UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

POST GRADUATE IN SECURITY AND STRATEGIC STUDIES

The Multi Agency Operational Approach to Communal conflicts: The North Rift Region of Kenya

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(R47/13059/2018)

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A Research Project presented in partial fulfilment of the requirement for the award of Post Graduate Diploma in Strategic Studies at the Institute of Diplomacy and International Studies, University of Nairobi

NOVEMBER, 2019

Declaration

This research project is my original work and has not been presented for examination in any other University.

Signed ………………………………… **Date …………………………..**

Philis Adukan Nadio

This research project has been submitted for examination with my approval as the University supervisor.

Signed ………………………………… **Date …………………………..**

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Dedication

This project is dedicated to my mother, Elizabeth Aoko Ekal

Acknowledgement

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Abstract

Community level conflicts are widespread in Africa than any other part of the world according to Uppsala Conflict Data Program. Approximately 1.3 million Africans have lost their lives in these initially community manifesting conflicts. Internal communal conflicts have ability to quickly escalate into more devastating and harder to resolve national or regional level conflicts. Communal conflicts are also harder to identify. The North Rift region of the country is a hotspot for community conflicts in Kenya. Although multi-dimensional approaches to address the community conflicts in North Rift have been attempted since independence, sustainable peace has remained elusive with same communities consistently renewing their animosities. The purpose of the study was to examine the multi-agency operational approach to communal conflicts in the North Rift region of Kenya. The study was guided by three objectives; to establish the concept of joint operations in addressing inter and intra communal conflicts, to assess the experience of Kenya in regard to joint operations and to examine the impact of joint operations in the management of communal conflicts. The study was anchored on two theories: Theory of Change and Mainstream Stakeholder theory. The study utilized secondary data which was systematically analyzed and recommendations made. The findings revealed that communal level conflicts have capacity to escalate to national level violent confrontations and in some cases may move ahead to be international in nature. Conflict over authority is the cause of almost a third of all communal level conflicts in Africa. The study established that United Nations had previously not considered community level conflicts as its concern but rather focused on national level conflicts. The finding established presence of several communal conflicts witnessed in Kenya mostly over control of resources such as pasture land, water sources and livestock. It is notable that the year 2007 and 2008 is reported as the year Kenya experienced the highest and most fatal year of community violence with a political dimension. The study revealed that communal, militia driven violence tend to increase at the end of the year (December) and start of the year (January). A multi stakeholder approach to communal conflicts in Kenya is anchored in the new Kenyan constitution promulgated in 2010. It is notable that challenges face joint operations in conflict management in Kenya and specifically in the North Rift. Findings revealed that multi stakeholder approach to addressing communal conflict is evident in communal conflict that engulfed North Rift in 2007 and 2008. It is established that cooperation between security organs controlled by national government and functions within county governments may help security agents in gathering intelligence. It is established that challenges to multi-stakeholder approach in the North Rift are that there is a risk that the unaddressed tensions would still erupt into violence in coming years. Disarmament campaigns done in North Rift to address cattle rustling and inter-communal conflicts amongst pastoral communities have been massive failures despite being promoted since 1970s by successive Kenyan governments. The study concluded that the concept of joint operations is significant in addressing inter and intra communal conflicts. The study recommends the use of joint stakeholders' approach in solving communal conflicts and that more efforts should be focused in employing the joint stakeholders approach. It further recommends that emphasis be made on ways of overcoming the challenges facing the approach of joint operations in conflict resolution.

Chapter One: Introduction

This chapter outlined the background to the problem, problem statement, research questions, and objectives of the study, the rationale for the study, literature review, theoretical framework and the study methodology.

1.0.   Background to the problem

Scholars have provided various definitions to the concept of communal conflicts. Brosché defines communal conflicts as violent contact between two or more non state actors with the binding factor between the different warring groups being their communal identities.[1] Daniel Torbjörnsson defines conflicts in this context as a social situation where two actors at the same time compete for a given set of scarce resources. The actors could be militias, ethnic groups, or people brought together by religious identity.[2]

A joint operation is a multi-agency approach that aims at bringing security to a region that utilizes an array of strategies and stakeholders to deal with communal conflicts. United States Department of Defence discussing joint operations by USA military identifies a combination of three major military approaches; combat relief and reconstruction. Joint operations recognize that the military force alone cannot succeed in providing peace and stability in sectors under communal conflicts. Joint operation creates opportunities where non-military security initiatives can be implemented to solve conflicts.[3]

Community conflicts are evident in all parts of the world. In Asia community conflicts have been witnessed in Cambodia, Afghanistan, India, and Pakistan amongst others. Cambodia has a long

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[1] Brosché, Johan, *Masters of War: The Role of Elites in Sudan's Communal Conflicts* (Uppsala University, 2014), 16.

[2] Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016), 27.

[3]   United States Department of Defence, *Capstone Concept for Joint Operations Version 3.0* (USA: Department of Defence, 2009), 1.

history of armed communal conflicts.[4] Though they have reduced in intensity since 1990s with the improvement of economic conditions in the country, pockets of community conflicts have still remained. Most of the communal attacks though are politically instigated and have effected widely on community platform. In these communal conflicts, Cambodians of Vietnamese origin have mostly been targeted.[5]

Communal conflicts are a common occurrence in Africa. They devastate security of regions and nations resulting to loss of thousands of lives and displacement of many more. In the period starting from 1989 to 2014, Africa has had about 386 individual communal conflicts.[6] The conflict in Democratic Republic of Congo that has been there over the last twenty years has been largely communal escalating into a national and even regional conflict. Militia groups in Kivu, Ituri and Katanga regions have been organized along communal identities. Violence is mostly a manifestation of disputes over land, authority and resources. Emanating from this conflict, the United Nations established United Nations Organization Mission in the Democratic Republic of Congo mandated by United Nations Security Council to take a multi-stakeholder approach to stop the conflict in the country. The United Nations has involved the military, political players, community leaders and regional national leaders to mediate the conflict.[7]

The Darfur conflict in Sudan has generated a lot of international attention since 1989. This conflict also started as a communal conflict. The genesis of the conflict was community competition over land resources. Between 1989 and 2009, the conflict in Darfur was mostly communal before it was captured by national political leaders in Sudan to attain political

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[4] Ibid,5.

[5] The Asia Foundation.*The State of Conflict and Violence in Asia*, (Bangkok: The Asia Foundation, 2017), 12.

[6] Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016), 34.

[7] Autesserre, Séverine. *The Trouble with the Congo* (New York, 13, 2010.

mileages. In 2008, the United Nations collaborated with African Union to send peace keeping troops in the region forming the African Union/United Nations Hybrid Operation in Darfur (UNAMID). Besides ensuring security of civilians, UNAMID was given a mandate to ensure an environment was created that would enable humanitarian assistance possible. It was also tasked with starting off a political process to address the conflict. UNAMID could only manage to meet that mandate through a multi-stakeholder approach that involved military, political players, local community leaders, humanitarian and religious organizations.[8]

In Kenya, the North Rift region has been a hotspot for communal conflicts in Kenya since independence in 1963. The region has many communities such as Pokot, Turkana, Marakwet, Samburu, Kalenjin and Kikuyu. The major causes of conflicts have been resources such as land, grazing lands and watering sources. After Kenya embraced multi-party democracy in 1992, Rift Valley region has experienced highly violent conflicts as politics in the region divided the population along communal and ethnic identities.[9]

1.1. Problem Statement

Community level conflicts are widespread in Africa than any other part of the world according to Uppsala Conflict Data Program.[10] Approximately 1.3 million Africans have lost their lives in these initially community manifesting conflicts.[11] In Africa just like in the rest of the world, inter communal conflicts are more complex than interstate conflicts to resolve. It involves a great

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[8] Brosché, Johan, *Masters of War: The Role of Elites in Sudan's Communal Conflicts;* Uppsala University, 2014, 38.

[9] Elfversson, Emma. "Third Parties, the State, and Communal Conflict Resolution: Comparative study of conflicts in Kenya. Uppsala, 2013, 67.

[10] Uppsala Conflict Data. Peace and conflict resolution in Africa: the Kenyan chapter. Uppsala University: 2018, 14.

[11] Cooperation and Research in Development (ACORD), *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi, UNDP, 2011).

number of parties, interests, causes and incompatibilities that all need to be addressed for a sustainable solution.[12]

Internal communal conflicts have ability to quickly escalate into more devastating and harder to resolve national or regional level conflicts. Communal conflicts are also harder to identify. Inter-communal conflicts are usually shorter and less destructive than national level conflicts. Kenya is counted among the few African countries which have exhibited enduring and highly destructive communal conflicts.[13]Between the year 1989 to 2016, Kenya experienced a total of 48 individual conflicts affecting the population. The devastation of communal conflicts in Kenya can be demonstrated by recent conflicts in Tana River regions where 200 people were killed in 2013 alone.[14]

The North Rift region of the country is a hotspot for community conflicts in Kenya. Conflicts between the Pokot and Marakwet, Pokots and Turkanas and Kalenjin and Kikuyus are responsible for many fatalities in the nation.[15] In 1997 for example, conflict between Marakwet and Pokot communities resulted to more than 400 deaths. In 2001, a single Pokot raid on Murkutwo, a small Marakwet village, resulted to 40 deaths. In 2012, 40 police officers pursuing cattle rustlers were massacred in Suguta valley near Baragoi in Samburu County. Again in 2014, 31 police officers were killed by armed raiders in Kapendo, Turkana County.[16]

Multi-dimensional approaches to address the community conflicts in North Rift have been attempted since independence. However, sustainable peace has remained elusive with same

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[12] KalyvasStathis, "The Ontology of 'Political Violence ': Action and Identity in Civil Wars." *Perspectives on Politics* 1, 3 (2003): 475–94.

[13] Ibid, 14

[14] Human Rights Watch. "*Political violence and violence in Rift Valley, Kenya*". The Human Rights Watch, 2013, 18.

[15] Ibid, 67

[16] Uppsala, 26

communities consistently renewing their animosities.[17]It is from this background that this study seeks to investigate the multi-agency operational approach to communal conflicts in the North Rift region of Kenya.

1.3. Research Questions

1. What is the concept of joint operations in addressing inter and intra communal conflicts?

2. Which is the experience of Kenya in regard to joint operations in respect to intra and inter-communal conflicts?

3. What is the impact of joint operations in the management of communal conflicts in the North Rift region of Kenya?

1.4. Objective of the Study

The objective of the study is to examine the multi-agency operational approach to communal conflicts in the North Rift region of Kenya.

1.4.1. Specific Objectives

1. To establish the concept of joint operations in addressing inter and intra communal conflicts.

2. To assess the experience of Kenya in regard to joint operations in intra and inter-communal conflicts.

3. To examine the impact of joint operations in the management of communal conflicts in the North Rift region of Kenya.

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[17] Ibid, 67

1.5. Rationale of the Study

1.5.1 Stake holder Justification

This study is important since it may inform stakeholders in sustainable communal peace with highlights on the failures in resolving conflicts in Kenya. It also provides significant highlight to stakeholders on the need to apply a multi-Agency operational approach to curbing communal conflicts in the North Rift region of Kenya.

1.5.2. Academic Justification

The study generates new and useful knowledge to stakeholders on the importance of multi-agency approach in curing communal conflicts. The study is useful to future academicians since it imparts new knowledge on the application of multi-agency approach in solving future conflicts

1.6. Definition of Terms

An operation is the coordinated security of a by use of its security apparatus in response to a developing situation. These actions are designed to resolve the situation in the state's favor.

Multi agency operations are security operations Involving cooperation between several organizations engaged in resolve a situation. Governmental responsibility for internal security in Kenya generally rests with the Ministry of interior, as opposed to a the Ministry of Defence. In this case, security will be maintained by either the ordinary Police, the National Police Service. However, other security agencies such as National Intelligence Services, the Military, etc may augment these main forces, as is referred to as multiagency operation.

Joint Operation

The United States Department of Defence describes it as Joint operations as "*team warfare*", which "requires the integrated and synchronized application of all appropriate capabilities. The synergy that results maximizes a force's capability in unified action.

Inter-communal conflict is the term used to describe conflict that occurs between competing groups within a state. It may arise over disputes concerning access to scarce resources or political power. Such conflicts may lead to violent warfare between the two or more defined communities that are involved. Ethnic conflict represents just one manifestation of inter-communal conflict. It is the product of ethnic tensions, strained economic, political, and social conditions, as well as political objectives of those in positions of power. Intra community conflicts are those conflicts occurring within a single community or ethnic group.

1.7. Literature Review

Daniel Torbjörnsson discusses relationship between communal level conflicts and national level instability.[18] He observes that communal conflicts have potential to escalate into national level conflicts if not checked on time. He notes that in several African national conflicts, they tend to occur at a time when severe communal conflicts persist. As many as 81% of communal conflicts in Africa from 1989 and 2014 occurred in countries that had experienced state-based conflict at some point during that time period.[19]The author though discussing the need for swift actions to address communal conflicts does not discuss how multi-stakeholder efforts to address them would work.

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[18]   Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016).

[19]   Broche, Johan and Emma Elfverrsson. Communal and intra-state conflict in Sudan. *African Journal of Conflict Resolutions, 12,* (1), 33-60, 2015.

The conflict in Darfur was communal in nature. The United Nations partnering with African Union sent a military force that was given a mandate that necessitated a multi-stakeholder approach. Amnesty International while discussing this joint security operation observed that UNAMID has not succeeded due to political unwillingness of the Sudanese government.[20] The author says that Darfur peace keeping mission would provide a good case study to investigate factors that would facilitate an effective joint security operation for communal conflicts.

KalyvasStathis discussed causes of communal conflicts in Africa. While resources form a major source of conflicts, there is a strong correlation between political developments and national conflicts.[21] This results from reality that political support in Africa is mobilized along communal identities. He observed that the forging of an opportunity for a multi-stakeholder approach to communal security would work well by engaging political players more intensely and meaningfully.

