

**AGRO-PASTORAL CONFLICTS AND COOPERATION IN KENYA: THE CASE OF  
ORMA AND POKOMO IN TANA DELTA, 1992-2017**

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## DECLARATION

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

Signature..... Date.....

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### **Supervisors' Approval**

This research project has been submitted for examination with our approval as the University supervisors.

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2. Signature.....Date.....

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## **DEDICATION**

This project paper is dedicated with untellable love to my parents, Mr. and Mrs. Francis Volisi  
Musyoka

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Working and completing my project paper would be impossible had it not been for many individuals who assisted me greatly through this laborious process of research and writing. I especially want to thank my supervisors, Dr. Kenneth Ombongi and Dr. Herbert Misigo for all their support and guidance during the research proposal stage and the project writing process. Working with you was one of the most fulfilling experiences a graduate student can hope for. I feel deeply honored for your devotion of time, knowledge and wisdom in order to see me through all the exhilarating and difficult times that come with writing a research project. To the University of Nairobi through the Department of History and Archaeology, I owe deep gratitude for offering me the opportunity and a scholarship to pursue my graduate studies in Armed Conflict and Peace Studies.

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## **ABSTRACT**

This project paper looks at the various initiatives adopted by local communities in Tana River Delta to promote inter-ethnic cooperation between the Orma pastoralists and Pokomo farmers. Most of the published works on the study area tend to focus on the conflicting nature of the two communities in their relations. This study argues that the overly conflictual presentation by scholars about the issues in the study area obfuscates the reality and that there are moments of cooperation between these communities that need to be unraveled and explained. Accordingly this research project brought out the various peace initiatives that have been used in resolving farmer/ herder conflicts in the Tana Delta. The main hypothesis of the study is that an analysis of these peace initiatives by the local communities will give a more detailed and complete picture of inter-ethnic relations between the Orma and Pokomo. It was guided by three objectives; to examine causes of Orma-Pokomo conflicts, to assess the impact of this conflict and to analyze their various areas of cooperation at the grassroots level. The outcomes of the research draw on the Subaltern conceptual argument to explain how actors at the local level are as influential in determining inter-community peaceful relations just like external forces. The study was conducted in Garsen Constituency and which is found in the delta region. The project is based on archival research, review of both documented and published works as well as oral interviews with various respondents who are well versed with the patterns of farmer-herder relations in Tana Basin. The study used purposive sampling method and snowballing technique to identify respondents interviewed with a question guide. The data collected was analyzed qualitatively and presented in a narrative form. The study found out that indeed the Orma and Pokomo had developed various ways to promote peace between the two communities. These include use of Nyumba Kumi community policing, use of symbolism and rituals, economic diversification, promotion of education, sharing of social services in urban centers, using of sports as a tool of promoting coexistence, role of women and professionals from the area as well as community radio stations.

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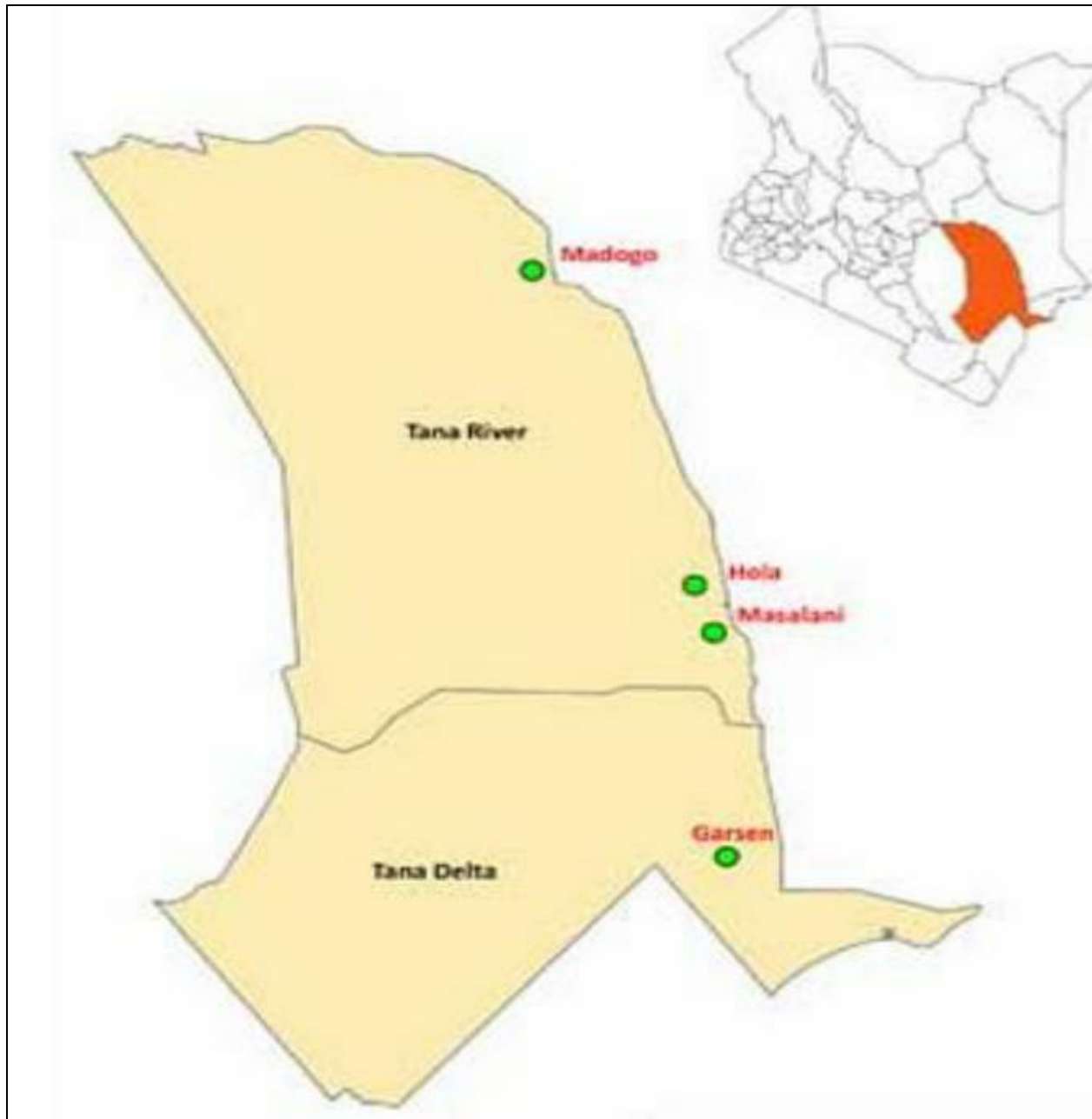
## LIST OF ABBREVIATIONS

AP	Administration Police
CORD	Coalition for Reforms and Democracy
DC	District Commissioner
DO	District Officer
GSU	General Service Unit
HRW	Human Rights Watch
IDP	Internally Displaced Person
KADU	Kenyan African Democratic Union
KANU	Kenya African National Union
KDF	Kenya Defence Force
KNBS	Kenyan National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
KPU	Kenya People's Union
KRCS	Kenya Red Cross Society
MCA	Member of County Assembly
MP	Member of Parliament
MRC	Mombasa Republican Council
MUHURI	Muslims for Human Rights
NARC	National Rainbow Coalition
TARDA	Tana and Athi Rivers Development Authority

## OPERATIONAL DEFINITION OF TERMS

<b>Gasa</b>	Pokomo Council of Elders
<b>Harambee</b>	A public meeting often fundraising
<b>Ibisa</b>	Traditional Peace Ceremony between Orma and Pokomo
<b>Malka</b>	A passage corridor used by the Orma to drive their animals to water points
<b>Matadeda</b>	Orma Council of Elders
<b>Shifta</b>	Bandit (originally Somali separatist)

## Map of Tana River County showing the Delta region



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<sup>1</sup> Source: Department of Geography, University of Nairobi

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the Study

In Kenya, subsistence crop farmers and pastoralists have existed side-by-side for centuries. This dual economy is characterized by complementarity as these communities share the available natural resources such as land, water and pastures for their livelihoods. Overtime, this sharing between farming and pastoral communities that lived in the same area led to development of independent relationships through reciprocity, exchange and support. At the same time, conflicts between the farmers and herders have arisen over the years. Some of these disputes have escalated into widespread violence, deaths and displacement of people. There are several cases of agro-pastoral conflicts in the country. Notable examples include conflicts between the Meru and Borana in Meru/Isiolo border, Maasai and Kisii in Transmara area, Somali and Kamba in Kitui/ Tana border and Maasai and Kikuyu in Mai Mahiu.<sup>2</sup>

This study focuses on the relationship between the Orma and Pokomo communities in the Tana Delta. The Tana Delta refers to the floodplain ecosystem of the lower Tana River in south-eastern Kenya. Geographically, the delta lies in the coastal lowland which is characterized by low, erratic rainfall and high temperature. The rainfall is low with a mean annual range of 300-500mm.<sup>3</sup> It experiences long rains in the months of April and May while short rains occur in the months of October and November. The average annual temperatures are approximately 30 degrees Celsius but the region experiences humid conditions.<sup>4</sup> The basin forms the interface between River Tana and the Indian Ocean and it comprises of both freshwater and saline wetlands, grasslands, forests and woodland along the riverbanks.

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<sup>2</sup> Othieno, N. Remarginalizing Kenyan pastoralists: The hidden Curse of national growth and development. (African Study Monographs, Vol. 50, 2010) p.53.

<sup>3</sup> Catherine Kaingu et al., "Ethnobotanical Study of Medicinal Plants Traditionally used in Tana River County for Management of Illnesses.", *Asian Journal of Complementary and Alternative Medicine* 2, no. 2 (2014): p.2.

<sup>4</sup> Catherine Kaingu et al. op. cit., p.2.

The delta ecosystem supports many species of plants, animals, and birds alongside sustaining pastoral, agricultural and fishing economies of the local people. The area is inhabited by various ethnic groups with the main ones being the Pokomo, Orma, Somali, Malakote, Munyoyaya, Bajuni, and Wata. The Orma and Somali who are livestock keepers use the wetlands as dry-season grazing areas for their animals. On other hand, the Pokomo, who are majorly farmers, grow their crops on the river's floodplains as well as carrying out some fishery in the river. Nonetheless, sharing of the delta's resources for both farming and pastoral communities has opened a Pandora's Box of agro-pastoral conflicts mainly between the Orma and Pokomo. The two ethnic groups have long coexisted in symbiotic relationships that endured both peace and contentious engagements in the Tana basin. They have engaged in multiple clashes since the 17<sup>th</sup> century. There were major conflicts between the two groups in 1991, 1992, 1995, 1999, 2001/2002, 2004, 2009 and 2012/2013.<sup>5</sup> Despite that, the two communities have managed to coexist.

The existing analyses of Orma-Pokomo relations however, give excessive attention to the conflicting nature of the two communities at the expense of the peaceful aspect of their interactions. For example, these scholarly works cite large-scale land acquisition, competition for political positions, decline of traditional conflict management instruments, contrasting economic livelihoods of farming and herding as well as incitement through the media as the major causes of Orma-Pokomo conflict.<sup>6</sup> Whereas it is true that the two ethnic groups have disparate needs and interests due to their different cultures and lifestyles, most of the time the communities live together peacefully. It is against this background that the current study augments the extant studies by adding a new dimension of interpreting Orma-Pokomo relations via analysis of factors that promote peaceful coexistence in the delta. The outcomes of the study will contribute to our knowledge of inter-ethnic conflicts particularly those pitting farmers and nomads by looking at the ways they use to resolve their disagreements and promote cohesion.

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<sup>5</sup> Kipkemoi S., Nyamasyo G., Mari N., and Musingi J., "Natural resource based conflicts in Tana River County, Kenya." (International Academic Journal of Human Resource and Business Administration, vol. 2, no.3, 2017), p.601.

<sup>6</sup> Kipkemoi et al, op. cit., p.603.

This project paper is organized into six chapters. Chapter one forms the introductory part which explains the purpose and organization of this research. The second chapter covers the historical background to the Orma and Pokomo inter-community relationship. In this chapter, I argue that the current state of their relationship is a by-product of key events that occurred in the course of their living in Tana Delta. The third, fourth and fifth chapters answer the specific objectives of the study which cover the causes of conflict, effects and areas of cooperation between the Orma and Pokomo. The sixth chapter summarizes the findings.

## **1.2 Statement of Research Problem**

The relations between the Orma and Pokomo in the Tana Delta are characterized by spells of relative calm interrupted by regular bouts of inter-ethnic violence. The delta experienced large-scale ethnic clashes in 1991, 1992, 1995, 1999, 2001, 2002, 2004, 2007, 2012 and 2013.<sup>7</sup> It is intriguing, however, that despite these regular conflicts, the Orma and Pokomo have managed to find ways of resolving their conflicts which has promoted cooperation. However, when most scholars write about the Orma-Pokomo inter-community relations they tend to focus majorly on the conflict aspect of this relationship and leave out instances of peaceful coexistence.

For example, Kagwanja cites conflicts as arising from competition over reduced land acreage due to displacements by mega projects by the government and private developers in the Tana delta.<sup>8</sup> According to Kirchner ethnic-based political mobilization for various elective seats in the study area forms the root of Orma-Pokomo clashes.<sup>9</sup> Another study by Mohamed links the Orma-Pokomo conflict to differences in their livelihoods of farming and herding and the resultant competition for water and land.<sup>10</sup> Incitement through the media in the form of biased reporting and spread of rumours is the cause of conflict in the area according to Khamadi's

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<sup>7</sup> Nyagah, Robert. A history of war between herders and crop farmers. Daily Nation, August 23<sup>rd</sup> 2012.

<sup>8</sup> Kagwanja, Peter, Mwangi. "Globalization, ethnicity, localizing citizenship: Globalization, identity, politics and violence in Kenya's Tana River region." (CODESRIA Africa Development Vol.28 no. 1 & 2 of 2003) p. 135.

<sup>9</sup> Katja, Kirchner. 'Conflicts and Politics in the Tana Delta, Kenya: An Analysis of the 2012-2013 Clashes and the General and Presidential Elections 2013' (MA thesis, University of Leiden) p. 85.

<sup>10</sup> Mohamed, Adey. "Underlying causes of inter-ethnic conflict in Tana River County, Kenya." (MA Thesis, Department of Peace and Conflict, University of Manitoba, Winnipeg, 2015) p. 66.

work.<sup>11</sup> In yet another work by Cuppen, the reason for deterioration of relations between the two communities is the erosion of the influence of traditional conflict resolution mechanisms such as elders due to modern state agencies like chiefs, courts and police.<sup>12</sup>

In trying to explain why there are perennial inter-ethnic conflicts between the Orma and Pokomo, the aforementioned studies disregard the fact they also have a peaceful history. The two communities have been living together in the Tana basin since the 16<sup>th</sup> century. As such, the central argument of this study is that the Orma-Pokomo relations are not solely defined by conflicts but there also instances of peaceful cooperation and which have not received enough scholarly attention. The two communities at the Tana Delta have devised strategies to resolve the various issues that give rise to inter-ethnic disputes between the Orma and Pokomo. This is a missing dimension in most published works regarding farmer-herder relations in the study area and this research is aimed at adding depth to augment the extant studies. The outcomes of the study will yield a better understanding of the Orma-Pokomo relations.

### **1.3 The Goal and Objectives of the Study**

The goal of the study was to create an understanding of the contemporary history of inter-ethnic conflict and cooperation in inter-community relationship in rural Kenya.

The specific objectives were:

- i. To examine the causes of conflict between the Orma and Pokomo at the local level
- ii. To assess the impacts of Orma and Pokomo inter-ethnic conflict
- iii. To analyse the areas of cooperation between the Orma and Pokomo at the local level

### **1.4 Research Questions**

- i. What are the causes of conflict between the Orma- Pokomo at the local level?
- ii. What are the impacts of Orma and Pokomo inter-community conflicts?

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<sup>11</sup> Khamadi, Baron, Shitemi. "The role of the media in conflict situations in Kenya: A case of the Tana Delta Conflict."(MA Research Project in Peace and Conflict Management, Department of History, Archaeology and Political studies, Kenyatta University, 2015) p.5.

<sup>12</sup> Cuppen, Joris. "Making peace under the mango tree: A study on the role of local institutions in conflicts over natural resources in Tana Delta, Kenya." (MA thesis, Radboud University, Nijmegen. 2013) p. 14.

iii. What are the areas of cooperation between the Orma and Pokomo?

### **1.5 Justification of Proposed Research**

There is a paucity of academic literature that focuses on peace initiatives between the Orma and Pokomo in Tana Delta. Some of these peace initiatives in the area of study are only covered in local dailies and social media postings. This study aims at filling that gap by researching those factors that promote cooperation in the delta. The outcomes of this study will be useful for academic research on resource-based inter-ethnic conflicts and cooperation. These include referrals for academic studies and further scholarly research on armed conflict and peace studies. The project paper will add to the existing scholarly works about Tana River inter-ethnic clashes thereby providing a wider pool for academic reference.

Cases of agro-pastoral conflicts are on the rise in Kenya and are thus not just limited to Tana River County. These range from conflicts between the Maasai- Kikuyu over Lake Naivasha basin, Borana- Meru at Meru/ Isiolo border, Pokot- Marakwet in Kerio Valley, Kamba- Somali in Kitui/ Tana border, Giriama/ Wardei in Kilifi and the Samburu and private ranch owners in Laikipia. Tana River clashes are of intriguing interest to the researcher. However, the Orma and Pokomo inter-communal conflict presents a unique and intriguing scenario. The Tana Delta is a marginalized and an impoverished region despite being rich in natural resources such as fertile land, forestry, abundant water, fish and many animal and plant species due to its proximity to River Tana, Kenya's longest river.

The two communities that occupy the area are also divided along social-cultural and economic spheres; the Orma are Cushitic, Muslim and nomadic pastoralists whereas the Pokomo are Bantu, Christian, and sedentary farmers.<sup>13</sup> Divisions between the two groups are thus clearly drawn. Politically, the members and political leaders of the communities have supported different political parties since 1992, after multi-partyism was introduced in Kenya. For instance, in 2002 whereas the Orma and other pastoral communities supported KANU, the Pokomo voted

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<sup>13</sup> Temper, op. cit., p.5.



for NARC.<sup>14</sup> In 2013, the Orma supported the Jubilee coalition while the Pokomo vouched for CORD. Therefore, this socio-economic and political asymmetry has widened the gulf between farming and pastoral communities in the delta.

### **1.6 Scope and Limitation**

The area of study is Garsen constituency since a part of the Tana delta is located in that region. The area is administered as Tana Delta Sub- County. It is a major flash point of clashes between the Orma and Pokomo. Of the entire constituency, the study zeroed in on four villages namely Bilisa, Idsowe, Minjila and Garsen Township area. The study's time frame stretches from 1992 to 2017. The year of 1992 is meant to cover the conflict since Kenya's first multi-party elections and which gave the Orma- Pokomo conflict a political dimension in addition to it hitherto being water and land resource conflict. The study limited itself to 2017 to study localized dynamics of accommodation and conflict during the term of the first county government of Tana River County. This is because the devolved system of governance introduced by the 2010 constitution brought about some form of localization of conflict resolution through the county administrations.

The research was interested only on the causes, impacts and peace initiatives at the study area. Several factors however, limited the study. The first one was a language barrier since the researcher is not conversant with both the Orma and Kifokomo languages. This challenge was solved by sourcing two research assistants from the study area, one from each community who know the languages well for purposes of interpretation and translation. The researcher also made widespread use of Kiswahili language in communication which is well understood in the study area.

The other challenge was insecurity in the entire region of southeastern Kenya covering Garissa, Tana River and Lamu counties due to the threat of banditry and Al Shabaab terror group. The main highway of accessing the study area, that is, the Garissa- Hola- Malindi road has experienced sporadic highway attacks from militants hiding in the nearby Boni forest. Even

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<sup>14</sup> Kirchner, op. cit., p.93.

during my time of doing field work, that is January 2019, there was a curfew in the delta region lasting from 7 pm to 6 am. This was due to an ongoing security operation mounted by both the police and military to search for an Italian volunteer worker Silvia Romano. She was abducted in Kilifi and her abductors allegedly moved her to Tana River County hence the operation. I thus liaised with the chief of Garsen for permission and she arranged that I conducted my oral interviews and focus group discussions from her compound. While I had proposed to also do my field work in Ozi and Kipini, the insecurity and consequent operation by both the KDF and police in the adjacent Boni Forest prevented me from proceeding with my research on those areas. I thus concentrated on Garsen area and its environs which are also populated by the Orma and Pokomo.

### **1.7 Literature Review**

Various scholars have tried to explain factors that both lead to inevitability of agro-pastoral conflicts as well as ways that promote inter-community collaboration. Among the causes of farmer-herder conflicts highlighted by these published works are; political mobilization along ethnic lines, weakening of traditional conflict resolution mechanisms particularly the elders, disagreements over sharing of water and pasture as well as incitement through the media. In addition, I will add how Tana Delta communities have ingeniously devised ways of promoting peace at the local level.

Writing on farmer-herder relations in the Sahel region, Brink, Bromley and Chavas aver that agro-pastoral conflicts in the region take place after farmers encroach on land vacated by nomads when they move with their herds during the dry season in search of pasture and water.<sup>15</sup> They claim that the tough agro-climatic conditions coupled with population pressure in the Sahel have not automatically led to transition from nomadism to agricultural intensification. Rather it leads to high out-migration rates by pastoralists. Farmers then ‘preventively’ clear these abandoned lands in order to secure their property rights and expand their cultivation. This move raises the opportunity costs of the grazing land. When the nomads return, they are faced with a *fait accompli* because farmers support their claims with formal legislation. For example, Niger’s

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<sup>15</sup> Rogier van den Brink, Daniel W. Bromley and Jean-Paul Chavas, "The Economics of Cain and Abel: Agro-Pastoral Property Rights in the Sahel", *Journal Of Development Studies* 31, no. 3 of 1995): p.383.

agrarian reform law of 1977 stipulates that lands left fallow for over nine years shall be considered free.<sup>16</sup> The writers stress that this habit of farmers of ‘gathering’ fields left by nomads has seen the intensification of agro-pastoral clashes in the Sahel.

Kirchner in his work, *Conflicts and politics in the Tana Delta, Kenya*, emphasizes the political roots of Tana Delta clashes. His main argument is that the 2012/2013 inter-communal violence between the Orma and Pokomo was down to the fact that political mobilization for the 2013 general election was executed along ethnic lines which raised tensions.<sup>17</sup> He goes on to say that in the 2007 general election, the Galole and Garsen parliamentary seats were won by Pokomo candidates while in Bura constituency, a member of the Wardei won, which the scholar avers left the Orma without a major political seat in the county. To overcome the Pokomo political domination, Kirchner says the Orma formed a pastoral, political coalition with the Wardei before 2013 elections by presenting the Pokomo as their common enemy.

Earlier this coalition succeeded in winning a majority of Tana River County Council seats, and the Pokomo realized that their political domination was highly threatened especially with new positions of governor, senator, women representative, MP, and MCAs. The Pokomo, according to the scholar began attacks against the pastoralists from August 2012 to January 2013 which were accompanied by burning of identity and voters’ cards with the intention of keeping them from voting. The clashes were thus a product of the fight for political survival for either group during the general election of the time. Kirchner’s gist in his work is therefore describing the Orma- Pokomo conflict from a political approach.

In addition to political causes of conflict, the basic thesis of Cuppen’s work about the role of local peace institutions is that modern state agencies such as the police and chiefs have eroded the influence of traditional conflict resolution mechanisms and this has worsened conflicts in the delta.<sup>18</sup> In the past, village elders, the *Gasa* and *Mathadeda*, from both the Orma and Pokomo respectively mediated disputes revolving around resource use and share. During colonial times,

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<sup>16</sup> Bromley and Chavas, op. cit., p.383.

<sup>17</sup> Kirchner, op. cit., p.85.

<sup>18</sup> Cuppen, op. cit., p.14.

the colonial rulers often built on these traditional institutions to rule effectively. Cuppen argues that the destructive effects of modernity have led to the diminished significance and authority of village elders and this has failed to stop resource-based conflicts in the delta.

