

**CHALLENGES TO PEACE: A CASE STUDY OF MARSABIT COUNTY, 1998 – 2012**

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## DECLARATION

### Declaration

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

Signature: .....

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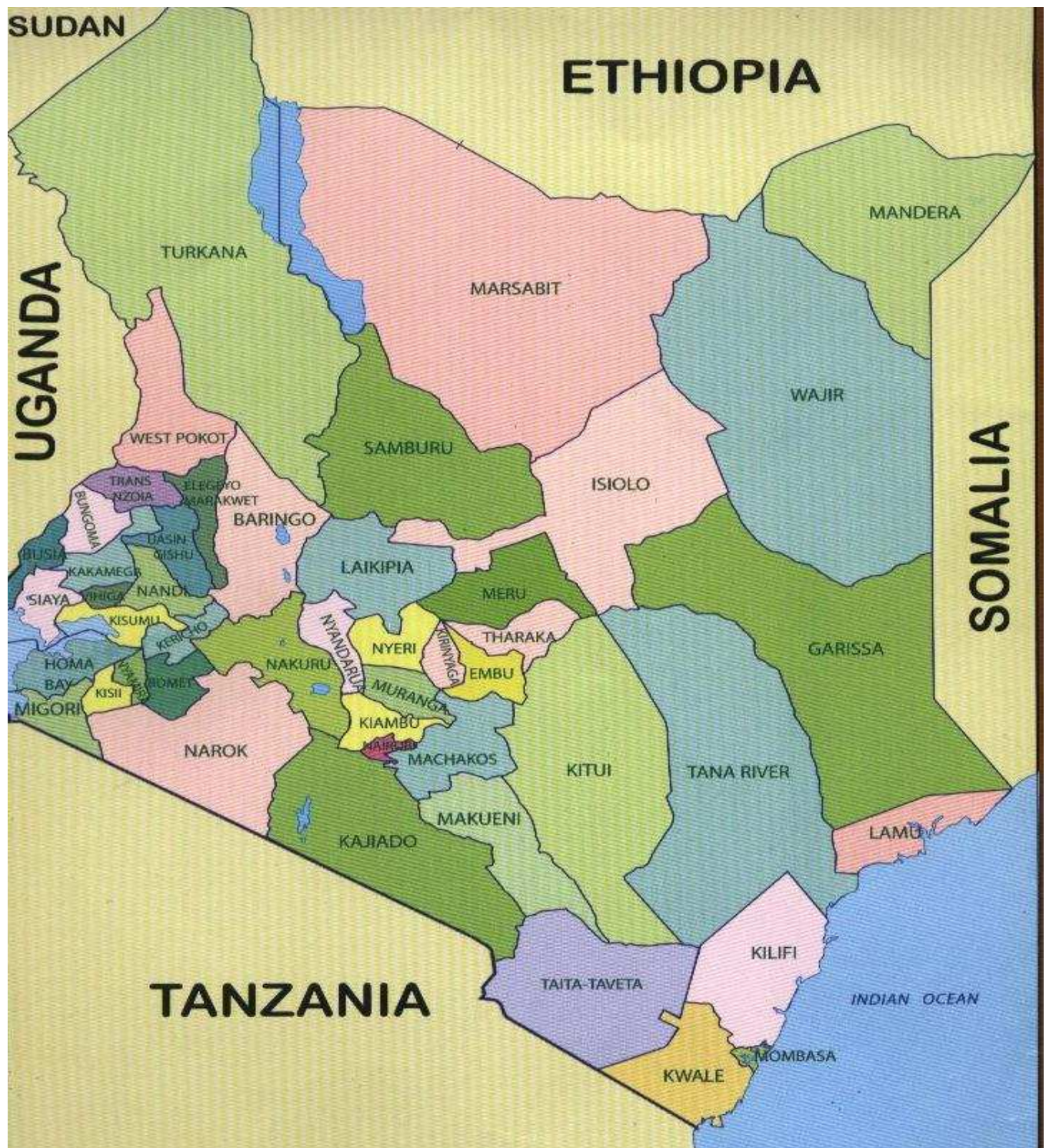
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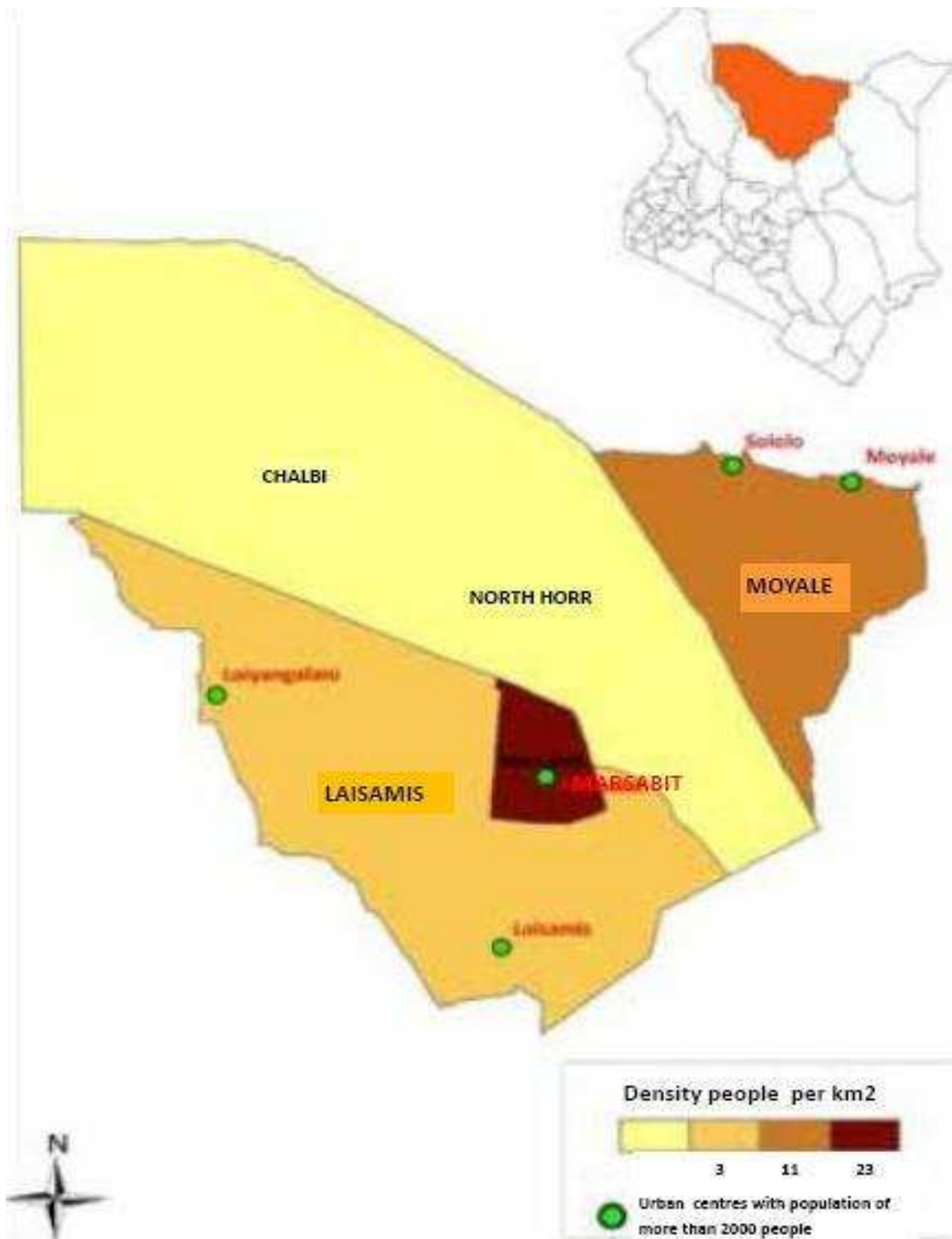
Prof: Godfrey Muriuki

## LOCATION OF MARSABIT



Source: <http://www.google.com/search?hl=en&source=hp&q=marsabit+county+map&gbv=2>:

## MARSABIT COUNTY



Source: <http://www.google.com/search?hl=en&source=hp&q=marsabit+county+map&gbv=2>

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## **ABSTRACT**

This project report demonstrates the negative peace in Marsabit County. Peace seems too close, yet too far, peace that is often times yearned, but proved very elusive. The project analyses elements, practices and policies, which have contributed to a state of negative peace which these communities have uneasily learnt to live with for many years. Despite the general cases of ethnic conflicts having been on the rise in the County for some time, the most significant has been the Gabra/Borana conflict which has developed resistance to intervention measures over time and has been more intense since late 1990s. The project report gives an insight into various factors that have undermined the achievement of positive peace in the area, particularly among the above two communities.

The Gabra and Borana, despite sharing many cultural, ethnic and social affinities have nevertheless lived in an environment of animosity marred with mistrust, confrontation stereotyping and armed conflict. This has resulted in loss of innocent lives, destruction of properties and diversion of efforts from the much needed development endeavours. The precious resources and the bone of contention have always been water points and pastures for their livestock, the only means of survival for the people of the area.

During the period of 1998 – 2012, the two communities have been at crossroads and the never ending fight between the duo has paved way for more devastation. It was during this period that the infamous Turbi massacre took place. The conflict has not entirely gone unheard and many actors have worked tirelessly towards a lasting peace and stability. Notwithstanding many efforts by various actors in trying to bridge the gap between peace and conflict, there has been illusive peace in this part of the country which has curtailed social interactions among the communities.

In carrying out the study, a reasonably representative sample population was drawn from the Gabra and Borana communities living in Marsabit and Marsabit North Districts of Marsabit County.

Through secondary material and in-depth interviews with the Gabra and Borana community living in Marsabit and Marsabit North District, the project gives insight into the range of factors that have denied the communities a lasting peace. Bearing in mind the never ending conflict over



resources, which is reinforced by the outdated culture of revenge and the recently emerging ethnic politics amid various other challenges, it is evident that peace between the Gabra and Borana community has proved difficult to achieve. In the wake of the continued conflict, the findings of the study show the despair and hopelessness of the communities in face of insurmountable challenges that include centuries-old tribal prejudices, hopelessness for lack of development or other opportunities, failure of the governance and the rule of law, divisive politics, remote and distant public administration that failed to deliver services or development and secure public order.

## **LIST OF ACRONYMS**

ASAL:	Arid and Semi Arid Lands
DPC:	District Peace Committee
DSC:	District Security Committee
DSIC	District Security and Intelligence Committee
GHA:	Greater Horn of Africa
KNUT:	Kenya National Union of Teachers
KPR:	Kenya Police Reserves
MP:	Member of Parliament
NFD:	Northern Frontier District
NGOs:	Non-Governmental Organizations
NPPP:	Northern Peoples Progressive Party
OLF:	Oromo Liberation Front
REGABU:	Rendille, Gabra, Burji
SALW:	Small Arms and Light Weapons
USAID:	United States Agency for International Development

## CHAPTER ONE: INTRODUCTION

### 1.1 Background of the study

Conflict among different ethnic groups which are fighting for recognition, equality or autonomy within the framework of an existing territorial state or for independence from such a state is not a recent phenomenon.<sup>1</sup> The end of colonization in most parts of the world has also been accompanied by the emergence of national, ethnic, and religious conflict. In some parts of Africa, big powers exported their proxy wars in their quest to advance their ideologies and hence turning Africa into a battle field. Such conflicts have re-emerged and persisted as a result of the dissolution of the Soviet Union and the Yugoslav Federation in the early 1990s.<sup>2</sup>

The end of the Cold War ushered in a sad chapter of conflict in Africa than ever before. The affected countries include Somalia, Angola, Nigeria, Sierra Leone, Sudan and Ethiopia, just to mention but a few. Kenya was not excluded from the long list of countries faced by prevalent ethnic conflict despite having a relatively established democracy. In Kenya, such struggles appeared in the aftermath of independence during the 1960s, with the emergence of Shifta war in the northern part of the country in the then Northern Frontier District. The war was in furtherance of “Somali interest abroad” which was supported by the Somali government and fought by the Shifta secessionists operating under the umbrella of Northern People’s Progressive Party.<sup>3</sup> However, during this period very little attention was paid to such problems. The government focused on countering the menace without paying enough attention to the lasting effect of strife on communities living in this region.

Within the borders of most states are numerous ethnic, national, racial, linguistic or cultural groups. This means that many states are composed of more than one ethnic group, popularly termed as tribes. As for northern Kenya, the continued marginalization of communities living in this region by successive political regimes have compelled these communities to demand the need for governing themselves and to fight for their rights in the best way they understood; that

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<sup>1</sup> Gursel G Ismayilov, *Ethnic conflict and their causes*, Jyochi University, Tokyo, Japan, 50.

<sup>2</sup> Ibid.

<sup>3</sup> Republic of Kenya, *First draft on the national policy on peace building and conflict management*, Nairobi, August, 2006, P, 41.

is, through the barrel of a gun. This feeling of marginalization increases the ethnic demands for more rights and recognition, leading to many cases of ethnic conflicts.

Enjoyment of a positive peace is the greatest wish of humankind and, in particular, the residents of Marsabit County. However, for many decades conflict has continued to shape the mainstay of the communities living in this area. Indeed, conflict has become part of living to the extent that tribal animosity is not viewed as hazardous any more. The general neglect by successive government regimes is to blame for the long standing conflict in this region. Nevertheless, this endemic conflict that has hampered development in the region has not gone entirely unheard. There has been response from various actors; Non-Governmental Organizations and civil society, among others. The turbulent politics in the neighbouring countries of Somalia, Ethiopia and Sudan has made firearms easily available, hence activating highway robbery, banditry and cattle rustling. The apathetic intervention by the government in providing a comprehensive solution in restoring peace between the warring communities has left the communities to decide on their own fate, hence the continued vicious conflict accentuated by the traditional culture of revenge. In many instances, the government's involvement has been by way of enforcing peace rather than on mediation and peace building. As a result, the coercive approach rather than diplomatic or conciliatory tactic, employed by the government has on many occasions led to negative consequences.<sup>4</sup>

This regrettable policy has created more room for the perpetrators of ethnic conflict to continue discounting every effort towards achievement of a constant peace. The policy makers' limitation in understanding the pastoralists' lifestyle and traditional institutions is an indication of a low level of attention that the government and other development partners, have paid to the conflict in this region. The response to the conflict has always been uncoordinated, rendering the conflicts intractable and exceedingly destructive. Despite the changing nature of conflict over time, there has been the tendency to focus on resources as the major cause of conflict, yet the emergence of ethnic politics has been gaining ground in recent years.

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<sup>4</sup> Fugich Wako and Daudi E. Ekuam, *Rationalization of conflicts in Northern Kenya*, Kenya, CEMIRIDE, September, 2005, p.7.

### 1.1.1 Marsabit County

Marsabit County is located in upper eastern part of Kenya. The town of Marsabit is situated on an isolated extinct volcano, Mount Marsabit. Even before it became a County, the larger Marsabit district was one of the biggest districts, equivalent to the size of central and western provinces combined.

Marsabit County is made up of North Horr, Saku, Laisamis and Moyale constituencies. The County is home to nomadic communities that has faced challenges with uncertain help from the central government. Geographically, it borders Ethiopia to the North and North East, Isiolo County to the South East, Samburu to the South and South West and Lake Turkana to the West and North respectively. Administratively, it is subdivided into Marsabit North, North Horr, Laisamis, Loiyangalani, Marsabit, Sololo and Moyale districts. Marsabit town is the designated headquarters of the County which took effect after March 4, 2013 general elections. The County has a total population of 291,166; a male population of 151,112 and a female population of 140,054.<sup>5</sup> The County surface area covers 70,691km<sup>2</sup> which translates to about 12% of Kenya's land mass. Barely 15% of the land in Marsabit County is under vegetation cover. Rainfall varies between 200 and 1000mm per annum, with the high elevation areas, such as areas around Mt. Marsabit, receiving most of the rain.

With exception of a few wetter areas on the mountains, most parts of the County are classified as semi-desert or desert economic zone. Consequently, this arid condition precludes crop cultivation and arable farming is restricted to only 3% of the district's total land area especially around Mt. Marsabit.<sup>6</sup> Pastoralism is the main source of livelihood for the majority of the County's inhabitants deriving their livelihood from livestock and livestock based industries. A few are involved in commerce and trade and with a marginal number being salaried workers.

Although pastoralism is the main source of livelihood for the majority of the inhabitants, livestock and livestock based industries face various challenges that have led to the deterioration of the animal production over time, hence failing to support the economic status of the

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<sup>5</sup> Republic of Kenya, Kenya national population census, Ministry of planning and National Development, Kenya, 2009.

<sup>6</sup> Republic of Kenya, Arid lands resource management project II, *Marsabit district annual progress report from July 2007 to June 2008*, report by District drought management officer, Marsabit, p.6.

communities as expected. Among the challenges are deteriorating pastures, disease and pest prevalence, poor livestock marketing infrastructure and land tenure constraints. These compounded challenges have in most occasions led to conflicts over pasture and grazing land. Water being the salvation for any life is a rare commodity in the County of Marsabit and only shallow wells are found. The only glimpse of hope for the communities living in Marsabit town is the Badasa-Songa dam which is under construction.

The forest cover is in the form of a tropical rain forest in the Mount Marsabit region and the Mount Kulal biosphere conservation, among others. The County is also endowed with numerous types of wildlife and birds which are found especially in the mountainous regions. Despite being a desert region, the County has a lot to offer in terms of untapped tourist destination. The County is home to the only true desert in Kenya, Chalbi Desert. The desert is located east of Lake Turkana, the largest permanent lake in the world.

Towards Loiyangalani town the shores of Lake Turkana is a spectacle. A lake in a desert is itself amazing, but this one with its magnificent scenery is even more so. The road passes Loiyangalani to the headquarters of Kenya's most remote National park, Sibiloi at Alia Bay. The town and surrounding area are of rich cultural interest to anthropologists and other researchers who visit Sibiloi National park and Kubi Fora archaeological sites.

With only two district hospitals, good health care in Marsabit County is dreams come true. The two hospitals are located in Marsabit and Moyale and are faced by lack of equipment and personnel.

