

**INTER-CLAN PEACE INITIATIVE IN MANDERA COUNTY: A CASE OF
GURREH AND MURULLE COMMUNITIES FROM 1998 TO 2012**

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DECLARATION

This research project is my original work and has not been presented for a master’s degree award in any other University.

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DECLARATION BY SUPERVISOR

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

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DEDICATION

To my wife Nihad Hassan Noor and my daughter Nawal for the peace of mind, assistance and support they accorded me during my research.

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DEFINITION OF TERMS

Conflict - In this study, this refers to underlying dispute among individuals or groups that takes a violent turn.

Ethnic conflict-Refers to conflict between ethnic groups as a result of land, water and pasture in certain regions.

Gurreh - is a sub-tribe of the larger Somali ethnic tribe who live in Mandera district.

Murulle - refers to Cushitic people of Hawiya clan of the larger Somali community who live in the larger Mandera east district.

Somali – Ethnic pastoralists who live in Kenya and Somalia.

Intervention – refers to the process of involving a situation in order to help it to achieve peace

Peacebuilding–refers to efforts put in place to prevent the re-occurrence of conflict between

Gurreh and Murulle clans in Mandera

Evaluation – refers to the systematic process of examining peace in Mandera.

Porous border – is allowing easy passage in and out of border without control.

Elders – is an older person or older member usually a leader of a community

LIST OF ABBREVIATIONS

DC	District Commissioner
DPC	District Peace Committees
MAMDEV	Mandera Mosques and Madarasa Development Committee
NGOs	Non-Governmental Organization
SUPKEM	Supreme Council of Kenya Muslims
TUPADO	Turkana Pastoralist Development Organization
UNDP	United Nations Development Programme

ABSTRACT

This study explores inter-clan peace initiatives between Gurreh and Murulle communities in Mandera County and its impact. The objectives of the study are to understand the conflict between the Gurreh and Murulle, to examine the peace initiatives that were employed and to explore the impact of peace initiatives on Gurre and Murulle.

The study is informed by interpersonal harmony theory generated by Galtung that argues that interpersonal harmony is the most important micro-levels of social relations that an individual society engages in to promote peace. The emphasis of this theory is placed on two important pillars of conflict management which include education and socialization. The researcher further explores the causes of conflict between the two communities and establishes that scarcity of resources and availability of small arms has contributed to the incidences of conflict in one way or another.

The study also explains the conflict management strategies that have been put in place to end hostilities between the warring communities. These include traditional methods of conflict management and resolutions, government interventions and civil societies contribution towards peace and reconciliations . The involvement of clan elders and third parties has generated long term peace building initiatives that have led to the political unity between the communities. Moreover, the peace accord known as UMUL accord was signed to end hostilities which have born fruit in the history of the peace process in Mandera County.

The research used a qualitative method of data collection using secondary data from different library resources pertaining to the study. These were revised to obtain relevant information which was useful to the study. Oral interviews were also conducted to obtain information from the participants who were randomly selected.

The study finds that among the peace initiatives employed to resolve the conflict between the communities under study, traditional methods of conflict resolution or traditional peace strategy were most successful. Based on the data collected, it is evident that community level dialogue is a tremendous instrument for creating and maintaining peace when pursued under the right circumstances.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the study

Mandera County is located in the North Eastern part of Kenya and constitutes six constituencies namely Mandera West, Mandera East and Mandera North. Mandera South, Banisa and Lafey districts. These constituencies were mapped to this county for the purposes of generating county estimates¹. According to the 2009 census, the county has a population of 1,025,756 people. The county experiences scanty rainfall which is unpredictable averaging 255mm². It is very hot with temperatures at a mean annual average of 28.3°C but can reach a high of 37°C. The main challenges of the county are in terms of security and poverty. The challenges facing the county include: security challenges as a result of the county bordering Ethiopia and hence experiencing clashes, access to the county is problematic due to lack of proper infrastructure and acute food shortages that are recurrent from year to year.

Conflict in Mandera has led to high human, economic, political and social costs on the Gurreh and Murulle communities. The two communities who are predominately pastoralists have been living together in Mandera County. They share pasture, water and land, for their pastoral livelihoods. Historically both the Gurreh and the Murulle clans fought for long periods of time over pasture and land. For instance, in 1982 the two communities engaged in conflict that lasted for about 4 years in Mandera. Since 1982, there has been hatred and hostility between Gurreh and Murulle particularly in Elwak Division of Mandera District.³ The conflict has been devastating to the people living in the area. To bring the suffering to an end various efforts have been put in place to try and mitigate the conflict.

Between 2000 to 2009 both local and international actors recognized the centrality of challenges that conflict caused to the county development. Yet the scale of that effort is not reflected in its results. Findings from evaluations in these fields show that there are substantial weaknesses in evaluating the effectiveness, and management of peace efforts. Peacebuilding and state building support is often not based on a clear, strategic understanding of the conflict and neither is the

¹ Kenya open data ,<https://opendata.go.ke> .05/06/2013

² Kenya bureau of statistic, census 2009

³ Former KANU chairman of mandera district, 02/06/2013

potential role of international support in transforming key conflict drivers. Peace efforts lack basic conflict sensitivity and are not well adapted to the context in which they operate. The logic and assumptions underlying many activities in these fields are untested and objectives are unclear. Sketchy understanding of a conflict and unchecked assumptions can produce interventions that actually worsen tensions and fuel the conflicts they seek to mitigate.

1.2 Statement of Research Problem

Mandera County is a natural resource dependent region with land, pasture and water as the most strategic and contested of all the natural resources. Use of these resources has been characterized by politics driven conflicts. The conflicts are so severe that there have been new insights into future peace and security concerns. Failure of peace efforts point to the possibility of a new wave of protracted conflicts which revolve around the struggle to access and control land, water and pasture by different communities living in Mandera. Invariably, there have been efforts of conflict management and conflict prevention measures pursued by Government, the international community and other stakeholders which have focused largely on the political dimensions of conflicts without looking at the successes or failures of peace efforts initiated. Secondly, the studies have looked at the ecological underpinnings and future implications of these efforts. This research therefore sought to fill the information gap and help policy makers to improve and respond with appropriate interventions. The increasing population, poor pastoral practices, decreasing acreage of pasture, environmental degradation, effects of conflicts in neighboring Countries of Somalia and Ethiopia and declining food stocks are some of the leading factors causing ethnic clashes over politics and resources in Mandera.

Over the last decade, there has been a consistent escalation of land and natural resources related conflicts. Land and other natural resource related conflicts have been evolving and often coalescing into violent confrontations among clans and between communities living in Mandera. The unending feud between the Gurreh and the Murulle over grazing and water rights is a case in point. There is a general consensus in the array of existing literature from different parts of the world suggesting that land and resource scarcity is both a cause and a driver of conflicts.⁴ Most of this literature however is quite generalized often focusing on particular resources such as

⁴ Mats Bardal and David M., Malone, *Greed and Grievance: Economic Agendas n Civil Wars*, London; Lynne Rienner Publishers, 2000.

range lands, fisheries, oil, and water. Secondly, there have not been any comprehensive studies on land and natural resources conflicts that can give a complete picture of the peace efforts in Mandera. A few of those that exist concentrate more on politics and resources conflict. The resulting effect is that the peace efforts have not been analyzed in a proper socio-economic, political and governance contexts that provide the appropriate framework for conflict mapping, prevention and mitigation. The only efforts frequently mentioned is Government's response which has in most cases been reactive and suppressive rather than proactive, which simply postpones the problem. Does this mean that there were no other peace efforts? The present study focuses on the assessment of the peace efforts in Mandera County. The overall purpose of this study is to provide clarification on the understanding of different peace efforts that have been used in solving the conflict between the Gurreh and the Murulle of Mandera by giving a critical analysis of various socio-political and legal international discourses that have been used to resolve the conflict in Mandera.

1.3 Aims and Objectives of the Study

1. To examine the conflict among the Gurreh and the Murulle, 1998-2012
2. To examine the peace initiatives between the Gurreh and Murulle
3. To explore the impact of peace initiatives on the Gurreh and Murulle conflict.

1.4 Justification

Although there have been efforts to implement peace initiatives in Mandera with overwhelming support from many stakeholders, little has been documented on whether the peace efforts have succeeded or not. There have been participation in all planned peace activities, some of which yielded excellent and immediate outcomes and yet little is known of them from the scholarly point of view. However, there have also been notable challenges affecting the implementation of peace activities. The aim of this study therefore is to assess the successes and failures of peace efforts in Mandera. The study is expected to achieve three key purposes: to increase knowledge on inter-community interactions for peace in Mandera County; to create awareness of the ethnic motivated incidents of violent conflict and to show the challenges experienced during peace efforts. The study will assist to create understanding on how networks of families and social institutions along different clans can be used to increase participation in inter-community reconciliation and peace enterprise. This therefore shows a great need for research with a focus

on the process and mapping in the context of peace efforts. The research is necessary because it will show how both internal and external validity is important in understanding and solving the conflict. Lack of research on evaluating peace efforts means that it will be difficult to draw broader lessons from these initiatives that can be applied to other context. It is also difficult to draw credible conclusions about their effectiveness so that what works can be applied to solve the conflicts.

The research was a guidance to be used for assessing activities, policies, programmes, strategies or projects in settings of violent conflict or state fragility, such as peacebuilding and conflict prevention work and development and humanitarian activities that may or may not have specific peace-related objectives. This encompasses the work of local, national, regional and non-governmental actors, in addition to development co-operation activities. The central principles and concepts involved in conflict sensitivity will be discussed as well as the importance of understanding and testing underlying theories.

1.5 Scope and Limitation

The study covers an evaluation of peace efforts in Mandera during the period between 1998 and 2012. This is because the flare-up of the Ethiopia-Eritrea border conflict in 1998 exacerbated tensions in Mandera. The situation of war in Somalia also had implications for regional conflict management and so did the optimism with which the IGAD mandate was received and was rapidly eroded by the outbreak of war between Ethiopia and Eritrea. This severely limited the organization's capacity to address regional security. Against this complex of historical, socio-economic, and political background, the demand for innovative regional peace and security structures is urgent. It was clear that insecurity posed serious questions about the practices of its management and centralizes the peace efforts to engage in debate about creative conflict management. This was not achieved as insecurity forced Kenya to use the military which flushed the Al-shabaab out of Mogadishu.

1.6 Literature Review

This section is the literature review on publications that deal with evaluation of peace efforts. Evaluation refers to the process of determining merit, worth or value of an activity, policy or programme. It consists of the systematic and objective assessment of an on-going or completed

project, programme or policy, its design, implementation and results. The aim is to determine the relevance and fulfillment of objectives, development efficiency, effectiveness, impact and sustainability. An evaluation should provide information that is credible and useful, enabling the incorporation of lessons learned into the decision-making process of both recipients and funders.⁵

Bennett argues that in Southern Sudan, it was found that support can be provided by multiple donors to peace efforts but was often mistargeted. Because donors did not fully take into account key drivers of violence, there was an over-emphasis on basic services and a relative neglect of security, policing, and the rule of law, which were found to be essential in the process of state formation for the future South Sudan and therefore, critical to preventing future conflict.⁶ Similarly, in the Democratic Republic of Congo, it emerged that one of the principal conflict drivers is that the Congolese justice system lacks credibility, political commitment, and competence and maintains a delicate relationship with customary law. The justice system is particularly inept in dealing with complex land ownership conflicts, which fuels violence and human rights violations, particularly where populations have been displaced and in the context of the unregulated exploitation of natural resources. Several large-scale multi-donor projects have targeted the restoration of justice and the rule of law. However, issues relating specifically to property titles, and land rights have not been treated adequately within these programmes, according to local government and community groups in Sudan and DRC. Borrowing from the above case studies, this study will be evaluating peace efforts in Mandera specifically between the Gurreh and the Murulle.

