

# **UNIVERSITY OF NAIROBI**

**FACULTY OF ARTS**

**DEPARTMENT OF HISTORY AND ARCHEOLOGY**

**TERRITORIAL GROUPS CONFLICTS AMONG THE MAASAI: CASE OF THE  
ILPURKO, ILKEEKONYOKIE AND ILOODOKILANI OF KAJIADO WEST  
SUB-COUNTY, 1996-2012.**

**BY**

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**Registration No: C50/60482/2011**

**RESEARCH PROJECT PAPER SUBMITTED IN PARTIAL FULFILMENT OF  
THE REQUIREMENT FOR THE AWARD OF MASTER OF ARTS DEGREE IN  
ARMED CONFLICT AND PEACE STUDIES.**

**NOVEMBER, 2014**

## **DECLARATION**

This project is my original work and has not been presented for the award of degree in any other University.

Signature.....

Date.....

**HIRAM MWANGI KAHIRO**

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

Signature.....

Date.....

**PROF. VINCENT SIMIYU**

## **DEDICATION**

To my loving family.

## ACKNOWLEDGEMENTS

I am thankful to my supervisor, Prof Vincent Simiyu who encouraged, guided, supported and enabled me understand the subject.

I would also like to appreciate Dr George Gona for his encouraging words and assistance in developing my research topic and proposal.

Further, I extend my gratitude to the people of Kajiado West sub-county and the National Administration Officers in the field who were of great assistance during the data collection exercise. This is especially the elders from the Iloodokilan, Ilkeekonyokie and Ilpurko who provided me and my research team first hand information on the recurrent conflicts among them.

I would also like to express my gratitude to my classmates who gave encouraging words.

Special gratitude also goes to my family for their love, support and resilience during my study time.

I undertook this research project paper in partial fulfillment of the requirement for the award of Masters of Arts Degree in Armed Conflict and Peace Studies in the Department of History and Archeology, University of Nairobi. Any mistakes and/or errors in this research project paper are my sole responsibility.

## ABSTRACT

This study sets to explore factors that make the two Maasai territorial groups of Ilkeekonyokie and Iloodokilani of Kajiado West Sub County be in constant conflict with the Ilpurko one. The study covered the period from 1996 to 2012 and the objectives were to investigate the origin and causes of these recurrent conflicts, find out their impact on members of the three groups and finally identify any initiatives that existed to resolve them while assessing their effectiveness.

To help understand these conflicts better, this study utilized the 'Greed-Grievance' motivation theory as propounded by Paul Cullier and Anke Ontral. In this study, two of the territorial groups were always in conflict with another in a bid to make them control more of the natural resources found in the area at the expense of the third one.

The research was both descriptive and statistical. Guided and purposeful sampling method was used to get the population size required. Fifty five members responded to questionnaires while forty gave oral interviews. These were all sampled from the three feuding groups. Nine key informants who had extensive knowledge of the area due to their working experience were also interviewed. Various incidents of conflicts that had occurred within the period were described as reported in the media, reports from government and other agencies such as NGO's.

The study revealed that the persistent conflicts between the Ilkeekonyokie and Iloodokilani territorial groups against the Ilpurko were caused by various factors. Further, these conflicts had serious negative impact on the group members. There were several peace building initiatives to end the recurrent conflicts. However, these strategies that had been used so far were largely ineffective as the conflicts continued recurring. The project also gave several recommendations that, if implemented, could reduce these conflicts.

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## ABBREVIATIONS

ACC	Africa Conservation Centre
ALRMP	Arid Lands Resources Management Programme
AMREF	African Medical and Research Foundation
CBO's	Community Based Organizations
DPC	District Peace Committee
FAO	Food and Agricultural Organization
GoK	Government of Kenya
HIV	Human Immune Virus
IEBC	Interim Electoral and Boundaries Commission
MAAP	Maa Aids Awareness Programme
NGO's	Non-Governmental Organizations
NIA	Neighbors Initiative Alliance
NSC	National Steering Committee
ODM	Orange Democratic Party
OP	Office of the President
PNU	Party of National Unity
RBC	Resource Based Conflict
SARDEP	Sustainable Animal and Range Development Programme
SIMOO	Simba Maasai Outreach Organization
UNDP	United Nations Development Programme
USAID	United States Agency for International Development

## WORKING DEFINITIONS

The following key concepts will be used during the study.

***Conflict*** is a situation where the three Maasai territorial groups in Kajiado West disagree due to various reasons.

***Conflict Management*** will refer to how disagreements, violence, commotions and or exchange of bitter words among the three Maasai territorial groups in Kajiado West sub-county are controlled. This term will be interchanged with Conflict Resolution.

***Eco-lodge*** will refer to tourist accommodation facilities that are designed to have minimal impact on environment and are found within the Group Ranches in Kajiado West.

***Group conflicts*** are characterized by fights between territorial groups of one community.

***Natural resource*** will refer to both land and water

***Pastoralism*** will refer to livestock as a primary economic activity and or occupation.

***Peace building initiatives*** will refer to the interventions that are taken by various actors to try and restore normal relations between the territorial groups after a conflict occurs.

***Resource-Based Conflicts*** will mean the misunderstanding, violence and or armed war among the groups.

***Sub County*** The County Governments Act, 2012, Clause 48 (b), Laws of Kenya, defines a sub-county as a constituency within a county. A sub county therefore refers to the decentralized units through which the county governments of Kenya provide services.

***Territorial Groups*** will refer to socially united members of the Maasai who have a unified political and administrative structure and who live in a fixed territory that belonged to those members collectively.

**MAP OF KENYA SHOWING LOCATION OF KAJIADO COUNTY**

**MAP OF KAJIADO WEST SUB-COUNTY SHOWING CONFLICT AREA**

## CHAPTER ONE

### 1.1 INTRODUCTION

Conflicts have in the last three decades grown rapidly in the African continent. These conflicts are both intra and interstate.<sup>1</sup> Areas occupied by pastoral communities have borne majority of the intra-state conflicts. Though these intra state conflicts have occurred mainly between two or three communities, territorial groups or sectional conflicts are also common among members of the same community. In Kenya, most of the intra state conflicts have occurred in North Rift and the Counties in the North Eastern region. This had affected many people and had resulted in deaths, poverty, high levels of food insecurity, low levels of education and high levels of general insecurity in the affected regions.<sup>2</sup> Though conflicts in Kenya are historically linked to land tenure issues and the country's colonial past<sup>3</sup>, conflicts among pastoralists are rampant due to a multiplicity of factors.

One such pastoral community that has experienced persistent conflicts among their territorial groups in Kenya is the Maasai. This study is an attempt to understand conflicts among the three Maasai territorial groups of Ilkeekonyokie and Iloodokilanionone hand and the Ilpurko of Kajiado West sub county, Kajiado County by finding out the causes of these conflicts, their impact on the members of these groups and attempts that have been made to resolve them. It also assessed the effectiveness of the methods that had so far been used to resolve them.

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1 Alabi, D.T (2006) "Emerging Trends and Dimensions of the Rwandan Crisis" in *African Journal of International Affairs and Development*. College Press & Publishers Ltd. 2006 P 31.

2 Pkalya, R., Adan, M., and Masinde, I, (2003) Conflicts in Northern Kenya, A Focus on the Internally Displaced Conflicts Victims. (*Edited*), Nairobi ITTDG 2003 p.17

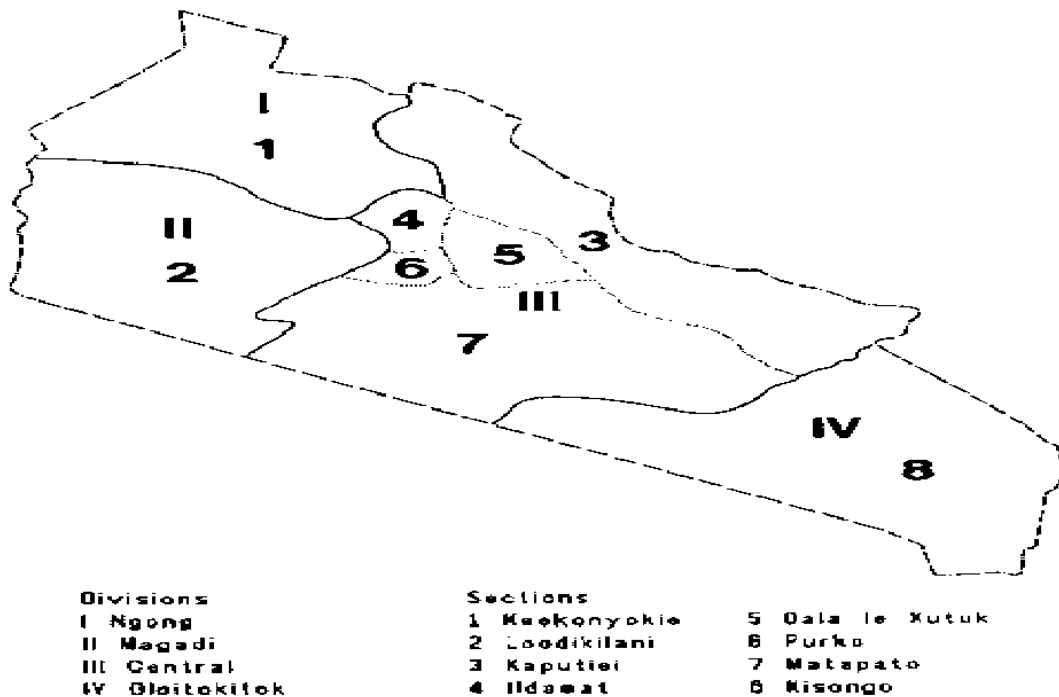
3 UNHCR (2003) Profile of Internal Displacement, Nairobi, p.11



### 1.1.1 Profile of the Kajiado West Sub-county

Kajiado West is one of the five sub-counties that make up Kajiado County. The other sub-counties are Kajiado North, Kajiado East, Kajiado Central and Loitokitok. Kajiado County is found at the southern part of the former Rift Valley province. The indigenous people are the Maasai but people from other parts of Kenya such as the Kikuyu, Kisii, Somali, Indians, Kamba, Luo, Luhya and Kalenjin have since moved in. The Maasai are highly segregated along territorial group lines. The Maasai territorial groups in the County include Ildamat, Ilkaputiei, Ilkeekonyokie, Ilkisonko, Iloodokilani, Ilmatapato, Ilmoitanik, Iluasin-Nkishu, Ilkankere and Ipurko. The map below shows the various territorial/sectional groups that historically inhabited Kajiado County.

**Figure 1: Map of Kajiado County showing administrative Divisions and Maasai groups<sup>4</sup>**



<sup>4</sup> Reprinted from B.E Gradin, (2005) F.A.O Corporate Documentary Repository Report, Nairobi, p.18

Kajiado West sub-county covers an area of approximately 7,910.8 km<sup>2</sup> and has a population of 104,376 persons.<sup>5</sup> It is divided into three administrative divisions namely Magadi, Ewuaso Kedong' and Iloodokilani. It is politically divided into five wards namely Magadi, Ilkeekonyokie, Mosro, Iloodokilani and Ewuaso Enkidong'. It borders the Republic of Tanzania to the South and Nairobi County to the North East, Kiambu County to the North and Narok County to the West.

The major territorial groups in the sub-county are the Iloodokilani and Ilkeekonyokie while the Ilpurko are few as shown on the table below.

**Table 1: *Size and population of Maasai territorial groups in Kajiado West Sub-county***<sup>6</sup>

No	Territorial Group	Size(km)	population	Population density
1	Ilkeekonyokie	3,270	29,250	8.9
2	Iloodokilani	2,640	23,909	9.1
3	Ilpurko	204	7,134	34.9

***Source: Kenya National Population and Housing Census, 2009***

The sub-county is semi-arid and is occupied predominantly by Maasai pastoralists. It has a rural settlement pattern. Semi nomadic pastoralism is the traditional Maasai mode of life in the sub county and is practiced on land that is communally owned. But this

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<sup>5</sup>Government of Kenya, (2009) Kenya National Population and Housing Census, Government Printer, Nairobi.

<sup>6</sup> Ibid

lifestyle is undergoing change due to ongoing land adjudication and sub-division of group ranches leading to individual land tenure system.<sup>7</sup>

The Iloodokilani and Ilkeekonyokie groups were persistently in conflict with the Ilpurkogroup during the study period. This research project looks at the persistent Ilkeekonyokie, Iloodokilani and Ilpurko group conflicts in Kajiado West sub-county and attempts to explain what has caused the conflicts, their impact, interventions at resolving them and how effective these interventions have been.

## **1.2 Statement of the Problem**

The Ilkeekonyokie and Iloodokilani groups of the Maasai have engaged in recurrent conflicts with the Ilpurko group. This has resulted into great hostility of the Ilkeekonyokie and Iloodokilani against the Ilpurko. These hostilities have had serious negative impact on the lives of the members of the groups since no serious development can take place in such an area with recurrent conflicts. Since the factors underlying the Ilkeekonyokie and the Iloodokilani conflicts with the Ilpurko have not been well established, this study set out to understand and analyze what has driven these territorial group conflicts.

Furthermore, the conflict area was generally remote with little access to media and few lobbyists hence the problem of the conflicts among the groups were hardly known to the outside world. In addition, there was little scholarly work done on the Maasai territorial group conflicts. Unless these conflicts are scholarly studied and given attention, people in this conflict area would continue experiencing high poverty levels,

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<sup>7</sup>Government of Kenya, (2009) Kajiado District Development Plan, 2008-2012, Government Printer, Nairobi. p13

discrimination,exploitation and general insecurity as a result. This is the aim of this research project.

There is thus a big gap in our knowledge about these territorial group conflicts among the three Maasai territorial groups.The lack of knowledge about these conflicts has constituted the problem that this research set to study since this lack of knowledge about the factors underlying the conflicts has hampered the Government's appropriate intervention measures.

### **1.3Study Objectives**

#### **1.3.1 General Objective**

The main objective of this study was to explore factors responsible for the frequent conflicts among the Maasaiterritorial groups of Ilkeekonyokie, Iloodokilani and Ilpurko of Kajiado West sub-county.

#### **1.3.2 Specific Objectives**

The study was guided by the following specific objectives:

1. To investigate the origin and causes of the recurrent conflicts among three Maasai territorial groups of Ilpurko, Ilkeekonyokie and Iloodokilani of Kajiado West sub-county.
2. Assess the impact of these conflicts on the three Maasai groups involved.
3. To identify any peace initiatives that existed to resolve these conflicts and assess their effectiveness.

#### **1.4 Justification of the Study**

Conflict studies in Kajiado County have mainly dwelt on Human-Wildlife conflict as the key conflict issue yet this affects only the areas bordering the Amboseli National Park and is hardly experienced in other parts of the county. Other conflict issues studied include agro-pastoral conflicts resulting from blockage of water access routes by farmers which the pastoral Maasai resist resulting in conflicts. Political conflicts are also commonly studied.

However, despite realizations that territorial group conflicts in Kajiado county is a major conflict issue<sup>8</sup> there has been no study aimed at finding out the root causes of these recurrent conflicts among them. There was therefore an urgent need to understand the root causes of the recurrent conflicts among the three Maasai groups in Kajiado West sub-county so as to ensure sustainable development in the area. If left unresolved, these conflicts could easily spread from the affected areas to other parts of the county as was evident in other pastoral areas where inter group conflicts were left unattended resulting in prolonged conflicts.<sup>9</sup> Moreover, if not resolved, these conflicts would lead to higher poverty levels in the affected areas.

Furthermore information gathered through this study will make a contribution to the local leaders who had been searching for permanent solution to the persistent conflicts. It is hoped that the generated information will also be used by policy makers on the management of these conflicts especially among the Maasai groups. The policy

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8 Government of Kenya,(2011) National Steering Committee of Peace Building and Conflict Management, Kajiado County Peace and Conflict Profile, Government Printer, Nairobi,p12

9 I.M,Lewis, (1984) A Pastoral Democracy: A Study of Pastoralism and Politics Among the Northern Somali of Horn of Africa, London: James Curry,1961 p.48

developed out of this will in turn be useful in implementing development projects in support of Maasai community in this area. This research project is thus a contribution in an attempt to establish the reasons for the recurrent conflicts so that actors such as the government and others can strengthen their response and initiate necessary actions towards ending them.

It is also a contribution to scholarship because it will help fill the gap in our knowledge about these conflicts.

### **1.5 Scope and Limitations**

The study focused on the three Maasai territorial groups of Iloodokilani, Ilkeekonyokie and Ilpurko of Kajiado West sub-county. The study starts in 1996 because that was the year the first major conflict in recent history occurred. Though these conflicts are ongoing, the study ends in 2012 since the research was done in May 2013.

Due to the low literacy levels among the Maasai,<sup>10</sup> data collection was done in native language. The transcripts were translated into English and analyzed accordingly. There was therefore the challenge of getting exact translation and transcription of individual testimonies into the English language. This lengthened the research time. However, this was overcome by employing native Maasai speakers as research assistants and interpreters who were trained before proceeding to the field. This was aimed getting almost exact translation of individual words and phrases.

Any research work is an expensive undertaking. The student had no financial support from any source and depended entirely on his personal savings. Thus, scarce funds for the

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<sup>10</sup> According to the Kenya National Literacy Survey, 2008, the literacy rates among the Maasai was below 20% and could fall to as low as 5% in purely nomadic territorial groups.

research were a limitation. But this was overcome by developing a budget for the research work which was strictly adhered to. Further, the respondents were assured that the study was purely for academic requirement purposes so as to boost their confidence to voluntarily participate in the study.

## **1.6 Literature Review**

Conflicts among communities in Africa have grown rapidly in the last three decades with pastoral areas being among those areas where most of these conflicts occur. Kenya has witnessed several of these conflicts especially in pastoral areas pitting communities or among clans of a given community. Some of these conflicts are resource-based, others due to land disputes while others were politically instigated. These conflicts are usually violent and destructive and have negative impact on affected people.

This section reviews the relevant literature on conflicts in Kenya especially those that occur in pastoral areas. The purpose is to find out the state of knowledge of these conflicts, identify gaps in understanding them and suggest areas of future research work. Furthermore, such a review is important in a bid to understand the Ilpurko, Ilkeekonyokie and Iloodokilani conflicts under study.

In his work titled *Conflict and Small Arms*, Mkutu<sup>11</sup> argues that conflicts in pastoral areas are fuelled by ready availability of small arms. He believes that this is what results to the destruction of their economy and social structures. On the other hand, Fratkin<sup>12</sup> in his work, *East African Pastoralism in Transition: Maasai, Borana and Rendille* argues that

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11 Mkutu, Kennedy, (2003) *Pastoral Conflict and Small Arms in the Safer World*, London, p.17

12 Fratkin, Elliot, (2001) *East African Pastoralism in Transition: Maasai, Borana and Rendille in African Studies Review*, Lagos. P. 25

conflicts among the East Africa pastoralists are solely due to access to water and pasture resources. Further, he argues that these conflicts occur in the parts that border Sudan and Somali, countries who had not known peace for long. But Ndaskoi<sup>13</sup> in *The Root Causes of Maasai Predicament* traces the Maasai conflicts to continued annexing of their land from colonial times to-date.

However, not every conflict among pastoralists is due to pasture and water resources only as argued by Fratkin. Land and boundary disputes are also important conflict issues in the pastoral areas. Furthermore, proliferation of small arms is not a prerequisite for conflicts among the pastoralists since they are not widely used by the Maasai yet they experience conflicts among their territorial groups. In any case, the Maasai do not border the fragile Sudan or Somali yet they are in frequent conflicts. Whereas Ndaskoi identified land as the main problems of the Maasai, he does not explain how this causes the conflicts among the Maasai groups themselves.

Little<sup>14</sup>, in *Cross-border Trade and food security in the Kenya/Somali Borderlands* argued that the conflicts are due to external factors such as restricted access to grazing resources. On the other hand, Dyson-Hudson<sup>15</sup>, in *Karamanjong Politics*, argues that these conflicts are due to increased competition over land. Though resource scarcity is a serious cause of conflicts in pastoral areas, in most cases, this occurs together with other conflict items such as boundaries, ideological differences, autonomy and secession. In any case, resource scarcity does not necessarily lead to a conflict. This is because there

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13 Ndaskoi, Navaya ole, (2006) *The Root Causes of Maasai Predicament* in *Resource Centre for the Rights of Indigenous Peoples*, New York, 2006 p.8

14 Little, P.D, (1996) *Cross-border Trade and Food Security in the Kenya/Somali Borderlands*, University of Kentucky. P.13

15 Dyson-Hudson Neville, (1996) *Karamanjong Politics*, Clarendon Press, Oxford, p. 17



may be formal and informal institutions that may set rules and regulations which regulate access and control of such scarce resources thus avoiding a conflict. The question one might ponder then is why conflicts persist among the three Maasai territorial groups yet there were well defined customary rules and regulations and state machinery that should have ensured that conflicts did not occur amongst them.