The County is inhabited by the Cushitic-speaking Gabra, Borana, Burji and Rendille who are the majority as well as other communities, such as Nilotic Samburu who inhabit parts of Laisamis constituency, Daasnach who live in Illeret, North Horr constituency and Konso who are found in both Marsabit and Moyale. In terms of population distribution in the four constituencies, North Horr is dominated by Gabra, Laisamis by Rendille and Moyale by Borana, while Saku which also defines the boundary of Marsabit district is home to all communities mentioned above. Besides the aforementioned ethnic groups, there are also other people from other parts of Kenya who are there working mostly for the government, NGOs and business.

Marsabit is approximately 550 kilometres or two days drive, from Nairobi via the towns of Isiolo, Archer's Post, Seleolevi, Merille, Laisamis, Loglogo, Karare and Hulahula. Accessing the town was previously a challenge as one had to either hang on top of the trucks or hike lifts in government vehicles. However, currently, there is a bus which plies Isiolo-Marsabit route on a daily basis, Liban express. The bus leaves Isiolo for Marsabit at 8pm, arriving between 3- 5am and leaves Marsabit at 8am arriving in Isiolo between 3-7pm. In addition to this, there are two buses which ply the Nairobi-Moyale route, through Marsabit.

The road is tarmac all the way to Merille, which is about 150km from Isiolo, on the way to Marsabit, then about 120km of murrum road to Marsabit. This road is characterized by rough terrains and has bad sections that are only tackled well by a 4 by 4 vehicle, and takes about 4 hours.

Major trading centre are Marsabit and Moyale where there is a booming cross border business with Marsabit town facilitating the supply and movement of goods and services between Moyale and Isiolo.

### **1.1.2. The people of Marsabit County**

The research focused mainly on Gabra, Borana and Rendille communities who are the major tribes in Marsabit County. However, other communities are also considered.

The Gabra is a nomadic tribe which lives in northeast Kenya along both sides of its border with Ethiopia. They are an Eastern Cushitic, Oromo speaking people who originated from southern Ethiopia. They have a strong attachment to camels. The Gabra developed a rich culture stemming from the harsh environment in which they live. There are two distinctly different groups of Gabra; the Gabra Malbe and Gabra Miigo. The majority are Gabra Malbe, most of whom live in Kenya and follow their traditional customs. Gabra Miigo are mainly found in Moyale and Ethiopia and collectively profess Islamic faith.<sup>7</sup> Like other people living in the desert, the Gabra are nomads, but they have a unique culture that distinguishes them from their neighbours, the Rendille, Borana, Samburu and Somali.<sup>8</sup> The Gabra community is majorly camel

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<sup>7</sup> Paul Tablino, *The Gabra, Camel Nomads of Northern Kenya*, Pauline Publications Africa, Kolbe press, Limuru. Kenya, 1999, p.17.

<sup>8</sup> Ibid.



herding nomads. The Gabra women wear bright silver head gear, made up of solid beads carved from raw aluminium. This is usually made by melting down cooking pots.

The Gabra build small oval shaped semi-permanent houses which they highly regard as part of their culture. The house can only be built and owned by the married couples. Politically, the community has a highly regarded traditional institution of *yaa*.<sup>9</sup> The community is divided into five different sub-clans, each with their own *yaa*. All the five *yaa* are in constant communications in matters that affect the Gabra community and any decisions arrived at by elders of these institutions is regarded as final and should be respected and obeyed accordingly.

The Rendille tribe is closely related to the Somali population of North East Kenya, from whom they are believed to have separated. Just like their Gabra neighbours, they are expert camel herders and handlers, living an intensively nomadic existence. Their camels are fitted with a distinctive saddle designed around a large bow of wood, allowing them to carry the entire possessions of a household on their backs. The same saddle can be converted to carry a rider within a tented enclosure, similar to the saddles of the Somali and Gabra communities. Rendille women wear striking armlets made of coiled iron and brass. They wear these on the lower arms after marriage, and then the upper arms when their first son is initiated.

Interestingly, the Rendille have formed an unlikely association with the Samburu. Despite being linguistically and genetically disconnected, the two tribes have formed a strong bond. This has resulted in much intermarriage, which in some areas has caused a hybrid culture to emerge.

The Borana are part of a very much larger group of the Oromo cultural group. They are the southern-most group of a cluster of three closely related Oromo groups, including the Arsi and the Guji. The Borana Oromo live in Ethiopia and Kenya, with a few in Somalia. The Borana community is recognized for their cattle rearing culture. The life style of the Borana is organized around cattle, though lately camels are becoming more important despite some section of Borana considering as taboo the consumption of camel products. This has been favoured by the constant challenges facing cattle rearing such as long and persistent drought vis-à-vis the adaptability of

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<sup>9</sup> *Yaa* is a Gabra cultural village where important ceremonies are held.

camels to the harsh climatic conditions. They also herd sheep and goats. Young men do the daily herding while the women do all family nurturing.

The Borana live in sturdy modular houses, constructed by the women. The house consists of interwoven branches thatched with grass all the way to the ground. This is in contrast with the Gabra who weave mats to cover the framework. When movement of the homestead is required, the transportable portions are loaded onto the back of a donkey or a woman and carried to the new location. They settle temporarily in small groups. The Borana community also has a political institution called the *Gatha*<sup>10</sup> headed by *aba Gatha*<sup>11</sup> who resides in Dirre, Southern Ethiopia.

These three communities capture every aspect of their culture in songs and hand them down from one generation to the next. Children are educated and enculturated through music. The traditional religion of Gabra, Borana and Rendille is monotheistic with communication through intermediary priests. The traditional name for God in both Gabra and Borana is *Waq* while Rendille call Him *Wakha*. Islam has become influential in these societies and, despite having superficial contact with Islam, they mostly follow their traditional practices. These communities have also had contact with Christianity. This is evidenced by the existence of indigenous churches. There is one Baptist Church of Borana in Marsabit. Other churches working among these communities in Kenya are Pentecostal Church, Africa Inland Church, Anglican and Catholic Church which has dominance in North Horr and Laisamis constituencies.

Besides the three communities mentioned above, the County is also home to Burji community who are found in Marsabit and Moyale district. The Burji community is predominantly farmers and successful traders. There is also the Daasnach who live in Illeret along the shores of Lake Turkana. They practise traditional pastoralism.

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<sup>10</sup> *Gadha* is a Borana political institution.

<sup>11</sup> *Aba Gadha* is the head of Borana political institution

## 1.2 Problem statement

There has been a long standing conflict between the communities living in Marsabit County hastened by ethnic politics that has torn the communities apart. This has been magnified by the proliferation of small arms and light weapons. In addition to the aforementioned factors, the region has been locked out of development agendas by successive political regimes due to the perceived low economic return which the region is associated with. This has increased the conviction by the communities living in this region that they are second class citizens who are left at the mercy of their maker. The continued marginalization of communities living in this region has been manifested by lethargic government response whenever there is need for government's attention on issues affecting the people. These, combined with increased competition for the scarce resources, have promoted a vicious circle of ethnic conflict which has become a norm to the people living in this region.

The government security apparatus has been on the lookout in trying to curb any hostility between the communities, which are mainly pastoralists, in order to sustain peace in the region. However, despite many efforts from different stakeholders, the conflict in the region has continued, with cases of ethnic animosity on the rise. This has prompted the government to resort to enforcing peace and employing punitive measures.<sup>12</sup> What is lacking in many peacemaking efforts is the failure to identify possible solutions to the factors that derail the peace efforts. The communities have suffered for too long from drought, proliferation of SALW, culture of revenge and the recently emerging ethnic politics which has amplified the political temperature beyond control.

Nonetheless, despite many efforts directed towards achievement of a positive peace, conflict has persisted and the question is; why has it been difficult to achieve a lasting peace amongst the warring communities? It appears that there are factors that undermine the achievement of a permanent peace in Marsabit County. This research therefore tries to establish the factors that have been an impediment to the achievement of a durable peace in this region.

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<sup>12</sup> Fugich Wako and Daudi E. Ekuam, *Rationalization of conflict in Northern Kenya*, CEMIRIDE, September, 2007, p.7.

### **1.3 Objective of the study**

- a) To find out factors that undermines the achievement of a sustainable peace in Marsabit County.
- b) To establish failures of policy makers in dealing with ethnic conflict in Marsabit County
- c) To establish intricacies involved in the Gabra/Borana conflict in Marsabit County

### **1.4 Justification of the study**

The County of Marsabit is among those under close watch by government security apparatus due to its violent ethnic conflicts that are associated with Arid and Semi-Arid regions of the country. The latest conflict in Moyale began in late 2011 extending to early 2012. It led to the displacement of Borana and Gabra communities, which are the main adversaries. Earlier there was the Turbi massacre of 12<sup>th</sup> July, 2005 which shocked the nation, given its scale and the scar that it has left in the relationship between the two communities. The findings of this research was to provide a possible lasting solution to the ethnic conflict in Marsabit County, beside adding to the body of knowledge in regard to peace and conflict management.

The findings are also important to various stakeholders in the field of conflict and peace studies. The findings would assist various stakeholders in conflict intervention as it informs the development of policy framework aimed at achieving a lasting peace in the circumstance of peace deficiency. Moreover, scholars would use the findings of the study to further their knowledge and carry out more research in ethnic conflict. The findings would also contribute to the understanding of pastoralist communities and their notion about peace.

### **1.5 Scope and Limitation of the study**

The study covered 1998 to 2012. This was the period of intense conflict in Marsabit County. In addition, given the vast nature of Marsabit County alongside limited time and resources, the study confined itself to the conflict among the Borana and Gabra communities, which during this period have been in constant conflict unlike in the earlier years. The conflict during this time was of unanticipated scale going over and above the often acknowledged resource-based conflict. This was the period of extreme antagonism between the Gabra and Borana communities which have previously lived in harmony with each other. Therefore, despite cases of ethnic conflict

among the many communities living in Marsabit County being very rampant, a comprehensive study of these was beyond the scope of this study.

## **1.6 Literature Review**

A number of researchers have studied conflict among diverse groups. As such, in Kenya the more frequent and often violent conflict are found in pastoralist environment and in the border regions.<sup>13</sup> This area is conditioned by, among others, irregular rainfall necessitating movement of people in search of water and pasture. This further pushes people into more confined areas, forcing them to compete for the decreasing pasture and water. This has on many occasions precipitated conflict over control of grazing land.<sup>14</sup>

Abdi Umar argues that the drought of 2011 in the Horn of Africa caught the attention of the world media like never before.<sup>15</sup> The drought was triggered by failure of the short rains of 2010, and the anticipated long rains of 2011. This prompted the government of Kenya to declare the drought situation in the country a national disaster, followed by the appeals for international assistance which led to the outpouring of relief assistance for the affected Kenyans. The worst affected districts included Marsabit, Moyale, West Pokot, Turkana, Samburu, Isiolo, Mandera, Wajir, and Garissa. In these areas, cases of acute malnutrition were high. Unlike previous years, there was a profound change of attitude among the Kenyan populace, led by the media, which helped to raise millions of shillings through a campaign dubbed “Kenyans for Kenya”. The usual blame on the pastoralist life style and the prevailing climatic fluctuations were avoided for once. Instead, the media highlighted the decades of policy failures that are part of the underlying reasons for the response failures to the climatic changes.<sup>16</sup> However, the author failed to illustrate the linkage between the drought and conflict, both as a consequence of and an exacerbating factor to the impact of drought.

Kennedy Mkutu used a case study of Laikipia, Kenya to argue that persistent pastoralist conflicts are as a result of poor government policies, socio-economic and political marginalization, cattle

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<sup>13</sup> Republic of Kenya, *First Draft of the National Policy on Peace building and Conflict Management*, August, 2006, P.14.

<sup>14</sup> Ibid

<sup>15</sup> Abdi Umar, *Conflict and security implication on current drought in Northern Kenya*, UNDP Kenya Peace building and conflict prevention unit, OCHA Kenya Humanitarian update, 29<sup>th</sup> July 2011, p. 2.

<sup>16</sup> Ibid.

rustling culture, proliferation of SALW and vulnerability to climate variability. He argues that to date, there have been few attempts by the state to adequately address the issue of small arms. During droughts, pastoralist livelihoods become particularly uncertain and from experiences arid and semi-arid regions have shown that there is a high risk of conflict over scarce water and pasture unless special arrangements are made to ensure emergency access. Failure to appreciate the need for such an arrangement is a precursor to conflict. He also highlights that government officers more often fail to engage effectively with traditional governance systems and, indeed, frequently undermine them unnecessarily. In his study, he emphasizes that policies pursued by successive colonial and post-colonial governments in Kenya have tended not only to neglect the needs of pastoralists, but also often run directly counter to pastoralist interests. Instead, the bias has been towards ranchers, horticulturalists and other resource users. This has exacerbated problems and insecurities of the pastoralist communities, particularly in relation to access to scarce water and pasture.<sup>17</sup> However, although he acknowledges the pathetic state of insecurity among pastoralists' communities which dates back to pre independence Kenya, the author does explain the recurrent conflict among pastoralist communities despite numerous interventions by various stakeholders.

Issah Mohammed Abbas explained the fragility of ethnic conflict in Nigeria as having the tenacity to maintain "no retreat and no surrender" by all parties in the conflict. He noted that this is an indication of the porosity of Nigerian federation. Peace has constantly been undermined by the fierce competition over the shared resource which threatens the social order. The conflict has threatened human security and caused humanitarian crisis. According to Abbas, these challenges are due to policy implications of the political economy with formulated policies designed presumably to reduce and manage the conflicts, but ironically turned to escalate them more.

Abbas affirms that conflicts in a federal structure can be effectively and efficiently managed when there is a sound and clear policy to respect the feelings of each group with give-and-take

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<sup>17</sup> Kennedy Mkutu, *Report Pastoralism and Conflict in the Horn of Africa*, Laikipia Case study, Africa peace forum/saferworld/university of Bradford, pp. 4 – 6.

devices. He blames the mismanagement of these conflicts on the weak institutional capacity in Nigeria's federation to manage them right from traditional to governmental institutions.<sup>18</sup>

The author acknowledges that weak institutions and lack of clear and sound policies to deal with ethnic conflict are to be blamed for the persistent ethnic conflict in Nigeria. Therefore, this research will establish whether the sentiments of the author are relevant to the case of Marsabit County.

Yohannes Gebre, Kassaye Hadgu and Zerihun Ambaye in their study in Ethiopia argue that cattle rustling are an important cause of violent conflict facilitated by access to material and social assets, such as livestock, which are central to the pastoral society. In most of these communities, possession of livestock is the main way of socio-economic progression without which a young man cannot become independent. In addition, traditional beliefs and practices, such as the high cultural reward provided to cattle rustlers and warriors, encourage young generations to engage in violent conflict in order to acquire assets. The causes of the conflicts in these areas are, therefore, compound and relate to the sharing of natural resources, cattle rustling, revenge attacks and a culture of glorifying conflict. This includes communal responses to individual grievances, such as the loss of cattle or a personal attack, rendering conflict intractable. Another characteristic of these conflicts is the shifting alliances between related groups and between minority and majority groups.

The easy availability of SALW and the fact that arms possession is regarded as a necessary measure for community and livelihood protection greatly contributes to the levels of death and destruction wrought by these conflicts. There is also delay in formal response to conflict by regional or district government structures once violent conflict has broken out. This has made it difficult for intervention measures to succeed. There is no functioning conflict early warning system which could detect possible conflicts in a timely manner and enable preventive responses before violence erupts. Besides, once formal conflict resolution processes are activated, they often only result in an unsustainable cessation of hostilities which often brings negative peace. The underlying causes of conflict are not dealt with, hence 'peace' remains fragile. Yet communities involved in the study were able to identify many mechanisms for resolving conflict,

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<sup>18</sup> Issah Mohammed Abbas, *No retreat no surrender conflict for survival between Fulani pastoralists and farmers in Northern Nigeria*, European Scientific Journal, January Edition, Volume 8, No. 1. p. 11.



including intermarriage, economic diversification, trade and good governance. The challenge is to identify these mechanisms and to involve a wide range of actors, including government officials, all local communities and traditional leaders, international actors and donor agencies in developing comprehensive strategies for conflict prevention and resolution.<sup>19</sup>

The work by these scholars is plausible by identifying that there are challenges that need to be addressed in restoring peace among pastoralist communities. Among these challenges is delay in formal response whenever there is conflict, lack of functioning conflict early warning system which could assist in detecting possible conflict and interventions that result to unsustainable cessation of hostilities which often brings negative peace. However, the study by the authors was confined to pastoralist communities in Ethiopia. Therefore, this research will try to establish whether the findings of the authors have any relevance to the Gabbra-Borana conflict of Marsabit County who are equally pastoralist.

Robert G. Gusselink in his study of the minority rights and ethnic conflict in Assam, India, argues that from both utopian ideal and a political necessity, India has always been committed to unity through diversity despite being a nation of people speaking twenty-four major languages, practising a half dozen religions and belonging to widely diverse ethnic groupings. He adds that India has maintained its consistency since attaining independence from Britain in 1947. Nevertheless, cultural differences, communal separatism and competition among ethnic groups for jobs, social status and political power have resulted to bitter and fierce struggles. Gusselink's sentiment implies that conflict among people of different ethnic groups is not a modern phenomenon or only found in Africa. However, he laments that there are millions of illegal Nepalese and Bengali immigrants in Assam and he points to the failure by Indian government in its duty to prevent this illegal migration. Gusselink, accepts that the Assamese have been agitating not only to expel foreigners, but also to protect the Assamese language and culture and

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<sup>19</sup> Yohannes Gebre Michael, Kassaye Hadgu and Zerihun Ambaye, Report on Great Lake Region and Horn of Africa, *Addressing Pastoralist Conflict in Ethiopia*, The case study of the Kuraz and Hamar Sub District of South Omo Zone, Africa Peace forum, Ethiopian Pastoral Research and Development Association, Inter group, Saferworld, August 2005, pp. 8 – 9.

preserve Assamese dominance in the state's political arena. This study of ethnic conflict in India indicates that politics is also a key factor in fuelling ethnic conflict.<sup>20</sup>

Although the author mentioned aspects that fuels ethnic conflict, he did not point out obstacles to achievement of a lasting peace among people of different communities. Equally, he fell short of stating what hinders integration among different ethnic groups, and why in most occasions there is incompatibility of needs among people of diverse cultures leading to repeated ethnic conflict.