Menkhaus argues that, conflict prevention refers not only to actions undertaken in the short term to reduce manifest tensions and to prevent the outbreak or recurrence of violent conflict but also includes long-term engagement that addresses the built-in capacities of societies to deal with conflicting interests without resorting to violence and extends to the management of disputes with destabilizing potential.⁷ Such work helps de-legitimize the belief that violence is an inevitable or acceptable way of resolving disputes, making nonviolent alternatives known and

⁵Scriven, M., *Evaluation Thesaurus*, Fourth Edition, New Park: Sage Publications Inc. 1991

⁶ Bennett, J. et al. *Aiding the Peace: A Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005-2010*, London: Itad Ltd. 1010, p. 39.

⁷Menkhaus, K., "Conflict Prevention and Human Security: Issues and Challenges" in R. Picciotto and R. Weaving (eds.), *Security and Development: Investing in Peace and Prosperity*, Routledge, New York, 2006.

more attractive, addressing structural and immediate causes, and reducing vulnerability to triggers. The goal is not to prevent all conflict because some conflicts are natural, inevitable, and a positive part of development and other change processes. This leads us to an important question: Are all conflicts in Mandera harmful? This study will reveal if the emphasis in Mandera is put on preventing harmful violent responses to the inevitably diverging interests and conflicting objectives that exist in all societies.

Chapman observed that, to contribute to sustainable peace, actors should work on different priorities across humanitarian, development, conflict prevention, stabilization, and peacebuilding activities. Priorities may need to be adjusted over time as a conflict evolves or political contexts shifts. Such an approach often involves a combination of working in and on conflicts.⁸ There is a widely held belief that traditional development activities in areas such as health and education can have a positive impact on conflict dynamics. However, this assumption needs to be critically examined for the case of pastoral communities such as those living in Mandera and there is a growing consensus that development work should be complemented by activities that focus specifically on removing the causes and drivers of conflicts and strengthening the capacities, institutions and norms necessary for conflict management. This evaluation experience will therefore show that the main issue in determining the effectiveness of engagement in situations of conflict and fragility is not the effect that activities labelled as peacebuilding have on peace. It is much more closely related to the influence that comes after evaluation of peace efforts and this is what is lacking in the case of Mandera County.

According to Uvin, if proper evaluation is not done, conflict prevention and peacebuilding policies, projects and programmes, and development or humanitarian activities in conflict settings sometimes do cause harm, often unwittingly.⁹ When peace effort does cause harm in a situation of conflict and fragility, it produces direct or indirect effects that aggravate grievances, increase tension and vulnerabilities, and/or perpetuate conflict and fragility in some way. Such effects may be the result of a project or programme engagement, for example, how its

⁸ Chapman, N. *et al.*, *Evaluation of Donor-Supported Activities in Conflict-Sensitive Development and Conflict Prevention and Peacebuilding in Sri Lanka*, Paris: OECD, 2009.

⁹Uvin, P., “The Influence of Aid in Situations of Violent Conflict: A Synthesis and Commentary on the Lessons Learned from Case Studies on the Limits and Scope for the Use of Development Assistance”, *Informal Task Force on Conflict, Peace, and Development Co-operation*, Development Assistance Committee, Paris: OECD, 1999.

humanitarian or development outcomes contribute to peace or affect conflict. However, they may also spring from the operational aspects of an engagement such a show, where, and when actors in peace efforts, donors and agencies operate and how they implement and distribute aid.¹⁰ According to Uvin, it is important to evaluate the efforts at every level.

In Anderson's understanding, all activities, whether explicitly aimed at peacebuilding or not, should be examined to assess their conflict sensitivity. He argues that one of the more widely used conflict sensitivity tools, the *Do No Harm Framework* draws attention to the unintended consequences of aid planning and practice. Although it was originally developed for humanitarian aid it is also regularly applied to development and peacebuilding interventions. Anderson contends that if not evaluated, operational components of an intervention may affect a conflict in five ways namely: theft/diversion which might lead to fuelling the conflict with stolen or diverted goods/funds, market effects which might lead to changing local markets with an influx of outside goods, distributing goods along the lines of the conflict, replacing existing functioning systems or structures and giving legitimacy to a group or leader by working with them. Implementing such programmes without evaluation sends messages that reinforce the modes of warfare or, alternatively, non-conflictual relations.¹¹ Without evaluation, negative patterns can undermine an organization's efforts of peacebuilding and lead to relationships that are antagonistic and untrusting, and make partners and communities feel humiliated. Is lack of a comprehensive research on evaluation of peace efforts then the reason why the conflict is persistent?

According to Bohnke, the purpose of the evaluation is to assess whether the transitional justice and assistance contributed to increased security and stability. He used the case of Haiti to assess whether the gains achieved are likely to be sustained.¹² Bohnke argues that the evaluation in Haiti led to understanding the post conflict infrastructure and stated the objectives or the purpose. He also argues that it was only through evaluation that the overall objectives of peace efforts can be developed because evaluation provides accountability to the public and to decision makers in

¹⁰*Ibid*

¹¹ Anderson, M.B. and L. Olson, *Confronting War: Critical Lessons for Peace Practitioners*, Reflecting on Peace Practice Project, Collaborative For Development Action, Inc., Cambridge, MA. 2003.

¹²Böhnke, J., J. Koehler, C. Zürcher, "Assessing the Impact of Development Co-operation in North East Afghanistan 2005-2009", Bonn: Bundes minister iumfürwirtschaftliche Zusammenarbeit und Entwicklung (BMZ), 2010.

development co-operation, and helps to generate lessons for improvement and yet this important conflict resolution component is lacking in Mandera. The question now is: How can scholarships be promoted with a view to developing more strategic policies and programmes if there is no research on evaluation of the peace efforts?

Feinstein states that to have an impact on decision-making, evaluation findings must be perceived as relevant and useful. Evaluations involve real costs, including the use of resources which could otherwise be deployed elsewhere, and should therefore be judged on the value of the information they provide. Usefulness is an important principle in evaluation. Use can take many different forms, before and during the implementation of an evaluation, or even many years after. In some cases, decision makers use the findings to change or modify a programme directly, based on the recommendations presented. But in many cases use is less direct. An evaluation may contribute, along with other evaluations and research, to building up general knowledge over time on a particular topic, for instance. Behavioral or organizational changes may be caused by engaging in the evaluation process itself.¹³ Factors that may influence use of evaluations, and can be kept in mind when planning an evaluation, are the institutional environment incentives and capacity for use, the relevance of the evaluation timing, involvement of stakeholders, credibility, and the quality of dissemination. It is therefore necessary that a study on evaluation of Mandera peace efforts be carried out.

According to Kennedy Chouane, Conflict analysis helps identify the causes, drivers and dynamics of conflict and fragility. It provides an analytical framework for understanding the complex, changing context in which an intervention is implemented. A conflict analysis identifies the key factors relating to conflict and fragility and the linkages between them, pointing to the sources and dynamics of violence as well as peace.¹⁴ A good analysis of conflict and fragility should include an in-depth analysis of the political economy and the broader development context which can only be understood after evaluating peace efforts.

¹³ Feinstein, Osvaldo, "Use of Evaluations and the Evaluation of their Use" in *Evaluation, Vol. 8 (Issue 4)*, 2002, pp-433-439, www.evi.sagepub.com/cgi/content/abstract/8/4/433

¹⁴ Kennedy-Chouane, M.G., "Improving conflict prevention and peacebuilding assistance through evaluation", *OECD Journal: General Papers*, Volume 2010/1, Paris: OECD, 2011, pp. 99-107.

Jane Boulden argues that the humanitarian tragedy that unfolded in conflict was evident in the mass destruction of infrastructure and the high levels of civilian casualties sustained, which made it difficult for different actors to ignore the war. The reluctance of the warring parties to reach a peaceful settlement and the continued human suffering, made some form of intervention imperative. Peace efforts are supported by different factions in the conflict, with the expectation that it would be able to negotiate a lasting settlement. Some efforts may involve dispatching a peacekeeping force or the police.¹⁵ The arguments reveal what happens but with little on either success or failure. This study will analyze such efforts in Mandera County.

To Murithi, every society since the beginning of time has developed its own mechanism and institutions for managing disputes in a way that preserves the integrity and fabric of society.¹⁶ In order to understand how effective the mechanisms are, evaluation must be done. There is little evidence that this has been done in the case of Mandera County. In the same spirit, Wolfers argues that the way governments behave in foreign affairs can be explained by reference to the culture of their people, their national character and that decision-makers tend to conform to the demands of this culture, of its taboos, whether they have internalized them or made them part of their own individual disposition.¹⁷

Currently, many of the concepts of conflict resolution strategy that are predominant are derived from a western world-view and assume that conflict can be resolved successfully on the basis of reward and punishment. This is based on the general proposition that aggression will be repeated unless it is punished. A concrete expression of this approach is continually witnessed in the crudeness of language introduced in verbal exchanges between unfriendly governments. There are many pitfalls noted about this approach. One of the pitfalls of this approach is that it serves to increase the level of enmity between the nations in conflict and also generates pressure on other members of the multi-state system to take sides. It has also been noted that another drawback of this approach is that instead of deterring an opponent from taking action, for which they have the capability, it may lead to preparations so massive that hostile action by opponents is provoked

¹⁵Jane Boulden, *Dealing with Conflict in Africa: The United Nations and Regional Organizations*, New York: Palgrave Macmillan, 2003, p. 114

¹⁶Murithi T .2006: African approaches to building peace and social solidarity, African journal on conflict resolutions.vol6 no.2 pp 9-36

¹⁷Wolfers A.1965. Compatibility and consensus: a proposal for the conceptual linkage of external and internal dimension of foreign policy.vol61 no.4 pp 71-98

rather than prevented. The difficulties expressed here are an indication of lack of proper evaluation of peace efforts.

Binsbergen believes that, it is only through evaluation that the normative structure the public nature of the conflict may undermine the credibility of either party in each other's eyes and in the eyes of outsiders. Depending on the context of the termination of the conflict, it may either be honorable or shameful hence it may be interpreted as a sign of strength or of weakness.¹⁸ What appears to be lacking in this approach is potential for any form of evaluation and reconciliation as a device to resolve or prevent the escalation of conflict in more humanly profound ways. The suggestion being that through evaluation, peace and reconciliation may be guided by the general notion that peace can be made enduring only if the enmities of yesterday are surmounted in a spirit of generosity.

Brock Utne argues that the international community has not had great success in peacemaking and peacebuilding particularly on the continent of Africa. It is therefore important that African peace educators evaluate peace efforts so that they do not derive their theories mostly from Western peace educators, but search in their own heritage for an African way to deal with conflicts.¹⁹ The author argues that African societies did develop extraordinary effective means through which to prepare reconciliation and to bring it about and these have pre-dated colonialism and continue to function today.

Muchie argues that the Ubuntu societies place a high value on communal life, and maintaining positive relations within the society is a collective task in which everyone is involved.²⁰ With regards to conflict resolution or peace-making, as part of African heritage, Ubuntu considers that one's humanity is inextricably bound with that of others and as such un-forgiveness is conceived as not being fully human. Hence in seeking to resolve conflict, Ubuntu is a philosophy that seeks to find a balance between self and other, the destructive and the creative, good and bad. In seeking to build peace, it shifts from thinking of social relation in dualistic oppositions, whether

¹⁸Binsbergen, Win van, *Reconciliation: A Major African Social Technology of Shared and Recognised Humanity (Ubuntu)*, Pretoria: The Human Sciences Research Council, Pretoria, 1999, p.5.

