.1 Intra-State Wars and Conflicts

Most countries in the region have encountered at least one major conflict either through major actors or through proxies that fight on behalf of the actors. The region civil wars have varied in terms of intensity and frequency with the inter-state conflict linked to various groups. Upsurge of inter-state conflict has led to the involvement of government in the great horn as peace promoter or as support of actors in the conflict. The support of actors in conflict by states is not uncommon in the region as ethnic ties exists across countries making it necessary for government to get involved in one way or another. ²⁷The shifta wars in Kenya was supported by the Somali State which had a vision for the expansion of Somali land to Kenya borders. Insurgency movement in areas dominated by Somalis in Ethiopia has also received significant support from Somali Government. The Ethiopian government has also been accused of supporting a number of insurgency movements in Somalia with the aim of weakening its resolve to pursue its claim over the Ogaden land. Similarly, the Ethiopian government supported the insurgency movement in Sudan particularly, SPLM that was fighting for the liberation of South Sudan. Uganda has also been guilty of providing support to SPLM with Sudan government retaliating by supporting LRA in Uganda and Eritrea Jihadist movement. Eritrea has also supported Ethiopian insurgency

²⁶ Ibid, p5

²⁷ Solomon, T., Snyman, H. and Smit, G. (2007). Perceptions of Pastoralists towards Conflict. Journal of Environmental Management, 67, 478-494.

movements, an accusation that has been levelled by the UN, AU, US and IGAD against Eritrea. Ethiopian government retaliated by supporting the rebel groups in Eritrea.²⁸

Accusation have emerged on the supposed role of Eritrea in funding and fueling the conflict in Somalia through Al-Shabab. However, this has been dismissed by some human rights organizations such as the International Crisis Group. It has been argued that the conflict in the region is not occasioned by proxy wars but encouraged by many factors. Despite the region experiencing a number of conflicts, countries in the region have also cooperated in curbing insurgencies in the region. The cases of Sudan helping Uganda fight LRA and Sudan and Ethiopia stopping to support rebels are cited as model of conflict management in the region.²⁹

Sudan has also experienced one of the longest conflict in the region with the wars in Sudan starting in 1955 to 2005 when South Sudan was granted independence. This has made Sudan to be among one of the countries with highest casualties on conflicts. Sudan is still experiencing conflict in the Darfur region³⁰. Ethiopia has also encountered a greater proportion of civil conflict in the region with significant conflict including Eritrea and Somali also had liberation movement from 1975 to date.

Kenya has faced relatively fewer wars. However, Kenya has experienced periodic internal conflict among communities with the major conflict occurring in 1992 and 1997 tribal clashes which led to the loss of approximately 2,000 deaths and 500,000 displaced persons.³¹ The 2007

²⁸ Kibreab, G., 2009, "Eritrean Relations with Sudanese: Regional Role and Foreign Policy. London: Chatham House <http://eprints.soas.ac.uk/id/eprint/7909> (Accessed November 23, 2016)

²⁹ Onyiego, M., 2010, "Regional issues and views on Al-Shabab," VOANews. com, 21 July <https://www.voanews.com/a/article--analysts-say-eritrea-is-not-supporting-al-shabab--98924444/122377.html> (Accessed November 23, 2016)

³⁰ Quach, T. T. (2004). Darfur Crisis Conflict. <https://theses.lib.vt.edu/theses/available/etd-12242004-143603/unrestricted/tquachmajorpaper.pdf> (Accessed November 17, 2016)

³¹ African Peer Review Mechanism (APRM), 2007, Review Report. Addis Ababa. http://www.aprmtoolkit.saiia.org.za/component/docman/doc_view/70-atkt-kenya-aprm-country-review-report-2006-en (Accessed November 17, 2016)

post-election violence is the major conflict that Kenya has experienced to date as it led to the displacement of more than 500,000 persons and death of 1200 people. Djibouti has not been excluded from the conflict that has occurred in the region, with the major conflict occurring between the Front for the Restoration of Unity and Democracy (FRUD) and the state, 1991–2001. Uganda has also experienced a number of conflict that are grouped in the following conflict clusters of Buganda war of 1966; Idi Amin wars (1972–79); Wars against Obote government by NRM(National Rescue Front), 1980–85 and the Uganda government and LRA 1987 to date. Civil wars are also affected by precolonial period, colonial period and post-colonial period.

2.1.2 Inter-Communal Conflicts

In addition to civil wars, IGAD countries have experienced many inter-communal armed conflicts that have involved different ethnic identities and driven by resource control fights. In some of the conflicts, the governments has played a role in aggravating the conflicts by siding with one of the factions as has been the case in Darfur, South Sudan³². Inter-community conflicts over resources can lead to deadly conflict when not arrested at an early stage, this coupled with availability of small arms and regional instability can lead to regional conflict. Inter-community conflict are sporadic and of low intensity as compared to inter-state and civil wars. However, the frequency of inter-community conflict can result in some of the impacts seen in civil wars, a case in point is the South Sudan's inter-communal conflicts in Jonglei area which resulted in killing of over 3000 deaths in 2009.³³

³²Mengisteab, K. (2011). *Factors influencing conflict in the Horn of Africa*. Nordiska Afrikainstitutet. <http://www.diva-portal.org/smash/record.jsf?pid=diva2%3A471296&dsid=974> (Accessed November 16, 2016).

³³Ibid, p8

Ethiopia's has also experienced a number of inter-communal conflicts between Garre and Borana, Borana and Somali, Oromo and Gumuz among others. In Kenya, inter-communal conflicts has been a common occurrence among the pastoral communities of Somali, Rendille, Turkana, Pokot, Samburu. In addition, inter-community conflicts has also been experience between Kissi-Kalenjin, Kikuyu-Kalenjin, Kissii- Kuria and Luo-Kalenjin.³⁴ Somalia and Uganda have also had experienced inter-communal conflicts that have resulted in material and human costs, with varied increase in casualty figures noted. Casualty figures from Sudan's first North-South conflict (1955–72) are put at well over 500,000 with the second North-South civil war of the Sudan (1983–2005) having resulted in greatest casualty, with over 2 million killed.³⁵

The casualties arising from Eritrea independence war (1961–91) estimated to be around 50,000 with causalities arising out of the Ethiopia's wars (1962-1993) estimated at about 1.4 million. On the same note, the Ethiopian-Eritrean border war of 1998–2000 is estimated to have led to the loss of lives of approximately 100,000 lives and displacement of hundreds of thousands of people. Estimates from the Somali civil conflict shows that approximately 400,000 have been killed from the conflict by 2007.³⁶ Uganda's conflict with LRA since 1987 has resulted into the death of over 6000 persons while recently, Kenya's post-election violence led to the death of over 1300 persons.³⁷ As a result of conflict in horn of Africa region, the region has become synonymous with largest sources of refugees, with over 1,500,000 refugees and about 9,000,000 internally

³⁴ Shibia, M. (2009), "The Impact of Cross-border Livestock Mobility on Conflict and Range degradation: A case study of Northern Kenya

³⁵Loewenstein, A. B., & Kostas, S. A. (2007). Divergent Approaches to Determining Responsibility for Genocide: The Darfur Commission of Inquiry and the ICJ's Judgment in the Genocide Case. *Journal of International Criminal Justice*, 5(4), 839-857. <https://academic.oup.com/jicj/article/5/4/839/792757/Divergent-Approaches-to-Determining-Responsibility> (Accessed December 5, 2016)

³⁶ Solomon, T., Snyman, H. and Smit, G. (2007). Cattle-Rangeland Management Practices and Perception of Pastoralists towards Rangeland Degradation in the Borana Zone of Southern Ethiopia. *Journal of Environmental Management*, 82, 481-494.

³⁷Keen, D. (2012). Greed and grievance in civil war. *International Affairs*, 88(4), 757-777. <http://onlinelibrary.wiley.com/sci-hub.cc/doi/10.1111/j.1468-2346.2012.01100.x/full> (Accessed December 10, 2016)

displaced persons. In addition, the region's conflicts have led to gross human rights abuses. With various governments accused by human rights organization of human rights violations of individuals through torture, enforced disappearance, detention without trial.³⁸

2.2 Factors in the Wars and Conflicts

The politics surrounding cold war has played a key role in the Eritrea-Ethiopia conflict (1961-91). Cold war period was a fight between two dominant interests of US and USSR, with the countries along horn of Africa region aligning themselves to US or USSR.³⁹ The intensity of the Ethiopia- Somali conflicts was occasioned by support that the two countries received as a result of their participation in the war on terror. Ethiopian states was viewed favorably by the USA government following the post September war on terror. Ethiopia was considered a partner by the USA government, EU and other international bodies. External support inform of military support was provided to Ethiopia despite its poor human rights record, this only fuelled the conflict between Ethiopia and Somalia that had not received such help.⁴⁰

Another failure that has fuelled conflicts in horn of Africa region is existing strong traditional institutions and ethnic groups that have experienced relatively little transformation over the past decades. The political and social institution of various groups in the horn of Africa remain largely intact, and as such they have continued to play significant role in fuelling conflict , which are linked to the traditional institutions.⁴¹ Related to lack of traditional institutional transformation is the lack of transformation in democratic space, with some countries such as Eritria and Somalia

³⁸ Ibid

³⁹ Yohan, P., 1991, Eritrea: Role in Conflict.

⁴⁰ Yohan, P., 2007, The United States role in Hom of Africa. <http://www.jstor.org/page/info/about/policies/terms.jsp> (Accessed December 18, 2016)

⁴¹Besley, T., & Reynal-Querol, M. (2014). The legacy of historical conflict: Evidence from Africa. *American Political Science Review*, 108(2), 319-336. <https://www.cambridge.org/core/journals/american-political-science-review/article/legacy-of-historical-conflict-evidence-from-africa/6AD09AD8FDC0A82242F1873B6AB3478F> (Accessed November 17, 2016)

yet to hold elections. Over the past few decades, most countries in horn of Africa have held election that are not representative of the majority will, and this has led to conflict in a number of countries. Failure to transform institution in the countries of horn of Africa can be linked to various conflicts that emanates from weak institutions.⁴²

The institutional weaknesses of the regional bodies such as IGAD and COMESA have affected the transformation of member states socio-economic structures and institutional systems. This has been compounded by the bodies' weakness in effecting conflict resolution in the region, a situation that has increasingly become challenging due to ethnic identities across the member states.⁴³ Although many bodies and organization in Africa have engaged in conflict resolution, effective conflict resolution framework that addresses ethnic identities has yet to be established in Africa and horn of Africa.⁴⁴ A case in point of regional bodies' failure in addressing ethnic identities was the resistance that Somalia faced in its attempt to reengineer its boundaries in early 1960s. Despite, ethnic communities divided by national boundaries, AU is yet to develop a framework that can address ethnic identities across different boundaries.⁴⁵

Conclusion

The IGAD region is one of the most conflict-ravaged areas on the African continent, with the region having endured a number of conflict within and without borders. These conflict can be traced to 1956 with the attainment of Sudan Independence. In addition to conflict tracing their

⁴²Besley, T., & Reynal-Querol, M. (2014). The legacy of historical conflict: Evidence from Africa. *American Political Science Review*, 108(2), 319-336. <https://www.cambridge.org/core/journals/american-political-science-review/article/legacy-of-historical-conflict-evidence-from-africa/6AD09AD8FDC0A82242F1873B6AB3478F>

(Accessed November 17, 2016)

⁴³Ibid.

⁴⁴ Mengi, K., 2011, " Africa conflict report : <http://www.hsrc.ac.za/en/research-data/ktree-doc/2575>

⁴⁵ Samtar, A. and T. Mchaka, 2006, "Conflict and Peacebuilding in the Horn of Africa: https://ke.boell.org/sites/default/files/in_quest_for_culture_of_peace_horn_of_africa.pdf Accessed November 19, 2016)

roots to independence, conflict roots is also traced between 1800 and the era of independence in the horn of Africa. Most of the conflict that occurred in these period were linked to state formation and its challenges, fight over resources, colonization and fight for independence. The conflict that have been experienced in the IGAD region are interconnected at various fonts.

Chapter Three

CAUSES AND EFFECTS OF CONFLICTS BETWEEN THE BORANA AND RENDILLE COMMUNITIES

3.0 Introduction

This chapter discusses the contextual the growth and development of inter-communal conflicts between Borana and Rendille have emerged for years. The first section gives an overview of the two communities while the remaining sections discuss causes of conflict between Borana and Rendille, effect of conflict on the two communities and the conclusion.

3.1 Overview of the Borana and Rendille Communities

3.2.1 The Borana

The Borana are a Cushitic people found in Kenya in the Isiolo, Garba Tula, and Marsabit districts but originating from Ethiopia.⁴⁶ The Borana rely mainly on cattle and small stock; however, they also had a number of camels in particularly arid regions of their district, with many individuals citing a Somali influence in camel rearing.⁴⁷

In the Borana social system descent is traced through the patriarchal lineage. The social system has a hierarchical structure having a nuclear family as the smallest unit referred to as the *ibidda*. This is composed of a man with his family (wife/wives and children), extended (*warra*) and other members of kin. Men are commonly referred as *Warra*, *abba* or father of households. Men are the key decision makers in terms of production and sale of livestock.⁴⁸ The *gada* system, which

⁴⁶ Helland, J. 2001. Conflict and Development among Borana: Southern Ethiopia. London: Pluto Press.

⁴⁷ Solomon, T., Snyman, H. and Smit, G. 2007. Perception of Pastoralists towards conflicts in Ethiopia. *Journal of Environmental Management*, 82, 481-494.
<http://search.proquest.com/openview/af57454f1e7362e8ec44652c463d8d3f/1?pq-origsite=gscholar&cbl=1816907>
(Accessed November 28, 2016)

⁴⁸ Ibid

protects various strategic interests of the community including pastoralism is an outstanding tradition among the Borana.⁴⁹

The Borana derive their livelihood from pastoralism; they rear cattle, sheep, goats and donkeys. Cattle are by far the most important livestock kept, while camels are reared to a lesser extent. Their herds are not only for food but they are also vital for sacrifices and rituals to guarantee fertility, health and they also serve as the main sources of wealth and legal fines. Climate variability has led to recurrent droughts in the past.

According to Langil and Dathi⁵⁰ pastoral communities have a number of coping strategies which they use during times of droughts. They adopt two categories of drought management, that is, ex-ante and ex-post. Ex-ante is considered as a risk response while ex-post is viewed as a coping strategy. Some of the coping strategies applied by pastoral communities include movement with their livestock to other regions.⁵¹ According to Kagunyu et al.,⁵² pastoral communities move long distances along and across the borders to save themselves and their livestock. On its part, Oxfam GB⁵³ asserts that livestock mobility is the most important strategy that pastoral communities utilize to cope with the devastating effects of droughts.