According to a working paper by Future Agricultures on customary approaches to peace management in Southern Ethiopia and Northern Kenya, news of violent conflict in the lowlands of Northern Kenya and Southern Ethiopia is commonplace and this more often escalates to the extreme of accepting the condition to appear normal to outsiders. The paper also argue that the region is characterized by violent expressions of national struggles for political supremacy, widespread cattle rustling, illegal trade protected by powerful interests and disconnection between traditional and state institutions of administration and justice which together sustain repeated flare-ups of apparently ancient hostilities. This has caught the attention of many actors as shown by the proliferation of NGOs and government-sponsored peace meetings which have presumed employment of simple contemporary solution.<sup>21</sup>

The paper acknowledges the existence of ethnic conflict in Northern Kenya and the attention it has acquired from various actors. However, despite these efforts, repeated conflict has continued to shape the livelihood of the communities living in this area. The paper fails to answer the question, why the persistent conflict?

Manasseh Wepundi, James Ndung'u and Simon Rynn contend that the East African region has long confronted the challenge of SALW proliferation. The history of small arms in the region goes back to pre-colonial times when sprawling gun markets existed in Maji, south-western Ethiopia. At that time, the Karamoja region, including those areas currently under Kenyan and Ugandan administration, was a key destination for incoming arms. Subsequently, the anti-colonial Mau Mau struggle in 1950s in Kenya is believed to have introduced arms to urban areas

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<sup>20</sup> Robert G. Gosselink, *Minority Rights and Ethnic Conflict in Assam*, India Boston College, Third World Law Journal, volume 14, Issue 1, 1994. pp. 2 – 3.

<sup>21</sup> Patta Scott-Villiers, Hussein Boru Ungiti, Diba Kiyana, Molu Kullu, Tumal Orto, Eugenie Reidy and Adan Sora, *The long conversation: Customary Approaches to Peace Management in Southern Ethiopia and Northern Kenya*, June 2011, Future Agricultures, Working paper 22,P .4.

while recurrent instability in late 20th century Uganda worsened the small arms situation in the region. Many connected factors drive the demand for small arms in contemporary Kenya and Uganda. The proliferation of SALW is also facilitated at the lower level by inter-group animosities between ethnic groups or clans in poorly policed and under-developed pastoralist-inhabited areas. Pastoralist groups inhabit arid or semi-arid areas and are naturally in competition for scarce water points and pasture land. Though low-intensity violence, above all revolving around, cattle raiding, has been a continuing trait of the region, the influx of automatic weaponry has transformed its nature, intensified its human cost and transformed a range of societal relationships. The absence of effective and accessible state security provision in these areas has made small arms to be viewed as a guarantor of security.<sup>22</sup>

The authors acknowledged the proliferation of SALW as a major cause of conflict among communities, facilitated by inter group animosity which dates back to pre colonial times. However, the question is: Why the continued conflict?

Stephen Ndegwa defined structural factors as contributing to the conflict in Northeastern Province. He identified two important ones which he mentioned as weak state and its secondary effects and the changing and uncertain political conditions of the transition from authoritarianism to multi-party electoral politics. According to Ndegwa, the state has continued to base its actions on the experience of fighting a separatist movement right after independence during the period of shifta war and has continuously administered the region as a security zone under emergency regulations which lasted until 1997. There has always been a high sensitivity to breakdowns of law and order in this region, although not accompanied by high competence in maintaining the same. When skirmishes have occurred between communities or when the attacks have targeted government or civilian installations, the reactions by the state have alternated between ignoring the actions as 'normal' banditry long associated with the region, especially when civilians are targets, and dispatching punitive expeditions reminiscent of colonial pacification exercises,

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<sup>22</sup> Manasseh Wepundi, James Ndung'u and Simon Rynn, *Lessons from frontiers, Civilian disarmament in Kenya and Uganda*, Saferworld, May 2011, p.1.

especially when government installations are targets.<sup>23</sup> This has led to intense suspicion among residents against the government and reciprocal suspicion of the residents by the government.<sup>24</sup>

It will be of interest to investigate if the sentiments of the author conform to the findings of this research and if yes, how the government actions reinforced the recurrent conflict in Northern Kenya and, more specifically, in the conflict among Gabra and Borana communities.

According to United States Aid baseline report conducted in Karamajong cluster of Kenya and Uganda in August 2005, pastoralist conflicts within the Greater Horn of Africa occur mainly in arid and semi-arid areas and are thus principally resource-based revolving around livestock. The paper argues that these conflicts involve the use of fire arms making the conflict even more violent and resulting to indiscriminate killing and destruction of properties. Marginalization by post-independence governments has also compounded the pastoralist problem within the GHA. Over the years, pastoralist conflicts have become more frequent, more unpredictable and exhibit marked escalation in violence and geographical spread.<sup>25</sup>

From this argument, it seems conflict among pastoralist communities is tied to scarcity of resources, use of fire arms and marginalization of communities. But the authors did not explain why it has proved difficult to bring a lasting peace among the warring communities. One can question, can't resources be shared? Or isn't it the responsibility of government to equally recognize the pastoralist communities as equal citizens of Kenya?

Stephen Brown states that, though encompassing about two-thirds of the country's surface area, the northern Kenya is home to only about 20 per cent of Kenya's population, which is mainly traditionally pastoralist community. The region is much poorer than the southern part of the country, with a severe lack of fertile land and infrastructure. Brown argues that reports from the media and human rights NGOs clearly point to a worsening security situation in the region, including a dramatic rise in murder rates. Cattle rustling are an established practice in northern Kenya. However, according to Brown recent years have seen a significant transformation where

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<sup>23</sup> Stephen Ndegwa, *Greater Horn of Africa Peace Building Project, Peace Building Among Northeastern Pastoralist in Kenya*: The Wajir Peace and Development Committee, Management System International Washington DC, USA, March 2001, P.3.

<sup>24</sup> Ibid.

<sup>25</sup> USAID, *Conflict Early Warning and Mitigation of Resource Based Conflicts in the Greater Horn of Africa*, Conflict Baseline Study Report Conducted in Karamajong Cluster of Kenya and Uganda, August 2005, p.7.

the raiders no longer seize relatively small numbers of cattle at a time, and they can number in the thousands. Raiders now often torch local dwellings in the process and in another unprecedented practice they use automatic weapons to target people, including women, children and the elderly. Brown argue that much of the northern Kenya region is under the control of bandits and local warlords to the extent that the state's actual sovereignty over the region is sometimes questioned, causing most communities to arm themselves in self defence.<sup>26</sup> This influx of SALW has greatly contributed to the cases of insecurity in Northern Kenya.

The situation described by Brown points to the fact that insecurity in northern Kenya is a common happening that has forced residents of this region to take personal responsibility of ensuring their own security. However, the question of interest to the study is, why the continued conflict among communities living in northern Kenya?

### **1.7 Theoretical Framework**

Theoretical framework was the foundation on which the entire research project was conceived and built. The study employed the Transcend peace theory by Johan Galtung. The theory aimed at how to transform direct, structural and cultural violence. The theory encompasses what is violence, what is conflict formation underlying the violence, what is the perspective of a peaceful solution and what is the way to conflict transformation and peace building. The main aim is not only how to end direct violence but also to lay emphasis on how to transform structural and cultural violence. According to Galtung, cultural violence is hard to change. It is the deep rooted constant which legitimates structural and direct violence, especially when there is a reaction, whether violent or not, against structural violence by those who are victims of it.<sup>27</sup>

Transcend peace theory puts forward the view that a majority of approaches devised to deal with conflict are limited to understanding violence as a direct violence and in most occasions this leads to a compromise that brings an end to direct aggression hence the attainment of negative peace which is unsustainable. In such circumstances, conflict is put on ice, until at some point it re-emerges, and when this happens the violence is worse than before. In such circumstances,

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<sup>26</sup> Stephen Brown, *Deteriorating Human Security in Kenya: Domestic, Regional and Global Dimensions*, Ottawa, Ontario, Canada, P.3.

<sup>27</sup> Charles Webel and Johan Galtung, ed. 2007. *A Handbook of peace and conflict studies*, p.131.

there is no sustainable peace that is reached and to address this, justice gap needs to be attended to, and these can only be achieved by transforming the violent structures and culture.

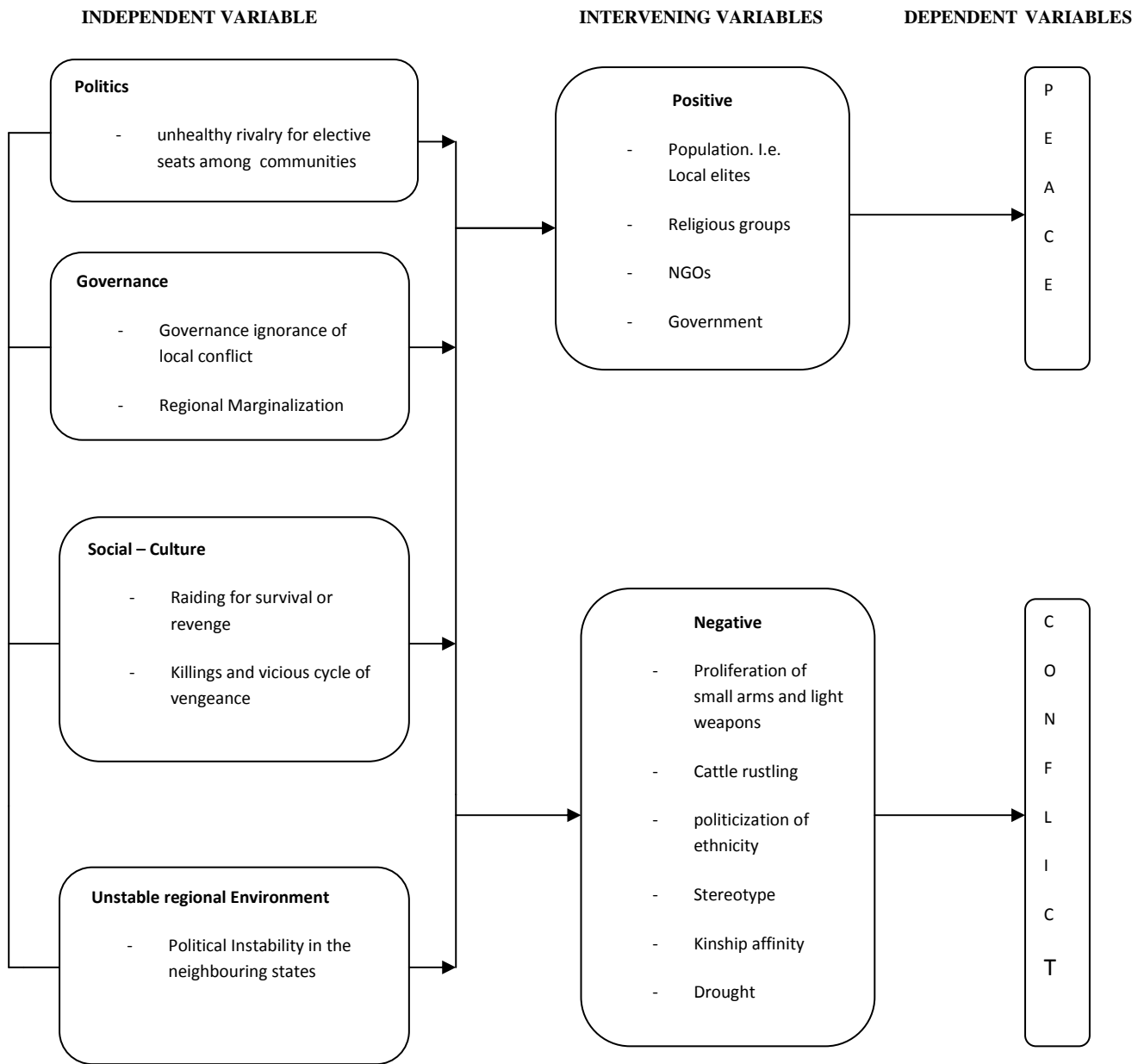
To attain peace, the first intervention should focus on peaceful relation between parties and not on security. Conflict and violence are outcomes of untransformed conflict. However, of importance is that conflict transformation has to be itself peaceful in order to avoid sowing new seeds for future violence. The process of conflict transformation needs transcendence, going beyond the goals of the parties and creating new reality so that parties can co-exist. The mediation should start with engaging one party at a time, in deep dialogue in a joint creative search for a new reality, followed by classical approach of bringing the parties together, with the help of a facilitator. The question of what happened before the conflict is of utmost importance as it aids in diagnosis and analysis of the conflict, while establishing the history of conflict. This will assist in establishing the appropriate therapy that would list the interventions necessary and sufficient to prevent unacceptable consequences in order to avoid the cost of untransformed conflict.

For Galtung, all the different actors of diverse backgrounds, such as the government, NGOs, local leaders, military personnel, journalists, religious leaders and the intellectuals from the same part of conflict must meet.<sup>28</sup> Galtung summarizes conflict transformation as the combination of acceptability, non-violence and sustainability which to him holds the key to peaceful coexistence among people.

The study also made reasonable logic of the relationships between all the variables that have been identified as important to a problem. Challenges to peace are the subject to be studied and therefore, became an independent variable. In this framework, the researcher attempted to link the knowledge gathered from the literature on challenges to peace to the research topic. The research proposed the following conceptual framework that exhibited the relationship of variables.

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<sup>28</sup> Charles Webbel and Johan Galtung, ed.2007, A Hand book of peace and conflict studies, p. 133.



**SOURCE: RESEARCHER: GUYO C. TURI (2012)**

From the above conceptual frame work it is evident that the outcome of any action depends on the manner in which it is responded to. Conflict among different ethnic groups or even within people of the same ethnic group can be managed, contained and transformed to a peaceful co-existence depending on the manner used in responding to the situation at hand. When conflict arises between two or more parties, human beings have the choice either to choose peaceful or



violent response. Whether they choose going for violent conflict or harmonious relationship is a subject which rests squarely with the group. In the case of pastoralist communities, they are faced by numerous challenges which require care by all the parties to the conflict. Communal response to individual actions only opens the window of revenge and counter-revenge making the conflict unbearable. The traditional culture which encourages revenge simply fuels conflict among communities and it is up to the people to make the right choice by either condoning the outdated culture or accept modernity, or dwell in anguish of constant fighting among themselves.

Politics, poor governance, culture and the unstable regional environment are all actors which have denied communities peace and it takes positive response of all stake holders the government, NGOs, religious organizations and the population in order to chart the best way forward which is acceptable to all the parties to the conflict. Negative response to an already delicate situation will not only worsen the situation, but also is more disastrous. The question of whether to co-exist or engage in violence and destruction is the choice that is to be made by the people themselves which are determined by the way they respond to a situation at hand. Belief in positive response to conflict situations is the single most powerful way of attaining a lasting peace. Negative response to an already fragile situation will only pave way for more devastation. Therefore, it is the responsibility of all the parties to the conflict to establish and address accordingly the underlying questions which if left unaddressed will continue discounting every step towards achieving a lasting peace. Failure to identify factors which undermine the achievement of a constant peace will only pave way for negative peace.

### **1.8 Study Hypotheses**

1. Politics, socio-cultural orientation, governance, drought and unstable regional environment undermine sustainable peace.
2. Persistent ethnic conflict in Marsabit County has been caused by lack of appropriate intervention by the various stakeholders.
3. Lack of sustainable peace in Marsabit County was the result of the complexity of ethnic rivalry.

## 1.9 Research Methodology

In a bid to uncover factors that undermine the achievement of a lasting peace among the Gabra and Borana community of Marsabit County, the study undertook the assessment mainly through interviews of informants from the community leaders, government officials, individuals, emergency aid workers, internally displaced persons, politicians and NGOs. The target population of the study was samples from Gabra and Borana communities. Due to limited time and resource the researcher carried out the research in Marsabit and Marsabit North district where there is good population of the two communities. A camp for the internally displaced persons in Marsabit district was factored in the research as a resource centre. This helped the researcher to get more in-depth information which is relevant to study, both verbal and non-verbal. Each district accounted for 20 informants with the numbers further subdivided into divisions while taking into account age, gender and occupation. The researcher also consulted the already existing literature, in the archive and libraries.

The instruments of data collection were questionnaire, oral interviews and observation method. The responses were analyzed to formulate the research findings. The research was a case study that used descriptive techniques to try to describe characteristics of subjects, opinions, attitudes and perceptions of people of interest to the researcher. The researcher used qualitative information to help in reaching conclusion.

Each element under the study had a probability of being included in the sample and therefore, Probability sampling was used given that the population from which the samples were drawn does not constitute a homogeneous group.<sup>29</sup> This gave the researcher the freedom to obtain a representative sample of the entire population. The raw data gathered from the field were sorted out, coded, edited, processed and analyzed and presented through opinion, description and narratives to reach a conclusion. The findings were interpreted with respect to the research topic.

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<sup>29</sup> C.R. Corathi, *Research methodology, methods and techniques* (Second revised edition), New age international publishers, New Delhi, India, 2004,p,15.

## CHAPTER TWO: UNDERSTANDING THE CONFLICT

### 2.1 Introduction

The beginning of intense hatred and animosity between Gabra and Borana can be traced back to 1993, when a Gabra woman married to a Borana fled from her husband's home in Southern Ethiopia to her homeland after a claim of mistreatment by her Borana husband.<sup>30</sup> The Borana in-laws followed the woman and traced her footsteps to her parental homeland. The Borana men took a young boy who accompanied his mother without the knowledge of the mother while the boy was herding livestock. Following the boy's cry, the "kidnappers" of the boy were followed and in the event one Borana was killed and three injured when they defied an order to surrender the boy prompting their Gabra in-laws to fire in an attempt to rescue the boy. In revenge a Gabra header was killed and his body mutilated. The killing was later followed by a raid by Borana at Idiido along Kenya Ethiopia boarder killing an old man and torturing children while driving away huge herds of camels.<sup>31</sup> During the same period, the Borana seized Gabra *yaa* in Southern Ethiopia in demand for the killers, and they also went ahead and beat men and slaughtered livestock belonging to Gabra<sup>32</sup>. This was the beginning of the long standing hostility between the Gabra and the Borana who were previously living side by side as brothers.

In 1998, under the cover of darkness gun men raided a home of a Gabra businessman and in the process killed his younger brother, a primary school child. The Borana were alleged to be responsible for the killing. This was followed by the killing of a Borana businessman in which the Borana pointed an accusing finger at Gabra. A few months later, there was the killing of a Gabra elder, a known retired medical officer. This was seen as an act of revenge by Borana in retaliation to the earlier killing.