He argues that in modern societies, the legitimacy of authorities relies on a written legal framework while the authority of elders derives from tradition and culture. The modern state now relies on modern institutions such as chiefs, police, and judiciary to resolve conflicts in the delta thus reducing the influence of these elders. The scholar's argument helps us in understanding the cultural factors responsible for the deterioration of relations between the Orma and Pokomo.

Mohamed, in yet another reading, *The underlying causes of inter-ethnic conflicts in the Tana Delta*, insists that inter-community violence is a result of conflicting economic livelihoods in which the Orma depend on water and grassland for their livestock while the Pokomo cultivate crops along the river banks.<sup>19</sup> He, therefore, notes that both communities scramble for the available land and water for their economic survival and at some point clashes over the resources are inevitable. The scholar gives an estimation of economic activities by percentage where majority at 43.3% practice crop production whereas 38.3% rely on pastoralism, which together represented 81.6% of coverage of livelihoods in the delta. His focus, therefore, is that inter-ethnic conflicts in the delta are understood better by looking at the scramble for resources in the region and the resultant disputes.

In another study on the role of media in conflict situations in Tana River, Khamadi blames incitement through the media as the cause of inter-ethnic tensions between the two communities through biased reporting and spreading of rumors.<sup>20</sup> He argues that journalists reporting about the conflict focus their attention on political competition between the two communities while ignoring to question the underlying reasons that lead to conflict. According to him, media coverage is the very lifeblood that shapes the perceptions that form the reality on which people

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<sup>19</sup> Mohamed, op. cit., p.66.

<sup>20</sup> Khamadi, op. cit., p.5.

base their actions. For example, he observes that news coverage of the 2012/2013 clashes was characterized by such adjectives as brutal, cruel, heinous and barbaric.

In addition to that, victimizing words such as devastated, defenseless and pathetic were used by the media during the reporting. The conflict, he adds, was escalated by this poor framing of the conflict by making the violent language more animated and exciting, which in turn sparked people's fears and aggression. This, the scholar suggests, is based on journalists' lack of knowledge about the conflict and which allowed the emotions of reporters to take center stage. He also apportions blame to local vernacular radio stations, mostly owned by politicians of tweaking the language to inflame communities for political ends.

Temper in her work focusing on the effects of large-scale development projects on livelihoods in Tana Delta postulates the impacts of intensive agricultural and conservation projects on the environment increases chances of conflicts, both between communities and also between humans and wildlife.<sup>21</sup> She writes that much of the land in the area is trust land which means it is held in trust by the government. It may be invested for the purpose of benefiting the local communities or be transferred to the government. Nonetheless, this trust is often time abused as the delta is full of failed projects by the state and private developers. She gives a few examples of these projects in the delta. The Kiambere dam which was completed in 1993 displaced over 6,000 families who lost over 82% of their income.<sup>22</sup> Another project is the World Bank-funded Tana River Primate Reserve (TRPR) which led to displacement of the local Pokomo from their ancestral land to make space for conserving the Mangabey and Colobus monkey species. Temper also lists the joint venture by the Mumias Sugar Company and TARDA to convert 20,000 ha of the Tana basin into sugar plantations for industrial sugar and generation of electricity from bagasse. The author concludes that the environmental and social effects of these projects increase the risk of conflicts between the farmers and herders over the few available land and water resources.

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<sup>21</sup> Temper, Leah. "Let them eat sugar: Life and livelihood in Kenya's Tana Delta." (Research paper, Department of Economics and Economic History, Autonomous University of Barcelona, Barcelona, 2010) p.13.

<sup>22</sup> Temper, op. cit., p. 13.

Finally, Kagwanja in his work *Globalization, identity, politics, and violence in Kenya's Tana River region*, illustrates how the current inter-ethnic hostility in Tana Delta is due to the official large-scale acquisition of land by the state and multi-national companies for mega-development projects. He argues that these projects mainly irrigation schemes, dams and conservatories have encroached on the communities' natural environment leading to forcible displacements where the two indigenous communities had no other option other than to start living together in the same area.<sup>23</sup> The Orma and Pokomo were thus forced to contend with each other over the diminished land acreage. These projects, he adds, have had the (un)intended effects of restricting farming and grazing opportunities open to the native communities. For instance, the scholar claims that primate conservation was funded by the World Bank to protect the rare primate species of the Crested Mangabey and Red Columbus. The bank insisted that the conservation of the monkeys was not compatible with the continued presence of local people in the area. This led to the displacement of the Pokomo from nearby villages and fields. In addition to Kagwanja's viewpoint on how development projects in the delta forced the two communities to start coexisting in the same area, the present study will seek to study how the Tana delta communities have devised ways to promote coexistence at the very basic level.

The aforementioned scholarly works give the various justifications of why farmer-herder relations, particularly between the Orma and Pokomo are characterized by violent conflict. They have not extended to show if there are any initiatives that have been adopted to promote peaceful relations. The current study will thus fill this lacuna by adding another dimension on how the two communities have managed to develop ways and strategies of resolving their conflicts with a view to promoting coexistence and harmony.

## **1.8 Theoretical Framework**

This project paper is premised on the Subaltern historical perspective as its conceptual argument. The term Subaltern, according to Antonio Gramsci, an Italian Marxist thinker, refers to the emergent class of the much greater mass of people who are ruled by coercive or sometimes by

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<sup>23</sup>Kagwanja, op. cit., p. 136.

ideological domination from above.<sup>24</sup> Subaltern history hence aims at bringing the experience of subordinated people into history by emphasizing their contributions that had hitherto being associated with elites. The ambition to write history “from the bottom up” has helped in bringing into focus those marginalized by previous historiography.<sup>25</sup>

Subaltern studies have gained traction in South Asia. For example, Indian subaltern theorists such as Ranajit Guha and Gayatri C. Spivak argue that dominant historical writings portray Indian independence as the result of the stimulus by and the reaction of British imperialism or those who believe that guidance in the independence struggle was maintained by a small association of leaders- Gandhi's, Nehrus, and Jinnas.<sup>26</sup> They aver that whereas Indian colonial history is an account of achievements by British colonial rulers, administration, policies and culture, its neo-colonial historiography details the successes of Indian elite personalities, institutions, ideas, activities and how they responded to colonialism to bring about independence.

<sup>27</sup> Ranajit and Gayatri strive that the popular notion that it was only the Indian elite who led the people from subjugation to freedom does not acknowledge the contribution made by the people on their own, independently of the elite to the making of this nationalism.

The scholars postulate that the view and contributions of the subalterns (masses) who include the urban poor, peasants, women and minority groups like the refugees and exiles need to be taken into account. According to Shashi and Bhagwan Joshi, there were contending hegemonies at different levels during the struggle for independence which aimed at having influence and authority over the various sections of the Indian population.<sup>28</sup> The dominant forces fighting for this influence included the colonial state who wanted to maintain the status quo of Indian occupation. There were also various ideological currents within the nationalist movement but the main ones were the Marxists and the mass movements. The Marxists in India intended to use

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<sup>24</sup> Gramsci, Antonio, “Prison notebooks.” (Lawrence and Wishart, London, 1971) pp. 202-203.

<sup>25</sup> Ibid., p.203.

<sup>26</sup> Guha, Ranajit and Gayatri Chakravorty Spivak. “Selected Subaltern Studies.” (Oxford University Press, New York, 1988) p.2.

<sup>27</sup> Ibid., p.2.

<sup>28</sup> Shashi Joshi and Bhagwan Joshi, *Struggle for Hegemony In India, 1920-47. The Colonial State, the left and the National Movement Volume III: 1941-47: Culture, Community And Power*, 1st ed. New Delhi: Sage Publications, 1994. p.10.

violence to wrest the state from the British colonialists. Mahatma Gandhi, however, opposed use of force as he argued that the state was highly armed making it difficult to achieve independence by use of violent means. Gandhi therefore, emphasized on non-violent means to erode the colonial state's hegemony and he mobilized the Indian masses to stage acts of civil disobedience such as protests, boycotts and picketing. Shashi and Bhagwan aver that it was the movement of the masses, and not the Marxists, that ultimately managed to end British colonial rule in India.<sup>29</sup> The struggle for hegemony during Indian independence struggle thus provided a classic contention between 'history from below' and 'history from above' where the former prevailed.

In the same way, a majority of the dominant academic discourses do not highlight how local communities have managed to devise means of resolving the issues that cause conflict. Many scholarly works and commentaries on Orma-Pokomo relations emphasize on how external actors such as the courts, police, state agencies and Non-Governmental Organizations (NGOs) have attempted to promote peace between the two communities. In accordance with the Subaltern approach, the researcher proposes to analyze localized factors that contribute to cooperation in the Tana Delta which is the missing dimension in these dominant narratives. Examples include sharing of schools, health centers, trading activities, sports, inter-communal marriages and influential personalities have in various ways helped in fostering friendly relations in Tana Delta.

### **1.9 Research Hypotheses**

- i) Forcible grazing of cattle by the Orma on Pokomo farmlands leads to agro-pastoral conflicts in Tana Delta
- ii) Orma-Pokomo conflicts have led to destruction of livelihoods in the Tana Delta
- iii) Community radio stations have significantly contributed to peaceful relations between the Orma and Pokomo

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<sup>29</sup> Shashi and Bhagwan Joshi, op. cit., p.14.



## **1.10 Methodology**

This study utilized both secondary and primary sources. The first part of the research involved a review of secondary sources that yielded a candid historical background of the migration, settlement, and relations between the Orma and Pokomo during the pre-colonial period. The review included books and articles from scholarly journals. Books and theses were accessed from the Africana section at the Jomo Kenyatta Memorial Library (JKML) in the University of Nairobi. These were supplemented by an analysis of scholarly journal articles regarding the Tana River conflict from online scholarly journals namely, JKML Digital repository and Jstor.

To further understand relations between the two communities during the colonial period up to 1963, the researcher reviewed archival documents from the Kenya National Archives and Documentation Services (KNADS). This involved an analysis of annual provincial reports, letters, minutes of barazas (security meetings) relating to the Orma- Pokomo. These include the Colonial Annual Reports on the Social and Economic Progress of the People of the Kenya Colony and Protectorate between 1920 and 1963 with specific references to Tana River District. That period covers the entirety of Kenya as a British colony. Data retrieved from these sources formed chapter two that highlights the historical background to the research project.

The researcher also reviewed documented primary sources. These included newspaper articles, digital news sites and reports from various organizations that capture specific incidents of conflicts and peace efforts at the grassroots in the Tana Delta between 1992 and 2017. This newspaper survey involved accessing libraries of the Nation Media Group and the Standard Group. Other sources of include reports from the Kenya National Human Rights Commission (KNHRC) and Human Rights Watch (HRW) which documented detailed accounts of the 2012/2013 conflict that was the most vicious after claiming 180 lives. These reports are Political Violence and 2013 Elections in Kenya, February 2013 by HRW and 29 days of terror in the delta: KNHCR account into the atrocities at Tana Delta, October 2012. The information gathered helped in answering the two research questions, that is, what are the contours of conflict and what are the localized factors responsible for cooperation between the Orma and Pokomo.

To augment data collected from published and documented sources, the researcher got a permit from the National Commission of Science, Technology, and Innovation (NACOSTI) that enabled him to conduct field research in the proposed area of study. I carried out oral interviews in the delta between 17<sup>th</sup> and 22<sup>nd</sup> January 2019. I followed up these oral interviews with phone interviews in order to both talk to those I could not reach during my field work as well as seek clarification and additional information from some key respondents that I had talked to. For acquaintance and possible referrals, the researcher contacted a Mrs. Kasyoka Ngesa, a business woman in Garsen and who helped in finding key respondents for him. Of note is that she introduced me to the area chief for acquaintance and clearance to carry out oral interviews and participant observation. My two key informants however, were Karisa Barissa, the chairperson of Orma village section in Garsen South and Amina Mohamed, chairperson of the Pokomo section.

At the field, focused on Garsen constituency since it is where the Tana Delta is situated and where the majority of inter-ethnic clashes between the Orma and Pokomo have been reported. Garsen has a population of 96,600 people living in six wards (locations), namely Kipini East, Kipini West, Garsen West, Garsen Central, Garsen South, and Garsen North. Out of these, I concentrated on Garsen South which has a population approximately 16,000 people. Accordingly, I selected four villages namely Minjila, Idsowe, Bilisa and Garssen market for my fieldwork. These villages have witnessed major clashes between the Orma and the Pokomo. By use of both random and purposive sampling, I managed to interview about 16 respondents on face-to-face and five others through phone interviews.

For subjects of study, I sourced respondents from diverse backgrounds. These included prominent business people in Garsen Township who were resourceful in understanding how commercial activities promote inter-community cohesion. For example, Isamili Ado, a hotel entrepreneur was very useful in this since his business has employed members from both the farmers and herders. I also interviewed a pastor and a mosque leader just to see how the two religions of Christianity and Islam promote cooperation in the study area. Individual farmers and pastoralists were also very useful in providing me with information regarding specific incidents

that trigger conflict as well as ways in which they manage to have peaceful relations. Other respondents included village elders, Nyumba Kumi Committee members, county officials, chiefs and police officers who have served in the Tana Delta and they were very resourceful in explaining causes of conflict and ways of cooperation.

Additionally, I was able to hold two focus group discussions. On 18<sup>th</sup> January 2019, I held the first discussion with five members of the Orma council of elders, Garsen section. During this meeting held at the Garsen South chief's compound, I was able to hear various views regarding the pastoralists' view on triggers of conflict and areas of cooperation with the farmers. On 20<sup>th</sup> January 2019, I held a second one composed of members from the Pokomo at the Good Family Hotel, Garsen Town. They also gave me their views regarding causes of conflict and ways of cooperation between farmers and herders in the delta.

To identify more people for the study, the researcher asked the respondents to suggest other persons that had useful information and I also studied them. For purposes of interpretation, the researcher engaged two research assistants, one who was conversant with Kifokomo language, the other one who was a native Orma speaker. After fieldwork I used qualitative approach, particularly narrative analysis, to collate data collected and write this project paper.

## **CHAPTER TWO**

### **HISTORY OF ORMA-POKOMO RELATIONS**

#### **2.1 Introduction**

This chapter examines the centrality of the history of the Tana delta as a determining factor of the intrinsic conflict and cooperation character of the Orma-Pokomo relations. It argues that the reinforcing impact of multiple factors provided the historical stimulus which shaped the interesting binary of conflict and accommodation in inter-community relations in the Tana Basin. These factors included migration and settlement patterns which gave birth to Pokomo persistent autochthonous claims to the area at the chagrin of the Orma; colonial and post-colonial disruptive modernist agenda which reduced land available to the two communities; and of course, the inherent insecurity following from the 1960s Shifta War in the Northern Frontier District (NFD) and, the state collapse of the neighboring Somalia.

Therefore, the chapter examines the migration and settlement of the two communities in the region; delineates the impact of state operations during the colonial and post-colonial eras; and ends up with a discussion of the emergence of the banditry economy and the much recent electoral violence as well as competition for state patronage. These forces cumulatively fashioned the factors underpinning the Orma-Pokomo relations in the period 1992-2017 which is the focus of the current study.

#### **2.2 Migration and Settlement Patterns in the Tana Delta**

The Tana Delta is located at the Kenyan coast where the river Tana flows into Indian Ocean. Being a wetland area, it defines the environment and influences the livelihoods of the local communities given that a majority of the population lives closer to the river. The population in the Tana delta is economically, ethnically and religiously heterogeneous. Ethnically, both Bantu and Cushitic groups are present. Bantu groups who include the Pokomo, Munyoyaya, Ilwana and Giriama engage in both agriculture and fishing. Cushitic groups found in the study area include Orma, Waata and Somali sub-clans of the Galjeel and Wardei who mostly sustain their

livelihoods through pastoralism.<sup>30</sup> Bantu communities who include the Pokomo, Munyoyaya, Malakote and Giriama engage in agriculture and fishing.<sup>31</sup> The two biggest communities in the area clearly are the Orma and the Pokomo.

At the heart of their inter-ethnic conflict lies the question of entitlement to land and water in the Tana Delta. Each of the two communities contends that they are the owners of the land by virtue of settling in the area prior to the settlement of their rival community. Historically, the two groups arrived at the study area in different times. Together with the Somali, Borana, Rendille and Gabrra, the Orma are Eastern Cushites<sup>32</sup>. According to Spear, the Orma belong to the larger Oromo people group of both Ethiopia and Kenya<sup>33</sup>. They were part of the greater Galla (Oromo) expansion of late 15<sup>th</sup> century which overran much of Southern Ethiopia and northeastern Kenya in less than a century.<sup>34</sup> According to Turton, the Kenyan Orma moved south to Moyale before continuing to the Lorian Swamp where they proceeded to the River Tana and hence to the coast.<sup>35</sup> The arrival of the Orma in the coastal region led to a displacement of the Pokomo people who shifted towards the Sabaki River and the Somali who retreated northwards towards the Juba River<sup>36</sup>. During their zenith, the Orma community occupied vast tracts of territory in the coastal regions of present-day Kenya where they looked after their livestock.

Until the 1860s no Orma village was established in the delta<sup>37</sup>. They arrived in the Tana area by the end of the 17th century. Back then the Orma stayed in the hinterlands of the Tana River where they found pasture for their cattle. Only during the dry spell Orma came to the delta and

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<sup>30</sup> Aneesa Kassam and Ali Balla Bashuna, "Marginalisation of the Waata Oromo Hunter-Gatherers of Kenya: Insider and outsider Perspectives", (*Africa: Journal of The International African Institute* 74, no. 2, 2004): p. 197.

<sup>31</sup> Ulrich Pickmeier, "Land Acquisitions in Tana Delta, Kenya (Bio-) Fueling Local Conflicts?" (MA thesis, Radboud University, Nijmegen, 2016) p. 55.

<sup>32</sup> B. M. Lynch and L. H. Robbins, "Cushitic and Nilotic Prehistory: New Archaeological Evidence From North-West Kenya", (*The Journal Of African History* 20, no. 3, 1979). p.320.

<sup>33</sup> Spear, Thomas. "Kenya's Past: An introduction to Historical Method in Africa." (Longman Group Limited, New York City, 1981.) p.56.

<sup>34</sup> Jean Ensminger and Andrew Rutten, "The Political Economy Of Changing Property Rights: Dismantling A Pastoral Commons". (*American Ethnologist* 18, no. 4, 1991). p.683.

<sup>35</sup> E.R. Turton, "Bantu, Galla and Somali Migrations in the Horn of Africa: A Reassessment of the Juba/ Tana Area", (*The Journal Of African History* 16, no. 4 of 1975. ) p.533.

<sup>36</sup> Patrick Irungu, "Cattle Keeping Practices of The Orma People: A Household Survey in Tana River District, Kenya", (*KETRI-ILRI Collaborative Study*, 2000). p.11.

<sup>37</sup> Miller, op. cit., p.97.

negotiated with Pokomo elders to get access to the river, in order to water their animals. A combination of factors however led to the weakening of the Orma power and their subsequent relocation to the Tana Basin. In mid-19<sup>th</sup> century, the Orma were weakened by a small pox epidemic.<sup>38</sup> Having been weakened, the Somali made an attempt to recapture the territory that they had lost to the Orma. Hence, in early 1865, they invaded, conquered and almost annihilated the Orma. Their livestock was also drastically decimated. Those who survived the Somali insurgency fled beyond the Tana River while many others were captured and enslaved in Somalia until around 1930. The descendants of the Orma enslaved by the Somali and returned are nowadays referred to as the Wardei.<sup>39</sup> Their language and culture is essentially Somali but they insist that their ethnic identity is Orma. The Orma and the Pokomo however, see them as a Somali sub-clan in a bid to label them as outsiders to the region and hence without entitlement to land.

Furthermore, climatic changes such as increased droughts however, forced them to relocate nearer to the river basin. Large-scale development projects by the colonial government such as the appropriation of their territory to pave way for the Tsavo National Park in 1948 also pushed the Orma closer to the river where they are found currently.<sup>40</sup> Presently, they inhabit the drier western Tana area which is adjacent to the delta. Being cattle and camel herders, they only move near the river in the dry season and move further inland to the west when it rains.<sup>41</sup> All these aforementioned factors forced the Orma to migrate from the hinterland and move closer to the delta where they currently live side-by-side with the Pokomo. The net effect of this movement closer to the river laid the foundation for future farmer-herder disputes as well as collaboration initiatives with the Pokomo.

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<sup>38</sup> Asafa Jalata, 'State Crises, Globalisation And National Movements In North-East Africa,' (1st ed. London: Routledge, 2004) p.2.

<sup>39</sup> Irungu, op. cit., p. 11

<sup>40</sup> O. Bennet and C. McDowell, "I Have Lost Status In My Community': Conservation And Agricultural Production In Kenya", in *Displaced: The Human Cost Of Development And Resettlement*, (1st ed. New York City: Palgrave Macmillan, 2012).

<sup>41</sup> Orville Boyd Jenkins and Francis Omondi, "The Orma — A Cultural Profile", Orvillejenkins.Com, Last modified 2008, <http://orvillejenkins.com/profiles/orma.html>.

The Orma pastoralists are predominantly Muslims. According to Ensminger, when the Orma began participating in trade with Arab-Swahili trade by early 20<sup>th</sup> century they began adopting the Islamic religion practiced by the traders and by 1930, the community was completely Islamized.<sup>42</sup> Their main motivation for conversion was the economic benefits that came up with adoption of the new religion since it was then easier to interact with the coastal long distance traders. Nevertheless, there exists small pockets of Orma Christians who converted during the late 19<sup>th</sup> century as a result of evangelism work by missionaries who visited Tana River region<sup>43</sup>. Consequently, these Orma Christians are able to identify and sometimes even collaborate with the Lower Pokomo who also became Christianized.

The Pokomo, on the other hand, are Coastal Bantus as are the Mijikenda, Taita and the Swahili. Together with other Bantu groups they had migrated northwards along the north-eastern coast and settled in Shungwaya, in southern Somalia.<sup>44</sup> These coastal Bantu remained in Juba Valley until they were invaded by the Galla (Oromo) who drove them relentlessly down the coast. For a long time, the Orma were the conquerors in Tana River who exercised their hegemony over the Pokomo. Their warriors used to go round the villages singing war songs and the Pokomo elders could collect all kinds of food together with tobacco and give the Orma in order to appease them.

The Pokomo settled in the Tana River Valley by the mid-16<sup>th</sup> century. At the time they settled in the delta, most of them established their villages on the left side of the river banks in the fertile wetland area. Due to Somali-Orma conflicts in the 19th century, which also affected the Pokomo, as well as the seasonal floodings of the river, the Pokomo shifted most their villages on advice from the missionaries to the south-west banks of the river.<sup>45</sup> In the 1920s and 1930s the Pokomo moved out of their bigger villages to live closer to their farms and started spreading smaller settlements all along the river.<sup>46</sup> More than two thirds of the settlements were established

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<sup>42</sup> Jean Ensminger, "Transaction Costs And Islam: Explaining Conversion In Africa", (Journal Of Institutional And Theoretical Economics (JITE) 153, no. 1, 1997):pp. 23-24.

<sup>43</sup> Oral Interview, Toska Komora, Idsowe, 20<sup>th</sup> January, 2019.

<sup>44</sup> Turton, op. cit., p. 524.

<sup>45</sup> Burger, op. cit., p.63.

<sup>46</sup> Miller, op. cit., p.159.

on the west bank of the river separated from their farms by the river. Until today, most Pokomo villages are on the west bank of the Tana River.<sup>47</sup>

The Pokomo are sedentary farmers. Currently, they live along River Tana just south of Lamu at the Indian Ocean and extend all the way about 400 kilometres to Mbalambala near Garissa. All along, they do not live more than two kilometers from the river bank so that they can cultivate food crops in the flood plains. Their main crops include maize, rice, sugar cane and water melons and they mostly use flood irrigation to cultivate them.<sup>48</sup> Since the pre-colonial period, they used flood irrigation which provided their farms with both water and fertile river silt<sup>49</sup>. For purposes of transport, they make use of trunk-canoes which they carve out of trees to cross the river and this helped them in terms of trading. The Pokomo also sustain their livelihood through fishing as well as occasional hunting of crocodiles and hippopotami. With reduced peak flows of flooding as a result of construction of dams and irrigation schemes along the Tana, they have now diversified their farming to also engage in small-scale livestock keeping.<sup>50</sup> In as much as Pokomo adoption of livestock keeping intensified inter-communal cattle raids with the Orma, it has also helped them to cooperate in terms of animal trading.