¹⁹ Birgit Brock-Utne, Ubuntu-based conflict-solving methods such as Palaver, MatoOput, ujamaa and kujitegemea, p. 4

²⁰ Angathevar Baskaran and MammoMuchie, Foreign Direct Investment and Internationalization, *The Case of BRICS Economics*, 33 2008, p. 25.

it is an either/or situation, good versus bad, or self-versus other. The purpose of Ubuntu then is to work towards a situation that acknowledges a mutually beneficial condition. As proposed by M. Muchie without evaluation one only sees one's interest and ignore others and this will not lead to forging common points and collaborative contexts.

Similarly, according to Nussbaum, traditionally, following a war between two ethnic groupings, war healers from each side would together arrange for a cleansing ceremony involving those who fought on both sides. They believed that because people had died, ancestors on both sides would be aggrieved, and the hands and hearts and spirits of the killer on each side needed to be cleansed.²¹ According to Barbara lack of evaluation fails to show a mature and profound skill that demonstrates an inbuilt capacity for reconciliation and healing, after war. And yet the value of such ceremonies is that they serve to remind people of their common humanity and reduce the buildup of vengeful feelings.

Nabudere's research on the concrete level a typical Ubuntu process argues that, the Ubuntu approach may pass through the following five stages: Firstly, there is a fact-finding process where the views of victims, perpetrators and witnesses are heard, the perpetrators if considered to have done wrong would be encouraged, both by the Council of Elders and other community members in the forum to acknowledge responsibility or guilt; secondly, perpetrators would be encouraged to demonstrate genuine remorse or to repent; thirdly, perpetrators would be encouraged to ask for forgiveness and victims in turn would be encouraged to show mercy; fourthly, where possible and at the suggestion of the Council of Elders, perpetrators would be required to pay an appropriate compensation or reparation for the wrong done. Amnesty could thus be granted, though not with impunity; the fifth stage would seek to consolidate the whole process by encouraging the parties to commit themselves to reconciliation.²² This process of reconciliation tended to include the victim and his or her family members and friends as well as the perpetrator and his or her family members and friends. This is a very important starting point of evaluation of any conflict.

²¹ Nussbaum M, (2003: Beyond social contract toward global justice.pp 473-474

²²Nabudere D. (2008) Toward a new ethos in human relations; pan-africanism/African nationalism,strengthening the unity of African and its diaspora pp71-75

1.7 Research Hypotheses

1. Natural resources have led to conflict among Gurreh and Murulle
2. The traditional conflict resolution mechanism was successful.
3. Inter-community initiatives reduced ethnic motivated incidents of conflict in Mandera

1.8 Theoretical Framework

The study used the interpersonal harmony theory generated by Galtung. Galtung argues that interpersonal harmony is the most important micro-level of social relations that an individual society engages in to promote peace. Interpersonal relations permit conflict management because it is a precise structure that manages conflict. The emphasis in this theory is placed on the two important pillars of conflict management. The first pillar is the method used. The most important method according to Galtung is the use of education. Through education, certain principles of peace are taught and learnt and then practiced. Thus, this would even imply the possibility of teaching interpersonal harmony in a family or in a school that are characterized by interpersonal disharmony.²³The second pillar is that of socialization. The theory states that, it is by means of socialization, which must essentially be understood to mean that a certain pattern of behavior is inculcated in human beings in one or a few of the first systems they encounter in the family and in school, and then transferred to other systems of society, that simply by imitation, peace is promoted. This promotes strong connected interaction structures whereby everybody interacts with everybody else so that information and decision making does not become the monopoly of one or a few members' therefore building trust.²⁴

Through multilateral interaction structures, members will meet together, not only in pairs and triples (not only the parents in one room and the children in another; the teachers in one room and the pupils in the yard), but all members of the society facing each other especially when important decisions are to be taken. This promotes democratic structures that are less prone to conflict by using positive sanctions more than negative sanctions. The theory is relevant to the study because, it advocates for interpersonal harmony and that interpersonal harmony at these levels of human organization lead to societal harmony and peace. For this study to evaluate the

²³ Johan Galtung, *Theories of Peace: A Synthetic Approach to Peace Thinking*, Oslo: International Peace Research Institute, 1967, pp. 70-78.

²⁴ *Ibid*

success and failures of peace efforts between the Gurreh and the Murulle, it may be necessary to carry out an analysis of the interpersonal relationships between the two communities.

However, the theory was criticized by various scholars. For instance, Berger observed that while no attempt was made to define interpersonal communication, it should be stressed that this definitional problem remains unresolved. As relationship harmony is more able to tap into the totality of dyadic relationships, it is also more appropriate to examine the complementarities effect on relationship harmony in the context of family interaction. Contrary to Johan Galtung,²⁵ Berger indicates that harmony is not a mishmash of psychological knowledge taken from different fields. If that is the case, harmony would only be an attempt to produce a different pattern out of the same jigsaw pieces. It is worth stressing that here the very pieces of the jigsaw are profoundly different from the outset. The approach by Johan centered on the interventions for the most part individual or concerned with restricted situations within relational dimensions. The lack of consistency and consensus in definitions of interpersonal communication has been noted regularly by reviewers in this field.

According to Hoffman, dilemmas in Johan's theory were designed to address conflicts outside the reality of everyday life in order to assess "moral competence." In the care-tradition dilemmas were designed to address concerns of everyday life and to establish a stronger identification of the persons with the protagonist in a dilemma. As a consequence of this approach, moral reasoning relative to issues of empathy and care has been conceptualized as more dependent on the context of the particular situation than research concerning the principle of justice. Justice issues are not merely the object of purely cognitive reasoning processes, but may arouse specific feelings as in the case of justice feelings or motives or a feeling of moral outrage when justice is failed. Empathy, on the other hand, requires more than affect when moral choices about conflicting claims are made²⁶.

A more radical critique of the message-centered perspective holds that its concern with psychological states is symptomatic of a fundamentally flawed approach to conceptualizing

²⁵ Berger, C. R. (1977). Interpersonal communication theory and research: An overview. In B. D. Ruben (Ed.), *Communication yearbook 1* (pp. 217–228). New Brunswick, NJ: Transaction.

²⁶ Hoffman, Mark, "Critical Theory and the inter-paradigm Debate", in *Millenium, Journal of International Studies*, Vol.16 No. 2, Summer 1987

communication as a process in which individuals transmit information, share meanings, and accomplish goals. In particular, proponents of social constructionist and postmodernist approaches to interpersonal communication, Cronen maintains that psychological approaches to communication fail to recognize the fundamentally constitutive character of communication. The principles of justice and care have been related differentially to cognition and feelings, and they have been addressed in empirical research with different methodologies and assessment strategies²⁷.

Cappella argues that intimate relationships are not the only significant associations in life and that role-specific interactions should be as much a part of the domain of interpersonal inquiry as are more personalized interactions. Even more problematic, although the developmental perspective illuminates the processes that lead to the formation of intimate relationships and the nature of these relationships, it does not provide any analysis of communication per se. Cappella further argues that social perception is not a communicative process per se since it does not necessarily involve the production, processing, or coordination of messages; rather, it is an aspect of social cognition²⁸.

1.9 Research Methodology

A research design is the plan, structure and strategy of investigation conceived so as to obtain answers to research questions. This research problem was studied through the use of a descriptive research design. According to Cooper and Schindler, a descriptive study is concerned with finding out the what, where and how of a phenomenon²⁹.

This study was conducted in Mandera County of Kenya. The aim of the study is to examine how the peace efforts were conducted in the Mandera conflict between the Gurreh and the Murulle. How the peace efforts impact the conflict and quality of life of the people of Mandera. Data on Mandera was collected and synthesized. The study began with secondary data analyses

²⁷Cronen, V. E. (1998). Communication theory for the twenty-first century: Cleaning up the wreckage of the psychology project. In J. S. Trent (Ed.), *Communication: Views from the helm for the 21st century* (pp. 18–38). Boston: Allyn & Bacon.

²⁸Cappella, J. N. (1987). Interpersonal communication: Definition and fundamental questions. In C. R. Berger & S. H. Chaffee (Eds.), *Handbook of communication science* (pp. 184–238). Newbury Park, CA: Sage.

²⁹Cooper and Schindler (2003). *Business Research Methods*, 8th ed. The McGraw-Hill Companies. Pp. 26-29.

conducted from different libraries and resource centres of different groups who once worked in Mandera and the neighbouring areas.

This was followed by a field study that was carried out in Mandera through oral interviews with the elders from Gurreh and Murulle who were present during the conflict and peace process similarly local leaders also participated in the oral interviews, among them were area chiefs and teachers as well. The participants were recruited using non-probability stratified quota sampling as well as purposive sampling to obtain the desired target population³⁰. An equal number of male and female residents of Mandera were interviewed. This is because both genders were active in both conflict and peacebuilding efforts. This makes them eligible to participate in the study. For example, a larger percentage of men took part in war while a large percentage of females were involved in peace efforts or were victims. However forty (40) people participated in the study which among them was twenty male (20) and twenty (20) female which is a representative of both communities being studied.

During the oral interviews, semi-structured questionnaires that have utilized several cross culturally validated questions were used. This is very important because issues concerning cultural life style inventory will be used to measure the levels of success of cultural peace efforts. Cultural life style inventory is a process which involves cultural methods used by any community to address a problem affecting it.³¹ This questionnaire gives a total acculturation score of performance in terms of use of language for peace, social integration, and adoption of customs and traditions that promote peace.³²In data analysis, the researcher used a qualitative approach. This is whereby the researcher analyses the data to qualify the outcome.

³⁰Mugenda O. and Mugenda A. (2003) Research Methods : Qualitative and Quantitative Approaches . African Centre for Technology Studies , Nairobi ,Kenya . pp42-44

³¹ Mendoza, R. H. An empirical scale to measure type and degree of acculturation in Mexican-American adolescents and adults, *Journal of Cross-Cultural Psychology*, 20(4), 1989, pp. 372-385

³² Walters, K. L. "Urban American Indian identity attitudes and acculturation styles", *Journal of Human Behaviour in the Social Environment*, 2(1-2), 1999, pp. 163-178

CHAPTER TWO

THE GURREH AND MURULLE CONFLICT IN MANDERA COUNTY, 1998-2008

2.1 Introduction

The main purpose of this chapter is to highlight the conflict between the Gurreh and the Murulle of Mandera. This is to set the pace on the role of traditional culture and methods of conflict resolution in conflict prevention and in the peaceful settlement of conflicts in Mandera. It is hoped that the analysis will help in understanding the conflict that led to the application of traditional methods to search for lasting solutions to the crisis in Mandera and towards re-establishing peace and social harmony in the region. The principle aims of the chapter are: To show the part played by various actors in conflict, to examine the role of the conflicts that arose in this traditional society and how they were managed. As a background to these issues, this chapter shall in each case seek to identify the conflicts experienced between 1998 and 2008.