There was relative calm until 2002 when a Gabra man was killed near Turbi in which Gabra blamed the Borana for the killing. Borana on the other hand refused to take responsibility for the killing and this heightened the tension between the two communities. In retaliation Gabra seized livestock from the Borana from Marsabit Mountain and in the process a Borana chief and a police reservist were killed. The Borana responded by burning Gabra homes in the villages at the outskirts of Marsabit town leading to the displacement of Gabra population from their homes.

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<sup>30</sup>Chukulisa Adhi, *Oral Interview, 21<sup>st</sup> January 2013, Turbi*

<sup>31</sup> *Ibid*

<sup>32</sup> *Molu Halkano, Oral Interview, 23<sup>rd</sup> January 2013, Marsabit*

This event was followed by the killing of a Gabra man who was seized from a lorry in which he was travelling from Bubisa heading to Marsabit. This unfortunate incident happened just some few kilometres from Marsabit town. The continued killings heightened the tension between the two communities. This rather regrettable state of affairs was catalysed by the brutal killings which were inflicted on the Gabra community by their Borana neighbours, in what earned the tag name “Turbi massacre”. The raid at Turbi trading centre was preceded by an utterance from a Borana political leader during Madaraka day celebration of 2005 that peace is not like a *pilau*. In the presence of the entire District security intelligence committee,<sup>33</sup> the politician added that his people were not ready for peace.

On the day of Turbi massacre, the Gabra retaliated by killing Borana who were travelling in a mission vehicle at Bubisa trading centre and burning houses belonging to Borana across the Gabra dominated North Horr constituency in revenge. The conflict left hundreds dead and thousands displaced encouraging humanitarian aid organizations to come in to save the situation. This was the first ever all out hatred between the two communities which had previously lived in harmony. What is begging many questions is the fact that the two communities resemble each other, speak the same language and share a number of cultural values, not forgetting that they have intermarried and have also joined hands before in fighting a “common enemy”.

## **2.2. Most treasured resources**

The two communities are full time pastoralists with only a few practising agro – pastoralism. These give the duo preference to value land and livestock as a treasure. Despite the challenges that come with their way of life, these communities have no choice than to cope in order to endure the hard economic times. The recent changes in global climate has worsened the situation and blurred their hope of survival. The friendly ties that existed between these communities have been eroded due to the diminishing of the already scarce resources. With the unpredictability of the climatic condition, pastoralism has proved to be the most disadvantaged way of life which faces uncertain future. The communities are well informed of the discouraging future given that the rainfall is no longer sustainable enough to improve the quality of grazing fields, leave alone supporting farming activities. Such uncertainty of livelihood has intensified hostile competition for grazing land and water. The communities have been marginalized by successive political

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<sup>33</sup> *Marsabit conflict assessment report*, compiled by mission team, Marsabit, Kenya.p.22.

regimes and this has deprived them access to education since independence, hence increasing overreliance on livestock and livestock based products as a major source of livelihood. Livestock are the major source of wealth, be it for paying school fees and dowry to being used as an ultimate measure of wealth. Such conditions have made the two communities to attach a hefty price on land, livestock and water as a resource and losing them means death as these resources serve as a beacon of hope for the next generation

### **2.3: The Gabra and Borana Relationship**

The two communities have a long history of friendly co-existence. Besides sharing one language which is a major aspect of culture and having intermarried, the two have a history of joining hands to fight their adversaries.<sup>34</sup> However this notwithstanding, of late the relationship between the two is that of mistrust and mutual suspicion. When asked about the relations between these communities one gets the answer “not bad”.<sup>35</sup> Due to the absence of physical confrontation between the two, the appropriate word to express the current situation is that there is an atmosphere of negative peace which is thriving at the moment. The recent general election was another indicator of how cold the relationship between Gabra and Borana of Marsabit County is. The sudden resurgence of tribal political realignments aimed at capturing political power has not added any value in as far as attainment of a lasting peace is concerned.

The antagonism between the duo has extended beyond measure and fighting has taken a different dimension where one party is working hard to bar the other from coming closer to power. This manifested itself in the unity of Rendille, Gabra and Burji in a political alliance against the Borana. Indeed, this ethnic outfit won the March 4<sup>th</sup> 2013 general election by sharing positions among themselves, where the position of governor went to Gabra, Senator to Rendille, Deputy Governor to Burji and Woman Member of parliament taken by Garre. As at now, there is no interaction between the two or sharing of resources either. However, despite the cold relationship there is no incidence of physical confrontation between the communities. What is more worrying is the extent at which the two communities have buried their heads in the sand not looking bothered by the situation on the ground assuming that all is well when almost all is being lost.

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<sup>34</sup> Liban Jarso, Oral Interview, 26<sup>th</sup> January 2013, Marsabit.

<sup>35</sup> Ibid.

## 2.4 Actors in the conflict

Marsabit County oscillates between recuperation from and resurgence of conflict. While at times there are long spells of relative calm accompanied by convalescence after spells of fatal conflict, the rebirth of conflict is not accidental or unplanned. Conflict, whether it is intra- or interstate or whether it is between different ethnic groups or clans or within a single group, involves numerous actors with varied interests.<sup>36</sup> The actors in Gabra/Borana conflict include communities - women, men and the youth, politicians, and Oromo Liberation Front.

However less visible, there is a cross-border politics that drags in OLF which is a political movement in Ethiopia determined to achieve self determination. Although the presence of OLF is less significant, it has greatly contributed to the Gabra/Borana conflict in which they are blamed for aiding their Borana kinsmen in Kenya.<sup>37</sup> This kinship affinity has made the Ethiopian Borana to be direct participants in the conflict between Borana and Gabra. It was also alleged that the infamous Turbi massacre was carried out by a combination of OLF and Kenyan Borana. This rag-tag rebel outfit that operates in Southern Ethiopia, with a vision to rule the whole of Ethiopia largely draws its support base from the larger Oromo speaking group to which both the Borana and Gabra belong. The operations of the militia group usually spill over into Kenya making the two communities to begin accusing each other of either supporting or frustrating the activities of the militia. The Gabra community accuses the Borana of hosting and sympathizing with illegal immigrants from Ethiopia, who are often suspected to be members of the OLF who end up committing atrocities. The Borana on the other hand complain of being victims of the insurgency of the militia movement which they have no control of.

The MPs, civic leaders, aspirants and other political activists in the County are also accused of inciting communities against each other by making provocative statements. One such example was the statement made by an MP in Marsabit during Madaraka Day celebration of 2005 in which he said that his people were not ready for peace.<sup>38</sup> This happened in broad day light in the presence of district security apparatus and no action was taken.<sup>39</sup> The leaders also used their powers to influence discriminatory appointments within the civil service. Politics of patronage

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<sup>36</sup> Mwesiga Baregu, 2011, *Understanding obstacles to peace Actors, interests, and strategies in Africa's Great Lakes Region*, Fountain publishers, Kampala, Uganda.P.147.

<sup>37</sup> Ali Molu, *Oral Interview, 28<sup>th</sup> January, 2013, Marsabit.*

<sup>38</sup> Boru Dima, *Oral Interview, 29<sup>th</sup> January, 2013, Bubisa.*

<sup>39</sup> *Ibid.*

was the order of the day in the region and open negative ethnicity is championed by the people who are at the helm of power due to immunity which they enjoy given their status in the society. Development projects within the County are also dished out to the communities that are in the good books of politicians and discriminative allocation of constituency bursary is not news any more.

The communities have their own share in the conflict formation. They are direct participants by providing fighting warriors. Women play their role of glorifying the outdated culture of killings and revenge where the killers are viewed as heroes in the hearts and minds of women, while elders play advisory roles in the conflict formation and execution.

The youth on the other hand has split their roles depending on their status in the society. The uneducated class or the semi literate have played the role of directly executing the act of fighting and this makes them the direct participants, while the educated have been enjoying the bravery of being far away from the battle field by playing the role of inciters. This group has overtime spread hate speech through social sites. This class of people has taken their war to a higher level where they post all types of insults against the other community showing open hatred. These insults and hate messages are uploaded on the social sites and one of such page is tag named, eye on Marsabit County 2012 politics. The page has provided a platform where the youth from Gabra and Borana communities can enjoy posting hate messages from the comfort of their homes. In most incidences, such a message ignites hundreds of responses.

## **2.5 Tracing the Conflict in the context of the study**

In the month of August 2002 a Gabra man was killed at Turbi and the Gabra responded by seizing livestock from Borana blaming them for the death. Following this happening, on 6th of September, 2002 the Gabra and Borana gathered at Turbi trading centre to find a solution to the conflict. The gathering arrived at a conclusion that peace be maintained among the two communities. This was followed by a follow up meeting which took place in September, 2002 at Sololo, Moyale district, aimed at strengthening the peace message. Among those in attendance were administrators, peace committees and opinion leaders from Marsabit and Moyale districts. In this deliberation, the peace committees were asked to pass the ruling based on the Garissa declaration which required the Borana to pay 100 cattle in compensation for the Gabra man killed, on the other hand the Gabra were to pay five times the number of livestock they took from



the Borana. The Communities were also given the second option of resolving their conflict in their own mutually suitable ways. Unfortunately, both parties opposed the verdict and failed to produce an alternative either. This heightened the tension between the two communities.

Later in October of the same year, a peace meeting was held between the two communities at Funanqumbi near Turbi. The meeting aimed at providing new solutions to the repeated flare ups. But again, just like in the previous meetings, no settlement was arrived at. Neither of the communities was prepared to pay the reparation. During this period, despite the ongoing peace efforts, Borana from Funnanqumbi were denied access to Turbi and the Gabra to Rawana and Walda water points which are the nearest permanent water source controlled by the Borana.

There was a terrifying adversity between the two communities by November, 2002 as the two communities prepared for a show down. However, this was averted by cross border committees from both Kenya and Ethiopia and this saved the outbreak of the imminent war. The cross border meeting which was held in Yabello in Ethiopia helped in reinforcing the peace efforts and the state of affairs temporarily calmed down.

The following year there was a relative calm which continued to triumph though the conflict remained unresolved as neither of the parties was willing to pay the animals for the reparations for the wrongs committed. There was no sharing of resources either and no free movement of people across what is perceived to be “enemies land”.

In December 2003, a meeting of prominent Gabra leaders from Moyale was held with the aim of carrying out peace campaign amongst the Gabra in Turbi, Bubisa and Marsabit for a week. The leaders discussed with their Marsabit counterparts and organized a joint Marsabit and Moyale meeting which was planned to take place on 12<sup>th</sup> February 2004. However, the planned meeting never took off. On this particular occasion, the leaders from Moyale turned up for the meeting in large numbers, but the Turbi people boycotted the gathering alleging that they were not advised accordingly.

Throughout the year 2004 to 2005 tension remained high. There was neither exchange of animals nor sharing of resources. During this period, both Marsabit and Moyale peace committees were busy fighting their own wars, each pointing an accusing finger at the other and to politicians. The elected MPs, on the other hand, were fighting a cold war amongst themselves and despite efforts

by various stakeholders to work towards a sustainable peace things were not easy as the local leaders from the two communities could not see eye to eye. This enmity between the two continued until they were all united in death, in a plane crash on April 10, 2006 while heading a delegation to Marsabit for a peace conference.

In the first quarter of 2005, the Gabra and the Borana communities at Turbi and Rawana held their own meetings without much external facilitation in which they reached an agreement. The two communities at Rawana and Turbi reached a decree that the Gabra were to return the seized livestock without any multiplication and the Borana would compensate the Gabra for the dead person.

However, the truce lasted only for a few weeks and in June 2005, three Borana were killed near the Ethiopian border. The neighbouring Ethiopian Borans in revenge invaded the Gabra villages along the border and stole animals. The act was condemned by Borana leaders and the government and the stolen animals were quickly recovered. In the meantime, Ethiopian Borana made truce with the Kenyan Gabra to the effect that they should not take revenge on the Kenyan Borana, while the recovery attempts were ongoing. In response to the loss Borana cattle were stolen from Marsabit and Hurri hills, and in the process a Borana chief and a police reservist were killed. The Borana retaliated by burning houses belonging to the Gabra in Marsabit and killed a Gabra man who was travelling in a lorry.

These attacks and counter attacks were followed by a violent revenge attack, presumably from a combined force of Kenya and the neighbouring Ethiopian Borana at Turbi on 12 July, 2005 in which about 76 people died and scores wounded, including women and children. In revenge, the Gabra killed 9 Borana at Bubisa, one at Maikona and burnt Borana houses on the same day.<sup>40</sup>

## **2.6 Causes of Conflict**

The conflict among Gabra and Borana communities is a complex one. The communities have lived in harmony as good neighbours for long never mind the fact that an outsider can easily mistake one for the other. Nevertheless, the causes of their conflict are not a myth and neither was it rooted in history. The two had good brotherly ties, having associated with each other as

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<sup>40</sup> The conflict chronology as reported by the Mission team, *Marsabit conflict assessment report*, 21 – 28 July 2008, Marsabit, Kenya, p.14.

brothers and are also known for teaming up in fighting a common “enemy”. The recent turn of event has caught many by surprise. Ever since it all began, the level of animosity among them has been of far reaching impact, raising the level of enmity beyond control. The tendency of no retreat, no surrender adopted by both communities has made the conflict intractable and this sad state of affairs can be attributed to the following factors.

### **2.6.1: Resources**

The larger portion of Marsabit County is arid, apart from the regions around Marsabit hills which houses the County headquarters. Chalbi desert that traverses the County is perhaps one of the poorly endowed areas with natural resources and the competition over the use, access and control of the little available pasture was the main cause of conflict in the County.<sup>41</sup> The communities living in this part of the country are in constant confrontations, especially during the dry spell when livestock tend to concentrate in the limited sections with pasture and water.<sup>42</sup>

The conflict among Gabra and Borana is not an exception and it was mainly as a result of competition for scarce resources. The region is mainly arid and semi-arid with sparse population density, a majority of whom are poor pastoralists. Some of these pastoralist communities depend on relief food for long periods especially during the dry spells. They live in the rural areas and in small and scattered settlements served by poor infrastructure except some parts of the towns which have facilities such as electricity, piped water and telephones. There is a significant lack of modern economic activities in all areas except the major towns. Compounding this underdevelopment, the people have suffered cattle rustling dating back to the start of the colonial Kenyan state. However, the recent situation can not be confused for a mere cattle rustling. Conflict in this region has become chronic and has a tendency of taking a cross-border dimension. There are numerous cross-border raids and alliances, especially along the border with Ethiopia which is predominantly occupied by Gabra and Borana. In view of recent occurrences cattle rustling has been commercialised as a supplement for the ever dwindling resources and

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<sup>41</sup> Ruto Pkalya, Mohamud Adan, Isabella Masinde, Ed. Martin Karimi, *Conflict in Northern Kenya, A focus on the internally displaced conflict victims in Northern Kenya*, ITDG – EA October, 2003,p.54.

<sup>42</sup> Ibid.

pastoralism looking unreliable as source of livelihood. This way, conflict is viewed by some people as an alternative source of livelihood and an easy way to riches.<sup>43</sup>

In this part of the country permanent water sources are rare and the amount of water available from boreholes and springs are limited. Resources such as pasture and water are often at the centre of conflict between these communities. The effect of the recent climatic changes is against the survival of ever-increasing human population in the major towns, especially over the last few decades thus putting more pressure on the already diminishing natural resources. Availability of water and pasture fluctuates with seasons and differ between areas. This was dictated by the amount of rainfall an area receives during a rainy season. Mobility of people with their animals which encourages sharing of resources, is a major traditional coping strategy adopted by the communities since time immemorial. However, with the low rainfall experienced lately in these regions compounded with shrinking pasture, increased human population and drying up of water points, several challenges are facing this traditional mobility and communities fear for their own livelihood as resources are no longer sustainable. This has put the Gabra and Borana communities at a crossroad whenever either part experiences dry spells or low rainfall as no one was willing to share the little resources available in what is perceived to be their land.

### **2.6.2. Modern administrative Boundary**

The major causes of conflicts between different ethnic groups in Borana inhabited zone are disputes over political and administrative boundaries.<sup>44</sup> This has promoted ethnic rivalries and revenge as the most important factor between the Borana and the Gabra. The new faces of administration which have resulted in the shifting of boundaries have profound implications on the livelihood patterns of grazing movements between Gabra and Borana. The creation of new districts, divisions, locations and sub- locations and the posting of administrative personnel are extremely sensitive and contested by these communities. An example was the Elle Bor location along the Kenya Ethiopia boarder in which both community claim ownership and despite this

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<sup>43</sup> Ali Galma, *Oral Interview*, 29<sup>th</sup> January 2013, Marsabit.

<sup>44</sup> Michael Ochieng, *Impact of Conflict on pastoral communities' resilience in the horn of Africa*, A case studies from Ethiopia, Kenya and Uganda, Nakuru, February 2012, p.14.

dispute, the government has appointed a Borana chief, hence stirring further the misunderstandings.<sup>45</sup>

Confusion and overlap between ethnic communities, administrative and electoral boundaries have aggravated antagonism between the two communities with claims over land that they believe will secure them political, economic or social benefit. The creation of constituency and administrative districts has brought with it unrealistic expectations and the view that new districts are exclusive homeland of specific ethnic group. The same is translated in relation to County politics. During yester years, from independence up to 1988 Marsabit County which was then Marsabit district had only 3 constituencies; namely, Moyale, Marsabit North and Marsabit South. During this period, Marsabit South was majorly populated by the Rendille and they remained the major determinants of politics. Moyale remained in the hands of the Borana, while Marsabit North which was the largest and home to the District headquarters was dominated by the Gabra community. The political make of the region was later redefined just before 1988 general election when Marsabit North constituency was split into North Horr and Saku constituency while Marsabit South constituency was renamed Laisamis constituency with Moyale retaining its original identity. What was observed during this exercise was that neither geographical size nor population was put into consideration. Rather demarcation was done based on tribal arithmetic and political advantage, where only the areas around Marsabit town was curved out to form Saku constituency. This was believed to serve the political interests of the Borana community whose candidate had on several occasions unsuccessfully vied for the Marsabit North parliamentary seat. The exercise left the Gabra community as a majority in North Horr constituency, while the Borana remained in control of part of Saku.