Alabi<sup>16</sup> in *Emerging Trends and Dimensions of the Rwandan Crisis* and Commack<sup>17</sup> in *Third World Politics: A Comparative Introduction* had both observed that the creation of arbitrary boundaries by the Europeans during the colonization of Africa created political units that divided ethnic communities and in other cases combined rival ones. They thus forced communities with different cultures to cohabit in a single administrative unit. As a result, these arbitrary borders became source of conflicts in many African states. Even within a given country such as Kenya, communities were split within different units such as districts and lower level units resulting to group conflicts in many communities such as the Maasai. In Maasai areas, cartographic boundaries were created that were not in consonance with recognized ethnic boundaries of various territorial groups. This resulted in conflicts among them. It is therefore important to look at the impact of the internal colonial boundaries in Kenya and assess how they might have contributed to conflicts especially within groups of various communities such as the Maasai.

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16 Alabi, D.T.(2006) *Emerging Trends and Dimensions of the Rwandan Crisis* in *African Journal of International Affairs and Development*, pg15

17 Cammack,P;Pool,D;and Tordoff,W,(1984) *Third World Politics: A comparative Introduction*, London, Macmillan Education Ltd. p.63

Mkangi<sup>18</sup> in his work, *Indigenous Social Mechanisms of Conflict Resolution in Kenya*, argued that conflicts in pastoral areas are generally over resources due to their scarcity in areas inhabited by the pastoralists. He further argues that this scarcity is structural to pastoralism. However, Krat, Saverio and Swift have stated in their work, *Understanding Pastoral Conflicts in Kenya- A Literature Review* that their experience in resolving conflicts in Northern Kenya showed that the conflict management strategies that seemed to work were those that were based on local initiatives and customary rules of conflict management that were endorsed and supported by the government administrative authorities.<sup>19</sup> Thus, a way should be found of integrating the customary systems into the existing administrative structures.

According to Odhiambo,<sup>20</sup> in his work, *Addressing Natural Resources Conflicts through Community Forestry: The Case of Eastern Africa* argued that one of the reasons advanced for the escalation of conflicts in pastoral areas was that customary institutions for conflict management had broken down and that the position of the elders had been undermined by modern changes. This was attributed to the fact that the modern state had replaced council of elders with government officials. Urbanization and migration to towns by young people had exposed them to other cultures that questioned traditional values such as the authority of elders. As such, the elders decisions were queried thus making them lose the traditional authority to act as effective conflict management

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18 Mkangi Katama.(1997) *Indigenous Social Mechanisms of Conflict Resolution in Kenya; A contextualized Paradigm for Examining Conflict in Africa*, 1997, accessed at [http://www.payson.tulane.edu/case\\_studies.htm](http://www.payson.tulane.edu/case_studies.htm) on 3<sup>rd</sup> July 2013.

19 Krat, Saverio and Swift, Jeremy, (2009) *Understanding Pastoral Conflicts in Kenya- A literature Review*: University of Sussex, UK. p.54

20 Odhiambo, Michael Ochieng',(1996) *Addressing Natural Resources conflicts through Community Forestry: The case of Eastern Africa*, FAO, Rome. p.18

institutions. This might explain the recurrent conflicts among the Maasai groups under study.

However, Gataty<sup>21</sup> in his works, *Halving land in common: The subdivision of Maasai Group Ranches*, contends that several research on pastoral conflicts in Kenya have concentrated on the Northern part of Kenya, with little research work on conflicts among pastoralists in other parts of the country. Yet, the pastoralists in other parts of Kenya such as the Maasai suffered land alienation by the colonialists. This situation was aggravated by the independent government's bias towards agriculture in the use of land when the policy guiding use of pastoral areas was to convert pastoral land to farmlands. As a result, laws were enacted that concentrated pastoralists into settlement areas while their communal land was divided and designated as administrative units.<sup>22</sup> This created scenarios where pastoralists could not agree on use of their communal land. This resulted in overgrazing and illegal groupings which became difficult to control and increased factionalism among the pastoralists. Pastoralists disapproved of the privatization of their land<sup>23</sup> since they realized it resulted into inter and intra-group conflicts caused by enclosure of land and boundary disputes that led to close relatives killing each other.

The privatization of pastoral lands resulted in inability of these lands capacity to support livestock. For example, the Group Ranch Programme that was effected in Maasai traditional land in 1968 aimed at giving out title deeds to communal ownership of land

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21 Galaty J, (1994) *Halving land in common: The subdivision of Maasai Group Ranches in Kenya in Nomadic Peoples* p.109

22 Lane C and Moorhead, R. (1994) *New Directions in Rangeland and Resource Tenure and Policy in Living with uncertainty*, Intermediate Technology Publications Ltd, London, p48

23 Hashi, A.M.(1996) *A Survey of Pastoral Institutions in Somaliland*, VETAID, Penicuik, pg 38

thus transferring customary land tenure into a legal framework.<sup>24</sup> However, when implemented, the result was several conflict situations when members of a given Group Ranch could not agree on the use of such land. Overgrazing and illegal grazing became more difficult to control leading to increased factionalism and conflicts.

Irandu<sup>25</sup> in *Wildlife Tourism and Local Communities in Kenya* has written on conflicts among the Maasai but focuses mainly on the community's conflicts with wildlife. His argument was that the communities who lived near the National Parks and game reserves suffered from wildlife destruction of their property, deaths and injuries caused by wild animals. Otieno<sup>26</sup>, in *Why locals are turning against animals* argued that the Maasai, despite living with animals for years, had never seen the proceeds from tourism. And that despite creation of the game parks, over seventy per cent of the animals still lived in Maasai inhabited private land outside the parks resulting to human-wildlife conflicts. Furthermore, the wildlife carried many diseases that were dangerous to Maasai livestock and thus killed many of them despite the cattle's importance to the tribe. Yet, they were the ones who carved out land for the parks and reserves such as the Maasai Mara National Reserve, the Amboseli National Park and the Nairobi National Park and, in the process lost their valuable herding land. Despite all this, they had become victims of these animals and had developed negative feelings about the game parks and reserves. However, this argument by Otieno did not address the group conflicts common within the Maasai.

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24 Evangelou, Phylo. (1984) *Livestock Development in Kenya's Maasailand: Pastoralists Transition to a Market Economy*, Westview Press, Boulder CO and London. p.29

25 Irandu, E.M, (2003) *Wildlife Tourism and Local Communities in Kenya*: Paper presented at *ATLAS-Africa Conference* held in Arusha, Tanzania, 20-22 February, pg 8

26 Otieno, Anthony. (2003) *Why locals are turning against animals* in *The East Africa Standard Newspaper*, Monday 7 July. The Standard Limited.p.24

The Kenya government recognized that conflicts contribute to poverty as the *National Poverty Eradication Plan (1999-2015)*<sup>27</sup> had shown. This plan recognized that the highest incidences of poverty in Kenya were in pastoral areas where the poor accounted for nearly eighty per cent of the population. This was partly explained by the high incidents of conflicts in these areas. Therefore, the management and reduction of conflict is important if poverty has to be eradicated in pastoral areas. This is more so in areas inhabited by the Maasai community.

Mwenda<sup>28</sup> in *Devolution in Kenya: Prospects, Challenges and the Future* has explained that although conflict is closely linked to drought and famine since drought triggers competition leading to conflict for scarce resources, Kenya does not have a conflict contingency policy that addresses early warning system including guidelines on how to react to stop small scale conflicts from escalating. Each actor is left to one's devices. Thus, though, for example, early warning indicators for famine were well understood, there was no common consensus on what constituted Conflict Early Warning and Response Mechanism. The country's constitution enacted in 2010 addressed this by placing the function of enhancing peaceful co-existence among communities with the national government<sup>29</sup>. However, to-date, no enabling Act of Parliament or a National Policy on Peace Building and Conflict Management is in place to actuate this constitutional requirement. More importantly, there are no guidelines on the role of the

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27Office of the President, *National Poverty Eradication Plan -1999-2015*, Kenya, (1999) Office of the President, Department of Development Co-ordination. p18

28 Mwenda, Albert K. (2010) *Devolution in Kenya: Prospects, Challenges and the Future* in *Economic Institute of Economic Affairs*, Nairobi, P.73

29Government of Kenya,(2010) *The Constitution of Kenya in National Council for Law Reporting, Fourth Schedule: Distribution of Functions between the National and the County Governments*, Government Press, Nairobi, p.118

devolved governments in coordinating peace agenda in their counties. Therefore, the County government of Kajiado continues to watch helplessly as groups continue being in conflict.

### **1.7 Theoretical Framework**

The theoretical framework utilized in this study is the Greed and Grievance explanation for conflicts that was expounded by Collier and Hoeffler in their work, *Greed and Grievance Theory in Civil War*.<sup>30</sup> The two argued that economic incentives were the main cause of outbreak of conflicts. They argued that all conflicts would be explained by motivations of greed by one party and grievance by another. The main explanation of any conflict, therefore, is greed. It can thus be argued that economic interests developed in Ilkeekonyokie and Iloodokilani territorial groups which made the two groups want to take advantage of the resources controlled by the Ilpurko group. They further argued that conflicts based on greed and grievance typically drag on for many years before being resolved. This may explain the reason why the persistent conflicts among the three Maasai groups have taken long to be resolved.

Regarding the grievances, the inequalities between the groups, where the Ilpurko territorial group feels marginalized compared to the other two, leads to the prolonged conflicts in the study area. While analyzing the conflict under study, it can be shown that there exists a grievance from the Ilpurko group against the Ilkeekonyokie and Iloodokilani groups. As a result, rivalry has occurred which has led to the recurrent conflicts in the study area.

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30 Collier, Paul and Hoeffler, Anke.(2000) Greed and Grievance Theory in Civil War, *World Bank Policy Research Paper* Washington DC: World Bank p.16

In this study, it could be argued that the Ilkeekonyokie and Iloodokilani were in conflict with the Ilpurko only because of their desire to control resources that they share in common but at the exclusion of the Ilpurko. They believed that if they controlled these resources alone, they could derive income and revenue as benefit to themselves. On the other hand, the Ilpurko, defied this and their grievance perpetuated the conflict. Doorn<sup>31</sup>, has, in an article, '*Greed and Grievance as Motivations for Civil War: The Libyan Case*' argued that grievance by the Libyan population had long established roots but it was not until 2011 that they got a way of expressing them through the specific circumstances of that date. The lack of political rights and the economic position of the population were important grievances that made Libya war inevitable. The greed was for the profit of resources such as the oil by the rebels.

### **1.8Hypothesis**

In this study, the following assumptions were made:

- 1) Greed drives the Ilkeekonyokie and Iloodokilani on one hand to be in constant conflict with the Ilpurkoon the other hand in Kajiado West sub county.
- 2) The Ilpurko believe that they were the aggrieved ones in the recurrent conflicts with the Iloodokilani and Ilkeekonyokie.
- 3) Territorial group membership determined one's participation in the recurrent conflicts between the Ilkeekonyokie and Iloodokilani on one hand and the Ilpurkoon the other.
- 4) Peace initiatives had only partially been successful.

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<sup>31</sup>Doorn, Wim Van,(2012) '*Greed and Grievance as Motivations for Civil War: The Libyan Case, in Review of International Studies*, King's College, London, p. 4

## **1.9 Methodology**

The methodology that was used in carrying out this study was the use of secondary and primary data collection. This research project relied on qualitative methodology that was based on interviews and documentary data. It was carried out in Kajiado West sub-county, Kajiado County, in the former Rift Valley Province. Field study was carried out in the month of May, 2013.

### **1.9.1 Secondary Data**

Secondary data was obtained by reviewing related literature mainly from the Jomo Kenyatta Memorial Library of the University of Nairobi, Key government reports, historical documents, journal articles, theses and other relevant materials obtained from the National Steering Committee of Peace Building and Conflict Management. This included data from the National Conflict Mapping, Arid Lands Resource Management Authority, Non- Governmental Organizations (NGO's) and Community Based Organizations (CBO's) working in the study area. I also relied on conference materials, e-journals and newspaper reports

### **1.9.2 Primary Data**

Primary data was obtained from the Kenya National Archives and the Kenya National Population and Housing Census report of 2009. In addition, it was collected through use of structured questionnaires and oral interviews. The use of structured questionnaires was aimed at guiding the researcher in collecting the data in an organized manner. The questionnaires were administered through randomly selected respondents who included the youth, women, men, opinion leaders, members of local peace committees and civil



society organizations working in the area. The questionnaires were in English language and interviews were conducted through interpretation from English to Maasai and vice versa where necessary.

Important issues were further probed by interviewing six key informants who held positions in government and local communities. Such people who were considered to provide supplementary information and were chosen as they were viewed to have had extensive knowledge of the sub county due to their working experience in the area. Further, the student believed that these key informants had rich understanding of the Maasai group conflicts issues in the course of their work and that they would provide an outsider's view on the research issues given that they did not hail from the area. They included government officials and NGO workers. The information gathered from these key informants was expected to enrich the survey. Guided sampling method was used to identify them.

The structured questionnaire that contained both open-ended and close-ended questions for survey is appended as appendix I while key informants interview questions are appended as appendix II. A total of fifty five respondents were interviewed. These were residents of Kajiado West sub-county who were eighteen years old and above. Purposive and guided sampling method where subjects were selected because they belonged to one of the three groups under study was used to select the samples. They were of various categories and had diverse characteristics in terms of education, sex and age. Twenty one of the respondents were from Ilkeekonyokie group, nineteen from Ilpurko and fifteen from Iloodokilani. The student ensured that each respondent was given adequate background information about the purpose of the study and was assured that information

obtained from them was purely for research purposes. They were also informed of their rights to withdraw from the study if they so wished. Their consent was sought before going on with the research and the protection of their privacy was guaranteed.

Oral interviews were also conducted mainly with members of feuding groups and it was carried out in the respondents' natural settings. Forty oral interviews were conducted. Tape recorders were used to record the oral interviews. We have attached a list of the respondents, date and place of interview in appendix III.

The necessary approvals from the Ministry of Education and the local Administration were also sought by the student.

### **1.9.3 Data Analysis and Presentation**

The data collected from questionnaires was examined and numbered. They were then coded and entered before being analyzed. Data was presented using various methods including tables, figures, qualitative and descriptive analysis. Tape recorders were also used to record oral interviews. These recordings were then transcribed. Word for word notes of the interviews were also taken where appropriate.

## CHAPTER TWO

### HISTORY OF THE MAASAI

#### 2.1 The Maasai People

The word 'Maasai' is commonly used to refer to the people who speak the Maa dialect. They are a Nilotic speaking community found in Southern Kenya and Northern Tanzania along the Great Rift Valley on arid and semi-arid lands. In Kenya, they mainly inhabit Narok, Laikipia and Kajiado counties. Such small groups as the Ilchamus (Njemps, who live around Lake Baringo) and Samburu share similar cultural practices with the Maasai.<sup>32</sup> In Tanzania, they reside in Longindo, Monduli Ngorongoro, Simanjiro and Kiteto regions. They are semi-nomadic people who live in communal land with their lifestyle traditionally based on livestock. Each Maasai group managed its own territory and the boundaries separating each group from the other were strictly adhered to unless when a dry season became extremely harsh.

In their work, *Being Maasai- Ethnicity and Identity in East Africa*,<sup>33</sup> Thomas Spear and Richard Waller argue that Maa speakers came from the southern Sudan during the first millennium AD and moved down the Rift Valley displacing most of the previous inhabitants. The Turkana drove them further south where they settled east of Lake Turkana as the Samburu. Other Maasai settled around Lake Baringo and became the Ilchamus. Further south, they divided into several territorial groups who dominated the Rift Valley to as far as central Tanzania.

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32 Ndaskoi, Navaya ole, (2006) The Root Causes of Maasai Predicament in *Resource Centre for the Rights of Indigenous Peoples* New York, p.12

33 Spear, Thomas and Waller Richard, (1993) *Being Maasai- Ethnicity and Identity in East Africa*, James Currey Ltd, London.

Okoth Assa in his book, *A History of Africa, (Vol I- 1800-1924)* reinforces this view by tracing the original homeland of the Maasai to the north of Lake Turkana in Ethiopia from where they moved southwards to Kenya due to drought, need for grazing lands and water for their livestock, internal feuds and outbreak of epidemics.<sup>34</sup> By 1500, they had moved southwards between Mount Kenya and Mount Kilimanjaro. By 1700, they had inhabited the Uasin Gishu Plateau and had spread to present day Tanzania and parts of the floor of the Rift Valley. By 1800, they were already settled on the plains of central Kenya and whole of Rift Valley.

### **2.1.1 Maasai Social structure**

The Maasai lived together in compounds of six to twelve households<sup>35</sup>. These households were in turn grouped into neighborhoods which were usually within a kilometer of each other. The neighborhoods were a cluster of households and usually centered on a permanent water point. Neighborhoods were in turn grouped into territorial groups which controlled a specific parcel of land. These territorial groups can also be referred to as sections (or *iloshon* in Maasai). Each individual Maasai belonged and had a right to live in a certain territorial group but required permission for him to cross over to another group. Each group was a land owning unit and managed its own territory. People belonging to a certain group had rights in the territorial land occupied by that group as against people of other groups.

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34 Okoth Assa, (1979) *A History of Africa, (Vol i), 1800-1924*, Nairobi Bookwise Ltd, P. 56

35 Ndagala, D.K., (1992) *Territory, Pastoralists and Livestock: Resource control among the Kisongo Maasai*, Uppsala, Sweden, p.12

The Maasai community had sixteen such territorial groups. These were Ildamat, Iloita, Ilkaputiei, Ilkankere, Ilmuitanik, Iloitokitok, Ilsiria, Ilmatapato, Iluasinkishu, Ilparakuya, Ilkisonko, Ilaikipia, Ildorobo, Ilkeekonyokie, Iloodokilani and Ipurko. These groups were the primary identity for a Maasai and each had a fixed territory that belonged to group members' collectively. Majority of these groups live in Kenya although a few live in Tanzania.

The Maasai are divided into clans, (*injomie* in Maasai). The two major clans are the *Oodo Mong'i* (Red cow) and the *Orok Kiteng* (Black cow). A clan cuts across the entire Maasai community and among all the territorial groups. Clans were further divided into Sub clans (*ilpasheta* in Maasai), with the major ones within the *OodoMong'i* being Ilmolelian, Ilmakesen and Iltarosero while Ilaiser and Ilukumai are the sub clans in Orok Kiteng clan. The groups were patrilineal since a child took up the clan of his father for life.<sup>36</sup>

Bermtsen in his study, *Maasai Age Sets and Prophetic Leadership: 1850-1910*<sup>37</sup> explains that Maasai men were organized by a system based on age set. These were males who were circumcised when a specific age set was recruiting initiates. This was basically a group of men (*Ol-Porror* in Maasai) of the same age (difference was usually about five years) who were initiated into adult life during the same period. Men participated in memorable events as members of an age set and not as individuals. Some of the age sets include Ilnyankusi (they were warriors in 1880's) and the Il-seuri, (Those who were warriors between 1957 and 1975). The age set names were the most important

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36 Okoth Assa, (1979) A History of Africa, (Vol i), 1800-1924, Nairobi Bookwise Ltd, P.84

37 Bernsten, John L, *Maasai Age sets and Prophetic Leadership: 1850-1910*, Indiana, 1976. Pg 28

structures of Maasai social life and provided the oral tradition on which the chronology of the tribe could be established. The names came from oral tradition and were a permanent grouping that lasted throughout the life of its members. Women became members of their husband's age set and they got married within a year of circumcision (circumcision was done at about thirteen to fourteen years of age). A woman could not be married to someone of her father's age set nor from her mother's section.<sup>38</sup>

The age sets moved through a hierarchy after circumcision. The progression was warriors (*Ilmurran*), junior elders, senior elders and finally retired elders with each stage lasting about fifteen years.<sup>39</sup> The main duty of the *Ilmurrans* (warriors) was to protect their community and cattle from predators and external attacks from other tribes, to guard cattle when grazing, search for new pasture and raid cattle from neighboring communities. About nine years after they were circumcised, the *Ilmurran* went through a ceremony where their heads were shaven and they became senior *Ilmurran* while the previous group of *Ilmurrans* became elders. At around thirty years, they would graduate to become senior warriors who could marry. One could thereafter become an elder. The Elders central role was to resolve conflicts within the society.