After settling in the Tana area, the Pokomo became differentiated into different dialects, that is, the Upper Pokomo (*watu wa dzuu*) and Lower Pokomo (*malanchini*). While the Lower Pokomo live downstream, the Upper Pokomo inhabit the upstream territories of River Tana. This division was further augmented when the two sub-tribes adopted different religions in late 19<sup>th</sup> century. German Christian missionaries from the Neukirchen Mission arrived at Ngao among the Lower Pokomo in 1887.<sup>51</sup> Their target was to preach the gospel among the Orma whom Ludwig Krapf had attempted preaching to earlier but later they also began focusing on the neighboring

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<sup>47</sup> Townsend, op. cit, p. 294.

<sup>48</sup> Werner, op. cit., p. 360.

<sup>49</sup> Ibid.

<sup>50</sup> John K. Maingi and Stuart E. Marsh, "Quantifying Hydrologic Impacts Following Dam Construction Along The Tana River, Kenya", *Journal Of Arid Environments* 50, no. 1 (2002). p.53.

<sup>51</sup> Mikael Samson, *A History of The Pokomo*, ebook, 1944, [https://archive.org/stream/cbarchive\\_101618\\_ahistoryofthepokomobymikaelsam1944/XVII\\_Nos.\\_5\\_\\_6\\_\\_79\\_\\_80\\_\\_370\\_1944\\_Samson\\_djvu.txt](https://archive.org/stream/cbarchive_101618_ahistoryofthepokomobymikaelsam1944/XVII_Nos._5__6__79__80__370_1944_Samson_djvu.txt).



Pokomo. In 1890, the British Methodist Mission also set up a mission station in Ngao to preach to the Pokomo. As a result most of the Lower Pokomo became Christianized.

In late 19<sup>th</sup> century, the Somalis invaded the Upper Pokomo territory and subdued them. When the colonial government intervened to stop further migration of the Somali at the area, they lived in close proximity with the Upper Pokomo making the latter adopt the Islamic faith. Consequently, the Upper Pokomo and Orma sometimes cooperate since they see themselves as Muslim brethren. According to Mazrui and Rutten, this trans-ethnic religious consciousness has been politicized which results in some Upper Pokomo voting for their Muslim fellows from the Orma.<sup>52</sup> However, the religious schism between the Lower Pokomo and the Orma is very wide as they are clearly split between Christians and Muslims respectively.

The aforementioned pattern of settlement, whereby the Orma nomads live in the hinterland during the rainy season and the Pokomo farmers inhabit the river banks created the foundation for agro-pastoral conflicts. This is because the herders while moving nearer to the river to water their animals end up driving them through, and destroying crop farms established along the river. This phenomenon has seen the clash of the two communities because of their contrasting livelihoods that are all depended on the same resource, River Tana. In order to prove their status as indigenes of the land, each community has developed their own myths to justify their rights to land and water in the region.

For example, modern Pokomo traditions fail to show any connection with the mythical Shungwaya in a bid to prove that they are not immigrants to the area. The first claim that they advance posits that their ancestors originated from a snow-covered mountain from where they subsequently followed one of its streams to the banks of the Tana where they are found now.<sup>53</sup> Another account concerns a historical figure known as Vere who is believed to have been the original Pokomo. The community contends that he appeared as a man without parents on the

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<sup>52</sup> Marcel Rutten and Alamin Mazrui, "Blood On The Ballot: Ethnic Voices And Trans-Ethnic Voting At The Kenya Coast", in *Out For The Count: The 1997 General Elections And Prospects For Democracy In Kenya*. (Kampala: Fountain Publishers, 2002) p.279.

<sup>53</sup> R. F. Morton, "New Evidence Regarding The Shungwaya Myth of Miji Kenda Origins", (The International Journal Of African Historical Studies 10, no. 4 (1977): p.634.

plains east of the Tana River and he founded the Pokomo people group. The other popular theory concerns Liongo Fumo, a legendary Swahili from Kipini. The legend holds that Liongo travelled south into the coastal region, where he carried off a man and a woman and established them on the banks of Tana River. From this couple, the folklore goes, sprang the Pokomo community.<sup>54</sup> Accordingly, the Pokomo people rely on these legends to solidify their status as the indigenes, not immigrants, of the Tana Valley.<sup>55</sup> They argue that they were only overrun by the Orma (Galla) who arrived from the north and as such the latter were the newcomers to the delta. The Orma, on the other hand contend that Tana River is the mother of their community only that they preferred to stay away from the river due to the mobile nature of their pastoral livelihood.

### **2.3 Land Annexations in Tana Delta**

Being Kenya's longest river and providing for a continuous discharge, the Tana River has been the subject of large-scale projects since the colonial era. With particular reference to the Tana Delta, the wetland's fertility and availability of water has made the area home to a number of large scale projects which had the indirect effect of dispossessing the local communities of their ancestral land. During the colonial period, the British established various projects that rather than triggering development of the local region as originally envisioned, led to a process of impoverishment of local communities. For instance, in 1898, the colonial government dug and widened the Belasoni Canal to connect the Tana with the Ozi River for better trade.<sup>56</sup> The project led to the resettlement of the Pokomo in the whole of Ngao village. Furthermore, the river did not reach its old mouth anymore but ended up at the river mouth of Ozi near Kipini. Hence, riverine farming relying on flood irrigation came to a halt in the surrounding region and the local Pokomo had to shift from rice farming to rain-fed maize as their major crop.<sup>57</sup>

The British colonial authorities also attempted plantation agriculture in 1904 when they began a cotton project known as the East Africa Cotton Syndicate in an 80-acre area near Witu. After a short, successful stint, the project eventually failed due to lack of knowledge of the area. The company then expanded the area under cultivation to 350 acres and started a rubber plantation in

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<sup>54</sup> Morton, op. cit., p.635.

<sup>55</sup> Morton, op. cit., p. 634.

<sup>56</sup> Miller, op. cit., p. 130.

<sup>57</sup> Werner, op. cit, p.360.

response to increased demand for rubber in the world market. As rubber production required an extensive network of roads and irrigation systems to succeed, their lack in Tana saw the project fail. In addition to failed agricultural projects, the colonial administration failed to build such infrastructure as roads, health and educational facilities in the area and thus became the beginning of the regional marginalization of the area.<sup>58</sup> Apart from agricultural projects, creation of conservatories also contributed to displacement of the local communities from their territories. For instance, the establishment of the Tsavo National Park in 1948 to preserve wild game led to displacement of the Orma alongside other groups such as the Maasai, Kamba, Taita, Waata and Giriama who hitherto lived there.<sup>59</sup> The Orma hence moved further east towards River Tana and this brought them to proximity with the Pokomo farmers.

After independence, different planners showed interest in bringing large-scale irrigation projects to the Lower Tana. These include the Lower Tana Village Irrigation Programme that was funded by the Government of the Netherlands with the aim of implementing an irrigation scheme in the 1980s in Oda, Ngao, Hewani, Wema and Mnazini. In the late 1980s, the Japanese government provided financial aid to the Tana Delta Irrigation Project (TDIP) which was run by the Tana and Athi River Development Authority (TARDA).<sup>60</sup> The scheme was meant for rice production in Salama location but it collapsed during the El Nino rains of 1997. Nonetheless, the land remained in the hands of TARDA and this led to protests by Orma pastoralists as it occupies valuable grazing lands.<sup>61</sup> The agency then leased 40,000 hectares of this land to Mumias Sugar Company for sugar growing, ethanol biofuel production and electricity generation from bagasse. In the early 1990s, the World Bank funded The Tana River Primate Reserve (TRPR) to conserve the Mangabey and Colobus monkeys. Hundreds of local Pokomo farmers were displaced to pave the way for the reserve and this led to protests as over three hundred naked Pokomo women stormed the reserve's offices to oppose the project.<sup>62</sup> They complained that it was ironical for

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<sup>58</sup> Miller, *op. cit.*, p. 156.

<sup>59</sup> Dame Daphne Sheldrick, "The Early History of Kenya's National Parks By Dame Daphne Sheldrick", Sheldrick Wildlife Trust, Last modified 2019, <https://www.sheldrickwildlifetrust.org/news/wilderness/the-early-history-of-kenyas-national-parks-by-dame-daphne-sheldrick>.

<sup>60</sup> Pickmeier, *op. cit.*, p. 62.

<sup>61</sup> *Ibid.*, p. 62.

<sup>62</sup> Temper, *op. cit.*, p.8.

them to be evicted from their ancestral land and livelihoods and leave to be used conservation for monkeys.

Since 2000, other foreign investors have showed an interest in the area. These include two Canadian companies, Mat international which appropriated 130,000 ha for proposed sugarcane plantation and Bedford Fuels which acquired 90,000 ha growing *Jatropha* plants. The G4 Industries of Britain in 2008 proposed to acquire 50,000 ha of the delta for oilseed farming. Finally, the Emirate of Qatar after visiting Kenya in November promised to help in funding a deep water port in Lamu in exchange of 40,000 ha of land in the Tana Delta to grow fruits and vegetables for export to his country.<sup>63</sup>

The outcomes of these large-scale projects were adverse in terms of disrupting the basin's ecology, biodiversity and the people's livelihoods. For example, reduced land acreage to accommodate the local communities and their consequent competition for diminished resources sowed seeds for armed confrontation between farming and pastoral communities. Land annexation by both the colonial and post-colonial governments changed the nature of conflict between the Orma and Pokomo. In the past they used to fight over such issues as cattle rustling and crop destruction. However, when the state began allocating some parcels of these annexed lands to influential individuals from other communities, the clashes began turning political beginning in 1991. This land reallocation by the government further marginalized the locals. Consequently, they began to feel that access to political power was very key to in order to access natural resources. The people of the delta developed the notion that whoever was in power had control over resource allocations and this gave birth to vicious political competition in the area since the re-introduction of multi-partyism in 1992.<sup>64</sup> On a positive note, it also laid the ground for collaboration given both communities lost land to the state and private developers.

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<sup>63</sup>Pickmeier, op. cit, p.66.

<sup>64</sup> Tsega Etefa, "Politics And Violence In Darfur, Oromia, And The Tana Delta", in *The Origins Of Ethnic Conflict In Africa*, (1st ed. London: Palgrave Macmillan, 2019). P.17.

## 2.4 Political History of Tana Delta

Following Kenya's independence in 1963, politicization of ethnicity became popular in Tana basin as the ethnic and political aspects of the communities began interacting. This scenario saw political leaders use ethnicity as a calculated and maximizing strategy with the hope that ethnic mobilization of their supporters will offer some kind of political opportunity such as access to power. Politicians drew upon existing non-violent tensions or conflicts and thereby make ethnicity as a convenient instrument that can be manipulated in the struggle for power, territory or resources.<sup>65</sup> As such, Tana politicians used violence as an influential tool for election outcomes.

For the first few years following independence, the Pokomo enjoyed political dominance in the region mainly because they had benefited from modern education as the Orma concentrated on nomadic form of pastoralism. Upon independence, Tana River was given only one constituency which was represented by an Upper Pokomo, Japhet Zakharia Kase of KADU.<sup>66</sup> Tana River was shortly after split into two, Tana North and Tana South. In 1966, the Little General Elections was called after 29 incumbent MPs had changed their party membership to the newly founded opposition party, Kenya People's Union (KPU) from KANU. Kase was re-elected as MP for Tana South while an Orma, Abdu Shongolo Wakole won the Tana North parliamentary seat. During the 1969 elections, Japhet Kase contested and won the Tana North seat while Martin Tola Jilo, a Lower Pokomo, won the parliamentary seat in Tana South. This locked out the Orma community.<sup>67</sup>

In 1974 local Orma politicians invited the Wardei and Galjeel clans of Somali to move into Tana River and register there as voters. As a result of their political support, Abdi Mohammed Galgalo was elected in 1974 elections as the first Orma MP in Tana South.<sup>68</sup> He was defeated in 1979 by Daiddo Israel Lekwa, from the Lower Pokomo who also retained the seat in 1983. In 1988, an Orma aspirant Abdi Wakole won the parliamentary race for the constituency, by then renamed Garsen. During the first multi-party elections of 1992, Yuda Komora, from the Pokomo

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<sup>65</sup> Kagwanja, op. cit, p. 134.

<sup>66</sup> Kirchner, op. cit, p.92.

<sup>67</sup> Kirchner, op. cit, p.92.

<sup>68</sup> Ibid, p.92.

community became the MP. He won easily because he was backed by the entire Pokomo council of elders, the Gasa. The government by then had launched a vicious operation to tame illegal immigration by the Somali since 1990 when many of them escaped the civil war that gripped Somalia. As such, the Wardei and Galjeel were not in a position to bolster the Orma vote during the elections.<sup>69</sup> According to Kagwanja, bandit attacks were the main form of violence employed by politicians from both communities with the goal of scaring their opponents' supporters from voting.

In 1997, Galgalo Shambaro from the Orma won the seat. Shambaro owed his victory to the Galjeel and Wardei votes after he encouraged the Somali clans to migrate into Tana Delta from Garissa and even assisted them to get registered so as to acquire identity cards. The agreement was that after getting identity cards they would join forces with fellow pastoral Orma and vote for him. During that election period, local politicians still used bandits for election purposes who robbed and destroyed voters' cards for their opponents.<sup>70</sup> This political coalition however was short lived. When a senior Orma civil servant, Hussein Dado, then Baringo DC had his convoy short at near Tarasaa in January 1999 by bandits, the Galjeel were blamed for the attack. When the state gave the Galjeel Somali two weeks to leave Kenya and go back to Somalia, the Orma joined the police in repulsing them.<sup>71</sup>

Another wave of violence was waged in 2001/2002 when the government wanted to implement a land adjudication program. While the Pokomo farmers preferred this program which would result in individual land ownership, the Orma opposed it as they wanted ownership to remain on communal basis.<sup>72</sup> The resulting Orma-Pokomo violence claimed more than a hundred people. The Wardei were also at the same time conflicting with the Orma over grazing and water resources. When elections took place in 2002, the Lower Pokomo coalesced around Danson Mungatana as Garsen parliamentary candidate who vowed to fight for Pokomo land adjudication

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<sup>69</sup> MUHURI Report, op. cit, p. 31.

<sup>70</sup> Kagwanja, op. cit., p.135.

<sup>71</sup> MUHURI Report, op. cit., p.30.

<sup>72</sup> Kirchner, op. cit., p.94.

process. The conflict between Wardei and Orma herders saw them fail to unite thereby losing to Mungatana.<sup>73</sup>

During the 2007 elections, the main candidates were Mungatana of NARC-Kenya and Hussein Dado of the Orange Democratic Movement (ODM) who came from the Orma. Dado tried to seek support from the Somali sub-clans by apologizing for the atrocities meted on the Galjeel in 1999. Nonetheless, the Wardei supported their own candidate and this disunity among the pastoralists saw Mungatana win the parliamentary seat again. Whereas there was no outright violence in 2007, the election raised tensions. Sensing that Mungatana was leading during the tallying process, Dado's supporters began demonstrating along the main road in Garsen town claiming the election was rigged.<sup>74</sup> When a helicopter was sighted landing in the town, rumors spread that additional ballots were illegally brought in to bolster Mungatana. Dado himself started shooting in the tallying center which resulted in confusion but nobody was hurt.<sup>75</sup> All in all after the announcement of results, there was no further violence.

Ethno-political competition between the Orma and Pokomo intensified after the promulgation of the new constitution of 2010. This new law shifted the system of government from a centralized one to devolution based at each of the 47 counties. Coming in the aftermath of the 2007/2008 post-election violence in Kenya, the spirit of devolving power to the county governments was to reduce competition for the country's top seat of presidency thereby diffusing ethnic tensions. According to Article 174 of the new constitution, objects of the devolution of government include fostering national unity by recognizing diversity, giving powers of self-governance to the people and promotion of social and economic development through provision of proximate or easily accessible services throughout the country.<sup>76</sup> The heads of the counties are governors and the constitution also introduced other new political positions namely, senators, Members of County Assemblies (MCAs) and Women Representatives in addition to those of the president and MP.

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<sup>73</sup> Ibid., p.94.

<sup>74</sup> Ibid., p.94.

<sup>75</sup> Kirchner, op. cit., p.96.

<sup>76</sup> Laws of Kenya: The Constitution of Kenya, 2010, (National Council for Law Reporting, 2010) p. 174.

With devolvement of significant powers and resources to the counties, the same form of high stakes ‘winner takes all’ politics at the national level became visible at the county level. In Tana River county, ethnic groupings saw it their ‘turn to eat’ by way of accessing state resources which meant that minority groups would be excluded from these economic benefits. Both the farming and the pastoral communities interpreted devolution to mean that whoever wins political power would control the allocation of resources and benefit their ethnic kinsmen. As the Pokomo enjoyed numerical strength in the county, the nomadic communities particularly the Orma and Somali sub-clan of Wardei united against the farmers prior to the 2013 elections. In Tana delta, the pastoral coalition supported Ibrahim Sane from the Wardei Somali as MP for Garsen in exchange that the Somali clan would also vote for Hussein Dado, an Orma as governor for the entire Tana River County.<sup>77</sup>

This pre-election pact led to raised tensions in the Orma- Pokomo relationship. Low level violence began earlier in 2012 between individuals over either destruction of crops by cattle or killing of livestock. It later metamorphosed from individual to become a group level conflict that killed over 180 people and displaced about 13,000 others. According to official records, most of these attacks were perpetrated by the Pokomo who felt that their dominance in the delta was being threatened by the coalition of the pastoral communities. Despite the attacks, the pastoralists’ candidates won all the major seats in the county save for only three wards that were won by the Pokomo in the entire county. Despite the farming community being the majority in Garsen, they now had a member from a minority Somali clan as their MP.

During the 2017 elections however, the coalition between the Orma and Somali clans broke up after the latter complained of being sidelined in economic developments by the county government. The Wardei sponsored their own candidates to vie for the various electoral positions. This paved the way for a Pokomo candidate, Dhadho Godhana to win the gubernatorial seat. In Garsen an Orma Ali Wario won the parliamentary seat as the Pokomo produced several aspirants who ate into the community’s vote. Political power is therefore, a

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<sup>77</sup> Kirchner, op. cit., p.98.



coveted prize by Tana River communities as it is seen as the only means to legally safeguard land and water resources and hence protects their livelihood ensuring their survival.

## **2.5 Banditry and Proliferation of Small Arms**

The proximity of the study area to Somalia has exposed the region to the effects of cross-border flows of guns making it a hotbed of banditry for decades.<sup>78</sup> The history of banditry and spread of small arms in the Tana valley has its origins in the Shifta war of 1960s and collapse of the Somali state in early 1990s. By the time Kenya got independence in 1963, the Somali people of the then Northern Frontier District had formed a political grouping known as the Northern Province Progressive People's Party (NPPPP). The goal of the NPPPP was to call for unity with the Somali republic. The party later formed a military wing (NFDLA), the Northern Frontiers Districts Liberation Army (NFDLA) which spearheaded the insurgency to force a disaffiliation from Kenya. These insurgents were thus referred to as the *Shiftas* (bandits) and they received financial and military support from the Somali government.<sup>79</sup>

In the initial stages of the conflict, the insurgency was characterized by ambushes of police and army camps, military foot patrols and security convoys in addition to administrative personnel working in the region.<sup>80</sup> For example in 22<sup>nd</sup> November 1963, they invaded a King's African Rifle (K.A.R) camp in Garissa and killed several policemen. In Tana area, residents suffered from attacks by the *shiftas* from the neighboring Garissa District.<sup>81</sup> The Kenyan government responded by deploying its troops to battle the Somali insurgents while making it clear that it would not cede even an inch of its territory to her irredentist neighbor. The Kenyatta government also declared a state of emergency in the entire north-eastern Kenya which rendered them as 'closed zones'.<sup>82</sup> The Kenyan military was also given a free hand to kill animals, torture and massacre villagers in the area.

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<sup>78</sup> Kagwanja, op. cit, p.126.

<sup>79</sup> Aguilar, I. Mario. "The Role of the Sarki Dance in Waso Boorana /Somali Symbiosis and Conflict" (Anthropos, Bd. 88, H. 1./3. 1993) p. 185.

<sup>80</sup> Hannah, Whitaker. "Forced Villagization during the Shifta Conflict in Kenya, ca. 1963–1968" (The International Journal of African Historical Studies, Vol. 45, No. 3 (2012) p. 350.

<sup>81</sup> Whitaker, op. cit., p. 348.

<sup>82</sup> David, E. Kromm. "Irredentism in Africa: The Somali-Kenya Boundary Dispute" (Transactions of the Kansas Academy of Science (1903-), Vol. 70, No. 3 of 1967) p. 363.

In October 1967, the Organization for African Unity (OAU) brokered a peace deal between Nairobi and Mogadishu which made calmed hostilities. The Kenyan government embarked on a mopping up exercise to rid the region of illicit arms but could not completely disarm them. Many still retained the arms they used in the struggle. Even though the Somali government withdrew its support for the Somali secession bid, the *Shifita* activity did not subside immediately. This is because after failing to achieve their political objectives, the *Shifita* veterans, transformed themselves into mercenaries who engaged in raiding, poaching and highway robbery as ways of sustaining themselves. They also created a protection racket to offer security to khat (*miraa*) traders as well as participating in smuggling across the common border. All these activities gave birth to criminal banditry in the regions bordering the Somalian border including Tana region.

Whereas in the past banditry in southeastern Kenya was only viewed as a Somali affair, presently, it has assumed a multi-ethnic face as the Orma, Pokomo and the Gikuyu of Mpeketoni joined the exercise.<sup>83</sup> In Garsen, these bandits targeted businesses by robbing them at gunpoint. At some point, even underpaid or corrupt government security personnel in the region were either directly involved in banditry or gave tacit support to the bandits with the understanding that they would get a cut of the loot. For example, in 1998 Hussein Remat, an AP officer of Orma origin was charged with committing armed robbery together with other bandits in the then Lamu District.<sup>84</sup>

Kagwanja argues that political leaders from Tana River began using banditry just like other forms of violence for electoral ends.<sup>85</sup> Some politicians even had their own bandits such as the *Blue Army* which was owned by Orma and Wardei politicians.<sup>86</sup> Electoral candidates unleashed the bandits armed with AK-47 rifles on strongholds of their rivals in order to disenfranchise the voters there. They robbed people of their money, valuables and more importantly, their voters' cards. In some incidents women were raped. Some of the stolen cards were handed out to refugees to vote for the politicians at the polls. One such leader who had his own bandits was the

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<sup>83</sup> Kagwanja, op. cit., p. 135.

<sup>84</sup> Mazrui, op. cit., p.30.

<sup>85</sup> Kagwanja, op. cit., p.135.

<sup>86</sup> Ibid., p. 135.

then Garsen Ward councilor Hassan Koltomo who together with his children had guns.<sup>87</sup> According to Muslim for Human Rights 1999 report, Koltomo and his children were arrested several times by the police but after paying a bribe they were released.

When Somalia collapsed in 1991, it worsened criminal banditry by becoming a major source of illegal guns. This is because hitherto, the country had received half a billion dollars worth of weapons from the Soviet Union in 1970s and in 1980s, the USA supplied over US \$ 550 million worth of arms.<sup>88</sup> When the Siad Barre regime fell, it is estimated that over 500,000 weapons were in circulation both in the country and surrounding regions. Having lost all their hold, many carried their most portable and valuable item that they possessed, a firearm which they sold to neighboring pastoral communities. The massive flow of Somali refugees into Kenya was also responsible for cross-border movement of illegal arms.<sup>89</sup>

Being cattle keepers, the Orma were mainly the ones who purchased arms both for protecting their herds and raiding their neighbours, the Pokomo. For example, in the 1990s, one could get a gun such as the AK-47, G3 or Bazooka with a goat or bundle of firewood in Garissa.<sup>90</sup> The Somali immigrants in Tana Delta also act as brokers by supplying the guns directly from Somalia since they know the routes to reach the country through the expansive Boni Forest.<sup>91</sup> In addition to sourcing of arms from the Somali immigrants, both the Orma and Pokomo were able to access them locally. In an effort to allow local citizens to be involved in ensuring their own security, the government issued guns to police reservists in remote areas including Tana River in order to augment security efforts. However, some of these weapons are hired to commit criminal acts like cattle rustling or by private political militias. Indeed, some of the weapons that were used in both the 2001 and 2013 Orma- Pokomo clashes were those handed out to police reservists from both communities. In summary, banditry and spread of guns influenced the dynamics of conflict in the study area.