In recent years, the ghost of selfish individuals has constantly returned to haunt the residents of Marsabit County. The Borana, who previously welcomed the idea, are today "prisoned" on the mountains of Marsabit which formed Saku constituency and to add more frustrations, with the rise of a middle class, land which is the most prized possession in this part of the country is now in the hands of the working elites leaving very little for agro-pastoralism in Saku constituency. On the other hand the majority of the Gabra who occupy North Horr constituency claim rightful ownership of land and the resources which are within their territory. Unlike the Borana who are

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<sup>45</sup> *Chukulisa Galgallo, Oral Interview, 19<sup>th</sup> January, 2013, Turbi.*

very few in the Gabra occupied North Horr constituency, there is a significant Gabra population in Saku constituency, who are equally natives in this part of the County.

Across to Moyale constituency the Borana control equally a substantial amount of resources in terms of land, water and pasture over which they are in constant conflict with their Gabra counterparts. This situation has left the Borana of Saku constituency in a tight balancing act, whenever there is a misunderstanding between them and their Gabra neighbours.

The recent advent of County government also has done more harm than good. The manner in which political alliances were hatched has exposed the rivalry between the two, with politicians dishing out pledges and promises to their respective community, making the population to believe that a vote for the opponent is a vote for an enemy, who is out to take revenge. The local administrative system in Marsabit County was characterized by insufficient capacity and the declaration of new boundaries and recent devolution system of government has only exacerbated the situation.

### **2.6.3 Proliferation of Small Arms and Light Weapons**

Proliferation of small arms is a major problem in this region. This is attributed to the failure of the state to protect pastoralist communities from invasion by Ethiopia militia and constant inter-communal raids.<sup>46</sup> At the beginning, the acquisition of fire arms was for self defence from the perennial attacks which leaves people dead and animals stolen, dragging people into poverty. However, the uses of fire arms have been abused as people use these illegal weapons for highway robbery and raids. What is more disturbing is the engagement of police reservist in such activities under the disguise that all wrongdoers use illegal firearms. The unstable regional powers have made it easy for the people to acquire arms from Ethiopia, Sudan and Somalia. These conflicts have impacted negatively on lives, livelihoods, trade and education of the communities. There has been unnecessary loss of life and many injuries coupled with cases of rape and displacement of populations. The porous and expansive borders and a high demand for the arms has been a great source of insecurity in the region.

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<sup>46</sup> Ali Dida, Oral interview, 16<sup>th</sup> January, 2013, Marsabit.

#### **2.6.4 Cattle rustling culture**

Just like in other pastoralists' counties, cattle raiding are the major sign and concern of conflict in Marsabit County. The County's proximity to Ethiopia has promoted contacts with the Oromo groups across the border, leading to conflicts over grazing resources. The infiltration of OLF into the border regions of the County has sneaked in different form of conflict, such as casual rebels. The kinship affinity between the Borana of Kenya and the OLF of Ethiopia has made the conflict more complex.

The abuse of the traditional culture of cattle rustling to restock livestock after severe droughts or diseases is another cause of conflicts in this vast County. People are no longer raiding to replenish their stock, but are raiding to kill, maim and enrich themselves. Commercialization of cattle raids has taken toll in the region.<sup>47</sup>

#### **2.6.5 Politics**

Politics is another factor which fuels the Gabra - Borana conflict. The advent of County politics has worsened the already delicate situation. Lately, the fight has moved to a political ground, where the two have put up a hostile fight in trying to capture the County elective position without the support of the other. During the campaign period, none of the candidates from the two opposing sides has toured an area which is predominantly occupied by the opponent unless under the disguise of presidential candidates when they traverse the County in search for votes. The population was made to believe that failure to have one of their own in the County leadership means marginalization by the elected opponents from the other community.<sup>48</sup> Such hatred and mistrust gave rise to a more complex ethnic rivalry. This came hand in hand with the formation of ethnic alliances and the most significant was the Rendille, Gabbra, Burji alliance which united the three communities. Hence, they shared the senior most elective seats amongst themselves; the Gabra were given the gubernatorial seat, Rendille Senator and Burji Deputy Governor. The Borana almost lost the Saku parliamentary seat as well to Burji, a seat which has been occupied by Borana since its establishment. This political alliance was based on ethnic tyranny of numbers. This worked out very well and the positions were bagged by REGABU

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<sup>47</sup> Ruto Pkalya, Mohamud Adan and Isabella Masinde, Ed; Martin Karimi, *Conflict in Northern Kenya, A Focus on the Internally Displaced Conflict Victims in Northern Kenya*, ITDG – EA 2003, P.54.

<sup>48</sup> Akule Guracha, Oral Interview, 17<sup>th</sup> February, 2013, Marsabit.

alliance. The alliance also included Garre community and they benefited by winning the position of the woman member of national assembly.

The success of ethnically based political alliance was made possible by the conflict that had existed between the Borana and Burji community in Moyale in 2011 which also looped in the Garre community. This gave the Gabra community a political mileage over their major competitor.<sup>49</sup>

However, of importance is whether the REGABU alliance will foster peace and development or they will dwell on marginalizing a certain section of the population which is against the spirit and the letter of the Kenyan constitution and is morally unacceptable. The clashes witnessed between the supporters of candidates, after the announcement of the election results is just a sign of many things to come. Unless leaders stand to defend their positions by working towards a common ground between the communities, they will be on the bad side of history. Nevertheless, the next five years will be a determinant factor of how things will be in the political landscape of Marsabit County in the near future.

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<sup>49</sup> *Ibid.*



## CHAPTER THREE: PEACE INITIATIVES

### 3.1 Introduction

There are three dimensions to the understanding of peace. To start with, there is the old thought of peace as a synonym for stability or balance. This notion of peace refers to internal state of human beings, meaning one who is at peace with himself. This definition of peace relates to law and order which is the conventional social order whether achieved by force or by threat of force. However, the application of the concept does not eliminate the existence of violence because what one considers as peaceful might not necessarily mean the same to the other. As a case example, a soldier who is on the battle field can have peace with himself which he enjoys.<sup>50</sup> This factor lacks the universal belief of what peace really is.

Peace can also be viewed as absence of structured communal violence. This violence can be between major human groups in regards to nations, but can as well be between different races, and ethnic groups. This type of peace is referred to as negative peace. However, the limitation in the definition is that it fails to cover occasional killings such as unpatterned individual violence. On most occasions, it is the transformation from this type of violence which translates to group violence, hence the break of peace.<sup>51</sup>

The third concept of peace is that of seeing peace as a synonym for all which is good in the world community, more so the existence of cooperation and integration between human groups with little emphasis on absence of violence as a measure of peace. This type of peace is referred to as positive peace.<sup>52</sup>

### 3.2 Norms of pastoral peace

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

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<sup>50</sup> Johan Galtung, *Theories of peace, A synthetic Approach to peace theory*, international peace research institute, Oslo, September, 1967, p.12.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

### 3.2.1 Moral Consensus

The Gabra and Borana tradition of peace suggests a personal condition that contributes to a harmonious and generous universe. Any encounter between people, whether in a social or political gathering or even in their day-to-day affairs whether in greetings, ritual or prayer, all must call upon this peace. Greetings are inquiries about peace and assertions of peace reinforced by notions of equality, reconciliation and redistribution. Peace is seen as a foundational social idea that informs the structure and ethics of community institutions that serves both political and spiritual needs. The communities consider peace as an earthly concept and a divine which brings to mind a sense of rights to certain resources. It would be more precise to call the idea, which people are exchanging in their greetings, prayers and inquiries, a moral consensus about authority and political process in the spirit of the eighteenth century English philosopher John Locke.<sup>53</sup> Locke proposes that only the authority of God can properly underpin the political institutions that regulate fairness and justice and overcome all objections. A similar idea is shared by both the Gabra and Borana.

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

### 3.2.2 Information.

The peace which begins in the moral mind is spread in the communication between people. In this way, the *Daimtu*<sup>54</sup> reaches a wide population. The principle of information takes the form of message-taking and information exchange. The tradition of the communities in any conversations between people, who meet one another after being apart, always begin with an

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<sup>53</sup> John Locke, as quoted by, Patta Scott-Villiers, Hussein Boru Ungiti, Diba Kiyana, Molu Kullu, Tumul Orto, Eugenie Reidy and Adan Sora, *The long conversation: Customary Approaches to Peace Management in Southern Ethiopia and Northern Kenya*, June 2011, Future Agricultures, Working paper 22, P .7.

<sup>54</sup> *Daimtu*, is a conscious social mechanism used by people to share news, and to keep assert and monitor the moral consensus. In both Gabra and Borana tradition when two or more people meet it is important that the greetings are followed by information related to where they are coming from. Information is gathered in details on matters touching on all aspects of life, whether social political or economical. News relating to peace and security is given advantage over other news.

exchange of information. It is only after the information about people, places, things and happenings have been exchanged, that the parties get down to other business. The young people are also taught from an early age to give precise information about basic truths. There is always a web of information and understanding that flows across distances between people. Inaccurate or malicious *daimtu* is not tolerated as it creates panics and stimulates conflicts between people. This is always discouraged.

The performance of message, inquiry and information are the pillars on which rests the maintenance of peace. Besides the regular and occasional *gadis*<sup>55</sup> which make use of *daimtu*. It is at this *gadis* that leaders exercise their political authority according to rules of procedure, starting with information exchange between those who are present and the deliberation ends with the delivery of justice after a long and elaborative consultation among the elders. The gathering of elders may sometimes call for special assemblies to pass on their decision to others in the society. Such assemblies can be several depending on the population of the intended consumers of the information. Such assemblies are aimed at maintaining harmony between people. There are occurrences in such events, such as sayings, stories and decisions which are remembered for years after and serve as the basis of arriving at future decisions. Women, children and young people have their own specific forms of exchanging information between themselves. Women meet at certain women-only places and at water points, markets, weddings and funerals and the information they share on actual or rumoured conflict reaches the ears and minds of men. Women sing songs and give blessings or encouragement that have a profound influence on men. They have the collective ability to build momentum, or waves, that can incite or extinguish the wars carried out by men.

### **3.2.3 Customary Law**

The traditional judicial process consent to that which restores harmony among communities or members of the community after it has been threatened or broken. The elders carry on their judicial role as a group, while sharing experiences that are handed down from one generation to the next. Spiritual notions of blessing and reconciliation guide the elders throughout the process

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<sup>55</sup> *Gadis, is assembly of elders. When elders come together to discuss matters touching on the society, the gathering is referred to as gadis which is well respected. Here is where elders make rulings on matters affecting the community. During conflict between communities discussions and negotiations are done by elders in an informal gathering referred to as gadis.*

of judgments, punishments and pardons. The traditional law is not static or rigid, since it is brought into question at regular assemblies that encompass appreciation of contemporary circumstances as well as tradition. The laws are not written but recorded and stored in memory and judgments are passed based on consensual argument and every ruling is a learning experience for the younger generation. As such the law has the virtue of being well understood and respected across the different classes of people, even among town dwellers who are exposed to other forms of law.

### **3.2.4 Surveillance.**

In Both Gabra and Borana communities, social order is maintained through a coercive element that involves noticing when crime is being contemplated or raids discussed, investigating accusations and incidents and following up on judgments, such as the payment of compensation and fines. As part of the tradition, the elders send a group of young men on expedition for *aburu*<sup>56</sup> mission in order to survey the environment for any element of threats to peace, as well as the availability of water and pasture for their livestock in case community is planning to move to a new area. Such mission is also carried out whenever there is substantive information of eventual attack by a neighbouring community or not and this greatly helps in curbing elements of insecurity.

The culture dictates that members of the society are all expected to give accurate information and follow up transgressions. The elders who command enough respect among the people are tasked with playing a central role in the execution of law, presiding over investigations, meetings and discussions that relate to matters of conflict. To the Borana and Gabra, peace must not be taken for granted and peace needs to be constantly followed, checked, asserted, re-asserted, and repaired. While everyone has the responsibility to maintain peace through their words, actions, adherence to laws and religion-based principles of forgiveness, an elder has a key role to play in the surveillance of peace.

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<sup>56</sup> *Aburu, means surveillance.*

### 3.3. Peace Actors

Being an arid region of the country Marsabit County was blessed with quite a number of NGOs whose mandates range from management of natural resource, relief and emergency intervention and general development activities. In reference to an overview of their activities, it was evident that communities living in the County have in various ways benefited from these organizations. Despite the good programmes which are initiated by NGOs, their operations have been at the centre of a storm in relation to their functions within the County. Some of these organizations are seen as being biased towards certain communities. Despite having been affected either directly or indirectly, most NGOs do not have peace building and conflict management as a priority subject in their programmes, but rather they view the current conflict situation as just an avenue of seeking donor funding,<sup>57</sup> the NGOs do not have the expertise needed, either. However, it was noted that the conflict has drawn the attention of NGOs and most organizations are seen to progressively get into conflict resolution and peace building efforts.

The government of Kenya has been working very closely with relief agencies to assist the victims of the conflict. A number of agencies, such as Kenya Red Cross and Food for the Hungry Kenya, have participated by providing both food and non-food items to the victims of the conflict.

The media has also played a key role in informing the Kenyans at large about the conflict. The act of July 2005 at Turbi trading centre is today referred as a massacre, a title which was coined by the media when reporting about the dawn attack. Before the conflict, the media did not equally have an interest in Marsabit County as they do today. Despite the good response by the media, of concern is the partial manner in which the media misrepresented the facts, a factor which aggravated the conflict rather than minimising it.

The conflict has also drawn the attention of the National Steering Committee on Peace Building and Conflict Management, an organization which is mandated with coordinating peace initiatives. The organization works closely with the government's arm of provincial administration and this way their activities are felt all the way down to the location level. Through the effort of this committee all peace declarations among the pastoralist communities

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<sup>57</sup> *Galm Bidhu, Oral interview, 30<sup>th</sup> January, 2013, Marsabit.*

living in northern Kenya were harmonized into Garissa Declaration which is an important reference point when dealing with pastoralist conflict.

The conflict in Marsabit County did not escape the attention of District Peace Committee, which played an important role in building peace and managing conflict in the District. The committee comprised of a mix of communities living within the borders of the district and they work closely with District Security and Intelligence Committee. Prior to the period of the conflict the committee was an integral part of peace and conflict management in the then two Districts of Marsabit County which were Marsabit and Moyale. The major challenges which faced the DPC are the tribal shaped politics which greatly hampered its performance and the inclusion of the educated elite who are not in touch with the realities and needs of their people but are given the opportunity to serve in the committee.<sup>58</sup> The fact that there was also no formal funding and guidelines to be followed left the process of formation and actual operations of the committee at the hands of individuals with vested interests. This notwithstanding, the Marsabit DPC was an integral and worthwhile district safety initiative that not only provided interface between the public and the government on matters of security, but also provided avenues for traditional dispute solving mechanisms, which are more accessible, affordable and respected among the locals than imported solutions which were more often applied.

The Kenya Police Reserves formally known as KPR, have been with the pastoralist communities for decades. KPR is mandated to supplement the Kenya police in maintenance of peace and security among communities. Despite having a discouraging image and facing numerous operational challenges, the KPR has played a critical role in the lives of the communities who live in the County of Marsabit where cattle rustling are viewed as “normal.” In the circumstances of peace deficiency, the unit has played the role of bringing back calm, something which was manifested in their cooperation, especially when tracing livestock thefts. The KPR, on the other hand, have in one way or the other been blamed for insecurity and this was seen in situations where they participate in attacks and in the process they get killed. Such happenings have greatly dented the image of KPR and lowered public trust in them. Due to their participation in inter-communal attacks, they are not only viewed as ethnic outfits that do not have any regard for other communities’ safety needs, but also active participants in the communal conflicts as

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<sup>58</sup> Bone Bidhu, Oral Interview, 22<sup>nd</sup> January, 2013, Bubisa.

*“warriors”*. This has created an urge for continued recruitment and arming of KPR’s among the competing communities. This has been supported by the government as witnessed during the 2006 by-election which was conducted following the death of the three area MPs who perished in a plane crash. During the campaign period, the government recruited nearly equal numbers of KPR from the Gabra and Borana communities as a way of enticing the communities to vote in the leaders of their choice. Indeed, this fuelled an already ongoing conflict given that at the time the tension between the duo was at its climax. Partly also, some of the communities with less KPR have interpreted this to mean weakness in weapon power. The government has overtime grossly abused the system of issuance of firearms to the KPR and as a result firearms were handed over indiscriminately without regard to procedure and vetting of the recipients. Some ended up in the wrong hands, hence causing insecurity. Regardless of the above shortcomings, if one has to do a fair judgment KPRs have played a crucial role in reducing insecurity in the County.

The County of Marsabit has got seven police stations which include, Marsabit, Laisamis, North Horr, Loiyangalani, Illeret, Moyale and Sololo police stations. There is also one General Service Unit base at Illeret. During the conflict, the government made an effort of beefing up security and in order to achieve this goal other operational bases were established in Maikona, Forolle and Hurri Hills all of North Horr constituency. There is also the Anti-stock Theft Unit which is stationed in Isiolo. However, during distress the vastness of the County has posed a great challenge. Across the County, there are also Administration Police posts right from location level. The operational capacity of the security unit is mostly disadvantage due to lack of necessary equipment, such as enough ammunition to respond to civilian attacks, radio communication system and lack of transport facility.<sup>59</sup> This has hampered rapid responses by security personnel in times of need, while hindering their effectiveness in information transmission. Nonetheless, the government security apparatus have been on the ground trying to secure the County and its residents.

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<sup>59</sup> Liban Jarso, Oral interview, 1<sup>st</sup> March, 2013, Marsabit.

### **3.4: Peace Making**

Various efforts have been made to find a lasting solution to the conflict between the Gabra and Borana. Such efforts include the Dukana Dillo and Maikona community led cross-border peace initiative that brought peace between the two communities in June 2006, and created stability along the Kenya/Ethiopia border, which lasted for more than a year.<sup>60</sup> Attempts aimed at managing the conflicts include both traditional and modern approaches. The traditional institutions and systems of conflict resolution among the two communities are well functioning with relative effectiveness.

The conflict resolution was characterized by meetings between elders of the two communities with the aid of government agencies and NGOs. The complexity of the conflict also drew in the Borana of Ethiopia in the peace gatherings as an effort towards a peaceful coexistence between the two communities. The state of tranquillity that is currently enjoyed by the residents of Marsabit County is the fruit of successive peace gathering which ended with peace declaration. Though not strictly adhered to, the signing of peace agreements marked a journey aimed at achieving a lasting peace for the benefit of all residents. However, peace agreements reached during such gatherings never last long before people go back to war again. Such peace agreements include the Garissa Declaration, Dukana/Dillo Accord and Maikona/Walda declaration.