United Nations discussing multi-stakeholder approach to DRC conflict observes that though United Nations was right in looking at a multi stakeholder approach.[22] However, they failed to recognize the conflict as communal in nature thinking it was national. The United Nations neglected local level conflict and that is what undid the whole peace agreement of 2009. Cooperation and Research in Development discussed multi-stakeholder response to security in

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[20] Amnesty International, *Sudan: We Can't Endure Any More - the Impact of Inter-Communal Violence on Civilians in Central Darfur*. (London, Amnesty International, 2014).

[21]KalyvasStathis, "The Ontology of 'Political Violence ': Action and Identity in Civil Wars." *Perspectives on Politics* 1, 3 (2003): 475–94.

[22] United Nations, "MONUSCO Background'
http://www.un.org/en/peacekeeping/missions/monusco/background.shtml.Accessed November 10, 2018

Kenya.[23]The institution stated that peace agreements are crucial elements in ensuring peace at communal and national levels.

They discuss the national peace accord following the post-election violence of 2007/2008. The peace accord was meant to reconcile communities across the country. The authors however noted that though the peace accords were signed at a national level, there was little attention given to establishment of peace accords at community level. It is noted that the national level peace accord involved stakeholders but there was little of the same coordination at community level.

International Crisis Group discussed ways in which community level conflicts can be addressed in North Rift Kenya. [24] The institution recommends deployment of highly trained security officers as soon as predictors of violence are observed. They recommend formation of County level peace committees, and provide an enabling environment that they can operate from. Though one can observe some elements of multi-disciplinary approach to address security concerns of the region, this study does not engage the issue in-depth.

The study by Nderitu was highlighting the ethnic clashes in the Rift Valley region in Kenya.[25] The study recommends for the formation of long term grassroots peace committees that will address root causes of election related violence even when no elections are about. The study discusses the security operations dynamics in Rift Valley region in conformity with the 2010 constitution, the opportunities and challenges presented to it by devolution. However, no multi-disciplinary approach towards resolving conflicts has been mentioned.

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[23] Cooperation and Research in Development (ACORD), *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi, UNDP, 2011).
[24] International Crisis Group. *The conflict in the Rift Valley region of Kenya.* Brussels, International Crisis Group, 2017, 33.
[25] Nderitu Alice. *Mediation for peace in Nakuru, Kenya.* Centre for Humanitarian Dialogue 2014, 6.

A study by international crisis group on how joint operations in North Rift has impacted security and long term peace in North Rift region establishes that communal violence in North Rift be they political or caused by competition around natural resources have been given a multi sectoral approach since 1998.[26] However, the approach has not resulted to sustained peace and stability in the community. The reasons this study provides is that the joint operation approaches have given greater weight to militaristic approaches like disarmament and relatively ignored other communal level approaches like peace agreements and in depth analysis of root causes to the violence.

In a similar study, Emma Elfversson discusses the suitability of military approach to ensuring sustained security and peace in North Rift.[27]She discovers that the causes of enduring communal conflicts in the region are largely resource based with land injustices topping this list. The researcher concludes that militaristic approaches can only create conditions necessary to address immediate and extreme violence related to the communal conflicts as wider stakeholders engage in more in-depth strategies to address the root causes of the problems. Security operations by themselves have hence not been useful in offering sustainable peace.

Daniel studied how enforcement of community level peace agreement has succeeded in Kenya.[28] He observed that community peace agreements offer the most sustainable ways to address community conflicts. However, there was a gap when it comes to effective ways of monitoring agreements. Joint security operations will be seen when creating an environment stable enough

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[26] Ibid, 10.

[27] Ibid, 67.

[28] Daniel Anderson, & Elizabeth Lochery, 'Violence and Exodus in Kenya's Rift Valley, 2008: Predictable and Preventable?' *Journal of Eastern African Studies, 2*(2), (2008): 328-343.

for peace negotiations but will not stay long enough to ensure compliance with the agreements. The effect is that community conflicts in Kenya keep on recurring.

Elfversson discussed the impact of national government in ensuring community security when working with local community level actors for conflicts in North Rift region of Kenya.[29] The study informed that the national government responds to community conflicts in the region through deployment of security forces, state spearheaded mediations, and supporting peace mediators and promoters such as NGO and Faith Based Organizations. The study concluded that when security forces have worked closely with local actors, there has been a good level of success in stopping extreme violence and in some cases resulted to sustainable peace. However, the study fails to discuss on the multi-disciplinary approaches to resolving communal conflicts.

1.8.   Theoretical Framework

1.8.1.   Change Theory

Theory of Change emerged in the 1990s at the Aspen Institute Roundtable on Community Change as a means to model and evaluated comprehensive community initiatives. Notable methodologists, such as Huey Chen, Peter Rossi, Michael Quinn Patton, Heléne Clark, and Carol Weiss, had been thinking about how to apply program theories to evaluation since 1980. The Roundtable's early work focused on working through the challenges of evaluating complex community initiatives. This work culminated in a 1995 publication, 'New Approaches to Evaluating Comprehensive Community Initiatives'.[30]

This theory explained the process of change in social initiatives. It had been used in tracking change in community security towards peace. The theory explains how peace building activities

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[29] Ibid, 68.

[30]   Weiss Carol. *Theory-based analysis of community initiatives for children and families.* Washington DC: Aspen Institute, 1995, 6.

are related to peace results at different levels. This theory provides the players in community peace initiatives a chance to reflect on the roadmap towards sustainable peace by providing various road signs to that end. The theory offers levels of results. What a peace initiative activity is anticipated to produce in the immediate effect is an output. The output results to an outcome while an outcome produces an impact.[31]

For example, a peace 'baraza' is an activity. The inter-communal peace meeting may result to the community agreeing on a peace road map. That is a result at outcome level. The peace roadmap may result to a cease fire amongst warring communities to give their negotiators more time for dialogue. That is an outcome. Negotiations may result to sustained peace and that is an impact.

Theory of change provides an opportunity to monitor the peace process and make any amends needed in good time. The interveners to a conflict are supposed to draw expected results levels (Outputs, outcomes, and impact) and indicators to show the attainment of a result before intervention starts. This way it will be possible to check actual progress against the plans.[32] The theory is therefore applicable in this study in highlighting the aspect of application of multi-disciplinary approach in solving communal conflicts.

1.8.2. Mainstream Stakeholder Theory

Stakeholder theory was first described by Dr. F. Edward Freeman, a professor at the University of Virginia. It suggests that shareholders are merely one of many stakeholders in an organization.

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[31] CARE Nepal, *Theories of change in peace building: Learning from the Experiences of Peace building Initiatives in Nepal*, (Nepal: CARE Nepal, 2012).
[32] CARE Nepal, *Theories of change in peace building: Learning from the Experiences of Peace building Initiatives in Nepal*, (Nepal: CARE Nepal, 2012).

This theory considers the strength of stakeholders to a peace process.[33]It considers the level of leverage different players to a conflict can exert in the process of resolving the conflict. The theory defines a stakeholder to a conflict as any individual, group or organization with an interest in the outcome of the conflict whether positive or negative.

A stakeholder is also anyone able to influence the conflicts or its outcomes in one way or the other. The theory contends that parties to a conflict have an inherent ability to ignore players who have no or little influence and regard those with a great impact to either the conflict or its resolution.[34] Stakeholders are categorized as either primary or secondary. Primary stakeholders are directly and significantly affected by the conflict or they are directly participating in it. All other individuals or institutions with a stake, interest or intermediary role in the conflict or its resolution are secondary stakeholders. In identifying the stakeholders to resolving a conflict, the third party players will place the conflict in the middle and then identify all those affected by it and their closeness to the center. The assumption is that identified stakeholders on being engaged will take responsibility to the conflict and its solution.[35]

In determining how the stakeholders will be engaged in resolving the conflict, the third party mediator or enforcer must map out the power held by each stakeholder, where and how they are likely to apply it. This may determine the strategies applicable in conflict resolution process. Each conflict needs to be considered in its own merit through this process though. Different conflicts as much as they may look similar present with different and at times complex dynamics

[33] Freeman, R. Edward, Jeffrey S. Harrison, Andrew C. Wicks, Bidhan L. Parmar, and Simone De Colle. *Stakeholder theory: The state of the art*. Cambridge University Press, 2010.
[34] Alan Fowler, *Multi-stakeholder initiatives – theories, concepts and typologies*, (National Coalition for Dialogue and Deliberation, 2015).
[35] Moureen Beisheim, & Anderson Liese, (eds), *Transnational partnerships: effectively providing for sustainable development?* (London: Palgrave Macmillan, 2014).

that come out clear when stakeholders are analyzed in-depth.[36] The theory is also applicable in the study since it highlights the issue of multi-agency approach in conflict resolution.

1.8.3 Application of Theories

This study used the two theories in highlighting the aspect of management of community conflicts. Through the theories, it was possible to identify the key players involved in joint operations to provide security and sustainable peace in North Rift regions of Kenya. The key activities to attainment of security and peace were identified and their results at different levels tracked. The theories also enabled the discussion of the impact of multi-stakeholder approach to peace in North Rift.

1.9. Methodology

This is a library based research that utilized secondary data sourced from library sources, books, e-books, government publications, journals, newspapers and magazines. The data was systematically analyzed to identify the major findings from which the research in drawing conclusions and recommendations.

1.10. The Study Layout

Chapter one introduces the topic of the research study, by first setting the broad context of the study, the statement of the problem, objectives of the study, literature review, hypotheses, justification, theoretical framework, and the methodology of the study. Chapter two provides the background on the concept of joint operations in addressing inter and intra communal conflicts.

Chapter three discusses the experience of Kenya in regard to joint operations in respect to intra and inter-communal conflicts. Chapter four analyzes the impact of joint operations in the

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[36] Patrick Pattberg, &OelrtWiderberg, *Transnational multi-stakeholder partnerships for sustainable development: Building blocks for success*. (Amsterdam, IVM Institute for Environmental Studies, 2014).

management of communal conflicts in the North Rift region of Kenya. Chapter five discusses the findings of the data analyzed conclusions and recommendations and provide suggestions on areas for further study.

1.11. **Chapter Summary**

The chapter reviewed literature on multi-agency operational approach to communal conflicts: The North Rift region of Kenya. The literature has advanced the interpretation and analysis of key issues leading to communal conflicts in this region. Thereafter, the study gap has been identified.

2.0.   Chapter Two: Joint Operations in Inter and Intra Communal Conflicts

2.1.   Introduction

Brosché and Elfversson defined communal conflicts as those between non state actors who identify their unity based on communal identities.[37] This definition looks at conflict from a social perspective. It involves two or more actors attempting to take control of a given critical resource simultaneously resulting in the conflict. Brosché, Johan, and Emma Elfversson further argued that communities in reference could be villages, tribes, ethnic associations or self defence militias.[38]Political perspective of communal conflicts is not excluded from this definition.

It is important to note that in many parts of the world especially in Africa, conflicts are mobilized along communal identities.[39] Uppsala Conflict Data Program (UCDP)defined communal level violent conflicts as "the use of armed force between two organized armed groups, neither of which is the government of a state, which results in at least 25 battle-related deaths in a year." [40] Community conflicts can be inter-communal or intra communal. The conflicts will occur between two distinct communities defined by ethnicity or other identity markers. However, as much as identity may be seen as the real defining factor for communal conflicts, reasons that it is actually competition for resources and control of power that are the real driving factors.[41]

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[37] Ibid, 33.

[38] Ibid, 34.

[39] Ibid, 67

[40] Ibid, 14.

[41] Ibid, 33.

Communal conflicts happen at subnational levels.[42] The conflicts do not have significant contribution or involvement of state actors. Governments may facilitate or create enabling environments for communal conflicts. However, they are not the main players in them. Well organized non state violent groups also tend not to be key players in communal level conflicts. Communal level conflicts are mostly noted in informal groups that are poorly organized with lose structures. The structures may be local self defence militias with lose membership, poorly resourced and showing low level military capabilities.[43]

Communal level conflicts can be variously defined depending on the intensity of the violence, and the level of organization of the actors. There are incidences of communal conflict noted where the armed groups are highly organized. These ones tend to fight against each other while simultaneously fighting the forces of the government of the day. The groups aim to acquire resources and territory that would facilitate them to take over government control.[44]

Globally, most violent conflicts are indeed not between states but rather non state actors. These conflicts have devastating effects.[45] They results to murders of great scales, loss of livelihoods and displacement of massive proportions. Communal level conflicts have capacity to escalate to national level violent confrontations and in some cases may move ahead to be international in nature. Communal level conflicts have in many cases gone ahead to destabilize nations and even regions.[46]

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[42] United Nations Peace Keeping. *The Role of United Nations Peacekeeping Operations in Addressing Local Conflicts* (United Nations, 2017).

[43] Ibid, 12.

[44] Fjelde, Hanne, and Desirée Nilsson. "Rebels against Rebels: Explaining Violence between Rebel Groups." *Journal of Conflict Resolution* 56, 4 (2012): 604–28.

[45] Ibid, 33.

[46] Fjelde, Hanne, and Desirée Nilsson, 34.

The less complex communal conflicts that do not involve highly organized groups tend not to be connected to national level politics and conflicts. These communal level conflicts are especially difficult for security agents and peace builders since they are harder to identify.[47] The Uppsala Conflict Data Program further divides informally coordinated non state conflicts into those where communities align through common identity and those that are arranged on political factors. This is critical in defining ways to address the conflicts.[48]

Compared to state level conflicts, communal conflicts tend to be shorter lived and less destructive.[49] The parties to communal conflicts are less resourced in terms of weaponry and combatants hence as compared to state level actors and hence have less capacity to inflict massive damages. Communal conflicts tend to be more symmetric than national level conflicts. Each party has the potential to inflict equal damage to the other creating what is called 'terror balance'.[50]

United Nations observed that communal conflicts can be intractable and highly tied to ancestral level antagonisms.[51] This makes them complicated and even beyond reach of international even national level policies for intervention. The conflicts happen at sub national levels without the government or formal groups being involved perhaps even unaware of them.[52] Nonetheless, communal conflicts have real consequences. They tend to derail peace processes, wear down social fabric and devastate communal resilience

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[47] Hazen, Jennifer. "Survival at Stake - Violent Land Conflict in Africa." In *Small Arms Survey 2013- Everyday Dangers*, edited by Small Arms Survey: 102–31.