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<sup>87</sup> Alamin Mazrui, "Banditry and the Politics of Citizenship: The Case of the Galje'el Somali of Tana River" Mombasa: Muslims for Human Rights (MUHURI), 1999. p. 31.

<sup>88</sup> Edward O. Mogire, "Refugees And The Proliferation Of Illegal Small Arms And Light Weapons In Kenya", *Centre For Refugee Studies, Moi University* 1, no. 4 (2003): p. 5.

<sup>89</sup> *Ibid.*, p. 5.

<sup>90</sup> Mogire, *op. cit.*, p. 3.

<sup>91</sup> Oral interview, Toska Komora, *op. cit.*

## 2.6 History of Cooperation between the Orma and Pokomo

Despite the aforementioned historical developments that made conflict inevitable between the Orma and Pokomo, the two communities have over the years devised means of cohabiting together in relative harmony at the grassroots level. Traditionally, the two communities observed certain customary rituals and practices whose goal was to allow the Orma herders access to watering points and pasture along the banks of Tana River.<sup>92</sup> After the elders from both ethnic groups performed these rituals, the herders gained access rights to those resources during the dry seasons. For instance, to avoid disputes over water and pasture, the Orma used to negotiate with Pokomo elders during a dry spell to get access to the river and water their animals.<sup>93</sup> As such Pokomo used to leave some parts of their plots uncultivated so that the pastoralists can move their animals to the river. These animal passages are referred to as *malkas* by the herders while the farmers call them *kivukio*.

Inter-ethnic violence was also resolved in the form of a peace agreement in a ceremony known as *Ibisa*. According to Pilly, *Ibisa* was a performed ceremony, in which the quarrelling communities shared a meal (the pastoralists contributed meat and farmers rice), discussed the causes of the conflict, as well as the perpetrators and a prayer would be held.<sup>94</sup> This process ensured reconciliation and new offenders would be cursed. For example, in mid-19<sup>th</sup> century, a Pokomo from Gwano village in the delta was killed by the Orma.<sup>95</sup> When the murder was reported to the area chief, Dhadho Moroa, he declared war on the Orma. Many of the herders were killed while crossing River Tana.<sup>96</sup> To avert killings elders from the two groups conducted a ritual to make peace between them. Due to the prolonged absence of the presence of the state for long, the farming and pastoral communities kept on relying on these traditional mechanisms to resolve their disputes. A case in point is during the 2001/ 2002 Tana clashes whereby after police deployment failed to arrest the conflict, the state resorted to working with traditional institutions to end the violence. When the two sets of elders, that is the Gasa (for the Pokomo) and

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<sup>92</sup> Kagwanja, op. cit., p.141.

<sup>93</sup> Miller, op. cit., p.97.

<sup>94</sup> Martin Pilly, "Conflict and its Socio-Economic Impact in Garsen Division, Tana River District." (MPhil Thesis, Moi University, 2007.) p. 190.

<sup>95</sup> Mikael, op. cit., p.2.

<sup>96</sup> Ibid.

Mathadedda (for Orma) came together, they were able to negotiate a peace agreement between the two communities which brought the long-running dispute to an end.<sup>97</sup>

In times of adversity affecting the livelihoods of the farmers and herders, the two communities could collaborate. In cases of external threats from the Somali, the Orma and Pokomo used to ally to repulse them.<sup>98</sup> Writing at the turn of the 20<sup>th</sup> century, Werner observes that the Galla (Orma) and the Pokomo were living side by side in perfect friendliness which was induced by the presence of a common misfortune which was the constant raids by the Somali before the advent of the white man.<sup>99</sup> For example, when the Orma were defeated by the Somali in Kiaponi in 1860s, the former asked the Pokomo to help in recovering the cattle that had been taken by the raiders. The combined force was able to recover the stolen cows and when the Somali attempted to come for them, the Pokomo shot them with arrows preventing them from crossing the river.

In certain situations, significant symbiosis has taken place between the Orma and Upper Pokomo clans due to their cultural closeness. Both are adherents to the Islamic faith. Furthermore, most of the Upper Pokomo clans have both Bantu and Hamitic names. For example, the Pokomo clan name 'Karayu' is also the name of the Boran Royal clan which indicates that those who bear it had an Oromo as their forefather.<sup>100</sup> Other names that the two communities share include Dhadho, Dhidha, and Godhana. Mikael observes that the reason for this mixing of Bantu and Cushitic naming traditions is because the Orma had enslaved several of the Pokomo clans during the pre-colonial period which saw the latter get assimilated to the former's culture.<sup>101</sup> For instance, when the Orma were facing simultaneous attacks from Arabs and Somali in late 19<sup>th</sup> century, they invited the Upper Pokomo to assist them in warding off the invasions. Even when the Orma harassed the Pokomo, they could spare these upper clans. Presently, Kagwanja argues, that members of the Upper Pokomo clans sometimes vote for an Orma political candidate due to their shared Islamic and cultural ties.

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<sup>97</sup> Refugee Review Tribunal. op. cit., p.21.

<sup>98</sup> Miller, op. cit., p.80.

<sup>99</sup> Werner, op. cit., p. 361.

<sup>100</sup> Mikael Samson, *A History Of The Pokomo*, ebook, 1944, [https://archive.org/stream/cbarchive\\_101618\\_a\\_historyofthepokomobymikaelsam1944/XVII\\_Nos.\\_5\\_\\_6\\_\\_79\\_\\_80\\_\\_370\\_1944\\_Samson\\_djvu.txt](https://archive.org/stream/cbarchive_101618_a_historyofthepokomobymikaelsam1944/XVII_Nos._5__6__79__80__370_1944_Samson_djvu.txt).

<sup>101</sup> Mikael, op. cit., p.2.

In addition to localized ingenious ways of promoting mutual interactions, both the colonial and post-colonial state have attempted various top-bottom peace resolution mechanism whose broad object was to force the two groups to live together. During British colonial rule, conflicts between different ethnic groups were avoided by restricting them to ethnic reserves while at the same time restricting the movement of both people and animals to a minimal.<sup>102</sup> While the Pokomo were concentrated along Tana River, the Orma were restricted to territory in the hinterlands and were even denied access to the delta. They were only permitted to travel to water points in the delta using specific migration corridors, the *malkas*.<sup>103</sup> This separation of communities meant there was little interaction between them and hence few incidents of armed violence. Introduction of statutory laws also led to the alienation of customary practices. This was because institutions of the colonial state like the chiefs, District Commissioners and *askaris* (police) were now being used to resolve disputes.

The post-independence state has tried a variety of measures to try stopping clashes and helping the two communities to co-exist peacefully. One way the state has attempted to restore peaceful relations in the area is bolstering the presence of security officers to stop attacks. During the 2001/2002 inter-community conflict, the government dispatched more police officers to contain the violence. They also embarked on an arms mop-up exercise which included disarming police reservists who were accused of lending their guns to commit atrocities. During the 2012 violence, the then president, Mwai Kibaki in September imposed a dusk-to-dawn curfew and ordered over 2000 G.S.U. Officers fresh from training to go and quell the violence by protecting the loss of lives and destruction of property.<sup>104</sup> The government also initiated disarmament efforts to take away small arms and crude weapons that are used to carry out attacks. The main challenge to this police operation is because the officers were accused of using excessive force through torture, looting and burning of houses. When I asked one of the GSU officers who

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<sup>102</sup>Kirchner, op. cit., p.54.

<sup>103</sup>Pilly, op. cit., p. 173.

<sup>104</sup>Philip Kenndey, "Cabinet is Right to Deploy GSU in Tana Delta", *The Star, Kenya*, 2012.

participated in the operation whether they succeeded in managing the conflict, he answered, “they cannot dare fight again because of the heavy beating that we gave those people.”<sup>105</sup>

In September 2012, President Kibaki also formed a Commission of Inquiry into the Tana Delta violence chaired by Judge Grace Nzioka.<sup>106</sup> The commission gave its report in July 2013 in which it blamed the conflict on the influx of livestock, politics, illegal firearms and fear of marginalization. Its report was however not published when it emerged that some of the bullets used in the violence were from the government factory in Eldoret.

## 2.7 Conclusion

This chapter illustrated how the Orma and Pokomo relations are a by-product of the interface between history and community interactions. It all began with their migration and consequent patterns of settling in Tana region. When the Pokomo moved into Tana River, they settled adjacent to the river in order to carry out river-fed agriculture. The Orma on the other part, preferred to stay in the hinterland moving from one place to another in search of water and pasture for their animals. They could only come to the delta during the dry season and they had to negotiate with Pokomo elders for a *malka*, that is, an animal passage route to access the river without passing through crop farms. These two contrasting economic livelihoods and land tenure systems formed the foundation for their future clashes regarding the sharing of the available resources. Another aspect to this relationship was land acquisitions by both the colonial and independent states. The authorities and private developers annexed huge tracts of land in order to put up irrigation schemes, conservatories and ranches. Many of the farmers and herders were displaced and they were left to share the reduced acreage which gave rise to violent land disputes.

Following independence in 1963, the Orma and Pokomo political leaders used ethnicity as a bargaining instrument to access power. Since the Pokomo were more numerous and better educated than the Orma, they dominated the first years following self-rule. This however changes in later decades with increased immigration into the Tana by Somali clans particularly

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<sup>105</sup>Oral interview, John Mbiti, Minjila, 20<sup>th</sup> January 2019.

<sup>106</sup>Patrick Beja, "Tana Inquiry Team Commences Task", *The Standard*, 2012.

the Wardei and Galje'el. These moved into the study area to avoid the shifta crackdown, the Kenyan government in mid 1960s. From 1991, another flow of Somali nomads streamed into Tana River to escape the civil war. Orma politicians thus began registering these clans as Kenyans in order to form a pastoral coalition to defeat the Pokomo at elections. This caused violence mainly in 1997 and 2012. These Somali also increased competition for land and water. The shifta wars and collapse of Somalia had the impact of increasing proliferation of illegal firearms in the Tana region which made it a hotbed of banditry.

Members from the two communities have however developed means of collaborating over the years. In the pre-colonial era, elders from both the farming and pastoral communities used to negotiate for dry season grazing and water so that herders can move with their livestock to the delta from the hinterland. After the agreement, the farmers could leave some of spaces within their farms where the pastoralists can drive their cattle to access water and pasture in the basin. In cases of inter-community disputes such as murder, there existed traditional rituals such as *Ibisa*, which was a meal shared by members from both communities as a sign of peace. During raids by outside communities, the two groups could collaborate to ward off the invasions. For instance, after the Somali invaded and defeated the Orma in late 19<sup>th</sup> century, the latter asked the Pokomo for help in restoring the stolen cattle which they successfully did. Also given that both the Orma and majority of the Upper Pokomo clans are Muslims, the two view each other as brethren and they support each other in various ways. For example, they can vote for a common candidate as they share a similar culture and religion.



## **CHAPTER THREE**

### **CAUSES OF ORMA-POKOMO INTER-ETHNIC CONFLICT, 1992-2017**

#### **3.1 Introduction**

Conflict is defined as a struggle or contest between people with opposing needs, ideas, beliefs, values or goals.<sup>107</sup> A majority of research has focused primarily on large-scale and high-profile episodes of armed conflict by framing them as by-products of weak state institutions, ethnic/religious tensions and thwarted economic opportunities. Even in the Tana Delta, conflict is attributed to such factors as ethno-political competition, land annexation in the delta for development projects, erosion of the influence of traditional dispute resolution tools due to introduction of modern institutions, incitement through the media as well as the conflicting livelihoods of farming and herding.

The central argument of this chapter, however, is that the building blocks of the Orma-Pokomo conflict are actually composed of many different specific events. A better analysis of ethnic violence in the study area therefore necessitates disaggregating the conflict into dozens of individual events, situations, institutions, interests and fears at the grassroots. Accordingly, this section applies a micro-level approach in considering the specific context within which this conflict occurs and which provides a more in-depth analysis of the causes. The micro-foundations of Orma-Pokomo conflict occur within the contexts of autochthony, insecure land tenure, (different cultural views regarding land) destruction of crop farms by livestock, killing and theft of animals, inequalities in access to modern Western education, weaponization of disinformation, effects of increased Somali immigration into the delta, and the role of influential personalities and ethnic elites in fueling clashes.

#### **3.2 Autochthones versus Newcomers**

Given that the main economic activities in Tana Delta namely, farming and pastoralism, are heavily reliant on terrestrial resources, land is a very prized asset for both the Orma and the Pokomo. Appropriation of large swathes of land in Tana River for development projects together

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<sup>107</sup>Pia, Emily and Diez, Thomas. "Conflict and Human Rights: A theoretical framework." (SHHUR Working Paper Series, EU, 2007) p. 2.

with rise in population has increased pressure on the available land. This is because both the farmers and herders have to contend with reduced acreage to support their respective livelihoods. As such contemporary grievances surrounding this scarcity of arable land is saturated with references to ethnicity and belonging whereby justifications of ownership are supported by discourses of autochthony. According to van Overbeek and Tamas, autochthones are the people who claim to be the ‘sons of the soil’ by virtue of being born in a particular territory and their ancestors having been the first to settle there before other groups.<sup>108</sup> It thus leads to creation of labels between the ‘original or indigenous inhabitant’ and ‘outsiders or newcomers’.

The authors use the concept of autochthony to explain the inter-ethnic conflicts in the eastern Congolese City of Bukavu. They say the conflict is between communities who perceive themselves as the indigenous ones and other groups who considered as strangers and are believed to be Rwandaphone. These ‘newcomers’ bought land from the ‘indigenous’ community to the extent that the latter has now become a minority in their own territory. These original inhabitants have thus formed militia groups like the Mai Mai to wrestle back their land from the ‘strangers’. They use the narrative of fighting for autochthonous communities to justify their violence on these perceived new comers.

Similarly, in Tana River, politicization of migration has played a key role in fueling land-related conflicts between the agriculturalists and nomads. Each community relies on its respective tales of origin to demonstrate their direct connection between their identity and the territory. These claims of autochthony lead each group to lay the claim of being the first one to arrive in Tana River and hence eligible to enjoy the privileges of autochthony. During the oral interviews in Garsen, respondents from both ethnic groups contended that they were the earliest settlers in the delta. Wario Abbas, an Orma elder asserted that the Orma are the ones who first moved to Tana River before the other groups:

The River Tana is the ‘mother’ of the Orma. Our forefathers were the first to move into this region with their cows and we only found the Boni/ Sanye community which currently is a minority group that

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<sup>108</sup>Fons van Overbeek and Peter A. Thomas. “Autochthony and insecure land tenure: The spatiality of ethnicized hybridity in the periphery of post-conflict Bukavu, DRC.” (*Journal of Eastern African Studies*, vol. 12 no 2 of May 2018) p. 291.

practices hunting and gathering. By that time they used to hunt animals like elephants and harvest wild fruits and honey. The farmers came years later. Since our people used to live with their animals in the hinterland, they took advantage and occupied our land adjacent to the river where they carry out their cultivation today. When we came back, they had already settled in our territory.<sup>109</sup>

The Pokomo however, countered that claim by the Orma to be the first community to settle in Tana River. Mohamed Maalim, a Pokomo Mu'addhin in Garsen Town avers that it was the Bantu group that inhabited the delta earlier than the others.

The Wapokomo moved into this area long ago and we used to live in the delta alone. The Orma lived in the hinterland far away from the River Tana. When drought started becoming severe in the forests where they grazed their cattle, they started coming to the delta. So they are just visitors.<sup>110</sup>

Another version by the Boni community maintains that it was the farmers who first settled in Tana River. Mohamed Guyo, a member of the minority group said that:

When our ancestors came into Tana River, they found the Pokomo. However, since we were hunters and gatherers, we went and settled in Kora and Boni forests. We were later displaced by the Orma after we had welcomed them to graze their livestock in our territory.<sup>111</sup>

To augment their claims of being the autochthones, each community has come up with idioms with which to describe their rival as being a recent immigrant. For example, the Orma derogatively refer to the Pokomo as '*Munyo*' which means salt in reference to their growing of food from the soil. They also call them '*Nywele ngumu*' (thick hair) to indicate that they do not have curly hair like the Cushites. The Pokomo simply refer to the Orma as '*shiftas*' or '*woria*' to indicate that just like the Somali, they are also strangers who should go back.

These narratives of autochthony and belonging have featured prominently in reconstructing land allocation in Tana Delta. A case in point is in 2001 when the government launched an initiative to demarcate land and issue title deeds. The Pokomo were in favour of the decision since they are sedentary. The idea was however, vehemently opposed by the nomadic pastoralists since it

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<sup>109</sup> Oral interview, Wario Abbas, Garsen, 18<sup>th</sup> January 2019.

<sup>110</sup> Oral interview, Mohamed Maalim, Garsen, 18<sup>th</sup> January 2019.

<sup>111</sup> Oral Interview, Mohamed Guyo, Idsowe, 20<sup>th</sup> January 2019.

would limit their movements. The dispute was such that whereas the Orma and Somali communities perceive land as God-given to be shared by all, their neighbours, the Pokomo, believe it to be an individual's property. Even though the state shelved the plan, the stalemate eventually resulted in a wave of violence in between March 2001 January 2002. It involved the Pokomo against a loose ethnic alliance of the Orma and the Somali clan of the Wardei. This spate of violence erupted on March 7, 2001 when Orma/Wardei youth vigilantes attacked the Pokomo after a baraza (public meeting), killing 10 people and injuring many others. A low intensity warfare where 'every day a person is killed, women frequently raped, and animals raided' in an orgy of ethnic attacks and counter-attacks ensued<sup>112</sup>. By January 2002, an estimated 100 people had died, thousands injured and displaced and homes and property destroyed in the fighting.

In 2013, the Jubilee government embarked on an exercise to issue title deeds across the country. President Uhuru Kenyatta toured Hola, the county's headquarter, in a drive to issue 494 title deeds in September 2013. However, local Orma and Pokomo politicians disputed which led to a halting of the process<sup>113</sup>. In 2014, the then Lands Cabinet Secretary Charity Ngilu flew to the county with 72 surveyors with the aim of launching a survey process that would eventually lead to adjudication and issuance of title deeds. However, the process never kicked off as divisions between private and communal land ownership stalled the process<sup>114</sup>.

As a result, no one in the county owns a title deed to their land. According to former Tana River Governor Hussein Dado, no one in the region has legal ownership of land over 50 years after independence. He added:

Those who hold title deeds are outsiders, who came to the area either to do business or as civil servants and ended up grabbing land and acquiring titles for it. Some tycoons have been allocated as much as 400,000 acres in Tana River.<sup>115</sup>

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<sup>112</sup> Kagwanja, op. cit., p.141.

<sup>113</sup> Tsuma, Nyassy, Daniel. "Why Tana Chief Rejected Uhuru land Title Deeds." (Daily Nation, September 1<sup>st</sup>, 2013).

<sup>114</sup> Sanga, Benard. "Tana River Leaders Meet Ngilu, Reject Land Survey Saying it Might Spark Tribal Clashes." (The Standard, August 12<sup>th</sup> 2014).

<sup>115</sup> Ibid., Daily Nation, 27<sup>th</sup> September 2012.

Members from both communities offer different reasons for this scenario. According to Hushe Buke, an Orma businessman in Garsen, people rejected the title deeds delivered by the government because the entire process was biased:

Our former MP Danson Mungatana during his time in parliament also facilitated his Pokomo kinsmen to get title deeds in the delta and left out pastoral communities. Even the 495 titles brought by the presidents belonged to only one location, Ngao, where Mungatana hails from. So unless all communities are issued with the title deeds, they will not accept them.<sup>116</sup>

However, according to Maalim, a Pokomo, the pastoralists are not entitled to any piece of land in the region:

The whole land from Lamu all the way to Mbalambala near Garissa along the river belongs to the Pokomo. When the Orma claim they want title deeds, which land are they referring to? The Orma just like the Somali are strangers and even the land in which they are currently living here in Garsen is not theirs because they bought it from the Pokomo. There is therefore no way they can get titles.<sup>117</sup>

Another reason why a majority of Pokomo in Garsen do not want the Orma to get titles is because of their nomadic lifestyle. According to Toska Komora, a farmer from Minjila in Garsen, the Orma do not settle permanently as they keep on migrating to where there is water or green foliage for their livestock.<sup>118</sup> As such they cannot get title deeds because they will not live in that allotted piece of land continuously. In summary, land based conflicts in the delta are rooted in the different but contrasting narratives regarding who should enjoy the privileges of being the autochthones. The situation was further worsened by conflicts between the farmers' preference for individualized ownership of land vis-à-vis communal land ownership that the herders support. This has affected and even derailed land demarcation and issuance of title deeds.

### **3.3 Conflicts Arising from Different Perceptions Towards Resources**

In his study, *Conflict and its Socio-Economic Impact in Garsen Division of Tana River District*, Martin Pilly noted that environmental factors and cultural differences between the communities

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<sup>116</sup> Oral Interview, Hushe, Buke, Garsen, 18<sup>th</sup> January 2019.

<sup>117</sup> Oral interview, Mohamed Maalim, Garsen, 18<sup>th</sup> January 2019.

<sup>118</sup> Oral interview, Komora Toska, Minjila, 20<sup>th</sup> January 2019.

lead to different perceptions towards the resources.<sup>119</sup> He was of the view that as long as the environmental and cultural factors did not change, the hostility and animosity between the pastoralists- Orma/Somali- and the peasant farmers- Pokomo-would continue.<sup>120</sup> With the Pokomo claiming the land along the river and the Orma/Somali claiming the waters of the river, this has continued to be the major cause of conflicts that are usually predictable.

Conflicts in the Tana delta, for instance, have resulted from agricultural intensification where the existing land resources are put into more intensive use by both the crop farmers and livestock keepers. This intensification has resulted from population increase of the users and continued annexation of their ancestral land to put up large-scale projects by the government and private developers.<sup>121</sup> Hence, competition for the available land has become very stiff between the Orma and Pokomo. The most frequent cases of conflicts are those arising as a result of crop damage caused by animals belonging to herdsman and killing of cattle which have encroached on farming land or destroyed harvested crops.

During droughts, the Tana River is the main source of water for Orma pastoralists' livestock. Due to the large number of livestock dependent on the river during the dry season, some occasionally stray into the Pokomo farms and destroy crops. Due to increase in the population and pressure on land, the farmers have expanded their farms all around the river thus blocking even traditional animal migratory paths, the *malkas*, leading to the river. This is often an immediate trigger of conflict in the area. Pastoralists from as far as Ethiopia and Somalia also descend on the delta with thousands of cattle thus increasing the pressure on resources. Some of the immigrants do not return to their original abodes even when the dry season ends.

The Pokomo accuse herders of deliberately invading farmlands to graze their livestock. According to Toska Komora, a Pokomo farmer from Idsowe in Garsen, the genesis of conflict is the habit by the Orma of driving and grazing their cattle in their farms.<sup>122</sup>

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<sup>119</sup> Pilly, op. cit., p.173.

<sup>120</sup> Ibid., p. 173.

<sup>121</sup> Jerome O. Gefu and Are Kolawole, "Conflict In Common Property Resource Use:Experiences From An Irrigation Project", Presentation, Ahmadu Bello University, Zaria,Nigeria, 2019. p.9.

<sup>122</sup> Oral interview, Toska Komora, op. cit.

The Orma drive their livestock through our farms where in some cases they have near permanent pathways and animal tracks that run from Mbalambala all the way to the coast in Kipini and Mpeketoni. Destruction of crops is painful since you heavily invest in farming in terms of labor, fertilizers, pesticides and generators to pump water to the fields. All this effort goes to waste as the pastoralist livestock destroy the crops when they pass through the farms.<sup>123</sup>

He added that in some instances, some farmers have abandoned their fields after failing constant blatant invasions by the cattle. Others are forced to stop farming and sell their land at throw away prices. For example, I was taken to an abandoned 5 acre farm in Idsowe village neighboring the River Tana that was sold for Ksh 2000 to the herders as a grazing field.<sup>124</sup> The former owner of the plot could not put up with frequent destruction of his crops by cattle which kept on passing through his farm on their way to the river.