Each age set had a leader, *olaigwanani*, who presided over age set group ceremonies. It is through such ceremonies as circumcision, weddings and rites of passage to junior elders, that they learnt important lessons such as great deeds of their ancestors and myths and legends of their past generations.<sup>40</sup> The age sets instilled discipline and respect among

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38 Ndagala, D.K. (1992) *Territory, Pastoralists and Livestock: Resource control among the Kisongo Maasai*, Uppsala, Sweden, P14

39 Ibid

40 Spear, T and Waller, R. (1993) *Being Maasai*, James Curry Ltd, Oxford, London, p. 53

their members and any disgracing acts were punished within the age set leadership. No man was allowed to marry children from their age set.

This system had an impact on the group conflicts since traditionally the *Ilmurr*(warriors) mandate was to protect the community from external attacks and organized raids to other groups and neighboring communities. They were considered as the group's 'army' that was to be mobilized whenever there were threats to their group. Most conflicts among the Maasai territorial groups were therefore fuelled by the fact that there was a ready 'army' of youths that was rearing to fight for their groups at short notice. This has been the case of the constant conflicts among the three groups of this study i.e. the Ipurko, Ilkeekonyokie and the Iloodokilani.

### **2.1.2 Livelihood**

Livestock was the primary source of income for the Maasai and played an important role in their economy. These included cattle, goats and sheep which were the basis of their economic and social systems. However, cattle were the main source of wealth and their importance lay, not only in the provision of food but also in their social and ritual functions. This is because livestock was the source of milk, meat, fat and blood for human consumption. Cow dung was used for plastering their huts while cowhide was used for clothing and bedding. Livestock also provided an indirect source of income through sale or barter of animals and their produce including hides and skins, horns and wool. They also traded their cattle for the fruits and grains from their agricultural neighbors. Livestock was also sold for cash so as to enable them meet such needs that required money such as paying school fees and access hospital care. Ownership of livestock was an expression of wealth and social standing since the more one had, the

higher his social standing. It was acquired through inheritance, cattle raids from neighboring communities, purchase, loans and gifts.

Maasai led semi-nomadic pastoralism as their traditional way of life. This was a system that was characterized by communal land ownership, individual ownership of large and diverse herd sizes, separation and splitting of the herds. There was also migration of humans with their cattle during wet and dry season grazing areas where the access, use and management of water and pasture during dry season was usually governed by communal rules and regulations that were meant to avoid conflicts among the users.

In addition to being dependent on livestock for their upkeep and livelihood, land was also important for sustenance and providing pasture for the livestock. The people's movement was dictated by the livestock's needs such as pasture, water, and salt licks. The proximity of these requirements determined how long people remained settled in a given place. Mobility was thus an essential management strategy that allowed for maximized forage and ecosystem productivity. Periodic, controlled pasture burning ensured that diseases were kept under control and livestock had fresh, lush grass during different seasons. Wildlife grazing alongside livestock enriched pasture composition and variety. Nutrients were exchanged by the mixture of grazers and browsers, both domestic livestock and wildlife. Undoubtedly, this mode of land use was most sustainable and the Maasai were aware of this benefit.<sup>41</sup> It was the goal of each Maasai to maintain their herds of cattle in an unpredictable physical environment where recurrent drought and diseases threatened them. Natural resource management was therefore a practice that was obviously employed throughout *Maasai* territories.

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41 Campbell, D.J et al, (1998) *Maasai People; Traditions and Culture*, Oxford Press, p.49



The three Maasai territorial groups of Ilkeekonyokie, Illoodokilani and the Ilpurko in Kajiado West sub-county are largely nomadic and pastoralists. They have huge chunks of land, and majority of the families own such for the sole reason of grazing grounds for their large herds of livestock. There are instances where individuals own up to four hundred hectares of land, which is equivalent to an area of a small city in Europe.<sup>42</sup>

### **2.1.3 Traditional authorities**

Political authority among the Maasai traditionally lay with council of elders and age set spokesmen who were elected by each age set due to their leadership qualities. In each age set, there was a set of leaders who facilitated age group ceremonies. These were together called the *Inkasisin* and were divided into four offices of the *Olaiguenani*, *Olotuno*, *Oloboru* and *Enkeene*. These positions required people who had skills to handle disputes and mediate conflicts in the age sets and also to build consensus in decision making.<sup>43</sup> Further, each group had an *Oloibon* (a spiritual leader or seer) who performed rituals that bound the age groups together by performing religious and traditional rituals that were strictly observed by members of particular age group. *Oloibon* was both a spiritual and a political leader. *Oloibon* was a unifying factor among the Maasai and was consulted before important community decisions were taken and whenever a calamity occurred, for example, drought, disease or losses in battle, occurs.<sup>44</sup> These traditional leaders helped in settling conflicts among and within the community whenever they occurred.<sup>45</sup>

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42 SARDEP: (2000) Poverty, Target groups and Governance Environment in Kajiado District, Kenya, p.18

43 Masherem, S Ole. (2009) The Maasai Pioneers: The First Modern Cream. Resil Print, Nairobi, p.12

44 Okoth Assa, (1979) A History of Africa, (Vol I), 1800-1924, Nairobi Bookwise Ltd, p.72

45 Campbell, D.J et al, (1998) Maasai: People, Traditions and Culture, p.28

#### **2.1.4 Religion**

The Maasai believed in One God, *Enkai* who was worshipped under a sacred tree. They believed that He lived both on earth and in heaven and was the master of life and death.<sup>46</sup> They observed their religion through offering sacrifices to *Enkai* especially when the community was faced with difficult situations that required *Enkai's* direct intervention. Such situations included periods of prolonged drought.<sup>47</sup> *Enkai* was seen as the originator and creator of everything in the universe and in their prayers, He was perceived as one who was unique, universal, powerful, righteous yet personal and helpful to mankind.<sup>48</sup>

### **2.2 Historical background to Maasai conflicts**

There are certain historical factors that made the Maasai community be predisposed to conflicts. These are subsequently described here.

#### **2.2.1 Pre-colonial times and the Anglo-Maasai agreements**

Before colonialism, the Maasai occupied vast land that extended from central Kenya to Lake Natron and extended to Dodoma in central Tanzania. Gabbriel Somer and Rainer Vossen in *The Maa language in time Perspective*<sup>49</sup> explains that the period of Maa migration was characterized by countless wars between groups on one side and establishment of intergroup alliances on the other. Conflicts developed during the expansion as different groups fought over control of resources. This was made worse by a

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46 Okoth Assa, (1979) A History of Africa, (Vol I), 1800-1924, Nairobi Bookwise Ltd.

47 Hodgson, D.L. (2004) Once Intrepid Warriors: Modernity and the Production of Maasai Masculinities. University of Pittsburg. p 22

48 Hillman, C.S. (1993) Inculturation Applied: Toward an African Christianity. New York, Paulist Press, p 27

49 Gabbriel, Somer and Rainer Vossen (1993) in *The Maa language in time Perspective* James Curry Ltd, Oxford, London. p53

series of droughts and diseases that killed the Maasai and their herds in the late nineteenth century.

Worse still, at the advent of colonialism in the late nineteenth century, the colonial government, through a declaration made in 1899 claimed

*“possession of all forests, jungles, waste or uncultivated land or land not in actual occupation”*<sup>50</sup>

As a result, large tracts of Maasai land in the Rift Valley were expropriated from them and given to white settlers to establish settlement farms and ranches.<sup>51</sup> This was the land that was important as dry season grazing and watering zones for the Maasai. The Maasai consequently lost more than fifty per cent of their land within a span of nine years.<sup>52</sup>

In 1904, an Anglo-Maasai Agreement was signed between Maasai chiefs of Kenya and the British. In this Agreement, over five hundred thousand acres of Maasai land was surrendered to the British for the purpose of expanding European settlements. The Maasai were relocated to two small Northern and Southern reserves in present day Kajiado and Laikipia counties.<sup>53</sup> In 1911, the second Anglo-Maasai Agreement was signed which removed the Maasai from the Northern reserve to an extended Southern reserve. This involved an arrangement where the Ilpurko Maasai were to vacate the Laikipia reserve and, in exchange, occupy an expanded area in the south. The immediate impact of the two Anglo-Maasai treaties of 1904 and 1911 was that the Maasai were

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50 Keiwua, Moijo, Ole, (2002) A. History of Maasai Land in *Whose Land*, October, p7

51 Galaty, J. (1994) Having Land in Common: The subdivision of Maasai Group Ranches in Kenya in *The Pastoral Land Crisis*, Nomadic Peoples 34/35: p.109

52 Keiwua, M. A (2002) History of Maasai Land in *Whose Land*, p.14

53 Simel, Joseph Ole. The Anglo-Maasai Agreements- A Case of Historical Injustice and the Dispossession of the Maasai Natural Resource, Geneva, Switzerland, 2003 p.7

restricted to the lands set aside as reserves. The reserves included the area which today comprises Kajiado and Narok counties. This greatly reduced the land available for Maasai to graze their livestock. It is estimated that these two treaties reduced the Maasai former land by over fifty per cent<sup>54</sup>. Their previous premium grazing lands were thus taken away by the whitesettlers. They were then forced to share the land with the inhabitants they found there. They therefore went to new land and faced insufficient permanent water sources, grass for their livestock and were exposed to more severe droughts. This resulted to overgrazing and overstocking due to increased confinement, overcrowding and limited seasonal migration. This inevitably led to conflicts among the Maasai groups.

Furthermore, other peoples that also lost their land to Europeans moved towards Maasai-inhabited areas. For example, from 1913, the Kikuyu who were displaced from their agricultural areas of the highlands by the Europeans looked for alternative locations to cultivate. They migrated to the Maasai Reserves around the “*Mau escarpment, Ngong Hills, Ngurman Hills in Magadi and the slopes of Mt Kilimanjaro and Ol Doinyo Orok near Namanga.*”<sup>55</sup> The Kamba, who had also been displaced from Machakos, Mbooni and Kikumbuliu settled around Loitokitok area. These were the areas that were suitable for cultivation. The occupation of these lands by the farmers led to recurrent conflicts with the Maasai over stock theft and grazing rights.

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54MIRMD, (1948) Colonial Monthly Intelligence Report, Maasai District, Kenya National Archives, Nairobi, 1948. p.2

55 Campbell, David,(1993).,Economic and Ecological Marginalization in Kajiado District, James Currey Ltd,London,p.261

### **2.2.2 Establishment of Game Parks**

In 1945, the colonial government established The National Parks Ordinance Act and began a process where specific areas were set aside exclusively for the use of wildlife as National Parks and Reserves. This led to establishment of Nairobi National Park, the Tsavo National Park and the Amboselli National Park within the Southern Reserve of Kajiado County and the Maasai Mara National Park in Narok County. By this Act, thousands of acres of Maasai Land in the two counties were alienated to make way for these protected areas. These areas also enclosed water and pasture resources which had formerly been used as dry season areas by the Maasai. This further reduced Maasai land and restricted them from accessing critical water sources, pasture and salt licks for their livestock that were found in the restricted national park land. This led to competition for land and water among the groups thus leading to future conflicts among them.<sup>56</sup>

### **2.2.3 Establishment of Group Ranches**

In the 1950's the colonial government started a policy of adjudicating parts of the Maasai Reserves into individual ranches with the first ranch demarcated in 1954. In 1968, the new independent government, with support from the World Bank enacted the Land (Group Representatives) Act and the Land Adjudication Act that legally allowed formation of Group Ranches in the two Maasai counties of Kajiado and Narok. The Group Ranches were established due to the need to secure community land rights and were intended to be traditional grazing areas with sufficient wet and dry season pasture.<sup>57</sup> They were also

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56 Fallon, L.E, (1972) Maasai Range Resources: Kajiado District, USAID, Nairobi, p.44

57 Galaty, J (1994) Halving the Land in Common: The Subdivision of Maasai Group Ranches in Kenya in *The Pastoral Land Crisis*, Nomadic Peoples 34/35, p.120

seen as means to protect Maasai land from encroachment by other ethnic groups on their territory. A Group Ranch was defined as:

*'An enterprise involving a group of people who jointly have freehold title to an area of land on which they maintain individual ownership but herd collectively. It comprises heads of each household.'*<sup>58</sup>

Subsequently, Group ranches were given titles deeds that were held by "group representatives". The rationale was that the group ranches entitled the pastoral communities to move within a large area which they commonly owned with their cattle. The group ranches sizes ranged between one hundred and fifty thousand acres to as small as twenty thousand acres.

In Kajiado West sub-county, the Ilpurko had two Group ranches of Mosiro and Oltepesi. The Ilkeekonyokie had five Group ranches of Ilkisumet, Iloodariak, Ewuaso Kedong, Entashart and Olcho-onyore. The Iloodokilani had four Group ranches of Shompole, Orkiramatian, Oldonyonyokie and Olkeri.

However, when establishing the boundaries of the Group Ranches the exercise was a cause of conflict among the groups. For example, in the study area, the demarcation exercise in Magadi division placed the Ilpurko in an Iloodokilan territorial group ranch. At Esonorua, the Ilpurko were left on Ilkeekonyokie Group Ranch. Only in Mosiro were the Ilpurko given own group ranch. Even then, the Ilpurko in Mosiro group ranch had no access to a water point with the only water source left in the neighboring Ewuaso Group Ranch. Attempts by the Ilpurko to access this water source frequently resulted to

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58 Land (Group Representatives') Act, 1968, s.5 (1), Laws of Kenya.

conflicts. Also, the boundary between the Mosiro and Ewaso Group ranches was not well demarcated leading to more conflicts.

The Group Ranch policy failed to take cognizance of the fact that pastoralism survived on frequent movements of both human and livestock. Some groups thus found themselves without access to ownership or control of such resources as watering points or good pasture. Further, this strategy resulted in the Maasai being fixed to small areas of land. They also reduced mobility during drought as people were restricted to their own Group Ranches. This was in contrast to the flexible and mobile nature of the Maasai people. They were no longer free to move to wherever they wanted even within their groups as they were confined to a particular ranch. Movement beyond ranch boundaries caused tension with other group ranches. Some ranches had no watering points or enough pasture. As a result, conflicts often arose among the Maasai territorial groups in the ranches mainly over boundaries, land appropriation and access to surface water.<sup>59</sup> Further, there was no restriction on the number of cattle a member of Group ranch would keep. One would graze as many livestock as one would afford. As cattle increased, the resources were depleted and conflicts became inevitable.

### **2.3 Maasai conflicts with Neighboring Communities**

Several cases have been reported where the Maasai have had conflicts with other ethnic groups that neighbor them. These conflicts are described in this section.

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59 Coldham, S. (1982) The Registration of Group Ranches Among the Maasai of Kenya: Some Legal Problems in *Journal of Legal Pluralism* p.14

### ***Maasai – Kipsigis conflicts***

The Maasai, Kipsigis and Kisii's are the three major communities that occupy TransMara sub-county, Narok County. However, over a long time, the sub-county has witnessed conflicts between the Maasai and the Kipsigis communities. The conflicts main causes were disputes over land and boundaries, cattle theft, grazing land disputes and access to water points. In 2006, fighting between the two communities near the Maasai Mara game reserve displaced more than two thousand villagers.<sup>60</sup> In 2008 the Maasai and the Kipsigis again fought due to a land dispute. Over twenty warriors from both sides were reportedly killed.<sup>61</sup>

### ***Maasai-Kisii conflicts***

There have been many reported incidents of conflict between the Maasai and the Kisii. The conflicts occurred in Trans Mara Sub County and along their common boundary (at Nyangusu) of Gucha and Trans Mara. These conflicts were mainly due to disputes over land and boundaries, cattle theft, grazing land disputes, access to water points and grazing resources.<sup>62</sup> One such conflict incident was the 1997 conflict between these two communities which lasted for three months. Twenty one persons were reported dead, many more wounded, livestock stolen, businesses and residential homes burnt and the peoples' social life disrupted. In June 2001, sixty two persons were reportedly killed when conflict again erupted between the Maasai and the Kisii on the same boundary. Many others were displaced and property worth millions of shillings destroyed.

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60Parsaloi, Joseph, (2007) Fighting rages unabated in the *Daily Nation Newspaper*, January 24, Nation Media Group. P.22

61George, Gitonga, (2008) Africa News, "Calm returns to boarder town after clashes" in *Africa News*, 9<sup>th</sup> March.

62 Government of Kenya, (2009) Report of the Judicial Commission to Inquire into Tribal clashes in Kenya (The Akiwumi Report), Nairobi. 99.



### ***Maasai – Kikuyu Conflicts***

The Maasai and the Kikuyu have had several incidents of conflicts over a long period of time. The causes of conflicts between these two communities had been identified as land and water resources. The Kikuyu are farmers while the Maasai are pastoralists. Foreexample, in October 1993, Maasai morans attacked Kikuyu settlers in Narok and killed at least thirty three of them in three days of conflict while many more were injured and over thirty thousand Kikuyu forced out of the then Narok district. The Maasai claimed the Kikuyu had encroached on their ancestral homeland at Enosopukia. In January 2006, another conflict at Mai Mahiu between the two communities resulted to at least forty persons being killed, many more seriously wounded while hundreds fled their homes. Properties worth millions of shillings were destroyed. The Maasai who lived downstream of River Ewuaso Kedong' accused the Kikuyu (who lived upstream) of diverting water for irrigation denying those downstream (the Maasai) use of the water for use by both human and livestock.<sup>63</sup>

### ***Maasai-Kamba conflicts***

The Maasai and the Kamba had a long history of relationship that had been characterized by conflicts over cattle thefts and the boundary between them. Each community claimed land on either side of the railway (The Nairobi to Mombasa railway line is believed to be the traditional boundary between them). This is despite the fact that both communities kept cattle. An example of such conflicts was in 1996 in an incident at *Kanaani* in which a Kamba farmer was speared to death by the Maasai. Many other minor incidences of

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<sup>63</sup>Janet, A. (2006) Stop these senseless clashes in *TheEast Africa Standard Newspaper*, 14<sup>th</sup> February, The Standard Limited.p.24

conflicts have been recorded.<sup>64</sup>For example, in May 2000, a group of Maasai from Namanga stole Kamba cattle resulting in a serious conflict between the two communities.

### ***Maasai-government conflicts***

In August 2004, on the occasion of the centenary of the signing of the first Anglo-Maasai agreement between the British government and the Maasai, the Maasai demonstrated across various towns in Rift Valley region and in Nairobi, the capital of Kenya. They also invaded private ranches in Laikipia county demanding to take over the land. They argued that the agreement had lapsed and that those farms needed to be returned to them. The police suppressed the demonstration, killing one Maasai, many others were wounded and over one hundred arrested.<sup>65</sup>

The above enumerated incidences show that the Maasai have had conflicts with their neighboring communities. The issues that made them be in constant conflict internally and externally need to be investigated.

### **2.4 Territorial groups conflicts among the Maasai**

Conflicts among the various Maasai territorial groups did not start in the post colonial period. Sorrenson<sup>66</sup> in his book, *Origins of European Settlement in Kenya* had traced group conflicts among the Maasai to as early as 1870's during the succession feud between two sons of the powerful *Laibon*, Mbatian. The two sons were Sendeyu and Lenana. At first, Sendeyu was successful and certain groups which supported Lenana especially Ilkaputiei and Ilmatapato were heavily defeated and were forced to seek refuge among the Kikuyu.

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64 Pius Mutuku Mutie's project, (2003) *"In spite of Difference: Making sense of the co-existence between the Kamba and the Maasai"*.

65 Daily Nation Newspaper of 24<sup>th</sup> August, 2006, Nation Media Group, pg 32

66 Sorrenson, M. P. K. (1968) *Origins of European settlement in Kenya*, Oxford University Press, Nairobi, p.61

Later, Ilpurko supported Lenana. They thus ganged up and defeated Sendeyu and his followers and virtually wiped out the Ilwuasi Nkishu and Ilaikipia Maasai. This forced the Iloita, Ildamat and Ilsiria groups to cross over to Tanganyika but eventually returned to the TransMara region in Kenya.