[48] Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016).

[49]Ibid, 36.

[50] Ibid, 38.

[51] United Nations peace keeping, *The Role of United Nations Peacekeeping Operations in Addressing Local Conflicts* (United Nations, 2017).

[52] Ibid, 36.

capabilities. Communal conflicts make it harder and harder for there to be sustainable peace for as long as they stay unaddressed to their core.

Communal conflicts do not only result to national level conflicts but can also be as a result of national level violence.[53] Large conflicts create incompatibilities at community level that create new tensions. It is actually noted that there is a greater chance for communal conflicts to arise through post national conflicts than national conflicts will post communal violent confrontations. Hazen and Jennifer further discussing post national level conflicts manifesting at the community level gives a possible reason for it. Civil wars of large proportions tend to displace populations.[54]

When the war is over, people return to their lands and properties only to find them occupied by others. This is likely to result to conflicts. Even where land may have been privatized before national conflicts, it is possible that deeds get destroyed in the conflicts making it hard to determine ownership and resolve conflicting claims after the war.[55]Different neighboring communities may have supported different sides in national level conflicts. Even when the national war is over, local level tensions may remain, only requiring a little effort to ignite them into full scale communal wars.[56]

There is an intricate interaction between local level conflicts and national level politics that may fuel communal conflicts. National elites and politicians will take advantage of communal level conflicts to mobilize power. Politicians and powerful people, will for example, mobilize people into violence so that they can plunder local level resources such

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[53] Ibid, 131.
[54] Ibid, 121.
[55]Ibid, 33
[56] Hazen, Jennifer M, 133.

as illegal mines or enhance cattle trade from local cattle rustling ventures.[57] This has been observed in DRC where politicians have funded local militias as well as use of exhortatory rhetoric with a destabilizing purpose as they plunder local resources such as timber and minerals.[58]

2.2. Communal Conflicts in Africa

Communal conflicts are a common feature in African armed violence realities. Communal conflicts are notable to have a highly likelihood of happening in Africa than any other region in the world.[59]Daniel Torbjörnsson reports that in a period of twenty five years spanning from 1990 to 2015, the continent had 386 individual conflict years. [60]They further reports that 64% of all communal conflicts recorded in the world between 1990 and 2015 occurred in Africa. In that period more than 23 African countries experienced communal level conflicts in one form or another.[61]

The conflicts in Africa are common in countries that are already or had at some point experience national level strife.[62] Weak state institutions and environmental degradation resulting to higher stakes in resource competitions have been cited as some of the high ranking reasons for communal conflicts in Africa. Peterson and Uexkull identified three

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[57] Ibid, 114.

[58]Ibid, 33.

[59] Ibid, 42.

[60] Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016).

[61]Ibid, 15.

[62]Ibid, 47.

broad categories in which most causes of communal conflicts in Africa will fall under.[63]They are authority, loot able resources and territory.

Conflict over authority has been noted to be the cause of almost a third of all communal level conflicts in Africa. In this conflict type, the goal of one warring communities is to control the other or at least avoid being controlled. These kinds of conflicts are easily politicized mostly through elections. Still under authority is community conflicts that revolve around chiefdoms and other forms of informal power but these are less frequent.[64]

Conflicts over loot able resources have included communal cattle raids. Of the conflict years recorded between 1990 and 2015, 23% where over loot able resources and of those, 93% were about cattle. These types of conflicts are common in countries around the horn of Africa. Timber and relief food are other resources contested for by warring communities in Africa.[65]

Territory based communal conflicts are the most violent in Africa. It is reported that between 1990 and 2014, 68% communal conflicts that reported deaths of more than 25 people were based on territorial strife.[66] Land is the biggest factor in these kinds of conflicts. Communities fight over rights to graze or use watering points in different territories. Land elicits great emotions amongst Africans. It provides status, wealth and

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[63]Pettersson, Therese, and Nina von Uexkul. 'What They Are Fighting for: Conflict Issues in African Non-State Armed Conflicts 1989–2011'Paperprepared for presentation at the *Meeting of the European Network of Conflict Research (EnCoRe),* Amsterdam, 24–26 April 2013.7.

[64]Ibid, 23

[65]Pettersson, Therese, and Nina von Uexkull, 9-10.

[66]Ibid, 29

security for those who control it. Struggle over administrative borders have also formed a significant point of communal conflicts.[67]

There is a noted increase of conflict between pastoralist and farming communities in Africa. Some of the countries affected by this kind of conflict include Uganda, Kenya, Sudan, South Sudan, Nigeria, Chad and Mali.[68] Privatization of land has introduced new borders that did not traditionally exist. Pastoral community's attempts to violate those boundaries often end up being bitter inter-communal conflicts. The changing climatic conditions are not making things any easier. It is requiring pastoral communities to make use of larger and larger pieces of grazing land to feed the same number of livestock.[69]

This means the pastoral communities need to constantly encroach on land beyond their traditional control. Cattle rustling, a practice where pastoral communities steal cattle from each other have also become more violent with ease of availability of more and more lethal weaponry. Traditional means of settling cattle rustling disputes are also collapsing exposing these communities to more violent conflicts.[70]Though communal conflicts present with less destruction and losses as compared to national level conflicts, Africa has produced communal level conflicts that have defied this expectation. Communal conflicts in DRC, Nigeria, Sudan, have produced fatalities and destruction that have gotten the world by surprise.[71]

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[67]Pettersson, Therese, and Nina von Uexkull,8.

[68] Daniel Torbjörnsson, *Managing Communal Conflict in Africa: Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016).

[69]Ibid, 23

[70] Ibid, 121.

[71] Ibid, 21

National level conflicts have had a bearing on communal level conflicts. This has been reported in Uganda, Ivory Coast, Angola, Sudan and Liberia.[72] In the DRC, national level conflicts made worse existing community level tensions and even created new ones in the early 2000s. Rwanda military removed traditional leaders in villages replacing them with those of Rwandan decent. This only made the existing tensions between Congolese of Rwandan descent and natives of the country worse.[73]

In Darfur region of Sudan, national government took advantage of local land related conflicts to further its political agenda. The government of Sudan tried to suppress the influence of groups it perceived as adversarial to its interest by siding with their enemies in Darfur conflict. Sudan government also tried to alter local power balances by changing communal and administrative boundaries in Darfur.[74]

South Sudan is a country rich in ethnic diversity. Though this reflects the country's wealth of cultural heritage, this ethnic range has contributed to conflicts especially at the communal level. Since South Sudan gained independence in 2011, there have been sustained conflicts between different ethnic communities surrounding grazing land, cattle raids and competition over resources. Most of these communal level conflicts have occurred in Jonglei State of Greater Upper Nile Province.[75]

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[72] Ibid, 111.

[73] Autesserre, Séverine. *The Trouble with the Congo*. New York, 2010145.

[74] Ibid, 111.

[75] Lukong Stella Shulika, and Nwabufo (Ufo) OkekeUzodike. "Inter-ethnic conflict in South Sudan: a challenge to peace." *Conflict trend* 55, 3 (2016).

2.3. Joint Operations

Joint operations especially by a nations security forces including the military are aimed at enhancing the national interests of a country.[76] To be able to achieve national interests a country will employ different strategies to resolve communal conflicts. It may use violent coercion, non-combative persuasion tactics, amongst many. The reality is that it takes more than winning a combative war to secure the interests if a nation. It is hence necessary for nations to employ militia stakeholder approach to shape national and international situations to their advantage.[77]

Amongst the military forces, joint operations will typically involve collaboration between different security and armed agencies and government arms.[78] Joint armed forces to include military units from air force, navy of land based troops may work in unison to achieve common military objectives. These joint forces may provide coordinated leadership with other stakeholders or use their individual strategic positions to leverage influence to other players. In many cases, military units will create security environment that will facilitate other non-military units to operate to a desired outcome.[79]

The Capstone Concept for Joint Operations in USA provides a wide perspective of how USA military will likely operate in the future under joined kind of operative environment.[80] Under the strategy, American military envisions greater collaboration

[76]United States Department of Defence, *Capstone Concept for Joint Operations Version 3.0* (USA: Department of Defence, 2009)1.

[77]Nilsson, Claes, and Magdalena ThamLindell. "Framåt Sahel – En InsatsanalysavSverigesFörbandsbidrag till FN i Mali. *"Swedish Defence Research Agency (FOI)* (2015.)212.

[78] Daniel Torbjörnsson. *Assessing the role of the UN in communal conflict management* (Geneva; United Nations, 2016, 11..

[79]United States Department of Defence, *Capstone Concept for Joint Operations Version 3.0* (USA: Department of Defence, 2009) 6.

[80] Ibid

between combat agents, national security organs, and relief and reconstruction institutions. Requirements specific to each operation defines how each interaction shapes up.[81]

Military units must appreciate that most security situation are best and sustainably addressed through greater partnerships with civilian agencies. Though the military has its own unique capabilities, civilian bodies have their own set of competencies that can be helpful in adapting, being flexible and effective in joint operations. The military must be ready to provide leadership to other civilian uses where necessary or allow it to be a follower when civilian agencies provide leadership.[82]

The military though should also be aware of circumstances where it needs to act unilaterally in the interest of national or sub national security. Armed forces seek to extend partnerships with other national, sub national or international players with an aim of achieving their core responsibility of maintaining national security.[83] These partnerships contribute to creating and maintaining a stable environment while concurrently deterring potential adversaries.[84]

Security agencies must have a future oriented perspective when seeking partnerships for joint operations. This is informed by the humbling reality that any existing capability will always be challenged by emerging competition. Joint operations readiness must be adaptable, always seeking new capabilities. Joint operations that are forward focused will

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[81]Nilsson, Claes, and Magdalena ThamLindell, 221.

[82]United States Department of Defence, *Capstone Concept for Joint Operations Version 3.0* (USA: Department of Defence, 2009) 6.

[83]Ibid, 8

[84] Ibid, 12.

always seek to establish new doctrines, strategies and ethos that will seek to counter new security challenges.[85]

Security agents will need to look for ways to integrate their actions in ways that meet the current and future security demands.[86] Future oriented joint operations are deliberate about attaining new technologies, create new organizations and adapt existing ones to the rapidly changing dynamics in the security sectors worldwide. Joint operations will need to equip, train and manage their manpower in adaptive ways that are sensitive to the changing operations of security threats.[87]

Joint security operations need to be cognizant to the reality that their influence and dominance in both national and regional levels will always have competition. There will be other players, either violent or non-combative who will try to rise above them for various rents. It is hence important for security agents to always make an assessment of their competitive positioning in ensuring and sustaining lead in retaining control of security circumstances. The agents need to identify, any new stakeholders they need to engage, what new intelligence or technology they require, or any newer training they might need to stay at the lead of the pack.[88]

Even as joint operations remain future focused, it is noted that their success is based on underlying, well tested and timeless concepts. Success in joint security operations are rarely a result of new ideas but rather adaptation of old but well tested principles to new

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[85] United States Department of Defence, 9.

[86] Nilsson, Claes, and Magdalena ThamLindell. "Framåt Sahel – En InsatsanalysavSverigesFörbandsbidrag till FN i Mali." *Swedish Defence Research Agency (FOI)* (2015.).

[87] United States Department of Defence, *10*.

[88] Ibid,11.

realities.[89]   Joint operations at a sub-regional, national or international levels need to be shapely aware of changing political environments they operate in. Politicians either sub nationally, nationally or at an international scale will always be seeking to enhance their political influence. This will always impact security situations that security agents often will need to respond to.[90]

The political players, only constrained by resources and countering interests will pursue their own interests through a wide range of behaviors, some that may be conducive to security while others will seek to subvert national and regional security situations. It hence takes cooperation and coordination of various agents to ensure political competitions are maintained at levels consistent with national security interests.[91]

Countries and regions will use various ways to demonstrate their power, influence and reach. The most obvious demonstration of might is military show case. However, deployment of military agencies to countries and regions, even for benign reasons has repercussions some that are unintended.[92] Local populations easily feel threatened by military presence. This only served to better argue the case of joint operations. Even where military forces are the most effective unit to be deployed, sometimes letting civilian bodies take charge even though their operations would be less efficient serves the greater good in the long term.[93]

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[89] Ibid, 13.

[90] United States Department of Defence, 2009) 6.

[91] Ibid, 8

[92] Nilsson, Claes, and Magdalena ThamLindell. "Framåt Sahel – En InsatsanalysavSverigesFörbandsbidrag till FN i Mali." *Swedish Defence Research Agency (FOI)* (2015.)17.

[93] United States Department of Defence, 2009) 8.

Military power will be employed to resolve various political dilemmas. This has been done globally with varying degrees of success.[94] Though in many cases military involvement has been essential, what is common in almost all cases is that it has hardly happened exactly as envisioned and in many instances it has left behind a trail of unexpected and perhaps undesired consequences. Multi-stakeholder approach to political processes, even when the military is taking lead, is needed for sustainable political solutions.[95]

Rise of non-state actors to security dynamics is a reality that must be considered during joint operations. Terrorism, for example, is a phenomenon on the rise. Some of these non-state actors may not have the coordination of a state but indeed present with sophistication and military capabilities that some weak states cannot match.[96] Most terrorist organizations, for example, have huge military capabilities but have neither discipline nor political inhibition that state actors operate under.

Some terrorist groups control territories as wide as states with many having influence beyond national borders. This presents a unique and challenging security situation that demands security agents to develop partnerships beyond their national boundaries. Joint operations in this case need to be coordinated with multiple actors across nations.[97] With democratization of nations comes with it new accountability and transparency demands. Security agents that were less subjected to scrutiny are now finding themselves in situations where they are demanded to be more accountable to the public.

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[94] Ibid, 13.

[95] United States Department of Defence, 9.

[96] Nilsson, Claes, and Magdalena ThamLindell,19.

[97] United States Department of Defence, *Capstone Concept for Joint Operations Version 3.0* (USA: Department of Defence, 2009)8.