There are numerous incidents in which crop damage by pastoralists' animals led to inter-communal clashes. In the beginning of 2012 several cases of livestock that had entered farms or killed cattle were reported to the police and the administration mainly in Kilelengwani area of Tana Delta. The ensuing confrontations sometimes caused human deaths as the farmers attempted to repulse the herders. For example in April 2012 a Pokomo man was killed as he resisted attempts by herdsman to forcefully graze in his farm. Despite peace meetings by local headmen, tensions still persisted.<sup>125</sup> In May an Orma was found beheaded and towards the end of May another Pokomo was killed in Kilelengwani.

On 9th of July livestock strayed into a farm in Mikameni and when the farmer told the herdsboy to remove the animals which were grazing in his fields, the latter one was not willing to take the animals out of the farm. The situation finally escalated, when the two called their community and the conflict was taken on a community level instead of being solved as a conflict between two individuals.<sup>126</sup> Besides injuries with crude weapons and shots in the air the conflict did not escalate further. However, people were scared to sleep in their houses in fear of the other group

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<sup>123</sup> Ibid.

<sup>124</sup> Participant observation, 20<sup>th</sup> January, 2019.

<sup>125</sup> 29 Days of terror in the delta: KNCHR account into the atrocities at Tana Delta” (KNCHR Report, September 2013) p.10.

<sup>126</sup> KNHCR Report, op. cit., p. 10.

raiding the village and burning their homes. Hence, they spent the nights in the bush where they felt more secure, due to the fact that the other group did not know where to find them and some men had to stay awake during the nights to guard the village.

In July the same year, the District Peace Committee (DPC) went to the village and tried to mediate and to calm the situation down but the cattle were still grazing in their fields. In Kau tension arose in the middle of August 2012. While the Pokomo claim that big herds of cattle (approximately 300 heads) were driven into a farm in Kau, the Orma insist they were grazing their cattle on a migratory route which might have been converted into a farm.<sup>127</sup> According to the Pokomo the rice farm had, however, existed for decades and was clearly recognizable as a farm. The Pokomo further reported that when they confronted the herders the situation escalated. The armed herders opened fire before fleeing and later complained to the administration Pokomo had stolen their cows.

The biggest grievance by the Orma is that the Pokomo have the habit of killing their livestock. According to Barissa, the chairman of *Nyumba Kumi* in the Orma village of Garsen town, the cow is central to the Orma culture and both their economic and cultural wealth. However, when the herders leave the delta and move hinterland with their animals, Pokomo farmers, in a bid to increase food production, gradually move to cultivate in areas they did not originally inhabit. While the Pokomo accuse herders of deliberately invading farmlands to graze their livestock, the Orma accuse farmers of deliberately extending their farms to block access routes for livestock. Even though the farmers depend on their food crops for survival, the Orma argue that killing livestock is an overreaction on the part of the Pokomo. The farmers usually slash the trespassing livestock or poison them. According to Ruwa Nzai a Pokomo businessman from Garsen, the farmers buy 3 bottles of wild honey from the Boni hunter and gatherers, mix it with water and then spray the crops or grass with it<sup>128</sup>. He said that the concoction is so potent that it kills the invading herds within hours.

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<sup>127</sup> KNHCR Report, op. cit., p. 11.

<sup>128</sup> Oral Interview, Nzai Ruwa, Garsen, 21<sup>st</sup> January 2019.



Tensions arising from killing of Orma cattle have led to armed confrontations in numerous occasions. On 13th August 2012, it was reported that Orma herders were moving in with large numbers of livestock into farms owned by the Pokomo in Kau. Some of the farmers demanded for the herders to vacate their farms with their cattle. When the herders declined, a confrontation between the herders and the farmers ensued. Later, a group of armed Pokomo attacked the Orma who were grazing in their farms and slaughtered 50 cows on the spot.<sup>129</sup> They also made away with over 600 cattle and 198 of them were hacked to death in Ozi forest near Kau by the Pokomo.. The Orma promised not to retaliate but demanded for compensation, which was averaged at Ksh. 14.5 million; Ksh. 30,000 for a mature animal and Ksh. 10,000 for a calf.<sup>130</sup> On the same day, armed Orma attackers allegedly broke into a local health facility, destroyed the food store and defecated at the local Pokomo mosque altar. The Chief of Kau and the police prevailed upon the Pokomo and they released the remainder of livestock still in their possession.

The Orma version of the incident was that the Pokomo had converted animal migratory routes, *malkas*, into farms and thus the herders were left without grazing fields. The following day on 14th August 2012, 110 houses were torched in Kau village by suspected Orma raiders.<sup>131</sup> The Orma had gone to Kau to look for their stolen cattle but were met with armed Pokomo men, guarding the village. By this time, most of the women, old people and children had fled the village in anticipation of a possible attack by the Orma. Pokomo men confronted the Ormas and fighting ensued leaving 3 Pokomo dead and 7 persons injured. Due to the fact, that the village was burnt down, almost 2,000 people lost their homes. However, most of the villagers had left the village some hours before, in anticipation of an attack.

### **3.3 Group Prejudices and Conflict**

Prejudice refers to hostility toward groups predicated on false, simplistic, over-generalized or unconscious beliefs.<sup>132</sup> This antipathy is thus based on a faulty and inflexible generalization. It can be directed toward a group as a whole or an individual because they belong to that group.

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<sup>129</sup> KNCHR Report, op. cit., p. 12.

<sup>130</sup> Ibid., p. 12.

<sup>131</sup> KNCHR Report, p. 10.

<sup>132</sup> Donald P. Green and Rachel L. Seher, "What role does prejudice play in ethnic conflict?" *Annual Review Of Political Science* 6, no. 1 (2003), p.512.

Both the farming and pastoral communities in the Tana Delta hold prejudices against each other. For the Orma herders, they view the Pokomo as inferior to them since they hold that only people who have big herds of livestock are prestigious and wealthy. Another reason that makes them look down upon the farmers is because during their zenith in the 19<sup>th</sup> century, they enslaved the Pokomo and up to now they see them as slaves. According to Amina Mohamed, the chairperson of the Pokomo village *Nyumba Kumi* in Bilisa, Garsen, the Orma derogatively refer to the farmers as '*munyo*' which means salt to point out how they rely on food grown from the soil and not from animals.<sup>133</sup> She added that even though inter-marriages between the two communities do take place, the Orma can marry a Pokomo woman but the pastoralists look down on Pokomo marrying an Orma girl. She gave the example of her brother who married an Orma wife but they never stepped at their home. When they want to see the woman, they meet in town but not at their home.

The Orma also despised the farmers as cowards since they had for long enjoyed military superiority over them as the former had easy access to guns. For a long period between the 1960s and 1990s, the pastoralists used these guns to raid and terrorize the Pokomo. According to Maalim Galgalo, a Pokomo elder in Garsen, the farmers inflicted heavy casualties on the Orma in the 2012/ 2013 clashes in part to rebut the myth of Orma military domination in Tana River.<sup>134</sup> He avers that since the disastrous war in which over a hundred Orma members died, they now have mutual respect for each other. He adds that:

They had guns but we used only swords and spears and we defeated them. Since that time when we inflicted heavy casualties on them, no sober Orma wants to imagine the sight of a cow crossing the fence to enter into a farm. He would break the animal's legs.<sup>135</sup>

Unequal access to Western civilization particularly modern education in Tana River has also bred seeds of animosity between farmers and herders. Due to their sedentary lifestyle as small-scale farmers, the Pokomo came into contact with modern education earlier than their nomadic counterparts who lived in forests moving from place to place in search of water and pasturelands.

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<sup>133</sup> Oral Interview, Amina Mohamed, Garsen, on 18<sup>th</sup> January 2019.

<sup>134</sup> Oral Interview, Maalim Galgalo, Garsen, 18<sup>th</sup> January 2019.

<sup>135</sup> Ibid.

Accordingly, the Pokomo dominated all economic and administrative positions in the area as teachers, doctors, nurses, chiefs, police officers and even political representatives. Until recently, the Orma disregarded educating their children since they had large herds of livestock. Husho Buke, an elder from the Orma section in Garsen rhetorically asked me during an interview:

When we send our children to school, who will look after the cattle? Education is good for our children but we also need the cattle for a living. The solution is to send some to school while one will remain behind to look after the cows.<sup>136</sup>

The Orma thus view the Pokomo as elitist and thus able to influence key decisions and policies given that for long they dominated political positions in the region. This has forced them to ally with the Wardei Somali in a bid to counterbalance the farmers' influence.

The Pokomo on the other hand see the Orma as backward since they have stuck to olden ways of nomadism instead of embracing modern sedentary lifestyles. Komora, a farmer from Minjila avers that failure by the Orma to send their children to school is one of the sources of disagreements between the two communities. He claimed that some 10-year old Orma boys can walk from Mbalambala near Garissa all the way to Kipini and Mpeketoni at the coast with their cattle but their parents would not permit them to go to school. From the oral interviews, it was clear that these youth who have not gone to school are major instigators of conflict. According to Mzee Barissa, a leader of the Orma village, in the past elders used to negotiate in a bid to resolve disputes.<sup>137</sup> However, he argued that the Orma youth are very arrogant, impatient and are unwilling to obey their elders. Komora, as an example an incident in November 2017 when 3 Orma herds boys grazed their livestock on the farm belonging to a teacher, Mr Sammy, a Pokomo in Idsowe. When confronted, the boys said the food was a '*chakula cha mbuzi*' (food for goats).<sup>138</sup> In the ensuing dispute, they slashed the owner with a *panga* (sword) on the forehead instead of reporting to their elders. Villagers from both communities intervened but an armed conflict was forestalled when police officers manning the Malindi-Lamu highway intervened and separated the two groups.

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<sup>136</sup>Kusho, Hamsa, Oral Interview , Garsen, 18<sup>th</sup> January 2019.

<sup>137</sup> Oral interview, Barissa, op. cit.

<sup>138</sup> Oral interview, Komora, op. cit.

To cement these ethnic prejudices, the two communities have increasingly used symbols to refer to each other. For example, the county administration of Governor Hussein Dado in 2013 devised a county emblem to represent the county. Among the emblem's descriptions was an African bull representing the Orma community and a monkey to depict the Pokomo. While the governor insisted that Columbus monkeys were very common in Pokomo farms, the latter complained that it was an insult to equate the farmers with an ape.<sup>139</sup> This was because farmers in Garsen do not like monkeys as they see them as destructive and a curse.<sup>140</sup> It was later replaced with a Thomson gazelle in 2014 to symbolize the county's touristic attractions.

### **3.4 Ethnic Militias and Availability of Guns**

According to Kagwanja, the history of ethnic militias and guns in Tana River is closely tied to the collapse of Somalia in early 1990s when remnant soldiers of former Somali leader Siad Barre led to an upsurge of banditry attacks in the area. Many refugees and former fighters immigrating from neighbouring war-torn countries carry with them all manner of firearms' which they sell for subsistence.<sup>141</sup> Defeated or fleeing militias from Somalia, deserters from the Sudanese People Liberation Army (SPLA) and regional gun-runners are a major source of guns in the region. The government responded to the expansion of banditry and ethnic violence by creating community-based police reservists and home guards. While reservists and home guards have managed to counter bandits, to reduce the level of violence and to save many lives, they are equipped with inferior weapons compared to those of bandits and ethnic raiders, who sometimes wield M50 and M16 guns. Because reservists and home-guards have ethnic loyalties, firearms supplied to them by the government have often found their way into the hands of bandits and vigilantes who have used them in inter-ethnic wars.

In Tana River, banditry is a multi-ethnic enterprise 'with the Orma, the Wardei, the Gikuyu from Mpeketoni and members of other ethnic groups joining the exercise.<sup>142</sup> Underpaid and corrupt government officials in the area are directly involved or give tacit support to bandits with the

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<sup>139</sup> Barisa, Hassan. 'How a monkey and a cow are causing tension in Tana River.' (The standard, 4<sup>th</sup> Sep. 2018).

<sup>140</sup> Ibid.

<sup>141</sup> Report of Human Rights Watch (HRW) 2002.

<sup>142</sup>MUHURI Report, op. cit., p.28.

understanding that they would get a cut of the loot.<sup>143</sup> Banditry is widely used in marginal parts of Kenya for electoral ends and in Tana River, politicians have not only extensively and insidiously used bandits for political ends, some have actually recruited their own bandits.<sup>144</sup> During the 1992 and 1997 elections, both Pokomo and Orma/ Wardei politicians enlisted the services of bandits for electoral purposes. For example, the Orma and Wardei had the Blue Army which was a band of mercenaries hired by politicians from the pastoral communities. They were dressed in the military fatigue used by the Kenya Army.<sup>145</sup> The mercenaries reinforced ethnic youth vigilantes in the area.

While the Orma and Somali were previously the ones reportedly having standing militias, the Pokomo allegedly also formed their own. During the 2001 clashes, many of them were oathed and trained by the Mijikenda on war techniques. Months before the 2012 attacks, a man from Mombasa was seen recruiting Pokomo youths in Ozi and Kilelengwani to join the Mombasa Republican Council (MRC).<sup>146</sup> This incidence was reported to intelligence and the man was arrested. It is feared that the raiders who attacked Riketa might have received their training at Ozi forest. Members of the Orma community believed that the aforesaid trainings in Ozi were being undertaken by members of the MRC. Their belief was premised on the fact that the Pokomos were uncharacteristically more organized and violent, unlike the past. Their modus operandi during the attack was characteristically similar to past attacks associated with the MRC and other similar groups like the Kayabombo in Kwale. According to Maalim Galgalo, a Pokomo elder, every member of the community underwent training such that even children and women were trained on how to carry stones in buckets and throw them at the invading Orma.<sup>147</sup> Another trick they used was attacking during the day when they knew the Orma did not have guns as they usually hid them in the forest to take them at night.

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<sup>143</sup> Ibid., p.28.

<sup>144</sup> Oral Interview, Kirema Abraham, Idsowe, 21<sup>st</sup> January 2019.

<sup>145</sup> A report by the Federal Party of Kenya (FPK) in 2002.

<sup>146</sup> Human Rights Watch Report, op. cit., p. 18.

<sup>147</sup> Oral interview, Maalim Mohammed, op. cit.

Citing the Pokomo invasion of Riketa, an Orma village, over 200 raiders armed with guns including AK 47 assault rifles, machetes, spears, pangas and axes came from the direction of Kau and Ozi villages.<sup>148</sup> They had red ribbons tied round their heads and dressed in ordinary civilian clothes. The attack had all the hallmarks of a pre-planned attack executed with military precision. For instance, distinct clothing for identification purposes, the swift nature of the attack which lasted about 20 minutes, the distinct roles of the attackers, where there were those who would carry out the attack, those who would carry their injured/dead ('no man left behind policy') and those who would issue instructions/command. According to KHRC Following the attack, 52 people were killed (10 men, 31 women and 11 children) out of who 42 were slaughtered and 10 were burnt beyond recognition. 16 people sustained serious injuries and were taken to various hospitals.<sup>149</sup> 78 houses were burnt down and over 453 head of cattle were killed and others went missing. The attackers would cut the entry point of the bullet to conceal the gun type used.

### **3.5 The Role of Influential / Powerful Individuals in Inciting Conflict**

Political and business elite has contributed a lot to the Tana clashes. Their roles range from incitement, financing and supplying arms to their community members. For example, Mzee Barissa also told me that during the 2012 clashes that there were rumours that Mungatana had send a car full of machetes to Garsen. He said that though he was not sure about the veracity of the information, he nevertheless could not doubt it. Similarly, during the same time, Hussein Dado, the foremost Orma politician and gubernatorial candidate then had his car impounded as it was loaded with guns.<sup>150</sup> In 1999, while serving as DC for Baringo District, Dado was also accused of being the owner of a lorry carrying guns that was arrested but later released.<sup>151</sup> Another accusation leveled against Dado was that he used his position as a top government official to establish Orma settlements along Tana River which contributed to the current farmer-herder conflicts.

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<sup>148</sup> KNCHR Report, op. cit., p. 12.

<sup>149</sup> KNCHR Report, op. cit., p. 10.

<sup>150</sup> Oral interview, Kirema, op. cit.

Open bias and unequal development by the area political leaders is also a factor in the farmer-herder relationship. For example, Mungatana was accused of building development projects like schools and hospitals in Pokomo villages only during his tenure as MP (2002-2013). During Dado's term as governor of Tana River (2013-2017), the farmers accused him of bias as he only developed Orma villages and financed their youth groups only. He even tarmacked some of the *malkas*, the animal migratory corridors even though some passed through fields that were forcibly taken from the Pokomo.<sup>152</sup> In like manner, when Dhadho Godhana, a Pokomo won the seat in August 2017, he was also accused of sacking members of Orma from his administration and hiring members from his community.

Another influential personality cited in the Tana clashes is Yusuf Haji, a former MP for Ijara which borders Tana River. The Haji family reportedly owns huge cattle ranches in the delta in Ozi and Kipini which makes him an interested party in the delta.<sup>153</sup> He has allegedly encouraged Somali pastoralists to cross from Ijara into the delta, an issue which is resented by the Pokomo. In 2010 he had pushed for the border between Garissa and Tana River to be at the middle of the river rather than the current 5km from it eastwards.<sup>154</sup> This angered the Pokomo who farm alongside the river. According to a Pokomo elder, Maalim, Haji reportedly used police officers to attack the Pokomo in September 2012 clashes when he served as an acting Minister for Internal security.<sup>155</sup> He supports this claim by saying that the attackers were wearing police uniforms. It was also reported that ballistic examination of bullets collected at the scenes of violence found out that some were manufactured by the government factory in Eldoret.<sup>156</sup>

Real or imagined roles that the various communities think political elites from their rival group play have fueled misinformation that sometimes leads to conflict. Ethnic relations became so volatile that genuine development activities were viewed through the prism of ethnicity. For example, at the height of the conflict in November 2001, Orma leaders invited a government minister to conduct a *harambee* (fund-raiser) for youth groups in Tana River, where nearly 4.5

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<sup>152</sup> Oral interview, Toska Komora, op. cit.

<sup>153</sup> Oral interview, Abraham Kirema, op. cit.

<sup>154</sup> Kirchner, op. cit., p.84.

<sup>155</sup> Ibid.

<sup>156</sup> 'Tough questions as Tana clashes Report gathers dust'. (The Standard, 11<sup>th</sup> May, 2013).

million Kenya shillings (US\$ 60,000) was raised. Pokomo elders alleged that this fund, which was fully controlled by Orma youth, would be used to purchase firearms.<sup>157</sup>

As such suspicious sightings are viewed as a precursor to conflict. For instance at the height of 2012/2013 clashes, residents reportedly saw a flashy car in the area before an attack occurred. They assumed that it must be a very influential person planning for an invasion. In 2007 December elections, a chopper brought ballot papers for counting in Garsen town but a rumour spread among the pastoralists that then area MP Mungatana had brought in new ballot papers to defeat his rival which almost led to violence. In 2014, a rumour spread that the Orma wanted to burn a church belonging to the Pokomo in Garsen town. However, this rumour was later dispelled by the police.

### **3.6 The Somali Factor in Tana Clashes**

One outgrowth of both Shifta insurgency and Somali civil war was the increased immigration of Somali pastoralists into Tana River region. The major Somali sub-clans in the study area are the Wardei and Galjeel. These Somali herders had began moving into Tana region from Garissa and Wajir around 1935 in search of pasture for their cattle. By 1960s, they were living in Danisa area alongside the Orma.<sup>158</sup> The scorched-earth methods employed by Kenyan security forces in quelling the *Shifta* war of mid 1960s forced many more Somali to migrate south into Tana River or further east into Somalia. The disintegration of Somalia due to the civil war that broke out in 1991 triggered a reverse flow of Somali population back into Kenya where some moved into southeastern Kenya with their herds.<sup>159</sup> These Somali were of both Kenyan and non-Kenyan origin.

The relationship between the Orma and the new Somali immigrants was on and off. On the negative side, the Orma were already embroiled in a long running feud with the agrarian Pokomo over the control of land and water resources. The Wardei and Galjeel thus increased pressure on the already diminished grazing resources. This has precipitated new tensions over which

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<sup>157</sup> Kagwanja, op. cit., p. 135.

<sup>158</sup> Mazrui, op. cit., p. 5.

<sup>159</sup> Ibid., p.5.



community controls what and who succeeds at the expense of whom. For example, the 2001/2002 clashes started when the Wardei disputed with the Pokomo over grazing fields before the Orma intervened to support their fellow pastoralists. Politicians have exploited these inter-ethnic tensions and competitions when it suits them for selfish gains. For example, prior to the 1997 general election, Molu Shambaro, a leading Orma political leader assisted many Galjeel to register as Kenyans so that they could get identity cards with the understanding that they would ally with the pastoral Orma and vote for him.<sup>160</sup> He even resettled many in his family's expansive ranch in Danisa. Their support enabled him to defeat his Pokomo parliamentary opponent. After the elections however, he turned against them and supported the government's measure to strip them of their citizenship and repatriate them back to Somalia in 1999 in order to favour his Orma kinsmen claim to the land they were occupying. Similarly, in 2013 elections, the Wardei and Orma teamed against the Pokomo up to win all the major political seats in Tana River County including Garsen.

The Somali question has become a thorny issue between the Orma and the Pokomo. It has opened a new frontier of agro-pastoral conflict between them and the Pokomo. They posited that whereas as the indigenes of the land they have been hospitable to the Orma by guaranteeing them water and land during dry seasons, the latter had acted arrogantly. They claimed that the Orma had not only armed themselves against the farmers' wishes, they had also invited the Wardei and Galjeel without consulting the Pokomo elders.<sup>161</sup> This, they argued, had increased population pressure and land disputes. They also charged that high ranking Orma elite encouraging the Somali immigration in order to wrestle the region from the Pokomo political control.

Both the Orma and Pokomo have now teamed up to accuse the Somali of manipulative business practices. For example, they claim that the Somali buy huge chunks of land at exorbitant prices which are hard to turn down. In turn, they invite their kinsmen, some from Garissa and as far as Somalia to immigrate and live them to the extent that within a short duration of time, a sizable Somali population springs up in the delta. During my fieldwork, my guide took me around Garsen

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<sup>160</sup> Mazrui, op. cit., p. 24.

<sup>161</sup>Refugee Review Tribunal Australia, "Kenya: Whistle-Blowers, Corruption, Opposition Parties, Political Activists, Ethnic Pokomo", KEN34144 Nairobi: Research & Information Services Section, 2008. p.21.

market and showed me the number of shops and other enterprises that were now run by members from the Somali community. He said thus:

Garsen was a predominantly a Pokomo market. When the Somali started immigrating into this area, they bought many shops from us the farmers. A friend of mine for example was offered Ksh 2 million for his shop and there was no way he could refuse. As a result, the Pokomo have now been systematically displaced from this town. We have left it at the hands of the Somali and relocated to a new market, Idsowe.<sup>162</sup>

During the Garsen market day on Saturday the 19<sup>th</sup> January 2019, I was able to corroborate his assertions as the Somali cattle traders and other businessmen formed a significant number of the town's population. But who is to blame for this new phenomenon? The farmers lay the blame squarely on the Orma for inviting their fellow herders to Tana River Basin. The Orma claim that the Pokomo are also to share the blame since their politicians also seek the Somali political support to win the various electoral positions in the area. They give the example of Danson Mungatana who allied with Ibrahim Sane, a Wardei and former Garsen MP in order to win the gubernatorial elections for in 2017.<sup>163</sup> As such, both the Orma and Pokomo continue trading blames over who is responsible for the immigration, and attendant impacts, of the Somali into the delta.