Okoth Assa had also, in his book, *A History of Africa, (Vol I), 1800-1924*, traced the group conflicts of the Maasai to between 1850 and 1870 when civil war broke out between two different Maasai territorial groups, the Ilpurko and the Uasinkishu. Such warfare was for cattle and proof of manhood of their youth. Wars were also waged as struggles for grazing rights.<sup>67</sup>

Thus, over the years, various Maasai groups have had conflicts. To date, in Transmara Sub-county of Narok County, three Maasai groups- the Ilmoitanik, Ilwuasi Nkishu and Ilsiria have had recurrent conflicts among themselves. These conflicts were originally over land ownership but political supremacy by the Ilwuasinkishu against the Ilmoitanik and Ilsiria groups had worsened the situation.<sup>68</sup> In the neighboring Narok sub county, the Ilpurko and Iloita Maasai have had a long-running conflict relating to the actual boundary separating them. This conflict usually escalates during drought seasons.<sup>69</sup>

## **Conclusion**

This chapter dwelt on the Maasai history especially their economic and social life and noted that livestock was the key economic activity of the community. It noted that the Maasai had a well defined social structure with elders who led dispute resolution and reconciliation in the community. It has been shown that the conflicts that the three

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67 Okoth Assa, (1979) *A History of Africa, (Vol I), 1800-1924*, Nairobi Bookwise Ltd, p.55

68 Transmara District Records

69 Ibid

Maasai territorial groups continue to experience go back to the pre-colonial times. However, they worsened with the advent of colonialism in Kenya when the Maasai community had their land forcefully confiscated and then were then made to 'squeeze' into two colonial reserves. This situation worsened when other communities in the highlands area were equally forced out by the colonialists and moved into Maasai reserves. Furthermore, wildlife reserves such as the Amboseli, Nairobi and Tsavo and Maasai Mara National Parks were created in Maasai Reserves making them even more 'squeezed'. In addition, the government's idea of Group Ranches meant that the Maasai were contained in each group's ranch. This caused more conflicts among themselves as grazing land was limited despite the large animal herds each family had. The above factors made it almost inevitable that the various Maasai groups would be in conflict with one another. The chapter also noted that the Maasai have had conflicts with their other neighboring communities such as the Kipsigis, Kisii, Kikuyu and the Kamba. These conflicts were mainly due to land, boundary and cattle raids. Further, in other areas such as the TransMara sub-county, other Maasai groups such as the Ilpurko, Loita, Moitanik and Ilwuasi Nkishu were in conflict due to land and boundary issues. Finally, the chapter looks at the history of Maasai territorial group conflicts in the pre-colonial era. It notes that hostilities being experienced among the groups was historical and could be traced to the late nineteenth century.

## **CHAPTER THREE**

### **CAUSES OF CONFLICT AMONG ILPURKO, ILOODOKILANI AND ILKEEKONYOKIE**

#### **3.1 Introduction**

This chapter examines the causes of the persistent conflicts among the three Maasai territorial groups of Ilpurko, Iloodokilani and Ilkeekonyokie by reviewing the causes of the conflicts witnessed among them. Although the three groups belonged to the Maasai ethnic community and shared the same culture and religious beliefs, the continued conflict among them posed a threat to their own continued existence. The chapter looked at each group's grievances that made them to be prone to conflicts. It then reviewed the causes of these conflicts, starting with the Ilpurko and Iloodokilani conflicts then the Ilpurko and Ilkeekonyokie conflicts by classifying them into several categories and gave details of each.

#### **3.2 The Iloodokilani, Ilkeekonyokie and Ilpurko territorial groups**

The three Maasai groups of Ilkeekonyokie, Iloodokilani and Ilpurko share the same culture, language and social structure. They had traditionally shared resources in their efforts to sustain their livelihoods. Each of them traditionally had a fixed territory that was large enough to provide adequate grazing in all seasons. They are some of the sixteen territorial groups that make up the ethnic community known as the Maasai. John G. Gataty in his work, *Halving the Land in Common: The subdivision of Maasai Group Ranches in Kenya* explains that when the boundary between Narok and Kajiado districts was being established, efforts were made to contain the Ilpurko group in current day Narok County. Yet the Ilpurko Maasai group in Mosiro area is administratively in Kajiado

County but the land they occupy is ethnically within Ilkeekonyokie group land. Thus, the Ilkeekonyokie had always demanded that the Ipurko's return to Narok, their 'mother' county.<sup>70</sup>

To-date, the Divisional administrative boundaries in Kajiado West sub-county follow the traditional territorial group boundaries. However, the groups have had complaints over loss of their ethnic land over the years. Further, the three groups have had their history characterized by tension and hatred that has all along also defined the relationship amongst them. Thus, despite belonging to the same community, the three territorial groups have no history of friendship and mutual cohesion. This is expressed through the many episodes of conflict among them.

### **3.2.1 Complaints by the Iloodokilani**

The Iloodokilani complain over loss of their traditional grazing land to others. For example, in 1924, the then colonial governor, Edward William Macleay, gave a ninety-nine years lease to Magadi Soda Company giving it monopoly to exploit soda ash from Lake Magadi and hived off 222,788 acres from the Iloodokilani Land. This was done to 'safeguard' the soda ash and salt production process. The company was supposed to pay only Kenya shillings twenty per annum.<sup>71</sup> The lease was renewed in 2004 and was extended to 2032. This was despite pressure from the community to have the area reduced since they argued that the area under Magadi Soda was unnecessarily too large. The company itself felt it needed only fifty thousand acres.<sup>72</sup> The company was surrounded by

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70 Galaty, J (1994) Halving the Land in Common: The subdivision of Maasai Group Ranches in Kenya in *The Pastoral Land Crisis*, Nomadic Peoples, 34/35, Toronto, p.110

71 Hughes, Lotte (2008) Mining the Maasai Reserve: The story of Magadi in *Journal of Eastern African Studies*, 2(1), London, p.135

72 Ibid

four Group Ranches of Olkeri, Oldonyonyokie, Olkiramatian and Shompole. The area that was set aside for the company was larger than the land occupied by the four Group ranches put together. This was despite the fact that Lake Magadi itself is only about one hundred square kilometers in size. Iloodokilani also complained that they were not allowed to access pasture, water and salt licks for their livestock from Magadi Concession Area and that they did not get any benefits from the sale of the minerals by the factory.

The Iloodokilani group had also complained that part of their Group Ranch was irregularly hived off and about twenty six thousand hectares “stolen” from Shompole Group Ranch by people who were not residents of that area. The “stolen” land was registered in the name of Komorora Group Ranch and was later sold to investors of white origin who have to-date established high end tourist hotels. The group filed a Constitutional Petition Case at the High Court of Kenya challenging the registration of the title deed to Komorora Group Ranch and petitioned the court for cancellation of the same.<sup>73</sup> The case was still pending in court undetermined.

The respondents also complained that the Government established the General Service Unit Field Training Camp within the Oldonyonyokie Group ranch<sup>74</sup> without the community’s consent. A letter of intention to sue the government from the Group Ranch states:

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73 Constitutional Petition Case no 625/06 of 2006, High Court of Kenya, Nairobi

74 Iloodokilani territorial group in Kajiado West sub county own four Group Ranches. These are Oldonyonyokie, Olkeri, Shompole and Orkiramatian. These Group Ranches have not yet been sub divided to date.

*“sometime in the year 1990, the Ministry of Internal Security established a unit of General Service Unit and occupied one thousand and five hundred hectares belonging to the Oldonyonyokie Group ranch without signing any formal agreement or compensation...”*<sup>75</sup> It seems the government saw some “idle” land and used its authority to occupy it without involving the Group Ranch members.

### **3.2.2 Ilkeekonyokie complaints**

On their part, the Ilkeekonyokie also complained that their customary land was irregularly given out. Respondents gave the example of Ngong Veterinary farm which was about one thousand one hundred hectares and was excised from Ilkeekonyokie ethnic land by the colonial government in 1957 for purposes of a Veterinary Training School. However, todate, the school has not been established and the land has been sub-divided among other government institutions not related to Veterinary services. The group demands return of the same to them.

The group further complained that Kibiko Holding Grounds, a two thousand and eight hundred hectare-piece of land, was also exercised from their ethnic land by the government in the 1970’s to be used as cattle holding ground. However, the land today remains unused and the group demands return of the same to them. In addition, Olosho-oibor Military Training Ground (which is about one thousand hectares) was set aside in the 1950’s as a shooting range for the military and other uniformed formations such as the Administration Police. The land was another example the respondents complained of

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<sup>75</sup>Letter to the Attorney General from P.C Onduso and Company Advocates for Oldonyonyokie Group Ranch, 2012.



having been hived from the Ilkeekonyokie ethnic land without their consent. This is explained by the Chairman of Ilkeekonyokie Community Trust:

*“We formed the Ilkeekonyokie Community Trust for the benefit and welfare of the Ilkeekonyokie community that numbers over fifty thousand persons. We will take all necessary measures and ensure that any land that was hived off from the Ilkeekonyokie community is returned to them through the Trust”<sup>76</sup>*

### **3.2.3 The Ilpurko complaints**

Historically, the Ilpurko originally occupied present day Laikipia sub-county but the colonialists forcefully deployed the army and compelled them to move to present day Narok County following the 1911 Anglo Maasai Agreement. Despite their small number in Kajiado County, the Ilpurko respondents argued that they had always lived in Iloodokilani ethnic area and that in 1968 when the government launched the formation of Group ranches, both groups formed Orkiramatian Group Ranch with joint officials. However, in 1972, there broke a fight between the two groups forcing the Ilpurko to move towards north and settle in present day Musenke area. The Iloodokilani respondents however disputed the above version and claimed that the Ilpurko came from Narok (where they are the majority) and came to the disputed area in mid 1960's due to drought in their area and came to search for grazing area. Their failure to move out resulted to the war of 1972 which forced them to move towards Musenke area.

As to how the Ilpurko ended up in an Ilkeekonyokie ethnic area at Esonorua, the Ilkeekonyokie respondents claimed that in 1972 when the Ilpurko were defeated by the

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<sup>76</sup> Oral interview, Bishop Julius Mparinkoi, Kibiko, Chairman, Keekonyokie Community Trust on 24<sup>th</sup> May 2013

Iloodokilani during the 1972 war, as they were moving back to their mother district of Narok, they rested at Esonorua (part of Iloodariak Group Ranch owned by the Ilkeekonyokie territorial group) and asked the Ilkeekonyokie to allow them graze their cattle for a while. Once they were allowed, they settled there for long since the land was large and no Ilkeekonyokie lived on the land.

Further, the relationships among the three groups were traditionally defined by cattle raids that were done by the warriors who would steal cattle from each other either for prestige or restocking of their herds.

### **3.3 Causes of Iloodokilani and Ilpurko Conflicts**

#### **3.3.1 Land issues**

The Ilpurko at Musenke area of Magadi division argue that their traditional boundary with the Iloodokilani was

*“from the top of Ologisalie Hill, across lake Magadi, along Magadi-Nkuruman road up to the top of Nkuruman escarpment”<sup>77</sup>*

This essentially divided the Iloodokilani ethnic land into two. Their argument was that in 1968 when the government launched the formation of Group ranches, both groups formed a joint ranch called Orkiramatian Group Ranch with joint officials from both sides. However, in 1972, there broke a fight between them forcing the Ilpurko to move towards north and settle in present day Musenke area. With the Ilpurko gone, the Iloodokilani removed the later officials from the management of the Group ranch. In 1974, the

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<sup>77</sup> Petition by Ilpurko group to Commission of Inquiry into the Land Law system of Kenya, 2009.

Iloodokilani went ahead and deleted Ilpurko members' names from the Group ranch register and opened a new one that had only Iloodokilani groupmembers. Further, they sub-divided Musenke area that the Ilpurko resided and gave them out as individual ranches to four prominent persons of their group. This effectively made them squatters. A respondent explains

*“These four prominent Iloodokilani were given individual ranches inside our homes. Now they have title deeds. No one else has a title deed around here. This land they have sub-divided is deep inside our colonial boundary”*<sup>78</sup>

The Iloodokilani however dispute the above version and claim that the Ilpurko came from Narok (where they were the majority) and came to the disputed area in mid 1960's due to drought in their area. They came to search for grazing area. Their failure to move out resulted to the war of 1972 which forced them to move towards Musenke area. Thus

*“we only registered our people as group ranch members. Ilpurko had their group ranch neighboring ours at Mosiro. They should move there. We had a right to give out the land at Musenke”*<sup>79</sup>

As a result, there were recurrent conflicts between the Ilpurko and Iloodokilani regarding the Ilpurko occupation of land in Musenke which Iloodokilani members had title deeds to but the Ilpurko physically occupied. The Iloodokilani individual ranch owners had always attempted to utilize 'their' land but the Ilpurko, being physically on the ground, always chased them away. The Ilpurko who were not on the individual ranches were said to be squatters on Olkiramatian Group ranch. Further, the Ilpurko had laid claim to joint

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78 Oral interview, Joseph Mekoki, Lorn'g'uswa, 21<sup>st</sup> May, 2013

79 Oral interview, Laon Ololdikir Leposo, Ordorko, 21<sup>st</sup> May 2013

ownership of the Group ranch but the Iloodokilani had always disputed both assertions. Any slight misunderstanding even between individual members of either group had always degenerated into this historical land issue differences.

Such conflicts include one of 4<sup>th</sup> June 2001 where the Ilpurko complained that an Iloodokilani chief had attempted to evict the Ilpurko with the aid of Administration Police forcing them to write to area District Commissioner for intervention. On 24<sup>th</sup> January 2002, the community wrote to the government claiming that the area chief had again prevented Ilpurko from drawing water from enkeju-enturoto tank yet they had constructed it.<sup>80</sup>In September 2006, the situation between the two groups was so tense that the Ilpurko filed a case in court under certificate of urgency accusing the Iloodokilani of continuously denying the former access to water both for human and livestock consumption from various community water points. They also alleged that they were not allowed to initiate or participate in any development activities in the land they occupied.<sup>81</sup>In 2008, the Ilpurko complained that the Iloodokilani were forcing a conservancy on land that they occupied at Musenke. In a letter addressed to the area District Commissioner, they wrote:

*“its our surprise to find a group of people of white men, Kenya Wildlife Service....we write to alert you that this issue is very risky to people’s life and will cause bloodshed because we the Ilpurko are ready to face the consequences....this is our last time to send away unknown people coming to our homes. Musenke is Ilpurko land and nobody else will inhabit it because of power.....”<sup>82</sup>*

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80 District Records, Kajiado North, Ngong

81 Ibid

82 Letter from Ilpurko community, Musenke Conservation, dated 24<sup>th</sup> March,2008

When the Ilodokilani persisted with the plans arguing that they had title deeds to the land, a fight broke out between them. As a result, several people were injured from both groups.<sup>83</sup>

### **3.3.2 Conflicts over pasture issues**

Kajiado West sub-county falls within the dry parts of Kajiado County. Rainfall in the sub-county was less than five hundred millimeters per annum while average temperatures were thirty four degrees centigrade.<sup>84</sup> It frequently suffered from recurring droughts that seriously undermined the livelihoods of the Maasai pastoralists that lived within. The dry spells led to intense competition for pasture among the various groups. This was because, like other pastoralists, the Maasai kept large herds of cattle, sheep and goats. According to livestock census done in 2009, the number of livestock kept in the larger Kajiado North sub-county was 151,295 cattle, 314,080 sheep, 236,790 goats, 991 camels and 2,113 donkeys.<sup>85</sup> This was a large number of livestock that could hardly be supported by such limited pasture resource found in the study area. The sub-county was ninety per cent covered by rangeland while grasslands were interspersed with exposed rock and soil, bush and woodland. The best pastures were found on the lower plains of river Ewaso Nyiro around Olkeri and Oldonyonyokie.<sup>86</sup> Conflicts were thus inevitable given the limited pasture available to a large number of livestock. Furthermore; pasture availability also fluctuated with seasons and differed with areas. As pasture became scarce during the dry season, the Maasai usually moved with their cattle to areas with pasture as a coping

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83 District Records, Kajiado North, Ngong

84 GoK, Kajiado District Development Plan, 2008-2012

85 Gok, Ministry of Livestock, District Livestock Production Officer (DLPO)-Kajiado North, Nairobi: Government

86 ibid

mechanism. This movement involved going to other areas occupied by other territorial groups. This resulted to further conflicts between them.

Data from the field also indicated that conflicts had occurred between the Ilpurko and Iloodokilani due failure by either group to observe traditional livestock grazing areas. The Iloodokilani accused the Ilpurko of not respecting their traditional grazing area along the eastern part of Ewaso Ng'iro River.<sup>87</sup> This area had open plains and rich pasture. The Ilpurko often tried to invade this area but were normally resisted by the Iloodokilani leading to conflicts. For example, during a drought in November 2010, Ilpurko migrated their cattle to this grazing areas leading to severe conflict with the Iloodokilani. A clash was only evaded when police dispersed Ilpurko and Iloodokilani *morans* who were preparing to attack each other at the site over grazing rights.<sup>88</sup>

### **3.3.3 Water scarcity and conflicts over its use**

Most of the sub-county received less than four hundred millimeters of rainfall annually. The area was thus very dry and was classified as a semi-arid area. The Ewaso Nyiro River runs through the sub-county and drains into Lake Natron. The area depended on semi-permanent sources and a few man-made sources such as rock catchments and shallow wells. This natural scarcity was compounded by conflicts over water use. The springs and man-made water points were used by both the livestock and for human consumption. When water was limited, livestock needs took precedence over human domestic needs. This was despite the fact that the sub-county was overstocked with a carrying capacity of 6.14 livestock per unit per hectare due to the bare and rocky nature

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87 Oral Interview, Kashinga ole Kaanto, 4<sup>th</sup> May, 2013

88 District Records, Ngong

of most of the land<sup>89</sup>. Water points shared between members of different groups thus became source of conflicts. During drought, there was overcrowding in the few water facilities available. Borehole engines got overworked and clogged due to siltation leading to frequent breakdowns. High operation costs such as fuel and spare parts made running a borehole an expensive affair. Sometimes, overcrowding of animals became so huge that group's ownership of the same was claimed over others. This usually led to misunderstanding among herders and sometimes led to fights threatening peace between the groups. An example of this was the sinking of a borehole at Oldebe in 2006. The Ilpurko planned to sink a borehole for their animals rather than using a joint one. The government had allocated one million shillings on the same. Conflicts over this borehole led to serious conflict and it had to be abandoned.<sup>90</sup>

Further, Sustainable Animal and Range Development Programme (SARDEP), an international NGO, was approached by the Iloodokilani at Oldonyonyokie to drill a borehole and lay a pipeline from Oltinga as there was a persistent water problem there. The pipeline was to pass through Esonorua, an area inhabited by Ilpurko. However, the Ilpurko damaged the pipeline and destroyed SARDEP's equipments saying that water to benefit the "enemy" could not pass through their land. The project had to be abandoned.

In realization of the water problems the Ilpurko group experienced at Musenke, various organizations came together in September 2011 and created a basket of funds to construct

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89 Gok, (2010) Ministry of Livestock, District Livestock Production Officer (DLPO)-Kajiado North, Nairobi.  
90 District Records, Kajiado North, Ngong

a thirteen kilometer water pipeline from River Ewaso to Musenke area. The funds were contributed as follows:<sup>91</sup>

**Table 2: Musenke water project resource basket**

<b>s/no</b>	<b>Organisation</b>	<b>Funds donated (Ksh)</b>
1	Africa Medical and Research Foundation,AMREF	3,000,000
2	Ewaso Nyiro Development Authority	3,000,000
3	Constituency Development Fund(CDF), Kajiado North	2,200,000
4	Ministry of State for Development of Northern Kenya	7,200,00
	<b>TOTAL</b>	<b>15,200,00</b>

However, when the contractor went to the site to commence works, the Iloodokilani vandalized the machineries and beat up the workers arguing that no development could be done on the land without their consent. The project stalled and the funds were utilized for other projects by the donors. As a result, Ilpurko continue to trek thirteen kilometers to river Ewaso Nyiro in search of drinking water due to their misunderstanding with the Iloodokilani. The Ilpurko frustration is best captured by a respondent,

*“We, the Ilpurko are oppressed and marginalized...we live in a policy similar to the infamous apartheid by whites which totally was against blacks. We will resist all attempts which make us refugee in our own soil....We are saying enough is enough and what the Iloodokilani do to us, we will also do to them”*<sup>92</sup>

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91 Memorandum of Understanding for construction of Musenke Water Project, Ministry of Water, Ngong

92 Oral interview, Seketian Ole Kurreyia, Musenke, 23<sup>rd</sup> May,2013



### 3.3.4 Conflicts due to Political Differences

Respondents also cited politics as a major contributor to conflict in Kajiado West sub-county. Local leaders interested in political positions were accused that they usually rallied their groups against others. For instance, in 2010 when IEBC proposed to create a ward purely for the Ilpurko by putting the Ilpurko in Musenke and Esonorua in one ward comprising only Ilpurko group, the Iloodokilani and Ilkeekonyokie political leaders joined hands and opposed the proposal. They claimed they were the dominant groups and the

*“Ilpurko should go back to Narok and elect their leaders from there”.*<sup>93</sup>

They instead came up with a counterproposal arguing that Ilpurko population was not large enough to warrant a ward and they ought to be put under the political leadership of the two dominant groups. To avoid further conflicts, IEBC had to drop that proposal.