This is a new reality that must be considered when initiating and sustaining joint operations and multi-stakeholder response. Operations of any player in the security chain can have adverse effects on the public perception of an entire operation. A mistake by one player in the joint operation can kill all political support an operation needs crushing it in the process.[98]

Connectivity at the global level as a result of technology also has a bearing on how joint operations work. Public opinions matter more than ever in joint security operations. Competitors to formal security organs are aware of this. They will use technology to create public biases and misinform masses about legit security operations.[99]

Joint security operations therefore need to wake up to the reality that sustained success will hardly be seen through the gun now. It will involve engaging civilian public relation agents who will help shape the military narrative in the eyes of the populace. This only serves to further strengthen the case that multi stakeholder approach to security operations is indispensable in the current realities.[100]

2.4. United Nations and Joint Operations for Community Conflicts

The United Nations had previously not considered community level conflicts as its concern but rather focused on national level conflicts. Even when community level conflicts were high, the UN considered them a symptom of national level conflicts. United Nations did not regard community level conflicts as significantly connected to national level conflicts.

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[98] Ibid, 13.
[99] Ibid, 9.
[100] Ibid, 11.

This limited intensely, the impact of United Nations to lasting peace in many regions across the world and especially in Africa where community level conflicts are rife.[101]

In DRC the failure of UN's initial missions was blamed on the military's indifference to community level conflicts. The United nations peacekeeping forces did nothing to initiate or support local level conflict resolution mechanisms, peace building initiatives and the worst of all, the body stood still even when large scale violence involving local communities and which resulted to thousands of civilian casualties were being perpetrated by community level actors. UN perceived that community level conflicts were beyond their mandate.[102]

The United Nations is awakening to the truth that local community level conflicts matter to its agenda. In Darfur and South Sudan, the UN Security Council (UNSC) has explicitly authorized peacekeepers to address local conflicts.[103] In 2014, the UNSC authorized the UN-African Union Mission in Darfur (UNAMID) to be actively engaged and widely supportive of community level conflict resolution mechanisms.

In the same years UN Mission in the Republic of South Sudan (UNMISS) was mandated to be part of resolving grassroots conflicts in South Sudan specifically in high conflict zones. United Nations realized that local level conflicts were a significant variable in their national level interests.[104] The UN Panel of Experts released a report in 2015 that is likely

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[101] Autesserre, Séverine. *The Trouble with the Congo.* (New York: 2010, 9.

[102] Ibid, 5.

[103] United Nations Peace Keeping. *The Role of United Nations Peacekeeping Operations in Addressing Local Conflicts* (United Nations, 2017), 16.

[104] Ibid, 10.

to positively impact UN mission's joint operations capabilities and enhance their community engagement extents.[105]

The panel recommended there to be more strengthening of analysis and strategic planning units that would allow peace missions to establish more context specific solutions to local community conflicts. The report advises that UN bodies working in a given region should establish strategies through which they would work in greater synergy with UN missions in their regions to enhance community level interactions geared towards sustainable peace.[106] The United Nations military operations have been forced by current realities to operate in a more multi stakeholder manner. Operations are more multi-dimensional to not only engage military units but seek to deliberately influence political processes, involve humanitarian agencies and community level engagements for sustained peace.[107]

In DRC, the United Nations has recognized the need for multi-stakeholder approach for sustained peace and stability in the nation. UN missions in DRC are working with Community Liaison Assistants (CLAs) to improve its relationship with local communities. CLAs are local community members, trained by UN to be a link between the mission ad peripheral communities. THE CLAs formerly employed by UN provide communication channels between UN missions in DRC and local communities, provide early warning signs on civilian threats, make an assessment and report to UN missions on the needs of local communities. CLAs initiative has been seen as a success and is now being

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[105]Nilsson, Claes, and Magdalena ThamLindell. "Framåt Sahel – En InsatsanalysavSverigesFörbandsbidrag till FN i Mali." *Swedish Defence Research Agency (FOI)* (2015.).

[106]United Nations. *Independent panel on peace operations report.* Geneva: United Nations, 2015, 10.

[107]United Nations. "*Post-cold war conflicts*". 2015, 12.

implemented in other parts of Africa where UN missions are such as Mali, Central African Republic, Darfur and South Sudan.[108]

In 2005, the UN General Assembly adopted a resolution to create a peace building commission. The commission is intergovernmental advisory body which mobilizes resources for post conflict sustainable peace initiatives. The UN's move was seen as formal recognition of the fact that community level processes impact significantly of national level sustainable peace and stability.[109]

Through a multi-stakeholder approach, the commission supports reconstruction and rehabilitation of former war zones into environments that societies thrive again. Wallenstein, however reports that the commission is hardly receiving adequate support from UN general assembly in relation to other bodies of UN and the community level strategies are still too general and fuzzy.[110]

The United Nations missions have enhanced their intelligence gathering mechanisms largely owing to their spectacular failure to prevent civilian casualties in DRC despite the mission's huge resource allocation. Intelligence gathering By Un means greater partnership with both military and civilian institutions. United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) has incorporated an intelligence function into its mission.[111] Though intelligence gathering units in UN missions are young and

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[108] De Coning, Cedric, John Karlsrud, and Paul Troost. *Towards More People-Centric Peace Operations: The Need for a Shift in Mandates from the "Extension of State Authority" to "Strengthening State-Society Relations."*(New York; 2015).

[109] United Nations. *Peace building Commission.* 2005, 10.

[110] Wallenstein, Peter. *Peace and conflict studies*. University of Notre Dame. Uppsala, 23 October 2015.

[111] Nilsson, Claes, and Magdalena ThamLindell. "Framåt Sahel-En InsatsanalysavSverigesFörbandsbidrag till FN i Mali." *Swedish Defence Research Agency (FOI)* (2015.).

inexperienced, it is providing first lessons to the body on the value of beyond military interventions to involve a wide range of actors in joint operations.

2.5. Summary of Chapter

The study found that in addressing the concept of inter and intra communal conflicts, community conflicts can be inter-communal or intra communal. The conflicts may occur between two distinct communities defined by ethnicity or other identity markers. It is notable that communal level conflicts can be variously defined depending on the intensity of the violence, and the level of organization of the actors. There are incidences of communal conflict noted where the armed groups are highly organized.

It is established that communal level conflicts have capacity to escalate to national level violent confrontations and in some cases may move ahead to be international in nature. Communal level conflicts have in many cases gone ahead to destabilize nations and even regions. It is seen that compared to state level conflicts, communal conflicts tend to be shorter lived and less destructive. Communal conflicts tend to be more symmetric than national level conflicts. Each party has the potential to inflict equal damage to the other creating what is called 'terror balance'.

It is notable that communal conflicts have real consequences. They tend to derail peace processes, wear down social fabric and devastate communal resilience capabilities. Communal conflicts make it harder and harder for there to be sustainable peace for as long as they stay unaddressed to their core. Communal conflicts are notable to have a highly likelihood of happening in Africa than any other region in the world. In a period of twenty-five years spanning from 1990 to 2015, the continent had 386 individual conflict years.

This means that 64% of all communal conflicts recorded in the world between 1990 and 2015 occurred in Africa.

The major reasons for the occurrence of communal conflicts in Africa are: weak state institutions and environmental degradation resulting to higher stakes in resource competitions. The three broad categories of the occurrence of communal conflicts in Africa include: authority, loot able resources and territory. Conflict over authority is the cause of almost a third of all communal level conflicts in Africa. In this conflict type, the goal of one warring communities is to control the other or at least avoid being controlled. These kinds of conflicts are easily politicized mostly through elections. Still under authority is community conflicts that revolve around chiefdoms and other forms of informal power but these are less frequent.

Conflicts over loot able resources have included communal cattle raids. Of the conflict years recorded between 1990 and 2015, 23% where over loot able resources and of those, 93% were about cattle. These types of conflicts are common in countries around the horn of Africa. Territory based communal conflicts are the most violent in Africa. It is reported that between 1990 and 2014, 68% communal conflicts that reported deaths of more than 25 people were based on territorial strife. Land is the biggest factor in these kinds of conflicts. Some of the countries affected by this kind of conflict include Uganda, Kenya, Sudan, South Sudan, Nigeria, Chad and Mali.

It is seen that amongst the military forces, joint operations typically involve collaboration between different security and armed agencies and government arms. Joint armed operations include military units from air force, navy of land based troops working in

unison with civilian entities to achieve common military objectives. These joint forces may provide coordinated leadership with other stakeholders or use their individual strategic positions to leverage influence to other players.

In many cases, military units will create security environment that will facilitate other non-military units to operate to a desired outcome. It also involves engaging civilian public relation agents who will help shape the military narrative in the eyes of the populace. The study established that United Nations had previously not considered community level conflicts as its concern but rather focused on national level conflicts. Even when community level conflicts were high, the UN considered them a symptom of national level conflicts. For example, in DR Congo, the failure of UN's initial missions was blamed on the military's indifference to community level conflicts. The United Nations is awakening to the truth that local community level conflicts matter to its agenda. For example, in Darfur and South Sudan, the UN Security Council (UNSC) has explicitly authorized peacekeepers to address local conflicts.

Finally, the United Nations military operations have been forced by current realities to operate in a more multi stakeholder manner. Operations are more multi-dimensional to not only engage military units but seek to deliberately influence political processes, involve humanitarian agencies and community level engagements for sustained peace. In DRC, the United Nations has recognized the need for multi-stakeholder approach for sustained peace and stability in the nation. UN missions in DRC are working with Community Liaison Assistants (CLAs) to improve its relationship with local communities.

3.0.   Chapter three: Joint Operations experience in Kenya

3.1.   Introduction

This chapter introduces the discussion of the concept of joint operations experience in Kenya. It highlights the discourse of communal conflict in Kenya and the multi stakeholder approach to communal conflicts in Kenya. Finally, the chapter summary is discussed.

3.2. Communal Conflicts in Kenya

Kenya has for many years been perceived as beacon of peace in the horn of Africa. However, there have been several communal conflicts witnessed in the country mostly over control of resources such as pasture land, water sources and livestock. With multiparty democracy taking root in Kenya since early 1990s, political competition has been a source of intense conflicts amongst civilians.[112] Kenya experienced over 2500 incidences of political violence since independence. Comparatively, Kenya has a higher chance of experiencing violence than other countries in Africa especially considering that the country is not in civil war. Compared to other states in Africa, the level of fatalities in Kenya violent incidences is reported to be higher from a very small number of actors.[113]

 Kenya has had an annual average rate of 185 community based violent occurrences.[114]The year 2007 and 2008 is reported as the year Kenya experienced the highest and most fatal year of community violence with a political dimension. Since this period, the average date of communal violence has shot up to 264 incidences per year.[115] The average annual death

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[112] Roy Sharamo. *Politics of violence among pastoralists in Kenya.* Future Agricultures, 2014, 3.

[113]ACLED. *Conflict dataset in conflict zones.* ACLED, 2013, 6.

[114] Ibid,7.

[115] Ibid, 8.

rate out of communal violent conflicts has been placed at 187 people by ACLED. ACLED further estimates that for every communal based violence by community militias attacking militias, the average death rate stands at 4.28 people. When government forces attack militias the average death rate recorded is 4 people while political violence reports an average death rate of 2 people per incidence.[116]

ACLED further reported that unlike political violence, communal militia violence is largely unpredictable. This kind of communal violence constitutes a bigger portion of community violence than is found in other parts of Africa. Communal, militia driven violence tend to increase at the end of the year (December) and start of the year (January). January however, has been recorded to have a double higher rate of communal violence than other months in Kenya with fatalities being double as well. Most of these violent interactions are observed in pastoral regions of the country and related to scarcity of grazing areas and watering points.[117]

ACLED also reported that an average Kenyan should be safe from communal conflicts unless they are living in pastoral regions.[118]However, this safety is contingent to ethno regional community one is from and the political circumstances nationally. For example, Kenyan in places considered safe from communal conflicts saw a 300% increase in chance of having a violent communal contact. This is a notable trend in many election years in Kenya where communal violence is seen to increase tremendously.[119]

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[116] Ibid, 11.

[117] Ibid, 12.

[118] Samuel Gibbons, *Draft discussion brief: Towards peace and security in dry land Kenya: the demand for a new approach*. (Pastoralist Parliamentary Group and Dry Lands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014, 23.

[119] Ibid, 12.

Unlike political violence which spreads wider than local communities, communal conflicts are more local in nature. Communal conflicts however have a much higher chance of repeat (5.5 chances more) than politically instigated violence. Communal militias in Kenya have higher chances of attacking civilians rather than government forces as compared to other parts of Africa. However, like other regions in Africa, communal conflicts attract less reaction from the government forces as compared to political violence.

ACLED further reported that communities reporting highest chances of encountering communal violence are Borana, followed by Kikuyus with Turkana coming in third.[120] Though most battles and fatalities related to violence in Kenya are communal, communal violence is not the singular organized threat. Violent communal based militias are over represented both as actors and locations of their actions because most communal conflicts happen in localized and distinct areas.[121]

Communal conflicts happening in different parts of Kenya even at the same time are in most cases unrelated. However, communities may experience more than one militia working in completion. In such regions, the rates, frequency and fatalities of violence tend to be much higher than regions where only one or two militias are in conflict or were a militia is up against the government forces.[122]

Political violence in Kenya takes communal shapes. This is informed by the reality that politics in Kenya are driven along ethnic lines. However, unlike pure communal conflicts,

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[120]Ibid, 14.

[121]Samuel Gibbons, *Draft discussion brief: Towards peace and security in dry land Kenya: the demand for a new approach*. (Pastoralist Parliamentary Group and Dry Lands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014, 32.