2.2 The Gurreh and Murulle

The Gurreh and Murulle live in Mandera County which is situated on the northern tip of Kenya's boundary with Somalia and Ethiopia. It occupies 25,999 square kilometers with a high population of 1,025,756 persons almost exclusively belonging to the Somali ethnic community. The Somali community in the county is however divided into 5 clans which are the Gurreh, Murulle, Degodia, Marehan and the corner tribes. The county has a long history of conflict mainly between the Gurreh and the Murulle although sometimes new alliances are made, widening the conflict to other clans.³³ Almost everything in Mandera is organized along clan lines. The Gurreh comprise the majority in the County and using their numerical strength, they have dominated Mandera West and Central Constituencies, whereas the Murulle control Mandera East Constituency.³⁴

The Gurreh believe that Mandera is their territory after having moved in the area and forcibly evicted the Borana in the 19th Century, pushing them to their present-day settlement in Moyale. Politically, in the post-independence period, the Gurreh held the sole Mandera parliamentary seat

³³ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010 pg 7

³⁴ *Ibid*

until 1983, when an MP from Murulle was elected with the support of voters from various groups. This led to successful agitation by Gurreh for the constituency to be split into Mandera West and East. Due to this history, it is expected that the general elections are keenly contested by the communities and hence risks of conflict are high. It should also be noted that the Gurreh and Murulle have clashed violently in several occasions and most notably in 1983/4, 2001/5 and 2007/8 periods on matters which were closely related to politics.³⁵

2.3 Understanding Conflict in the Somali Society

Since the Gurreh and Murulle are part of the larger Somali community, it is important to do a survey on understanding conflict in the Somali society before specifically discussing the two clans in conflict. The people of Somalia have a long history of constant struggle for survival for many decades. These conflicts have led to total breakdown of law in some neighborhoods where the Somali live. This continual unrest in the Somali society has many causes, most of which are economic, cultural, political or geopolitical. Somali territory in Mandera can be described as arid, with desert conditions characterizing the bulk of the landscape. Water is scarce. Rainy seasons are erratic and unreliable and even when it rains normally, the amount of water produced is insufficient. This has led to most of the Somalis leading a nomadic life. However, some Somalis practice agro-pastoralism, and some depend on subsistence farming for their livelihood.³⁶ Droughts are ordinary occurrences in Mandera. Shepherds move perpetually in search of water and pasture. The constant movement causes many people to leave their traditional land and settle elsewhere. This engenders friction, confrontation, or even conflict. Conflicts emanating from land and water issues also erupt in agricultural areas.³⁷ Thus, for most Somali, with or without armed fighting, life is a constant struggle.

Pasture related conflicts are caused by many conditions. For example, when a limited grazing area saved by one community is taken over by another group or groups with large numbers of livestock, a fight can erupt as the clan tries to safeguard their land rights. It even becomes worse if a group in question does not belong to the territory and yet enters it and uses a grazing area

³⁵ Baseline Report On Conflict-Mapping and Profiles of 47 Counties In Kenya 35 Building A Culture of Peace In Kenya

³⁶ NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

³⁷ *Ibid*

without permission from the claimants.³⁸ By so doing such a group flagrantly violates the basic principles governing land use and environmental protection. Expansionist ambitions designed to capture a new territory, particularly land with rich pasture, by encroaching upon or driving out the rightful owners often led to armed conflict between the newcomers and the original occupants. During dry seasons, the Somali people converge on places with water wells and rivers in Mandera.³⁹ This leads to arguments and disputes concerning how to share water and who should drink first. Wells require additional work because they are not easily accessible and could be muddied by both people and animals.⁴⁰ Areas with a good supply of water always engender a great deal of competition among the conflicting clans, and this causes many communities to clash. Clashes occur when a group that did not belong to the area descends upon the wells and other water source points without permission. For instance, in Mandera, conflicts erupted when either the Gurreh or the Murulle imposed strict controls or a ban on the use of the water points. Water points are crucial because all the Somali clans attach a lot of importance on livestock.⁴¹

Camels are the most valued livestock in Somali culture. They have always been the yardstick with which wealth and prestige are measured. They were used for paying blood money, dowry and earning the person social status. The Somalis believe that even in the afterlife, a person without a camel is a loser. Somalis believed that camels were a publicly owned resource, which circulated in the community and which often ended up in the hands of those who were the strongest.⁴² It was believed that people should own camels regardless of the means and methods used to obtain them. This means that Somalis could simply go to war in order to get camels. They say that whether through the right way or not a camel must be acquired. Camels provide a variety of goods and services, including meat, leather, milk and transportation. Cows were also a principle source of conflict, mainly because cows, like camels, were constantly looted or stolen.⁴³ They also provided a wealth of resources namely milk, meat and butter/ghee.

³⁸ Allen T. (1994) ethnicity and tribalism on the sudan-uganda border pg 9-11

³⁹ *ibid*

⁴⁰ Baseline Report on Conflict-Mapping and Profiles Of 47 Counties In Kenya Building A Culture of Peace In Kenya

⁴¹ Oral interview, Maalim Abdullahi, council of elders, on 24/07/2013

⁴² UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁴³ *ibid*

Although there are no horses in the current society of the Gurreh and Murulle, in the traditional Somali society horses also triggered conflicts, because they were highly valued, were useful and bestowed on their owners a great deal of pride and prestige. Horses were used for transportation as well as for herding cows and camels and were particularly useful in warfare. Horses were also used for surveillance, communication and pageantry.⁴⁴ And when a famous man was murdered, horses were included in the payment of the blood money. Horses also featured in dowries. Apart from livestock, some conflicts were as a result of farming land for those who practiced agriculture. Some of the Somali agricultural communities experienced conflicts emanating from matters related to farms.⁴⁵ These included conflicts relating to the distribution and use of water, particularly when the basic rules governing water distribution were violated. There were disputes concerning farm boundaries which occurred when a farmer encroached on a farm adjacent to his. Also theft, particularly in relation to produce and other valuable resources caused conflict. When a person or a group seized publicly owned land and turned it into a private farm without consultation or consensus of the entire clan, this caused conflict. Also conflicts erupted between farmers and shepherds when shepherds left their animals to graze on a private farm or land and refused to pay compensation.⁴⁶

Among the most protracted and bloody conflicts in the Somali society and specifically among the Gurreh and the Murulle were those relating to women. These occurred particularly when forcing or coercing an engaged or married woman into a new marriage. Such conflicts occurred when a woman who was engaged was waylaid and seized by members of another clan. The clan whose member engaged the lady would mobilize a large number of young men to fight.⁴⁷ Rape and other forms of sexual abuse/violence were a source of violence. Those found guilty of such crimes were required to pay blood compensation, because in traditional customary law rape was seen as being synonymous with murder. If the perpetrators failed to comply with the verdict, war or wars broke out.⁴⁸ The Somali culture embodies many conflicting and contradictory norms,

⁴⁴NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

⁴⁵ Oral interview, Ibrahim Eymoi, elder, on 04/08/2013

⁴⁶ Pankhurst, Donna (n.d.). *From the Village Council to the Negotiating Table: Women in Peacebuilding. A Framework for Action by the International Community*, Department of Peace Studies, Bradford University, UK

⁴⁷Waylen, Georgiana, *Gender in Third World Politics*, Buckingham: Open University Press, 1996

⁴⁸Shikola, Teckla, *We Left our Shoes Behind*, in *What Women Do in Wartime: Gender and Conflict in Africa*, Ed. in Meredith Turshen and Clothilde Twagiramariya, London: Zed Books, 1998, pp. 138-49. London: Zed Books.

which can encourage conflict and war-making. The ways in which some dimensions of the Somali culture encourage violence include the glorification of warriors and men of war. Warriors are perceived and idolized as heroes. This perception encourages conflict and rewards violent men.

The Somali culture embodies some negative characteristics that can easily generate conflict or fuel violence. For instance, the Somali culture tends to promote, even condone conflict as noted by a proverb that says; “He who does not taste your spear, does not heed your words”. This saying indicates that the Somali society is a violent society in which non-violence and dialogue mean very little. This culture of violence seems to be rooted in the clan system, which coerces people to defend an indefensible cause, to commit crimes in the name of the clan. Finally, certain characteristics of the Somali society make traditions appear as tools of war used by the fighters.⁴⁹ It is in this context that this research investigates the traditional mechanisms of conflict resolution among the two Somali clans of Gurreh and Murulle.

2.4 Situation Analysis of Gurreh and Murulle Conflict

In the 1980s a political blunder was made by the Kenyan government. Aggravated by the Gurreh community’s constant harassment of the Murulles, people close to the Moi administration managed to convince Moi to create a constituency for them. In 1988, the government curved Mander Central from the larger Mander East constituency after the Murulles successfully managed to control the Gurrehs from encroaching into their land, in the famous conflict of 1982/1983.⁵⁰ Mander Central constituency was curved out from the then larger Mander East where the Murulle dominated following devastating clan clashes between them and Gurreh clans in the early 1980’s.

The creation of a new constituency was envisaged as cooling simmering tensions between the two clans over political representation. With Mander Central constituency formed, the issue of political representation was solved but another problem was born. There emerged growing hatred and suspicion between the two clans. Differences began to widen to an extent that the clan

⁴⁹ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mander in Amani Papers* Vol 1 May 2010

⁵⁰ Julia N. Opoti “US Marine for Kenyan Parliament”, Published 10/01/2006 - 8:39 am Thursday, September 07, 2006

leadership and chiefs from both clans started to openly mobilise their clan members to dominate over the other. And to worsen the already fragile situation, the KANU administration especially from 1982 onwards created many administrative units such as sub-locations, locations and divisions in hitherto community-grazing areas in the district, mainly for political mileage. The Alango location which belonged to the Murulles, but was later claimed by the Gurrehs fell under Mandera Central and is a good example of conflict arising from creation and/or competition over administrative units.⁵¹ Chiefs and their assistants in the location and other neighbouring locations started complaining that their boundaries had been interfered with.

The members of the Murulle community started accusing the Gurrehs of harbouring and supporting foreign militia in their locations. The Gurreh were stopped from watering their livestock at Alango Dam. When they attempted to water them in November 1982, it often resulted to a confrontation and armed violence with unpleasant repercussions. Although the creation of additional administrative units was meant to bring services closer to the people, it is important to point out that that turned out to be a source of armed conflict. These additional locations and sub locations mainly contributed to the escalation of conflicts in the entire region occupied by the Gurreh and the Murulle. The Murulle forged an alliance with the Eldera section of the larger Marehaan clan of Somalia, which were a power house in the Gedo region of Somalia to assist them fight the Gurreh.⁵² On the other hand, the Gurreh clan in Mandera forged an alliance with their Gurreh kinsmen in Ethiopia. This alliance is also backed by the Oror section of the Marehaan, a section that was at loggerheads with the Eldera, who they accused of being fond of raping women and nothing more than that.

Sporadic inter-communal clashes between the Gurreh and Murulle communities in Mandera County continued to cause more injuries, loss of lives and livelihoods, and population displacements. As of 11 July, 1998 more than 90 people had lost their lives and over 10,000 families, over 52,000 people remained internally displaced in Mandera in the duration of one month.⁵³ On 28 June, three people died and more than 20 houses were torched in a retaliatory attack waged by the Gurreh against the Murulle in Shirshir village, Rhamu District in Mandera

⁵¹ *Hussein Ibrahim Alio, M.A project, inter-clan conflict in mandera between Gurreh and Murulle (2004-2009)*

⁵² *Ibid*

⁵³ Kenya Red Cross Society, *Report on Mandera Clashes*, Nairobi: KRCS, 1998

County.⁵⁴Two people who sustained serious injuries were treated and referred to the Mandera District Hospital by the KRCS emergency health response team. A revenge attack reportedly occurred on 29 June between the Gurreh and Murulle militia in Malkamari border town, on the Ethiopia side. Due to lack of access to Mubarek woreda, Ethiopia, humanitarian actors have been unable to verify the humanitarian impact of the attack. An estimated 30,000 individuals 6,000 to 7,000 household displaced by the attacks of 25 and 27 May in Kenya continued to be hosted by the local community in Mubarek woreda.⁵⁵ Governments and partners from Ethiopia and Kenya are closely monitoring the situation, with plans to conduct an assessment and offer assistance subject to access and security.