Respondents from the Iloodokilani also argued that there were some ‘political chiefs’. These were chiefs who stood for political office on party that won national elections but once they failed, they were appointed as chiefs to advance the political position of winning party.<sup>94</sup> Politicians from Iloodokilani were also said to have asked their members to vote for them as they would ensure the Ilpurko were made to surrender Iloodokilani land. However, the same politicians, while they sought Ilpurko votes, were said to have assured the latter that no one would chase them away from the land they occupied. This complicated attempts at seeking lasting solution to the conflict.

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93 Oral Interview, Stephen Lemayian, Oldorko, 23/05/2013

94 Oral interview, Kipaiwa Sapunyu, 16<sup>th</sup> May 2013

The Iloodokilani respondents also argued that the Ilpurko were rewarded with Musenke location after voting in a PNU parliamentary candidate against the ODM candidate yet the latter was the dominant party in the area during the 2007 General Elections. The Ilpurko, almost to a man voted for the PNU candidate while the Iloodokilani voted for ODM candidate *enmasse*. As a result,

*“Ilpurko were awarded with Musenke location in Iloodokilani soil. They now got their own chief as a reward for voting in PNU candidate despite being few in number.”*<sup>95</sup>

This action created fertile grounds for further conflicts between them. It should be noted that the new Musenke location was created in 2008, months after the 2007 elections.<sup>96</sup>

### **3.3.5 Administrative Boundaries Conflicts**

Data collected from the field also indicate that conflicts between the groups have also been caused by issues related to administrative boundaries. The government created many locations and sub-locations and posted chiefs without considering the sensitivity and group differences that would be aggravated by such actions. Despite the Iloodokilani having titles to the land Ilpurko occupied at Musenke, the government created Musenke location and appointed an Ilpurko chief thus infuriating the Iloodokilani's. By so doing,

*“the government gave away our territory despite us having titles to our land.”*<sup>97</sup>

Such conflicts are difficult to resolve since issues of who owns which territory is difficult for local administrators to resolve.

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95 Oral Interview, Ndilai Oilepu, 12<sup>th</sup> May 2013

96 District Records Kajiado North, Ngong

97 Oral interview, Peter Parsaloi, Musenke, 20<sup>th</sup> May, 2013

### **3.3.6 Poor Conflict Mediation Strategies**

One question that begs answers is why the mediation efforts employed over the years to end the recurrent conflict among the three Maasai groups in Kajiado West Sub County have failed for this long. A respondent noted that the

*“Common reaction from government whenever we reported a conflict in any part of the sub-county was to send an administrative officer with a few administration police officers to quell down the conflicts. If not resolved, the next rank of senior officers usually visited the scene. However, once tensions went down, there was usually no follow up and the area was only revisited after a new conflict recurred.”<sup>98</sup>*

Thus, it tended to be reactive and crisis driven. Furthermore, the respondents argued that even when elders met and agreed on way forward to resolve a given conflict situation, there was usually no follow up to ensure implementation of the elders’ decisions. This led to disillusionment and a flare up of the same conflict in subsequent periods.

### **3.3.7 Weak Government Presence**

Respondents also cited weak government presence in the sub-county as a cause of the frequent conflicts between the two groups. The government had not penetrated all parts of the sub-county resulting in lack of government presence thus making people in remote areas arrive at decisions that led to conflicts. For example, despite the important role the administrators played in conflict resolution within communities and the vastness of the sub county, there was only one District Officer stationed at Ewaso Kedong and only one police station at Magadi and none of these officers had a government vehicle to respond

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98 Oral interview, Kirrinkai Mekoki, Oldebe, 22<sup>nd</sup> May 2013

to any conflict.<sup>99</sup> There was no intelligence officer who could detect building up of tensions between the groups. The problem was further made worse by lack of transport and communication for the local police in addition to the challenging terrain, bad roads and long distances in the area. For example, the sub-county was administratively run from Ngong yet, from Ngong Township to, say, Pakase which is on boarder with Tanzania at Lake Natron, is about one hundred and fifty kilometers of rough terrain.<sup>100</sup> The only tarmac road was Kiserian-Magadi road whose tarmac was done in early 1970's and is in poor state. In addition, despite a government policy that each constituency becomes a sub-county run by one national administrative officer, Kajiado West sub-county was ran by an administrator in Kajiado North who combined the two sub counties of Kajiado North and West.

### **3.4 Causes of Ilpurko and Ilkeekonyokie Conflicts**

#### **3.4.1 Conflicts over Land issues**

The Ilkeekonyokie respondents claimed that in 1972, the Ilpurko went to war with Iloodokilani in Magadi and were defeated. As they were moving back to their mother district of Narok, they rested at Esonorua (part of Iloodariak Group Ranch owned by the Ilkeekonyokie) and asked to be allowed to graze their cattle for a while. Once they were allowed, they settled there for long since the land was large. In 1978, the Ilkeekonyokie started the process of sub-dividing their Group Ranch and asked the Ilpurko to move out of Iloodariak Group ranch to allow the sub-division but they refused. The Ilkeekonyokie

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99 District Records, Kajiado North Ngong.

100 Government of Kenya, Kajiado District Development Plan, 2008-2012 Government Printer, Nairobi, 2007.

went ahead and sub-divided the ranch to its members including areas occupied by the Ilpuko and gave out title deeds. This effectively made Ilpurko squatters on the land.<sup>101</sup> This had been a source of conflicts between the two groups since then. In recent years, the Ilkeekonyokie who got title deeds to land occupied by Ilpurko had, on realizing they would never have physical possession of the land, started selling the same land to unsuspecting people from afar. Whenever such buyers attempted to visit such land, they were chased away by the Ilpuko causing further conflicts.

For example, in November 2011, Ilpurko *morans* invaded land belonging to Ilkeekonyokie and beat up people employed to cultivate the farm. Though an Ilkeekonyokie had the title deed, the Ilpuko claimed ownership. They then proceeded to nearby Ensonorua Township where they beat up non-Ilpurko and chased them away.<sup>102</sup> In May 2012, Ilpurko and Ilkeekonyokie clashed again at Oldebe and attacked each other over a watering point.<sup>103</sup> In June 2012, a fight ensued between the Ilkeekonyokie and Ilpurko this time at Oltepesi area. Again, a contingent of police officers was placed between them to provide a buffer zone and prevent the conflict from escalating. The then Minister for internal security visited the area and ordered deployment of security personnel. He pleaded with both sides to

*“Drop your weapons and go back home as the elders continue to discuss this issue”*<sup>104</sup>

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101 Oral interview with Stephen ole Nchoki, Oltinga, on 21/5/2013

102 District Records, Ngong District Commissioner's office

103 Ibid

104 Daily Nation Newspaper, 4th June 2012 Nation Media Group, Nairobi.p 16.

### 3.4.2 Conflicts Over Group Ranch Boundaries

Lack of boundary definition between the Mosiro and Ewuaso Group Ranches had been a source of conflict between the Ilpurko and Ilkeekonyokie at Oldebe. During the formation of Group Ranches in the 1970's, the Ilkeekonyokie registered the Ewuaso Group Ranch while the Ilpurko registered their own Mosiro Group Ranch. The Ilpurko respondents argued that during subdivision of their Group Ranch to its members, the Ilkeekonyokie subdivided beyond its traditional boundaries and excised parts of Mosiro Group ranch and even issued title deeds of land that was in Ilpurko land. But the Ilkeekonyokie respondents argued that they lawfully owned the land, evidence of which was the title deeds they held.<sup>105</sup> As a result, the Ilpurko do not allow any Ilkeekonyokie to utilize this disputed land and, any slight disagreements between individuals of the two groups usually ignited this historical land issue.<sup>106</sup> The beacons separating the two Group Ranches were put in 1968 during original surveys that defined the boundaries but these had disappeared over time and had become vague. As a result, uncertainties over whether land was in one Group Ranch or the other had become a constant source of conflicts between these two groups.

In 1996, a quarrel over the boundary of the two group degenerated into a bloody confrontation<sup>107</sup> where newspaper reports indicated that close to one thousand Maasai warriors (*Morans*) from the Ilkeekonyokie had taken up arms while an almost similar number of Ilpurko *morans* were grouped two kilometers away. Six deaths were reported and the conflict only ended when the government physically put a boundary between the

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105 Oral interview, Italian Seki on 23<sup>rd</sup> May 2013

106 Oral interview, Rapasi Pertet on 20<sup>th</sup> May 2013

107 The Daily Nation Newspaper, February 29, 1996, Nation Media Group, Nairobi, 1996 p 14

two groups. In its editorial on the same,<sup>108</sup> the Daily Nation newspaper asked the government to do all it took to ensure that peace was restored between these two groups. It took the personal intervention of the then President to visit the scene and plead for amity and reconciliation.

In May 2009, the Ilpurko attempted to drill a borehole at Oldebe, a place they had lived since time immemorial. The Ilkeekonyokie attacked them and destroyed the borehole claiming the land on which it was being constructed belonged to them. A fight ensued though no deaths were reported.<sup>109</sup>

### **3.4.3 Pasture and Grazing Conflicts**

As with the Iloodokilani, the Ilpurko had conflicts with the Ilkeekonyokie group due to pasture and grazing rights. For example, in July 2012, a group of herders from Ilkeekonyokie clashed with Ilpurko ones at Nkereluanu over grazing at the site. Ilpurko herders were “arrested” and beaten up. Two days after, Ilpurko revenged and beat up a group of Ilkeekonyokie men. Both groups then started mobilizing their warriors for full war of revenge. This was only averted when top political and security personnel intervened.

A similar case occurred in 1996 when a conflict occurred between the Ilpurko’s (from Mosiro) and Ilkeekonyokie’s from Ewuaso. The dispute was over a water spring which both groups demanded. Each refused the other to draw water resulting in armed clash

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108 The Daily Nation Newspaper, 6<sup>th</sup> May, 1996, Nation Media Group, Nairobi, p22

109 District Records, Ngong

where several persons were killed. The government just sent police to quell the fight and no permanent solution to the ownership of this spring has been found to-date.<sup>110</sup>

#### **3.4.4 Conflicts due to Political Differences**

The Ilkeekonyokie argued that the only reason the Ilpurko were given Esonorua location despite being in their ethnic land was because they were being rewarded for voting in the ‘government’ (read Party of National Unity,PNU) parliamentary candidate and the Ilkeekonyokie voted in a different way. During the 2007 General Elections,the PNUparliamentary candidate generally received less than five per cent of votes cast in Ilkeekonyokie dominated areas (and in one station, Emboliei, he got zero vote while ODM candidate got all the 278 votes cast), yet, same PNU candidate received over eighty per cent(and, in one station, Musenke, he got one hundred per cent) of cast votes in Ilpurko dominated areas.<sup>111</sup>

When Esonorua location (inhabited purely by the Ilpurko) was created months after the 2007 General Elections, the Ilkeekonyokie saw it as a reward for the Ilpurko for voting in the ‘government’ supported candidate. Despite the Ilkeekonyokie protests that the location was created in land in which they had title deeds to, the government went ahead to advertise for applications for chiefs. An Ilpurko chief was eventually picked for the post<sup>112</sup> further worsening the relationship between the two groups.

The creation of new location at Esonorua which was filled up by an Ilpurko chief infuriated the Ilkeekonyokie since they argued that they had title deed to the land and that

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110 District’s Records, Kajiado North District Commissioner’s office, Ngong

111Defunct Electoral Commission of Kenya Records, 2007 Elections Results, Kajiado North constituency.

112 District Records, Kajiado North,Ngong



no administrative unit should be created on their land to benefit another territorial group. They claimed that this was tantamount to giving out their land to the Ilpuko.<sup>113</sup> They were so bitter that the newly appointed Ilpurko chief was beaten up at Kiserian market by suspected Ilkeekonyokie youths.<sup>114</sup> This further worsened the relationship between the two groups.

### **3.4.5 Moranism**

Among the Maasai, male circumcision marked graduation from childhood and was done at the ages of between ten to sixteen years. They were then regarded as men and their next stage of life was *Moranism* or ‘warrior hood’. Traditionally, this group moved out and lived with other warriors in a *manyatta*. Henceforth, their mandate was to protect the community from external attacks and organized raids to other territorial groups and neighboring communities. They were considered as the group’s ‘army’ that was to be mobilized whenever there were threats to their group.<sup>115</sup> To date, there are some families that don’t take their children to school but instead make them live in *manyattas* waiting to fight for their groups and do traditional cattle raids. All the three Maasai groups under study had their young men still practicing *moranism*. The conflicts among these three groups were therefore fuelled by the fact that there was an ‘army’ of youths ready to fight for their group at short notice.

### **Conclusion**

This chapter discussed the general grievances of the three territorial groups in Kajiado West Sub County. It showed that the Iloodokilani and the Ilkeekonyokie complain that

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113 Oral Interview, Lipeja Sipitet on 21<sup>st</sup> May 2013

114 Kenya Police records at Kiserian police station, OB/318/2009 of 23<sup>rd</sup> September, 2009.

115 Oral interview, Siameto ole Rikaru, Magadi 28<sup>th</sup> May, 2013.

parts of their traditional land were hived off without their consent. The chapter further identified the main sources of conflict between the Ipurko and Ilkeekonyokieas being due to differences over ownership of land at Esonorua, conflicts over pasture and water issues, due to political differences, administrative boundary differences, poor conflict management strategies and the weak government presence in the sub-county. On the other hand, conflicts between the Ipurko and the Iloodokilani had been caused by land ownership issues, pasture and grazing differences, political differences, Group Ranch and administrative boundaries issues and *moranism*. However, each of these sources of conflict was related to one another as they exacerbated the conflict. None existed in isolation from the other.

## **CHAPTER FOUR**

### **IMPACT OF THE CONFLICTS ON THE ILPURKO, ILKEEKONYOKIE AND ILOODOKILANI**

#### **4.1 Introduction**

This chapter discusses the impact the recurrent conflicts between the Ilpurko on one hand and the Iloodokilani and Ilkeekonyokie on other hand have had on the people of Kajiado West Sub County. The impact was assessed by looking at a number of conflict effects and their magnitude which enabled the researcher to have an overall assessment of the effects of the persistent conflicts in the area from 1996 to 2012. In general, all aspects of the population of this sub county was affected and disrupted by the persistent conflicts as will be demonstrated in this chapter.

#### **4.2 Losses of Human Lives and Injuries**

The most direct effect of the recurrent conflicts was the loss of lives and injuries caused during the fights. The exact numbers of those who were killed, injured, or abducted in each conflict among the three groups is not clear. For example, during the May, 2006 Oldebe conflict, seven deaths were reported. Several others were injured with arrows and spears and a number were admitted at both the Narok district hospital and the Provincial General hospital, Nakuru with arrows still lodged in their heads.<sup>116</sup> A number of respondents reported having lost their relatives while others were injured. During the Enkeroroi conflict in 2012 between the Ilpurko and Ilkeekonyokie, a local chief said one of his sons was killed while another had his eyes gouged out.<sup>117</sup> In 2011, Ilpurko morans

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116 The Daily Nation Newspaper, 6<sup>th</sup> May, 1996, Nation Media Group, Nairobi, p 26

117 Oral interview, Chief Joseph ole Saayo of Ewuaso Enkidong' location on 28<sup>th</sup> May 2013.

invaded a farm at Ensonorua and beat up Ilkeekonyokie group members who had title deed to the farm. Many were injured.

### **4.3 Economic Impact**

Tourism was one major income activity that was severely affected by the conflicts in the study area. Partnering with private investors to build eco-lodges for tourist attraction was a common business venture employed by various group ranches in the sub county. The eco lodges ensured that the group ranch members gained from the resources in their areas through tourism. Shompole lodge was one investment that was closed due to persistent conflicts within the territorial groups. In 1999, the Shompole Group Ranch set aside ten thousand hectares for conservation. In 2000 and in partnership with a private investor called Art of Ventures, they set up a luxury lodge within the conservancy that attracted visitors from across the globe. While the conservancy was wholly owned by Shompole Community Trust, the lodge was managed by Maa O'leng, a private company that was owned jointly by the Trust and the Art of Ventures at seventy-thirty percent shareholdings.<sup>118</sup> Revenue generated was used to protect and restore the environment and also funded healthcare services, education and water projects within the community. The ranch's management was under the Iloodokilani. The Ipurko had however always insisted that they jointly owned the group ranch but no single member of their group was a member. They therefore demanded an equal share of benefits accruing from the group ranch investments such as the lodge.

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118 Agreement between Art of Ventures and Shompole Community Trust,1999

Due to persistent bickering about the lodge, on 21st September 2011, Art of Ventures requested for armed police escort from the Provincial Police Officer, Nairobi Area, since, *“due to protracted disagreements between the Iloodokilani and Ilpurkoover ownership of the land that our lodge is built on, we are unable to continue operating the lodge and we request for police assistance to remove all our movable assets on 26<sup>th</sup> September, 2011”*<sup>119</sup>.

The closure of this business had serious impact on members of the Group Ranch. A member explained that

*“the lodge offered employment to us and the salaries paid improved our living standards. The lodge also sponsored our children to schools. Every month, they paid conservation fees to the group ranch which paid for an extra nurse at Pakase dispensary and teachers to supplement government employees. It also brought clean water to Pakase village through its pipeline and we no longer had to travel long distance to get water. The wazungu (Europeans) clients bought beads from our women groups worth millions of shillings. We also got medical assistance from the lodge. Without the lodge, we are doomed”*<sup>120</sup>.

To date, despite the important role the lodge played to the community’s well being, it had not been re-opened due to the persistent group differences between the Ilpurko and Iloodokilani.

A common complaint during the field study was that the conflict had driven away trade with little business in the trading centers of affected area. The busy livestock markets at

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119 Letter by Anthony Russel, Managing Director, Art of Ventures Limited to Provincial Police Officer, Nairobi on 21<sup>st</sup> September 2011.

120 Oral interview, Daniel Kishanto, Orkiramatian 24<sup>th</sup> May, 2013

Ordorko, Oldebe, Embalbal and Esonorua had almost collapsed resulting to high prices of livestock traded.<sup>121</sup>

Clearly, conflicts in the study area had acted as disincentive to investment by the communities and development agencies. A lot of efforts and funds were used to contain the conflicts and to mitigate against occurrence of the same. Yet, the same funds would have been better channeled towards development work in the affected area. Furthermore, businessmen were affected since they moved away from conflict zones with their commodities. They withdrew from insecure areas for fear of losing their lives and property. In some incidences such as the Oltepesi conflict in 2012 and in the area around Oltinga Township, homesteads were looted and burnt while businesses were also looted and destroyed.<sup>122</sup> As a result, basic commodities became expensive due to transport costs further reducing their livelihoods.

Furthermore, people who lost their livestock as a result of the conflict turned to other income generating enterprises such as charcoal burning. This was evident by the high number of Maasai selling charcoal along the Kiserian to Magadi and Ngong to Ewuaso roads. This is despite the fact that cutting down the few trees in the area to make charcoal had serious negative environmental impact.<sup>123</sup>

#### **4.4 Impact on Education**

Education in the conflict area was severely affected by the recurrent conflicts both in the percentage of children attending school and the quality of education in the area as

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121 Oral Interview, Peter Sankale, Embalbal, 20<sup>th</sup> May, 2013

122 District Records, Ngong

123 Observation by the Researcher during field work.

evidenced by the low level of education in the sub-county. The 2001 socio-economic survey of the sub county showed that the average years of formal education was less than 3.5 years indicating less than lower primary level of education was attained. About sixty per cent of household heads had never gone to school, nineteen per cent were primary school certificate holders and only three had post-secondary education. The school drop-out rate in the sub-county was also alarming with dropout rate being higher for boys at 6.3% as compared to that of girls at 5.3%.The high dropout rate among boys was attributed to *moranism* and the fact that most conflicts were spearheaded by youths of school going age. Furthermore, the sub-county had the lowest number of primary schools among the five sub-counties that make up Kajiado County. It also had the lowest pupil enrolment rate in the County with less than three per cent of the total.<sup>124</sup> The frequent conflicts among the three Maasai groups had therefore meant that a large number of children did not enroll in school.

In the years 2011, 2012 and 2013 alone, the seven primary schools in the conflict areas had been closed at some point due to conflict incidences. These primary schools included Eremit, Ilkiroret, Oltepesi Esonorua, Oldorko, Musenke, and Oldorko. Even when schools remained open, teachers moved out due to security concerns and the general population also moved to safer areas with no schools. This had affected pupils and their parents who had to flee from the conflict area with their parents. An analysis of performance of Kenya Certificate of Primary Education (KCPE) exams by these primary schools shows low enrolment and poor performance as shown on the table next page.