### **3.7. Conclusion**

Whereas many scholars have analyzed the Orma-Pokomo conflict from a generalized perspective, this chapter brought out the undercurrents and triggers that underlie this relationship. It showed how narratives of autochthony versus newcomers have fueled land disputes in the delta. These differences have hindered even the issuance of land titles that could have demarcated the land. As a result, the two systems of communal and private land ownership exist side-by-side. This situation has led to cases of Orma livestock straying or passing through farms and thereby destroying the food crops. This behavior irks the Pokomo who in most times react by slashing to death or poisoning the animals which in turn angers the Orma. The Pokomo also resort to taking away and detaining the animals. Such low-level disagreements, though initially

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<sup>162</sup> Oral interview, Toska Komora, *op. cit.*

<sup>163</sup> Gari, Alphonse. "Mungatana-Sane alliance will fail, predicts Dado." (The Star Newspaper, 29<sup>th</sup> October, 2016).

between individual farmers and herders later metamorphose into group level conflict now involving whole communities as it happened in 2012 inter-ethnic violence.

Unequal access to education has led to inter-ethnic mistrust as the sedentary farmers see themselves as being more modern in comparison to the herders who until recently did not use to send their children to school. This mistrust has further been exacerbated by spread of rumours based on half-truths regarding happenings and incidents in the delta. This disinformation is effective in raising tensions between the two communities and even triggering them to fight each other.

The history banditry in Tana Delta has contributed to creation of or hiring of militia groups by the politicians to cause mayhem on rival communities. For example, Orma politicians used to hire Somali bandits to help in suppressing opposition from Pokomo communities. In 2012, the Pokomo allegedly received support from the MRC that trained them during their clashes with the Orma. Involvement of bandits in the delta has also facilitated proliferation of small arms which increased the level of insecurity in the region. The increased movement of the Somali has exacerbated agro-pastoral conflicts in the area. Correspondingly, this section holds that the Orma-Pokomo inter-communal violence is but an expression of the aforementioned underlying triggers. As such peace efforts to resolve them should also be tailored in order to address the various facets of the conflict as the succeeding chapter will demonstrate.

## CHAPTER FOUR

### THE IMPACT OF CONFLICT BETWEEN THE ORMA AND POKOMO IN TANA DELTA

#### 4.1 Introduction

The agro-pastoral conflicts witnessed in Tana River Delta have had devastating impacts on the people of Tana River and its environs. Many people have lost their lives due to these inter-ethnic conflicts. Thousands have been displaced from their homes to escape the effects of war. Property of immense value together with other economic infrastructures has been destroyed. These violent conflicts have also tended to disrupt access to basic social needs and services such as education, health and housing. It has also disrupted normal community functioning and entrenched a deep sense of fear, mistrust, and tension among the Pokomo and Orma communities that may take time and effort to address in the immediate term.

#### 4.2 Loss of Lives and Injury to People

The Orma-Pokomo inter-ethnic conflicts have led to the killings of hundreds of people to date. Many of these killings occur as a result of revenge attacks. For example, in April 2001 a Pokomo boy was killed in Tarasaa, at the Tana Delta, an incident which prompted the farmers to revenge on the herders<sup>164</sup>. As a result, a combined force of Orma and Wardei raided Pokomo homesteads killing nine people and this set off the 2001/ 2002 inter-ethnic clashes in the delta. According to the Daily Nation, hardly a week passed without reports of farmer-herder fighting during that period<sup>165</sup>. By February 2002, over 100 people were killed. The deaths were also cruel. According to Toska Komora, a farmer at Idsowe, the Orma captured and hung his uncle on a tree in 2001. They then killed him by slitting his body open with a sword from the mouth down his torso.<sup>166</sup> The other major conflict occurred between August 2012 and March 2013. According to the Judicial Commission of Inquiry into the ethnic violence in Tana River, the conflict claimed 160 lives.<sup>167</sup> In the first 29 days alone, that is, between 14<sup>th</sup> August and 11<sup>th</sup> September 2012, 116

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<sup>164</sup>Patrick Mayoyo and Walker Mwandoto, "Tana River Death Toll Rises To 52", *Daily Nation*, 2001.

<sup>165</sup> Mayoyo and Mwandoto, op. cit.

<sup>166</sup>Oral interview, Toska Komora, op. cit.

<sup>167</sup>Patrick Mayoyo, "Report Reveals Tana Strife Causes", *Daily Nation*, 2013.

people were killed.<sup>168</sup> Most of death casualties occurred from gunshot wounds, machete attacks or being burnt inside their houses. For example, on 14<sup>th</sup> August, an elderly Pokomo woman died after she attempted to escape from her burning house but was pushed back by Orma attackers. The highest number of deaths and casualties was the Riketa massacre of 22<sup>nd</sup> August 2012 where about 52 members from the Orma were killed by the Pokomo raiders.<sup>169</sup>

Further, the Kilelengwani massacre of 10<sup>th</sup> September 2012 (which claimed 38 lives) could have been worse than the Riketa massacre were it not for the efforts of police officers who tried to defend the village from the Pokomo attackers. At the end, nine police officers (four GSU, two APs and two regular police officers,) were hacked to death by the attackers.<sup>170</sup> There are contradicting reports with regard to the actual mandate of the killed officers. While the Orma and the state maintained that they were protecting the village, the Pokomo claim that they were part of the security forces sent to aid the pastoralists in repulsing the farmers. The victims of the massacres in Riketa and Kilelengwani were buried in mass graves.

When conflicts arise between farmers and pastoralists, the majority of those who go to fight are men from the clan, hired labour and family members. Participation of able-bodied men at conflicts implies that at least during conflicts, households are deprived of energetic people and their contribution to farming and pastoralism. The result is that women and children are forced by circumstances to take up men's responsibilities, in addition to their normal workload. Such added responsibilities include taking out livestock to far away grazing fields in the case of Orma women and clearing land for cultivation in the case of Pokomo women- a big security threat to their lives. At the same time, women, children and elderly people are exposed to more insecurity, as there are no strong young men nearby to defend them in case of an attack.

### **4.3 Destruction and Loss of Property**

In addition to killing members from their rival group, invaders from both the farming and herding communities also targeted the economic infrastructure and housing of their belligerents

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<sup>168</sup>Kenya National Commission on Human Rights (KNCHR), "29 Days Of Terror In The Delta: KNCHR Account Into The Atrocities At Tana Delta" Nairobi: Kenya National Commission on Human Rights (KNCHR), 2012. p.22.

<sup>169</sup> KNCHR, op cit., p.22.

<sup>170</sup> Ibid., p.22.

for destruction. The twin goal for this was to weaken them economically as well as coercing them to migrate thereby leaving their land behind. For instance, during the 2012 clashes, by the end of September, over 668 houses were burnt razed, more than 458 heads of cattle either killed or stolen and over 600 goats stolen.<sup>171</sup> The specific incidents were as follows:

On 14<sup>th</sup> August, 2012 Orma pastoralists drove their livestock through the Pokomo community farms in Kau village. Their main assertion was that the farmers had converted animal migratory corridors into farms. When a confrontation started, 3 people were killed. In addition, while the farmers managed to kill 198 cattle, the Orma razed 110 houses in the predominantly Pokomo homestead.<sup>172</sup> Another case of animal theft took place on 1<sup>st</sup> September 2012, when Orma attackers stole 40 goats from Semikaro village belonging to the Pokomo.

Furthermore, when Orma raiders attacked the Pokomo in Chamwanamuma village on 7<sup>th</sup> September 2012, they not only killed 20 people but burnt 94 houses also. In retaliation three days later on 10<sup>th</sup> September, Pokomo raiders attacked the Orma at Kilelengwani village. In addition to killing about 38 people, they burnt 176 manyattas where the Orma lived, one police vehicle and drove away 400 heads of cattle many of which were hacked to death.<sup>173</sup>

In addition to confiscation and slaughter of livestock mainly by the Pokomo, there were also reports of farmlands been invaded by cattle belonging to the Orma. Crop farming is the backbone of the Pokomo community. For example, on 17<sup>th</sup> August 2012, an Orma man was found cutting down crops and grazing his cattle on a farm which belonged to his Pokomo neighbor in Hewanu village. When his neighbor confronted him, he claimed that he was not only destroying the crops but that the Orma were well prepared to ‘wipe out’ all the Pokomos from the village.

#### **4.4 Displacement of People**

A total of 3,302 households representing a population of about 19,979 people were displaced from various villages including Kau, Riketa, Kilelengwani, Chamwanamuma, Semikaro, Nduru

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<sup>171</sup> KNHRC Report, op. cit., p.10.

<sup>172</sup> KNHRC Report, op. cit., p.11.

<sup>173</sup> KNHRC Report, op. cit., 12.

and Shirikisho during the 2012 ethnic clashes in the delta.<sup>174</sup> These included 4,231 children under the age of five, 7, 488 children between six and eighteen years and 5,087 lactating women. Additionally, there were 257 people with disability, 157 elderly persons and 105 who had been orphaned due to the war.<sup>175</sup>

In September 2012, these villages remained deserted with only police officers on patrol or at their temporary bases being seen in the vicinity. Most of the displaced persons settled in at least 5 spontaneous IDP settlements namely; Dide Waride, Witu D.O office, Vipingoni, Witu Primary school and Tarasaa DO's office. Others integrated with the local community in Madante, Oda, Kipao within Tana Delta district while the rest moved to locations outside the district in places like Malindi, Kilifi, Kwale, Kisauni, Garissa, Mombasa, Lamu and Tana River districts. The main challenge facing the displaced is the uncertainty as to when peace will be restored in the region to enable them return to their homes. Due to the incessant violence, some farms were abandoned upto now.<sup>176</sup>

#### **4.5 Destruction of Food and Livelihood**

The violence disrupted the communities' main sources of livelihood. Farmers saw their crops, farmlands and farm equipment destroyed while herders saw their livestock being stolen or hacked to death. A joint Kenya Red Cross and World Food Programme Food for Assets Programme was disrupted by the violence and subsequent displacement that affected some of the beneficiaries. Traders too suffered losses as their stores were vandalized or razed to the ground while workers could no longer go to work freely for fear of attack.<sup>177</sup> With their sources of food and livelihood destroyed, most of the displaced persons relied on relief supply from the Government through the then Ministry of State for Special Programmes, relief agencies such as the Kenya Red Cross Society (KRCS) and other well-wishers.<sup>178</sup>

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<sup>174</sup> KNCHR Report, op. cit., p. 24.

<sup>175</sup> KNCHR Report, op. cit., p. 24.

<sup>176</sup> Participant observation during field work, January 2019.

<sup>177</sup> KNCHR Report, op. cit., p. 82.

<sup>178</sup> KNHRC Report, op. cit., p. 82.

The KRCS is the lead agency coordinating relief efforts on the ground. They have been distributing both food and non food items to IDPs in camps and those integrated within the community.<sup>179</sup> The main challenge is that there is poor coordination of relief efforts by some of the actors leading to poor targeting of some of the beneficiaries and over concentration or duplication of efforts in some areas for example, Mambrui. Further, beneficiaries of the assistance lamented about the lack of special provisions being made for children and elderly persons while host families complained that there is inadequate attention drawn to them despite them hosting a high number of victims.<sup>180</sup> In the medium to long term the violence will have an impact on the future food security situation of the area due to the damage visited upon farms, livestock and other livelihood projects.

#### **4.6 Health and Psycho-social Effects of Violence**

During the conflict, over 49 casualties were reported with many of the victims being rushed to different hospitals and health centres including Malindi, Mpeketoni hospitals, and Ngao District hospitals, Witu dispensary, Coast General hospital in Mombasa and Kenyatta National Hospital in Nairobi for specialized treatment. Over 30 patients were admitted at Malindi District hospital. Out of the injured, the confirmed cases of police brutality. A nurse at a local health centre reported that there were claims that due to the ethnic animosity between the Pokomo and Orma, some patients would refuse to be attended to by staff from the warring communities. Kau dispensary was vandalized and burnt down during the conflict while Semikaro dispensary was converted into a temporary GSU camp during the disarmament process.<sup>181</sup> There have been several interventions from agencies and government to mitigate the negative health impact of the violence. Several medical outreaches have been conducted by the Kenya Red Cross Society and the Ministry of Public Health and Sanitation in places like Kilelengwani, Kilunguni, Kau, Kipini, Tizama Lako and Vipingoni.

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<sup>179</sup> KNHRC Report, op. cit, p. 83.

<sup>180</sup> KNHRC Report, op. cit, p. 84.

<sup>181</sup>KNHRC Report, op. cit, p. 87.



The Ministry of State for Special Programmes, KRCS, and the Child Welfare Society of Kenya helped in providing counseling and psychosocial support services to IDPs in camps.<sup>182</sup> Some health facilities located near IDP camps were stocked with additional drugs and equipment. There was also little information concerning impact of the violence on persons living with HIV (PLWHIV). The nationwide doctors' strike that happened in the month of September 2012 impacted on service delivery to some of the patients.<sup>183</sup> The main challenge was to ensure that displaced persons have continued access to primary health care, and psychosocial support is sustained and expanded.

#### **4.7 Effects on Education**

The violence and subsequent displacement happened when schools were about to reopen for the final term of the school calendar where candidates at primary and secondary schools were supposed to sit for the Kenya Certificate for Primary Education and Kenya Certificate for Secondary Education examinations. Hundreds of pupils were displaced, while at least one teacher, Mwalimu Branji Morowa was killed during the violence. About standard 8 KCPE candidates were in danger of missing out of school and not be able to sit for their final examinations. Despite assurances from local administrators that the government was liaising with Kenya National Examination Council (KNEC) to ensure that all candidates in the area are able to sit for their exams, more than 100 candidates could not be traced while KCSE examinations were underway.<sup>184</sup>

According to reports, most of the affected candidates were from Ngao, Kipini and Tarasaa secondary schools. Further, out of the 256 candidates who had registered for KCPE, only 5 could be traced.<sup>185</sup> Numerous educational facilities were damaged and vandalized during the violence while others such as Kilelengwani Primary School and Semikaro Primary school were converted into temporary operation bases for GSU officers. Overall, 9 primary schools with a student population of 2705 and 1 secondary school with about 120 students were affected. The affected schools include Shirikisho Primary School (533 pupils), Chamwanamuma Primary School (343),

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<sup>182</sup> KNCHR Report, op. cit, p. 87.

<sup>183</sup> KNCHR Report, op. cit, p.89.

<sup>184</sup> KNCHR Report, op. cit., p.20.

<sup>185</sup> KNCHR Report, op. cit., p. 90.

Semikaro Primary School (303), Nduru Primary School (419), Kibokoni Primary School (202), Riketa Primary School (274), Kau Primary School (117), Ozi Primary School (304), Kilelengwani Primary School (409) and Buyani Secondary School (92).<sup>186</sup>

In areas where displaced persons sought refuge, school facilities in those areas were over stretched and unable to cope with the influx of new pupils. For instance, the student population of Dide Waride Primary school rose from 270 to 470 pupils.<sup>187</sup> Most of the pupils had suffered psychological trauma and therefore required counseling. Schools in some of the deserted villages remained closed while teachers were unwilling to return to work until their security was assured. The aftermath of the violence on education standards was evident due to poor results for candidates in the delta in national examinations. Even the 2013 enrolment in the Tana Delta sub-county dropped by 23% to 16,651 (7,716 girls and 8,925 boys) from 21,584 (10,351 girls and 11,233 boys) in 2012.<sup>188</sup>

#### **4.8 Conclusion**

Inter-community clashes between the Orma and Pokomo have caused adverse effects among the local population in Tana Delta. Hundreds of people have been killed in the violence and others injured. Property of immense value including cattle and food crops has been destroyed thus affecting the people's livelihoods. The waves of violence have also contributed to displacement of many people from their homesteads to avoid conflict. All these have created a general environment of insecurity in which both the farmers and herders cannot carry out their economic activities in peace. Furthermore, the scene of the atrocities of violence has led to trauma among the victims and who needed psycho-social support for their healing. Finally, continuous violence has led to displacement of school-going children and destruction of schools which has lowered educational levels in the region.

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<sup>186</sup> Ibid., p. 90.

<sup>187</sup> KNCHR Report, op. cit., p.22.

<sup>188</sup> Education Cluster / UNICEF KCO, "Tana River County Education Field Visit: Impact Of Conflict And Floods On Learning" Garissa, 2013.

**CHAPTER FIVE**  
**AREAS OF COOPERATION BETWEEN THE ORMA AND POKOMO AT THE**  
**LOCAL LEVEL, 1992-2017**

**5.1 Introduction**

The Orma and Pokomo conflict is composed of different facets involving specific incidents, processes, fears, actions by very influential personalities at the ground, banditry as well as spread of illegal guns. Consequently, this chapter postulates that small-scale and localized interventions by communities themselves at the grassroots have been instrumental in promoting peaceful cooperation between the Orma and Pokomo. These grassroots peace efforts have succeeded because they are adapted to issues that are contextually relevant and locally determined in the study area. Additionally, they are also borne out of people through ordinary and everyday actions which makes them earn legitimacy at the very basic level.

Such localized peace initiatives include community policing which has helped the two communities resolve disputes, conduct peace trainings as well detect conflict early warning signs. They have also employed rituals and symbolic acts such as inter-communal marriages and image theatres to promote trust between the farmers and herders. There are also community radio stations in Tana delta whose objective is to promote coexistence and dispel rumors. Sharing of social facilities such as schools as well as living together in major urban centers has also brought harmony between the communities in the study area. In order to avoid incessant farmer-herder conflicts, some members from the two communities have diversified their economic activities by adopting other trades such as beekeeping and ranching. Other influential factors and actors that have promoted peace at the grassroots level in the delta include peace games, women and prominent personalities at the ground.

**5.2 Community Policing**

Policing refers to “any organized activity whether by the state or non-state groups that seeks to ensure the maintenance of communal order, security through the elements of prevention,

deterrence, investigation of breaches and punishment.<sup>189</sup> According to Oliver community policing is a systematic approach to policing with the paradigm of instilling and fostering a sense of community, within a geographical neighborhood in order to improve the quality of life.<sup>190</sup> It thus entails initiatives by the community to preserve public order. In many instances community policing is spearheaded by non-state entities that operate with the objective of protecting societal order and the preservation of security. This objective is pursued by investigation of breaches of communal norms, dispute resolution and enforcement of punishment. As a result non-state groups' enforcement of communal order serves as a deterrent to the rest of the community.

Non-state policing in Kenya has brought a sharp contention between the state and society regarding regulation of order and law enforcement. Whereas the state relied on formal law enforcing agencies such as the police, military, game wardens and forest service officers, different communities came up with self-help groups who competed with the state for the monopoly of force. These groups intensified after the re-introduction of multi-partyism in 1991 in which they mainly served as agents of perpetrating electoral violence. According to Anderson, politicians mobilized and armed youths, promising them land and job opportunities if they agreed to take part in the violence.<sup>191</sup> In these circumstances, gangs and militias continued to proliferate all over the country, thereby increasing the presence of institutionalized extra-state violence both during and after elections.

In Nairobi, the struggle for political control in the city led to the rise of such vigilante groups as *Mungiki*, *Jeshi la Mzee* and *Taliban* who were deployed to 'protect' the interest of their respective political clients.<sup>192</sup> After elections, these armed groups turned to criminal activities for materialistic gain as they waited to be used again as political instruments at the opportune time. These vigilante groups were also found in rural areas. For instance, among the Gusii, *Chinkororo* was formed in early 1990s as a self-defence group where state security machinery was slow to

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<sup>189</sup>Bruce Baker, "Multi-Choice Policing In Africa." (Uppsala: Nordic African Institute, 2008), p.1.

<sup>190</sup>Willard M. Oliver and Elaine Bartgis. "Community Policing: A Conceptual Framework." (*Policing: An International Journal of Police Strategies & Management* 21, no. 3 of 1998) p.51.

<sup>191</sup>David M. Anderson, "Vigilantes, Violence And The Politics Of Public Order In Kenya." *African Affairs* 101, no. 405 (2002) pp. 531-555.

<sup>192</sup> Ibid., p. 531.

respond to cross-border insecurity.<sup>193</sup> Accordingly, the group exists to protect the community against wars and cattle-rustling from neighboring communities.

Another vigilante group, *Amachuma* arose with the objective of protecting communal order. However, in reality its operations are associated with the protection of the personal interests of the region's political elite.<sup>194</sup> As such their role is to mete out threats and actual violence against political opponents of their sponsors. Another example of a non-state policing agent is the *Sungusungu* which started among the Sukuma and Nyamwezi of northwestern Tanzania. The system later spread to the Kuria and Kisii communities in the 1990s.<sup>195</sup> The group had a legacy of using of disproportionate responses to crime. For example, suspected murderers were killed while persons believed to be witches were rounded up and burnt in public while their homesteads were torched.

Presently, there appears to be a reclaiming of stakes in security as evidenced by increased state interest in community-led initiatives.<sup>196</sup> It began with the passing of the Prevention of Crime Act (POCA) in 2010 that banned all organized criminal groups. In response, vigilantism and non-state policing in general changed tact. Notable changes include a change of name, a resort to direct political participation and a superficial espousal of non-violent order and dispute resolution. For example, the name of *Sungusungu* changed to the Community Policing Group (CPG).<sup>197</sup> It is a strategic means of operating within the law, in the light of the new law (POCA). Beyond the practical measure of changing name to overcome the ban, *Sungusungu* used the same law that prohibits it to create an opportunity by clothing itself with the legal status of a state policing institution.

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<sup>193</sup>Wycliffe Nyachoti Otiso, "Community Policing And Vigilantism In Kisii: Towards Non-Violent And Inclusive Non-State Policing", (The East African Review 50, 2015), p. 102.

<sup>194</sup> Ibid., p.102.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

<sup>197</sup> Ibid.

Again, with the promulgation of the new constitution in 2010, non-state policing was formally constituted in law. The National Police Service Act, section 96(1), states that the service shall, in order to achieve the objects contemplated in the constitution, liaise with communities through community policing initiatives<sup>198</sup>. Consequently, in October 2013, the government formed a committee to oversee the implementation of community policing, christened *Nyumba Kumi Initiative* (NKI) which was aimed at bolstering security in the country. The plan aimed at restructuring the current system of villages under an elder into 10 household units<sup>199</sup>. These households can be in a residential court, an estate, a block of houses, a *manyatta*, a street, a market centre, a gated community, a village or a *bulia*.

The *Nyumba Kumi* committee at the village serves as the most generic security body others being the sub-locational, locational, ward, sub-county, county security committees. The households democratically elect the office bearers and the chairperson represents the committee at the sub-locational level. These officials include 3 members of public (with consideration of ethnic balancing, gender and people with disabilities), 1 representative from each religion that has a presence in the village, 1 member of the business community, 1 county government representative, 1 youth, 1 woman, area assistant chief and a representative from each government policing agency in the area.

The localized community policing has 200,000 clusters countrywide but in the four counties of Mandera, Wajir, Garissa and Tana River, a village security committee serves the purpose<sup>200</sup>. In the Tana Delta, the security committees have promoted social cohesion within the cosmopolitan region. Taking the case of Garsen town in Bilisa location, there are three main villages comprising the main communities in the area, namely the Pokomo, Orma and Somali. Each section has a *Nyumba Kumi* committee which is in charge of community policing in that zone. The main functions of these *Nyumba Kumi* committees include resolving disputes over boundaries, watering points, demarcation of *malkas* (animal corridors) along Tana River, inter-ethnic cattle

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<sup>198</sup>"National Police Service Act", Section 96 (1). (2011).

<sup>199</sup>Andhoga, Walter Otieno, and Johnson Nzau Mavole. "Influence of Nyumba Kumi Community Policing Initiative On Social Cohesion Among Cosmopolitan Sub Locations In Nakuru County". (International Journal of Social And Development Concerns 1, no. 612 (2017), p. 66.

<sup>200</sup>Muraya, Joseph. "200,000 clusters formed in Nyumba Kumi drive." (The Capital news, 23<sup>rd</sup> January, 2015).

rustling, identification of aliens, carrying out local crime mapping, helping in disarmament, promoting education levels in their villages, organizing periodic security forums and other security issues that may emerge. According to Nuru Dakota, the chief of Bilisa location of Garsen Sub-County, all the chairpersons of the village security committees meet at least once every month at her office<sup>201</sup>. During this peace meeting, they discuss any security concerns affecting their respective villages and come up with ways of resolving them. They also undergo peace training from various state and non-state groups after which they go throughout the villages preaching peace to the residents<sup>202</sup>. This community policing model has improved the early warning systems in the study area.