⁴⁹ Donaldson J. (2008). *Pastoralism and drought in Ethiopia*. <https://cgspace.cgiar.org/handle/10568/67978> (Accessed November 19, 2016)

⁵⁰ Langill, S. and A. Ndathi 2001. Drought Coping Strategies in Marsabit District, Kenya, pp.: 67-71. <http://repository.seku.ac.ke/handle/123456789/1092> (Accessed November 19, 2016)

⁵¹ Ibid

⁵² Kassahun, A. (2008). Impact of rangeland degradation on the pastoralism in Eastern Ethiopia. *Journal of Arid Environments*, 92(7), 1285-1281. (Accessed December 7, 2016)

⁵³ Oxfam GB 2008. *Climate Change and Pastoralism in East Africa*. London: Overseas Development Institute. <https://www.oxfam.org.nz/sites/default/files/reports/Pastoralism%20and%20Climate%20Change%20in%20East%20Africa.pdf> (Accessed December 6, 2016)

3.2.2 The Rendille

The Rendille are an ethnic group which inhabit the Kaisut Desert. They are nomadic pastoralists who believe that they belong to the desert by the choice of God. The Rendille of Marsabit and Laisamis districts, a Cushitic ethnic group originating from Somalia, are predominantly camel herders with a considerable number of small stock and small supply of cows where there is grazing available in their area. The Rendille herds are highly mobile in order to adapt to the extreme arid conditions of their home ranges located within the Kaisut Desert. Spencer's work on the Rendille notes that during the colonial period, approximately one-third of all Samburu communities descend from Rendille families through generations of Rendille migration into Samburu territory and subsequent intermarriage.⁵⁴

Today it is clear that the Samburu and Rendille are very much "together," born from a relationship that not only saw the coming together of families but also of livestock based on the ecological niches each community inhabited. Spencer wrote, "The areas which best suit the Samburu cattle are those which least suit the Rendille camels. Camels do not thrive in the rather cooler climates of the south-west, camels have a low resistance to sleeping sickness which tends to be prevalent in areas of thick bush associated with Samburu grazing areas".⁵⁵

A symbiotic relationship has existed between these two ethnic groups where the Samburu could rely on the Rendille to keep and herd their camels in exchange for the Samburu taking care of Rendille cows.⁵⁶ However, field observations between these two groups demonstrated a

⁵⁴Nathan, M. (1996). Sedentism and Pastoralism among Rendille in Kenya. *43*(4), 503-515. <http://www.sciencedirect.com/science/article/pii/0277953695004289>(Accessed November 17, 2016)

⁵⁵Roth, E (1999). Effects of Pastoral Conflict in Kenya. *Current anthropology*, *40*(5), 729-735. <http://www.journals.uchicago.edu/doi/abs/10.1086/300093?journalCode=ca>(Accessed December 17, 2016)

⁵⁶ Ibid

diminished exchange and co-management of animals between the Samburu and Rendille, possibly due to increased covariate risk of drought and prevalence of severe climatic events. The study established that the relationship between the Borana and Rendille is cordial but filled with suspicion due to their history in conflict. Although the two communities are suspicious of each other they share similar cultural practices. Historically the relationship between the Borana and Rendille has been a coarse and bumpy one as the two tribes perceive each other as enemies. The enmity is believed to be over resource such as water, pasture and boundaries especially since they border each other. Some of the respondents were of the opinion that the relationship between the Rendille and Borana communities varies between good and bad from time to time, with both communities holding grudges amongst themselves and undermine one another. According to the area chief, there is a long history of fights, thus hatred have contributed to bad blood between the communities, for instance, amongst the Rendilles, young children know that Boranas are an enemy. Recent years depict a cordial relationship due to modern settlement and business enterprise.⁵⁷

3.3 Causes of Conflict between the Borana and Rendille

This section is an exposition of the reality of the dynamics and trends that have made the conflicts between the Borana and Rendille to be sustained and protracted as undertaken by this researcher. The objective of the researcher in this section was to identify and discuss the dynamics and trends that have sustained the protracted inter-communal conflict between the communities. The choice of these areas is based on the fact that they border each other, and it is where the conflict is more intense and frequent.

⁵⁷ Interview held with chief in Marsabit on April 19, 2017

3.3.1 Unhealthy Competition over Resources

The resources found in the region are scarce, and leads to competition over it. Ethnic communities go far for search of water. Water is acute in Marsabit with Bakuli 1 and Bakuli 2 not enough to sustain the ever growing population of people in central Marsabit. Lack of enough resource in any region can trigger conflict as communities will fight over scarce resource. However, most contemporary research focuses on appropriation of resources in conditions of abundance as the main cause of conflict.⁵⁸ The water catchment in Marsabit forest is dying down because there has been massive deforestation in the region. The recent construction of Badassa Dam might be a white elephant project. It has used over 2 billion Kenya shillings but will require an equivalent of El-nino rain in order for it to catch water. Similarly, conflict over livestock continues to happen over lack of water and pasture resources. The Northern Kenyan region has a huge pastoral population where livestock rearing is significantly practiced.⁵⁹ Such livelihood requires enough pasture and water for sustainability. In many instance, lack of such resources continue to trigger conflict. Migration of livestock happens especially during the dry seasons in search of water resources that are in possession of other ethnic communities. The fight over water is thus experienced by the opposing community, one defending their water while the other competing over it to save their livestock.⁶⁰

In addition, resource based conflict attract communities from neighboring countries of Ethiopia, Somalia, and Sudan to cross border areas in search of grazing land. Livestock from as far as South Ethiopia for example cross and drink water from Dukana, Sololo, Moyale in the Kenyan boundary of Marsabit county. In the area North of Marsabit County, communities from

⁵⁸Wario Arero, H. (2007). Perceiving the Nation of Borana. *Journal of Eastern African Studies*, 1(2), 292-304. <http://www.tandfonline.com/doi/abs/10.1080/17531050701452598>(Accessed November 28, 2016).

⁵⁹Ndung'u, J., (2005), "Marsabit Conflict Assessment Report," Nairobi(Accessed November 17, 2016)

⁶⁰OP, (2007), "Report of the Marsabit/Moyale District Peace Committees," Nairobi, OP.

the southern Ethiopia come all along in search of pasture and water. This causes competition over the available resources across the border area of Kenya and Ethiopia. The cause of pastoralist conflicts has always been competition over use of access and control of pasture resources in the district among the communities.⁶¹ Agreeably competition on water and pasture resource remains a big issue in Marsabit county as there is scarcity of it while the general population continue to surge. Competition of resources, particularly boreholes control, is a protracted source of wars that necessitates attentiveness among civic peace groups and clan elders.⁶² According to most respondents in the study, competition for grazing resources is one of the major reasons that leads to conflict in Marsabit, with some arguing that frequent conflict between Borana and Rendille can be linked to the access and use of Shur and Baddasa dry season grazing areas.⁶³

Natural resource management in pastoral areas requires adequate water and grass during dry season in order to avoid conflict. From the perspective of pastoralists one of the reasons why conflict over grazing areas has been on the rise is due to loss of pastoral grazing areas which have been turned in other uses other than for grazing. This situation has been further compounded by the colonial boundaries which limited the movement of Borana and Rendille freely as it used to be. In addition, over time new boundaries have been created by the national government which has further resulted in limiting the movement of the pastoralists, with the Borana and Rendille feeling they are entitlement to graze in any land.⁶⁴

⁶¹Ghali, B., (1992, June 17), "Report of the UNGA Agenda for Peace building. <http://www.cfr.org/peacekeeping/report-un-secretary-general-agenda-peace/p23439> (Accessed on November 20, 2016).

⁶² K. Menkhaus, Kenya-Somalia Border Conflict Analysis (USAID, August 31, 2005), p. 42

⁶³Interview held with county commissioner in Marsabit on April 7, 2017

⁶⁴ Shibia, M. (2009), "The Impact of Cross-border Livestock Mobility on Conflict and Range degradation: A case study of Northern Kenya," http://www.kari.org/fileadmin/publications/conference11/The_Impact_of_Crossborder_Livestock.pdf (Accessed on December 15, 2016)

Related to the competition of resources between Borana and Rendille, are boundary disputes over physical settlements, grazing areas, watering points, livestock routes and sacred places. The demarcation of political and administrative boundaries have presented a challenge because by cutting across a certain community, they spread the same community into different administrative and political units. An example is a boundary contest between the Borana and the Rendille for Segel area where the former claims the area should be in Saku Constituency while the latter claim the area should be in North Horr Constituency.⁶⁵ Another similar contest is between the Borana and the Rendile over Leyai area in which that Borana claim should be in Badasa while the Rendile claim it should be in Songa. In other disputed boundaries the Borana oppose the movement of Turbi and Forole towns from Moyale Constituency. Such Disputes and territorial claims have become a source of conflict in Marsabit County. Competition over water and pastures as a result of growing human and livestock populations, availability of pasture and water resources have reduced leading to an increase in communal conflicts over access and control of the scarce water and pastures. Moreover, Marsabit County is vast and suffers from dry spells thus people tend to move from one place to another looking for grazing lands hence crossing and getting into each other's borders. Crossing of colonial boundaries by either community leads to eruption of conflict since both communities believe that their ancestral land should be proclaimed.⁶⁶

3.3.2 Socio-Economic and Political Marginalization

A research by Weiss⁶⁷ asserts that economic marginalization leads to inter-ethnic conflicts. This is because with developed infrastructure, market outlets would put the communities in gainful

⁶⁵Bergr, P. (2003). Natural resource conflict in Northern. *International Development Journal* , 15(5), 225-257. <http://onlinelibrary.wiley.com/doi/10.1002/jid.985/full> (Accessed November 19, 2016)

⁶⁶ Ibid

⁶⁷ The Conversation.com/militarized-Pol/South Sudan-crisis Weiss T (2004). www.iss.co.za/pubs/monographs/no95/contents.html. (Accessed on November 15, 2016)

employment and more youths would be enrolled in schools. In the horn of Africa, it is common to find some areas completely marginalized especially the area of semi-arid nature. Most of the areas where pastoral livelihood live in Marsabit County is characterized by marginalization. It is either marginalized by the larger government or the dominant communities marginalize the other. In Northern Kenya for example, the region faces marginalization following the 1963 session paper. Some regard the people of Northern Kenya as second class citizens a situation that humiliates the status of such innocent people of Marsabit County. The lack of access to good infrastructure, coupled with poverty and isolation has triggered conflict in Northern Kenya. Incidents such as high way banditry experienced along Isiolo-Marsabit highway is as a result of marginalization.⁶⁸

In situations of ethnic communities living in the area, the minority tribes have felt marginalized. Their voice is not heard and the dominant ethnic groups enjoy the ownership at an upper hand.

Marginalization usually occurs when an ethnic/ any other group feels dissatisfied with how things operate in a society that the group is part of.⁶⁹ In terms of education for example, the Northern Kenya is marginalized. The rate of literacy level is still below the national margin. Due to harsh environmental nature and intense isolation coupled with poor infrastructure, communities in the Northern Kenya have lacked educational exposure especially among the pastoralists cluster. Northern Kenya is also marginalized from food produces. As it is evident, most part is not productive agriculturally and recurrent drought and acute rainfall shortage is an experience that

⁶⁸ E. Anugwom, "Ethnic Conflict and Democracy in Nigeria: the Marginalization question," *Journal of social development in Africa* (2000), p. 65

⁶⁹ *Ibid*, p8

the community contend with. In an area where communities still depend on food aid, it is agreeable that marginalization is at the core.⁷⁰

Due to lack of enough water resource or the government making plans for availability of water, the marginalization is characterized also by lack of industries in the region. The cost of food items and other commodities is high because the produces are gotten from other regions as far as Nairobi. The poverty level which is high continues to haunt the innocent people in Northern Kenya. It is sad, that the rate of malnutrition's among children under the age of five years is an experience in Northern Kenya where as it is the 21st century. This blame can largely be put to the aspect of marginalization that the regions has experienced since time immemorial.⁷¹

The national decision making organ often put at a bay the issues of Northern Kenya. The reserve unit of government administration police is few and cannot sufficiently deal with the quelling of conflict that happens among the pastoral community of Semi-Arid Northern Kenya. Disputes such as resource, land and ethnicity can be related to political instigation. Historical grievances about the distribution of land between different ethnic groups have become highly politicized.⁷² The marginalization of Northern Kenya is certainly not on resource or environmental aspect. It cuts across the socio-economic and political aspects. The lack of concrete political representation in the case of Northern Kenya has remained evident. Since time immemorial, the preceding governments have used the Northern Kenya as a platform where politicians would come and say empty political rhetoric in the name of vote hunting especially during elections.⁷³

⁷⁰Gakuo Mwangi, O. (2006). Kenya: Conflict in Northern Kenya: Turbi Massacre. <http://www.tandfonline.com/doi/abs/10.1080/03056240600671324> (Accessed December 6, 2016)

⁷¹AHMED, A. M. (2014). EFFECTS OF CONFLICTS AMONG THE PASTORAL COMMUNITIES. http://www.academia.edu/download/39039234/Effects_of_Conflicts_Among_the_Pastoral_Communities_Case_Study_of_Mandera_County.pdf

⁷² Friedrich-Ebert-Stiftung (2012). Marginalization in Kenya.

⁷³Rohwerder, B. (2015). Analysis of Conflict in Kenya. *Birmingham: GSDRC University of Birmingham*. <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjB-53uplLVAhWLPxQKHfY9CiAQFggnMAA&url=http%3A%2F%2Fwww.gsdrc.org%2Fwp->

Many promises such as making of road network, and economic boost are mentioned to the community of Northern Kenya a result of which is just an empty politics. For a long time, the voice of the people of Northern Kenya was not heard even amidst the hardship, and economic crunch the region goes through. The few politicians who are elected in parliament fail to have good strategies of developing its citizens or properly becoming a voice of the people to the national government. Selfishness and greed has characterized both the national and regional government and thus the region of Northern Kenya still lacks in infrastructural development. The road is pathetic in the Northern corridor and the fund released for construction of the Isiolo-Moyale highway is questionable as the project has stopped for quite some time. Too often, in Kenya the ownership of land and access to resource is decided by the colonial powers who were in politics at the time.⁷⁴

The study confirmed that socio-economic and political marginalization is a major driver to conflict in Marsabit County. During the study one of the key informants stated that before the advent of devolution, many of the development initiatives in the region have been initiated by non-governmental organizations. The consequence of this has been limited employment opportunities for the citizens making the citizens vulnerable to conflicts and the community members feeling marginalized thereby increasing their mistrust, suspicion and ethnic animosity.⁷⁵

Cultural Practices like cattle raiding and moranism were identified as causes of conflict. In both practices violence is used as a tool for dominance leading to socially constructed inequalities therefore aggravating marginalization. This situation leads to conflicts when dominant communities resist the quest by the small communities to re-claim their identity and recognition.

[content%2Fuploads%2F2015%2F12%2FKenyaConflictAnalysis.pdf&usg=AFQjCNE602KsZkXrPPhSsJBGrSsYfJashA](#)

⁷⁴ Ibid

⁷⁵ Interview held on April 18 with Brigadier P. L. Lepakiyo in Marsabit

Traditional pastoralist culture was cited as another cause of the conflict, based on the chief, raiding frequently occurs after elders formally sanction the practice based on dictates of culture. The study had of instances when youth carried out raids without the permission of elders, and when told to return the cattle stolen they refused. However, the study did not probe as to the extent to which the elders in both Borana and Rendile had lost authority in the community. Traditional leadership structure is still key in peace and development initiatives in the communities.⁷⁶

The Ndung'u, report cites the following as some of the factors influencing the politics in Marsabit around 2005-2006: "From interviews with various stakeholders, it was clear that Marsabit district politics has had an influence on local conflict as politicians incite their communities against other communities as a way of increasing their political influence."⁷⁷ Another issue cited is the Rendille, Gabra and Burji (REGABU) coalition which was tried by teachers to clinch the Kenya National Union of Teachers (KNUT) positions during the 1990s and which succeeded. The coalition was replicated in the wider Marsabit County politics in the 2013 elections and managed to win the governor, senator and women representative positions. The Boran consider this a way of blocking them from leadership position and hence they fear that resources will not be shared equitably.⁷⁸

In 2005, a massacre happened in Turbi, Marsabit district, in which over 100 Gabras and Rendille, including women and children were massacred. The killings were blamed on the Boran insurgent group, the OLF. The cause of this particular incident is attributed to revenge by Boran

⁷⁶Interview held on April 19 with Mr. Guyo Golicha, Cohesion Officer Marsabit County

⁷⁷See the excerpt from Ndungu Report in "Jibo, B. A. (2014). *Mechanisms and Strategies for Preventing, Mitigating and Transforming Violent Conflict in Marsabit County, Kenya [MIR Thesis]*(Doctoral dissertation, United States International University, Nairobi). https://www.google.com/url?sa=t&ret=j&q=&esrc=s&source=web&cd=7&cad=rja&uact=8&ved=0ahUK Ewi0oIWcjfVAhVCto8KHT_iBX4QFghMMAY&url=http%3A%2F%2Fwww.academia.edu%2F19126168%2FM ECHANISMS_AND_STRATEGIES_FOR_PREVENTING_MITIGATING_AND_TRANSFORMING_VIOLENT_CONFLICT_IN_MARSABIT_COUNTY_KENYA&usq=AFQjCNERIhXaxz4rUZK8XmiQtuBXHO0Fng"

⁷⁸Ibid, p, 32

for the killing of their kin in Forole near the Kenya-Ethiopia border, in Gabra territory. However, the killing was generally seen as a culmination of the Boran-Gabra tension. The Boran accused the late Dr. Bonaya Godana of using his powers to employ Gabras and Rendille in the provincial administration in Moyale and Marsabit, installing Gabra chiefs by creating administrative divisions, locations and sub-locations in Boran territory, for example in Oda, Kate and Kinnisa in Moyale district.⁷⁹

The conflict between the Boran and Gabra-Rendille in 2005 remains unresolved hence continues to impede border migrations by the Gabra in Northern Kenya into Ethiopia and Boran in Southern Ethiopia into Kenya. Relations between the two tribes can only be mended effectively through the traditional conflict resolution mechanism. The changing variables of weather and availability of pasture and water require that mobility of herds and humans is not severely restricted. The imposition of borders and the agitation for political and administrative control over newly demarcated areas coupled with political mobilization has created the 'them' versus 'us' syndrome which has perpetuated the conflict over time.⁸⁰

⁷⁹IGAD(2009), Assessment of conflict in Horn of Africa. http://www.fao.org/fileadmin/user_upload/drought/docs/Existing_Approaches_and_Best_Practices_in_Cross_Border.pdf (Accessed March 17, 2017)

⁸⁰Scheffran, J. (2012). Pastoral livelihoods and Effects in north-western Kenya. <https://pastoralismjournal.springeropen.com/articles/10.1186/2041-7136-2-25> (Accessed October 3, 2016)

3.3.3 Clan Rivalry

The cycle of conflict within a society that lives together has been an obvious one. People have different cultures, norms and values which are unique. As such, ethnic rivalries, jostling over resources and power and intense competition are some of the factors influence democratic traditions in societies that are ethnically plural.⁸¹ In the case of Northern Kenya, the dynamism of conflict among tribal groups changes in season. Though, many tribes living in Northern Kenya have Cushitic origin, tribal rivalry is mostly pronounced. A case in point is for example the conflict between Borana and Burji in 1994 largely over a political difference. Conflicts where identity issues are important engage disputants on deep psycho cultural levels.⁸²

Others include the conflict between Rendille and Borana in the 1990s as well as in the dawn of the year 2000 and thereafter. The conflict between Gabra and Borana in 2005 which caused a lot of killings and casualties in Marsabit County is believed to be ethnically motivated where the Borana and Gabra's fought. This conflict led to a massacre in Torbi at the North of Marsabit County attracting media attention because of its magnitude. These are tribal related conflicts with root causes in Ethnicity and politics, resource and ownership. Conflict theorists such as John Burton, who work primarily out of the human needs tradition, emphasize that identity needs are fundamental and for the most part non-negotiable.⁸³

Clan rivalry in the competition for access to resources, political power, opportunities like employment and education in the district based on ethnic alignment. A research by Lewicki et al., concurs that ethnic rivalry leads to inter-ethnic conflicts. This is because with ethnic rivalry tends

⁸¹Ibid, p9.