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124 ACC. (2009) A Socio-Economic Survey and Economic Analysis of Land use Options in Magadi, ITDG, Nairobi,p.39

**Table 3: Kenya Certificate of Primary Education (KCPE) results for schools in conflict areas.**

KCPE MEAN SCORES AND CANDIDATES PER YEAR							
		2013		2012		2011	
	Primary School	No. of Candidates	Mean score	No. of Candidates	Mean score	No. of Candidates	Mean score
1.	Esonorua	6	248.0	6	246.0	5	236.1
2.	Eremit	6	237.2	8	239.8	7	240.1
3.	Oltepesi	14	245.0	15	249.0	13	244.4
4.	Eroret	19	221.2	18	243.5	16	244.2
5.	Musenke	-	-	-	-	-	-
6.	Ordorko	7	225.2	7	241.3	8	236.5
7.	Ilkiroret	9	248.9	7	244.6	-	-
<b>TOTAL/AVERAGE</b>		<b>61</b>	<b>237.6</b>	<b>61</b>	<b>237.2</b>	<b>49</b>	<b>240.3</b>
	<b>Sub County Totals</b>	<b>1,303</b>	<b>296.2</b>	<b>1,412</b>	<b>287.0</b>	<b>1,787</b>	<b>277.11</b>

Source: Ministry of Education, Ngong

As shown on the table above, due to the persistent conflicts, none of the schools had received a higher mean score than the sub-county average mean in the last three years during national primary school exams. Furthermore, candidates enrolled in the schools in the conflict area were below the sub-county average. This meant that only few, if any, of pupils from these schools continued with their studies to secondary level.



This situation was made worse by the fact there were only a few qualified teachers from Ilpurko group meaning that schools in Ilpurko areas were staffed by teachers from the rival Ilkeekonyokie and Iloodokilani groups. Whenever a conflict occurred, the non-Ilpurko teachers usually ran away from the schools fearing attacks. This happened in Musenge primary school during the November 2010 conflict. This usually led to poor exam results in the affected schools making the children being left without access to education since schools remained closed, teachers moved out while parents also ran away from conflict area with their children.

There are only two secondary schools in the conflict areas, Iloodariak and Najille boys Secondary schools both of which were also not spared the consequences of the groups' hostilities. For example, on 11<sup>th</sup> July 2011, due to a conflict between the Ilpurko and Ilkeekonyokie at Oltinga, Iloodariak secondary school was forced to close down for fear of the attacks spreading to the school. The school had a total of one hundred and ninety nine students from form one to form four with fourteen teachers. In a report prepared by the District Education office at Ngong, it noted that

*“the school’s situation needs security personnel to be stationed within the school so that the students and the teachers feel secure from any attack.....”*<sup>125</sup>

The report further noted that the closure was necessitated by the students (who were mainly drawn from Ilkeekonyokie) rejection of the deputy principle who was an Ilpurko. The report quoted one student, who alleged that,

*“The deputy principal was always biased when administering punishments to*

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125 Report on the closure of Iloodariak Secondary School, Ministry of Education, 3<sup>rd</sup> Aug, 2011.

*Ilkeekonyokie students and that he favored students from his group, the Ilpurko ”.*<sup>126</sup>

He had to be transferred from the school before it was re-opened in late August 2011. A similar incident happened at Najille boys’ secondary school when the school was closed for fear of attack when the neighboring Ilpurko and Ilkeekonyokie groups had a conflict in Oldebe area.<sup>127</sup>

#### **4.5 Impact on Health**

Out of the five sub-counties that make up Kajiado County, Kajiado West was the least served in health care facilities where over half of the population faced difficulties in accessing health facilities and covered over thirty kilometers to access a health facility as compared to the national average of about six kilometers. Due to these persistent conflicts, health indicators were above the national averages. For example, a research by the African Medical and Research Foundation, AMREF, in 2011 showed that the area had high maternal and child mortality rate as shown on the table below.

**Table 4: *Maternal child health status in Kajiado West as compared to national average***<sup>128</sup>

	<b>Kajiado West</b>	<b>National Average</b>
Neonatal Mortality rate	37/1000	31/1000
Under five Mortality rate	80/1000	74/1000
Maternal Mortality Rate	500/100,000 ( live births)	488/100,000 (live births)

<sup>126</sup>Report on the closure of Iloodariak Secondary School, Ministry of Education, 3<sup>rd</sup> Aug, 2011

<sup>127</sup> Ministry of Education records, Ngong Education Office

<sup>128</sup>AMREF (2011), An Innovative Approach to Delivering Maternal Health Services to Semi-nomadic Communities in Hard to reach Regions, Nairobi, pp 6.

These high numbers have been attributed to poor infrastructure, inadequate staff and equipment that were as a result of the recurrent conflicts. This had led to near collapse of health facilities in some areas and withdrawal of health personnel from these facilities due to fear of loss of their lives. As a result, there was no single medical officer of health in the study area. Other cadres of health workers were also thinly spread and most of medical work was left to traditional midwives and unqualified local health volunteers from various NGO's that operated in the area. Furthermore, during conflict, essential supplies to the area were stopped resulting to critically low levels of essential drugs and other medical equipments. In addition, due to a conflict situation, people were crowded in small places leading to spread of such diseases as typhoid, malaria, diarrhea, AIDS, etc. Further, due to lack of health services, even vaccination of children was not done while women access to reproductive health services and maternal care services were disrupted.

In the May 2011 during conflict between the Ilkeekonyokie and Ipurko at Oltepesi there was an outbreak of diarrhea at Ilkiroret trading centre when displaced people camped at the center due to fear of being attacked in the villages. The medical staff at the Ilkiroret health center had already moved away and sought refuge at the District Headquarters fearing for their lives. They only returned to the facility after the conflict subsided but had to be given police escorts.<sup>129</sup> Due to the conflict, basic health care services were also disrupted resulting to women being unable to access reproductive and maternal health services.

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129As recorded at the Ministry of Health records at Ngong

#### 4.6 General Poverty

Kajiado County had been ranked as one of the richest counties in the country. However, though there is no recent study of community level poverty incidence, an earlier study showed that there is spatial variation in poverty incidences in the county. A study carried out by Kristjanson, Patricia in her work, *Livelihood mapping and poverty correlates at meso-level in Kenya*, in 2010,<sup>130</sup> showed that there were high and variable poverty levels across Kajiado County ranging from areas with eleven per cent of the population living below the national poverty line to areas with a poverty incidence of ninety three percent. The high poverty incidences were found in Kajiado West Sub County and were attributed mainly to insecurity caused by persistent conflicts. The study notes,

*“In Kajiado, where livestock theft and group conflicts still occur, access to security was an important variable, with a negative sign, implying that areas with poor access to security and frequent conflicts were poorer”*<sup>131</sup>

The continued conflicts in the sub county had hurt the area’s economic fortunes. The general poverty had made the Maasai in the study area have less livestock to depend on. This, coupled with the persistent conflicts, had led the residents to resort to charcoal burning and tree cutting for sale especially along river courses. This was predominant within Olkeri and Oldonyonyokie Group Ranches since they were served by an all weather road to Nairobi city where there was ready market of these products. This had led to environmental degradation. The community also engaged in poaching for subsistence though this was done at low levels by the poor in the study area.

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130 Kristjanson, Patricia et al (2010) *Livelihood mapping and poverty correlates at meso-level in Kenya*, in *International Livestock Research Institute*, Nairobi, p.68

131 Ibid

#### **4.7 Impact on Livestock and the Environment**

Though a study needs to be done on the exact number of livestock lost as a result of the recurrent conflicts among the three territorial groups, the respondents said that every incidence of conflict resulted to reduced livestock. This was mainly through stealing by rival groups during the conflicts. This was because during incidents of conflicts, the warriors were said to carry with them cattle captured from their rivals. During this research, all the respondents from the groups reported losing their cattle to rival groups during conflict incidents. This made the groups be dependent on food aid from government and other NGO's. Occasionally, some lost or stolen animals were recovered during follow ups and when the government intervened. More were also recovered as a result of inter-group dialogues and peace agreements. Thus, these conflicts resulted in major loss of livestock which was the community's livelihood.

These conflicts also led to unsustainable utilization of natural resources in the conflict area since livestock tended to be concentrated in the secure areas of the sub-county resulting to environmental degradation. This was done so as to avoid the insecure regions. Due to loss of access to grazing land and water sources, the pastoral system was put under pressure thus reducing its self-sufficiency. The overgrazing in a small area led to environmental degradation and had become a threat to water catchment areas. Water points and grazing areas also tended to get degraded since they were abandoned for long time due to the persistent conflicts. This caused degradation as decreased grazing pressures resulted to bushy, ungrazeable vegetation. Livestock was then forced to concentrate in safer zones leading to overgrazing and environmental degradation and increased risk of new disputes.

#### **4.8 Displacements**

Kajiado West sub-county is a rural area which is semi-arid and inhabited by the Maasai pastoralists. The area was poorly developed and was characterized by drought and depended on food aid from the government throughout. Though the drought caused various groups to move out with their animals away from traditional grazing lands in search of water and pasture, the situation was aggravated by the recurrent conflicts among the three Maasai groups of Ilpurko, Ilkeekonyokie and Iloodokilani. For example, during the Oldebe conflict many people were displaced due to violent eviction, voluntary movement or due to loss of assets, property or livelihood. They camped at nearby town centers.

However, reports on displacement caused by the recurrent conflicts among the three groups were sporadic and inaccurate. There was no clear data on the same apart from second hand information. According to estimates by chiefs from the various groups, at least fifty per cent of all households had been displaced by these recurrent conflicts at some time over the last ten years.

#### **4.9 Disruption of Social Lifestyle**

The conflicts among the three Maasai groups took place in the rural areas where sometimes entire villages were attacked. For example, seven villages were

reportedly looted and destroyed when Ilpurko warriors invaded Ensonorua village in November 2012 and destroyed homesteads owned by the Ilkeekonyokie group.<sup>132</sup>

Furthermore, the constant conflicts caused a perception of pronounced insecurity in the affected areas. Up to seventy per cent of the respondents interviewed from the three Maasai territorial groups said that they felt insecure or highly insecure. This feeling of insecurity and its perception had led to closing of markets and schools and posed as obstacles for investments in the area. The study showed that some areas in conflict area are inaccessible to any of the groups despite being rich in pasture. This is the area that stretches all the way from Enkorika to Lomg'usua. There were also unused boreholes that could not be used for fear of attacks by rival groups.

The general insecurity had also retarded development in the study area. Despite Kajiado being touted as one of the richest counties in the country, the conflict area has dragged behind in development. People lived in small scattered households with poor infrastructure. Only the major townships of Magadi and Ewaso Kedong were served with electricity and piped water.

The general breakdown of law and order generated by the frequent conflicts had resulted to a steep rise in poaching activities in the study area. The Shompole and Mosiro areas hosted such wildlife as elephants, giraffes, zebras and different types of antelopes among others. These were threatened by poachers. In 2012 alone, eight elephants were reported killed by poachers in Mosiro while two contacts with armed poachers were reported by Kenya Wildlife Service (KWS) personnel. This prompted the KWS to set up a post at

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132 District Records, Kajiado North, Ngong

Mosiro.<sup>133</sup> Furthermore, these recurrent conflicts had negatively affected the group relations where members of Iloodokilani and Ilkeekonyokie groups expressed strong negative feelings and distrust towards the Ilpurko.

#### **4.10 Unemployment**

The recurrent conflicts in the study area had compounded the problem of unemployment in the subcounty. Many of the sub county's youths lacked employment, had limited access to education and were denied economic empowerment because of the conflicts. Eventually, the unemployed youth without any other means of economic support ended up engaging in criminal behavior and perpetuated the conflicts.

#### **Conclusion**

The aim of this chapter was to bring out the impact the population of the three feuding groups had experienced due to the recurrent conflicts among them. All the three groups were greatly affected by these conflicts. Economically, a major investment, the Shompole Lodge, was closed down due to persistent land conflict. On the education sector, there was low enrolment and poor performance of schools in national exams. They all got affected through loss of human lives, reduced number of livestock and reduced access to water, pasture and loss of their homes when fights occurred in the villages. Further, these recurrent conflicts led to deep distrust against members of Ilpurko by the Ilkeekonyokie and Iloodokilani and a general perception of insecurity in the study area. It was expected that by highlighting these impact, the government and other policy makers would see the suffering the populations were undergoing and thus ensure that policies that promoted peaceful co-existence among the three groups were initiated.

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133 Government of Kenya, Kenya Wildlife Service Annual Report, 2012, Government Printer, Nairobi, p 64



## CHAPTER FIVE

### PEACE BUILDING INITIATIVES TO END CONFLICTS BETWEEN ILPURKO AND ILKEEKONYOKIE/ILOODOKILANI

#### 5.1 Introduction

The Ilpurko group had had a long history of persistent conflicts with the Ilkeekonyokie and Iloodokilani which had brought tension, hatred and hostilities among them. These hostilities had led to loss of lives, displacements, closure of schools and disruption of social lives of the population of members of these groups. However, various peace building efforts were always undertaken to restore normal relations among them whenever conflict situations arose. These included both the traditional and modern peace building efforts. The District Peace Committees of both Kajiado North and Kajiado Central were instrumental in mobilizing the warring groups together with religious leaders, local NGO's, elected leaders and government security apparatus in a bid to end the recurrent conflicts. This chapter outlined the various efforts employed by different peace actors to help reduce tensions and end the frequent group conflicts in the study area.

#### 5.2.1 Traditional Maasai Peace Building Interventions

Traditionally, Maasai groups desired to live in peace (*Osotuais* the Maasai word for peace) with each other and with their neighboring groups. This was reinforced by a respondent who explained that, in all Maasai meetings and ceremonies, the following prayer was recited:

*“God, we plead with you and pray to you for peace. Bless us all, bless the Ilkisongo, Ilkeekonyokie.... (All Maasai Groups were mentioned). God, Give us peace to love and cherish one another, peace of our land, our livestock, our children and all people....”*<sup>134</sup>

Grass was used to symbolize peace in war times and when a Maasai picked grass when in war, the fighting would stop. The pattern of making beads also symbolized peace. Traditionally, reconciliation after groups conflicted involved peace talks. These talks involved elders from the two groups in conflict who sat under shade of a traditional tree called ‘*oloip*’. Before the talks began, each of those present was made to drop their weapons. The elders present then slaughtered two goats, one from each side. The blood from these two goats was mixed with milk and put in a calabash. Then the elders spat into the mixture which was then sprinkled on all those present. Those who would no longer disrupt peace were blessed while those who would cause more conflicts would be cursed.

There was an oath of peace by elders from the two feuding sides. The oath consisted of the elders from feuding groups drinking blood and sour milk from the same guard. These peace talks were accompanied by the drinking of beer that was made from honey and water, the fermentation of which was catalyzed by dipping in the root of *osuguroi* plant. A formal declaration of peace was sealed with a sacrificial dark bull whose meat was roasted for elders to jointly eat. During the feasting, the elders would talk and agree on compensation for lives lost or injuries incurred and the return of stolen livestock. Their decision was final and was binding to both groups. Elders of *Seuri* age group (those now over seventy years old) in all the territorial groups dealt with most conflicts within them and were responsible for charging compensation for lost animals and for those killed and

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134 Oral Interview, Merkuki Moriaso, Oltinga, on 21<sup>st</sup> May 2013

injured during fights. These elders also played key roles in resolving day to day minor conflicts among their respective groups and assisted in ensuring that these minor conflicts did not boil over and become major conflicts.

The traditional conflict resolution method described above has been used to resolve the constant conflicts among the three feuding groups under study. However, to fit the modern times, it has been modified. A respondent explained that,

*“Each village had an elder’s council of the village who were responsible for maintaining order and settling minor disputes among themselves. Disputes involving more than one group were taken to” enkigwana lenkutoto” or council of elders from conflicting groups. These were headed by age-set spokesmen of the two groups”<sup>135</sup>*

Therefore, among the Maasai groups, whenever conflicts occurred, the traditional chiefs and elders usually rallied their members to stop the conflicts arguing that the groups shared same cultural values and traditional practices thus there was no need to fight amongst themselves. Even before the state came in to address the conflict, there was always an attempt to resolve the conflict using traditional methods. As explained by the chief of Najille location:

*“the elders from Ewuaso who are Ilkeekonyokie and those from Mosiro who are Ilpurko formed grazing and water committees on each side that met often and resolved any conflicts between the two groups touching on water and pasture use patterns.”<sup>136</sup>*

These committees restricted grazing in some areas so that pasture was left for dry season. They would also be responsible for allowing non members to graze or water in respective

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135 Oral interview, Mugesu Ole Lenana, Ordorko, 22<sup>nd</sup> May 2013

136 Oral Interview, Chief Eric Parsepiyet, 18<sup>th</sup> May 2013

group ranches. It is this conflict resolution method that has been utilized often to resolve the conflicts that occur from time to time at the Oldebe boundary between the Ilpurko and Ilkeekonyokie groups.

### **5.2.2 Government- led Peace Initiatives**

The Ilpurko has had conflicts with the Ilkeekonyokie and Iloodokilani in Kajiado West sub-county for a long time despite sharing most resources such as pasture, water and land. These conflicts could be traced to the 1870's during the succession feuds among various Maasai territorial groups. This resulted to mistrust and tensions amongst them.

Regarding Ilkeekonyokie and Ilpurko conflicts in Kajiado West, the first recorded major conflict happened in 1972 when the Ilpurko fought in Magadi with the Iloodokilani and were heavily defeated. On their way back to their home district of Narok, they requested the Ilkeekonyokie to allow them graze their cattle and recuperate around Kamukuru and Ensonorua areas. This request was granted as Ilkeekonyokie land was vast. In 1978, the Ilkeekonyokie decided to sub-divide their Iloodariak Group ranch and thus asked the Ilpurko to move out but they refused. The Ilkeekonyokie went ahead and subdivided the group ranch among its members including Esonorua area that was occupied by the Ilpurko and processed title deeds making Ilpurkos squatters. To date, the Ilkeekonyokie have title deeds to land physically occupied by the Ilpurko's and are thus always in conflict with one another.<sup>137</sup>

To quell the persistent conflict between them, the then Minister for Provincial Administration and Internal Security formed a twenty six member team on 1<sup>st</sup> October 2009. He mandated them to broker peace and return normalcy in the area. Each feuding

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137 Oral interview, Ipite Ole Sakaya Sekenoi, Olorkisalie, 14<sup>th</sup> May, 2013

group provided ten elders while six elders were picked from other Maasai groups. This was as a result of reported rising tensions at their common boundary at Oltinga for the previous three months. The tensions were said to have been due to historical land issues and the fact that the government had created a purely Ilpurko location at Ensonorua and appointed an Ilpurko chief. The Ilkeekonyokie resisted this saying the land was theirs and creation of a location was tantamount to giving their rivals power over their land. The newly appointed Ilpurko chief was subsequently attacked at Kiserian market and beaten up by suspected Ilkeekonyokie youths further heightening the tensions.<sup>138</sup> To avert a near clash, the Minister ordered a platoon of General Service officers to be stationed at Oltinga to prevent an all out clash of the two groups for the month of October 2009.

Before the negotiations ordered by the minister kicked off, each group had separate meetings among themselves where they agreed on their positions during the negotiations. The Ilpuko met on 28<sup>th</sup> September 2009 under the Chairmanship of councilor Peter Sankale where they insisted that their boundary with Ilkeekonyokie was at Naiborare and that they were not squatters on Ilkeekonyokie land. They would not participate in any negotiations if they were referred to as squatters. Further, they argued that the dispute was political and was aimed at chasing the Ilpurko away so that the Ilkeekonyokie could elect leaders of their choice.<sup>139</sup> A day after, the Ilkeekonyokie elders had had their meeting where they also strategized for the joint meeting. They argued that they had been chased by Ilpurko from their land at Ensonorua and demanded it back as it fell within their Illoodariak Group Ranch and had only accommodated them after the Ilpurko-Illoodokilani war of 1972. They also demanded for the scrapping of Ensonorua location as

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138 As reported at Kiserian Police station under OB/722 of 23<sup>rd</sup> September 2009

139 Ilpurko elders' meeting of 28<sup>th</sup> September 2009 Report: District Commissioner's office, Ngong.

that area belonged to Ilkisumet/Iloodariak adjudication section which belonged to the Ilkeekonyokie.<sup>140</sup>

The ten elders each from Ilkeekonyokie and Ilpurko met at Clarence Matheny Leadership and Training Institute near Ongata Rongai. They were joined by one elder from each of the neutral groups of Ilkisonko, Ilkangere, Ildamat, Ilkaputiei, Ilchamus (from Baringo County) and Iwuasinkishu. They held mediation talks from 4<sup>th</sup> to 9<sup>th</sup> October 2009. The elders came up with the following resolutions:

- a) Both groups agreed to restore peace and announced immediate ceasefire.
- b) All title deeds and Group ranch boundaries were to be respected by all.
- c) Administrative boundaries should respect historical territorial group boundaries. The then newly created Esonorua location should therefore not expand its boundary but should remain the same as the sub location boundary that it was before its elevation.
- d) All group members were allowed access to all market places, roads and water sources.
- e) All elders to hold peace joint peace *barazas* (public meetings) within hotspot areas.