Barissa Charo is the chairperson of the Orma section in the *Nyumba Kumi* Committee in Garsen Township.

My duties involve getting to know how every pastoral family in my village is doing. I go round meeting them and they inform me about the challenges they face and in case there is any disagreement among them, the committee sits down to resolve it. We meet at the chief's office every last Tuesday of the month with the heads of other villages. It is during this meeting presided by the chief and her assistant that we discuss the various security and criminal issues in Bilisa Location. For serious cases that we may not handle, the chief would involve the police to take over the matter. Such police cases include illegal logging of trees near Tana River and robbery within the town. However, the committee is able to address issues regarding sharing of water points for livestock, negotiating passage routes for cattle (*malkas*) to access the river, complaints over crop destruction by animals and livestock theft.<sup>203</sup>

He added that various organizations, both from the government and NGOs have also used the meetings at the chief's camp to train members about peaceful methods of resolving disputes. Other times, these groups organize trainings in hotels in major towns like Hola and Garsen in order to hold discussions regarding main causes of inter-ethnic clashes and how to address them. After these trainings, the chairpersons of the *Nyumba Kumi* committees go back and educate the villagers the things that they have learnt. Each locational committee has a chairperson for the youth in Bilisa location who represents the interests young people. He too after these peace trainings also organizes meetings with the youth and talks to them about the importance of

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<sup>201</sup> Oral Interview, Dakota Nuru, Chief Bilisa location, Chief's office, Garsen town, 18<sup>th</sup> January, 2019.

<sup>202</sup> Oral interview, Barissa Charo, op. cit.

<sup>203</sup> Ibid.

leaving together with people from various ethnicities. The youth representative is also the point man when there are events organized to promote tolerance among the youth such as games and peace music concerts. As such the young people are part of the ongoing peace process in the area by being incorporated into community policing.

### **5.3 Symbolic Acts and Rituals**

Rituals and symbols are important tools for contemporary peace building. Just like culture, a ritual is a neutral tool which can be constructive or destructive. It can be constructive when used to promote communication between groups and transforming conflict-defined identities. However, ritual abuse can deliver an escalation of violence. According to Lisa Schirch, rituals and symbols can be useful in solving complex, deep-rooted conflicts. Schirch suggests that in addition to direct and linear modes of peace processes, practitioners need to also engage people's emotions and senses so as to capture their imagination and interest. She posits that ritual has three key tenets: First it occurs within a unique social space which is set apart from everyday life.<sup>204</sup>

Secondly, communication operates through symbols and emotions rather than relying on words or rational thought. Accordingly, in ritual individuals learn by doing and utilizing non-verbal communication. The third feature of a ritual is that it confirms and transforms people's worldviews, identities and relationships with others. In Schirch's view therefore, rituals are symbolic physical actions that require interpretation and their messages do not directly discuss the people or events at hand but they communicate indirectly through symbols, myths, metaphors and emotions.<sup>205</sup> Symbolic acts of peace involve an array of activities such as handshakes, sharing a meal, fishing together, dancing and taking a photograph.

Schirch claims that human life, including conflict, is dramatic and cultural symbols attempt to lighten up the resolution process. Many communities have used the ritual framework to transform their relationship with their warring parties. For example in Cyprus, which is sharply divided between Turkish and Greek Cypriots, sharing meals has become a common tool for

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<sup>204</sup>Schirch, Lisa. "Ritual and Symbol in Peacebuilding." (Kumarian Press, Boulder, Colorado, 2004) p. 15.

<sup>205</sup> Ibid., p.15.



promoting friendly relations between the two belligerents. Accordingly, youths from the two groups are invited into restaurant for a peace workshop where they share tables as they eat together during discussions.<sup>206</sup> Participants get to converse since they rarely meet as they live in separate regions within the country. In their work about cross-cutting ties between the Kikuyu flower farmers and Maasai pastoralists in Lake Naivasha Basin, Kioko and Boling elucidate that intermarriage between the two groups has increased which has helped in facilitating peaceful relations between the families tied by the marital union. They argue that marriage unites the in-laws who mobilize their larger social networks of both the Kikuyu and Maasai kin and friends. Accordingly, members from the two communities get opportunities to negotiate access rights to land either for farming or grazing.<sup>207</sup>

Cultural rituals and use of symbols have proved effective and powerful tools of promoting peaceful inter-communal relations between the communities of Tana River County. For example, immediately following the acrimonious 2012/2013 clashes, the Orma and the Pokomo organized a traditional peace ceremony at Wenje primary school in the delta in 2013. During the ceremony, the governor, Hussein Dado, an Orma, was crowned as a Pokomo elder by the elders an act that made him a member of his new adopted community.<sup>208</sup> The governor also promised to include all communities both famers and pastoralists in his administration. Similarly, after a Pokomo, Dhadho Godhana won the gubernatorial seat in the August 2017 election there were attempts to promote peaceful relations between the farming and the pastoral communities in the county. For example, in late 2017 the Orma elders ‘sold’ their girl to him for marriage in a bid to foster friendly relations with the Pokomo.<sup>209</sup>

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<sup>206</sup>Schirch, op. cit., p. 22.

<sup>207</sup>Kioko, M. Eric, and Bollig, Michael. “Cross-cutting ties and co-existence: Inter-marriage Land Rentals and Changing Land Use Patterns among Maasai and Kikuyu of Maiella and Enosupukia Lake Naivasha Basin, Kenya.” (Rural Landscapes Journal, 2015).

<sup>208</sup>Gari, Alphonse. “Pokomo, Orma seal peace deal at Wenje.” (The Star, 31<sup>st</sup> October, 2013).

<sup>209</sup> Oral interview, Barissa Charo, op. cit.

While local political leaders in Tana delta use inter-marriage mainly for purposes of political unity, members from both the farming and herding communities do marry from each other due to the increased interaction occasioned by the fact that nowadays they live in the same territory. In an interview, Buke, an Orma elder, narrated how his cousin married a Pokomo girl.

My own blood cousin got engaged to a Pokomo lady. First, it was a challenge in settling dowry given that they came from very different and contrasting cultural backgrounds. Whereas my cousin was an Orma and Muslim, his fiancée was a Bantu (Pokomo) and Christian. Elders from the two communities had to meet and sort out the issue. After deliberations it was unanimously agreed that the man's community should follow all the marriage rituals of the Pokomo since they were the ones 'buying' the girl. Consequently, we followed all the Pokomo customary marital rites and paid the dowry in terms of livestock, rice and traditional brew.<sup>210</sup>

He added that during the day of traditional wedding ceremony at the girl's family, those in attendance were urged to follow the example of the new couple, who broke the inter-ethnic barriers to wed, by living together as brothers and sisters. The master of ceremony declared that the inter-marriage "*imeondoa uhasama kati yetu*" (has removed animosity between our communities). After the wedding, they Islamized his cousin's wife and today they are living happily.<sup>211</sup>

Still speaking about inter-marriages between the pastoralists and farmers, Amina Galgalo, a Pokomo, claimed that it was mainly the Orma who marry Pokomo women and not vice versa. The only exception, she adds, is when the Pokomo man has a high social status, in terms of economic wealth or political authority. She cited the case of the current governor Dhadho Godhana who married an Orma woman in 2017 after winning the gubernatorial election. According to her, the herders despise the farmers as they perceive them as being poor since they do not have large herds of cattle. It is easier for the Orma and Upper Pokomo to intermarry since both are Muslims. In the case of Lower Pokomo, however, the Orma despise intermarriages with them because they profess the Christian faith and they fear their women might be converted from Islam. She gives the example of her younger brother, a Christian who married an Orma girl; "My younger brother has an Orma wife. However, after the wedding ceremony, the wife's family

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<sup>210</sup> Oral interview, Buke Hushe, op. cit.

<sup>211</sup> Ibid.

members have never stepped into his home. If they want to see her, they meet in town away from the home.”<sup>212</sup> On the whole, inter-communal marriages have been instrumental in promoting good relations between members from different ethnic extraction in the Tana Delta.

In addition to intermarriages and traditional peace ceremonies, peace rituals are useful as a tool for psycho-social healing. Recognizing the need for psychosocial intervention in order to help pupils process the psychosocial effects of violence, peace education initiatives have been implemented in schools in Tana River. Following the 2012/2013 ethnic clashes dozens of children were killed and many other injured. Surviving children in the delta witnessed the horrendous effects of the violence in terms of beatings, rape, murder, abductions, invasion and burning of their houses as well as the humiliation of their parents. As a result, after the violence, schools and religious bodies in the region, with the help of the Education ministry, began a program dubbed Learning to Live Together (LTLT) whose main object was to equip pupils with necessary life skills to enable them overcome the trauma of the violence.<sup>213</sup> Currently, the program covers 14 schools with a population of about 800 students.

Under this program, various peace practitioners train teachers on experiential and activity-oriented tips as well as resource materials to help them deliver peace education in the classroom. These initiatives involve various components designed to give students an outlet for expressing their experiences and feelings. Some of these include workshops for children from various schools in the delta for art therapy sessions where they draw pictures depicting their personal experiences during the clashes.<sup>214</sup> Some of the drawings by children include police trucks, guns, a house on fire with a person inside and bodies in river. This experience is referred to as image theatre which entails a process whereby participants make still images of their feelings and lives using non-verbal communication to reveal truths about society. The pupils are then asked to voluntarily share their sketches with other children, while the teachers and facilitators ensure psychological safety and an atmosphere of learning.<sup>215</sup>

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<sup>212</sup> Oral interview, Amina Mohamed, op. cit.

<sup>213</sup>Kang’ethe, Mary. “Peace education initiatives in Kenya,” (Common Threads, 9<sup>th</sup> October, 2015) Accessed from <https://commonthreads.sgi.org/post/130800262798/peace-education-initiatives-in-kenya> on 28th Feb 2019.

<sup>214</sup>Kang’ethe, op. cit.

<sup>215</sup> Ibid.

In addition to psycho-social healing, symbolic acts have helped in promoting mutual sharing of coping mechanisms. For instance, students are asked to envision a future without violence and depict it in a drawing. This helps them in visualizing a positive future and motivates them to strive to make it a reality. The symbolic activities conclude with music and dance to help students release the feelings evoked by the previous session. During singing, the children sing songs from all the communities living in the area.<sup>216</sup> LTLT training workshops have also led to interaction of teachers from different ethnic groups which was almost non-existent before. Ethnic barriers between children are also slowly being broken. Another aspect of this program is planting and nurturing trees by pupils which helps them to develop such qualities as empathy and care for others. Schools also use tree planting events as an opportunity to raise awareness about peace among members of the institutions' communities.<sup>217</sup>

#### **5.4 Co-Existence in the Delta's Urban Centers**

Cosmopolitan urban have helped in overcoming ethnic barriers and prejudices which lay the foundation for sustainable peace and development. When different communities are able to interact with each other, they transform these towns into centres of economic activities, peaceful relations, flourishing trade, improved livelihoods and sustainable resource use. A case in point is Wajir town which in the 1990s experienced protracted battles between the Somali clans of Degodia and Ajuran over political supremacy and border disputes. Market women, drawn from different clans in the town decided to cooperate and influence their respective clans to stop fighting which led to a peace agreement between them in 2001.<sup>218</sup>

Urban centres in the Tana Delta have of late served as tools for promoting good inter-ethnic relations. As a coping mechanism to avoid the incessant ethnic violence in the villages, a significant number of both farmers and pastoralists have left the rural villages and moved to live around the main towns in the area.<sup>219</sup> They live in towns from where they coordinate their

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<sup>216</sup>Kang'ethe, op. cit.

<sup>217</sup> Ibid.

<sup>218</sup>Khalif, Abjata. "How women's efforts brought cessation of hostilities to Northern Kenya." (AWC The Kenyan Woman, 2014) Accessed from <http://kw.awcfs.org/article/how-womens-efforts-brought-cessation-of-hostilities-to-northern-kenya/> on 7<sup>th</sup> March, 2019.

<sup>219</sup> Oral Interview, Abbas Wario, Garsen, 18<sup>th</sup> January 2019.

farming or herding activities. Unlike previously when the two communities lived in their own respective villages, towns lead to daily interactions between both the Orma and Pokomo in addition to other communities. This promotes inter- ethnic mutual understanding and currently towns are considered to be the safest havens in the area in case of violence. Examples of towns with mixed ethnic groups in the delta include Garsen, Minjila, Gamba, Wenje, Kipini and Kielengwani.

In addition to living together, communities living in urban centres usually cooperate in such avenues as trade, education and skills. For example, the Pokomo being a sedentary people have house building skills. They are thus hired by the Orma to construct their houses since the latter do not have building skills since they used to live in temporary huts in the forests looking after their animals.<sup>220</sup> Members from the two ethnic groups also cooperate in business activities. For example, Mzee Ismaili Ado, the proprietor of *Happy Family*, a leading hotel in Garsen has hired members of the Pokomo as chefs to prepare such meals as rice, doughnuts, *chapati* and *pilau*. On the other hand, he has employed the Orma to supply milk and also to work in his butchery as they are skilled in working with meat.<sup>221</sup> By working together in a complimentary manner in the enterprise and others, members from both the farmers and herders develop mutual understanding of each other.

Furthermore, availability and sharing of social services in these towns offers a unique value in fostering social cohesion, inclusive development and peaceful societies. Residents who immigrated to urban centers had the opportunity to share services such as education, water, health facility and religious centers which promoted friendly relations among them. Taking the example of Garsen Township, majority of the learning institutions there are mixed ones in the sense that they draw students from not only the Orma and Pokomo but also from other ethnic groups such the Somali, Meru, Gikuyu and Giriama. Garsen primary school is one such institution. According to Husho, the school serves as a unifying force in the area since parents from both the farmers and herders come together to support it in order to ensure their children get a good education. He posited thus:

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<sup>220</sup> Oral interview, Mohamud Galgalo, op. cit.

<sup>221</sup> Oral interview, Ismaili Ado, Garsen, 18<sup>th</sup> January 2019.

Since independence, this school has opened its doors to pupils from both the Orma and Pokomo on an equal basis. Every member of the Garsen school community including learners, parents and school staff have helped create a harmonious educational environment for the teachers and students. For example, parents come together to facilitate construction works, pay school fees and even employ extra teachers to bolster the teaching staff. As a result, while in other parts of the delta people destroy schools in their rival's territory; Garsen Primary has stood to this day.<sup>222</sup>

Sharing of religious centers across ethnic divides is another effective factor that has helped in promoting collaboration between farmers and pastoralists. Whereas the Orma are predominantly Muslim, some members of the farming community particularly clans from the Upper Pokomo also embraced Islam. This was because they lived in close proximity with both the Orma and Somali who influenced them. In Garsen center, whereas the Orma and Pokomo live in different sections of the town, mosques are shared by all the residents irrespective of their ethnic background. As such, during *salat* (the five daily prayer times for Muslims) all the Muslim faithful in Garsen flock to the nearest mosque.

Even the local mosque leaders are drawn from both the agricultural and nomadic communities. A good example is Mohamed Maalim. He is the vice-chair of the Pokomo village *Nyumba Kumi* Committee in the town. Furthermore, he serves as a religious leader whereby he works as a *mu'azzin*. Accordingly, his main duty is to summon Muslim worshippers to prayer. He claimed that after broadcasting this call for prayer via the mosque's loud speakers, people obey his call and go to worship.<sup>223</sup> He argues that this is made possible by the foundation of Islamic teaching that treats all Muslim believers as brethren irrespective of their ethnic and cultural background. This inter-community cooperation in worship has resulted in creation of another supra- nation of both farmers and herders. For example, Kagwanja argues that even during elections, the Muslim faithful sometimes overlook their ethnic borders and support one of their 'own', i.e. A Muslim candidate.<sup>224</sup>

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<sup>222</sup> Oral interview, Husho Buke, op. cit.

<sup>223</sup>, Oral interview, Mohamud Galgalo, op. cit.

<sup>224</sup> Kagwanja, op. cit., p. 142.

Similarly, another low-level form of collaboration is witnessed between Christian believers from both communities. In the Tana Delta, majority of the Lower Pokomo are Christians as European missionaries traversed the area in late 19<sup>th</sup> century preaching the Gospel. Whereas the Orma are majorly Muslims, some have converted to Christianity during modern days Gospel Crusades.<sup>225</sup> The Orma who convert from Islam are usually threatened by their relatives and this makes them to get adopted by the Pokomo Christians for protection. Some of the Orma minority Christians end up becoming church leaders.

A good example is Pastor Idi Bonaya who is an Orma. He became a Christian in mid 1990s when some missionaries came to Garsen to preach in a crusade. He explains his conversion thus:

I attended their crusade and they preached very powerfully. When the speaker asked for people with prayer needs to step forward, I went with those who went. After we were prayed for is when I became a Christian. I attended church for a few days and these missionaries sponsored me to go to Bible School. After ordination, I was charged with planting the African Inland Church (AIC) at Idsowe town. Majority of the church members were from the Pokomo but as believers that was not a big issue.<sup>226</sup>

## **5.5 Economic Diversification**

Economic diversification refers to the process of shifting an economy away from a single income source toward multiple sources from a growing range of factors and markets. Due to dwindling pastures some herding communities have embraced alternative livelihoods. For instance, significant numbers of the Pokot and Turkana in Kerio Valley have switched to farming as drought and erratic rainfall has killed thousands of animals. Correspondingly, they grow chillies, pawpaw, bananas, mangoes, sorghum and vegetables through irrigation.<sup>227</sup> The Food and Agriculture Organization (FAO) has helped in negotiating market for their chillies to La Fattorial Company of Italy where they will sell a kilo at Ksh 200. This diversification has helped in reducing incidents of cattle rustling in the region.

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<sup>225</sup> Oral interview, Komora Toska, op. cit.

<sup>226</sup> Phone Interview, Idi Bonaya, Idsowe, 24<sup>th</sup> August, 2019.

<sup>227</sup> Kenya's herders swap livestock for chillies as drought bites. Accessed from <https://agra.org/kenyas-herders-swap-livestock-for-chillies-as-drought-bites/> on 7<sup>th</sup> March 2019.

In the Tana Delta, both farmers and herders have started expanding their economic livelihoods as a coping mechanism. For example, some Orma have embraced a semi-permanent way of life where they fence off their land and engage in mixed farming. Correspondingly, they not only keep livestock, but they also grow some food crops in their plots such as maize, beans, water melons, mangoes and bananas.<sup>228</sup> Though the aim is to supplement their food supplies, embracing farming and adopting a sedentary lifestyle reduces cases of animals straying into crop farms. Another strategy used by the Orma is to reduce their nomadic practice of livestock keeping by buying land from the farmers and establishing ranches.<sup>229</sup> Rather than the cultural significance of cattle, they have commercialized livestock keeping whereby they engage in value addition by upgrading their breeds to increase milk production. They have also formed market groups through which they sell camel meat, beef, milk and hides.

In a similar manner, the Pokomo have also adopted alternative economic activities to support farming. The main reason for diversification is either to earn more income or as a response to losing land to irrigation projects or forceful displacement by the pastoralists. As such, they have now concentrated in fishing and bee-keeping. In bee-keeping, the farmers use both traditional and modern honey harvesting methods. They sell this honey to places like Hola, Bura, Garissa and Mombasa. A good example is Maurice Kadenge, a youth from Ngao location, who has joined the bee-keeping enterprise. After harvesting, he sells the honey to Tana River Beekeepers Marketing Co-operative Society.<sup>230</sup> He uses the earnings to expand his business and paying school fees for his children. Adopting alternative livelihoods apart from the traditional ones of farming and herding has helped in averting agro-pastoral conflicts in the delta.

## **5.6 Sports as a Tool for Peace**

Games and sports are not limited to the practice of physical activities where they promote recreation, healthy lifestyle and mental development. Sport is also a social phenomenon where individuals converge to improve their social skills, strengthen cultural values and adapt to rules.

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<sup>228</sup> Oral Interview, Mohamed J. Guyo, Garsen, 21<sup>st</sup> January 2019.

<sup>229</sup>Kadenge, Eric. “The Tana Delta’s changing landscape: What’s in it for the Orma pastoralists? (Media for Environment, Science, Health and Agriculture, March 2011).

<sup>230</sup>Farmers living off the bees in Tana River. (Farmbiz Africa) Accessed from <http://farmbizafrika.com/contact-us?id=2287:farmers-living-off-the-bees-in-tana-river&catid=8> on 28<sup>th</sup> February 2019.



Omar Salha in his work about sport diplomacy suggests that sport has the ability to break down misconceptions through promotion of communication, dialogue and greater understanding of other cultures and religions.<sup>231</sup> A good example is how various games are used as tools for promoting contact and fostering intercultural understanding between Catholic and Protestant youths in Northern Ireland, a country marked by intra-religious conflict pitting the two groups.

Sporting activities, due to their massive appeal, have helped in contributing to the peace process in Tana River especially with youth involvement. As a way of preaching peaceful coexistence with particular reference to young people, ball games and races have helped in achieving this object. A key player in this front is the Tegla Lorupe Peace Foundation (TLPF) which was founded in 2003 by former marathon runner, Tegla Lorupe.<sup>232</sup> TLPF focuses on rebuilding social relations and inducing trust among the warring communities by use of sports. Other goals of the organization is promote use of games as an alternative economic livelihood, raising awareness of the girl child rights, fostering education, championing peace and preaching against cattle raiding. TLPF has pitched camp in the Tana delta since 2006 to help in fostering cohesion between the Orma and Pokomo. For example, in December 2012, at the height of inter-communal clashes, the foundation organized a peace race in Garsen town.<sup>233</sup> Participants from all communities took part in various road races. Various people including Lorupe used the occasion to urge for peace. She also brought along former fighters from the Karamojong, Pokot, Marakwet and Turkana who had reformed and were now preaching peace.

Local leaders have also held sports competitions to promote peaceful coexistence among the youth. For example, the Tana River Woman Representative, Rehema Hassan has organized an annual football tournament in which youth form ethnic based teams to compete.<sup>234</sup> The aim is to encourage coexistence despite any kind of competition whether over political seats or resources.

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<sup>231</sup>Salha, Omar, "Islamic Diplomacy and Sport: Peace--building, identity and integration." (Muslims and Sports. SOAS University, London. 6 June 2013. Lecture).

<sup>232</sup>"TeglaLorupe Peace Foundation", Teglapeacefoundation.Org, Last modified 2019, <http://teglapeacefoundation.org/>.

<sup>233</sup> Peace Wins in Garsen. (Capital News 1<sup>st</sup> December, 2012).

<sup>234</sup> Oral interview, Amina Mohamed, op. cit.

The county government also introduced the Tana River County Football Tournament.<sup>235</sup> This competition draws teams from the various parts of the county to participate in the league.

Being an influential religious institution in the area, the Lutheran Church has sponsored a football tournament in the Tana delta Sub-County since the 2012 clashes. It is touted to be one of the best-managed tournaments in the study area. The main purpose of the league is to bring the youth together and preach peace in the region.<sup>236</sup> As such, various teams from both the Orma and Pokomo villages compete for the various awards offered by the church. The winning team is awarded Ksh 30,000 a new jersey, two soccer balls and a trophy. The runners up gets Ksh 15,000, a new jersey and a football ball. The rest of the participating teams are each awarded a new jersey and a ball.

### **5.7 Community Radio Station**

Historically, media especially radio was most often used as a propaganda instrument to secure loyalty as well as incite people to war. In 1994, the Rwandan Radio-Television Libre Mille Collines (RTL) incited members of the Hutu community who killed about 800,000 Tutsi members.<sup>237</sup> Just like the radio can be used so effectively to promote hate, it can also be used to promote peace. A good example is Radio Okapi of the DR Congo which was established in 2002 by the UN and other NGOs working to promote peace in the country. With a staff made up of mostly native Congolese journalists and broadcasters, Radio Okapi produces news, music, and information on the United Nations Mission in the Democratic Republic of Congo (MONUC) activities. It is named after a rare African forest animal, related to the giraffe and which has the same name in all the languages of DRC and hence is considered to be a symbol of peace. Through FM and shortwave, the network reaches both government and rebel-held territory which allows people from both sides to speak to one another for the first time since war broke out.