The Gurreh and the Murulle have for decades engaged in deadly violence. The conflict forced families out of their homes to camp at the Rhamu police station in Mandera County after frequent displacement by clashes between the Murulle and Gare clans. Clan tensions in the area have simmered for decades and flared occasionally into cross-border clashes, but since May 2005, they have escalated in Mandera County, killing, injuring and displacing thousands of people.⁵⁶Following reports of deadly clashes between the Murulle and Gurreh clans, the Kenya government frequently responded by deploying troops to the county to disarm marauding militias believed to cross over into Kenya from Ethiopia.⁵⁷

In January 2005, fighting between the Gurreh and Murulle clans forced 30,000 people to flee and left 30 people dead. In March 2005, more than 18 people were killed and 32 others wounded when heavy clashes broke out in Mandera between the rival Gurreh and Merrehan clans in the Gedo region, close to the border with Kenya. These two clans have their kin on the Kenyan side of the border. It was not immediately clear why they were fighting in a clash that illustrated the volatile instability of the Horn of Africa country. The Merrehan clan militiamen, who were earlier chased out of the area, returned with reinforcements to engage in the fight.⁵⁸On April 11th, at least 36 people were killed and 30 more injured during the weekend (Apr 9-10) fights as

⁵⁴*Hussein Ibrahim Alio, M.A project, inter-clan conflict in mandera between Gurreh and Murulle (2004-2009)*

⁵⁵*Ibid*

⁵⁶NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

⁵⁷Baseline Report on Conflict-Mapping And Profiles of 47 Counties In Kenya Building A Culture of Peace In Kenya

⁵⁸ Reuters, "Somalia", April 2005

two clans fought for control of Somalia's border town of BuraHache. The fight between the Marehan and the Gurreh clans was said to be for control of the town, less than four kilometers from the Kenyan border, mostly inhabited by the Gurreh clan. Reports indicated that Gurreh militiamen were training on the Somalia side of the border when the Marehan, who control the Gedo region of Somalia, attacked them to drive them out of the town.⁵⁹ Since these communities have affiliates across the Kenyan border, the conflict spread onto the Kenyan side.

The two communities were fighting over water and pasture in Elwak Division. Among the dead in the clash were 30 Murulle militia and six combatants of the Gurreh clan. In a meeting to resolve differences between Somali MPs at Safari Park hotel in Nairobi, President Abdullahi Ahmed Yusuf condemned the attacks and asked the Kenyan government to step up security at the border.⁶⁰ The survivors of the attack were being treated at Elwak health centre in Kenya. Several families were reported to have crossed into Kenya with their livestock to escape the fighting, while those on the Kenyan side of the border were reported to have moved deeper into Kenya to flee the fighting. Those fleeing on Kenyan side said stray bullets fired from the Somalia side landed in their homesteads on the Kenyan side, prompting them to flee to safety. The then North Eastern Provincial Commissioner Abdul Mwaserrah said Kenyan security forces stationed on the border with Somalia were placed on high alert following the fighting, which he said lasted for six hours.⁶¹ The PC said one group that attempted to cross into Kenya to reinforce their kin was repulsed by the Kenyan security forces.

In March, 2007 an estimated 1,500 families fled their homes following the killing of 22 people by armed raiders in the then northeastern district of Mandera. The attack took place at El Golicha village near El Wak town, close to Kenya's border with Somalia. Police said the incident appeared to have been a revenge attack by one clan against another for an earlier raid. In January, another 20 people were killed during inter-clan violence between the Murulle and the

⁵⁹ Lloyd's Marine Intelligence Unit, *Casualty Week*, Lloyds Casualty Week contains information from worldwide sources of Marine, Non-Marine and Aviation casualties together with other reports relevant to the shipping, transport and insurance communities, Sheepen Place, Colchester, Essex CO3 3LP

⁶⁰ *Ibid*

⁶¹ *Ibid*

Gurreh communities in Mandera. Another 14 people were killed and 2,000 displaced from their homes in April 2007, following violent clashes between two ethnic communities over water.⁶²

By 2008 many families in Mandera were living in Internally Displaced Camps as many people were fleeing inter-clan clashes in Mandera (northeastern Kenya on the Somali border). For instance, more than 5,000 people were living in limbo in Wargadud Location after a violent standoff between the Murulle and Gurreh warring clans that shocked even the aid workers.⁶³ The clashes blurred the line between victims and offenders, and underscored the challenges ahead in restoring peace to the troubled county. The violence did not even spare the members of Mandera Kenya Red Cross Society. The Mandera branch coordinator, Dugal Khalif noted that Red Cross workers were attacked by the people they had gone to save when a group of angry men armed with guns attacked them at Jabibar in Mandera. The tremor of attacks in 2008 was a string of renewed violence in the border part of Kenya where more than 20 people were killed and another more than 50,000 people displaced from their villages for fear of attacks by rival clans.⁶⁴

In the first half of 2008, Mandera County witnessed a lull in bloodshed after a period that was characterized by plenty of vengeful killings between Murulle and Gurreh clans. With no end in sight for the conflict that had began in 1984, the residents of Mandera County had witnessed violence for prolonged periods of time. They lived in fear and their lives were characterized by the negative publicity of persistent conflict. It is not difficult to discern why. The bitter internecine war between the two clans of the larger Somali community is the only unresolved inter-clan conflict in the former North Eastern province with a trail of bloody legacy.⁶⁵ Other clans appear to have a sense of peaceful coexistence, but the Murulle and Gare clans have taken their differences on for decades.

Political differences and scramble for dwindling resources have fuelled intense rivalry between the two clans for decades. But while the 2008 war was portrayed as a struggle for pasture and

⁶² IREN News Africa, "The death toll in an attack by armed raiders on remote villages in the northern Kenyan district of Mandera rose to 55 on Wednesday, March, 2007," Nairobi: IREN, 2007

⁶³ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁶⁴ Oral interview, Mohamedabdi, council of elders on 04/08/2013

⁶⁵ NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

water, a section of politicians played a role of stoking the embers of animosity to settle political scores. Then Mandera District Commissioner (DC) Kimani Waweru accused the politicians of fuelling the conflict for political survival in 2008.⁶⁶ The DC noted that when the politicians' popularity ratings went down, they instigated clashes and their popularity shot up. Signs of the 2008 apocalypse emerged after two people were killed in July and three injured following a dispute over a district boundary in Lafey, Wargadud, and El Wak triangle.⁶⁷ On 7 September, the same year, two more people were killed in Alungu village under unclear circumstances. Police identified the deceased as members of the Gurreh clan. The next day, armed men raided Gari Location in Warankara Location which is inhabited by Murulle. The attack left four people dead, among them two senior administration police officers. Barely a week later, a dawn raid on the same Gari village left 12 people dead. The same evening two students from Arabia Secondary School hailing from one of the clans were kidnapped in broad daylight.⁶⁸ They were sexually violated then killed by their captors.

Although a cease-fire was called to give the residents peace during the month of Ramadan in September, the killing spree still went on. Mandera remained volatile as bandits' intercepted vehicles, pulling out rival clan members and killing them. Scores of vehicles belonging to rival clans were hijacked. Despite the presence of a contingent of security personnel, including the army, attacks continued unabated in the better part of 2008. Aid workers were also caught up in the flare-ups.⁶⁹ Mr Ibrahim Sheikh Hussein, a Red Cross El-Wak branch coordinator, said that members of his staff were harassed by both government security personnel who allegedly beat them up during an operation to restore order. They were also harassed by the members of warring clans.⁷⁰

According to hospital reports more than 87 victims of clan conflict and military assault were hospitalized in El-Wak, Wargadud and Mandera District Hospitals. The then North Eastern Provincial Police Officer (PPO) Stephen Chelimo, who was overseeing the operation, agreed

⁶⁶ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁶⁷ Baseline Report on Conflict-Mapping And Profiles of 47 Counties In Kenya Building A Culture of Peace In Kenya

⁶⁸ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁶⁹ *ibid*

⁷⁰ Oral interview, Mr Ibrahim Sheikh Hussein, a Red Cross El-Wak branch coordinator, on 24/08/201

with the figures saying the injuries claimed by the victims were self-inflicted.⁷¹Chelimo insisted on the government stand and desire to dismantle gangs involved in the clashes in Mandera. Chelimo said the operation will continue until law and order was restored. The security operation managed to recover 48 firearms, 1,224 bullets, six grenades, three communications sets, a rocket propeller and drugs.⁷² The Police said that they had evidence which indicated that the clans were seeking support from militants in Ethiopia and Somalia. However, local leaders were opposed to the Mt Elgon style of operation to flush out the armed gangs and recover illegal firearms saying such an operation would inflict a lot of suffering to the people of Mandera. In a joint statement, Mandera Central MP Abdikadir Hussein, Mohammed Mahmud (Mandera West) and Mohammed Qaras (Mandera East) said their worries were based on the questionable human rights record such operations would leave behind. Abdikadir suggested a religious leader's arbitration between the two clans and that traditional mediation should be given priority over the military operation.⁷³

The Mandera leaders claimed that a similar security operation to flush out bandits and illegal firearms during the Ajuuran-Degodia clan conflict in 1984 in Wajir left a sour taste in the residents' lives. Although the operation ended decades of bloodletting between the two, it left thousands of people reportedly killed by the security agents in what was later to be known as the Wagalla massacre.⁷⁴ However, some leaders backed the government option. Ali Sheikh Omar was such a leader who claimed that, the operation was timely to end the clashes between the Gurreh and the Murulle once and for all. Ali Sheikh Omar blamed leaders for criticizing the government while they did nothing to stop the killings of the innocent civilians. He said, they should not only criticize the government, but should also consider the innocent victims who lost their lives as a result of the unending clashes.⁷⁵ The political leaders never came out when the armed men were on a killing spree, but when the government went after the perpetrators they shouted the loudest.