#### **3.4.1 Garissa Declaration**

The Garissa Declaration was a peace agreement which was signed on 22<sup>nd</sup> of April 2001. The declaration was a conclusion of meeting which included government security communities and community elders from Marsabit, Isiolo, Garissa, Moyale and Wajir. They met with stakeholders of the districts with the sole purpose of reaching to a negotiated settlement to the frequent flare-ups in Northern Kenya. The meeting arrived at modes of peace agreement which gave birth to Modogashe Declaration. The declaration identified factors that threatens peace leading to conflict, such as cattle rustling, disputed use of pasture and water sources, and trafficking of illegal firearms in the region.<sup>61</sup> The declaration further spelt out ground rules to solve each

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<sup>60</sup> Report by Michael Ochieng, *Impact of Conflict on pastoral Communities' resilience in the horn of Africa*, case studies from Ethiopia, Kenya and Uganda, Nakuru, February, 2012, p.15.

<sup>61</sup> Tanja Chopra, *Building Informal Justice in Northern Kenya*, Legal resource foundation trust, Artsvisual Ltd, Nairobi, Kenya, December, 2008, p.17.



specific problem. However, of great concern was the provision regarding disputed use of pasture and water which establishes that all unauthorized grazers shall return to their home area; that they have to seek prior consent from the respective elders and chiefs if they wish to migrate to that area; that they are not allowed to enter strange grazing areas carrying firearms; and that they must return to their home district at the end of a drought.<sup>62</sup> The provisions were aimed at bringing to end the conflicts which are linked to pasture and water resources, especially during dry spells.

More importantly, the declaration reintroduced a customary practice in which people need to seek consent to migrate to an area that is claimed by a different group as their homeland. This way, the declaration disagrees with official law in which the freedom of movement is guaranteed within the country. The declaration also enforces order to stop the outdated cattle rustling practices. Moreover, the peace committees and community elders have to cooperate with the local authorities in efforts directed towards the recovering of stolen cattle. The complainant is also expected to give correct information about the number of cattle stolen otherwise they, too, should be prosecuted. The complainant is also not supposed to track the stolen livestock themselves but should instead allow the security personnel to do the work. Once the stolen livestock are recovered, it is the duty of the elders and the security personnel to hand over the stolen animals to the neighbouring district in circumstances where the stolen livestock have crossed the district boundaries. In addition to the same, any unrecovered livestock should be compensated by five and death of a man should be compensated by 100 cows/camels and in case the deceased is a woman by 50 cows/camels. The declaration also emphasizes on the need for increased cooperation between communities and security apparatus in order to curb the menace of highway banditry. The call was for the people to identify the culprits and hand them to the authorities. The declaration also sensitizes the communities further on curbing the spread of livestock diseases from spreading.

The Modogashe Declaration was later reviewed on 27<sup>th</sup> of May 2005, in a process which was coordinated by the Office of the President with support of non-state actors, such as Oxfam, United Nations Development Organization and Intermediate Technology Development Group. The review of the declaration was based on the rising need to address challenges that were faced

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<sup>62</sup> Ibid.

in implementing the declaration. The review process attracted people from other Districts and it gave birth to the Garissa Declaration which was assented to by official authorities from Marsabit, Garissa, Moyale, Samburu, Meru North, Tana River, Mandera, Wajir and Ijara. The process was more precise on some provisions of the declaration. This included addition of more details by including the requirement that visiting grazers to obtain a written consent seeking authorization to graze on other people's land. The amendment also expressed that possession of firearms is against the laws of the country and therefore, no grazer is supposed to carry illegal arms. The process also placed the role of checking on illegal arms on the chiefs who should take appropriate action in cases of violation. As captured earlier during Modogashe Declaration more stringent measures were introduced in case a person is killed; the perpetrator has to be arrested and tried in the court of law, in addition to paying the compensation. The declaration also mentioned the need to have a more transparent and democratic process in selection of peace committee members. It recommended that the representatives must be elected from the grassroots without any interference from the external forces. The whole declaration was an example of bottom up management.<sup>63</sup>

### **3.4.2 Dukana/Dillo Accord**

The first peace initiative between the Gabra and Borana was started by Dillo and Dukana communities. Dillo is a settlement in Ethiopia which is occupied by Borana, while Dukana is a division along the Kenya's border with Ethiopia whose main occupants are Gabra. The people of Dillo and Dukana have been experiencing ethnic conflict with each other and this caught the attention of the elders from the two communities who called for a peace meeting in November 2008. In the peace gathering, the two communities agreed to a ceasefire and a recommendation of a formula for compensating those individuals whose animals were stolen and to apply the same in future in an effort to reclaim peace between the two communities. The activities of the elders helped to restore trust between the two communities and as a result the local leaders agreed to extend the accord along the entire border.<sup>64</sup>

The positive outcome of the meeting between the elders from the two communities lead to a peace gathering where the people of Dukana invited 130 people from Ethiopia and Kenya to

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<sup>63</sup> Tanja Chopra, *Building informal justice in Northern Kenya*, Legal resource foundation trust, Artsvisual Ltd, Nairobi, Kenya, December, 2008, pp, 15 – 19.

<sup>64</sup> Pastoralist Communication Initiative, *Dukana peace gathering*, June 2009, p.2.

discuss peace initiative from 3rd – 6th June 2009.<sup>65</sup> Unlike the previous gathering which was attended only by elders from the two communities, the Dukana gathering attracted senior government representatives from both Kenya and Ethiopia, traditional and civic leaders, youth and women from the pastoralist communities from Dire, Miyo, Dillo and Teltele districts in Ethiopia and from Chalbi and Marsabit districts in Kenya.

The Dukana peace gathering agreed on full endorsement of the Dukana and Dillo accord by the Governments of Ethiopia and Kenya and the pastoralists present. In conclusion, the Dukana gathering authorized a group of Gabra and Borana elders to travel to Moyale to spread the peace agenda, and to brief the Kenyan administration and the community leaders on the outcome of the meeting and to pass the news of the next gathering which was scheduled for June. Both the communities and the district administration agreed to attend the scheduled meeting which took place at Maikona in Chalbi district.

The declaration which was baptized Dukana/Dillo Declaration laid down some rules and regulations of engagement. The rules and declarations of Dukana Dillo gathering include the following:<sup>66</sup>

- If a person is caught with a stolen animal, he must return the stolen animal and pay a fine of four animals for every animal stolen. The culprit also has to pay the expenses incurred in tracking the animal. The rules are applicable in both Kenya and Ethiopia and the declaration applies for sheep, goats and camel.
- Anyone who injures a person with intent should pay a fine of 15 cows.
- If anyone kills a person the penalty will be 30 cows.
- Spreading lies, propaganda and inciting people is worse than fighting and anybody found engaging in such activities should be fined 5 cows.
- If one conceals culprit or information, the fine for both concealer and the culprit is the same. This means that if anyone conceals someone who has killed both will be fined 30 cows.
- 15 cows to be paid for each person injured.<sup>67</sup>

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<sup>65</sup> Ibid.

<sup>66</sup> *Maikona peace gathering*, Pastoralist communication initiative, DFID Democracy, Growth and Peace for pastoralists Project, July 2009, p.31.

### 3.4.3 Maikona peace gathering

The Maikona peace gathering was a product of Dukana/Dillo peace dialogue in which the elders called for the need to spread the peace message. The message at Dukana gathering was the acceptance of peace by both communities. The gathering was at the request of elders who met and agreed on a peace formula in Dukana peace gathering and emphasised on the need to expand the peace dividend. The endorsement of Dukana/Dillo Declaration at Dukana gathering was a milestone in search for a lasting peace. However, those in attendance felt that a larger group of communities must be brought into peace discussion and more particularly from Sololo district of Kenya. The gathering took place at Gamura wells near Maikona from 17<sup>th</sup> - 19<sup>th</sup> July 2009. The peace message and the declaration arrived at were welcomed by both communities and as a result the Borana of Walda opened their wells to be used by their Gabra neighbours from Turbi. The declaration also gave way for cross border activities and interactions between pastoralists from both sides of the border. The Maikona Declaration was prepared at Maikona and signed by Gabra and Borana representatives at Walda. The declaration sets out the specific laws that relate to keeping peace after agreeing to accept *ebb*.<sup>68</sup> They also agreed to revive the implementation of traditional laws. The implementation involves a combination of traditional and state justice systems in which thefts and injuries are dealt with by both systems of law operating in agreement.<sup>69</sup>

In this peace gathering, it was agreed that peace cannot be achieved by holding public meetings and making declarations alone, but can be achieved through long, careful work of message-taking, information sharing, surveillance and implementation of both modern and traditional laws at once.<sup>70</sup>

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<sup>67</sup> *Dukana peace gathering*, Pastoralist communication initiative, DFID Democracy, Growth and Peace for pastoralists Project, pastoralist consultant international June, 2009, p.8.

<sup>68</sup> *Ebb is a blessing that allows for amnesty in the traumatic histories of war.*

<sup>69</sup> *Jarso Dida, Oral interview, 26<sup>th</sup> January, 2013, Marsabit.*

<sup>70</sup> *Hawo Boru, Oral interview, 18<sup>th</sup> February, 2013, Marsabit.*



## MAIKONA AND WALDA PEACE DECLARATION - 28<sup>th</sup> July 2009

We, the undersigned, have accepted peace between our communities, the Borana and the Gabra.

We pledge to live peacefully with one another and to share the natural resources of water and pasture.


Peace will be maintained through regular meetings between representatives of both communities, at alternating locations.


Peace will be safeguarded through the implementation of the following fines:

1. If a person is caught with a stolen animal, the fine is 4 animals per animal stolen. The culprit also has to pay the expenses incurred for tracking that animal, and will be handed over to government law.
2. If a person injures another with intent to kill, the fine is 15 cows and they will be handed over to government law.
3. If a person kills another, the fine is 30 cows and they will be handed over to government law.
4. If a person is spreading lies and propaganda, inciting people to fight, they will be fined expenses and 5 cows.
5. If a person conceals a culprit or information, they and the concealed person will be fined the same, depending on the crime.


SIGNED


  
GALMA DABASSO, BORANA

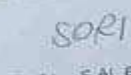
  
JATTANI KOTOTE, BORANA

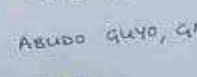
  
ABDUR DENGICH, BORANA


  
ADI MARY HAPANA, BORANA

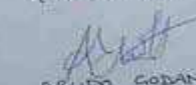
  
SALEA GALMA, BORANA

  
CHUKULISA TUWE, GABRA

  
SORI SALEA, GABRA

  
ABUDO GUYO, GABRA

  
QURI GUYO, GABRA

  
ABUDO GODANA, GABRA



<sup>71</sup> Maikona peace gathering report, Pastoralist communication initiative, DFID Democracy, Growth and Peace for pastoralists Project, pastoralist consultant international, 2009, p.43.

## **CHAPTER FOUR: CHALLENGES TO PEACE**

### **4.1. Introduction**

There has been a myriad of challenges which has greatly disadvantaged efforts towards achievement of a lasting peace in Marsabit County, more so the peace between Gabra and Borana communities. These challenges has in many ways caused delays in rapid response by security personnel in case of attacks hence leaving societies vulnerable to perennial aggressions. Effective transmission of information was not spared either making some attacks to go unheard. Just like any other administrative County in the country, there are significant numbers of security arms of government which are present in this region yet it has proved futile for these agencies to restore a lasting peace which instead was always replaced by a return to normalcy whenever there was conflict involving the communities. More importantly most of the officers working in the County are locals and as such when there was conflict they become partisans. Their first allegiance becomes their clans or ethnic identity, leaving very little concern for the community of people they serve.

In as far as the achievement of enduring peace in the region is concerned, a number of peace actors have played significant roles in trying to bridge the gap between conflict and peace. To that effect a number of peace agreements were signed by the representatives of the two communities. Despite all these efforts peace still remained elusive in this part of the country. What begs many questions was why these communities have taken their enmity this far such that all efforts in search for peace have failed to yield sustainable fruit.

Many a times it does not take long before people go back to war even after signing a peace deal. The achievement of a long-lasting peace seems unattainable and a number of challenges have contributed to the break of peace between the Gabra and Borana communities of Marsabit County.

### **4.2 Politics**

The conflict in Marsabit County has on several occasions been fuelled by politics, especially the events leading to and after the 2005 infamous Turbi massacre.<sup>72</sup> Prior to the massacre, communities were ethnically divided leading to increased tension with all fingers pointed at

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<sup>72</sup> Diid Halakhe, *Oral Interview, 30<sup>th</sup> February, 2013, Marsabit.*

incumbent politicians from the region. The recent ethnic clashes in Moyale District cannot be divorced from political forces either, and there was a firm belief by these communities that the current system of devolved governance requires people to have one of their own on the seat of power in order to gain political mileage. This might lead to renewed conflict of “losers” versus “winners” and this was a manifestation of how delicate peace is in this part of the country.

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

The fact that political leaders have access to development funds such as Constituency Development Funds, Constituency Roads Funds, Constituency Bursary Funds and Local Authority Trust Fund, have all served to increase interest in controlling political processes and decisions in the County. The competitive nature of politics has activated the desire to secure predictable voting blocs resulting into formation of ethnic based political alliance. Voting in this region has turned to be an ethnic affair in which one has to come from the politically mighty community in order to marshal the required numbers. This was well manifested in the just concluded general election in which the REGABU alliance formed one voting bloc against the Borana who also tried to craft a similar alliance which failed the acid test. However, important to note is that the REGABU alliance was not a recent phenomenon but something which has been practised by teachers for over a decade in determining the leaders of Kenya National Union of Teachers Marsabit branch, where candidates supported by REGABU have won on many occasions. This has forced some teachers in the County to resign from the giant KNUT and instead joined, the Kenya Union of Post Primary Education Teachers’.

This ethnic formula was adopted in early 1990s when the teaching fraternity in the larger Marsabit District was dominated by the Borana community, an affair which forced the minorities of the time to unite against what they termed as dominance by bigger tribe.<sup>73</sup> The latest flare-ups can therefore be seen from this perspective. Political gains has blinded the politicians who have mastered the art of divide-and-rule and taken full advantage of the fragile peace while inciting the communities against each other to the extent that the people do not value the benefits of mutual co-existence any more.

#### **4.3 Peace building and Conflict management policy gaps**

Conventionally, in any functioning state the government uses explicit laws to address issues of conflict through the court system. In the case of Marsabit County, the government has heavily borrowed from the use of modern court system which has yielded very little. Besides, these communities have been relying on the old traditional authority of solving dispute which in this case was overlooked. The traditional institutions of *Yaa* and *Gatha* are both very strong and well respected among these communities which if fully utilized can assist in providing a lasting solution to the conflict. On the contrary, communities have been using these traditional authorities in attending to what communities refer to as ‘normal theft’ of livestock between the Gabra and Borana in which they have had a system of compensating victims. Regrettably, this system seem to have collapsed over the last decade and has left some people to suffer for lack of access to modern justice system which despite being inaccessible do not seem to work well.

On the other hand, traditional elders who normally maintain peace in the community seem to have lost their authority to the “gods” of politics, and criminals have taken advantage of this weakness to invariably and consistently commit crimes. Most of these criminals have gone away with the crimes and there has been no serious attempt to address either the issue of compensation or searching for the criminals for justice to be served.

The breakdown of traditional system of conflict resolution and the rise of political kingship which has disadvantaged the traditional values has fuelled hatred between the two communities. During the previous years, these traditional institutions had the power to consent to peace or war. There was also the emergence of peace committees that has slowly replaced the traditional

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<sup>73</sup> Guyo Boru, Oral Interview, 27<sup>th</sup> February, 2013, Marsabit.



institutions of conflict resolution which instead of playing the complementary role has constantly overlooked the cultural aspect of peace. There was also the absence of policy frame work to harmonize the workings of traditional institutions, with modern peace approaches evidently not considering a coordinated approach at both government and community levels to address cross border conflict and security issues. The government has also failed to proactively intervene based on the early warnings and triggers. Such failures were manifested in the cases of stolen livestock which were not tracked in real time and blatant assassinations that have taken place over the last decades.

The policy makers are further to blame for failing to serve justice in order to pave way for reconciliation. Even in the occurrences where the perpetrators of conflict were known the emphasis has been on reconciliation and not to establish truth and serve justice to the culprits. During the conflict period there were justice gaps; there was no truth of what happened, when and by whom? Failure to earnestly address the past causes of conflict means that there was no truth in solving the conflict either, hence a blessing to wrong doers who go unpunished.

Traditionally, these communities have managed and used resources communally until the introduction of individual land ownership system. However, with the review of administrative boundaries, establishment of settlement schemes, gazettelement of forests and national parks, conventional resource management methods were introduced hence contradicting the existing land use system. The increase in population has put additional pressure on the declining resources and thus creating conflicts among the communities. The colonial government was also partly to blame for the ever rising resource based conflict among the communities. During the colonial era, communities were confined to specific areas in order to avert conflict resulting from grazing land. The confinement of various ethnic groups to “tribal grazing land” placed much emphasis on the identity of community as separate from their neighbours and the need for increased self reliance and as a result there was increased demand by the communities on the right of land ownership which they view as their ancestral land. The case of Turbi- Rawana conflict over ownership between the Gabra and Borana communities which was fuelled by politics leading to refusal to share watering point and grazing areas was a classical example.