The elders thereafter travelled in convoys and went round the villages in the hotspot areas of the sub county addressing peace *barazas* at Lekimunke, Naiborare, Ilkisumet, Enchorroi, Oltinga and Ensonorua trading centre's while spreading peace messages and

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140 Ilkeekonyokie elders meeting of 29<sup>th</sup> September 2009 Report: District Commissioner's office, Ngong

prevailing upon their group members to keep peace and allow cohesion and harmony amongst the two groups. They were told that peace was important for development of the area. The women were urged to encourage their sons and husbands to work for peace. They all agreed that peace must return between the two groups. It took them four days to visit the areas.<sup>141</sup>

Another mediation programme occurred in May 2012. In May 2012, Ilpurko and Ilkeekonyokie clashed at Oldebe and a fight ensued between them when Ilpurko allegedly prevented Ilkeekonyokie herds from being grazed on a parcel of land. The Ilpurko claimed the land was customarily theirs while the Ilkeekonyokie claimed they had title deeds to the land. Both groups started grouping and arming themselves. A contingent of Administration Police was sent to restore order. However, after two days an Ilpurko was killed by people suspected to be Ilkeekonyokie further heightening the hostilities.<sup>142</sup> As a result, each group was asked to get ten elders while the Ilkaputei, Ilmatapato and Ilkangere each provided one elder who sat on the neutral side.

The elders met at Shade hotel, Karen from 4<sup>th</sup> to 7<sup>th</sup> June 2012 after which they came up with several resolutions. These included:

- 1) Leaders present agreed on immediate cessation of hostilities between the Ilkeekonyokie and Ilpurko groups.
- 2) Each group would allow members of the rival group free movement to public places such as markets, roads and water sources.

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141 The Ilpurko and Ilkeekonyokie Mediation Report of 4<sup>th</sup>-9<sup>th</sup> September 2009: District Commissioner's office, Ngong

142 Daily Nation, 4<sup>th</sup> June 2012, pp 16

- 3) The thirty four title deeds of ranches that belonged to Ilkeekonyokie individuals and were being disputed by the Ilpurko along the Oldebe boundary to be officially authenticated. If they were processed legally, the Ilpurko must respect them.
- 4) A taskforce comprising the neutral elders, government surveyors and Land registrar was formed to commence this work and have it completed within one month.
- 5) Reconciliation *barazas* were to be held along the common boundary.<sup>143</sup>

However, the taskforce never took off due to lack of facilitation<sup>144</sup> and periodic conflicts between these two groups continue being witnessed in the area.

Regarding government's attempts to intervene in resolving Ilpurko and Iloodokilani conflicts, the then Minister of State for Provincial Administration and Internal security convened a meeting of Ilpurko and Iloodokilani elders at Magadi Sports club on 9<sup>th</sup> October 2010. This followed a series of conflict incidents. The main ones included the refusal by Iloodokilani to allow a dam to be constructed by Arid Lands Resource Management near where the Ilpurko lived. The Iloodokilani argued that the land where the dam was to be constructed belonged to them and their consent had to be sought because they had title to the land. In addition, the Iloodokilani had refused any development projects to be carried out where Ilpurko stayed arguing that the land was

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143 Records of Reconciliation meeting between Ilkeekonyokie and Ilpurko clans, 4<sup>th</sup>-7<sup>th</sup> June 2012

144 Oral Interview, Chairman Kajiado Peace Committee, 30<sup>th</sup> May 2013.



theirs. The Ilpurko had sought and secured funds for the dam because their animals travelled long distances for water.<sup>145</sup>

Each group produced eight elders while two Ilkaputie and Ilmatapato elders' led the mediation. The negotiations took the full day of 14<sup>th</sup> October 2010. However, a stalemate arose when the Ilkeekonyokie demanded that the Ilpurko's had to accept in writing that they were squatters on Iloodokilani land and that they were seeking for consent from them to do any development on the land they occupied. This was hinged on the premise that they Iloodokilani had the title deeds. However, the Ilpurko's believed they had historical claim to the land and could not fathom being referred to as squatters. Thus the mediation ended in a deadlock.<sup>146</sup>

### **5.2.3 Judicial Process**

The judicial system had also been used to try and resolve the conflict between the feuding groups. The Ilpurko approached *The Commission of Inquiry into the Land Law System of Kenya (The Njonjo Commission)* in 2002. In their letter, the Ilpurko explained that the colonial boundary between the two groups

*“was from the top of Olorkisalie Hill, coming across Lake Magadi, along the Magadi-Nkuruman road up to the top of Nkuruman escarpment. In 1968, the Government started the Group Ranch policy and both groups formed one group ranch, Olkiramatian Group Ranch and the ranch committee consisted of both Ilpurko and Iloodokilani”*<sup>147</sup>

They therefore asked the Commission to

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145 Arid Lands Resource Management Bulletin, Kajiado, June 2010.

146 Purko and Iloodokilani Reconciliation Report of 14<sup>th</sup> October 2010

147 Government of Kenya. Commission of Inquiry into the Land Law System of Kenya: Ilpurko Residents' Problems, 2002, Government Press, Nairobi pp 114.

*“stop this suffering of the Ilpurko as we are being harassed under the leadership of the Iloodokilani”*<sup>148</sup>

In 2007, the Iloodokilani members filed a case against sixty three families of the Ilpurko arguing that the defendants had

*“entered into the plaintiffs land without consent. The plaintiffs prays for judgment against the defendants for eviction, permanent injunction restraining the defendants from re-entering the plaintiffs land, damages for trespass, and costs of the suit”*<sup>149</sup>

In their replying affidavit, the Ilpurko community argued that they had lived on the suit area since time immemorial and that they had no other land anywhere else. They enclosed copies of their national identification cards that showed that that area was where they were born. They further argued that it was erroneous for the Iloodokilani to believe that

*“all Ilpurko are from Narok district and therefore should revert back to their homeland.”*<sup>150</sup>

The Ilpurko also filed a case at the Machakos High Court in 2011 in the Constitutional and Judicial Review Division against eviction threats by the Iloodokilani. In an order of 17<sup>th</sup> May 2011, the court ordered

*“for interim order.....granted to the applicants prohibiting their eviction or surveying, subdivision or allocating the land the Ilpurko occupy until the case is heard and determined.”*<sup>151</sup>

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148 Government of Kenya, Commission of Inquiry into the Land Law System of Kenya: Ilpurko Residents' Problems, 2002, Government Press, Nairobi pp 115.

149 High Court of Kenya at Nairobi, Case No 1092 of 2005

150 High Court of Kenya at Nairobi, Case No 1092 of 2005: replying affidavit para 18.

151 High Court of Kenya at Machakos, Constitutional Petition Number 121 of 2011.

The Illoodokilani had filed several trespass cases against members of the Ilpurko group both at Kajiado Law court and the High Court asking that the Ilpurko be evicted. The main complaint by the Ilpurko was that the Ilkeekonyokie had

*“Annexed part of their Mosiro group ranch and issued title deeds to themselves and Ilpurko land”.*

However, the court dismissed the case since, according to the Land (Group Representatives) Act, CAP 303 first allocation could not be challenged in court.<sup>152</sup>

The long duration these cases had taken to be resolved meant that the two groups continued being in conflict without an arbitration mechanism. Each awaits the court's decision which had not yet been delivered.

#### **5.2.4 Interventions by NGO's, CBO's and FBO's**

There were several NGO's, CBO's and FBO's that implemented various programmes to resolve the conflicts in the study area.

Neighbours Initiative Alliance (NIA) under its Land Management and Social Justice programme facilitated and capacity built the group ranches within the study area to peacefully resolve disputes that kept occurring between the Ilpurko and Ilkeekonyokie. Dupoto-e-Maa Olkejuado Pastoralists Development Organization also had a programme within the study area that contributed towards proper utilization of land and other pastoral resource base. Maa Partners Initiatives (MAAP) had, since 1995 undertaken programmes aimed at encouraging and enhancing the Maasai development needs through peaceful co-existence between the various communities in Kajiado

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<sup>152</sup>Land (Group Representatives') Act, 1968, s.5 (3), Laws of Kenya.

County. Simba Maasai Outreach Organization (SIMOO), a Community Based Organization that was formed in 1994, also worked within the sub-county in general integrated development. To achieve this goal, they had a peace building component.

In October 2009, Peace Cop initiated a community policing project that aimed at conflict management and peace building between the Illoodokilan and Ilpurko within Musenke area of Magadi division. They identified and selected 'peace committees' from each side to assist in resolving the conflicts whenever they occurred. The project was ongoing during the study time. Another local NGO, Centre for Indigenous Women and Children (CIWOCH) which championed women's rights in the sub-county had mobilized women to demand for peaceful co-existence between the two Maasai groups. Their offices were based within Magadi Soda Company offices and were initiated by a local woman leader.<sup>153</sup> It mobilized women and urged them to talk to their husbands in their 'bedrooms' and asked them to stop the conflicts. In this way, women were able to influence the decision making behind the curtains. They also urged their children in the homesteads not to get involved in war with their neighbors since it is the women who became the first victims of any conflict. Through such organizations, grass root women peace builders had undergone training on conflict transformation and the skills to enable them spread the gained skills to others. Women were further helped to take an active role in the peace process in their communities.

Faith Based Organizations also played a key role in resolving the conflicts between the Ilpurko and Ikeekonyokie. The Maa Pastors Forum, an inter-denominational Maasai

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153 Oral interview with CIWOCH Founder, Esher Somoine, Magadi, 20<sup>th</sup> May, 2013

religious leader's caucus had a programme of visiting conflict areas, urging the groups to live in peace. They organized prayer sessions, confessions and peace visits to affected areas. They were particularly active in organizing a prayer meeting at the Oldebe conflict site following the conflict of May 2012. They cleansed the area with 'holy' oil and rebuked anyone who would cause enmity between the two groups. To date, there has not been any reported clash at Oldebe between the two groups partly due to the intervention of the religious leaders.

Other Faith Based Organizations were also active in peace building initiatives among the Ilkeekonyokie and Ilpurko. The clergy from respective groups had for many years carried out mediation as they helped to build peace among them. In the sub-county, a number of Faith Based Organizations had been involved in efforts of mediation and training members of the feuding groups on peace building activities at the grass root level. The Catholic Church Justice and Peace Commission had held workshops for its members in Ewuaso Kedong during the 2010 Oldebe conflict urging the Ilpurko and Ikeekonyokie to co-exist peacefully.<sup>154</sup>

### **5.3 Effectiveness of the peace building initiatives used to end Ilpurko, Ikeekonyokie and Iloodokilani conflicts**

The question that kept coming up was to what extent the peace building initiatives that had been used in addressing the recurrent conflicts among the three groups had been effective. This was in light of the fact that these conflicts kept recurring despite these efforts. The recurrence of these conflicts might be explained by the challenges that the

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154 Catholic Church Justice and Peace Commission, Annual Report, Ngong Diocese, 2011. P13

informants identified as the factors that had undermined peace building and conflict management.

The informants argued that the interventions done by both the government and NGO's seemed to focus more on achieving temporary cessation of hostility rather than addressing the underlying causes of the conflicts. No efforts were made to establish monitoring or follow ups. In addition, respondents argued that the current structures lacked capacity and the finances or logistics to monitor early warning indicators that would enable them make appropriate response mechanisms.

Under Kenya's constitution,<sup>155</sup> conflict resolution among the various communities was a function of the national government and the national government administrative structure that was spread in all parts of the country were tasked with this mandate. This administrative structure and hierarchy was composed of a County Commissioner who coordinated national government affairs in the counties. In the sub-county, there was a Deputy County Commissioner and other officers who headed smaller administrative levels. When the respondents were asked how effective the government was in helping to resolve these conflicts whenever they occurred, majority responded that the government was not effective. They complained that when conflicts arose, there was no prompt response by the authorities in charge. In some instances, the respondents claimed government officers took sides in the conflicts rendering them ineffective.

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155 The Constitution of Kenya, (2010) National Council for Law Reporting, Fourth Schedule: *Distribution of Functions between the National and the County Governments*, Nairobi, P.187

The government, through the National Steering Committee on Peace Building and Conflict Management (NSC) established a peace structure from the national to the grassroots level all over the country in 2001 as an inter-agency committee to coordinate peace building and conflict management initiatives in Kenya. The NSC coordinated at the national level, then a Provincial Forum at the Province and the District Peace Committee (DPC) at the district level. The DPC model in the study area had been at the forefront at solving conflicts, violence and negative tensions. It comprised of government line ministries, NGO's and CBO's .This forum kept track of conflict signals within the sub-county for timely intervention. They had also mapped the conflict hot spots and had often scheduled community based peace-building meetings, workshops and *barazas*. However, the lower level peace committees were poorly facilitated. For example, since its inception four years ago, the District Peace Committee at Ngong had never been funded and depended on the local District Commissioner for lifts to travel to any trouble spot.<sup>156</sup>

The government also deployed police officers whenever conflicts arose. Respondents also said that officers sent to deal with given conflict situation were usually inadequate thus not effective in preventing the conflicts. They further complained that frequently, there had been no response for 'normal' conflicts among the three feuding groups<sup>157</sup> since the security officers viewed these inter group killings as usual and acceptable. Given that the road network was poor and mobile phone network unavailable in most areas of the sub county, coordination of security operation became difficult. However, the security personnel at the sub county headquarters, when asked about these allegations, argued that

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156Oral interview, Sophia Kisau, Chairperson, Kajiado North District peace committee, Ngong. 20<sup>th</sup> May,2013

157Ibid

they lacked sufficient resources such as fuel and ‘night out’ allowances to effect timely response<sup>158</sup>

This system might have succeeded in restoring order in most cases of violence in the study area but faced various challenges that made it ineffective. For example, respondents claimed there was late response to reported incidents and order was therefore normally only restored after loss of human lives and destruction of property had occurred. This slow response rate could be attributed to general lethargy among government officers coupled with poor road network and low mobile telephone coverage in the sub county.

Furthermore, the area under study had high illiteracy level and was therefore difficult to communicate with and was prone to easy manipulation by politicians, elders, chiefs and even religious leaders.<sup>159</sup> Whatever efforts the government and other stakeholders came up with to ensure peace was restored, it was easily destroyed by politicians who took advantage of their group’s ignorance. Some documented evidence of the failure of the administrative set up in their endeavors to stop preventable conflicts among the groups had been demonstrated. For example, when a conflict arose between the Ilkeekonyokie and the Ipurko in 1996 at Oldebe, the then Rift Valley provincial commissioner hired a tractor which dug a trench to act as boundary between them. This was only done after several deaths occurred between the two feuding groups. Even then, to date the conflict keeps recurring at the same site.

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158 Oral interview, Officer Commanding Poice Station, Ngong ,29<sup>th</sup> May 2013

159 As narrated by the District Officer, Ewaso Enkidong Division who, in an oral interview said that any peaceful gains to resolve the conflicts are usually undone by these leaders who claimed their communities were shortchanged and usually disown negotiated agreements.



The judicial process that had sometimes been utilized to resolve the conflicts had been found to be ineffective mainly because it took long to make a ruling and sometimes, these rulings were difficult to implement. When the Ilpurko sought the assistance of the Commission of Inquiry into the Land Law System in Kenya, it took two years before the commission responded by informing the community that

*“the Commission submitted its report to His Excellency the President and is in the process of winding up its work. It will therefore not be possible for us to deal with your complaint. Your file will be handed over to the Office of the President for follow-up action”<sup>160</sup>*

This complaint remains unresolved to date as no follow up was done by the Office of the President as promised.

Regarding the court cases, the Ilpurko also filed a case at the Machakos High Court in 2011 in the Constitutional and Judicial Review Division against eviction threats by the Iloodokilani. In 2006, the Iloodokilani members filed a case against sixty three families of the Ilpurko arguing that the defendants had intruded into their land and needed to be evicted. The Iloodokilani had filed several trespass cases against members of the Ilpurko group both at Kajiado Law court and the High Court asking that the Ilpurko be evicted. The Ilpurko had also filed a constitutional petition in the High Court asking the court to decree that they were the rightful owners of the land they occupied. All these cases remained undetermined. The long duration these cases took to be resolved meant that the

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160 Commission of Inquiry into the Land Law System of Kenya, 2002.

two groups continued being in conflict without an arbitration mechanism. Each awaited the court's decision which was not forthcoming.

Regarding the traditional peace-building initiatives, despite there existing well defined traditional methods of resolving inter group conflicts among the Maasai, respondents argued that this method was only minimally effective. This might have indicated that people did not see this method as being effective in resolving their conflicts. This could partly be explained by the fact that the Maasai elders had themselves complained that their authority had been undermined and the youths no longer listened to them. They argued that the youths had new sources of influence such as education and employment. Furthermore, the Maasai youth had moved to urban areas whose influence had exposed them to other cultures that made them question traditional values which they viewed more of witchcraft than a way of resolving conflicts.<sup>161</sup> This fact had been reinforced by Kelemework in his work, *Conflict and Alternative Dispute Resolution* where he argued that the influence of elders in resolving conflicts among the pastoralist was being diminished by committees that were set up by the government and other functionaries.<sup>162</sup> Further, according to him, conflicts were better addressed by traditional institutions since the norms and customs of a community were better known by ordinary people and elders had life-tested experience and wisdom to handle cases of conflict in a friendlier way. During negotiation for peace process, other groups perceived to be neutral were usually made to act as third parties. Elders from these groups were appointed as mediators and their decisions were viewed as final.

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<sup>161</sup>Oral interview, Siameto ole Rikaru, Musenke on 28<sup>th</sup> May, 2013.

<sup>162</sup>Kelemework Tafere Reda, (2011) *Conflict and Alternative Dispute resolution in African Journal of History and Culture Vol 3(3) April*.

Furthermore, the traditional Maasai peace building initiatives had severe limitations in that they were gender insensitive and did not allow women in decision making due to their lower social status. Further, this process was run by a council of elders and traditional chiefs. This alienated the *morans* (warriors) yet this is the group that initiated and escalated the conflicts. Furthermore, informants claimed that the traditional by-laws that included provision for punishing members of group ranches who flouted grazing rules were routinely ignored by influential figures in the community such as chiefs, senior civil servants, rich businessmen and politicians. The by-laws and regulations were thus ineffective in mitigating the conflicts.

## **Conclusion**

This chapter looked at the various peace initiatives that had been employed by peace actors in ensuring that the conflicting groups lived in harmony with each other. It was noted that whenever a conflict incidence was reported, the traditional chiefs and elders rallied their groups to stop the conflicts. It was also noted that the government initiated several peace initiatives such as bringing the groups together and identified neutral elders to mediate between them. The religious leaders had also attempted to bring the two groups together for peace. The NGO's and CBO's active in the area also had peace components that tried to reconcile the two groups. Finally, the groups had gone to court to seek justice.

The chapter also looked at the effectiveness of the peace initiatives that had so far been employed. The mere fact that peace had remained elusive in the study area meant that the strategies used were largely ineffective.

## **CHAPTER SIX**

### **CONCLUSION AND RECOMMENDATIONS**

#### **6.1 Conclusion**

The thrust of this research was to understand why the two Maasai groups of Iloodokilani and Ilkeekonyokie constantly got into conflicts with the Ilpurko one yet they shared the same culture and language with one another. The study had set to find out the origin and causes of these persistent conflicts, assess the impact of these conflicts on the concerned population and finally to identify initiatives that existed to resolve these conflicts and find out how effective they were. To achieve these objectives, the study tested the following hypothesis, one, that there were several drivers of these recurrent conflicts, two, that the belonging one's group determined an individual's participation in conflicts against rival groups and, finally, some peace initiatives employed to end the conflicts among the three Maasai groups had only partially succeeded. The study used the Greed-Motivation theory which explained why conflicts might occur. Data obtained from the interviews was analyzed using qualitative analysis.

#### **6.1.1 FINDINGS**

The research found out that the history of Maasai territorial groups had been characterized by conflicts among themselves and their neighbors such as the Kikuyu, Kisii, Kipsigis and the Kamba. Maasai group conflicts had also been recorded historically when the civil war occurred among them in the eighteenth century. To date, the Moitanik, Ilwuasikishu and Isiria groups of TransMara sub-county are in constant conflict. Also, in the same sub-county, the Ilpurko were in conflict with the Loita.