⁷¹ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁷² Oral interview, Alinoorderrow, project officer arid lands resource management, 14/08/2013

⁷³ Baseline Report on Conflict-Mapping And Profiles of 47 Counties In Kenya Building A Culture of Peace In Kenya

⁷⁴ NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

⁷⁵ Hussein Ibrahim Alio, *M.A project, inter-clan conflict in mandera between Gurreh and Murulle (2004-2009)*

In October 2008, an upsurge in insecurity in Mandera County following an armed conflict between the Gurreh and Murulle clans in the northeastern region paralysed transport and led to the imposition of a curfew, worsening the situation for residents already affected by floods and extreme food shortages. The situation got worse and a curfew was imposed.⁷⁶ The clashes involved the Gurreh and Murulle clans who had in the past battled over water points for their livestock. The violence re-started between the Murulle and Gurreh in Mandera town triggered by the need for space for 920 families displaced by flash floods. A security operation was then set up to intervene following a request by the area members of parliament when the conflict took a cross-border dimension with one clan getting support from Al-Shabaab militants from Somalia.⁷⁷ On 16 October, the clans fought over land that people displaced by flooding in the town had settled on temporarily. According to the Kenya Red Cross, some 13 Koromey residents were reported missing after the conflict and could not be accounted for. In the month of October alone, at least three people were killed, 300 displaced and some 31 houses burned on 21 October in the nearby village of Koromey during attacks by armed raiders. Koromey is located five kilometers from Mandera town.⁷⁸

In the same month, there was urgent need of food and other non-food items such as shelter to the latest victims of clan fighting. The Kenya Red Cross worked with the Government and other Non-governmental organizations (NGOs) to provide relief assistance to those displaced by the clan fighting. Humanitarian assistance was underway after being disrupted by the fighting. A severe food shortage and sharp rise in prices were reported in the border town after the only three transport companies serving the area suspended their operations over security concerns. Mandera, which was experiencing food insecurity, is reliant on food brought in from other parts of the country and border regions. The town borders Ethiopia and Somalia.⁷⁹ In October following the conflict, traders lost a lot in terms of money as cabbages, potatoes and carrots bought to sell in Mandera went to waste. Hundreds of passengers travelling to the neighboring towns of Garissa and Wajir were also left stranded. Bus drivers feared for their lives as some vehicles were attacked and passengers killed. The government imposed a curfew outlawing

⁷⁶ Report by Titus Mung'ou, Kenya Red Cross Communication Officer, to IRIN on 22 October, 2008

⁷⁷ Global Oneness, Gurreh Timeline Articles, www.safegurdeurope.com

⁷⁸ *Ibid*

⁷⁹ Oral interview, Amina Shekh Abdullahi, Local food trader, 30/07/2013

population movement and the conducting of business in the town after the killing of at least 20 people.⁸⁰

The 2008 conflict sucked in a section of government workers, especially teachers and businessmen, who allegedly offered financial and moral backing to the fighters. In the meantime, as the conflict escalated, the government imposed a dusk to dawn curfew until calm was to be restored. People were expected to do everything during daytime. The conflict led to deteriorating living conditions of the people of Mandera specifically for the displaced. Shelters were pieced together with sticks and plastic bags.⁸¹ Everyone was on the edge not knowing when the attackers will strike. Noting that the politicians incited people against each other clan members picked up former Mandera Central Member of Parliament Billow Kerrow for questioning over the clashes in Mandera. The arrest came as the Kenya National Commission on Human Rights demanded that the government stops the security operation in Mandera. Earlier, former Mandera Central MP Billow Kerrow decried the government security operation in Mandera, saying that if the government was aware that there were militias in the region, it should have fought the militia and not innocent civilians.⁸² This led to his arrest. Kerrow claimed that collective punishment of a community or a region had no place in Kenya. It had no place in modern society and it had no basis whatsoever in law in Kenya. He claimed that this country is run by a constitution, on the basis of the constitution, on the basis of law.

2.5 Conclusion

The chapter looked at the efforts to ascertain the conflicts experienced in Mandera County and also identified that the people of Mandera have been engaged in a constant struggle for survival for many decades. The total breakdown of law and order was a common characteristic of the county. The Gurreh and the Murulle engaged in episodes of the long and seemingly endless battles. This continual unrest in the county was due to many causes, most of which are economic, cultural, political or geopolitical. Mandera County territory can be described as arid, with desert conditions characterizing the bulk of the landscape. Water is scarce. Rainy seasons are erratic

⁸⁰*Ibid*

⁸¹NjariGitonga, Tribal, modern law differences cause trouble, Visit <http://www2.mssu.edu/international/mccaleb/kenya/tribal.htm>, accessed April 10, 2012.

⁸²Baseline Report on Conflict-Mapping And Profiles of 47 Counties In Kenya Building A Culture of Peace In Kenya

and unreliable. Conflicts emanating from these resources are common. Daker Ibrahim, a scholar on Somali conflicts argues that the Somali community at large needs to take stock of the breakdown of the key values in the society and to make a collective commitment to their reinstatement. Which values need to be reinstated? The next chapter discusses the peace initiatives and Somali traditions and their role in peaceful resolution in conflict.

CHAPTER THREE

PEACE INITIATIVES AMONG GURREH AND MURULLE COMMUNITIES

3.1. Introduction

The Gurreh and Murulle are part of the larger Somalia communities. The two communities have used the Somali customary law as a peace initiative for a very long period. Somali customary law is one of the mechanisms for managing conflicts between and among clans. The foundation of traditional agreements is based on codes designed to prevent conflict and avert escalation of violent clashes when these arise over resource sharing, land disputes, and other issues. Typically among the Gurreh and the Murulle, a conflict resolution process is either mediated directly by the traditional elders of the two parties from the two clans' conflict or by a third party. It involved the following steps: The traditional elders from the two clans make contact to share information on the crisis and take measures to contain the escalation. These may include a cessation of hostility (*colaadjoojin*), disengagement of forces (*kalararid/ kalafogeyn*) and ceasefire (*xabbadjoojin*). Once the immediate violent conflict is contained in this first phase, the elders from the confronting parties meet directly or through a third party to examine together the issues involved and the root causes of the conflict, and identify appropriate steps to be undertaken towards reconciliation, based on the existing customary laws between the two groups.

If the elders reached a common understanding, they proposed mediation to the parties in conflict in a public meeting at which they presented their views on the root causes and their grievances. But if the traditional elders failed to reach an agreement, then a third party accepted by both groups would be proposed and in most cases were elders from the corner tribes to mediate the process. With the consent of both the Gurreh and the Murulle parties in conflict, the traditional leaders or the arbitrating leaders would appoint a neutral technical committee to examine the root causes of the conflict more thoroughly, investigate who instigated the violence, and ascertain the impact in terms of loss of lives and property. Once it completed its fact finding mission to gather information and collect evidence, the technical committee used the same traditional customary codes to prepare a proposal for appropriate remedial action, which typically included punitive penalties to the offending party and compensation to be paid for loss of life and property. This

was presented to the traditional (arbitrating) leaders for their review and endorsement. Then the parties in conflict would be called again by the traditional elders and the technical committee and informed of the outcome of the technical committee's fact finding mission and the decisions reached.

The frequent violent conflict that erupted in Mandela County had a tremendous social and economic impact on both the immediate and neighboring communities. The traditional titled elders of the Gurreh and Murulle clan family, the Malaqyo, and prominent religious and community leaders strived on several occasions to stop the fighting and facilitate dialogue through peace initiatives. In common with other Somali pastoral and agricultural communities, traditional conflicts developed in the area over use of water sources and boundaries of agricultural and pasture land. However, the communities had established customary law (*xeer*) to regulate their interactions and co-existence, which was the reference point for resolution of conflict. The specific *xeer* relating to the community water catchments (war) is a well-established arrangement with a long history among the Gurreh and the Murulle.

3.2 History of Peace Process between Gurreh and Murulle Communities

The two clans used the Traditional Management of Water Catchments (Xeerka Warta). This is a traditional management structure which regulates the construction, use and maintenance of water catchments for both clans. According to the tradition for the Gurreh and Murulle clan family, the *xeer* specifies: *Aw (wartaawshe)*, The Father (or chairman) of the catchments is a traditional title that is normally inherited but can also be appointed by the community. The Sagaale or water committee in charge of the day to day activities of the warta, the Gob, which is the executive member(s) of the water committee, the Yagoor or Fatiir or the community members that participate in the construction and maintenance of the dam and have the right to use it. Those outside the community of the dam were to get permission from the dam management to use it. The Mandera conflict between the Gurreh and Murulle clans arose over use of the water catchments, which have held water every year except when the rains failed and water was not sufficient to water all the heads of livestock in a day.

For instance, a series of efforts were made to resolve the recurring Mandera conflict and to reconcile the two sub-clans from December 2004 onwards, of which the primary initiatives involved the reconciliation which was initiated by *Malaqyo* (plural of *Malaq*) of the Somali clans in December 2004 and attended by over 100 people from the two parties in conflict, including *Malaqyo*, religious leaders and representatives from other neighboring communities. The discussions focused on the deaths in the fighting and lost or expropriated properties, such as livestock, houses and the underground crop stores that are valuable assets for agricultural communities. Agreement was reached on a cessation of hostilities (*colaadjoojin*), which was meant to last fifteen days as the first stage in the process but was broken within that period by killings in distant villages by militia who were, most likely, not informed of the peace process. As a result the fighting resumed. Subsequently the same *Malaqyo*, religious leaders and other local stakeholders met again with the same objectives and process but increased representation with over 200 people attending and with more extensive mobilization.

Again, the Gurreh and the Murulle reached an oral agreement on a cessation of hostility of 15 days, but was soon dishonored by one party when the killing of innocent people from the other side occurred. The fighting that resumed was even more brutal and damaging than previously. These initiatives focused only on the impact of the fighting, such as the killings and raids on livestock, while the root causes of the conflict remained unaddressed.⁸³ There were also doubts amongst many about the seriousness of intent of the elders involved to resolve the conflict as discussions did not go beyond the stage of a cessation of hostilities. The recurrence and impact of the conflict in Mandera County was drawing the attention of the Gurreh and Murulle business community, politicians, intellectuals and every sensible person from the area, particularly as concerns grew that the conflict could become a regional issue affecting the wider Mandera community. Intensive discussions ensued among different Mandera social groups in the county and abroad, including among the politicians who had been attending the reconciliation conference.⁸⁴

⁸³ Oral interview, maalim Aliosheto former colonial chief and elder, 30/08/2013

⁸⁴ *ibid*

After a series of consultations, agreement was reached for the Malaqyo to work together with the political leaders and politicians from the area to broker a lasting peace agreement between the two sub-clans. The talks started again in January 2005 while the Malaqyo, religious leaders, women peace activists and civil society representatives came from different parts of Mandera to meet. In April 2005, the next attempt to resolve the crisis was initiated by thirty-seven Malaqyo, elders and religious people from the communities of the surrounding towns and villages of Mandera.⁸⁵ While the previous attempt had been organized by elders of sub-clans related to the sub-clans in conflict, this initiative was led by elders from a sub-clan outside the immediate conflict, the corner tribe. This generated confidence that they could be neutral and honest peace-makers in the conflict. Furthermore, the corner tribes are believed to be the earliest settlers of the fertile corner region and therefore could be trusted to identify true ownership of the area in dispute. Both organizers and participants included the neighbouring clans that were potential spoilers of any agreement between the Gurreh and Murulle clans.⁸⁶

The corner tribe elders set out travelling to different parts of Mandera to mobilize other communities and engage all clans living in or neighboring the conflict area and with any potential interest in the conflict. All these stakeholders were represented in the mediation committee. Women's groups and other peace activists in Mandera played active roles in this mobilisation process and, although they were not allowed to sit in the meeting (*gogosha*), women engaged as a pressure group and witnesses of the mediation process. Each of the two communities in conflict selected a committee (*Guddi*) of twenty elders to represent them in the dialogue.⁸⁷ The reconciliation process followed the traditional procedure which incorporated issues of land ownership. Some of the problematic issues underlying the questions of land ownership in the Mandera County context relate to rights of residence, access, for use by livestock, for agriculture, as well as rights to buy or sell land and property.⁸⁸

Dialogue was opened between the two parties to present their cases and concerns, with enough time allocated by the *shir* for the groups to make their respective counts of deaths, livestock

⁸⁵ *ibid*

⁸⁶ Oral interview, Abdurahmanfillow Gurreh council of elder and chairman of peace committee mandera ,30/08/2013

⁸⁷ Hussein Ibrahim Alio, *M.A project, inter-clan conflict in mandera between Gurreh and Murulle (2004-2009)*

⁸⁸ *ibid*

raided, and other properties and assets lost through acts committed allegedly by the opposing party. A fact-finding mission was conducted in September 2005 by the mediation committee with delegates from the two parties to Mandera and other disputed areas. They saw the wells, water catchments, farms, and pastureland, burned houses and damaged property and met with the other communities in Mandera County to identify the truth about the claims made by the two parties in conflict.⁸⁹

After the assessment mission, the committee began its reflections for decision-making on the violent conflict and the issue of ownership of land. During this process, the mediation committee asked the following questions: Who planted the oldest trees in the village? Who owns most of the water catchments around the village? Who built the oldest mosques? The decision was signed by members of the mediation committee. Having learned whom most of the farms belonged to, and who planted most of the old trees, the mediation committee affirmed that their decision was based on Shari'a law that states land belongs to those who till it.⁹⁰

3.3 The Structure of Traditional Somali Society

The Somali traditional society revolved around two important pivots, namely: religious and livestock resources. In terms of their religion, the Somali like other African societies believed in one God who was the master of all living things on earth. He was the source of all blessings, prosperity in terms of material wealth and life on this world. Traditional Somali society also practised recognition of ancestors. Since the 1990s, the Somali people (Gurreh and Murulle) in Mandera have been experiencing a harsh conflict, which has killed hundreds of people, sent thousands into internally displaced camps and left the county profoundly devastated. Many attempts have been made to bring Mandera back to sustainable peace and stability. As the two clans continued to be at war, these efforts were ongoing.