⁸² Lynne M. Woehrle and Patrick Coy, "Collective identities and the Development of Conflict Analysis," in *Social Conflicts and Collective Identities* eds P. Coy, L. Woerner, (USA: Rowman & Little Publishers, Inc. 2000) , P.6

⁸³ Ibid, p49

to lead to domination by one community over another community, and this manifests itself in resource fights and control.⁸⁴

Ethnic Rivalry as a contributing factor to the conflict was also the predominant among many respondents in the study, with ethnic and/or clan cited as a cause of conflict. This is reinforced by the fact that ethnicity has dictated most facets of Kenyan life, such as resource allocation and politics. Historically, the Rendile and the Borana are one sharing the same language and culture. The two communities have co-existed for a long time. Traditionally, it is a taboo for a Borana to kill a Rendille.⁸⁵ In the words of the chief “Rendille and Borana , the Boranas consider themselves as superior in all respects and this has led to identity crisis which frequently results into conflicts over resources and opportunities⁸⁶

3.3.5 Internationalization of Conflict

In the case of Northern Kenya, communities from neighboring countries such as Sudan, Somalia, and Ethiopia have people of common ethnic origins on the side of Kenya. In the part of Northern Uganda there are Karamajong who are also found in Kenya. The Turkana’s in Northern Kenya have their origin from Sudan and there are link of people of the same culture found on the part of South Sudan and Northern Uganda. The Somali’s from North Eastern Kenya of Mandera, Wajir, Isiolo, and Moyale have their people in Mogadishu, Puntland and Somaliland. The web of interaction among ethnic group is really international. This is what is termed as internationalization

⁸⁴Lewicki, R. J., Weiss, S. E., & Lewin, D. (1992). Models of conflict, negotiation and third party intervention: A review and synthesis. *Journal of organizational behavior*, 13(3), 209-252. <http://onlinelibrary.wiley.com/doi/10.1002/job.4030130303/full> (Accessed April 11, 2017)

⁸⁵ Interview held on April 19 with a Chief, Marsabit County

⁸⁶Ibid

of conflict because one tribe that has conflict in one region is affected by the same conflict either because they share culture, norm, values and standards.⁸⁷

In the case of Northern Kenya, experiences of this type of conflict are experienced at the border zones. Often, when local conflict happens in the side of Kenya, communities who are of same tribal origin from other countries get triggered and support their own in the other side of the border. This escalates tribal rivalry and the concept of ethnicity in the Northern Kenyan region. It should be noted that the sharing of borders have caused avenues for illicit fire arms to be traded. The presence of small illicit firearms is blamed to have its origin from the neighboring countries. Trading of small firearms across Kenya border has made local people access arms. Availability of these arms makes it easier for highway robbers to easily access this. They thus use these arms to attack innocent passengers on Marsabit-Isiolo highway and Marsabit-Moyale highway.⁸⁸

Communities in the bordering countries are pastoralists too. For example, the South Sudanese keep livestock that comes until Turkana region which borders Marsabit County. In Dasnach, a place in Marsabit county pastoralists come from as far as Sudan to graze their livestock. The people of Southern Ethiopia such as those close to Omo River continue to cross the border of Kenya to do trade and economic gain⁸⁹. It is the aim of this study to determine whether the state of the Borana and Rendille being bordered by communities in conflicts such as the Turkana, Pokots, just to mention but a few, influences inter-communal conflicts between the two communities as well.

⁸⁷Odhiambo, M. (2012). Impact of conflict on pastoral communities' resilience in the Horn of Africa: Case studies from Ethiopia, Kenya and Uganda. By Michael OchiengOdhiambo (With contributions by Fekadu Abate, Kimani MJ and Dennis TuhairweBataringaya) Nakuru. <http://www.alnap.org/resource/7526>(Accessed October 1, 2016).

⁸⁸Interview held on April 25 with Directr KNFP/SALW in Nairobi

⁸⁹Odhiambo, M. (2012). Impact of conflict on pastoral communities' resilience in the Horn of Africa: Case studies from Ethiopia, Kenya and Uganda. By Michael OchiengOdhiambo (With contributions by Fekadu Abate, Kimani MJ and Dennis TuhairweBataringaya) Nakuru. <http://www.alnap.org/resource/7526>(Accessed October 1, 2016).

The Ethiopian Government is continuously suspicious of the Oromo Liberation Front (OLF). The OLF is a political organization that strives for self-determination of the Oromo people against the 'Abyssinian colonial rule' (Oromo Liberation Front [OLF]). Because of the OLF struggle against the Ethiopian government, the Boran people in Kenya are from time to time suspected of harboring fighters among them. This has also become a cause of conflict between the Boran and Gabra. Whenever the Boran steal animals from Rendile, the Ethiopian government promptly returns the animals back, but fail to act likewise when it is the Rendille other way round. This has made it difficult to manage the conflict since the Ethiopian government are supportive of one side and not the other.⁹⁰

Regional politics is also a factor contributing to the conflicts in Marsabit and Moyale districts. For instance, the respondents stated that the local politics is influenced by the politics of neighboring Ethiopia. The Oromo in Ethiopia are aligned to Borana in Kenya, as such any attack carried out Borana on Rendile is usually dealt with by the Ethiopian government. Such attacks usually involves the movement of Borana to Ethiopia and in most cases the government frustrates them. However, the same is not said of Rendille attack as the government of Ethiopia are sympathetic to them. ⁹¹

3.3.6 Incitement by Politicians and Opinion Leaders

Politicians and opinion leaders mostly suffered indictment from members of the public as genuine peace crusaders. This is because inter-ethnic conflicts are synonymous with socio-

⁹⁰Hunqe, A. Y. (2005). *Ethnic Conflicts among Pastoralists in Marsabit District: A case study of the Boran-Rendille Conflict* (Doctoral dissertation, University of NAIROBI). http://erepository.uonbi.ac.ke/bitstream/handle/11295/6206/Akiilu_Ethnic%20Conflicts%20among%20Pastoralists%20in%20Marsabit%20District%3A%20A%20case%20study%20of%20the%20Boran-Rendille%20Conflict?sequence=1&isAllowed=y

⁹¹Ibid

economic inequality for which politicians and elites consistently vow to liberate their individual communities. This dream is achieved by outwitting the others who compete for similar socio-economic resources.⁹² This is justified by wanting transparency and accountability, state effectiveness in dealing with the demands of diversity within the backdrop of contestable resource distribution and wobbling democratic ideals. The cronies of politicians and opinion leaders often receive huge material benefits when they marshal the public in premeditated direction.⁹³

The most supreme organ of the government, the legislature, has been dominated by the Kikuyu ethnic group representation since independence. Political marginalization has been a source of simmering outrage and formidable interest articulation from pastoralist communities particularly during the General Elections.⁹⁴ Politics of insecurity and identity provided the government with a strong argument against political pluralism. The politicians have occasionally incited their communities against others.⁹⁵ This study seeks to determine whether incitement by politicians and other opinion leaders ultimately stir their communities to inter-communal conflicts between the Borana and Rendille communities.

The interface between power and material gain to preserve their ethnic communities at the helm of resources control triggers the politicians and opinion leaders to hedonistically utter incitive, inflammatory and disparaging remarks referring to sections of some communities they do not like as *madoadoa*. This is a Kiswahili word meaning spotted, carrying with it ethnic undertones. They were viewed as ‘strangers who must lie low like an envelope’. This culture of

⁹²Mengst, K. (2011). *Critical factors influencing conflict the Horn of Africa*.<http://www.diva-portal.org/smash/record.jsf?pid=diva2%3A471296&dswid=-733>. (Accessed August 19, 2016)

⁹³id

⁹⁴ Masong'o, S.W. & Murunga, G.P. Ed. (2007). *Kenya: The struggle for Democracy*. London: Zed Books Ltd.

⁹⁵ Amisi, B. K. (1997). "Conflict in the Rift Valley and Western Kenya: Towards an Early Warning Indicator Identification". A Paper Prepared for the USAID Conference on Conflict Resolution in the Great Horn of Africa, June 1997; GoK. (2009). Report on Rapid Assessment of the Status and Needs of District Peace Committees in Select Districts of Rift Valley, Western and Nyanza Provinces. Nairobi: Dalyn Enterprises Ltd.

ethnic animosity against the Bantu communities by the Cushitic/Nilotic communities is disturbing.⁹⁶

A study carried out by the NCIC (National-Cohesion-and-Integration-Commission)⁹⁷ shows that gains from lesson learnt from the 2007-2008 Post Election Violence (PEV) “could be undone if the counties ignored interests, perspectives and participation of their minority groups” . The study also points to the fact that the new county governments would offer 70% employment opportunities, hence new fronts of conflict could be opened as political patronage, poor political culture and lack of merit impedes some from realization of those opportunities.⁹⁸ It is not only the minority who may be sidelined. The majority ethnic tribe, the Borana, lost the major positions of governor, senator and women representative. This may greatly hamper their potential to effectively participate in governance as their interest may be subordinated in favor of activities that target the respective groups that the leaders come from.

Politics causes conflicts between the two tribes as who to support. Additionally, the Boranas have been over domineering on the Rendille and this has forced the Rendille to enter into coalitions to counter this scenario. The interface between power and material gain to preserve their ethnic communities at the helm of resources control triggers the politicians and opinion leaders to hedonistically utter incitive, inflammatory and disparaging remarks.

⁹⁶ Mkutu, K. (2005). “Pastoral Conflicts, Governance and Small Arms in the North Rift, North East Africa”. PhD thesis, University of Bradford.

⁹⁷National Cohesion and Integration Commission [NCIC], (2013),“*Strategic Plan July 2013 - June 2016*,”Nairobi, NCIC

⁹⁸ Abdi, A., (2013), “Ethiopia accused of stoking Moyale clashes,” <http://www.standardmedia.co.ke/mobile/?articleID=2000099706>

From interviews with study participants, it was clear that the politicians incite their communities against each other during election thus making conflict more likely during election. Respondents were asked if they thought political leaders in Marsabit County incite or fund people to engage in violence and majority acknowledged that political incitement is still common in Marsabit County and is a major cause of conflict during electioneering period.⁹⁹

3.3.7 Ecology

According to a report by IGAD CEWARN,¹⁰⁰ there is a direct link between globally changing climatic conditions, natural resources, livelihood insecurity and conflict in Northern Kenya. Erratic weather patterns and recurrent droughts have negatively impacted the availability of resources. Frequent crop failure has led to food insecurity in the region. This is viewed to have resulted in increased incidents of cattle raids, and increased competition over water and pasture, and droughts have led to the loss of animals, encouraging raids and counter raids. Lack of economic activity provides an opportunity for raids, which with time becomes an economic activity of certain entities.¹⁰¹ Schilling et al.,¹⁰² confirms the significance of natural resources and livestock as critical elements of the war between pastoral communities where a majority of raiders do so because of drought and famine as their major and subsidiary reasons for participating in raiding of livestock. Greiner¹⁰³ argues that pastoralist areas are characterized by scarcity of pasture

⁹⁹Interviews held in April with the chief, County staff and County Commissioner Marsabit County

¹⁰⁰ CEWARN, 9th Regional Report on the Karamoja Cluster (Ethiopia, Kenya and Uganda), January-April 2007, (A. Ababa: IGAD, 2007)

¹⁰¹ Mwaniki, T. W., Mbuchi, P. M., M., Leleruk and Mwei, F. (2007): Peace building and Conflict Management: Joint Case Study of North Rift Region of Kenya: Kolbe Press (Limuru).

¹⁰²Schilling, J., Akuno, M., Scheffran, J., & Weinzierl, T. (2014). On raids and relations: Climate change, pastoral conflict and adaptation in northwestern Kenya. *Conflict-sensitive adaptation to climate change in Africa*, 241. <https://books.google.com/books?hl=en&lr=&id=L5AZBQAAQBAJ&oi=fnd&pg=PA241&dq=causes+and+effects+of+intercommunal+conflicts+in+marsabit+county+kenya&ots=9iaq8mH2mt&sig=0A0MY2alneBkryCD1sfBRa8A2M>

¹⁰³ Greiner, C., (2013): Guns, Land, and Votes: Cattle Rustling and the Politics of boundary (Re) making in Northern Kenya: Oxford University Press (Nairobi).

and water and that the struggle for temporary access to these resources leads to conflict. This literature does not link prolonged adverse climatic changes to prolonged raids and violent conflict between these two communities. This results of this study did not support the hypothesis of increase climate change results in increased cases of conflict. However, what emerged from the respondents was that during period of droughts there are increased cases of conflict that is occasioned by fighting over the limited grazing resources. It also emerged from the participants that climate change has further led to conflict through reducing the limited land available for grazing. Areas that are known to be good for agriculture, particularly around Marsabit hills have been converted to crop production. The result has been limited land available for grazing thereby resulting into conflict concerning other available “good grazing land”.¹⁰⁴

3.3.9 Cattle Rustling and Banditry

Cattle rustling and banditry feature prominently as causes of inter-ethnic conflicts in pastoral communities. From a grievance standpoint, it was regarded as a means of expanding grazing land, replenish lost herds following harsh climatic conditions and to obtain bride wealth which is quite high in recent years and the belief among the Maasai that all cattle owned by any community must have originated from the Maasai as a community among other reasons. The belief points out to the cultural justification of embracing cattle rustling. This was the view gradually adopted by all pastoralist communities.¹⁰⁵

Moreover, there also exists inter-communal conflicts stemming from competition for scarce socio-economic resources between the farming and herding communities over land, pasture and water. This results into wars of subordination and hegemony as one community tries to undo

¹⁰⁴Interview held in April 19 with the NSC staff, Marsabit County

¹⁰⁵ Hendric, D. et al. (1996). Livestock raiding in Pastoral communities in Kenya. *IDPs Bulletin*, 27(3): 17-30; .

the other in order to control prime resources. Cattle rustling and banditry is at this level motivated by economic greed and accumulation of economic wealth.¹⁰⁶

There has been a fundamental shift in the nature and form of raids from small sanctioned raids using spears, bows and arrows, machetes and other crude weapons to large armed raids or cattle thefts.¹⁰⁷ According to Bollig and Osterle¹⁰⁸ local and current cultures usually fuel Inter-group violence in most parts of Northern Kenya. Since 1960s guns have been of crucial importance in the region. While during 1960s and 1970s most battles were still fought with simple rifles in 1980s and 1990s automatic guns like AK-47 and the G3 replaced earlier rifles.¹⁰⁹

Cattle rustlers and bandits are always well organized under the cover of darkness. The *morans* execute the raids. These attackers smear their faces with clay during the day to conceal their identity. The cattle rustlers deplete the socio-economic livelihoods of the Bantu communities, dispossessing them of their herds of cattle. Worse still, the rustlers steal the food stuff first, and then burn the food stores/houses.¹¹⁰

In Marsabit, the respondents were in agreement that cattle rustling is a common phenomenon with livestock rustling increasing recently.¹¹¹ Equally, based on the findings, the communities have shifted from mass raids to raids that are much smaller though frequent in

¹⁰⁶ Mohamad, M. & Rutu, P. (2005). Socio- economic effects of Conflict in Kenya and Uganda. Nairobi: Practical Action.