#### 4.4. Governance Failure

Whatever the causes of the conflicts may be, their continued persistence was blamed on the failure of governance and the rule of law. On one hand, traditional governance systems have been weakened by statutory structures while modern structures of government are not adequately represented within pastoral areas and thus ineffective in averting conflict and enforcing the rule of law. When disputes arise, there are no prompt responses by the authorities in charge of security. In some cases, government institutions are ineffective because they are seen to take sides in disputes and conflicts.<sup>74</sup>

Ineffective governance is a precursor to a violent conflict and as a matter of fact it is the responsibility of the government to put in place proper policies suitable for avoiding conflict and failure to do so amounts to creating a fertile ground for recurrent conflict. Lack of proper planning to sustain harmonious relationship among communities has greatly contributed to the loosening of cordial relationship between communities especially during scarcity of key resources. The continued conflict among the Gabra and Borana communities was a fight over scarce resources which can be managed by establishment of proper policies on how to equitably share resources among communities. The two ethnic groups have a long history of conflict over access to land and water.<sup>75</sup> The government machineries have continuously failed to act on time to prevent fatalities even when all signs of possible ethnic clashes are evident. This poses concern as to why the security teams do nothing to forestall the attacks despite obvious signs of violent conflict. Even more worrying was the repeat of a retaliatory attack in which people were killed in cold blood. These were apparent laxity by the security apparatus. This outlines the government's actions as that of afterthought hence giving a leeway for ethnic clashes. Poor governance have shaped, influenced and reproduced conflict in Marsabit County. Historically, Northern Kenya was severely repressed by British colonial administration, which had wide-ranging social, economic and political ramifications. In terms of governance, the area continues to endure mismanagement and negligence in some cases as a product of post-colonial

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<sup>74</sup> *Impact of conflict on pastoral communities' resilience in the Horn of Africa*, A case studies from Ethiopia, Kenya and Uganda, Report by Michael Ochieng Odhiambo, Nakuru, Kenya, February 2012, p.14.

<sup>75</sup> Halima Ali, *Oral Interview*, 30<sup>th</sup> February, 2013, Marsabit.

administrations, a factor that has contributed immensely to the escalation of ethnic conflict, banditry, statelessness and a power vacuum.<sup>76</sup>

A state can only be viable if the state effectively controls the territories within its borders and the failure to do so has resulted in many African countries experiencing civil strife. Kenya's Northern border and more so, the County of Marsabit fit well into this description. The absence of state control in this vast County has enabled the establishment and expansion of the activities of ethnic militias. The ethnic groups in this part of the country have adopted militia group whether formal or informal. The militia are not always active but are activated in case of a conflict. The happening in July of 2005 at Turbi trading centre in which the Borana went about killing, looting and destroying property was a clear manifestation of failure by the government of the day and the existence of ethnic militia. The attack on the citizens of a country by a foreign militia puts the sovereignty of a state into question. The state's satisfaction about the absence of peace in Marsabit County was a clear demonstration of the qualities of this actor. By failing to secure peace in this region, the state has forgone its primary duties of protecting its citizens and ensuring stability.

Compared to other parts of the country, Marsabit County is by far underdeveloped. However, neglect in developmental terms does not necessarily cause direct conflict or act as an obstacle to peace, but can be a significant factor in slowing down efforts to achieve peace and causing rifts between warring communities as a result of scarcity of and accessibility to the resources. In neither the colonial nor post-colonial period was the region treated as part of Kenya. The resources allocated to these regions have been always inadequate meaning that all measures of development such as education, health facilities and services remain underfunded. There are no good roads in the region either, a factor which has conveyed the feelings that the communities are treated as second-class citizens by their very own government. This has perpetuated a culture of self reliance in security-related issues, whereby citizens establish militias and amass arms, and collaborate with fellow ethnic group members from across the international borders. If the

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<sup>76</sup> Mwesegu Baregu, Ed. *Understanding obstacles to peace, Actors, Interests, and strategies in Africa's Great Lakes Region*, Fountain Publishers, Kampala, Uganda, 2011, pp.146 - 147

Kenyan state continues to neglect this region, peace and peacemaking in this part of the country will be hampered.<sup>77</sup>

Fifty years after attaining its independence, the government has not made any efforts to integrate Northern and North Eastern Kenya into the country's mainstream economic and political fabric, and thus allowing numerous actors and interests to thrive and generate conflicts among the communities. The distant seat of power in Nairobi, which was represented by a weak outreach of officials, has proved ineffective as illustrated by the fact that the police in this part of the country have less power than the ethnic militias.<sup>78</sup>

#### **4.5. Drought and Resource Scarcity**

In the recent past, the current global effect on rainfall pattern has not spared Marsabit County either. Rainfall patterns have changed drastically in this region forcing pastoralists to move from their land in search of water and pasture. The effect of delayed or scanty rainfall has led to drying up of boreholes and water pans and communities have opted to invade "other people's land" rather than to watch their livestock to succumb to drought. Some communities even end up crossing international boundaries causing friction with the host communities. It was estimated that almost half the livestock in the area die during the long and persistent drought. These gave communities an opportunity to raid their neighbours. During drought it was not possible for one to die of hunger while watching "foreigners" grazing on their land hence the raid was intended to save life while on the other hand taking away lives in the process. However, the activity of raiding continues even after it rains and this was intended for the purpose of restocking. This way raiding was commercialized and the vicious circle of conflict continues to thrive.

Famine disasters are a common phenomena and a regular experience in Marsabit County, and are not only caused by failed rains but also worsened by human malpractices that try to counter the fast depleting resources and a weakened coping means. The already depleted resources have remained a catalyst to the ever increasing resource based conflict among the Gabra and Borana communities mainly due to lack of focused approaches and practices that are aimed at supporting dialogue and negotiation as a pre-requisite for creating disaster-resilient communities.

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<sup>77</sup> Ibid, pp, 154 – 155.

<sup>78</sup> Mwesegu Baregu, Ed, *Understanding obstacles to peace, Actors, Interests, and strategies in Africa's Great Lakes Region*, Fountain Publishers, Kampala, Uganda, 2011, p.155.

Such practices which include the mutual resource agreements that are a common feature in pastoralist customary traditions are lacking among these communities.

Climate change adaptation among the people was weakened and the result has been the ever increasing friction whenever there was an onset of drought, a factor which could have been tamed if only a mutual grazing agreement was put in place. Land which has been at the centre of controversy in the County of Marsabit still remains a very emotive issue in as much as determining the land ownership was concerned. One would ask; was land ownership determined by the administrative boundary in which a community resides? However, what was evident was that land question was only a recent phenomenon in Marsabit County whose awareness was brought about by the emergence of modern politics and since then land has remained a sensitive campaign tool for politicians.

Disregard for customary validated knowledge which is common to the communities and incorporation of intercommunity resource management plans was a factor which has greatly hampered peace effort in the County. The desire by the communities to have all that belongs to them for themselves without consideration for their neighbours was an indication of high level of selfishness by these communities and taking hatred to a different level. One of the key milestones in the process towards sustainable peace which was neglected is resource sharing accord, which would have enabled a critical flexibility and resilience aspect in the property rights of these community resources. The failure to put in place a resource sharing mechanism has hampered people's mobility and made resilience less elastic.

The heightened conflict was also made difficult to manage by the absence of a well established inter-community resource use sharing and management system through joint grazing agreements which can play a vital role in catalysing and creating a unique synergy for attaining sustainable peace building, increased access to conflict prone and therefore underutilized grazing areas which otherwise could have been out of reach, improving conflict resolution mechanisms, enhancing environmental conservation and strengthening socio-economic cohesion among the communities. The process which is vital and extremely valid was overlooked by both parties to the conflict hence facilitating the spiralling of the conflict.

For centuries the Gabra community has been grazing in Borana land in Ethiopia during droughts while the Borana community on the other hand could in turn access the wide grazing resources and trade routes in Kenya throughout the year. However, in the recent past following incidents of inter-communal hostility, these arrangements were cancelled and a difficult and dangerous period was experienced for both ethnic groups. This significantly hampered resilience in the face of drought for both groups.<sup>79</sup> As such the relationship between the Borana and Gabra community was characterized by ethnically triggered resource-based conflicts which are usually inflated by negative cultural beliefs and practices, adaptation to effects of drought through perceived re-stocking by means of cattle rustling techniques and haphazard movements across borders in search of pasture and water.

Reciprocal resource agreements which are a traditional component of customary inter-ethnic treaties that govern the use of shared resources, resources that are under the custody of one community but the access to which forms the essential elasticity of resilience for a neighbouring community in times of drought was not considered either. Resource agreements are intrinsically connected to pastoral mobility, and thus form an essential legal basis for mobile livelihood systems.<sup>80</sup>

During colonial periods there was less pressure on resources hence conflict and scarcity were to some extent managed by the colonial government with some collaboration with the customary governance structures. However, in the post-colonial regime, pressure on resources has intensified and attention to pastoralists' needs has fallen by the wayside while land grabbing continues. It is true to argue that drought was not the main cause of the current catastrophe in the County of Marsabit but it has intensified existing competition for resources and magnified social inequalities. In dealing with the problems of drought, alternative economic opportunities that are compatible with the climate and socio-cultural conditions of the region were not introduced as a means of bridging the gap between conflict and peace.

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<sup>79</sup> Eunice Obala, Fernando Garduno Jaenz and Andreas Jenet, *Technical brie: How shared resource management through reciprocal grazing agreements can increase resilience*, VSF Germany, Nairobi, Kenya, November, 2011,p.2.

<sup>80</sup> Ibid.

#### 4.6. Social – Culture

The cultures of these communities are an impediment to achievement of a lasting peace. The revenge culture practised by these communities has exacerbated conflict among communities in Marsabit County. These communities have young men who constantly engage in cattle rustling and other conflicts. Such activities have prompted communities to develop a strategy of ‘no retreat no surrender’ which was characterized by revenge and counter revenge. What this means therefore, is that there was no act of hostility that goes without an attempt to counter. The strong believe in the culture of vengeance by these communities has facilitated continuation of conflict. The culture of revenge which is common among most communities was largely to be blame for constant recurrent ethnic flare ups between communities.

Through generations, communities of Marsabit County have sustained strong cultural traits and practices and some of these cultural practices have overtime outlived their usefulness, specifically with regard to enhancing the quality of life and promotion of peaceful co-existence. Cattle-rusting has been a symbol of bravery and pride among the communities. The porous border has also facilitated cross border cattle raids. However, this raiding as a cultural practice has now taken a new dimension with the introduction of commercial raiding.

The Gabra-Borana conflict has become a common phenomenon given its untimely occurrence that usually includes tit-for-tat cattle raids, thefts and revenge killings. These sometimes escalate into widespread violence resulting to mass displacement of people, reduced access to pasture and water and decreased livelihoods. Cultural traditions and customary institutions feature significantly in conflict initiation and resolution. As a result, efforts to encourage and employ these institutions in conflict prevention and resolution programmes present an opportunity to achieve more sustainable peace by utilizing internal cultural factors.<sup>81</sup>

Many peace initiatives which were employed in this region also focused mainly on external conflict triggers such as resource scarcity or market integration, while leaving aside the cultural factors that greatly contribute to conflict. Although this has helped to reduce the likelihood of conflict developing, it has constantly ignored the important underlying causes of conflict. Culture

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<sup>81</sup> Lucke Glowacki, Katja Gonc, *Customary Institutions and Traditions in Pastoralist Societies; Neglected potential for Conflict Resolution*,

which could have greatly contributed to peaceful co-existence among people has turned to be a major cause of conflict between the Gabra and Borana communities.<sup>82</sup>

Many pastoralist societies have strong norms of revenge that are primarily responsible for escalating cycles of violence, and both the Borana and Gabra communities are not an exception either. Any aggression against the other in cases of theft, injury or death, is significant enough to activate cultural pressure for youth to engage in revenge attacks. The escalating conflicts between the two communities have frequently been mediated by external actors, and these sometimes resulted in the establishment of a peace accord between the communities. However, the accords have not been successful enough. The communities lacked enough faith to respect and uphold the principles that are outlined in these accords. The journey towards a lasting peace has been constantly crippled by individuals who may otherwise desire revenge over peace. The failure by the relevant actors to address the underlying cultural norms for revenge has greatly hampered the cultivation of a lasting peace. The modern justice system has not adequately addressed the underlying cultural norms of revenge and communities have continued to capitalize on revenge as means to keep enemies at bay. The use of the rule of law sanctions that are employed without compensation have escalated conflict even further as communities turn to revenge which may then be targeted against the offender's community, or the offender may be subject to revenge upon their release from state confinement.

The employment of compensation is a pillar of any successful peace accords. This was demonstrated by the Maikona Declaration between the Borana and Gabra in which the elders from both groups were party to the agreement which outlined among others the amounts of reparation to be paid in cases of theft, injury or death. Among the provisions include the requirement if an individual steals an animal from a member of another group that was party to the declaration, that individual or his family was then required to pay five livestock in compensation. This requirement for compensation which could have greatly reduced conflict was rendered irrelevant within no time as a result of internal cultural pressure for revenge which provided clear alternative for the aggrieved to settle scores. At the same time, the accords were just good on paper and besides it failed to stamp its authority on revenge as a cause of conflict.

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<sup>82</sup> Wario Guyo, *Oral Interview, 23<sup>rd</sup> February, 2013, Marsabit.*



Nonetheless, the likelihood of paying compensation signified valuation of human life which can be destructed and constructed at will.<sup>83</sup> Since this agreement was implemented in 2009 the accord has not achieved much in as far as peace is concerned, but only managed to suppress the otherwise volatile conflict and this has paved way for negative peace to thrive.

In a similar way, conflict resolution agreements which were arrived at also failed to effectively contain the conflict between the communities as it failed to satisfy internal cultural pressures that contribute to violence. In reference to the culture of the Gabra and Borana communities, elders have an important role in conflict initiation and resolution, and their support is crucial for any successful conflict resolution intervention. Among the two communities, elders formally give their blessings before youth engage in conflict encouraging the youth to fight and defend their community. Conflict resolution efforts that were deployed failed to successfully utilize the social power of elders by incorporating them into peace processes. However, for this to happen, elders should understand the harm resulting from conflict and be committed to peace, an aspect that was lacking in majority of the elders who are out to support the outdated culture of revenge. Given the regard that these communities have for their culture, the elders have the power to make or break peace.

In general not all elders have embraced peace since majority still believe in the old tradition which embrace conflict and this has made unattainable to create internal pressure against conflict especially those initiated by youth with the consent of elders. In many occasions, conflict is triggered by an individual, but peace can only be re-established communally. The choice of whether to embrace peace or continue living in constant fear by clinging to the outdated culture is a decision which the elders of these two communities have to make. This might be the ultimate prize which the communities have to pay if they are willing to enjoy a positive peace. Focusing on cultural factors that contribute to conflict, such as customary institutions and traditional ritual aspects is a matter of concern which if taken care of can manage the internal cultural pressures for conflict and in the end peace will prevail over conflict.

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<sup>83</sup> Katelo Adano, Oral interview, 23<sup>rd</sup> February, 2013, Marsabit.

#### **4.7 Unstable regional environment**

The proliferation of SALW is one of the biggest security threats currently facing Marsabit County. The trafficking and wide availability of these weapons has fuelled instability, conflict has posed threat not only to security, but also to sustainable development in the County. The illegally acquired arms has contributed to alarming levels of armed crime, in both rural and urban areas which exacerbates armed cattle rustling and conflicts in pastoralist areas.

Armed violence has over time disproportionately affected the poor population in the County and this is an important factor which has undermined development and poverty reduction efforts in the region. Chronic insecurity cases have impeded the provision of services to the people who have over time been driven to the periphery of development by successive government regimes. Much of this insecurity which was experienced by the communities was fuelled by the widespread availability of small arms. There were large variety of lethal weapons found in the County of Marsabit, including AK-47s, G3s and many brands of pistols. These arms are illegal and often in the wrong hands.

There was readily available market for these arms which was aggravated by inter-communal violence that has caused fear among the population who in return have resorted to arms which are seen as a defender of peace. The unstable regional environment such as the fall of Somalia and the Sudan conflict has assisted the people to access these arms without much struggle. The introduction of modern weaponry into Northern Kenya was also a direct outcome of the post-independence *Shifita* conflict. Access to guns grew out of the linkage between the abortive war of Somali self-determination and the banditry which replaced it. The unstable states in the Horn of Africa are the principal sources of SALW for the communities living in Marsabit County. In terms of geographical positioning the County stands at a crossroads between the conflict areas of southern Sudan and Somalia.

The County's proximity with some of the most politically unstable countries in Africa such as Somalia and Sudan has dented the image of peace further. The vast and isolated border of the County has proved difficult for security agencies to patrol owing to limited resources and insufficient training. The poor and corrupt policing of the borders between Kenya and its neighbours has also facilitated the influx of large quantities of small arms into the County which suffers the disadvantage of being closer to the border. These communities have been able to

acquire weapons for overt criminal purposes under the guise of self defence from the enemies. The fact that the borders are not properly and effectively policed has provided a loophole for arms traffickers and bandits to find easy entry along the porous borders. The rebel movements in Ethiopia and Sudan have greatly benefited the communities to acquire illegal arms with ease and many have benefited from this state of affairs. The border town of Moyale has been an entry point for illegal firearms which end up in the hands of criminals who will use the power of the barrel to force their way out and have their demands fulfilled.

The effects of small arms availability and misuse have denied the people of Marsabit County the much needed peace and more so the peace between the Gabra and Borana communities who have emerged as the sworn enemies over the last decade. The pastoralism culture among communities with relatively little police presence and numerous challenges are greatly affected.<sup>84</sup> The toll resulting from the use of small arms in societies “at peace” is drawing increasing international attention.<sup>85</sup> The ease with which communities can access arms has created a spiral of lawlessness hence weakening the authorities of the administration. One would argue that the number of illegal arms that are owned by the locals living in the County can outnumber those that are with the relevant security apparatus. The long standing conflicts between communities have increased the number of illegally acquired arms whose acquisition has surfaced as challenge to the authority, further weakening it. The abundance of arms in the hands of non state actors means that new wars can readily be started and that peace is farfetched.

In the case of pre-existing conflicts, the influx of weapons exacerbates the violence as firearms are intrinsically more deadly. There are also other effects of the spread of these weapons of which none of them are good. Moreover, in the current conflicts, anyone can become a combatant by acquiring a weapon and participants in these wars tend to be less constrained in whom they target than traditional soldiers.<sup>86</sup> Many organizations have taken up the measures of stemming the illicit flow of small arms but so far only a modest effort has been devoted and thus far from curbing the menace posed by these arms. What begs more question was the reason for

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<sup>84</sup> Manasseh Wepundi, Eliud Nthiga, Eliud Kabuu, Ryan Murray, and Anna Alvazzi del Frate, *Availability of Small Arms and Perceptions of Security in Kenya: An Assessment*, Small Arms Survey, Graduate Institute of International and Development Studies, Geneva, Switzerland. 2012

<sup>85</sup> Nicholas Florquin, 2005, *Guns in Crime* The Harry Frank Guggenheim Foundation, New York, USA, p.21.