This section focuses on the role of traditions in the search for peace in Mandera County. For a better understanding of the traditional conflict management methods in the peace process, it is important to shed light on some important aspects of the Somali social, cultural and political life.

⁸⁹ ibid

⁹⁰ ibid

The Somali society is divided culturally into several categories. The first category comprises of the spear men. This category largely encompasses shepherds and farmers. This is the group that dominates political power and space within any Somali society. The second group comprises of religious men. These are the people who are in charge of matters relating to religion. The other category is that comprising of the artisans. These are people who are skilled in textile, leatherwork and ironwork. Most Somalis look down upon them. Traditionally, this group does not have access to marriage with the spear men and men of religion. They suffer a great deal of discrimination but hold an important place in the Somali society.

From these categories, perhaps one of the best known features of the Somali socio-political system is that it is a society based on a traditional, rigid system, which is built and functions under the influence of clanism and segregation. This is why it is important to analyze peace issues in relation to the role played by tradition. Clanism is widely appreciated among the Somali people. This means that the society is separated into myriad divisions and subdivisions. These divisions are based on a genealogical formula, which traces people's identity through the father's line. Mothers are sometimes used as supplementary markers and occupy low positions in the Somali society. The Somalis culturally married many wives; in such a case a mother's name was used to separate the children. Segregation traditionally reflects the division of the society. People are divided into nobles and people of lesser rank. Not all enjoy equal rights, particularly in matters relating to traditional ceremonies. Traditionally, the Somali society is founded on six traditional pillars comprising of kinship, customary law, religion, language, traditional territory and the State⁹¹. Kinship bonds people together, in two different ways, bonding based on genealogy and bonding rooted in marriage. The Somali traditional culture pays a great deal of attention to both. Marriage bonds are particularly emphasized as stated in one of the Somali wise saying which states that, "The day your son needs you most is the day you marry his mother."

The second pillar is that of the customary law. This refers to custom-based laws and traditions that govern society and maintain law and order. Customary law deals with matters relating to custom, injury and death, war and peace, protection.⁹² There are also specialized custom-based laws and by-laws that are specific to groups like hunting and fishing communities. When

⁹¹ Oral interview basher issa , Somali elder, 28th July 2013

⁹² Oral interview, Mzee sheikh mohamedkheir, elder from Gurreh clan ,22/07/2013

highlighting the importance of customary law, Somalis argue that a community based on customary law does not become poor neither does it disintegrates. They also insist that customary law is synonymous with peace, meaning that when adhered to, customary law brings about peace. Traditional legislators are all male. Women play no role in the decision-making and they are not present during deliberations.⁹³ The reason behind seclusion of women is because women are believed not to have a clan among the Somalis. However, this research notes that even though absent in legislation, women wield a great deal of power from behind the scenes, which sometimes is more effective than male power. When dealing with difficult cases, male legislators often consulted with their wives and sought their advice. Although modernity seems to penetrate the Somali society, customary law still holds sway across the Somali people. Therefore it is important to understand customary law and to take it into consideration in matters relating to peace in Mandera.

Religion unites them since they share the same religion, which is Islam and is one of the strongest pillars of Somali society. Religion also underpinned Somali customary law and in the process strengthened the unity and cohesion of the Somali people. In terms of language, the Somali people share a common language. The Somali language thus unites the Somali people and facilitates communication and understanding among all Somalis. Beyond the above mentioned categorization, the Somali society is fundamentally premised on two other main divisions. Divisions based on descent with the family being the smallest unit and secondly, divisions based on gender and age groups.⁹⁴ On the family level the Somali have husband, wife and their children. The husband is the family leader. Above the family is the extended family.⁹⁵ This is a group of people who share a common ancestor. They comprise of several families which are closely related. Above the extended family is a clan. A clan is a group of families presided over by an ad hoc committee. The clan refers to those who pay and receive blood money, and who do not marry one another. The clan is led by a committee.⁹⁶ The Somali also have what is known as a clan family which comprises of a group of several clans. The clan family has a leader and a management committee. The final organization is the tribe. The tribe

⁹³ Oral interview, Haji Ismail Hussein, elder from Murulle clan, 22/07/2013

⁹⁴ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

⁹⁵ *ibid*

⁹⁶ Oral interview, Mzee sheikh mohamedkheir, elder from Gurreh clan, 22/07/2013

combines several clan families. It refers to the biggest group that pays and receives compensations when a member kills or is killed.⁹⁷ The tribe is presided over by a traditional legislature.

The senior-most traditional organ among the Somali is the confederation. A confederation combines many Somali tribes of about eight (8). A confederation is a tightly knit entity. A confederation is united by kinship, custom, language, territory and religion. During general consultations, the most senior elder presides over the meeting. There is also a traditional consultative body in charge of overall governance.⁹⁸ The institution discussed above plays a vital role in conflict management. Discussing these institutions is very important because the inhabitants of Mandera are of Somali origin and exhibit socio-natural evolution in the adoption of mechanisms that deal with the conflicts that affect them. Furthermore, the Gurreh and the Murulle inhabitants of Mandera have also constructed an elaborate social alliance structure to cope with various conflicts.

3.3.1 The Organization of Traditional Somali Society

This section analyses the structures of traditional Somali society, the role and place occupied by traditional peace method in conflict resolution and peacebuilding and shall also focus on the relationships between different groups, individuals and traditions. For the purposes of this study, the relationships were regarded as interrelations. In this study traditions will refer to the codes of conduct conveying those moral values, characteristic of traditional Somali society, which underpinned peacemaking practices and made them worthwhile, responsible for stability of the society. In traditional Somali society, the role of handing down what was of inestimable value in the culture fell to the family in particular and the community in general. Both family and society were there to help every member to internalize the values of humanism, goodwill, social responsibility and stability, based on such virtues as justice, truth, honesty and fairness. Elders were among those mainly responsible for the perpetuation and transmission of the traditions and positive values contributing to the perfection constantly sought, first and foremost, in the home, and then in the local community.

⁹⁷Oral interview, Haji Ismail Hussein, elder from Murulle clan, 22/07/2013

⁹⁸Oral interview, Mohamed AlioEdin, former councilor and elder ,25/07/2013

3.3.2 Traditions, Culture and Peace in the Gurreh and Murulle Society of Mandera

The fact that the Gurreh and the Murulle have been at war for decades does not mean that Somali people are inherently warmongers. The contrary is even true despite some misleading evidence. The two Somali clans have a culture that contains norms and principles that make it clear that their members are people with a deeply rooted culture of peace. The Somali society consists of units and divisions that are organized similarly in all clans. The smallest unit is the family while the uppermost level corresponds to the confederation. Every unit in the structure has its own leader, and in the Somali culture that person must be male. Since there are many sections, there are many layers of leaders. They comprise traditional legislature and clan leaders. They rule on the basis of customary law. The clan leaders preside over the deliberations, but they do not pass judgment. This is the main thrust of the Somali proverb that states that, the king chairs, he does not judge.” This shows that culturally, the Somali society does not lean towards authoritarianism, that it is a society founded on consensus. Members of the traditional legislature are selected with a great deal of care and conviction. They must possess such qualities as tolerance, generosity, fairness, oratory, courage and decency hence qualifies one for the position of clan elder.

3.4 Government Peace Interventions in Mandera Conflicts

The government of Kenya through its institutions responded in various ways to conflict in Mandera. First, it imposed a dawn to dusk curfew in Mandera in 2008. This was aimed at addressing the rising incidents of conflict between the Gurreh and the Murulle. However, the efforts were not successful in restoring peace in the area.⁹⁹ There were efforts to post more police officers in areas marked as security zones or conflict flash points. For example, in October 2008, about thirty police officers were stationed in Alango to beef up security in the area following the conflict over watering points between the Murulle and Gurreh pastoralists.

The Police were ordered not to allow anybody from the warring communities to water animals in the borehole.¹⁰⁰ However, the sight of animals dying of thirst made the police allow limited access to the borehole. Only Murulle were using the borehole, partly because the area was in Mandera East, which is on the Murulle side. The police tried to work with the Gurreh to help

⁹⁹ UNDP, Kenya, *Amani Papers: Dynamics and Trends of Conflict in Greater Mandera*, Volume I No 2 May 2010

¹⁰⁰ *Hussein Ibrahim Alio, M.A project, inter-clan conflict in mandera between Gurreh and Murulle (2004-2009)*

find lasting security for the whole county but the efforts failed forcing the government to launch a military operation to restore peace. Since the two communities were getting support from their cousins from the neighbouring countries, the military sealed off the border in what was known as Operation “ChungaMpaka”.

The Operation “ChungaMpaka” was undertaken by a combination of units of the Kenyan security forces, consisting of officers from the army, regular police, administration police and border security police unit. These were deployed in areas considered to be trouble spots (hot spots) including El Wak, Wargadud, Warankara, Lafey and Mandera town.¹⁰¹ The government argued that by October 2008, drastic action was required to contain the escalating conflict between the Murulle and the Gurreh. The Umul Accord that had been signed by the two clans in 2005 and updated in early 2008 under the supervision of the officials from the Office of the President (the Mandera DC) and the joint meetings organised by the religious leaders and the District Security Committee did not seem to stem the ever escalating clashes between the two clans. According to the Mandera security official, the District had been losing an average of four people per day just before the Security Operation.¹⁰²

The government had to stamp its authority once and for all. This was because the militias had put barriers on the major roads within their territories making it impossible to drive along the major county roads. There were reports of militia dragging people out of vehicles and killing them. The police inaction emboldened the militias to the extent that they started hijacking trucks near Mandera town. The army operation was necessitated by the danger posed by international terrorism, especially the rumored involvement of elements of Al-Shabab from Somalia in the clan conflict.