¹⁰⁷ CEWARN Country updates, September-December 2009. CEWARN (Conflict Early Warning and Response Mechanism) Addis Ababa.

¹⁰⁸ Bollig, M. and Osterle, M. (2007): "We turned our enemies into baboons": warfare, rituals and pastoral identity among the Pokot of northern Kenya: Berghahn Books, New York.

¹⁰⁹ Hulme, D. and Fukudu, S. (2009): International norm dynamics and "the end of poverty": Understanding the Millennium Development Goals (MDGS). New York.

¹¹⁰ Akiwumi, A. M. (1999). Report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya. Nairobi: Government Printers.

¹¹¹ Schilling, J., Opiyo, F. E., & Scheffran, J. (2012). Raiding pastoral livelihoods: motives and effects of violent conflict in north-western Kenya. *Pastoralism: Research, Policy and Practice*, 2(1), 25. <https://pastoralismjournal.springeropen.com/articles/10.1186/2041-7136-2-25> (Accessed October 3, 2016)

number. These findings implied that among Borana and Rendille, livestock rustling can take place any season of the year.¹¹²

Livestock rustling is a cultural practice that was regulated by elders and the same elders sanctioned when to engage in rustling. However, the study established that over the past few years the Borana and Rendille communities have experienced cultural changes that have led to new trends in cattle rustling, with the emergent trends of cattle rustling leading to commercialization and internationalization of the practice contrary to the views of early scholars who trivialize cattle rustling as a mere cultural practice.¹¹³

3.3.10 Proliferation of Small arms

SALW have been connected with conflicts and insecurity in many ways many uses, with the proliferation and use of SALW having both direct and indirect effects on conflict. The proliferation of SALW has been associated with the intensity of violence or conflict but not necessarily to the *cause* of conflicts.¹¹⁴ The investment and time that are made on SALW has also been a major issue in conflict zones. Government and group spend enormous amount of money on SALW at the expense of development, making communities more vulnerable to conflict. This has led to the birth of security sector reform that targets reduction of SALW as well as investment made in security sector.¹¹⁵

¹¹²Witsenburg, K. M., & Adano, W. R. (2009). Of rain and raids: Violent livestock raiding in northern Kenya. *Civil Wars*, 11(4), 514-538. <http://www.tandfonline.com/doi/abs/10.1080/13698240903403915>

¹¹³Interview held on April 19 with Chief, Marsabit County

¹¹⁴ Department of Foreign Affairs and International Trade, Canada (DFAIT), 'The effects of small arms and light weapons proliferation and use,' (DFAIT, 2008) www.international.gc.ca/arms-armes/isrop-prisi/research-recherche/conventional-conventionnelles/krause2000/section05.aspx?view=d

¹¹⁵Ibid, p32

A report by the Kenya Government on the State of Environment for Kenya¹¹⁶ reveals that several decades of regional instability have adversely affected Kenya. According to Mkutu and Wandera¹¹⁷ there are sustained arms flows across long, porous borders, such that communities have become very militarized in Kenya. They also explain that pastoral areas have a small government presence, and is heavily dependent on the KPR force as its first line of security. This has led to more arms in the hands of civilians, this study hopes to understand the extent, if any, to which proliferation of small arms causes conflict between the Borana and Rendille communities.

Marsabit County has over the past three decades experienced the proliferation of SALW due to its expansive and porous international border that it shares with Ethiopia. The Ethiopian government has security challenges on the Southern border which borders Marsabit County. As a result, SALW has easily found its way to the communities in Marsabit. In addition, SALW has found its way through neighboring counties that border Marsabit, and which share borders with other countries involved in conflict. Cattle rustling in Marsabit has been motivated by proliferation of SALW.¹¹⁸

According to most respondents, gun infiltration in the county is the main cause of conflict. They stated that guns are sourced from different places and used for raiding other communities and own protection. Another reason that emerged for increased proliferation of SALW was prestige. There has been an increase in the supply of guns in the district since 1980s, with modern firearms gaining first entry in the district through the Borana who acquired weapons from Ethiopia.¹¹⁹ This made the Borans to enjoy advantage over their adversaries, the Rendille and

¹¹⁶ OK, 2010. National Climate Change response strategy. Government Press: Nairobi.

¹¹⁷ Mkutu, K. and Wandera, G., (2013): Policing the Periphery: Opportunities and Challenges for Kenya Police Reserves. Small arms Survey, Switzerland.

¹¹⁸ Interview held on April 25th with Director KNFP/SALW in Nairobi

¹¹⁹ Weiss, T. (2003). A demand-side approach to fighting small arms proliferation: feature. *African Security Review*, 12(2), 5-16. <https://journals.co.za/content/isafsec/12/2/EJC47115>

Gabra. This supply of weapons continued during the instability period in Somalia and Sudan. The proliferation of weapons increased to the point where it became an income generating activity for some Borana. It emerged from the participants that many have acquired weapons in order to protect themselves and their families. This is because many feel that the government has failed in guaranteeing them their security¹²⁰

3.4 Effects of Conflict

Conflict portends various effects to the communities. This section will highlight some of the effects of conflicts in Marsabit region.

3.4.1 Retarded Social Services

Education is affected by conflict in two major ways. The presence of conflict limits the access to education facilities thereby retarding human development in a community. This is occasioned by disruption to learning facilities, sometimes leading to closure of schools. Conflicts also lead to drop-out as many of the young people opt to engage in conflict.¹²¹ Education in the Pastoral areas is low compared to other regions.¹²² Education suffers in the presence of conflict. It is only until 2003, when the rate of conflicts is seen to have reduced, that most pastoral areas had resulted to closure of school since 1994 and much way earlier since hardly any learning could take place as the community experiences high tension in the area as a result of conflicts. Samburu was the most hit with 29 percent closure of schools, Marakwet had 26 percent, and Turkana had 15 percent.

¹²⁰Interview held on April 25th with Director KNFP/SALW in Nairobi

¹²¹Nzesei, M. M. (2017). Education Marginalization in the Kenyan Conflict-Affected Areas: Human Capital Theory and Rights-based Perspectives. *International Journal of Innovative Research and Development*, 6(6). <http://www.ijird.com/index.php/ijird/article/view/116751>

¹²²Ibid

The districts which had the least closure are Marsabit and Moyale with each having 4 percent and West Pokot with percent.¹²³

Some of the respondents confirmed that the phenomenon of school drop outs was promoted by inter-ethnic conflicts, particularly amongst the youth who enlisted support as a warriors in the conflict. The conflict it was also established has affected formal education directly as it has led to teachers abandoning schools due to insecurity. This has resulted in closure of some of the schools in Marsabit County. The conflict has subjected more community members to poverty and destitution further diminishing the already scan economic resources, further excluding many from accessing education.¹²⁴

Conflicts interferes with various activities in a community including limiting access to services and facilities related to healthcare because conflict leads to loss of income limiting people access to health services. In some instances, conflict leads to destruction of health facilities and fleeing of health personnel further hampering the provision of health services to community members.¹²⁵

Ethnic Conflict between Borana and Rendille has had both direct and indirect effects, with the direct effects been lack of health practioners who have left the community for other areas. This has resulted to the exclusion of community members from accessing critical health services. The frequency of conflicts between Borana and Rendille has resulted in loss of crops and livestock and this has affected the health of community members due to lack of food and nutrition.

¹²³Gambari A. (1991). The character, Fundamental Issues and Consequences of the Conflict in the horn of Africa, in Abraha T (2012): an Anthology for peace and Security Research, Addis Ababa: Institute for Peace and Security Studies Addis Ababa University with Friedrich Ebert Stiftung.

¹²⁴ Interview held on April 19 with a chief in Marsabit County

¹²⁵ Assessment and conciliation report on: Existing Approaches and Best Practices in cross Border Peace Building and conflict Mitigation and strengthened CSOs across the Ethio-Kenya Border by: Integrated Agriculture Development Consult (IADC) Dec 2008; Addis Ababa.

3.4.3 Death, Injury and Destruction of Properties

One of the direct effect of conflict relates to death and injuries as well as destruction of properties by warring parties. Loss of human lives Schilling et al.,¹²⁶ posit that injuries and numerous deaths are the main direct effects of raiding on human well-being. For instance, in Turkana, around five-hundred and ninety two deaths linked to raids were recorded by health centers between 2006 and 2009. Equally, based on CEWARN report, 640 deaths were recorded in 2009 in West Pokot and Turkana Counties.¹²⁷ The numbers of death have been increasing throughout the years and have escalated with time, as was revealed by this study where one of the respondents stated that inter-communal conflict often lead to death or incapacitation of the bread winner through injuries. It was also revealed during the study that majority of death and injuries experienced in the conflict has affected more women and children than men. However, on destruction of properties it was asserted that there is no gender differences in terms of those who have lost more properties.¹²⁸The Boran-Rendille Conflict displaced a total of 1050 between 2000-2006 with majority of the displaced persons being women and children aged below 14 soars.¹²⁹

3.4.4 Reduced Agricultural Production and Reliance on Relief

Food production, particularly at the household level, is mostly affected by insecurity and fear, which in turn, reduce livestock quality and quantity. Conflicts also limits trading in livestock by leading to closure of markets. In addition, the presence of conflict affects crop farming activities

¹²⁶ Schilling, J., Akuno, M., Scheffran, J. and Weinzierl. (2012): *On raids and relations climate change, pastoral conflict and adaptation in Northwestern Kenya (under review)*. In *climate change and conflict: where to for conflict sensitive climate adaptation in Africa?* Ed. Bronkhorst, S. and Bob. Durban: Human Sciences Research Council.

¹²⁷CEWARN: CEWARN country updates: September-December 2009. Addis Ababa, CEWARN (Conflict Early Warning and Response Mechanism); 2010.<http://www.cewarn.org/index.php/reports/archived-early-warning-reports/alerts/uga-1/2009-4/42-uga-sept-dec09/file>

¹²⁸ Interview with cohesion officer held April 16th 2017, Marsabit

¹²⁹Ibid

by forcing farmers to stay away from farms during conflict period. Thus it can be stated that conflict also leaves the communities in a poverty cycle.¹³⁰

Despite the good rains experienced in the country in 1996- 1997, and 2000- 2001, Most districts in the North Eastern province had lower maize production. The lower yields may have been attributed to the tribal conflicts that took place then. Tana River districts is one of the most affected by conflicts followed by Trans Nzoia, Marakwet and lastly Moyale. In relations to maize production, Moyale had the highest tonnes of Maize since 1995 to 2001 rising from 1486 tonnes to 18,300 tonnes as a result of growing peace within the district. Tana River district had the least maize yields as a result of frequent conflicts over the years.¹³¹

¹³²The case for the Borana and Rendille communities in relation to reduced food production and/or reliance on food relief revealed that the inter-communal conflict has led to reduced commerce and trading activities. Basic commodities generally become unavailable and scarce hence exorbitantly priced. A general reduction of livelihoods of the local populations through depletion of cattle and reduced food levels occurs. Some of the respondents indicated that inter-ethnic conflicts in the area has led to low food production through neglect of farms for the dispossessed communities. The atmosphere of insecurity provoked by inter-ethnic conflicts means that both Borana and Rendille communities are not engaged in productive economic work. This leads to more cases of food insecurity in the county.¹³³

¹³⁰Ahmed, A. M. (2014). Effects of Conflicts among The Pastoral Communities. http://www.academia.edu/download/39039234/Effects_of_Conflicts_Among_The_Pastoral_Communities_Case_Study_of_Mandera_County.Pdf

¹³¹Ahmad, Y. (2001). The socio-economics of pastoralism: a commentary on changing techniques and strategies for livestock management. In: Squires, V.R., Sidahmed, A.E. (eds). Drylands. Sustainable use of rangelands into the twenty-first century. IFAD Series: Technical Reports. Rome: IFAD.

¹³²Ibid

¹³³Khisa, C. S. (2016). Trends in Livestock Rustling and The Dynamics of Socio-Economic Development In Samburu And Marsabit Counties In Kenya. *Strategic Journal of Business & Change Management*, 3(4). <http://www.strategicjournals.com/index.php/journal/article/view/392>

Eaton¹³⁴ argue that commercialization of raiding has significantly affected livestock production in pastoral areas. Between 2006 and 2009 raids resulted in the loss of over 90,000 livestock was among the Pokot and the Turkana.¹³⁵ The effect of conflict on livestock production in Marsabit was studied with results showing that frequent cases of cattle rustling have resulted in both communities losing large herds of livestock, and this has been compounded by lack of compensation as expected or agreed from various declarations.. The magnitude of livestock loss is best captured according to according to the district peace committee records. Over 100,000 cattle have been stolen over the past 15 years between 1990 and 2005.¹³⁶

The conflict has resulted in devastating results on districts, villages and households. One attack, for instance, can lead to the loss of the entire livelihood and wealth of a household. Consequently, most households are unable to recover economically and, thereby, the household's long-term economic viability is jeopardized. For instance, one participant stated that in one month stock valued at over Ksh 400,000 has been stolen and this has made many poor in the communities.

3.4.6 Insecurity

Schilling et al.,¹³⁷ note that between 2006 and 2009, 20 homesteads were reported to have been looted and destroyed in Kaputir alone. In Lasak and Nauyapong, hunger has caused some Turkana's to begin stealing beehives and maize. Besides the direct loss of resources, the conflicts caused effects which indirectly reduce human well-being through insecurity.

¹³⁴ Eaton, D. (2008): Violence, revenge and the history of cattle raiding along Kenya-Uganda border. Halifax Dalhousie University

¹³⁵ CEWARN, 2010. CEWARN Country updates, September-December 2009. CEWARN (Conflict Early Warning and Response Mechanism): Addis Ababa.

¹³⁶ CEWARN: CEWARN country updates: September-December 2009. Addis Ababa, CEWARN (Conflict Early Warning and Response Mechanism); 2010. <http://www.cewarn.org/index.php/reports/archived-early-warning-reports/alerts/uga-1/2009-4/42-uga-sept-dec09/file>

¹³⁷ Ibid, p16

Human security entails the realization that the traditional forms used by the state security are no longer capable to protect citizens and that development needs to be viewed beyond the economic growth aspect and, instead, be regarded as decorous survival through freedoms from want and fear. The security is a situation where communities and people are able to manage stress, enjoy their values and rights and meet their needs. As such, security provides freedom from fear and want and provides the liberty to indignity and from dangerous impacts.¹³⁸ According to Schilling et al.,¹³⁹ there is a ubiquitous notion of pronounced insecurity on the Turkana South and North Pokot border. Insecurity and notion of its prevalence has three main repercussions, which equally have adverse effects on the well-being of people. First, resources are inefficiently utilized in insecure area. Second, major facilities, particularly schools and markets are closed. Third, insecurity is a major obstacle to investments.