[122]Samuel Gibbons, *Draft discussion brief: Towards peace and security in dry land Kenya: the demand for a new approach*. (Pastoralist Parliamentary Group and Dry Lands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014, 19.

political conflicts involve wider regions and tend to last shorter. Political militias tend to be short term focused as well. Communal political violence grows in strength as national level political competition grows tighter. The higher the opposition in election years, the higher the chances of high intense, high fatality community likes political violence. This explains the intensity of political violence in 2007 and 2008 political seasons where more than 1000 people lost their lives as rival communities fought.[123]

Ploughs hares detail some of the major communal conflicts that have been observed in the country over the past three decades.[124] In 2008, there was community level violence in Mt Elgon region where more than 200 people lost their lives.[125] Related to 2007/2008 political violence was an upsurge in community conflicts emerging after political peace pacts at national level had been signed in March of 2008. In Laikipia region for example, old rivalries amongst local communities, spurred by post-election hostilities were revived resulting to deaths and destruction of properties. Mungiki sect, a violent community militia revived its hostilities against given communities in the slums of Nairobi.

In 2007, clan violence especially in pastoral regions in North Eastern and North Rift regions resulted to at least 200 deaths. In 2006, Plough shares reports that not less than 125 people were killed in clan based violence especially between Kenyans and Ethiopian pastoral communities along Kenya Ethiopian border.[126] The communal violence was related to land, water and cattle. In 2005, most communal conflicts were reported in North Eastern Kenya with over 180 people reported dead, 76 of whom died in a single incidence

[123] Ibid, 3

[124] Plough shares, *Armed Conflicts Report-Kenya*, (Ontario: Ploughshare, 2009)

[125] Samuel Gibbons, *23.*

[126] Plough shares, *Armed Conflicts Report-Kenya*, (Ontario: Ploughshare, 2009)

of violence in July. Year 2002 reported at least 100 deaths out of community based conflicts; a similar number in 2001, 200 people in 2000 but 1999 recorded around 550 deaths mostly in inter-tribal clashes.[127]

In pastoral communities where violent conflicts are common, the situation is complex and multi layered.[128] Violence usually is in the form of cattle rustling, ethnic violence, displacement and violent retaliatory attacks.[129] Cattle raids are done for prestige or to pay bride price. Cattle raids in these regions are however drifting away from traditional causes to commercial reasons. Wealthy people are hiring young men from traditionally cattle rustling communities to raid animals for slaughter and onwards sale to major urban centers in Kenya.[130]

Pastoral and agricultural communities have started having conflicts unlike in the past years. Climate change reflecting in erratic rainfall and long dry spells is making it harder for traditional grazing lands to have enough pasture. The nomadic pastoralists are hence moving further in search of pasture and hence venture into agricultural zones. When their cattle graze in crop fields, violent conflicts emerge.[131]In addition, weakened government structures in arid and semi-arid areas of Kenya coupled with loss of inter-communal social contracts have made community conflicts even more violent.[132]

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[127] Ibid, 3.

[128]Samuel Gibbons, *Draft discussion brief: Towards peace and security in dry land Kenya: the demand for a new approach*. (Pastoralist Parliamentary Group and Dry Lands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014.

[129] Ibid, 5.

[130] Walter Okumu, "Trans-local peace building among pastoralist communities in Kenya: The case of Laikipia Peace caravan*" Culture and Environment in Africa,* 3 (2013), 9.

[131] Ibid, 3.

[132] Ibid, 4.

Traditionally, elders in pastoral communities had control over the activities of the youthful cattle raiders from their communities so that they could ensure cattle raids followed certain standards that minimized violence and loss and maintained inter communal contacts. However, the elders no longer have control over their younger generations.[133] Youths are hence raiding communities with intense violence and with no regard to laid down social agreements. Retaliatory attacks are hence now more common, destructive and fatal. The situation is not made any easier by politicization of what were previously purely peace building local processes. Okumu reports that in some areas, local politics have dissuaded government agencies from protecting civilians from communal wars.[134]

3.3. Multi Stakeholder Approach to Conflicts in Kenya

A multi stakeholder approach to communal conflicts in Kenya should recognize the different stakeholders involved in security in communities. The national government of Kenya leads security at national level. This is led by the president of the country and the deputy president.[135] The County government's also have a role in the security set up of the country and hence are critical actors in joint, multi-stakeholder approach to communal conflicts in Kenya.[136] The county governments control about 15% of national resource and cannot be ignored in their role of creating or resolving resource based communal conflicts.

[133]Samuel Gibbons, *Draft discussion brief: Towards peace and security in dry land Kenya: the demand for a new approach.* (Pastoralist Parliamentary Group and Dry Lands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014.

[134] Walter Okumu, "Trans-local peace building among pastoralist communities in Kenya: The case of Laikipia Peace caravan*" Culture and Environment in Africa,* 3 (2013), 4.

[135]Gyn Lynch. 'Electing the 'alliance of the accused' *Journal of East African Studies, 93,* 2014.

[136] Scott-Villers, 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* (IDS Evidence Report N. 71, Addressing and Mitigating Violence). Brighton: IDS.

3.3.1. Security Structure in Kenya

Though joint operations for sustainable management of communal conflict significantly involve security organs of Kenya, they are not the only ones that count. Nonetheless, their critical role would make it necessary to understand the security structure of Kenya to identify possible opportunities for coordination and cooperation amongst the different agents involved.

National Security Council (NSC) is the senior most organs that deal with national security issues in Kenya. It has been established by the new Kenyan constitution promulgated in 2010. The agency provides supervisory roles to all national level security organs. NSC is accountable to the country through parliament where it makes an annual report. NSC is chaired by the president of the country and has a membership from key security departments and ministries of the nation.[137]

National Police Service (NPS) is also established by Kenyan constitutions, with Article 243(3) mandating the organ to operate nationally under national government. An Act of parliament operationalizes NPS. The National Police Service consists of the Kenya Police Service (KPS), the Administrative Police Service (AP) and the Directorate of Criminal Investigations (DCI). KPS is amongst other duties mandated to maintain law and order, enforce all laws, detect and prevent crime. Administrative Police Services include maintenance of law and order, ensuring public peace prevails, and special duties such as prevention of stock theft.[138]

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[137] FIDH / KHRC, *Kenya's scorecard on security and justice: broken promises and unfinished business* (Nairobi: KNHCR, 2013).
[138] FIDH / KHRC, *Kenya's scorecard on security and justice: broken promises and unfinished business* (Nairobi: KNHCR, 2013).

The DCI is charged with criminal investigations, collecting and providing criminal intelligence, detecting and preventing crimes, maintaining criminal records among others4. Under the National Police Service there are special units or formations. These specialized units are the General Service Unit, Anti-Stock Theft Unit, Anti-Motor Vehicle Theft Unit, Tourism Police Unit, The Anti-Corruption Police Unit, Presidential Escort Unit, and the Anti-Terrorism Police. County policing authority is established through section 44 of the National Police Service Act (NPS Act).[139]

The body operational at county level is chaired by County Governor and draws membership from National Intelligence Service, National Police Service and the Directorate of Criminal Investigations, County Assembly Members, the Chairperson of the County Security Committees and other members appointed by the Governor representing various interests.[140] The County Policing authority is mandated to develop proposal for police performance, monitor crime trends at county level, and offer feedback on police performance at county level.

National Police Service Commission (NPSC) is another crucial security organ established by the Kenyan constitution, specifically article 246. This body is responsible for recruitment of the police, their promotion and determination of transfers. NPSC also has disciplinary duties towards police officers. Finally, the Kenya Defence Forces (KDF) is made up of Kenya Navy, Kenya Air force and Kenya Army. KDF is operationalized through Kenya Defence Forces Act. Its main duty is to defend the nation from external

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[139] FIDH / KHRC, *Kenya's scorecard on security and justice: broken promises and unfinished business* (Nairobi: KNHCR, 2013).
[140] FIDH / KHRC, *Kenya's scorecard on security and justice: broken promises and unfinished business* (Nairobi: KNHCR, 2013).

aggression but will act in pursuance of security of Kenyans even at an internal level when necessary.[141]

3.3.2. Response to Communal Conflicts in Kenya

Brigitte details some of the responses given by Kenyan governments and other stakeholders to violent communal conflicts in the country.[142] The new Kenyan constitution promulgated in 2010 was a direct result of the intense violent conflict that engulfed the country following the controversial 2007 general elections. Devolved governments were formed to allow fair distribution of national resources to local levels.

It is expected that this will reduce inter communal conflicts where previously some communities were seen to be more privileged than other in acquiring resources. At the local level, county government's will find it easier to connect with local communities and more localized stakeholders to address resource based communal conflicts.[143] The other form of response to communal conflicts in Kenya has been disarmament. This has been especially implemented in dry parts of Kenya where pastoral communities have traditionally fought.[144]

Disarmament campaigns have largely involved security agents. However, they have been criticized of not involving local communities and other stake holders not in the security sector. Even amongst security agents, it has been observed that their poor coordination has

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[141] FIDH / KHRC, *Kenya's scorecard on security and justice: broken promises and unfinished business* (Nairobi: KNHCR, 2013).

[142] Brigitte, Rohwerder. *Conflict resolutions and analysis in Kenya.* Birmingham: University of Birmingham, 2013, 12.

[143] Doucey, Mark. Understanding the Root Causes of Conflicts. *Journal of International Affairs Review, 20 9 (2), 30, 2015.*

[144] Mkutu, Berita. Disarmament in Karamoja, Northern Uganda: Is This a Solution for Localized Violent Inter and Intra-Communal Conflict? The Round Table, 2012a, 97:394, 99-120, 2019

resulted to ineffectiveness and hence poor success. For example, political dimensions to communal conflicts are not addressed through disarmament campaigns.[145]

The contribution of the state to the conflicts also gets ignored. Human rights violations have also been reported in these disarmament campaigns.[146]Kenya has responded to communal conflicts by supporting peace building initiatives. When Kenya erupted into violence following the disputed 2007 general elections, the international community strongly advocated for national dialogue amongst national level political leaders. This resulted into a peace accord at national level. The national accord appeared to ceased violence amongst communities across the country.[147]

United Nations Development Program (UNDP) realizing the failings of the national level conflict resolution mechanisms to effectively reach grassroots communities initiated a program called Community Peace, Recovery and Reconciliation (CPRR).[148] The model focuses on building the capacity of capacity of local communities to resolve conflicts amongst themselves. The model promotes local mechanisms of mitigating conflicts before they escalate to dangerous levels.

The model focuses on creating an environment where conflicting parties can dialogue, and truthfully share their experiences. This facilitates healing, forgiveness and reconciliation. The communities then find it easier to develop agreements of peace.[149]

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[145]Ibid, 30.

[146]Ibid, 12.

[147]Ibid, 12.

[148]Mkutu, Berita. Disarmament in Karamoja, Northern Uganda: Is This a Solution for Localized Violent Inter and Intra-Communal Conflict? The Round Table, 2012a, 99-120

[149]UNDP, *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi: United Nations Development Program, 2011).

3.4. Multi Stakeholder Response to Communal Conflict in Kenya

UNDP realizes that conflict hardly start in times of war but in times of seeming peace and stability. It only gets recognized in the open when it escalates to high levels. It is hence the position of the global body that stakeholders need to engage as intensively in times of peace as they do in open conflict when signs of tensions start being realized.[150]

They add that even when no tensions are evident but communities have a history of hostilities, it is advisable for stakeholders to continue engagement to build sustainable peace structures. To this end, UNDP provides programmatic support to institutions that engrain crisis prevention in their development programs in conflict prone zones of Kenya.[151]

While taking a multi-stakeholder approach to conflict management in communities it is important to ensure the stakeholders understand the conflict or at least come to a near common understanding of what the causes and nature of the conflict is.[152] Through community scans, there is an identification of conflict factors, minimum conditions necessary for possible peace, and synergies that are required to create entry points for peace in the short term and later in the long term. Without conducting a community scan, joint operations are likely to respond to the immediate presentations of the conflicts ignoring the root causes that if left unaddressed will only make subsequent conflicts not only more frequent but more intense.[153]

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[150] Leff, Jogn. Pastoralists conflicts in the Kenya-Uganda border. *International Journal of Conflict and Violence, 3,* (92), 188, 2013.

[151] UNDP, *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi: United Nations Development Program, 2011), 52.

[152] Ibid, 192.

[153] UNDP, *43.*

A crucial component while making attempts to understand the conflict is for stakeholders to get the perspectives of conflicting communities and how the conflict has affected them. This enables the communities in conflict and the stakeholders helping them seek sustained peace understand the social narratives to the conflict, and hear how the opposing parties to the conflict have been affected.[154] A safe environment gets created where communities in the conflict and stakeholders are able to express themselves with relative ease. The aim is that in the minimum the communities in the conflict are able to acknowledge their role and take responsibility of their actions. At best the communities in conflict may even apologize to each other and seek forgiveness from their victims.

Communal conflicts in Kenya tend to be seasonal and predictable. In some regions of the country such as Western and rift valley, political seasons present with inter and intra communal conflicts. Draught seasons in pastoral communities are known to create environments facilitative of communal conflicts. Security agents and other stakeholders can take advantage of this predictability to prepare their responses well.

They could use the opportunity to engage communities early to avoid the expensive security deployments and dangerous violent conflicts. The stakeholders could engage communities in efforts to seek sustainable peace way before the seasons start by addressing the causative factors before they present. The government and security agents, seeing the conflicts present in similar patterns may have the chance of evaluating their past responses and improve them for efficiency.[155]

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[154]UNDP, *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi: United Nations Development Program, 2011).
[155]Ibid, 188.

3.4.1. International Community as a Crucial Stakeholder

International community is a critical player in addressing communal conflicts in Kenya. They have invested in programs aimed at ensuring stability of Kenya. The main focus of international community has been to address deep rooted pressures that culminate into violent intercommunity conflicts.[156] However, the international community has also been engaged in short term responses to peace and security initiatives in the country.

When communities rose against each other in Kenya in 2007 and 2008, the international community used its leverage to pressure leading political players to negotiate for peace and cessation of violence. The international community contributed significant funding, logistical and technical support towards achievement of a national peace accord.[157]

In the lead up to the 2013 general elections in Kenya, the international community played a significant role in building structures that would allow peaceful coexistence between communities especially in regions with a history of politically instigated communal conflicts.[158] In addition, the international community applied pressure on Kenyan government to ensure that the new Kenyan constitution was fully implemented to reduce chances of violence recurrence.[159]

The international community has enabled Kenyan government to put in place structures that have ensured inter communal conflicts are minimized as much as possible. Some of them include the Provincial Peace Forum (PPF), District Peace Committees (DPC),

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[156] Calum Elder, *Elections and violent conflict in Kenya: Making prevention stick* (Washington, DC: United States Institute of Peace, 2014), 16.