<sup>86</sup> Joel Wallman, 2005, *Small Arms and Light Weapons: A call for research*, Harry Frank Guggenheim Foundation, New York, USA, p.1.

the diversion of arms from the legitimate to illicit market, the role of small arms in the out-break and persistence of communal violence, the increased lethality of crime and personal conflict attributable to availability of guns and the relative efficacy of alternative approaches to reducing the harm these weapons do to the society.

Over the last decade, direct effects of small arms in the County has led to deaths, injuries, and disabilities, as well as direct costs that result from the treatment of injuries and disabilities and the cost which would otherwise be used for treatment of other ailments. In addition, there are the costs to society especially to the school children who have lost schooling days resulting from conflict, premature death, or disability. More often the majority of SALW victims are men, and in particular young men and this puts the young generation to waste. However, in relation to political conflicts it was often witnessed that a majority of victims were civilians, largely women and children.<sup>87</sup>

In general terms, Marsabit County is confronted by the multiple challenges of underdevelopment inter-ethnic resource based conflicts, and proximity to war-prone neighbouring countries which has had the highest prevalence of small arms and the ripple effect of all these is the illusive peace which is currently enjoyed by the communities. The influx of these arms are sometimes facilitated by corrupt security architecture characterized by inadequate border control mechanisms and minimal police presence in vast parts of the County which created a favourable environment for illicit small arms trafficking, possession, use and hence the emergence of a gun culture among communities. The implication is that these weapons has ceased to be just a gun and has become a potent symbol of conflict and violence, as well as power. In Marsabit County, the gun culture or the value of firearms as a necessary possession among groups has entrenched many people's view that firearms possession was an essential right.<sup>88</sup>

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<sup>87</sup> William Godnick, Edward J. Lawrence, Rachel Stohl and Small Arms Survey, 2005, *Effects of Small Arms Misuse*, The Harry Frank Guggenheim Foundation, New York, USA.p.10.

<sup>88</sup> Manasseh Wepundi, Eliud Nthiga, Eliud Kabuu, Ryan Murray, and Anna Alvazzi del Frate, *Availability of Small Arms and Perceptions of Security in Kenya: An Assessment*, Small Arms Survey, Graduate Institute of International and Development Studies, Geneva, Switzerland. 2012,pp, 24 – 25.

Communities' marginal existence in underdeveloped parts of the country also influenced the demand for small arms as groups compete for scarce resources and protect their livelihoods. This coupled with inter-ethnic rivalries more so between the Gabra and Borana that turn violent have pushed communities to self-arm for security. Law enforcement efforts to control the proliferation of small arms have also faced challenges mainly in the area of the inadequate physical presence of law enforcement officers, poor infrastructure, corruption, scarcity of resources, and difficult terrain in the small arms and conflict hotspot areas.

#### **4.8 Complexity**

Identifying conflict hotspots was not an easy task because of the rapid way in which conflict develops and the high degree of unpredictability of conflict occurrence in the area. Since the beginning of conflict, both the Ethiopian government and the Gabra community have accused the Kenyan Borana of hosting and being sympathetic to the OLF insurgents in supporting their quest to rule Ethiopia. There was also an allegation that these insurgents have occasionally been used against the Gabra community by the Borana. The group was also believed to have a hand in the Turbi massacre of 2005. Despite its activities having faded, to date they still pose a huge threat to security in the County. The presence of these communities in Kenya and Ethiopia is also a challenging factor when addressing matters of peace in Marsabit and Moyale districts of Marsabit County. The communities have aligned themselves to rival factions in Ethiopia including by supporting different political factions which equally had a ripple effect in the local politics. These cross border hatred have spilled over to Kenya making the conflict unstoppable.

The political loyalty displayed by local provincial administrators who owe their first allegiance to the politicians who manipulate their appointments have greatly affected constitutionalism in the region and handed over the battle for survival to the fittest. Ethnic identity has engulfed the livelihood of these communities making matters of justice to take the back seat. On the subject of negative ethnicity both locals and civil servants working in the County are not spared either, these groups have been accused of leaking and distorting critical information hence fuelling differences among the population.

The County also enjoys bad leadership who once elected to office become captives of power and agents of conflict. These leaders do not seem to see differently from the people they lead. Such leaders were seen to be protective of their people and not defenders of justice and too unfortunate

are the scenario that these leaders do not share the same platform to preach genuine peace. The involvement of politicians in peace building activities has greatly contributed to the weakening of the district peace committee at different levels with every politician influencing the composition of peace committees. So complex was the threat to peace that the political elites enjoy the status quo as they can easily play the communities against each other to easily maintain their leadership.

Communalization of conflict was also a major challenge to the fragile peace of Marsabit County. The most evident among the communities was the blame of individual acts on the community they come from, and any time a person is caught on the wrong side of the law he or she claims that it is not them but their community which was targeted and hence every individual predicaments were viewed as that of society.

Technological advancement remain a curse in the County of Marsabit and more often what could have otherwise been used in mending rifts between communities has been used to tear the communities a part. On social sites, youth using hate speech are a common occurrence, such notorious sites include, Eye on Marsabit County Politics 2012. The extreme hatred that are displayed on these site came to surface in 2012 when the photo of a dead man who was killed in 2012 during the conflict between Gabra and Borana in Moyale district was apparently tagged on the page for the members to comment. The administrator of this page is so lenient to members of their ethnic community, while barring others from using the page for going against the “norm”. Here, hatred was breed and thus every peacemaking efforts are discounted.

Less visible, but highly significant in relation to conflict is the long-term consequences of Somalia’s politics before and after the collapse of the state. The shift between recuperation from and resurgence of conflict in the County poses a challenge in assigning these conflicts to particular phases in the conflict anatomy. Achieving pastoral peace in the area was not an easy endeavour because of the many actors involved and multidimensionality of the conflict environment. Even people entrusted with peace dialogue, such as those in peace committees were implicated in perpetuating conflicts in the area.<sup>89</sup>

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<sup>89</sup> Mwesigu Baregu, *Understanding obstacles to peace, Actors, Interests, and strategies in Africa’s Great Lakes Region*, Fountain Publishers, Kampala, Uganda, 2011,p.147

## **CHAPTER FIVE: CONCLUSION**

The greatest motivation of this study was the search into factors which have denied the people of Marsabit County a lasting peace. The study undertook the assessment mainly through interviews of informants from community leaders, government officials, individuals, emergency aid workers, internally displaced persons, politicians and NGOs in a bid to uncover factors that have been an impediment to achievement of a lasting peace among the Gabra and Borana communities. The study was carried out in Marsabit and Marsabit North district where there is good representation of the two communities. Besides the use of questionnaires, oral interviews and observation method as instruments of data collection, the knowledge gathered from the existing literature also formed a good foundation of this project report.

A number of factors have been discussed as elements that undermine peace. The recent wave of ethnic animosity has torn the communities apart and has negatively affected the social fabric. After independence, the region was greatly affected by a wave of insecurity facilitated by the shifta war in which the government responded repressively in an attempt to crush the elements which are threatening national security of the young nation. The emergence of the shifta war in the then NFD opened a new chapter in the history of the region and the people of Northern Kenya. It was during this period that an influx of SALW was experienced in the region, something which has continued to deny the communities peace. The response by the government to enforce law and order by use of force has only perpetuated the conflict even further and increased the level of mistrust between the communities and the government.

The continued conflict in the region and the low level of attention it has received from successive political regimes has locked the region, from the government's development agenda. And due to the perceived risk that is associated with the region, there is little representation of the national government in the area. The proximity to the war prone neighbours has further dented the image of Marsabit County which is paying dearly for the disadvantage of being closer to countries, such as Somalia, Ethiopia and Sudan, which have all experienced civil war. The never ending conflict among communities living in Marsabit county and the lethargic government response, combined with increased competition for scarce resources, have promoted a vicious cycle of conflict which the communities have learnt to live with. The continued insecurity has made the population to hold onto their guns as a guarantor of peace, guns which have turnout to be an enemy of peace in the region.

Despite cases of ethnic conflict in Marsabit County having been on the rise, the conflict between the Gabra and Borana communities have stood tall over the last 15 years and the population has suffered the scar of the never ending conflict which has denied them a lasting peace. They have yearned for peace, which has proved difficult to be realised. While it is a common understanding that in pastoralist inhabited areas conflict over scarce resources is a common occurrence, the Gabra/Borana conflict is a different story altogether given its magnitude and scale.

The study has therefore served to advance knowledge on the understanding of factors which has undermined peace efforts in Marsabit County, added knowledge on the ever increasing ethnic flare ups among the pastoralist communities and contributed to the efforts by peace actors in restoring a lasting peace in Marsabit County. The study has also illuminated in details on the misunderstandings that exist between the Gabra/Borana communities and the intricacies involved which has curtailed peace efforts.

The two communities have strong cultural ties, and in addition they both belong to the larger Oromo speaking group, moreover they resemble each other, making it difficult for a stranger to differentiate between the two. This notwithstanding, the antagonism between the two has continued beyond measure and mistrust and mutual suspicion has replaced the previous harmony that had existed between this communities. The relationship between the two had been oscillating between recuperation from and resurgence of conflict making it very difficult to determine if indeed over the last decade these communities have really enjoyed a positive peace.

The conflict has attracted many actors which have further complicated the relationship between the two communities. One such actor was the presence of the OLF which is an established militia determined to rule Ethiopia. This outfit is dominated by the Borana community who use the militia in unleashing atrocities on their enemies. The political class has also played a central role in facilitating the conflict in which they tend to behave like a “tribal king” while in the office with the intention of capturing the hearts and minds of their followers. In this part of the country, the strengths of leaders are measured by the love they have for their community and the level of hatred they pose for their “enemies”. Political patronage is the order of the day in this part of the country and negative ethnicity is championed by the very leaders who were elected to office by the majority. The outdated culture of glorifying conflict has dragged the communities into being participants in the conflict. While young men directly engage the enemies, women play the role of glorifying the warriors who participate in the conflict. The elders, too, play the advisory role.



The continued ethnic hatred between the Gabra and Borana communities is deeply rooted in the never ending conflict over the scarce resources. The communities are both pastoralists and water and pasture are dearly regarded and protected as they form the basis of their very survival. The unpredictable weather pattern has further complicated the conflict as resources continue to dwindle. The continued dry spells has made conflict to be viewed by some people as an alternative source of livelihood. The drafting of modern administrative boundaries has not gone down well because of being perceived as a threat to their ancestral grazing land, their prized possession.

Despite the signing of peace agreements between the two communities, little progress has been made towards realization of a positive peace among the two communities, and as such the peace process has been constantly challenged, thus paving the way for a negative peace to thrive. The illusive peace that is currently enjoyed by the communities is a function of a multiplicity of actors.

The instability in the neighbouring countries has continued to fuel the conflict. The County shares an expansive and porous international border with Ethiopia, which has no tight grip on its southern part that has been experiencing a civil strife. This has over the years facilitated the flow of SALW. Apart from this, a major source of small arms is the neighbouring counties of Wajir and Mandera, which also share international borders with other countries with conflict. One would agree that, in this region, to get a gun is like buying sugar from a shop. Guns and ammunitions are readily available in this part of Kenya and owning a gun is not difficult as long as one has got money to buy it. Despite being aware of this state of affairs, there has been no reasonable disarmament operations carried out by the government in this region, and to date many communities still own guns.

The continued conflict between the two communities which has lasted unabated is a demonstration of failure by the governance and the rule of law, which was the result of long standing marginalization of pastoral areas by successive government. These failures have encouraged the emergence of local conflict entrepreneurs that have taken advantage of the conflict situations to advance their political and business interests, thereby frustrating efforts to find lasting solutions to the conflict. The gap which is left by the inefficiency of the governance and the rule of law has made the communities to self arm themselves as a way of protection from the perennial attacks.

The continued conflict illustrates evidence of a peace building and conflict management policy lapse which have continued to undermine efforts aimed at achieving a constant peace among the Gabra and

Borana communities of Marsabit County. Conflict management and peace building have been greatly hampered by numerous bottlenecks. This has resulted in the failure to prevent reoccurrence of violent conflict and ensure sustainable peace and stability in the area. It was observed that interventions often focus on achieving temporarily cessation of hostility without addressing the underlying causes of conflict. As a result, such interventions are no more than fire fighting actions, if not less. The authorities have failed to establish mechanisms for monitoring and follow up on the gains made in achieving peace. Despite being a conflict prone area, the region lacks appropriate permanent institutional frameworks for coordination of peace efforts to ensure harmony among peace actors, avoid duplications of efforts and pool resources for a process-oriented, integrated and comprehensive intervention backed by a well established community based monitoring and evaluation mechanisms. This has made any gains made toward peaceful relations between the two communities to go to waste.

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

The continued drought that brings about resource scarcity has continuously instilled fear into the minds of the community, whose livelihood relies on livestock and livestock products in a society where distribution of resources, land utilisation, access to business, employment, education and investment opportunities are highly ethnicized and subsequently reinforced by divisive politics. This identity concern has its origin in the history of relations between the two communities.<sup>90</sup> So entrenched in the society are the divisions amongst the communities that most of the sectors in the County are highly

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<sup>90</sup> *Marsabit Conflict assessment report, compiled by Mission team, Marsabit Kenya, p.45*

polarized to an extent that ethnic reference has become a common denominator in raising concerns over structural grievances by the communities themselves. These grievances are on such issues as demarcation of political and administrative boundaries, domination of the local constituency bursary, development and Local Authority Trust Fund, domination of development organizations and County-level government institutions by one community.

The current wave of conflict involving the Gabra and Borana communities of Marsabit County has taken a political dimension making it difficult to settle. This was evidenced by the political show down between the two communities which was experienced during the last general election. In an effort to raise their stakes in the County affairs, ethnic consolidation and coalition building was in progress from as early as 2011 in preparation for the general election, which was seen as the ultimate occasion to determine the future of the County's political, social, economic and cultural affairs. This led to the activation of an old political union previously used by teachers in determining the leadership of KNUT Marsabit branch, the REGABU alliance. The alliance, which was crafted against the Borana community, carried the day.

The existence of both communities in the neighbouring country of Ethiopia has further complicated the search for the delicate peace. The free cross border movement and the spill over effect of the conflict has made the working very difficult for the peace actors. The strong kinship affinity between members of the communities living in the two countries has greatly hampered peace efforts. This has been magnified by the communalization of individual predicaments and the lawlessness that exists on both sides of the border.

In addressing peace deficiency in Marsabit County, more needs to be done for positive peace to prevail over conflict. There is need for more deepened understanding of the conflict between the Gabra and Borana communities which is rather more complex in order to be able to design appropriate strategies that can address the root causes of the conflict. The County gains significant benefits by addressing the challenges mentioned in this project report. The need for appropriate intervention measures is critical while at the same time addressing the complexity that surrounds the ethnic conflicts in the region.

These can be done effectively by engaging local communities and their institutions in making them an integral part of the search for lasting solutions. This will require long term investment and commitment on the part of the government and development partners. It also requires that development interventions

in these areas be planned in a manner that is sensitive to the realities of conflict. In this connection, capacity building of the conflict sensitive development, as well as implementation, is needed for full development of the communities and their institutions. Despite the conflict, there are more regional ramifications which are evident in cross border conflict among these communities, and as such a regional approach to reflection and strategy for addressing the root causes of the conflict should be called for. Both the Kenyan and Ethiopian government need to share experiences and strategies to this end.

In establishing the way forward and for peace to be achieved, the following should be addressed; sharing of resources among communities, religious groups to preach peace, peace tournaments as a platform for youth interaction, inter-community dialogue and involvement of all stakeholders in peace efforts. The security machinery ought not to take sides, but remain impartial to the end. And the peace actors should avoid using handpicked elders who are representatives of none. The intelligence arm of government should gather reports and act to avert conflicts in time.

The activities of politicians, prominent businessmen, tribal chiefs and elites, whose actions are detrimental to peaceful coexistence, should be censored to avert any undesirable outcome. The County government should enact legislation that brings and safeguards peace. And violators should be dealt with in accordance with the law. Laws governing resource use should be enacted to facilitate amicable use of resources and in times of scarcity the County government should put in place mechanisms for proper sharing of resources, notwithstanding the location where the resources are. Strict measures should be put in place to curb cattle rustling and leaders should be development minded and facilitate proper disarmament exercise and equitable sharing of employment opportunities.

For a positive peace to be achieved, it is not a matter of wish, but a necessity for the security apparatus to be impartial, justice served to the guilty, involvement of all stake holders in peace efforts and involvement of religious leaders in the journey towards a peaceful County. The Involvement of the communities in decision making in areas where their interest concerns should be a key consideration and should not be compromised if a lasting peace is the desired end product.

There is also the need for the relevant government authorities to watch hate speeches circulated through social media, such as facebook. The need to put in place both short-term and long-term measures to safe guard the gains made in the peace process is vital. Moreover, it is also critical for the government

to assist the communities in finding alternative sources of livelihood that are more predictable than pastoralism while embarking on an extensive disarmament exercise as a matter of priority towards a peaceful relationship between the two communities. More importantly, the peace actors should remain optimistic that peace is achievable, if only it is genuinely sought.

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## **Appendix 1: Questionnaire**

### **Introduction**

Dear Respondent

The objective of this questionnaire is to collect data for the purpose of academic research. The information you give will help the researcher understand the challenges to peace in Marsabit County, among Gabra and Borana community. The data will be purely used for academic purpose and the information you give will be treated in confidence. Kindly answer the following questions truthfully.

### **Part 1: Bio data**

1. Where are you born? .....
2. When are you born? .....
3. Where do you reside? .....
4. What is your source of livelihood? .....

### **Part 2: Factors of Peace**

5. In Gabra and Borana cultures, what are the most valuable resources?  
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6. What are the main causes of conflicts?  
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7. Who are the major participants in conflicts?

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8. What is the relationship between the Gabra and Borana?

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### **Part 3: Conflict Resolution**

9. What action is taken if there is conflict?

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10. What are the indicators of peace?

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11. What measures do the Gabra and Borana take to maintain peace?

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12. Are there any individuals or organizations that are involved in conflict resolutions?

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13. (a) Are you satisfied with the conflict resolutions efforts currently in place?

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(b) If no, what do you think should be done?

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14. In your own opinion, what are the major impediments to achievement of peace between Gabra and Borana?

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15. What are your suggestions on how to improve conflict resolution and peace building in Marsabit County?

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**Thank you.**