Prolonged clashes and conflict escalation has resulted communication breakdown between adjacent/neighbouring communities and the ensuring loss of social networks that have been constructed over long durations including strong bonding through inter-clan marriages and other institutions, which are critical in terms of coping with uncertainty. High insecurity levels in villages as well as high poverty levels and destitution have led to an increase in urban migration. The increase in attacks and counter attacks between two Borana and Rendille. The fighting between these two communities is not new, it happens several times and this has made the security situation unpredictable. Periodically, the insecurity situation in Marsabit County leads to the

¹³⁸ Mesjasz, C. (2008). Security as attributes of social systems. In H.G. Brauch, U. Oswald Spring, C. Mesjasz, J. Grin, and P. Dunay (Eds.), *Globalization and Environmental challenges: Reconceptualizing security in the 21st century* (vol.3,pp.45-61). Berlin. Springer; Hardt, J.(2011). Critical deconstruction of environmental security and human security concepts in the anthropocene. In J. Scheffran, M. Brzoska, H. G. Brauch, P. M. Link and J. Schilling (Eds.), *Climate change, human security and violent conflict* (vol.8,pp.207-221). Berlin Heidelberg: Springer.

¹³⁹ Ibid, p16

closure of the roads between Marsabit and Moyale District thereby affecting business and transportation in the county.¹⁴⁰

3.5 Conclusion

The causes of conflict in between the Borana and Rendille will be assessed mainly from different frontiers. With the devolved government, opportunities arise to solve some of the problems which eventually may lead to decreased conflict. Participation of citizens and interest group may be enhanced so as to include their voices in development agenda setting and in formulating programs that target peace building activities such as repairing broken relationships and rebuilding livelihoods, especially the pastoral economy. More important is to build institutions and capacity that would deal with psycho-social issues and recreate new realities so as to make healing possible. This way the work of mending relations across the divided society would be made easier. At the household level, conflicts usually leads to limited accessibility of food as well as other social services, death, property loss, insecurity and displacement. The current security analysis necessitates and urgent response in terms stocktaking, and the relevant lessons that can be obtained from the Borana and Rendille experience.

¹⁴⁰ Schilling, J., Opiyo, F. E., & Scheffran, J. (2012). Raiding pastoral livelihoods: motives and effects of violent conflict in north-western Kenya. *Pastoralism: Research, Policy and Practice*, 2(1), 25. <https://pastoralismjournal.springeropen.com/articles/10.1186/2041-7136-2-25> (Accessed October 3, 2016)

Chapter Four

MEASURES TO RESOLVE CONFLICTS AMONG THE BORANA AND RENDILLE COMMUNITIES

4.0 Introduction

This chapter examines the conflict management mechanisms adopted amongst the Borana and Rendille communities. It looks at the institutions that have participated in the conflict management process among the Borana and Rendille and provide a critical analysis of successes and shortcomings in conflict management process. In addition, it evaluates the challenges that have been faced in conflict management process among the Borana and Rendille.

4.1 Conflict Management

4.2 Conflict Management Mechanisms in Kenya

Kenya has experienced frequent internal and cross border conflicts. The Kenya government has regularly given priority to conflict management. The methods adopted in conflict management include: formation of peace committees at various levels, from district to sub-location. The communities associated with peace are majorly modeled on the relevant mechanisms and approaches of the communities' traditional ability to resolve conflicts. A huge proportion of the peace community memberships the relevant community's council of elders. Adan and Pkalya¹⁴¹ note that the conflict resolving management and approach in Kenya has been mostly reactive in

¹⁴¹ Adan, M and Pkalya R, 2008: Concept of Peace Committees - A snapshot of Analysis of the Concept of Peace Committees in Relation to Peace Building Initiatives in Kenya, Practical Action International. https://practicalaction.org/docs/region_east_africa/peace_committee_analysis.pdf (Accessed January 23, 2017)

the past and crisis driven, hence little has been achieved as compared to traditional mechanisms of resolutions today.

Solving land and family matters in Kenya has been facilitated by use of various traditional justice mechanisms especially the use of inter-ethnic marriages, resource management arrangements, tribal group treaties, as well as using the council of elders from various tribes. Further, government has facilitated in solving the same matters by laying out various government initiatives which entails using government officers such as District Commissioners, District Officers Chiefs, sub-chiefs and also deploying armed security personnel's who also play a fundamental role in solving ethnic conflicts matters. In majority of African nations and also in Kenya in particular, the primary native conflict resolution institution is the use of council of elders. Conflict resolution involving council of elders is well respected in local levels and also well recognized by the state. They are regarded as trustworthy and knowledgeable in community affairs¹⁴². The members of the community have always had faith with the elders who make binding decisions. They always invite to help in conflict resolution in the traditional African set up.¹⁴³

The Land Dispute Tribunals Acts of 1990 which recognized the council of elders as the primary resolution of solving conflicts involving land matters was adopted in a bid to change the traditional conflict resolution mechanisms into modern conflict management strategies.¹⁴⁴ In many parts of Northern Kenya, communities adopted inter-ethnic marriage as the primary mechanism to resolve conflicts. The mechanism is not very popular today as it used to be more effective in the traditional society settings. Inter-ethnic marriages were encouraged with the

¹⁴² Ibid

¹⁴³ DFID (Department of International Development) (2006). Preventing violent conflict. Abercrombie House Eaglesham Road East Kilbride Glasgow G75 8EA <http://www.conflictresolution.org/bin/dfid-conflict-prevention-may07.pdf> (Accessed January 23, 2017)

¹⁴⁴ Ibid p6

understanding that it was a taboo to fight one's in-laws so they were expected to reduce fights between communities.

In the year 2006, the government started to try and formulate a comprehensive national policy on conflict management and peace building. To formulate these policies, NPPBCM was drafted. Various stakeholders which included the Ministry of Foreign Affairs, the Office of the President, USAID, OXFAM, UNDP DFID and Africa Peace Forum worked and consulted with the National Steering Committee (NSC) to produce the peace.¹⁴⁵ Promoting sustainable peace and development in Kenya was the major objective of the NPPBCM. To achieve this objective, the NPPBCM integrates all conflict management and peace building strategies across all the economic sectors. The strategies adopted by NPPBCM involve both the pre- colonial and modern conflict resolution methods. NPPBCM strategy involve coordination at all government levels, involving the civil society, public and private stakeholders, regional partners as well as the donors so as to ensure management of both domestic and cross-border conflicts which is achieved through the establishment of a comprehensive approach.¹⁴⁶

4.3 Inter communal Conflict Management Mechanisms

Various reports¹⁴⁷ indicate that conflict resolution techniques among the pastoralists exist in the form of structured or formal and unstructured or informal dimension. The informal forms

¹⁴⁵ National Steering Committee on Peace Building and Conflict Management (NSCPBCM) (2011). National Conflict Mapping and Analysis: Peace and Conflict Trends in Kenya. <http://awdfibrary.org/bitstream/123456789/446/1/Conflict%20Mapping%20Simplified%20Version.pdf> (Accessed January 24, 2017)

¹⁴⁶ National Steering Committee on Peace Building and Conflict Management (NSCPBCM) (2011). National Conflict Mapping and Analysis: Peace and Conflict Trends in Kenya. <http://awdfibrary.org/bitstream/123456789/446/1/Conflict%20Mapping%20Simplified%20Version.pdf> (Accessed January 24, 2017)

¹⁴⁷ UNDP, Analysis of Conflict as it Relates to the Production and Marketing of Dry lands Products: The Case of Turkana (Kenya) and Karamoja (Uganda) Cross-Border Sites, <http://www.ke.undp.org/content/dam/kenya/docs/Poverty%20Reduction/MAPEndofProjectEvaluation.pdf>. Adan, M and Pkalya R, 2008: Concept of Peace Committees - A snapshot of Analysis of the Concept of Peace Committees in Relation to Peace Building Initiatives in Kenya, Practical Action International. https://practicalaction.org/docs/region_east_africa/peace_committee_analysis.pdf (Accessed January 23, 2017)

comprise of the more unstructured conflict resolution systems that comprise of the elders' meetings and directives, opinion leader's judgments, use of communal methods as beliefs, myths, habits, characteristics, cultural orientations and rites, community informal meetings 'barazas' (consensus approaches) and citation of unpublished rites and obligation by a respected leaders during the conflicts. The punishments are in the form of communal exclusion, payments of fines, being blacklisted in the community and being denied some rights and privileges in case of noncompliance to judgments made by the elders. Elders, heads of families and age set play a big role in the society in preventing and resolving conflicts. They discuss many issues that affect the community internally and those that affect their relations with the neighboring communities. In the traditional African setting, the council of elders brought parties to a conflict on a round table sitting in order to deal with their disputes.¹⁴⁸

4.1.1 Moral Consensus

The pastoral communities' conflict management tradition suggests a personal condition that makes a generous and harmonious universe¹⁴⁹. Any encounter between people, whether in a social or political gathering or even in their day-to-day affairs whether in greetings, ritual or prayer, all must call upon this peace. Greetings are vital in various communities as they portray peace as well as peace affirmations strengthened by concepts of reconciliation, equality, and redistribution. The political and spiritual needs of various ethics institutions is served when there is peace which is considered as the initial social idea that informs the structure of that community. The

¹⁴⁸ Interview held with Chief on April 6, 2017 in Marsabit

¹⁴⁹Bercovitch, J., Kremenyuk, V., & Zartman, I. W. (Eds.). (2008). *The SAGE handbook of conflict resolution*. Sage. https://books.google.co.ke/books?hl=en&lr=&id=1cqjpHmhTZsC&oi=fnd&pg=PP1&dq=pacific+conflict+resolution+methods+&ots=O1plMGg5CI&sig=uvjaCTV9esMN6aLKrCldLICFR64&redir_esc=y#v=onepage&q=pacific%20conflict%20resolution%20methods&f=false (Accessed January 10, 2017)

communities believes that the rights to certain resources with which they are in need of them is a natural concept that can only be achieved when there is peace among them. Therefore, it is better to term the concept, which individuals are swapping in their prayers, inquiries and greetings a moral accord about political process and authority as considered by the 18th century English philosopher John Locke.¹⁵⁰ According to Locke, the institutions responsible for underpinning institutions that regulate justice and fairness can only be underpinned by God's authority. This study will seek to establish whether a similar idea is shared by both the Rendille and Borana.

In arriving at an agreement, there is no argument or competition witnessed, but consensus is arrived at in a well-organized gathering and smooth exchanges. However, today the emergence of new social and geographical divisions has complicated the structures of assemblies and to achieve the continuity of the notion of moral consensus, support to boost the process of moral agreement within the society is of utmost good. The moral consensus forms the basis for negotiation between ordinary people and authorities, as well over what is legitimate or not.

4.1.2 Information Sharing Platforms

Conflict management starts in the moral mind of individuals and thus communication spread it amongst the various individuals. Through this, the peace message will spread and reach wide population Daimtu¹⁵¹. Receiving the message and communicating the same message is the basic principle of information. In majority of communities, any particular conversation between individuals who had not meet one another for a long time always start with exchanging of the

¹⁵⁰ John Locke, as quoted by, Scott-Villiers, P., Ungiti, H. B., Kiyana, D., Kullu, M., Orto, T., Reidy, E., & Sora, A. (2011). The long conversation: customary approaches to peace management in southern Ethiopia and northern Kenya. <https://opendocs.ids.ac.uk/opendocs/handle/123456789/2324> (Accessed January 23, 2017)

¹⁵¹ Daimtu, is a conscious social mechanism used by people to share news, and to keep assert and monitor the moral consensus. In both Gabra and Borana tradition when two or more people meet it is important that the greetings are followed by information related to where they are coming from. Information is gathered in details on matters touching on all aspects of life, whether social political or economical. News relating to peace and security is given advantage over other news.

information. Normally, individuals get down to other serious businesses after they are through with exchanging the various information about happenings, people, places and things. Giving exact information is also a concept which is taught to young people from an early age. There is always a link of understanding and information which flows across between people despite the distance. Inaccurate or malicious information is not tolerated as it creates panics and stimulates conflicts between people. This is always discouraged.

The performance of message, inquiry and information are the pillars on which rests the maintenance of peace. Besides the regular and occasional *gadis*¹⁵² which make use of *daimtu*. It is at this *gadis* that leaders exercise their political authority according to rules of procedure, starting with information exchange between those who are present and the deliberation ends with the delivery of justice after a long and elaborative consultation among the elders. The gathering of elders may sometimes call for special assemblies to pass on their decision to others in the society. Such assemblies can be several depending on the population of the intended consumers of the information. Such assemblies are aimed at maintaining harmony between people.

There are occurrences in such events, such as sayings, stories and decisions which are remembered for years after and serve as the basis of arriving at future decisions. Exchange of information depends on various aspects as men, women, young and children all have their distinct way of passing information amongst themselves. For women, they only meet at particular women-only places such as the market, water points, funerals, and weddings where they share information which is either actual or rumored conflict but which eventually reaches the ears and minds of men. Encouragement and blessing songs are sung by women which are considered to have a

¹⁵² *Gadis*, is assembly of elders. When elders come together to discuss matters touching on the society, the gathering is referred to as *gadis* which is well respected. Here is where elders make rulings on matters affecting the community. During conflict between communities discussions and negotiations are done by elders in an informal gathering referred to as *gadis*.

philosophical influence on men. The wars carried by men can easily be incited or extinguished by the momentum and collective ability of women. The use of information sharing mechanism was established to be key, among the Borana and Rendile who have regular community platforms where information on events and activities are shared by key personalities. This can be from the community or within the community.

4.1.3 Customary Law

The traditional judicial process consent to that which restores harmony among communities or members of the community after it has been threatened or broken. The elders carry on their judicial role as a group, while sharing experiences that are handed down from one generation to the next. Throughout the punishments, judgments and pardons processes, elders are usually guided by the spiritual notions of blessing and reconciliation. The traditional law which is used to determine these vital processes are not considered to be rigid or static and they are usually questioned at various assemblies that involve appreciation of modern situations as well as tradition. The laws are not written but recorded and stored in memory and judgments are passed based on consensual argument and every ruling is a learning experience for the younger generation. Therefore, the law has the pro of being very easily respected and understood by various classes of individuals even among urban inhabitants who are exposed to other forms of law.¹⁵³ This study affirmed that customary law is applied by the Borana and Rendille communities as a conflict management strategy, specifically; the role of elders in applying customary law in conflict

¹⁵³Brown, M. E. (2001). Ethnic and internal conflicts: Causes and implications. *CA Crocker, FO Hampson and P Aall (eds)*; Menkhaus, K. (2008). The rise of a mediated state in northern Kenya: the Wajir story and its implications for state-building. *Afrika Focus*, 21(2), 23-38. <http://www.wajir.org/rapporten/Ken%20Menkhaus%20-%20rapport%20over%20opbouw%20vrede%20in%20Wajir.pdf> (Accessed January 17, 2017)

resolution was highlighted in the study by one respondent. The roles of customary law are further strengthened through various peace declarations such as the Boma declaration.¹⁵⁴

4.1.4 Surveillance.

In pastoral communities, coercive elements such as noticing discussion of raids, contemplation crime, examining incidents and accusations and follow up on judgements including payments of fines and compensations are used to maintain social order. As part of the tradition, the elders send a group of young men on expedition for aburu¹⁵⁵ mission in order to survey the environment for any element of threats to peace, as well as the availability of water and pasture for their livestock in case community is planning to move to a new area. Such mission is also carried out whenever there is substantive information of eventual attack by a neighboring community or not and this greatly helps in curbing elements of insecurity.

The culture dictates that members of the society are all expected to give accurate information and follow up transgressions. The elders who command enough respect among the people are tasked with playing a central role in the execution of law, presiding over investigations, meetings and discussions that relate to matters of conflict. To the communities, besides constantly checking, asserting, repairing and re-asserting peace, peace needs not to be taken for granted. While each individual can use their actions, words, law compliance, principles based on religion such as forgiveness to maintain peace, elders play a critical role in terms of peace surveillance.¹⁵⁶ It is the aim of this study to establish how surveillance is applied as a conflict management strategy among the Borana and Rendille communities.