[157] Ibid, 16.

[158] Ibid, 17.

[159] Ambrose Halakhe. *'R2P in practice': Ethnic violence in Kenya. Global Centre for Violence Prevention, 2013, 17.*

Divisional Peace Committees (DvPCs), and Location Peace Committees (LPCs).[160] The international community has capacity build these structures and financed investment in technology and intelligence gathering so that communal conflicts can be identified and responded to early enough.

3.5.   Challenges to Multi Stakeholder Approach

Though joint operations have rightfully been focused on peace agreements as a sustainable way of resolving conflicts in conflict zones of Kenya, they have failed the test of broad base. Peace negotiations in times of conflicts have been done at national level but have ignored local level conflicts or dynamics.[161] In 2007/2008 conflict that engulfed the country after hotly contested national elections a peace accord was signed at national level between the key principles in the conflict.

However, the accord did not consider the dynamics of peace and reconciliation at the local levels where conflict manifested most devastatingly. The peace accord failed to cultivate trust and intercommunity confidence that would guarantee sustained peace.[162]Whereas national level peace accords create a political environment favorable for peace, they do not address the challenges local communities have to bear with as a result of hostilities. It is local people who will have lost the lives of their loved ones or their properties most probably to people well known to them.

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[160] Ibid, 19.

[161] Ibid, 19.

[162]UNDP, *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi: United Nations Development Program, 2011).

The communities are left with tensions unaddressed that with time erupt out in localized inter-communal conflicts.[163] Multi-dimensional conflict prevention mechanisms are as good as resolution and agreements forthcoming can be sustained. Enforcement of peace agreements is one way of doing this. In Kenya however, conflicts keep emerging after peace agreements negotiated in multi stakeholder platforms are poorly enforced or communities are left feeling they were not compensated well for their loses or justice was not seen to have been done.[164]

The judicial system for example is poorly established in Kenya so that it does not reach out to perpetrators of communal hostilities in good time if at all. Judicial systems in Kenya have been tainted with corruption and manipulation by political forces.[165] Communities hence will not trust formal judicial processes for peace and justice. In other cases atrocities resulting from communal conflicts tend to be of such a magnitude that the judicial system simple do not have the capacity to handle.[166] The judiciary has also exhibited capacity gaps to handle complex cases that communal conflicts can present.

The communities hence feel retaliatory attacks are the only chance available a sense of justice. There is therefore needed to come up with a conflict management and resolution process that has alternative ways of offering justice to all parties to the conflicts.[167] Communal conflicts especially in areas where they easily happen such as amongst pastoral communities have seen Kenyans accept hostilities as their normal way of life. In areas not

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[163] Ibid, 20.

[164] Calum Elder, *Elections and violent conflict in Kenya: Making prevention stick.* (Washington, DC: United States Institute for Peace, 2014, 17.

[165] Ibid,17.

[166] Muggah, Reigh. *Dealing with fighters in the aftermath of War.* New York. Routledge, 2012.

[167] UNDP, *Community peace recovery & reconciliation: a handbook for generating leadership for sustainable peace and recovery among divided communities* (Nairobi: United Nations Development Program, 2011).

prone to traditional inter community conflicts but which are known to be volatile in political seasons, inter-communal conflicts in the zones is accepted as a normal season that dries out when the political heat slows down.

The effect of that is that stakeholders are really not interested in any long term investments for peace or to be engaged in long processes for peace. This frustrates joint operations that would result to efficient and sustainable stability. An ACLED state that communal conflicts unlike political conflicts hardly elicit Kenyan government to action and when they do it is usually late and when the conflict has escalated to levels noticeable at national levels.[168]

Security agencies have been criticized of failing to offer coordinated response to communal conflicts. They have been isolated from local communities and have hence failed to target the right people or come up with responses that will encourage community members to share intelligence.[169] It has been reported by various bodies that security agent's responses to communal conflicts in North Eastern Kenya and Western region such as Mt Elgon have been so violent and abusive to innocent local communities that communities mistrust for security agents have been increased significantly.[170]

The government has responded to communal conflicts by initiating disarmament campaigns especially in areas where the conflicts are frequent. Experts have always warned that such an approach to addressing community conflicts is ill advised and doomed to fail. They observe that disarmament campaigns ignore political dimensions of

[168]Armed Conflict Location and Event Dataset (ACLED), *African Conflict Baselines and Trends* (London, UK Aid, 2013).

[169]Andre Parrin, *Is Kenya's security policy the real enemy within?* (London: *IRIN, 2015)4.*

[170]Preventing Conflict in Karamoja: Early Warning, Security and Development. *Centre for Conflict Resolution (June 2011)*

communal conflicts and ignore the role the state may have played in creating an environment facilitative of the violence. Poor road and communication infrastructure and inadequate resources available to security agents makes disarmament campaigns an objective too ambitious to even get close to.[171]

Involvement of communities in addressing inters and intra communal conflicts are a noble idea. However, it is not without its challenges as well. Modern life is fracturing the traditional community structures especially eroding the role of community elders and their control to the youthful populations that perpetrates violence.[172] In earlier years, inter-communal conflicts were regulated by elders making it easier for peace. This is hardly case. Commercialization of communal conflicts for such ends as cattle rustling for sale as compared to rustling for traditional practices have spiraled the conflicts beyond the control of traditional community structures.[173]

3.6.   Summary of Chapter

It is evident that Kenya has for many years been perceived as beacon of peace in the horn of Africa. However, there have been several communal conflicts witnessed in the country mostly over control of resources such as pasture land, water sources and livestock. With multiparty democracy taking root in Kenya since early 1990s, political competition has been a source of intense conflicts amongst civilians. It is notable that the year 2007 and 2008 is reported as the year Kenya experienced the highest and most fatal year of community violence with a political dimension.

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[171] Ibid,*5.*

[172]Preventing Conflict in Karamoja: Early Warning, Security and Development. *Centre for Conflict Resolution (June 2011)*

[173] Ibid, 4

The study revealed that communal, militia driven violence tend to increase at the end of the year (December) and start of the year (January). January however, has been recorded to have a double higher rate of communal violence than other months in Kenya with fatalities being double as well. Most of these violent interactions are observed in pastoral regions of the country and related to scarcity of grazing areas and watering points.

It is evident that communal militias in Kenya have higher chances of attacking civilians rather than government forces as compared to other parts of Africa. However, like other regions in Africa, communal conflicts attract less reaction from the government forces as compared to political violence. The study established that communities reporting highest chances of encountering communal violence are Borana, followed by Kikuyus with Turkana coming in third. It is notable that political violence in Kenya takes communal shapes. This is informed by the reality that politics in Kenya are driven along ethnic lines. However, unlike pure communal conflicts, political conflicts involve wider regions and tend to last shorter.

It is evident that in North Rift region populated by pastoral communities, violent conflicts are common. Violence usually is in the form of cattle rustling, ethnic violence, displacement and violent retaliatory attacks. Cattle raids are done for prestige or to pay bride price. Cattle raids in these regions are however drifting away from traditional causes to commercial reasons.

The study found that in the North Rift, pastoral and agricultural communities have started having conflicts unlike in the past years. Due to climate change, the nomadic pastoralists are moving further in search of pasture and hence venture into agricultural zones. When

their cattle graze in crop fields, violent conflicts emerge. In addition, weakened government structures in arid and semi-arid areas of Kenya coupled with loss of inter-communal social contracts have made community conflicts even more violent.

A multi stakeholder approach to communal conflicts in Kenya is anchored in the new Kenyan constitution promulgated in 2010. Devolved governments were formed to allow fair distribution of national resources to local levels and thus diminish the propensity of communal conflicts. The international community is a critical player in addressing communal conflicts in Kenya. They have invested in programs aimed at ensuring stability of Kenya. The main focus of international community has been to address deep rooted pressures that culminate into violent intercommunity conflicts.

In the lead up to the 2013 general elections in Kenya, the international community played a significant role in building structures that would allow peaceful coexistence between communities especially in regions with a history of politically instigated communal conflicts. In addition, the international community applied pressure on Kenyan government to ensure that the new Kenyan constitution was fully implemented to reduce chances of violence recurrence. The international community has enabled Kenyan government to put in place structures that have ensured inter communal conflicts are minimized as much as possible. Some of them include the Provincial Peace Forum (PPF), District Peace Committees (DPC), Divisional Peace Committees (DvPCs), and Location Peace Committees (LPCs).

It is notable that a number of challenges face joint operations in conflict management in Kenya and specifically in the North Rift. First, peace negotiations in times of conflicts

have been done at national level but have ignored local level conflicts or dynamics. In 2007/2008 conflict that engulfed the country after hotly contested national elections a peace accord was signed at national level between the key principles in the conflict. However, the accord did not consider the dynamics of peace and reconciliation at the local levels where conflict manifested most devastatingly.

Secondly, whereas national level peace accords create a political environment favorable for peace, they do not address the challenges local communities have to bear with as a result of hostilities. Thirdly, conflicts keep emerging after peace agreements negotiated in multi stakeholder platforms are poorly enforced or communities are left feeling they were not compensated well for their loses or justice was not seen to have been done. The judicial system for example is poorly established in Kenya so that it does not reach out to perpetrators of communal hostilities in good time if at all.

Fourthly, communal conflicts especially in areas where they easily happen such as amongst pastoral communities have seen Kenyans accept hostilities as their normal way of life. In areas not prone to traditional inter community conflicts but which are known to be volatile in political seasons, inter-communal conflicts in the zones is accepted as a normal season that dries out when the political heat slows down.

Finally, security agencies have been criticized of failing to offer coordinated response to communal conflicts. They have been isolated from local communities and have hence failed to target the right people or come up with responses that will encourage community members to share intelligence. It has been reported by various bodies that security agent's responses to communal conflicts in North Eastern Kenya and Western region such as Mt

Elgon have been so violent and abusive to innocent local communities that communities mistrust for security agents have been increased significantly.

In summary, ease of availability of firearms to communities has made communal conflicts even more dangerous. With Kenya having porous borders especially in the north and unstable countries in the horn of Africa especially Somali means that small arms are easily made available to Kenyan communities in those regions. It is hence not a wonder than communities in North rift and North Eastern parts of Kenya have the worst forms of communal violence. Security agents have the very difficult task.

4.0.   Chapter Four: Impact of Joint Operations in Management of Communal Conflicts

4.1.   Introduction

In this chapter, an analysis of the impact of joint operations in management of communal conflicts id highlighted. In particular, it highlights the communal conflicts in North Rift Kenya.

4.2. Communal Conflict in North Rift Kenya

The Rift Valley region of Kenya has a long history of communal conflicts. Though there are multiple causes of communal conflict in North Rift, historical injustices around land ranks top of them all.[174] Land problems can be traced back to the regime that took over power in Kenya from colonialists led by Jomo Kenyatta. In the colonial times, European settlers had displaced the ancestral settlers of North Rift region, the Kalenjin, Samburu, Pokot, Turkana and Maasai from prime lands.[175]

After independence, the Kikuyu, Kisii and other communities non-indigenous to the Rift Valley were settled in land formerly occupied by the Kalenjin and other communities. The displaced ancestral owners of the land especially the Kalenjin felt short changed from back then. The community has always felt their grievances have never been adequately addressed.[176] The displaced ancestral owners of the land especially the Kalenjin felt short changed from back then. The community has always felt their grievances have never been

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[174] Schnabel, Annabel. The Human Security Approach to Direct and Structural Violence. *Trends in Armed Conflict and Security* (unpublished), 2010.

[175] Alice Nderitu, 23.

[176] Wepundi, Micheal. *An Analysis of Disarmament Experiences in Kenya*. Regional Centre on Small Arms (RECSA) Nairobi, RECSA, 2011.

adequately addressed and so in their own and mostly violent ways have sought to remove the kikuyu community from the region.[177]

Communal conflicts in North rift have been fueled by availability of fire arms especially amongst pastoral communities. The guns are mainly proliferated across borders of countries neighboring Kenya especially Ethiopia, Uganda and Somali.[178] Disarmament campaigns targeting communities in North Rift have been conducted but have failed to provide the desired results. This is attributable to the highly confrontational way the operations have been done that have only alienated local communities. More humane disarmament campaigns that promise those who surrender fire arms with immunity from prosecution is likely to bear better results. However such campaign should be promoted equally amongst conflicting communities so that one community is not left vulnerable after handing over fire arms.[179]

Communities in conflicts in North Rift Kenya have provided crucial lessons that Kenya has built on nationally. Before the 2007/2008 post-election hostilities, regions with conflicting pastoral communities in North Rift had already formed district level peace committees to enhance dialogue and initiate peace agreement processes at community level.[180] When Kenya was faced with community conflicts of a level never precedence at a national level in 2008, the government relied on the experience of peace committees in North rift and replicated them nationally. The peace committees proved a great opportunity

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[177] Crisis Group Africa Report No. 137. *Kenya in Crisis*, op. cit., p. 12.

[178] Wepundi, Micheal. *An Analysis of Disarmament Experiences in Kenya*. Regional Centre on Small Arms (RECSA) Nairobi, RECSA, 2011.

[179] Crisis Group Africa Report, 12.