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<sup>235</sup>Ibrahim Morowa, "H.E. Dr. Godhana Scores a Goal In TRC Football Tournament [PICTURES]", *Pokomo Magazine*, 27<sup>th</sup> Feb 2019.

<sup>236</sup>Fredy Matiba, "The Kenya Lutheran Church (Kelc) Annual Peace League Kicks Off In Tana Sub County.", *Pokomo Magazine*, 21<sup>st</sup> Dec 2018.

<sup>237</sup>Michelle Betz, "Radio as peacebuilder: "A case of Radio Okapi in the Democratic Republic of Congo" *University Of Central Florida*, 2004, p. 45.

One of the major causes of inter-ethnic hostility in the Tana Delta is the spread of rumours and mis-information. It was difficult to manage these rumors given that the area is marginalized and very few radio stations have accessibility to the region particularly KBC radio. Local peace practitioners have hence spearheaded formation of community radio stations to not only preach peace but also to report and dispel these rumors. Good examples are the Tana FM based in Hola town and Amani FM stationed in Garsen town. Tana FM aims at promoting hope and harmony to the two communities. In addition it also tackles other issues such as FGM. As a result, the station has attracted stakeholders like former MP Jebii kilimo who have used it as an avenue to campaign against female mutilation. The reporters manage rumours by reporting objective information so as to help in promoting peaceful cohesion.<sup>238</sup>

Amani FM was established prior to the 2017 general elections. Amani is the Swahili word for peace and thus the key motive was to promote peace and tolerance to avoid a repeat of violence as happened during the 2013 elections. The radio also gave a voice to the local communities to help in encouraging dialogue and peace. Apart from the Orma and Pokomo, the station has also given a chance to minority groups like the Wasanye, Malakote and Munyoyaya a chance to air their views or complaints. With the support of the Tana Delta sub-county administration, the station's anchors are allowed to move freely at night even during curfews in order to inform its listeners objectively and give real situation updates.<sup>239</sup> It has also employed volunteers who carry out a variety of outreach events in their surrounding communities, record peace messages from religious leaders, village elders, political aspirants and community members. These peace messages are then played after every broadcast session.

### **5.8 Influential Local Peace Actors**

Local actors experience conflicts first hand. Therefore, they have an intimate understanding of what conflict dynamics need to be addressed in order to build sustainable peace. The category of community leaders encompasses notables, religious figures, clan leaders and business actors ranging from men, women, elders to the youth. These actors have influence in their communities

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<sup>238</sup> Hargreaves, Jonathan. "A new voice for peace in Eastern Kenya's troubled Tana River County." (Health Communication Resources , 11<sup>th</sup> June, 2015).

<sup>239</sup> Green, John. "Peace building Radio: Amani FM throughout the Kenyan elections." (The Sentinel Project, October 2017).

because of specific resources, access, or their traditional position in the society. This influence is rooted in economic resources, social status, popularity or legal authority which they possess and utilize to be a commanding voice in peace making initiatives.

One such prominent peace campaigner in the delta is Major Rtd Odha Jillo Swalleh. Jillo relies on his military credentials after serving in the army's 20<sup>th</sup> battalion from 1991 to 2010, to plead with the communities in the area to live peacefully. He gives examples of the peacekeeping missions he served where countries were destroyed by violence. He walks across the vastness of Tana River County collecting peace signatures from the youth and imploring them to leave in peace. In December 2014, he covered over 600 kilometers walking from Hola to Mombasa to campaign for peace.<sup>240</sup> In his long trek, he passed through Bura, Hola, Lamu, Witu, Kipini, Malindi, Kilifi, Kisauni where he addressed gatherings and urged them to live in harmony with their neighbors. Jillo dons traditional Pokomo regalia and a drum which he uses to entertain people with traditional songs. He was nicknamed *Shujaa wa Tana* (the Hero of Tana) for his efforts in engaging the youth in peace processes and development projects.

The other prominent peace actor in the region is a group which calls itself the 'Sons of Tana'. It comprises of top civil servants and public officers from Tana River County but who are serving in stations in other parts of the country.<sup>241</sup> Their main goal is to encourage their communities to live in harmony with each other in order to create room for economic development of the county. For instance, following the August-September 2012 Orma-Pokomo clashes that killed over a hundred people, four members of this group who served as District Commissioners in other regions came together and organized peace meetings during which they pleaded with their communities to live in peace with each other. The four DCs; Nobert Jara Komora of Sololo, Mr Abdullahi Galgalo Hiddi of Mathira West, Mr Mohamed Haji Dara of Thika West and Mr Moar Dima of Wajir West, launched a peace programme at Garsen Town with more administrators who were "sons" of the county expected to join them later.<sup>242</sup> The DCs were hosted by their Tana Delta counterpart, Mr David Kiprop, during the first public meeting. While addressing the public

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<sup>240</sup>Mghenyi, Charles. "Former KDF officer to walk from Tana River to Kwale for peace." (The Star, 10<sup>th</sup> December, 2014).

<sup>241</sup>Daily Nation, "'Sons' of Tana Join Peace Drive", 27<sup>th</sup> Sep 2012.

<sup>242</sup> Ibid.

peace meeting, Mr. Komora told the attendants that lasting peace will only come from the Orma, Pokomo and Somali and not from outsiders. He added that they can only attract more investors if they maintained peace. On his part, Mr. Dima reminded the communities that their real enemies were not their neighbors but low education levels, under-development and poverty.

Another category of persuasive peace mobilizers is popular comedians and singers from the delta. According to E. S. Ateino Odhiambo, there are distinct patterns of consumption of leisure and which form a vital aspect of African social history.<sup>243</sup> Joyce Nyairo adds that modern Kenyan gospel songs have the capacity for camouflage and boundary-crossing.<sup>244</sup> As a result consumption of this music has been engendered in local youth identity and growth of hybrid identities. One peace actor who employs leisure activities to promote peace between communities in the Tana delta is Mohamed Marowa, a blind but popular street comedian who uses the moniker *Kasuku bin Kicheko*. Hailing from Hola, *Kasuku* goes around the vastness of the delta engaging the communities in peace discussions in the region's main towns. As an Upper Pokomo he draws support from the farming communities and the fact that he is Muslim, he is able to identify with the Orma.<sup>245</sup> The combined unique qualities enable him to bring together people from all ethnicities to his concerts which are usually held in open market spaces. His comical lines involve funny stereotypes about various communities:

The funny thing with Somalis is that they came to Tana Delta on lorries ferrying cattle. Both the cows and the Somali were chewing (miraa) and when they came to Garsen, they also taught the Pokomo how to chew and now the latter no longer speak fluent Swahili rather they speak with scratchiness in the throat.<sup>246</sup>

He also sings the popular Swahili song '*Jambo*' which he skillfully twists to suit his peace agenda during his concerts: "*Wageni mwaribishwa, Tana Delta, hakuna matata* (Visitors are welcome to the Tana Delta, there are no worries)."<sup>247</sup>

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<sup>243</sup>E. S. Ateino Odhiambo, "Kula Raha: Gendered Discourses and The Contours Of Leisure In Nairobi, 1946–63", (Azania: Archaeological Research In Africa 36-37, no. 1 (2010): pp. 254-264.

<sup>244</sup>Joyce Nyairo, "Kenyan Gospel Sound tracks: Crossing Boundaries, Mapping Audiences", (Journal Of African Cultural Studies 20, no. 1 (2008): pp. 71-83.

<sup>245</sup>Chimerah, Pili. "Disability is not inability, comedian Kasuku's story." (The Star, 28<sup>th</sup> November, 2017).

<sup>246</sup> The researcher attended one of Kasuku's concerts in Garsen town on 17<sup>th</sup> January 2019.

<sup>247</sup> Participant observation by the researcher who attended Kasuku's concert in Garsen town on 17<sup>th</sup> January, 2019.

In addition, he plays songs from the Pokomo, Orma and Somali and the audience usually engages in singing and dancing to the tunes.

### **5.9 Role of Women in Conflict Resolution**

Traditionally, institutions involved with conflict management in rural Kenya, were centered on village elders. The authority of elders to settle conflicts relied on three main sources, that is, control of access to resources/ marriage, being part of a large-cross clan, cross-ethnic, cross generation network and thirdly supernatural legitimacy. According to Cuppen, these sources of power also indicate certain limits. For example when dealing with conflicts larger than the network of the elders, disputes arising over new resources over which they do not have legitimacy such as boreholes and formal land tenure, or when the actors do not depend on the economic resources managed by the elders. According to Barissa, an Orma elder, the youth are no longer patient and reliant on their elders for guidance and direction. He adds:

For example, if they find that *malkas* leading to the river are blocked and converted to a farm, they forcibly drive the animals through the crops thereby destroying them which infuriate the farmers. The normal procedure in the past was to call their elders who could negotiate with their colleagues from the neighboring community.<sup>248</sup>

In the case of Tana Delta, the emergence of the state authority and market economies has led to erosion of the authority of both the Mathadedda (Orma) and Gasa (Pokomo) councils of elders. Whereas traditional authorities have their roots in tradition and culture for their legitimacy, modern state institutions rely on written legal frameworks. The elders' roles of dispute resolution are now increasingly played by such modern institutions as the police, chiefs and their assistants.

Nonetheless, many of the policies by formal state entities suffer from an insufficient understanding or acknowledgement of the diverse communities in which they operate. These twin handicaps of the decline of the elders' hegemony and insufficiency of state institutions in maintaining law and order in Tana River have contributed to a change in gender relations with respect to conflict and peace. Women, for instance, benefited from the opportunities that the

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<sup>248</sup> Oral interview, Barissa Charo, op. cit.

inter-communal violence offered them. They were not merely passive victims of the armed conflict, but were capable actors as well. Maalim, a member of the Pokomo village *Nyumba Kumi* committee in Garsen corroborates this by claiming:

During the 2012 clashes with the Orma, everyone was involved since it was a war of survival. The men trained on how to use the spear, bows and arrows and operated by launching attacks from the forests. We taught our women how to carry stones in baskets and buckets so that they can guard homes by keeping the Orma invaders away.<sup>249</sup>

By being left to protect their homes from Orma warriors, the conflict technically elevated the Pokomo women to become household heads. They thus started performing various activities traditionally carried out by men such as breadwinning. Even during the post-conflict phase women have gained a higher social status among the Pokomo. One such woman is Amina Galgalo, fondly referred to as *Mama Gangari* in her village. She is the current *Nyumba Kumi* chairperson of the Pokomo section of Garsen Town and thus represents her community members at the monthly peace and security meetings held at the chief's office.<sup>250</sup> She has earned a reputation of being a development-oriented woman given that out her seven children, six went to the university despite Tana River having low levels of education. She is thus a role model to other families as she keeps on encouraging them to educate their children since it is the only escape from poverty and endemic conflicts. During my interview with her, she was even talking to some parents asking them why they refused to take their children to join form one. When they said they do not have money, she told them to report to the chief so that they could apply for bursaries otherwise she will take them to the police.

As a renowned peace mobilizer, Amina is employed by the Garsen-based community radio station, *Amani* as a reporter. Her duties include monitoring conflict and peace situation in Garsen Town and reporting back to the station. When there are cases of rumors, she is dispatched to the said areas to confirm or dispel such rumors. She also adds that,

The radio station also sends me to talk to families about the importance of educating girls. We also talk to parents to avoid harmful cultural practices such as female circumcision and early marriages.<sup>251</sup>

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<sup>249</sup> Oral interview, Maalim Galgalo, op. cit.

<sup>250</sup> Oral interview, Amina Mohamed, op. cit.

<sup>251</sup> Ibid.

The post-conflict period also saw more expansion of women's economic, social and political responsibilities in the delta. One way was through women organizing themselves in order to safeguard their basic necessities and enable them to carry out activities related to education, healthcare, food distribution and attending to the displaced people. These tended to be the most affected during skirmishes yet traditionally they fall under women's mandate. By coming together, it meant that future skirmishes would disrupt their supply. A good example of a women-led peace organization is the *Sauti ya Wanawake* (Voice of the Women) group which is led by Doris Godhana. The organization is composed of volunteer women who form committees for dialogue and conflict monitoring from the village level to the district level in the delta. Their object is to forestall spread of conflict and bloodshed as it happened during the 2012/2013 violence. According to Godhana:

We also monitor foreigners who come to Tana Delta to ensure that cases of bloodbath are not imported to the district. We have also helped the Pokomo, Orma and Wardei to live peaceably despite disputes over grazing grounds and water.<sup>252</sup>

Furthermore, the rise of women to prominent roles can also be attributed to the national constitutional reforms that have promoted ethnic balance in public service appointments. The National Cohesion and Integration Act of 2008 states inter alia that all public establishments shall seek to represent the diversity of the people of Kenya in the employment of staff.<sup>253</sup> It adds that no public establishment shall have more than one third of its staff from the same ethnic community. This act has led to sharing of public offices between the constituent ethnic groups of different regions. In Garsen, particularly Bilesa Location, the Orma and Pokomo shared the administrative offices equally in that while the former produced the chief, the latter was given the assistant chief's position.

Consequently, the Bilesa location chief is a woman, Mrs. Nuru Dakota an Orma while her deputy comes from the Pokomo. Mrs Dakota has used her position as an administrator to promote inter-communal cooperation through development initiatives. For example, she has ensured

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<sup>252</sup>Nyagah, Robert. "The untold story of women's voice in the Tana River clashes." (African Women and Conflict publication, September 2014) Accessed from <https://www.awcfs.org/index.php/content-development/features/peace-security/item/1107-the-untold-story-of-women-s-voice-in-the-tana-river-clashes>.

<sup>253</sup> "National Cohesion and Integration Act of 2008" (the National Council for Law Reporting).



compliance with the national government's directive of ensuring 100 per cent transition from standard eight to form one.<sup>254</sup> This is because for long Orma parents did not send their children to school so that they can tend the livestock. These young men have been cited as the ones who mostly engage in conflicts due to their habit of drive their herds into farmlands. She argues that:

Education levels in this area are very low as many parents do not send their children to school so that they follow after livestock. Consequently, politicians incite inter-ethnic conflicts for their own personal interests by exploiting their ignorance. Otherwise, people of Tana Delta are peace loving citizens if not for politicians inciting them. Hence, if the children go to school, they will learn in addition to there being no idle young people to be exploited for political goals.<sup>255</sup>

Correspondingly, she uses village elders and chairpersons of *Nyumba Kumi* committees to ensure every child joins a primary school. For those who did their standard eight national exams, she also works to ensure 100% transition to secondary schools in line with the central government directive of ensuring universal secondary education for all. For parents who fail to send their children to school, she add them over to the police and this makes many to adhere to government directive of educating their children for fear of being arrested. She also helps parents with children in secondary schools get sponsorships to assist them in paying fees. As such, parents within Bilisa Location of Garsen come to her office to pick and fill CDF bursary forms. She then liaises with the area Member of Parliament to ensure that they get the bursaries. During my interview with the chief at her office, I witnessed dozens of parents and students coming to pick or submit their bursary forms. Moreover, also summoned at the office were parents who had disobeyed the government directive to send their children to join form one.

In addition to promoting education in her location Chief Nuru is involved in protecting the area's ecosystem. According to her destruction of the environment by the communities to clear more land for farming, to burn charcoal, to build houses or to make boats has played a part in increasing drought incidents in the delta.<sup>256</sup> Most conflicts tended to occur during dry seasons as both farmers and herders fought over diminished water and pastures. As such, she works to prevent careless cutting down of trees. During another stopover at her office during fieldwork, I

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<sup>254</sup> Oral interview, Nuru Dakota (Bilisa Chief), op. cit.

<sup>255</sup> Oral interview, Nuru Dakota, op. cit.

<sup>256</sup> Ibid.

witnessed firsthand a case involving two men from the minority Waata/ Boni hunter-gathering community.<sup>257</sup> The two were arrested while felling trees in Boni Forest to make bee-hives. The assistant chief explained to me that the minority group has refused to adopt different economic activities but have remained in the forest hunting for wild game, harvesting honey and sometimes burning charcoal. Their livelihoods, hence brings them into conflict with law enforcers determined to keep forests out of bounds for people. It was in that context that the two men were being questioned at the chief's office on why they were cutting down trees.

### **5.10 Conclusion**

What builds peace is not necessarily deployment of troops, millions of dollars in aid, diplomats, elections and international interventions. Grassroots peace initiatives spearheaded by ordinary people have of late gained traction. This chapter has indeed proved that the Tana Delta communities have devised their unique mechanisms of addressing the various facets of the nature of their conflict. Unlike the state's broad top-down peace efforts, these mechanisms are well tailored to reflect the specific incidents and fear that fuel animosity between the Orma and the Pokomo. Where the national police used force and brutality to quell violence, community policing through *Nyumba Kumi* has succeeded in peaceful conflict management. They comprise of locally but well reputed individuals who understand their communities so well and their duties include monitoring the security situation, resolving disputes between neighbors and working together with chiefs in order to address the conflict challenges in the area.

Other localized factors are use of rituals and symbols such as intermarriages which promote inter-ethnic ties. Sharing of social facilities such as schools, hospitals and markets has also facilitated mutual relations between the farmers and herders. A community radio, *Amani FM* is also an influential peace actor specifically through peace messages and dispelling of rumors. Personalities who are influential in the delta by virtue of their social or economic status have also taken up an active role in pitching for peaceful relations. Even though the authority of elders is declining, women have taken up increasingly influential roles in waging peace in Tana Delta.

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<sup>257</sup> Participant observation at the chief's office, Garsen town, 18<sup>th</sup> January 2019.

Other peace efforts at the ground are urbanization, economic diversification and use of sports as a tool for peace.

## CHAPTER SIX

### CONCLUSION

This project paper set out to investigate what factors were responsible for promoting peaceful inter-ethnic relations between the Orma and Pokomo. It has demonstrated that their relations are not just about conflicts but they have devised ways of promoting cordial relations. It was guided by three key objectives; to find out causes of their conflict, its impact and finally, ways that have been used to resolving their disputes peacefully. The research used lens of the Subaltern historical perspective as its conceptual argument. Subaltern history incorporates the experiences of these subordinated people by highlighting their contributions which hitherto were associated with elites.

The research found out that the fundamental blocks of the Orma-Pokomo conflict are indeed composed of many different specific events. Accordingly, the study disaggregated the conflict into dozens of individual factors that contributed to hostility. The Pokomo cited destruction of their crops by Orma livestock as the main cause of conflict. The herders on their part argue that it is the farmers who expanded their fields and taken over the *malkas*. Due to the large number of livestock dependent on the river during the dry season, some occasionally stray into the Pokomo farms and destroy crops. The biggest grievance by the Orma is that the Pokomo have the habit of killing their livestock. Cattle are central to the Orma culture both in terms of their economic and social value. The herders argue that killing livestock is an overreaction on the part of the Pokomo.

Both the farming and pastoral communities in the Tana Delta hold prejudices against each other. For the Orma herders, they view the Pokomo as inferior to them since they hold that only people who are have big herds of livestock are prestigious and wealthy. Another reason that makes them look down upon the farmers is because during their zenith in the 19<sup>th</sup> century, they enslaved the Pokomo and up to now they see them as slaves. According to Amina Mohamed, the representative of the Pokomo village in Garsen Locational *Nyumba Kumi* Committee, the Orma

derogatively refer to the farmers as '*munyo*' which means salt to point out how they rely on food grown from the soil and not from animals.

Regarding the question of land, the research identified that tensions between farming and pastoral communities in Tana River are expressed through the concept of autochthony with each group claiming to have been the first to arrive in the region. The Pokomo claim that their ancestors were the first to settle in Tana River and those other communities were later arrivals that do not deserve to own land. The Orma, on the other hand claim that River Tana is 'their mother' in order to illustrate their attachment to the region's largest water source for their livestock. Another contentious issue is land use and ownership. In terms of land resource use, the Pokomo claim all the land along the river for their small scale farming. On the other hand, the Orma and Somali herders lay claim to the waters of the river for their livestock to drink.

Unequal access to Western education in Tana River has also bred seeds of animosity between farmers and herders. Due to their sedentary lifestyle as small-scale farmers, the Pokomo came into contact with modern education earlier than their nomadic counterparts who lived in forests moving from place to place in search of water and pasturelands. Until recently, the Orma disregarded educating their children since they had large herds of livestock. Accordingly, the Pokomo dominated all economic and administrative positions in the area as teachers, doctors, nurses, chiefs, police officers and even political representatives. This led to the pastoral community to perceive itself as weaker relative to their sedentary neighbors in terms of economic and political influence over the region's affairs. Other causes that lead to conflict includes mistrust and the subsequent animosity have escalated with spread of rumors aimed at inciting one community against the other and banditry which is prone in the area.

Members of both the farming and pastoral communities at the delta have developed their own strategies for violence reduction and peaceful cooperation. These small-scale and localized interventions have been instrumental in promoting cooperation between the Orma and Pokomo. One of these localized responses is community policing initiatives (*Nyumba Kumi* Committee) which have succeeded as new pathways of maintaining law and order in the study area. The

security functions of the committee in the delta include assisting the police, chiefs and their assistants in addressing crime and conflict, fighting illegal brews, drug abuse, reporting suspicious persons or visitors and guarding against vandalism of water, electricity and other infrastructure.

Cultural rituals and use of symbols have proved effective and powerful tools of promoting peaceful inter-communal relations between the communities of Tana River County. For example, in 2013 the then governor, Hussein Dado, an Orma, was crowned as a Pokomo elder by the elders an act that made him a member of his new adopted community. Peace rituals are also useful as a tool for psycho-social healing. In schools affected by violence, the rituals such as art therapy give students an outlet for expressing their experiences and feelings. In the Tana Delta, accessing services common services such as security, education, piped water, roads and health facilities has promoted friendly relations among the communities living in the area. As a coping mechanism to avoid the incessant ethnic violence in the villages, a significant number of both farmers and pastoralists have moved to live around the main towns in the area, In addition to living together, communities living in urban centres usually cooperate in such avenues as trade, education and skills.

In the Tana Delta, both farmers and herders have started expanding their economic livelihoods as a coping mechanism. For example, some Orma have embraced a semi-permanent way of life where they fence off their land and engage in mixed farming, buying land from the farmers and establishing ranches, Rather than the cultural significance of cattle, they have commercialized livestock keeping whereby they engage in value addition by upgrading their breeds to increase milk production. They have also formed market groups through which they sell camel meat, beef, milk and hides. The Pokomo have also adopted alternative economic activities to support farming. As such, they have now concentrated in fishing and bee-keeping. In bee-keeping, the farmers use both traditional and modern honey harvesting methods.

Games and sports have also been used as a platform for breaking down misconceptions through promotion of communication, dialogue and greater understanding of other cultures and religions. With particular reference to young people, ball games and races have helped in achieving this object. One of the most successful is the Tegla Lorupe Peace Race which began staging races in the area in 2006 as a tool for peace. The current Tana River Woman Representative, Rehema Hassan has organized an annual football tournament in which youth form ethnic based teams to compete. Community radio stations have also served as important instruments for facilitating social communication within societies. This is because these local radio stations have a powerful voice since they reach out to people with little or no access to information. Good examples are the Tana FM based in Hola town and Amani FM stationed in Garsen town. Additionally, influential peace actors have helped in promoting peace in the delta. These have influence in their communities because of specific resources, access, or their traditional position in the society.

While the researcher analyzed the various community-led initiatives that have contributed to peaceful relations between the Orma and Pokomo, I propose that more research needs to be done on the role local radio stations such as Radio Amani in Garsen town. This is because I was able to prove that the community radio has actively engaged in very conflict sensitive reporting in the pursuit of peace and development in the study area. As the area has been marginalized, most national radio stations save KBC have not been able to penetrate to the region. Radio Amani has thus been received with excitement by the local residents and it has earned their trust. Its reporters go round gathering news at the ground and reporting any rumours which are then dispelled after verification. The station also calls for parents to take their children to school and to leave out harmful practices such as female circumcision, early marriages and teen pregnancies. As such, a more detailed study needs to be conducted dedicated majorly on investigating the role of community radio in promoting peace and development in Tana Delta. Nonetheless, this research project has proved beyond doubt that Orma-Pokomo relations are not just about agro-pastoral conflicts but are also characterized by peaceful interactions.

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