¹⁵⁴ Interview held with Cohesion Coordinator on April 7, 2017 in Marsabit

¹⁵⁵ Aburu, means surveillance

¹⁵⁶ Bujra, A. (2002). African Conflict: Their Causes and Their Political and Social Environment, Development Policy Management Forum (DPMF), Occasional Paper, No. 4
<https://pdfs.semanticscholar.org/8d19/5e109ebdd31e418f0b60b335db9674593971.pdf>

4.4 Government Mechanisms for Managing Conflict

4.4.1 The New Constitution and the devolved government

The agitation for constitutional change began right after independence when two parties, The Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU) differed on the kind of government. KANU preferred a centralized unitary government while KADU advocated for a federal government. KANU was able to win in a 1963 referendum just before the first President Kenyatta took over power. KADU merged with KANU in 1964 making Kenya a de facto one party state and a de jure one party state in 1982. Due to political pressure, former President Moi repealed section 2A of the constitution in 1992 which introduced multiparty politics in Kenya.¹⁵⁷

The Kenyan opposition, the civil society and other pressure groups continued to mount pressure for constitution change so that power and resources are distributed at sub-national level in terms of devolution. This finally happened after the PEV under the coalition government in 2010 when the new constitution was promulgated by former President Kibaki.¹⁵⁸ According to the Institute of Economic Affairs (IEA), devolution is “a political response to the ills plaguing plural and fragile societies, such as, corruption, poor governance, conflicts, inequalities, rent seeking, economic stagnation and inefficient use of public resources”. In light of the new constitution, devolved government was operationalized after the April 2013 general election, with devolution expected to address some of the causes of conflict, more so marginalization.

¹⁵⁷Hope, K. R. (2014). Devolved Government and Local Governance in Kenya. *African and Asian Studies*, 13(3), 338-358.
https://www.researchgate.net/profile/Ron_Hope/publication/285421274_Devolved_Government_and_Local_Governance_in_Kenya/links/5665cc4808ae4931cd62604d.pdf (Accessed January 30, 2017)

¹⁵⁸ Ibid

4.4.2 National Cohesion and Integration Commission (NCIC)

The NCIC is mandated to promote and facilitate harmony, peaceful coexistence, equal opportunity, and good relations among individuals of various racial and ethnic upbringings in Kenya and also to provide advice to the government thereof. The Road to Cohesion, uwiano platform and Kenya Kwanza Campaign are some of the major achievements credited to NCIC in its 2013-2016 Strategic Plan. Other achievements by NCIC are education policies on cohesion and integration, making hate speech a crime, reduction of all forms of discrimination on the basis of origin (ethnic, religious, social and racial), social media monitoring and establishment of partnerships and networks.¹⁵⁹

Marsabit County has been, in the recent past affected by inter-clan conflicts especially among the Rendile, Borana, Gabra and Sololo communities. The Commission therefore took an initiative in November 2013 to mediate the peace process in Marsabit to arrive at a lasting peace agreement. The mediation efforts led to the signing of 3 major agreements; ‘the Marsabit Ceasefire Agreement, the Boma Declaration and the Boma Peace Agreement.’ Major participants in the mediations were clan elders and political leaders from all the communities.¹⁶⁰To establish the status of implementation of the issues highlighted in some of the peace agreements and to monitor the current status of cohesion in the communities, the Commission conducted four peace meetings with all the communities from 13th November to 24th November, 2015. National cohesion and integration commission has played a key role in managing conflict in Marsabit. Besides, the peace process initiatives, NCIC also has permanent employee based in Marsabit County and charged

¹⁵⁹ NCIC(2014) NCIC strategic plan 2013-2016

¹⁶⁰ Interview with Cohesion officer held in Marsabit on 12 April, 2017

with guiding the process of managing conflict on through various initiatives with different stakeholders.¹⁶¹

The conflict also drew the attention of the National Steering Committee on Peace Building and Conflict Management, an organization which is mandated with coordinating peace initiatives. The organization works closely with the government's arm of provincial administration and this way their activities are felt all the way down to the location level. Through the effort of this committee all peace declarations among the pastoralist communities living in northern Kenya were harmonized into Garissa Declaration which is an important reference point when dealing with pastoralist conflict. This study seeks to determine peace declarations if any that have been made between the Borana and Rendille communities and how effective they are perceived to be¹⁶².

Truth, Justice and Reconciliation Commission (TJRC)

The Truth Justice and Reconciliation Commission (TJRC) was incorporated and mandated to carry out comprehensive investigation involving historical injustices and violation of gross human rights in Kenya between 12 December 1963 and 28 February 2008. The violation of human rights purported by the Kenyan government from 1963 to 2008 against its citizens was investigated by the Commission. The violations were recorded with explanations for their causes with recommendations for prosecution of perpetrators and reparations for victims. The Kenya Transitional Justice Network (KTJN) (2013) summary of the TJRC final report cites 42,465 statements and 1,828 memoranda collected from Kenyans. The TJRC conducted public hearings where victims, perpetrators and witnesses gave their testimonies.¹⁶³

¹⁶¹ Ibid

¹⁶² Ibid

¹⁶³ TJRC(2012) TJRC Report

In May, 2011, the TJRC commission held its sitting in Marsabit County where the commission was informed that the government did not fully cooperate to stop the deaths of 72 individuals who died in Turbi massacre in 2005. The commission included in its report recommendation on how to address some of the historical injustices in the county. However, to date the implementation of the TJRC report has yet to start as envisioned.

4.4.3 County Peace Committees

County Peace Committees are those committees which performs their assigned conflict resolution duties depending on the respective traditional conflict resolution mechanisms and approaches of such communities'. Members of the council of elders form the largest proportion of the respective peace committees. Additionally, the customary institutions of conflict management of the respective communities involved are the basic methodology and approaches utilized in managing conflicts.¹⁶⁴

District Peace Committees were initiated first in North Eastern and Eastern Kenya districts in 1990s. District Peace Committees (DPCs) were established in the District levels in a bid to transform these sporadic conflicts and prevent their future recurrence. Due to external ethical interferences, the Marsabit DPC which was formed in 1999 was later disbanded in 2005. The disbanded District Peace Committees (DPCs) of Marsabit was again reconstituted in 2006 in an effort to institutionalize peace building in the District and to address conflicts that were escalating in the existing vacuum.¹⁶⁵ The District Peace Committee has played a key role in managing

¹⁶⁴Odhiambo, M. (2012). Impact of conflict on pastoral communities' resilience in the Horn of Africa: Case studies from Ethiopia, Kenya and Uganda. *By Michael Ochieng Odhiambo (With contributions by Fekadu Abate, Kimani MJ and Dennis Tuhairwe Bataringaya) Nakuru.* <http://www.alnap.org/resource/7526> (Accessed October 1, 2016).

¹⁶⁵Adow, N. (2014). Effects of conflicts among the pastoral communities: a case study of Wajir County, Kenya. Unpublished Thesis

conflict in Marsabit through the regular meeting held with the community members, opinion leaders, politicians, religious leaders and other key stakeholders.

The County Peace Committees were said to have assisted in conflict mapping and early warning which played a significant role in curbing crimes before they happened. The committee acted as a link between the community and the government whereby the committee cooperated with the district security committee and other relevant government structures. Gather any information on prospective conflict while monitoring community migration and passing the information to the relevant authority, participating in community activities to ensure peace building and conflict resolution through the provision of a forum for inter-clan peace meetings, fast track recovery of stolen livestock. Provide information and collaborate with security sector in identifying criminals in their respective communities/tribes. Visit affected areas and impose fines on perpetrators.¹⁶⁶

The County Peace Committees also educate the communities on peaceful coexistence. However, the Saku was found to be a contributing factor of conflict as one respondent revealed that he has heard several times members of Saku Peace Committee commenting that without conflicts they would not get sitting allowances and travelling allowances, therefore the conflict benefits them.¹⁶⁷

The conflicts in Marsabit County did not escape the attention of District Peace Committee, which played an important role in building peace and managing conflict in the District. The committee comprised of a mix of communities living within the borders of the district and they work closely with District Security and Intelligence Committee. Prior to the period of the conflict the committee was an integral part of peace and conflict management in the then two Districts of Marsabit County which were Marsabit and Moyale. The major challenges which faced the DPC are the tribal shaped

¹⁶⁶ Interview held with chief on April 5, 2017 in Marsabit

¹⁶⁷ Interview held with Cohesion Coordinator on April 12, 2017 in Marsabit

politics which greatly hampered its performance and the inclusion of the educated elite who are not in touch with the realities and needs of their people but are given the opportunity to serve in the committee. The fact that there was also no formal funding and guidelines to be followed left the process of formation and actual operations of the committee at the hands of individuals with vested interests. This notwithstanding, the Marsabit DPC was an integral and worthwhile district safety initiative that not only provided interface between the public and the government on matters of security, but also provided avenues for traditional dispute solving mechanisms, which are more accessible, affordable and respected among the locals than imported solutions which were more often applied. This study aims to establish the specific role played by the DPC in relation to the Borana and Rendille communities with regard to conflict management.

4.4.4 Community Policing

Community Policing (CP) is a concept that deviates from traditional policing of apprehending and jailing criminals. It is policing with intention to prevent crime. Such policing therefore shifts focus from such interventions as increasing police patrol, reaction time, number of officers, random and motorized patrolling and response time which does not necessarily prevent a crime from happening. Investigating crime does not necessarily solve a case, unless a criminal is apprehended or witnesses come forward with information. Therefore, CP is a product that shifts the intervention to include the community as co-producers of crime prevention. This means the police are given responsibility to involve the public in law enforcement and maintenance of order.¹⁶⁸

The CP concept has provision in the National Police Service Act, 2011. The CP is expected operate under County Policing Authorities chaired by the governor or a member of the executive

¹⁶⁸Muchira, J. M. (2016). The role of community policing in crime prevention: Kirinyaga County, Central Kenya (Doctoral dissertation, Mount Kenya University).

committee appointed by the governor. This offers excellent opportunity for collaboration between the county government, citizens and the police in areas such as information sharing, resource mobilization and trust building. Apart from resources from the national government, CP initiatives can tap into local resources, especially from county governments. With input from such groups as pastoralists and local businessmen, CP can be enhanced to deal with issues such as cattle rustling and the overall safety of citizens.¹⁶⁹ The community policing through Nyumba Kumi initiative has helped security stakeholders to engage the community members on security matters and insecurity incidences thereby reducing conflicts in Marsabit County.

The Kenya Police Reserves formally known as KPR, have been with the pastoralist communities for decades¹⁷⁰. They are the main stay of security in remote pastoral areas. Under the new constitution the KPRs are mandated to supplement the Kenya police in maintenance of peace and security among communities. Despite having a discouraging image and facing numerous operational challenges, the KPR has played a critical role in the lives of the communities who live in the County of Marsabit where cattle rustling are viewed as “normal.” In the circumstances of peace deficiency, the unit has played the role of bringing back calm, something which was manifested in their cooperation, especially when tracing livestock thefts.

The KPR, on the other hand, have in one way or the other been blamed for insecurity and this was seen in situations where they participate in attacks and in the process they get killed¹⁷¹. Such happenings have greatly dented the image of KPR and lowered public trust in them. Due to their involvement in inter- community attacks, they are therefore regarded as ethnic outfits who don't

¹⁶⁹ Ibid

¹⁷⁰ Kenya, D. I. Securing The Counties http://www.chrips.or.ke/docs/publications/securing_the_counties-options_for_security_after_devolution_in_kenya.pdf (Accessed January 29, 2017)

¹⁷¹ Scott-Villiers, P., Ondicho, T., Lubaale, G., Ndung'u, D., Kabala, N., & Oosterom, M. (2014). *Roots and Routes of Political Violence in Kenya's Civil and Political Society: A Case Study of Marsabit County* (No. IDS Evidence Report; 71). IDS. <https://opendocs.ids.ac.uk/opendocs/handle/123456789/3963> (Accessed February 3, 2017)

have any safety needs for other communities as well as being active members in the community conflicts as “warriors”. To avert this, the government has resulted in continuous training and arming of Kenya police reservists (KPRs) among the conflicting communities. This has been supported by the state as witnessed during the by-election of 2006 which was conducted following the death of the three area MPs who perished in a plane crash.

During the campaign period, the government recruited nearly equal numbers of KPR from the Gabra and Borana communities as a way of enticing the communities to vote in the leaders of their choice. Indeed, this fuelled an already ongoing conflict given that at the time the tension between the two communities was at its climax¹⁷². Communities who have fewer members being recruited into the KPR’s have been lamenting of their weakness in weapon power. The government has however totally abused the system of issuance of firearms to the KPR and this has resulted in handing firearms indiscriminately without proper procedure and vetting of those being issued with them. Some ended up in the wrong hands, hence causing insecurity. Regardless of the above shortcomings, if one has to do a fair judgment KPRs have played a crucial role in reducing insecurity in the County. This study will investigate the KPR’s role in conflict management amongst the Borana and Rendille communities.

The County of Marsabit has got seven police stations which include, Marsabit, Laisamis, North Horr, Loiyangalani, Illeret, Moyale and Sololo police stations¹⁷³. There is also one General Service Unit base at Illeret. During the conflict, the government made an effort of beefing up security and in order to achieve this goal other operational bases were established in Maikona, Forolle and Hurri Hills all of North Horr constituency. There is also the Anti-stock Theft Unit which is stationed in

¹⁷²KENYA, D. I. SECURING THE COUNTIES http://www.chrips.or.ke/docs/publications/Securing_the_Counties-Options_for_Security_after_Devolution_in_Kenya.pdf (Accessed January 29, 2017)

¹⁷³Ibid

Isiolo. However, during distress the vastness of the County has posed a great challenge. Across the County, there are also Administration Police posts right from location level¹⁷⁴. The operational capacity of the security unit is mostly disadvantage due to lack of necessary equipment, such as enough ammunition to respond to civilian attacks, radio communication system and lack of transport facility. This has hampered rapid responses by security personnel in times of need, while hindering their effectiveness in information transmission. Nonetheless, the government security apparatus have been on the ground trying to secure the County and its residents. The study will also look into the role played by the security apparatus present in the Borana and Rendille communities regions to intervene or manage conflicts in addition to their effectiveness.

4.2 Peace Actors

4.2.1 NGOs

Being an arid region of the country Marsabit County was blessed with quite a number of NGOs whose mandates range from management of natural resource, relief and emergency intervention and general development activities¹⁷⁵. Despite the good programmes which are initiated by NGOs, their operations have been at the centre of a storm in relation to their functions within the County. Some of these organizations are seen as being biased towards certain communities. Despite having been affected either directly or indirectly, most NGOs have been alleged as not having peace building and conflict management as a priority subject in their programmes, but rather they view the current conflict situation as just an avenue of seeking donor funding,¹⁷⁶ the NGOs do not have the expertise needed, either. This study will assess how true this

¹⁷⁴KENYA, D. I. SECURING THE COUNTIES http://www.chrips.or.ke/docs/publications/Securing_the_Counties-Options_for_Security_after_Devolution_in_Kenya.pdf (Accessed January 29, 2017)

¹⁷⁵ National Steering Committee on Peace-building and Conflict Management (2005). Marsabit Conflict Assessment Report
<file:///C:/Users/user/Downloads/Report%20of%20Marsabit%20Assessment%20TURBI%202005%20Editable.pdf>

¹⁷⁶Galm Bidhu, Oral interview, 30th January, 2017, Marsabit.

by finding out the perceptions of the Borana and Rendille communities on the roles played by NGOs in relation to inter communal conflicts between them.

However, it was noted that the conflict has drawn the attention of NGOs and most organizations are seen to progressively get into conflict resolution and peace building efforts. The government of Kenya has been working very closely with relief agencies to assist the victims of the conflict. A number of agencies, such as Kenya Red Cross and Food for the Hungry Kenya, have participated by providing both food and non-food items to the victims of the conflict.

4.2.2 Media

The media has also played a key role in informing the Kenyans at large about the conflict. The act of July 2005 at Turbi trading centre is today referred as a massacre, a title which was coined by the media when reporting about the dawn attack. Before the conflict, the media did not equally have an interest in Marsabit County as they do today. Media reportage on conflicts has been criticized as being biased and tend to exacerbate rather minimize the conflict¹⁷⁷ and this calls for training on sensitive approach on reporting.

4.2.3 Religious Organization

The premises and amenities of religious organizations in managing conflict were identified as places of refuge, immediate safety and as sources of emergency relief for victims in conflict situations. These organizations are also known for playing an intermediary role in initiating peace dialogues among parties involved in conflicts. They however face the challenges of rehabilitating hundreds of traumatized victims of violence and lack of political support in peace processes¹⁷⁸.