[180] Wepundi, Micheal, 27.

for communities around the country to openly discuss ethnic violence and seek long term peace.[181]

4.3.　　　Political Communal Conflicts

Violence in the Rift Valley region can be accredited to many causes. Politicians whip community's emotions through historical injustices. The Rift Valley region has deep rooted land related disputes that have bedeviled the region for over half a century now. The disputes emanated from previous governments initiatives to settle communities from other regions in rift valley.[182]

The locals have felt that their ancestral land was taken away and they would like to retain it. The new communities settling there have been there since early 1970s and the only home they know is Rift Valley. Any efforts to evict them are strongly countered even if it means violent retaliation. Politicians have therefore mobilized communities based on these deep rooted grievances. It is not a wonder than since 1990, Rift valley has witnessed some form of political violence in every general election to date.[183]

In 2007/8, ethno-political violence erupted in the Rift Valley. The conflict pitied Kikuyu community and a few others that had supported then presidential candidate Mwai Kibaki against the Kalenjin community. It took the intervention of the international community to intervene in this conflict that was almost sliding Kenya into a full-fledged civil war.[184]

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[181]International Crisis Group. 2017, 13.

[182]Mapping of the Disarmament Effort in Karamojong Triangle. *Institute of Security Studies Nairobi, Kenya. November 2009.*

[183]International Crisis Group, 2017, *13.*

[184] International Crisis Group, *Kenya's Rift Valley: Old Wounds, Devolution's New Anxieties* (Brussels: Belgium, 2017), 6.

In 2002, President Moi, a Kalenjin from North Rift lost power to Mwai Kibaki, a kikuyu from central Kenya. When the new president took over power, he removed from strong government positions people who had close relationship with president Moi's regime. Politicians from Rift Valley region coming from the Kalenjin community took that as an opportunity to rally their community against Kibaki's regime claiming that Kikuyu who had already taken away their lands were now openly discriminating against them in governance.

The Kalenjin community joined hands with other communities like the Luo to support Raila Odinga as the presidential candidate in 2007. The elections raised such emotions that resulted to the devastating communal violence in the region.[185] Besides seeking to excite voters through hyping emotions around land disputes and injustices, politicians have a more sinister motive for violence. They will seek to influence voter turnout through violence. When violence is high in a stronghold controlled by a certain community, opponents not favored by that community are likely to benefit from a low voter turnout there.[186]

Communal conflicts in rift valley are feared to take a new shape in the coming years especially with the formation of county governments. Political competitions have taken a new dimension with county governments being in control of billions of shillings. It is hence likely that political emotions in the region will shift from national level politics to localize and perhaps more virulent political hostilities.

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[185] Ibid, 7.
[186] Ibid, 7.

The challenge with this form of localized violence is that it does not attract as much attention as national level conflicts and the security response is slower and less intensive.[187] The Rift Valley stands out as possible source of communal conflicts inspired by devolution considering that it is the one region in Kenya which has largest diversity of ethnic communities perhaps after Nairobi County. County government politics are hence likely to take a much stronger ethnic dimension than in all other regions of Kenya that have less pluralistic ethnic dimensions.[188]

County boundaries are not well defined and this may be another source of inter communal conflicts in North Rift. Counties have been demarcated based on former district's boundaries that were set by colonial government in Kenya. The first Kenyan government after independence redefined the boundaries but with political patronage in mind making the situation worse. Therefore County boundaries cut across ethnic communities that may be a source of communal tensions.[189]

There has been political disinterest in redefining County Boundaries partly because of the political heat they would generate. Already communal conflicts that have some relationship with boundary demarcation are being witnessed in Rift Valley especially between the Nandi/Kisumu County boundaries. Over the last six years, the area has experienced several deadly armed clashes between the Luo and Kalenjin.[190] This tension is

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[187] Ibid, 13

[188] Ibid, 7.

[189] Ibid, 21

[190] Ibid, *23*.

only anticipated to escalate in the coming years considering the key political leaders from Kalenjin and Luo communities are in opposing camps.[191]

In Nakuru County where many Kikuyu and Kalenjin community live together, there had to be some form of political agreements in managing the county after 2013 elections to avoid communal conflicts. The governor was from the kikuyu community while his deputy came from Kalenjin community. The positions in the County government had to be shared proportionately. This does not mean that tensions in Nakuru County were fully addressed. In the run up to 2017 general elections, leaflets were distributed in the county threatening the Kikuyu community with eviction if they supported a gubernatorial candidate not supported by the Kalenjin community.[192]

Tensions were realized in Uasin Gishu County in North Rift between the Kikuyu and majority Kalenjin communities in 2017 over County level politics.[193]Narok County has also witnessed tensions between the Kikuyu and Maasai communities over land resources. In 2017 general elections the tribal differences were observed during the County government elections.[194] In 2018 tensions between the Maasai community and the Kalenjins in Narok County erupted into violent confrontations seeing people murdered and house torched up.

The National Cohesion and Integration Commission (NCIC) is the body mandated by Kenyan laws to coordinate peace initiatives in Kenya. NCIC gives early warnings on

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[191] Ibid, 21.

[192] "Nakuru residents link hate leaflets to politicians ousted in primaries", *The Star*, 30 April 2017.

[193]Ibid, 13.

[194] Ibid, 6.

regions likely to experience violence in different times in Kenya.[195] The body is especially keen to provide warning of areas communities are likely to engage in political violence during election periods owing to history of intensive violence in these seasons. In the run up to 2017 general elections in Kenya, NCIC identified 19 counties in Kenya where communal political violence was likely to be experienced. Seven of these counties were in the North Rift region.[196]

4.4.   Multi Stakeholder Approach to Communal Violence in North Rift

Underlining the value of multi stakeholder approach to addressing communal conflict is the case study of communal conflict that engulfed North Rift in 2007 and 2008. The government including its security organs coordinated with the civil society to build reconciliation networks between the warring communities.[197] The coordination of these players helped mobilize grassroots communities into village level peace forums where the reality of conflicting communities were laid bare and attempts made to reintegrate social cohesion in the region.

Reconciliation processes may take much longer than joint operations may envisage but they are the only way for sustainable peace. In Nakuru County for example, reconciliation meeting between the Kikuyu and Kalenjin community under the facilitation of local security organs and civil society took sixteen weeks before a peace agreement could be agreed on but the peace agreement is till respected in most regions of the county 10 years

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[195] Ibid, 6.
[196] Ibid, 4.
[197] Ibid, 11.

later.[198]It is sad to note that this multi stakeholder approach to ensuring peace and stability in north rift communities has been abandoned.

Observers have encouraged stakeholders including the security organs especially at county level, the national government civil society and international community to resume support for local level peace initiatives.[199] There are efforts being made to enhance cooperation between security organs and county governments in ensuring sustained peace and security in North Rift. Cooperation between security organs controlled by national government and functions within county governments will help security agents in gathering intelligence, involve local communities more and create a sense of trust between local communities and security organs.[200] In Rift Valley region several county level officials have made formal request to national government for greater cooperation.

Indeed there is legal framework to coordinate security between security agencies under national government and county governments which could be exploited for greater partnership in North Rift. The National Police Service Act (2011) established the County Policing Authority (CPA). The CPA structure should be made a priority in North Rift.[201]

The most dangerous community conflicts in North Rift are politically driven and mostly informed by happening in national level politics. It is likely to be against the interests on County governments in rift valley to have violence since it devastates county economies the lifeline of County governments. The County Governments therefore have greater

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[198] Andre Parrin, *Is Kenya's security policy the real enemy within?* (London: *IRIN, 2015)*.

[199] Gyn Lynch 'Electing the 'alliance of the accused': The success of the Jubilee Alliance in Kenya's Rift Valley' *Journal of Eastern African Studies*, *8*.1 (2014) 93-114.

[200] Ibid, 108.

[201] Ibid,114.

motivation to support security organs in averting politically driven community violence in the region.[202]

4.5.   Challenges to Multi-Stakeholder Approach

To address politically inspired violence in North Rift, political figures have sought to establish alliances. This was seen as the case when key political figures from Kalenjin and kikuyu communities formed a political alliance. Kikuyu and Kalenjin communities have had politically instigated hostilities that have devastated the region. This alliance was seen as critical in ensuring there was no political violence in Rift Valley in 2013. However, the wounds between the two communities (Kalenjin and Kikuyu) that resulted from previous conflicts have not been healed as yet.[203]

There is always a risk that the unaddressed tensions would still erupt into violence in coming years. Partners have since abandoned peace initiatives that had taken steam after 2007 and 2008 post-election violence in the region under the guise of the 'new peace'.[204] The peace committees formed in North Rift following the 2007 general elections were marred with difficulties. The selection of members was dirtied with political patronage. Members were not selected based on their ability to truly include the interests of local communities but those of politicians.

The committees were poorly funded meaning they were unable to reach out to communities in rural areas where violence was most destructive.[205] Participants in the committees were expected to use their own resources to travel and so on which limited the

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202 Ibid, 13.
203 Ibid, 114.
204 Ibid, 95.
205 Andre Parrin, *Is Kenya's security policy the real enemy within?* (London: *IRIN, 2015)*.

kind of people who could participate by alienating the very poor who most probably had suffered the most.[206]

Security agencies and other stake holders are encouraged to start preparing for violent communal conflicts in North Rift. Peace programs that had been at their pick in 2008 following the post-election violence should be reinitiated encouraging communities to have honest dialogues that would prevent violence. Security agents working in coordination with other stakeholders including local communities should develop early warning systems to alert them to possible conflicts. Other community members who fled violence from deep parts of Uasin Gishu County have recorded statements to the effect that even with reconciliation efforts they were forced to sell their land and property to local communities under threats.[207]

In 2017, security organs in Kenya deployed a large number of security agents in North Rift regions to address any communal conflicts that could have been witnessed as a result of election related tensions.[208] However National Cohesion and Integration Commission (NCIC) have been criticized as being one of the weakest links to the multi stakeholder approach of ensuring security and peace in North Rift region. The body hardly names out or initiates prosecution of political leaders who incite communities in the region to violence though the body has clear mandate by law to do so.[209]

NCIC does not have the adequate capacity to monitor political activities and gather evidence of hate speech and incitement by politicians and others that can ensure successful

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[206] Ibid, 4.

[207] Ibid, 5.

[208] Ibid, 23.

[209] Walter Okumu, "Trans-local peace building among pastoralist communities in Kenya: The case of Laikipia Peace caravan" *Culture and Environment in Africa,* 3 (2013),18.

prosecution of suspects. Though the Kenyan parliament established a law defining each body's roles, implementation has been low. The bodies tend to work in competition, and have different interests that frustrate coordination. Experts have recommended a new law that would merge the two bodies to avoid duplication of roles and the inefficiencies that follow.[210]

Impunity by political leaders has been fronted as the biggest challenge security organs and government institutions face in their attempts to address recurrent communal conflicts in North Rift. The Kenyan judiciary and investigative agencies have been blamed for failure to successfully prosecute any politician for communal violence in the region. Following the post-election violence of 2007/2008, the failure of Kenyan investigative agents and the judiciary to even make an attempt to prosecute major political players in the violence had the international community intervene.

International Criminal Court started investigations that eventually saw key political figures being taken to ICC courts in Europe. A multi stakeholder approach to addressing communal conflict in North Rift would of necessity need to engage the judiciary so that their role of giving justice and making local communities see justice to have been provided to get emphasized.[211]

It has been anticipated that security organs that are largely controlled by the national government would cooperate with County governments for intelligence gathering, monitoring insecurity trends, gather intelligence and provide early warning where

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[210] Ibid, 18.

[211] Samuel Gibbons, *Draft discussion brief: Towards peace and security in dryland Kenya: the demand for a new approach*. (Pastoralist Parliamentary Group and Drylands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa, 2014.

communal conflicts are likely to erupt.[212] However, North Rift region has witnessed tensions between County Governments and national government. There have been differences regarding the role of County commissioners who represent the national government and governors who have felt undermined, in the security sector, by the county commissioners.[213]

Some governors have even gone public to denounce county commissioners as unconstitutional. The government on the other hand is afraid that giving too much power on security issues to county governments may in the long run jeopardize national security if county governments attempt to undermine national government.[214] The CPA has been poorly resourced. The county government has excused themselves from funding the CPAs claiming it is a national level function while the national government believes it should be a shared responsibility.[215]

These tensions and differences have only served to frustrate opportunities for cooperation between County governments in North Rift and the national government. Though the concerns of the national government are valid, it is still possible to maintain cooperation between the two levels of government on security issues. The national government could maintain decision making authority with county government offering advice and a level of oversight.[216]

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[212]Ibid, 11.

[213] Ibid 26.

[214] Ibid, 27.

[215]Ibid, 12.

[216] Ibid, 9.

Disarmament campaigns done in North Rift to address cattle rustling and inter-communal conflicts amongst pastoral communities have been massive failures despite being promoted since 1970s by successive Kenyan governments. The campaigns are very violent and security agents have failed to coordinate well not only amongst themselves but also poorly involved other stakeholders. Pastoral communities in North Rift do not only fight communities within Kenya but also tend to fight with communities across the borders such as Karamojong from Uganda and other communities in Ethiopia.

4.6.   Chapter Summary

It is imperative that the Rift Valley region of Kenya has a long history of communal conflicts. Though there are multiple causes of communal conflict in North Rift, historical injustices around land ranks top of them all. Land problems can be traced back to the colonial times. European settlers displaced the ancestral settlers of North Rift region, the Kalenjin, Samburu, Pokot, Turkana and Maasai from prime lands. It is seen that after independence, the Kikuyu, Kisii and other communities non-indigenous to the Rift Valley were settled in land formerly occupied by the Kalenjin and other communities. The displaced ancestral owners of the land especially the Kalenjin felt short changed from back then. The community has always felt their grievances have never been adequately addressed.

Mostly, the communal conflicts in North rift have been fueled by availability of fire arms especially amongst pastoral communities. The guns are mainly proliferated across borders of countries neighboring Kenya especially Ethiopia, Uganda and Somali. Disarmament campaigns targeting communities in North Rift have been conducted but have failed to provide the desired results. It is evident that politics is one of the prominent causes of

communal conflicts in North Rift Kenya. The most serious of politically instigated communal violence happened in 2007 and 2008 after disputed general elections. The conflict pitied Kikuyu community and a few others that had supported then presidential candidate Mwai Kibaki against the Kalenjin community.