In Kajiado West sub-county, the Ilpurko had been in conflict with the Iloodokilani and Ilkeekonyokie for many years. Respondents gave various reasons on the issues that triggered these conflicts in the study area. Some of the identified triggers were historical such as the diminished grazing land caused by the forceful relocation of Maasai from their original land and into the reserves by the colonial government. The smaller land that they were 'squeezed' into made conflicts among them inevitable. The establishment of Game Reserves and parks among the Maasai, migration of farmers into Maasai land and the establishment of Group Ranches all laid a foundation for future conflicts among them.

The main causes of the Iloodokilani and Ilpurko conflicts were identified as disputes due to land issues where the Ilpurko occupied land that ethnically and legally belongs to the Iloodokilani at Musenke. Other causes were identified as conflicts over pasture, water scarcity and conflicts over its use, conflicts due to political issues, conflicts due to administrative boundary issues, poor conflict mediation strategies and the weak government presence in the study area. On the other hand, the main causes of conflicts between the Ilpurko and Ilkeekonyokie were conflicts over land ownership where the Ilpurko occupied land that the Ilkeekonyokie had title deeds to at Esonorua. Other causes were conflicts over pasture and grazing, political differences, conflicts over group ranch and administrative boundaries and the tradition of *moranism*. These conflicts had been ongoing for over forty years and had not been resolved to date.

These recurrent conflicts had negative effects on the members of these groups. They had lost their loved ones through killings while others had been injured. The recurrent

conflicts also affected education in the area with schools closed and teachers running away. Some businesses had been closed including markets. Other areas affected included the livestock and the health conditions of the residents in the study area. Every bit of their social life had been affected in one way or the other by these recurrent conflicts

It was also shown that there were several interventions that had been employed to end these conflicts. The government had initiated several peace building initiatives among the feuding territorial groups. These efforts included bringing elders together for peace talks whenever conflicts occurred. Religious leaders had also been at the forefront in preaching peace through the Maa Pastoralists Forum. NGO's and CBO's had also ran projects on peaceful coexistence. The feuding groups had also used the judicial process by filling various court cases to end the disputes. Maasai traditional conflict management had also been employed to end the conflicts.

However, the various peace building initiatives employed were not effective since the conflicts kept recurring. The administrators charged with conflict resolution responsibilities lacked the necessary skills and training. The District Peace committees had no resources to run their mandate while cases taken to court had not been concluded for many years. Further, the Maasai traditional conflict resolution method was no longer effective since the youths questioned the elders' decisions while the government set up committees that diminished the influence of the elders. As a result, the Maasai group of Ilpurkohad had conflicts with both the Ilkeekonyokie and Iloodokilani ones which remained unresolved for a long time.

The research provided insights into the understanding of the recurrent conflicts and the findings would no doubt be of great importance to peace and conflict issues in the study area.

## **6.2 Recommendations**

The causes and the history behind the recurrent conflicts among the three Maasai groups under study were ascertained to a large extent. This section attempted to give some suggestions that could assist in arresting the recurrent conflict both temporarily and permanently.

### **6.2.1 Re-demarcation of boundaries**

This project paper has showed that the group ranch boundaries that were done during the demarcation exercise in the 1970's had been one of the major causes of conflict among them. A question therefore arises as to whether the exercise was done in a way that involved all the three territorial groups that inhabited the area. Ideally, during the demarcation exercise, the boundaries could only be established after a committee made up of elders from neighboring groups had agreed amongst themselves on the signs of the boarder such as beacons, big trees or stones. Minutes and reports of the demarcation committee work would then be the basis of issuing of title deeds. However, in the course of the research, the student did not come across evidence to show that the Ilpurko agreed to the Ilkeekonyokie and Iloodokilani demarcation and the boundaries set. It seems as if both the Ilkeekonyokie and Iloodokilani did their demarcation without regard to their neighbors, the Ilpurko. This had resulted to disagreements within themon where the customary boundary of each group started and ended. This is especially so where



physical boundary markers had been altered, destroyed or overgrown in the course of time.

Therefore, original boundaries of the Ilpurko and the Iloodokilani and Ilkeekonyokie need to be re-established and each be made to respect these boundaries. This would be a massive exercise that would involve the National Land Commission, Survey of Kenya, Ministry of Land, National Government and the Kajiado County Government. If any group would be found to have encroached into the other's "territory", they would be moved and be made to occupy only the land they own.

However, a problem would arise where the Ilpurko occupy large areas of land which the Iloodokilani and the Ilkeekonyokie actually have the titles deeds. The Ilpurko may cite constitutional rights, for example, by claiming that they were wrongly denied land when the group ranches were being subdivided. To avoid protracted cases in court, the government may come in and purchase the land from the other two groups and donate it to the Ilpurko. This would be informed by the fact that the Ilpurko had actually occupied the land for many years and evicting them would be near impossible.

Alternatively, if the other two groups insisted on having their land despite being occupied by the Ilpurko, the government would have to provide alternative land for the Ilpurko in line with International Humanitarian Laws where you cannot evict a person without showing them alternative place to move to. This would involve the government seeking alternative land elsewhere and settling the Ilpurko therein.

### **6.2.2 Finalization of Court cases**

It is further recommended that a speedy conclusion of cases taken to court by the various groups against the others need to be effected. The Ilpurko had a constitutional case at the High Court against the Iloodokilani that had remained inconclusive for the last twenty years while both Iloodokilani and the Ilkeekonyokie had several trespass cases against the Ilpurko. These cases had been in court for a long time without being concluded. The Environment and Land Act no. 19 of 2011<sup>163</sup> established courts to deal specifically with environment and land issues. As such, all pending land cases touching on the three groups needed to be taken over by the new court and be resolved forthwith. Resolution of these court cases would make the leaders of the groups and the government chart the way forward after the court's decision was known.

### **6.2.3 Strengthening of traditional conflict resolution mechanism**

The study had shown that there were recurrent group conflicts among the three Maasai groups of Ilkeekonyokie, Ilpurko and Iloodokilani. These conflicts were therefore traditional and ethnic and the best method of resolving them was the traditional ways. This would be borne by the realization that attempts to resolve the conflict using the government apparatus of enforcing law and order only yielded temporary results. Only the inhabitants of this sub-county understood the issues better as they were the ones who shouldered the pains of the consequences of the conflicts such as the hampering of the overall development of the study area since, for example, the Ilpurko could not develop the areas they occupied as they had no legal documents to claim ownership.

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163 National Council for Law Reporting, Environment and Land Court Act no 19 of 2011,2012 pp 44

#### **6.2.4 Implementing Alternative Dispute Resolution Mechanism**

The Kenya constitution that was promulgated in 2010 now recognizes Alternative Dispute Resolution in Article 159 (2) (c) and requires the courts and tribunals to promote it. The constitution specifically requires the promotion of reconciliation, mediation, arbitration and traditional dispute resolution mechanisms. This is based on the recognition that conflicts, especially those found in pastoral areas of Kenya, have complex cultural dimensions and the formal mechanisms may not address the underlying causes of the conflict. Therefore, various ways of resolving the recurrent conflicts among the three groups in a non-violent and non-confrontational way need to be encouraged. Although the enabling Laws (for example, the Arbitration Act and policy and legal framework to operationalize Alternative Dispute Resolution mechanism) were yet to be enacted, peaceful resolution of disputes needed to be encouraged. Problem-solving workshops and use of council of elders, (*Wazees*) among others needed to be encouraged. It is therefore recommended that these organs be put in place in the whole of Kajiado West sub-county more so expediently in the conflict zones of the sub-county.

#### **6.2.5 Increasing Government presence in the sub-county**

It has been shown that Kajiado West sub-county had scarce government presence and very few police posts and officers compared to the size of the area and the number of recurrent conflicts that occur from time to time. The few police posts were scattered far apart and most had maximum of three officers. It is therefore recommended that additional police officers be posted to existing posts. In addition, new police posts should be established along the common boundary of the three groups at Esonorua, Oldebe, Enkerrorei and at Musenke.

Further, infrastructural development needed to be enhanced in the study area. The roads leading to the study area were poor and sometimes non-existent. All the major interior roads were in poor condition and were almost impassable during the rainy season. The Ngong to Ewuaso and to Mosiro and Magadi to Ngurman roads, despite being the major roads in the sub-county could only be accessed by use of four wheel drive vehicles. Both the two main telephone operators in the country, Safaricom and Airtel, only had their coverage along the Kiserain-Magadi road and ended in Magadi Township leaving over eighty per cent of the sub-county with no mobile telephone network connectivity. The local leadership should therefore request the mobile phone operators to extend their coverage to the entire sub-county while the county government and the Constituency Development Fund should prioritize the improvement of the road network in the area. Only this will prevent police reaction to a given conflict incident from being slow and arriving too late to avert deaths or injuries.

#### **6.2.6 Enhancing the groups' capacity to handle the conflicts**

Given that triggers to this conflict would always be there before a permanent solution was found, the capacity of the groups to handle the conflicts and resolve them need to be enhanced. Intra-group dialogue and mediation should be promoted before eruption of violence and so as to pre-empt conflicts between them. This would involve the traditional conflict resolution mechanism where elders came together to resolve issues. Given that each group had a council of elders, they needed to be facilitated so that they met often to iron out any issues that may trigger animosity between them. The elders should further be facilitated to understand and analyze conflicts and come up with joint action plans for

necessary intervention to curb any conflicts amongst them. Currently, none of the council of elders in any of the feuding groups was active.

In particular, the District Peace Committee needed to be strengthened as a permanent conflict resolution mechanism. It should have resources to put in place its own early warning and quick response system. To make it an all inclusive exercise, the elders, women and the youth must all be involved in local peace initiatives. If one group is left out, there would be no sustainable peace.

Constant monitoring of the peace situation among the three groups needed to be employed. Any disagreement involving them, (however minor) must be resolved promptly to ensure they do not escalate into major conflicts. There may therefore be a need to employ peace monitors within the feuding groups who would constantly be relaying any breaches of peace to both the government agencies and the DPC. The information so received need to be evaluated and any threats to peace be acted upon without delay.

Furthermore, activities that could promote inter group harmony such as joint public meetings, cultural activities, (songs, poems, drama and joint cultural exhibitions) should be used to create awareness on conflicts. The expected impact of this awareness will be changes in attitudes, stereotypes, prejudice and a deeper understanding of other groups.

The youth, who are the warriors, should be capacitated to start income- generating activities to keep them occupied. Those who are of school going age should be facilitated

to attend school. The youth need to be made to have a role in conflict resolution, management and prevention.

### **6.2.7 Training of Administrators on Conflict Resolution**

The National Administration cadre had been bestowed the role of enhancing local peace and promoting peaceful coexistence among different residents in their respective areas. This included conflicts resolution in their areas of jurisdiction. However, data from the field indicated that none of the administrative cadre, from the assistant chiefs to the Assistant County Commissioners had any formal training on conflict resolution making them ill prepared to lead peace and conflict management processes among the feuding territorial groups. Given that these officials played an important role in mediation, negotiations, reconciliation and conflict resolution within communities, they needed to be trained on proper skills to address conflicts. A policy and a guide book on how to tackle various conflicts needed to be developed for them.

### **6.2.8 Coordination among NGO's**

A noticeable feature of the NGO's and CBO's working on conflict resolution in the sub-county was the limited degree of coordination and collaboration amongst them and with the government agents on the ground. This was despite the important role of filling the vacuum created by state authorities. Therefore, such NGO's as AMREF, Dupoto e Maa among others should have partnership approaches and should jointly implement peace initiative interventions in the sub-county. Local NGO's and CBO's especially those dealing with women and youth, should further be encouraged to use their resources on enhancing local level dialogues, peace building and conflict management.

Finally, there is an urgent need to restore and sustain peaceful co-existence among the three groups. This should be a priority for the government (both at county and national level) local leaders, partners and other stakeholders. It is therefore recommended that a conflict resolution meeting be urgently convened that brings elders of the three groups together. The people themselves should be allowed to choose their representatives to such a meeting. Every village should send a representative. A neutral set of elders that is acceptable by all the three sides should mediate during the meeting. Since politicians and government officials have been mentioned as helping in fueling the conflict, it is recommended that they be exempted from such a forum. Further, it's recommended that the subject meeting be held in a neutral place, preferably at the County headquarters, Kajiado.

Further research is proposed so as to better understand the true dynamics of the conflicts amongst the three territorial groups.

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## ANNEX I: RESEARCH QUESTIONNAIRE

### Section 1: Respondents Background Information

1. Please select your gender            male        [ ]        female [ ]
2. What is your age in years? [ ]
3. Which Maasai territorial group do you belong to?  
      Ilkeekonyokie [ ]    Ilpurko [ ]    Iloodokilani [ ]
4. Please indicate your marital status.        Married [ ] single [ ] divorced [ ]  
      widowed [ ] other (specify).....
5. How many people make up your household? [ ]
6. What is your highest level of Education?    None [ ]        primary [ ]        secondary  
      [ ] college        [ ] university(other specify).....

### Section 2: The conflicts

1. Have you had conflicts with the people you neighbor? Yes [ ] No [ ] If your answer is 'Yes', from which group are the people who you had conflicts with from?  
Ilkeekonyokie [ ] Ilpurko [ ] Iloodokilani [ ]
2. Have you ever been personally involved or are you currently involved in any form of conflict? Yes, I was involved [ ]    Yes, I am currently involved [ ]
3. Do you know anyone involved in territorial group conflicts in your area?  
      Yes [ ]    No [ ]
4. If yes, are they within your group [ ] with other groups? [ ]
5. What are the root causes of this conflict?
6. Was there any influence to start violence? Yes [ ]    No [ ]
7. What triggered conflict in your locality?
8. Why is there a conflict between your group and the neighboring one?
9. What weapons do you and your enemies use?

### Section 3: Impact of conflicts

1. During and after a conflict, is your family life affected in any way?

Yes

No

If yes, state how.....

2. Did you experience any effects as a result of the conflict? Yes [ ] No [ ]

If yes, state the effects. Loss of life [ ] Loss of property [ ] Hunger [ ]

Displacement of persons [ ], Interference in education [ ] Decline in economy [ ]

Lack of health services [ ] Paralyzed transport [ ] others (explain).....

3. What group was mostly affected by the violence?

Elderly (old)[ ] Young [ ] Youths [ ], Women[ ] Any other (please indicate)

4. How were the above groups affected by the violence? Displaced [ ] Injured [ ] Raped

[ ], Left homeless[ ] Tortured [ ]

5. How long did negotiations take?

6. How long do fights last?

### Section 4: Conflict management and Resolution

1. For how long has the conflict been there?

2. Has the conflict been resolved? Resolved [ ] in process [ ] Not resolved [ ]

3. Which conflict resolution methods do you usually use when conflicts occur?

4. Where do the conflicts usually occur?

5. What usually triggers this conflict?

6. Who is involved in this conflict?

7. Who benefits from it?

8. What do you do when conflicts occur? Negotiate [ ] Fight [ ] Run away [ ]

others (specify).....

9. If negotiations fail and you do not reach an agreement over the conflict, what normally happens?

11. Who wins and why do they win?
12. What happens to the losers afterwards?
13. Can these conflicts be managed? Yes  No  If yes, how? Through enforcement of laws  Living as one Maasai Family  through government involvement  through NGO's support
14. Describe the role played by traditional institutions in conflict resolution when these conflicts occur.
15. How often do people in your group rely on informal ways of resolving conflict?
16. How will you judge the effectiveness of the formal dispute resolution mechanism?
17. What role, if any, do religious organizations play in resolving the conflicts when they occur?
18. What role, if any, do other informal institutions play in conflict resolution in your area?
19. In your view, does the government effectively prevent conflict when they occur between your group and neighboring one? Yes  No  Explain your response
20. Has the government intervention resolved or escalated the conflicts?
21. Is there any organized grassroots (such civil society) organization focusing on this conflict?
22. If your answer is yes above, what role have they played in resolving this conflict?



## **ANNEX II: INTERVIEW SCHEDULE WITH KEY INFORMANTS**

1. How long have you stayed in Kajiado West sub-county?
2. Who are the original territorial groups' inhabitants in this sub-county?
3. Please explain who the Ilpurko, Iloodokilani and Ilkeekonyokie groups are and any differences among them, if any.
4. What is the relationship between the Ilpurko and the Iloodokilani groups? What is the relationship between the Ilpurko and the Ilkeekonyokie groups?
5. Why do the Ilpurko have conflicts with both the Ilkeekonyokie and Iloodokilani groups?
6. Please enumerate the major conflicts that have been reported pitting the Ilpurko against the Ilkeekonyokie and Iloodokilani since 1996.
7. What caused these conflicts?
8. What was the impact of these conflicts?
9. What interventions were put in place to end these conflicts?
10. In your opinion, were these interventions effective in resolving the conflicts?

### **ANNEX III: ORAL SOURCES**

- Oral interview, CIWOCH Founder, Esther Somoine, Magadi, 20<sup>th</sup> May 2013
- Oral interview, Rapasi Pertet on 20<sup>th</sup> May 2013
- Oral interview, Italiana Seki on 23<sup>rd</sup> May 2013
- Oral interview, Stephen ole Nchoki, Oltinga, on 21<sup>st</sup> May 2013
- Oral interview, Siameto ole Rikaru, Magadi 28<sup>th</sup> May 2013
- Oral Interview, Lipeja Sipitet on 21<sup>st</sup> May 2013
- Oral interview, Kurinyo ole Pariken, Magadi, on 28<sup>th</sup> May 2013
- Oral interview, Joseph ole Saayo, Chief, Ewauso Enkidong location on 29<sup>th</sup> May 2013
- Oral interview, Moriaso ole Kaiseyie, Mosiro on 30<sup>th</sup> May 2013
- Oral interview, Siameto ole Rikaru on 28<sup>th</sup> May 2013
- Oral interview, Chairman, Kajiado District Peace Committee on 30<sup>th</sup> May 2013
- Oral interview, Suppet ole Kirrinkai, Oltinga on 28<sup>th</sup> May 2013.
- Oral interview, Moiko Ole Kotikash on 28<sup>th</sup> May 2013
- Oral interview, OCS Ngong Police Station on 29<sup>th</sup> May 2013
- Oral Interview, District Officer, Magadi on 2<sup>nd</sup> May 2013
- Oral interview, Seketian Ole Kurreyia, Musenke, 23<sup>rd</sup> May 2013
- Oral Interview, Stephen Lemayian, Oldorko, 23<sup>rd</sup> May 2013
- Oral interview, Kipaiwa Sapunyu, 16<sup>th</sup> May 2013
- Oral Interview, Ndilai Oilepu, 12<sup>th</sup> May 2013
- Oral interview, Chief, Najille location on 28<sup>th</sup> May 2013.
- Oral Interview, Chief Eric Parsepiyet on 18<sup>th</sup> May 2013
- Oral Interview, Peter Sankale, Embalbal, 20<sup>th</sup> May 2013
- Oral interview, Daniel Kishanto, Orkiramatian 24<sup>th</sup> May 2013
- Oral interview, Ipite Ole Sakaya Sekenoi, Olorkisalie, 14<sup>th</sup> May 2013

Oral Interview, Chairman Kajiado Peace Committee, 12<sup>th</sup> May 2013

Oral interview, Sophia Kisau, Chairperson, Kajiado North DPC 20<sup>th</sup> May 2013

Oral interview, Seketian, Musenke, 22<sup>nd</sup> May 2013

Oral interview, Supet ole Kirrinkai, Oltinga on 28<sup>th</sup> May 2013

Oral Interview, Kashinga ole Kaanto, 4<sup>th</sup> May 2013

Oral interview, Siameto ole Rikaru, Musenke on 21<sup>st</sup> May 2013

Oral interview, Peter Parsaloi, Musenke, 20<sup>th</sup> May 2013

Oral interview, Moiko ole Kotikash, Oltepesi 28<sup>th</sup> May 2013

Oral interview, Joseph Mekoki, Lornguswa, 21<sup>st</sup> May, 2013

Oral interview, Laon Ololdikir Leposo, Ordorko, 21<sup>st</sup> May 2013

Oral interview, Malei Lemitil, Oltinga, 20<sup>th</sup> May 2013

Oral Interview, Julius Mparinkoi, Kibiko, on 24<sup>th</sup> May 2013

Oral interview, Merkuki Moriaso, Oltinga on 21<sup>st</sup> May 2013

Oral Interview, Mogesa Ole Lenana, Ordorko on 22<sup>nd</sup> May 2013

Oral Interview, Siameto Ole Rikaru, Musenke on 28<sup>th</sup> May 2013.

Oral Interview, Kirrinkai Mekoki, Oldebe on 22<sup>nd</sup> May 2013