¹⁷⁷ National Steering Committee on Peace-building and Conflict Management (2005). Marsabit Conflict Assessment Report
<file:///C:/Users/user/Downloads/Report%20of%20Marsabit%20Assessment%20TURBI%202005%20Editable.pdf>

¹⁷⁸Ibid

4.3 Peace Initiatives to Declarations

It is essential for communities to develop their own means and ways for preventing and resolving conflicts because of the local systems incompatibility with the official justice institutions. In the arid lands, after a prolonged insecurity and conflicts, conflicts were resolved through ad hoc peace initiatives. WPDC (Wajir-Peace-and-Development-Committee) is one of the popular initiative to be established and operate in arid areas. At the height of intense conflict in Wanjir District in the early 1990s, a small group of Somali women began to meet with local market women to discuss measures to prevent conflict amongst them. The women later merged to form the current Wajir Peace Group.¹⁷⁹ The significance of Wajir Peace and development committee was highlighted in the study by the respondents who described the Wajir Peace Development Committee as; preaching of peace in Wajir as well as other North Eastern regions which has helped resolve clan conflicts especially through the imposition of fines. It has also played a key role in the returning of stolen livestock as well as enhancing the role played by women in conflict resolution and peace building.¹⁸⁰

The model of 'Peace and Development Committees' has now been widely adopted in majority of arid areas as other organizations have followed this example¹⁸¹. These Committees were recognized through bottom-up selection processes at the location, division and district level. The members of the groups had one objective which was to contribute to the maintenance of peace

¹⁷⁹ Krätli, S. and J. Swift, 'Understanding and managing pastoral conflict in Kenya: A literature review,' IDS, University of Sussex, UK, 1999; https://www.google.com/url?sa=t&ret=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwiB3pqU_HVAhUBXhQKHQL0C48QFggnMAA&url=http%3A%2F%2Fciteseerx.ist.psu.edu%2Fviewdoc%2Fdownload%3Fdoi%3D10.1.1.505.7930%26rep%3Drep1%26type%3Dpdf&usq=AFQjCNHQkSdD63AFUqhBXCv5T5AO_bEwQ; Ibrahim, D. and J. Jenner, 'Wajir community based conflict management,' presented at USAID Conference on Conflict Resolution in the Greater Horn of Africa, June 1996

¹⁸⁰ Interview with Cohesion Cordination on April 7, 2017 in Marsabit

¹⁸¹ Ibid

in their area. The inclusion of members from various ethnic grouping in these committees has shown significant success in safeguarding property and preventing conflicts. Government, NGO's, donors and local authorities have since recognized the efforts of these groups and hence have significantly supported them.

A good example of this is the 'Modogashe-Declaration' that involved meetings from various ethnic groups, including stakeholders from Isiolo, Wajir, Garrisa and Moyale.¹⁸² As a result the meeting led to the formation of 'Modogashe Declaration' in April 2001.¹⁸³

The study revealed that the Modogashe Declaration is mainly used by those of Islamic faith and majorly emphasizes on blood compensation for injured and killed persons and returning of stolen livestock. The utilization of Islamic practices in the declaration has provided a common ground for ethnic communities to solve conflict and this reducing conflict and improved conflict, control of SALW proliferation and forgiveness for past injustices.¹⁸⁴

Another declaration that emerged from the study findings was the Maikona Declaration that the participants stated has helped in the implementation of Modogashe Declaration through providing emphasis on local initiatives in conflict resolution between the Borana and Gabra utilizing the Borana and Rendille traditional conflict management structures. The declaration has been credited for reduced conflicts, reduced loss of lives and providing control for SALW use in the region.¹⁸⁵

The declaration main aim is to stop the practice of cattle rustling by providing for elders to engage local authorities to recover stolen cattle. In regards to highway banditry, the declarations

¹⁸² National Steering Committee on Peacebuilding and conflict Management (NSCPCM) (2005): Modogashe Declaration

<file:///C:/Users/user/Downloads/REVALIDATION%20OF%20MODAGASHE%20DECLARATION%202011.pdf>

¹⁸³ Ibid.

¹⁸⁴ Interview with County commissioner on April 6, 2017 in Marsabit.

¹⁸⁵ Ibid

puts emphasis on cooperation between security agencies and the local communities.¹⁸⁶ In May 2005, the Maikona declaration was reviewed under the support of Oxfam and UNDP, and in conjunction with the national government. This led to the creation of ‘Garissa Declaration’, which was signed between the districts of Isiolo, Garissa, Marsabit, Moyale, Samburu, Meru North, Tana River, Mandela, Wajir and Ijara.¹⁸⁷ The revised version adds specifics to some of the provisions of the previous declaration by for example, specifying details in regards to the process to such as grazing rights.¹⁸⁸

In addition to the aforementioned declarations, Boma declaration also emerged from the study finding as important in conflict management in Marsabit. According to the respondents, the Boma declaration origins can be traced to 2013 post-election violence between Gabra and the Borana in Moyale. The declaration led to the restoration of peaceful co-existence between the two communities, improved business and other social interaction. It also enhanced cross-border dialogue and border related issues among Marsabit County communities.¹⁸⁹

4.4 Effectiveness of Conflict Management Mechanisms

Boege¹⁹⁰ states that conflict management mechanisms are holistic, comprising social, economic, cultural and religious-spiritual dimensions and are consensus based. The conflict

¹⁸⁶National Steering Committee on Peacebuilding and conflict Management (NSCPCM) (2005): Modogashe Declaration
<file:///C:/Users/user/Downloads/REVALIDATION%20OF%20MODAGASHE%20DECLARATION%202011.pdf>

¹⁸⁷ While the ‘Modogashe-Garissa Declarations’ are the most famous ones, other declarations were negotiated and signed in other areas, such as the Laikipia Declarations in 1999, Wamba Declarations in 2002, Kolowa Decalarations in 2002, and the Peace Accords in Naivasha of 2006. Office of the President/National Steering Committee on PeaceBuilding and Conflict Management, 2005, p. iii

¹⁸⁸Cuppen, J. (2013). Making peace under the mango tree: A study on the role of local institutions in conflicts over natural resources in Tana Delta, Kenya. <http://theses.uhn.nl/handle/123456789/2850> (Accessed February 2, 2017)

¹⁸⁹ Interview held on April 19, 2017 with Lepakiyo in Marsabit

¹⁹⁰ Boege V., *Traditional Approaches to Conflict Transformation: Potentials and Limits*, (Berlin: Berghof Research Centre for Constructive Conflict Management, 2006) http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/boege_handbook.pdf

management mechanisms are in most cases dealt with depending on the oral transmitted law, values and practices, and societal customary law, that govern the daily way of people's live in various communities and are legitimized through supernatural and superhuman institutions for instance, spirit of ancestors and the god/s. The process is usually public; the participation in the process and approval of results is also public, thus reduction of suspicion the people may have. The elders also have to establish facts and reveal the truth before they agree on any judgment is made. Confessions followed with apologies often lead to exchange of goods as a form of compensation that lies in the transformation of reciprocity. This takes the place of violence. Due to the fact that the social group is involved and the offender is a member of a kin group, they become accountable to the group and the group is accountable for the deeds of each of its members.

Boege¹⁹¹ notes that in the indigenous approaches the conflict parties engage in direct negotiations in the search for a solution, or a third party can be invited to mediate; participation of the subjects in the conflict process improves their understanding of the process, makes them more accountable and responsible in future conflict situation and improves their reactions towards conflicts. High ritual forms are held to seal the achievement of the solutions. Practical importance and symbolic value are usually attached to traditional ceremonies. These are a means of conflict transformation in their own right. Community members usually take part in these rituals that are considered to have spiritual meanings¹⁹².

Osaghae¹⁹³ admits that the application of conflict management mechanisms among low civilized communities and societies continue to experience challenges. He points out that while

¹⁹¹ Ibid

¹⁹²

¹⁹³ Eghosa E. Osaghae, 'Applying Traditional Mechanisms to Modern Conflict: Possibilities and Limits' in William Zartman (eds), *Traditional Cures for Modern Conflict, African Conflict "Medicine"*, (London: Lynne Rienner Publishers, 2000) pp 201-216 https://books.google.co.ke/books?id=zup7mk4bX00C&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

most of the challenges work to impede the success and effectiveness of the strategies, some challenges may contribute to huge enhancements of the mechanisms. The core among the challenges comprise of the need for adequate resources, redundant cultural practices, lack of effective communication programs and technological orientation to enable information transfer and sharing, the competency and capacity level of the community leaders to adequately use the structured and modern techniques, and communal life style structure.

In this study effective transmission of information was established as a major challenge that affects the response and makes some attacks to go unheard. Just like any other administrative County in the country, there are significant numbers of security arms of government which are present in this region yet it has proved futile for these agencies to restore a lasting peace which instead was always replaced by a return to normalcy whenever there was conflict involving the communities. More importantly most of the officers working in the County are locals and as such when there was conflict they become partisans. Their first allegiance becomes their clans or ethnic identity, leaving very little concern for the community of people they serve. It was also established that network communication is also a major issue in the county limiting the spread of information particularly peace messages through media and also security operation in the area.¹⁹⁴

Another challenge that has affected conflict management in Marsabit is politics. The conflict in Marsabit County has on several occasions been fuelled by politics, especially the events leading to and after the 2005 infamous Turbi massacre. Prior to the massacre, communities were ethnically divided leading to increased tension with all fingers pointed at incumbent politicians from the region.¹⁹⁵ The recent ethnic clashes in Moyale District cannot be divorced from political forces either, and there was a firm believe by these communities that the current system of devolved

¹⁹⁴ Interview held with County Commissioner on April 11, 2017 in Marasabit

¹⁹⁵ Ibid

governance requires people to have one of their own on the seat of power in order to gain political mileage. This might lead to renewed conflict of “losers” verses “winners” and this was a manifestation of how delicate peace is in this part of the country. ¹⁹⁶

The use of politics as a weapon was manifested in the way these communities have failed to differentiate national resources from pasture and water which they have continuously fought over. In this population, political might was measured by the way a politician manages to shield his community from the government military operations whenever they commit crimes and any leader who fails to protect his people from such occurrence was termed to be a non-performer and can easily fail in any political bid to a more “aggressive leader”. So sad was the situation that the two communities tend to prefer a leader who seems to possess enough passion of hatred for the other community. Whenever there are raids and one side calls for a military operation to recover and return stolen livestock, the other side fights to stop the operation. ¹⁹⁷

The politics of “we” against “them” has really taken toll on the livelihood of these communities and it has turned to be a thorn in a flesh in as far as peace efforts in the region are concerned. The fact that political leaders have access to development funds such as Constituency Development Funds, Constituency Roads Funds, Constituency Bursary Funds and Local Authority Trust Fund, have all served to increase interest in controlling political processes and decisions in the County.

The competitive nature of politics has activated the desire to secure predictable voting blocs resulting into formation of ethnic based political alliance. ¹⁹⁸

¹⁹⁶Interview held with Cohesion Coordinator on April 7, 2017 in Marasabit

¹⁹⁷ Ibid

¹⁹⁸Interview held with County Commissioner on April 11, 2017 in Marasabit

Voting in the region has turned to be an ethnic affair in which one has to come from the politically mighty community in order to marshal the required numbers. This was well manifested in the just concluded general election in which the REGABU alliance formed one voting bloc against the Borana who also tried to craft a similar alliance which failed the acid test. However, important to note is that the REGABU alliance was not a recent phenomenon but something which has been practiced by teachers for over a decade in determining the leaders of Kenya National Union of Teachers Marsabit branch, where candidates supported by REGABU have won on many occasions. This has forced some teachers in the County to resign from the giant KNUT and instead joined, the Kenya Union of Post Primary Education Teachers'.¹⁹⁹

This ethnic formula was adopted in early 1990s when the teaching fraternity in the larger Marsabit District was dominated by the Borana community, an affair which forced the minorities of the time to unite against what they termed as dominance by bigger tribe. The latest flare-ups can therefore be seen from this perspective. Political gains has blinded the politicians who have mastered the art of divide-and-rule and taken full advantage of the fragile peace while inciting the communities against each other to the extent that the people do not value the benefits of mutual co-existence any more.²⁰⁰

The weakening of traditional conflict resolution mechanism through government mechanism has also been a challenge. The government replaced the role of traditional leadership with state leadership through the Provincial Administration (PA) from when Kenya gained independence. The role of chiefs, District Commissioners (DCs) and Provincial Commissioners (PCs) became more pronounced and usurped the powers of the traditional mechanisms from the

¹⁹⁹ Ibid

²⁰⁰ Adow, N. (2014). Effects of conflicts among the pastoral communities: a case study of Wajir County, Kenya. Unpublished Thesis

grassroots to the top levels. Due to malignant corruption within the government and by extension the provincial administration, most disputes were settled according to financial and political clout. Another reason for the weakening of traditional system is blamed on NGOs.²⁰¹NGOs are also blamed for commercializing the role of elders in traditional institutions through the introduction of monetary incentives for attendance at meetings and other functions. Sitting allowances, trips, invitations to workshops and such other incentives are said to be corrupting traditional institutions and undermining the authority of elders. ²⁰²The lack of knowledge on the workings of the traditional system by the youth and their shunning of traditional systems is considered to weaken the role of elders in solving conflict related problems. Lastly, bastions of power have been projected through government officials and politicians. Therefore, these are considered to be authorities that make things happen on behalf of communities as shown by the patronage and reward system used in distributing state resources to fellow group members (Odhiambo-Mbai, 2003). The attitude towards the women and youth participation in Peacebuilding, communal beliefs and customs need for general and wide acceptability of the conflict outcomes, economic and social spheres and family structures constitute some of the serious threats to the use of conflict management mechanisms²⁰³.

Challenges also exist in the forms of lack of training and development among the leadership, poor communication and information sharing attributes among the communities, inferior planning and decision making methods, low technological orientation, environmental

²⁰¹Bereketeab, R. (2013). *The Horn of Africa: Intra-state and inter-state conflicts and security*. Pluto Press and Nordiska Afrikainstitutet. <http://www.jstor.org/stable/j.ctt183p650> (Accessed September 12, 2016)

²⁰²Williams, P. D. (2011). *The Horn of Africa: Webs of Conflict & Pathways to Peace*. Woodrow Wilson International Center for Scholars. <http://www.ihasa.org/PDF/Horn-of-Africa-conflict-mapping-report.pdf> (Accessed September 28, 2016)

²⁰³ Ibid

circumstances, cultural structures and these contribute towards decreased effectiveness of the conflict resolution techniques at the community or within the societal levels.²⁰⁴ Conflict management requires leadership with adequate skills, knowledge, abilities and capabilities required through more formal and informal training systems. Majority of the leaders among the communities presiding over the conflicts have no prerequisite and appropriate training and development levels to administer, implement and evaluate the conflicts managements programs. Thus the elders are not entirely able to operate and resolve conflicts within these structural limits of customary conflict management systems. A lot of time is consumed in the public forums because there is encouragement of broad discussion of aspects that may be unrelated to the central problem that has triggered the conflict.²⁰⁵

The informal training level is purely inadequate to help administer the management of conflicts effectively. Additionally the closed cultural orientations that inhibit the sharing of information, providing data about the community secrets, and discussing the community issues in public among the pastoralists has been a great challenge among the communities. The success of the conflict resolution depends on the nature and number of challenges it faces.²⁰⁶

4.5 Conclusion

Lasting peace in the society can only be achieved by addressing root causes of the conflict and because most of the peace building initiatives concentrate on the context of conflict rather than

²⁰⁴Young, L. A., & Sing'Oei, K. (2011). *Land, livelihoods and identities: Inter-community conflicts in East Africa*. Minority Rights Group International. <https://resourcecentre.savethechildren.net/sites/default/files/documents/5549.pdf> (Accessed September 16, 2016).

²⁰⁵ Coulter M., *The Impacts of the indigenous Conflict Mechanisms among Public and Private Sector Firms*, (New Jersey: Heinemann Education Publishers, 2007) (Accessed February 3, 2017)

²⁰⁶Shulika S., & Okeke-Uzodike, N. (2013). Inter-ethnic conflict in South Sudan: a challenge to peace. *Conflict trends*, 2013(3), 24-30. <http://dspace.africaportal.org/jspui/bitstream/123456789/34179/1/ACCORD-Conflict-Trends-2013-3.pdf?1#page=25> (Accessed February 6, 2017).

the root causes, this has resulted in short term existence of peace. Inter communal conflict between the Borana and Rendille should therefore be established as either from its root cause to implement lasting solutions. Pastoral communities need also engage in profitable venture that will assure them sustainable livelihood source, food security and reduced poverty levels. Combined efforts are needed for this to be achieved from the governments of the cluster, NGOs and the local community.