It is notable that multi stakeholder approach to addressing communal conflict is evident in communal conflict that engulfed North Rift in 2007 and 2008. The government including its security organs coordinated with the civil society to build reconciliation networks between the warring communities. The coordination of these players helped mobilize grassroots communities into village level peace forums where the reality of conflicting communities were laid bare and attempts made to reintegrate social cohesion in the region. It is established that cooperation between security organs controlled by national government and functions within county governments may help security agents in gathering intelligence, involve local communities more and create a sense of trust between local communities and security organs.

It is established that challenges to multi-stakeholder approach in the North Rift are that there is a risk that the unaddressed tensions would still erupt into violence in coming years. This is evident from the fact that partners have since abandoned peace initiatives that had taken steam after 2007 and 2008 post-election violence in the region.

Bodies mandated with enhancing peaceful resolutions to conflicts such as the National Cohesion and Integration Commission (NCIC) have been criticized as being the weakest links to the multi stakeholder approach of ensuring security and peace in North Rift region. The body hardly names out or initiates prosecution of political leaders who incite

communities in the region to violence though the body has clear mandate by law to do so. It is evident that impunity by political leaders has been fronted as the biggest challenge security organs and government institutions face in their attempts to address recurrent communal conflicts in North Rift. The Kenyan judiciary and investigative agencies have been blamed for failure to successfully prosecute any politician for communal violence in the region.

It is seen that security organs that are largely controlled by the national government would cooperate with County governments for intelligence gathering, monitoring insecurity trends, gather intelligence and provide early warning where communal conflicts are likely to erupt. However, North Rift region has witnessed tensions between County Governments and national government regarding the role of County commissioners who represent the national government and governors who have felt undermined in the security sector.

Finally, disarmament campaigns done in North Rift to address cattle rustling and inter-communal conflicts amongst pastoral communities have been massive failures despite being promoted since 1970s by successive Kenyan governments. The campaigns are very violent and security agents have failed to coordinate well not only amongst themselves but also poorly involved other stakeholders.

5.0   Chapter Five: Summary, Findings, Conclusions and Recommendations

5.1.   Introduction

This chapter presents the summary, findings and conclusions of the study. It also highlights the recommendations and areas for further research.

5.2.   Summary of the Study

The purpose of the study is to examine the multi-Agency operational approach to communal conflicts: The North Rift region of Kenya. The specific objectives were: to establish the concept of joint operations in addressing inter and intra communal conflicts. to assess the experience of Kenya in regard to joint operations in intra and inter-communal conflicts and to examine the impact of joint operations in the management of communal conflicts in the North Rift region of Kenya.

The study is anchored by three theories: the Theory of Change and Mainstream Stakeholder theory. The theory of change was conceptualized at the Aspen Institute Roundtable on Community Change as a means to model and evaluates comprehensive community initiatives. The proponents of the theory of change are Huey Chen, Peter Rossi, Michael Quinn Patton, Heléne Clark, and Carol Weiss. The theory explains how peace building activities are related to peace results at different levels. The theory is therefore applicable in this study in highlighting the aspect of application of multi-disciplinary approach in solving communal conflicts.

The proponent of Stakeholder theory was Dr. Edward Freeman, a professor at the University of Virginia. The theory considers the level of leverage different players to a

conflict can exert in the process of resolving the conflict. The theory defines a stakeholder to a conflict as any individual, group or organization with an interest in the outcome of the conflict whether positive or negative. The theory is applicable in the study since it highlights the issue of multi-agency approach in conflict resolution through the use of different parties or stakeholders.

Maneuver Theory was developed by two military theorists: Robert Leonhard and Robert Bateman in 1971. The theory stipulates that the security agency may apply force to defeat the violent elements of the parties in conflict but not to destroy the violent players in the conflict. To achieve this, the military force needs to apply three methods; pre-emption, disruption and dislocation. The theory is applicable in community conflicts because security forces are aware that destroying the community infrastructure and their people, even the violent ones, will not work in the long term interests of peace and stability.

This study applied the three theories in highlighting the aspect of management of community conflicts. The theories enabled the study to discuss the impact of multi-stakeholder approach to peace in North Rift. This study made use of library based research that utilized secondary data sourced from library sources, books, e-books, government publications, journals, newspapers and magazines. The data was systematically analyzed to identify the major findings from which the research realized its conclusions and recommendations.

5.3. Findings of the Study

In an attempt to establish the multi-Agency operational approach to communal conflicts in the North Rift region of Kenya, the focus was based on three criteria. This involved

addressing the concept of joint operations in addressing inter and intra communal conflicts; assessing the experience of Kenya in regard to joint operations in intra and inter-communal conflicts and examining the impact of joint operations in the management of communal conflicts in the North Rift region of Kenya

5.3.1. Joint Operations in Addressing Inter and Intra Communal Conflicts

The findings revealed that in addressing the concept of joint operations in addressing inter and intra communal conflicts, community conflicts can be inter-communal or intra communal. Both of the conflicts may occur between two distinct communities defined by ethnicity or other identity markers. It is established that communal level conflicts have capacity to escalate to national level violent confrontations and in some cases may move ahead to be international in nature. Communal level conflicts have in many cases gone ahead to destabilize nations and even regions. It is seen that compared to state level conflicts, communal conflicts tend to be shorter lived and less destructive.

Communal conflicts are notable to have a highly likelihood of happening in Africa than any other region in the world. In a period of twenty-five years spanning from 1990 to 2015, the continent had 386 individual conflict years. This means that 64% of all communal conflicts recorded in the world between 1990 and 2015 occurred in Africa. The three broad categories of the occurrence of communal conflicts in Africa include: authority, loot able resources and territory. Conflict over authority is the cause of almost a third of all communal level conflicts in Africa. In this conflict type, the goal of one warring communities is to control the other or at least avoid being controlled.

Conflicts over loot able resources have included communal cattle raids. Of the conflict years recorded between 1990 and 2015, 23% where over loot able resources and of those, 93% were about cattle. These types of conflicts are common in countries around the horn of Africa. Territory based communal conflicts are the most violent in Africa. Some of the countries affected by this kind of conflict include Uganda, Kenya, Sudan, South Sudan, Nigeria, Chad and Mali.

It is seen that amongst the military forces, joint operations typically involve collaboration between different security and armed agencies and government arms. Joint armed operations may provide coordinated leadership with other stakeholders or use their individual strategic positions to leverage influence to other players. In many cases, military units will create security environment that will facilitate other non-military units to operate to a desired outcome.

The study established that United Nations had previously not considered community level conflicts as its concern but rather focused on national level conflicts. Even when community level conflicts were high, the UN considered them a symptom of national level conflicts. For example, in DR Congo, the failure of UN's initial missions was blamed on the military's indifference to community level conflicts.

5.3.2. Experience of Kenya in Regard to Joint Operations

The finding is that there have been several communal conflicts witnessed in Kenya mostly over control of resources such as pasture land, water sources and livestock. With multiparty democracy taking root in Kenya since early 1990s, political competition has been a source of intense conflicts amongst civilians. It is notable that the year 2007 and

2008 is reported as the year Kenya experienced the highest and most fatal year of community violence with a political dimension.

The study revealed that communal, militia driven violence tend to increase at the end of the year (December) and start of the year (January). January however, has been recorded to have a double higher rate of communal violence than other months in Kenya with fatalities being double as well. Most of these violent interactions are observed in pastoral regions of the country and related to scarcity of grazing areas and watering points. The study established that communities reporting highest chances of encountering communal violence are Borana, followed by Kikuyus with Turkana coming in third.

It is evident that in North Rift region populated by pastoral communities, violent conflicts are common. Violence usually is in the form of cattle rustling, ethnic violence, displacement and violent retaliatory attacks. Cattle raids are done for prestige or to pay bride price. Cattle raids in these regions are however drifting away from traditional causes to commercial reasons. The study found that in the North Rift, pastoral and agricultural communities have started having conflicts unlike in the past years. Due to climate change, the nomadic pastoralists are moving further in search of pasture and hence venture into agricultural zones.

A multi stakeholder approach to communal conflicts in Kenya is anchored in the new Kenyan constitution promulgated in 2010. Devolved governments were formed to allow fair distribution of national resources to local levels and thus diminish the propensity of communal conflicts. The international community is a critical player in addressing communal conflicts in Kenya. They have invested in programs aimed at ensuring stability

of Kenya. The main focus of international community has been to address deep rooted pressures that culminate into violent intercommunity conflicts.

It is notable that a number of challenges face joint operations in conflict management in Kenya and specifically in the North Rift. First, peace negotiations in times of conflicts have been done at national level but have ignored local level conflicts or dynamics. Secondly, whereas national level peace accords create a political environment favorable for peace, they do not address the challenges local communities have to bear with as a result of hostilities. Thirdly, conflicts keep emerging after peace agreements negotiated in multi stakeholder platforms are poorly enforced or communities are left feeling they were not compensated well for their loses or justice was not seen to have been done.

Fourthly, communal conflicts especially in areas where they easily happen such as amongst pastoral communities have seen Kenyans accept hostilities as their normal way of life. Finally, security agencies have been criticized of failing to offer coordinated response to communal conflicts. They have been isolated from local communities and have hence failed to target the right people or come up with responses that will encourage community members to share intelligence.

5.3.3. Impact of Joint Operations in Management of Communal Conflicts in North Rift Region

It is imperative that the Rift Valley region of Kenya has a long history of communal conflicts. Though there are multiple causes of communal conflict in North Rift, historical injustices around land ranks top of them all. Mostly, the communal conflicts in North rift have been fueled by availability of fire arms especially amongst pastoral communities. The

guns are mainly proliferated across borders of countries neighboring Kenya especially Ethiopia, Uganda and Somali.

It is notable that multi stakeholder approach to addressing communal conflict is evident in communal conflict that engulfed North Rift in 2007 and 2008. The government including its security organs coordinated with the civil society to build reconciliation networks between the warring communities. It is established that cooperation between security organs controlled by national government and functions within county governments may help security agents in gathering intelligence, involve local communities more and create a sense of trust between local communities and security organs.

It is established that challenges to multi-stakeholder approach in the North Rift are that there is a risk that the unaddressed tensions would still erupt into violence in coming years. This is evident from the fact that partners have since abandoned peace initiatives that had taken steam after 2007 and 2008 post-election violence in the region. Bodies mandated with enhancing peaceful resolutions to conflicts such as the National Cohesion and Integration Commission (NCIC) have been criticized as being the weakest links to the multi stakeholder approach of ensuring security and peace in North Rift region. The body hardly names out or initiates prosecution of political leaders who incite communities in the region to violence though the body has clear mandate by law to do so.

It is evident that impunity by political leaders has been fronted as the biggest challenge security organs and government institutions face in their attempts to address recurrent communal conflicts in North Rift. The Kenyan judiciary and investigative agencies have been blamed for failure to successfully prosecute any politician for communal violence in

the region. It is seen that security organs that are largely controlled by the national government would cooperate with County governments for intelligence gathering, monitoring insecurity trends, gather intelligence and provide early warning where communal conflicts are likely to erupt.

Finally, disarmament campaigns done in North Rift to address cattle rustling and inter-communal conflicts amongst pastoral communities have been massive failures despite being promoted since 1970s by successive Kenyan governments. The campaigns are very violent and security agents have failed to coordinate well not only amongst themselves but also poorly involved other stakeholders.

5.4. Conclusions of the Study

5.4.1. Joint Operations in Addressing Inter and Intra Communal Conflicts

The findings revealed that joint operation is a feasible approach when dealing with inter and intra communal conflict. This may involve joint armed operations involving the military units creating a security environment that facilitates other non-military units to operate to a desired outcome. Though international players like the United Nations had previously not considered community level conflicts as its concern it is currently doing so. In Darfur and South Sudan, the UN Security Council (UNSC) has authorized peacekeepers to address local conflicts. The null hypothesis is therefore rejected and the study thus concludes that the concept of joint operations is significant in addressing inter and intra communal conflicts.

5.4.2. Experience of Kenya in Regard to Joint Operations

The finding established that several communal conflicts have been witnessed in Kenya mostly over control of resources such as pasture land, water sources and livestock. A multi stakeholder approach to communal conflicts in Kenya is anchored in the Kenyan constitution promulgated in 2010. Devolved governments were formed to allow fair distribution of national resources to local levels and thus diminish the propensity of communal conflicts. The international community is a critical player in addressing communal conflicts in Kenya. They have invested in programs aimed at ensuring stability of Kenya. Therefore, the null hypothesis is rejected and the study concludes that Kenya has significant experience in regard to joint operations of intra and inter-communal conflicts.

5.4.3. Impact of Joint Operations in Management of Communal Conflicts in North Rift Region

The findings established that the North Rift Valley region of Kenya has a long history of communal conflicts. Mostly, the communal conflicts in North rift have been fueled by availability of fire arms especially amongst pastoral communities. Multi stakeholder approach to addressing communal conflict is evident in communal conflict that engulfed North Rift in 2007 and 2008. The government including its security organs coordinated with the civil society to build reconciliation networks between the warring communities. Though challenges to multi stakeholders approach to addressing communal conflict in the North Rift abound, there are impacts of the effort in the region. Thus the null hypothesis is rejected and the study concludes that there is significant impact of joint operations in the management of communal conflicts in the North Rift region of Kenya.

5.5. Recommendations of the Study

5.5.1. Joint Operations in Addressing Inter and Intra Communal Conflicts

The study recommends that emphasis should be made on ensuring that joint operations using more stakeholders especially in localized communal conflicts. This may create the desired avenues for gaining lasting solutions to communal conflicts.

5.5.2. Experience of Kenya in Regard to Joint Operations

The study recommends that more efforts should be focused in employing joint stakeholders approach to solve communal conflicts in the North Rift region. This is because Kenya has significant experience regarding joint operations of intra and inter-communal conflicts.

5.5.3. Impact of Joint Operations in Management of Communal Conflicts in North Rift Region

The study recommends for emphasis to overcome challenges facing the approach of joint operations in conflict resolution in the North Rift. This is due to the fact that joint operations have significant impact in the management of communal conflicts in the North Rift region of Kenya.

5.6.   Areas for Further Research

1.   A study should be conducted to address the challenges facing the multi-agency operational approach to communal conflicts in the North Rift region of Kenya.

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