Chapter Five

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

This chapter comprises of the summary of findings, conclusions and recommendations arising from the study which are based on the analysis of the study. The findings are summarized in line with the objectives of the study. This study sought to examine the question of inter community conflict management in the IGAD region focusing on the Borana and Rendille. The hypotheses of the study stated that Political and traditional practices are a hindrance to the inter community conflict management mechanisms among the Borana and Rendille communities and Weak normative and Institutional mechanism largely explain the persistence of inter community in Borana and Rendille Communities.

5.1 Summary of Findings

The study sought to discuss the historical antecedents to the inter community conflicts in the IGAD Region. The study found out that the historical analysis of conflicts in Igad region can be categorized into the era before 1900, era after 1900 and post 2000 eras. The study findings showed that although conflict in IGAD region can be traced to pre-colonial time, conflicts were enhanced through colonization that led to establish boundaries. The study further established that the post 2000s conflict is a period that has been characterized with frequent use of small and light weapons to fuel conflict, with such weapons emanating from conflict countries such as Somalia, Sudan and Ethiopia.

The second objective examined the causes and effects of conflicts between the Borana and Rendille Communities. The study found out that the emerging themes on the causes of conflicts revolved around social, economic and political causes. All the participants were in agreement that unhealthy

resource competition is one of the major causes of inter-community conflict in the county. However, it emerged from the findings that resource competition as a cause has over the years risen to be a major cause due to climate change and its effects in the County. Climate change has put pressure on the limited resources of grass and water leading to frequent ethnic conflicts. Particularly, it was noted in the study that most conflicts occur in areas with grass and water points. On economic causes of intercommunity conflict in Marsabit County, the study findings also revealed that commercialization of cattle rustling has contributed to fuelling inter-community conflicts. Some businessmen and politicians have taken advantage of the cattle rustling, and used it for their own economic pursuits. Such businessmen and politicians finance some of the cattle rustling with an aim of profiting from the raids economically through the sale of livestock that is got from such raids. This was supported by the following statement “Most of the time inter- ethnic community conflicts occur because of conflict on water and grass. During drought conflict tend to occur as community members fight over resources”.²⁰⁷

In the course of this study, the interviews revealed a pattern that showed that social- cultural factors are one of the main causes of conflict. Clan factor emerged as an important cause of the conflicts the region. Clan factors is an important cause of clan rivalry that leads to hostility between the Borana and Rendille. This can eventually lead to ethnic conflict between the two communities.

Cattle rustling also emerged as an important socio-cultural factor that cause inter-community conflict. Cattle raids among the Rendille and Boran is part and parcel of their culture and this has been perpetuated to date. Accordingly, one the respondents stated that, “some of the ethnic

²⁰⁷ Interviews held in April with the chief, County staff and County Commissioner Marsabit County

conflicts that happen in the county can be traced to clan rivalry”.²⁰⁸ Another participant also argued that “some of ethnic conflict between Rendille and Borana are occasioned by cattle raids that are viewed as part of the communities’ culture”.²⁰⁹

The study findings indicated that political factors has over the years emerged as a common cause inter-community conflict between the Borana and the Rendille. Political factors as cause of conflict in the study was manifested in two ways. Internationalization of conflict emerged as an important factor since the conflict between Boran and Rendille has brought in the Ethiopian government which is more sympathetic to Rendille. This has brought new dynamics on the nature of conflict in Marsabit County as asserted by the county commissioner, “Sometimes it is hard to get back cattle stolen from the Borana by Rendille who cross over with the livestock to Ethiopia”.²¹⁰

Another findings related to political causes was the emergent of local politics as a contributing factor to ethnic-community between Borana and Rendille. Political competition, particularly during election season provides an environment that can lead to conflicts. This is encouraged by political incitement that happens in election period, with politicians inciting their communities against each other. This findings was supported by one participant who said that “during elections politician incite one community against the other leading to conflicts”²¹¹

²⁰⁸ Interviews held in April with the Cohesion officers on April 11, 2017 in Marsabit.

²⁰⁹ Interviews held with Brigadier PL on April 13, 2017 in Marsabit.

²¹⁰ Interviews held with county commissioner on April 13, 2017 in Marsabit.

²¹¹ Interviews held in April with the Cohesion officers on April 11, 2017 in Marsabit.

On the effect of conflict the study demonstrated that the key effects of conflict between the Borana and Rendille are broadly categorized into direct effects and indirect effects. Concerning direct effects of conflict the study revealed that main direct effects of conflict are related to killings especially of the vulnerable groups (women, children, elderly), displacement of persons and loss of livestock/property. Direct effects of the conflict was mentioned by one participant as the main effect that both communities have experience. “These conflicts between Boran and Rendile in most occasion lead to loss of live and destruction of houses”²¹²

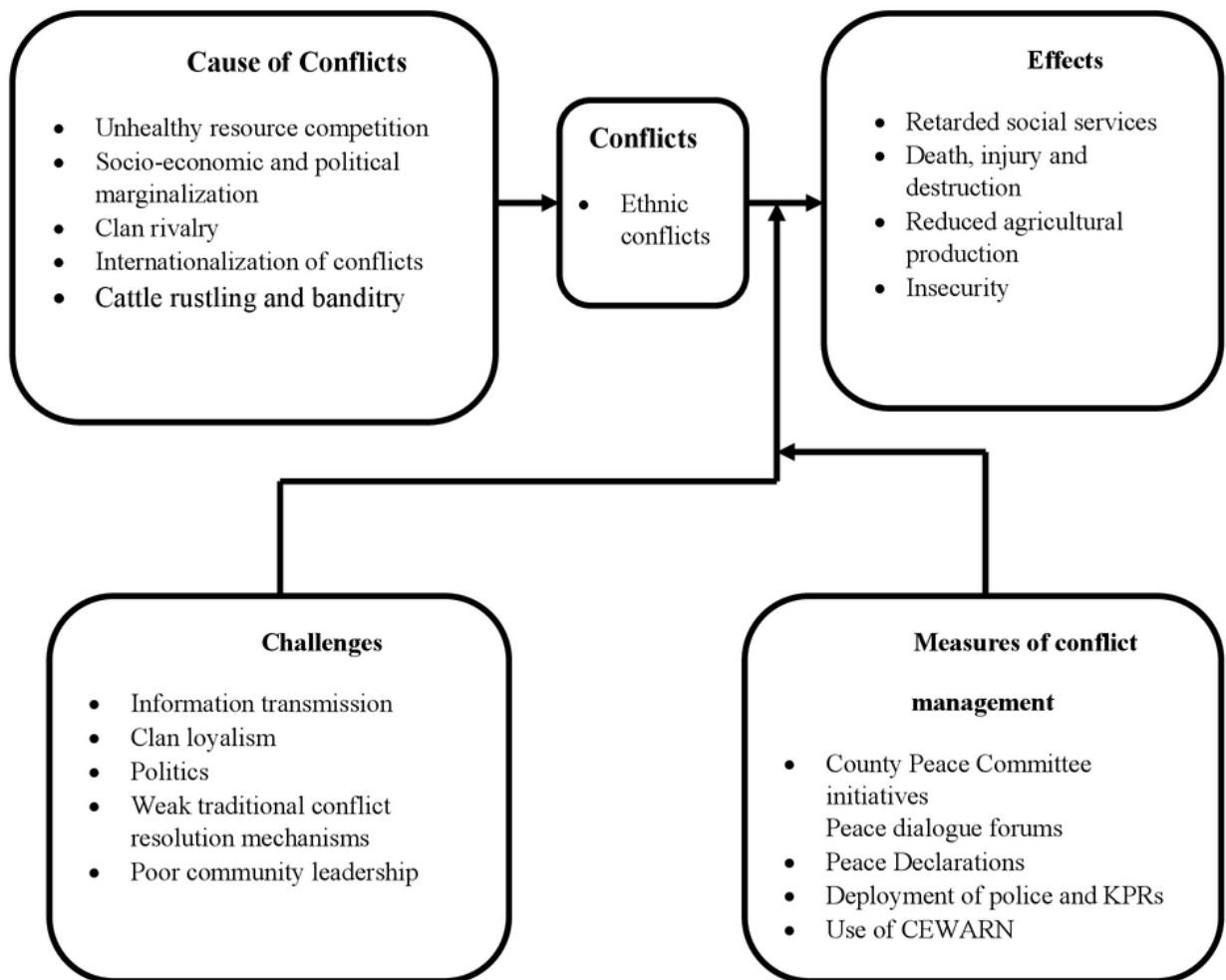
In regard to the indirect effect of inter-community conflict the study showed that, indirect conflict relates to insecurity and loss of agricultural production. However, it was evident from most of the respondents that loss of agricultural production was highly mentioned. Loss of agricultural production was manifested through loss of livestock which are highly valued among the Borana and Rendile, and loss of time to engage in farms thus leading to loss of farming produce. This was confirmed through one respondents who argued “conflicts in the area have led to loss of livestock which is main source of income of the Borana and Rendile”.²¹³

The third objective sought to examine the intervention measures used in conflict management between Rendile and Borana. The study established that some of the measures used in the area include; intercommunity peace dialogue forums by both governmental and non-governmental stakeholders. Peace talks and peace walks, reformation of morans through provision of IGA initiatives, traditional judicial mechanism, Implementation of declarations and peace agreements such as the Boma declaration, organization of peace rallies by politicians, deployment of police officers to maintain order, dialogue and conflict mapping facilitated by NSC-PBCM, introduction of conservancies and recruitment of conservancy soldiers and use of CEWARN.

²¹² Interviews held in April with the chief on April 16, 2017 in Marsabit.

²¹³ Interviews held in April with the Cohesion officers on April 11, 2017 in Marsabit.

Figure 2: Thematic Map of study findings



5.2 Conclusion

Based on the research objective, several conclusions can be made which is mainly centered on the research findings. Therefore, the survey concludes that in most cases the conflict between the Borana and Rendille communities includes though not limited to continued cattle rustling cases, possession of illegal fire arms, fading role of traditional governance systems, lack of adequate policies and government security measures, land and boarder disputes, competing over access and control of resources especially grazing pastures and water, ethnocentrism, incitements by their political leaders, prevailing poverty levels among the communities, as well as their youths being extremely idle. Additionally, the fact that both the Borana and Rendille communities have different cultural beliefs plays a vital role in escalating the conflict between these two communities. The survey also concludes that cattle rustling, land issues, and ethnic massacres are the major manifestation of the ethnic conflicts among the two pastoralist communities.

Further, the survey concludes that, there has been negative impact on the part of the social economic development on both the Borana and Rendille communities due to constant ethnic conflicts which in turn affects the health conditions in terms of severe malnutrition of their people due to food insecurity. Additionally, the continuous conflict between these two communities has also negatively affected their education system, infrastructures such as road networks, access to clean domestic water, and also caused fear amongst the potential investors who may be interested in investing in their areas hence causing the whole region to be marginalized.

Conflict management and peace building have been greatly hampered by numerous bottlenecks. Inability to prevent and contain conflict issues among these communities which may ensure sustainable peace and stability in the region is the results. It was noted that, in most cases government and other stakeholder's intervention into these conflict matters is only intended to

address short term cessation of hostility without investigating the root causes of the conflict. Such temporary interventions may thus be termed as firefighting actions. Proper and appropriate mechanisms are yet to be established by the concerned authorities which would ensure that there is monitoring and following up on the progress made in achieving long term peace.

Even though the region is prone to constant conflict issues, the area doesn't have permanent and appropriate institutional frameworks which will ensure the coordination of peace efforts in order to ensure there is harmony among advocating for peace. Also, the permanent institutional framework may ensure that there is no effort duplication, there is proper utilization of the pool of resources set aside for various peace matters, and there is a comprehensive and integrated intervention which is supported by a well-established community based monitoring and evaluation mechanisms. Lack of permanent and appropriate institutional frameworks has made any effort made to try and solve the conflict matters among these two communities to go to waste.

Lack of capacity on the part of local peace structures has posed a great challenge to the achievement of a lasting peace. These have remained a major constraint to sustainable peace. Peace structures lacked capacity in terms of finance or logistics to effectively monitor conflict situations, identify early warning indicators and make appropriate rapid response interventions. Even local administrative structures of DPC lack capacity, and are thus not in a position to provide support for community-based peace structures. In essence, the people of Marsabit are faced by inadequate development interventions. Within the County in as far as building peace is concerned, there are also minority communities that play peripheral role in the County affairs, like the Burji. In addition, the political elite have seized, owned and are controlling community affairs, thereby usurping the role of government and the traditional authority systems. They, for instance, determine whether

communities can respect, or disrespect, the peace declarations depending on whether the said declaration captures their individual interest.

The continued drought that brings about resource scarcity has continuously instilled fear into the minds of the community, whose livelihood relies on livestock and livestock products in a society where distribution of resources, land utilization, access to business, employment, education and investment opportunities are highly ethicized and subsequently reinforced by divisive politics. This identity concern has its origin in the history of relations between the two communities. So entrenched in the society are the divisions amongst the communities that most of the sectors in the County are highly polarized to an extent that ethnic reference has become a common denominator in raising concerns over structural grievances by the communities themselves. These grievances are on such issues as demarcation of political and administrative boundaries, domination of the local constituency bursary, development and Local Authority Trust Fund, domination of development organizations and County level government institutions by one community.

Among the Borana and Rendille, the understanding of how peace is made and preserved is constituted around four principles which include: moral consensus, its communication, protection through the law, and maintenance through surveillance and response. These principles provide a structure within which peace builders go about their work. The four principles support each other but cannot complement the other.

The institutions and norms for conflict management between the Borana and Rendille communities have played an effective role albeit to some extent. The continued conflicts between the Borana and Rendille communities are an indication that these norms and institutions have not been fully effective. This is especially so with regards to the prevalence of sophisticated arms and weaponry used during attacks, and counter attacks. It signifies existence of gaps in dealing with

this problem. The Nairobi Protocol should be reviewed to accommodate measures to deal with the ways being used by the communities to acquire more sophisticated weaponry. The CEWARN needs to be constantly reviewed in order to support and curb the occurrence of conflicts, even before it erupts to deadly levels.

The study also concluded that the role of the government and politicians in relation to conflicts resolution among the two communities in the study area has not been effective. Similarly other stakeholders such as religious organizations and NGOs have not also been effective in assisting the government in conflicts resolution in the study area. This can be attributed to the fact that the government has not effectively coordinated their efforts. Government intervention was mainly reactive and they were only addressing the symptoms but not the root causes of ethnic conflicts such as cattle rustling, heroism, the role of diviners in cattle raiding among other issues.

5.3 Recommendations

5.3.1 There is need to adopt negotiated democracy in inter community conflict management mechanisms among the Borana and Rendille communities

According to the study findings it emerged that Politics is one of the study findings that limit the effectiveness of inter-community conflict management. Politicians take advantage of their jostling for position to fuel conflict. The study therefore recommends that there is need for the elders to use their position during election time and work on a negotiated democracy that will incorporate all sides without one community feeling left out. This should be done within the boundaries of peace committee.

5.3.2 There is need for Resource Management Strategies for Conflict Resolution

According to the study objective on causes of intercommunity conflicts, the study established that the main conflict cause was resource related. This shows the need for conflict management to focus on the resource management intervention measures in pastoral areas. Such resource management conflict resolution should be based on the emerging issues of land and culture change.

5.3.3 There is need to strengthen the normative and Institutional Mechanism

The study found out that one of the challenges facing conflict management has to do with weak institutions, particularly in regard to implementation of the peace declaration in the communities. The study therefore recommends the need to empower the institutions through both legal and capacity building mechanism to help in conflict resolution. From the study findings, it was established that a number of measures have been put in places by national government, council of elders and non-governmental organizations. Despite these measures the role of county government in conflict management is still vague considering that there are two level of government. There is need to develop a framework that will highlight and include county government in conflict management efforts. The current efforts are spearheaded by national government, religious organizations, NGOs and council of elders. The use of CEWARN is a dominant way of managing conflict in the pastoral areas. However, CEWARN is majorly focused on arresting pastoral conflict. Thus there is need to broaden the scope of CEWARN for use in prevention of different types of conflicts.

INTER ETHNIC CONFLICT MANAGEMENT IN THE HORN OF AFRICA. THE CASE STUDY OF THE BORANA AND RENDILLE OF KENYA

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