The Ministry of Internal Security, as exhibited in Parliament by the reaction of the then Assistant Minister of Internal Security, the late Hon. OrwaOjodeh, shared the same view. He said that the military intervention was necessitated when it became apparent that foreign militias were involved in the conflict. To prove this, he revealed that 175 foreign militia men had been arrested

¹⁰¹ ibid

¹⁰² ibid

and arraigned in local courts, with some jailed for six months each, while six chiefs who allegedly facilitated the entry of militia men from neighboring Somalia and Ethiopia had also been arrested. Other stakeholders were of the view that the militias were too well armed for the regular police to deal with and as such, the army had to be brought in.¹⁰³ Before the army got involved, the security of the whole of Mandera was totally under the control of the militias and a superior force from outside the county that the police could not handle. The security personnel conducted house-to-house searches in order to flush out the militia elements. They also disarmed the civilian population. They ran security patrols in the hot spots. The government imposed a dawn to dusk curfew throughout the District. Every week, the District Security Committee (DSC) would meet to assess the security situation and advise on the next steps. The District Commissioner (DC) passed advisories to Non-governmental organizations (NGOs) working in Mandera to restrict their movement as Al-Shabab from across the border in Somalia targeted their vehicles for carjacking.¹⁰⁴ The Operation “ChunguMpaka” ended the open hostilities between the two communities and led to recovery of many arms from the two communities. Some semblance of security returned within the larger Mandera District.

Various interventions were undertaken to reduce the escalation of the tension into a bigger problem among the warring clans. The District Peace Committee of Mandera District mobilized both clans together with prominent business people, religious leaders, and representatives from the Provincial Administration as well as other peace actors in the district with the view of ending the hostilities. In 2005, the area members of parliament together with former Mps and officials from internal security visited the area to prevail upon the conflicting pastoralists to abandon violence, embrace peace and coexist for posterity of both clans in the county. In February 2006, a peace delegation involving about 40 elders went to the area for social reconciliation by Ministry of internal security and provincial administration and other arid lands. The delegation made progress toward peace and coexistence by brokering a peace Agreement that was signed by about seventy five (75) key leaders from both communities with the view of developing trust between Gurreh and Murulle communities.

¹⁰³ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

¹⁰⁴ *ibid*

During the peace meeting, various grievances were raised by both sides and possible recommendations made to address some of concerns of both parties. Unfortunately, the peace Agreement that was signed remained on paper as no much was done to implement the agreement. This was caused by renewed armed hostility, attacks, livestock raid, deaths, tension and displacement of people from their homes reported again between the warring communities in parts of Wargadud, Jabibar, and Rhamu.

In this regard, the leaders from both communities met in Nairobi and formed what was referred to as **The joint Nairobi community peace resolution committee** that was coordinated and facilitated by the Ministry for Northern Kenya and other arid lands. The members of the committee included the following:¹⁰⁵

Hon. Mohamed Abdow haji – member of parliament (M.p) for Banissa, Hon. Shaban Ibrahim – member of parliament (MP) Mandera Central, Hon. Adan Mohamed Noor - Former MP Mandera central and Assistant Minister and Chairman for joint Nairobi committee, Hon. MohamudMaalim – MP Manderawest, assistant minister energy, Hon. Billow Kerrow - Former MP Mandera central, Mohamed adankhalif- mayor of mandera, Mohamudkhalif – politician Murulle leader, Haji didow – Businessman –Gurreh leaderleader, Sheikh ahmedsudah- religious leader, Haji Omar Hussein, Ali Maalim Mallow, Haji Mohamed Ali, Billow Edinow – Councilor and Haji Yunis.

The above joint team met in Nairobi with the mandate of ending the tension between Gurreh and Murulle clans. During the meeting at New Jamia hall, they recommended that fifty (50) clan elders from both sides be invited to Mandera to address the dispute. The 50 elders were selected from Banissa, Rhamu, Wargadud and Elwak while some elders came from Nairobi County as part of the peace delegation.¹⁰⁶

All these interventions were facilitated and supported by the Ministry of Northern Kenya and other arid lands. On 28th April 2008, the peace meeting commenced in Mandera at Arid land

¹⁰⁵ Report from Arid Land Resources Management Mandera 2009 on 26/07/2013

¹⁰⁶ ibid

resource management conference room. Initially, both clans met separately in a group discussion and came up with 15 elders out of the 50 previously selected elders and presented their grievances to the joint Nairobi committee that was chaired by Sheikh Ahmed Sudan. The committee then met as a group and deliberated exhaustively on all the issues raised by both sides and eventually narrowing down to the most relevant issues from both parties.

On the second day of the peace talks which was the 29th, again all the participants gathered at the venue of the meeting where six key leaders from both sides were given 5 minutes each to give their version of the issues between Gurreh and Murulle in Mandera district and where they thought the problem was coming from and what the possible solutions were.¹⁰⁷

Presentations

Before anyone presented his version, he was required to take an oath that he would tell the truth, and nothing but the truth about the conflicts and not rumors or what he had heard from others. The 12 selected elders gave their testimony to the joint Nairobi committee. The committee documented all that transpired and met as a group separately to work on the concerns raised by both parties.

One of the Murulle delegates argued that as long as there is presence of militia in Qoqaye on the Takaba side that shares a border with Wargadud and that the same militias were not removed, the problem would continue forever and the tension will never end.¹⁰⁸

The resolution was read by Chairman Sheikh Ahmed Sudan and accepted by both Murulle and Gurreh communities present and also endorsed by the joint Nairobi committee of which the members of parliament were members.

3.4.1 The Joint Nairobi Committee Peace Resolution Meeting Held between Gurreh And Murulle Communities.

Resolutions

Both clans, that is Gurreh and Murulle will live together in peace and coexist in Mandera County, build trust, community cohesion and durable peace among the groups in the district.

¹⁰⁷ Report from office of the Prime Minister ,Ministry of State for Development and other Arid lands 2009 .

¹⁰⁸:ibid

All the damages caused between Gurreh and Murulle will be resolved using traditional Heri systems that used to exist between them. The damages include killing, looting of property, burning of houses, raiding of livestock and kidnapping of people. Religious leaders to do *saben Heri* (apology money) of Ksh. 100,000 (One hundred thousand shillings) to Gurreh both sides: to Gurreh by Sheikh Mohamed Alasow and Sheikh Ahmed Sudan to Murulle and both sides accepted the apology money.

To assess the damages mentioned, a **task force be formed** composed of 5 key elders from each clan and report back within 45 days to the Nairobi joint committee with their findings and Recommendations; the task force is to appoint 3 elders from affected areas and enforce 14th February 2008 peace agreement that was signed in Mandera District by both clans. Resettle all the IDPs to their homes in 30 days: action DC. Chiefs, Councilors, local peace committees and elders. All Roads be re-opened immediately, for example, roads leading to Mandera, Lafey, Ool;, Action: Chiefs, Councilors, peace committees.

3.4.2 The Peace Agreement between Gurreh And Murulle

The Gurreh and Murulle representative and key leaders developed a peace declaration and agreed as follows.

Peaceful coexistence and cohesion: Peace must be restored at all cost and both parties should stop acts that will jeopardize peaceful coexistence and cohesion among the two communities in the county of Mandera and other hotspot areas. **Action:** Communities, Religious leaders, Provincial Administration, Politicians and other peace actors.

Hate speech & Stigmatization: The public and individuals should stop use of derogatory words and phrases that can hurt feelings of their fellow locals and which can lead to a conflict and tension.**Action:** Provincial Administration, Local leaders and religious leaders

Act of Aggression:/triggers There should be complete cease of attacks and counter attacks from the Kenya side to Ethiopia and vice versa.

Displaced Families/IDPs: All persons who fled their homes due to insecurity, tension or fear of possible attack should be returned to their homes. Communities whose members fled are tasked to assist those displaced and the host community is obliged to ensure the safety of the returnees.

Action: Provincial Administration, Councillors and Local opinion leaders./The Kenya Red Cross.

Schools: All schools whose pupils have fled with their parents should be returned and the schools in question should immediately be reopened and normal school session to resume. The government to ensure that humanitarian organizations continuously provide the school feeding programmes.

Action: Provincial Administration, Office of the DEO, Head Teachers, School management committee, humanitarian organization, parents and other stakeholders.

Humanitarian Assistance: The Government should provide food and non-food items to the affected families so as to ease the resettlement and reconstruction process. **Action:** Provincial administration, Ministry of special programmes, MDNK &OAL and Local & international NGOs/Kenya Red Cross.

Deployment of security officers: The current number of security officers is inadequate, the government therefore needs to increase the number of security personnel along the Kenya-Ethiopia and along the porous Somalia border. **Action:** Office of the President. /NSC

Accessibility of Public roads: All public roads that have been blocked to and from Wargadud to Arabia to Mandera town should be accessible for public use.**Action:** Local elders, Chiefs and Office of the president/Religious groups.

Implementation Strategies: The negotiating parties and the mediator felt that in order to have sustainable peace, there should be a subcommittee to support the implementation, with the mandate to oversee the implementation of the peace declaration so as to have sustainable peace. The committee was to constitute of three elders from DegodiaandMurulle, three from Gurreh, four religious leaders from both parties, area chiefs, and area councillors from the affected areas in conjunction with DPC and DSIC.**Action:** Mediation team/peace committees /Disc.

Traditional Dispute Resolution mechanism: The unresolved current and previous disputed issues that were tabled to the mediating team should be resolved amicably using the already established traditional dispute resolution mechanisms and Somali traditional Heri systems.**Action-** Traditional elders, local religious leaders, District Peace Committee (DPC) and selected subcommittee in 9 above.

Inter clan negotiation: Since the two communities both live together in Kenya, it is important to utilize the key clan institutions of the Gurreh Sultan and Murulle through diplomatic initiative of Kenya government. **Action:** Council of elders from both communities

Equitable Resource Sharing: The resources available should be shared proportionally based on populations of each clan. **Action:** Local leaders, chiefs and Office of the president.

Confidence Building: The affected families should be assisted with reconstruction and resettlement so that their normal lives become operational as usual.**Action:** Local communities, subcommittees and Office of the President.

Establishment of Police Stations: During the negotiation period it was noted with great concern that the Wargadud division of Mandera district has no single police station . The lack of this very essential service has greatly contributed to the insecurity of the district. Therefore the team has suggested the government to set up a police station in Wargadud.

Develop a networking strategy: The district is greatly lacking proper networking and logistics which is paramount in maintaining the required level of security. It is therefore recommended that the government provides the required logistics i.e. transport, funds and personnel and sets up proper networking so that any insecurity matter that may arise should be dealt with immediately .

Monitoring and Evaluation: There should be supervision of the implementation of the declaration by Mandera Mediation Council in collaboration with MDNK&OAL and of both Gurreh and Murulle elders, as well as of peace committees together with other local leaders and members of provincial administration.

The situation became calm and communities adhered to the resolution that was put in place through their representatives in the peace process. This has contributed to the consciousness of peaceful coexistence between the two clans.

3.5 Women Peace Efforts in Mandera

Mandera women overcame stereotypes in a society where women were regarded as children and not allowed to address elders or men to initiate peace processes. Their erstwhile efforts to see peace reign in Mandera has seen them accommodated into sitting among the elders and in peace committees.¹⁰⁹ Although in many African societies women were regarded as lesser partakers into a male dominated field of conflict, in Mandera, women's identity is synonymous to peace brokering. Led by a woman known as Amina Hassan Ahmed from Ijara District, the women in Mandera learnt the negative effects of conflicts at a young age as their fathers were repeatedly engaged in conflict and bandit activities that were terrorising the residents of Mandera.¹¹⁰ Their fathers on many occasion stayed away from their children because of the prevailing insecurity induced by the Shifta activities, then of the 1960s. Many women would say, they rarely had time to be with their fathers and most of them were even too young to comprehend, that what they were facing was the impact of insecurity, which would later take lives of thousands of innocent people in the larger North Eastern Province.¹¹¹

Women always got a rude introduction to the effects of conflict on children, families, societies and the wider community at a tender age and decided in their minds then, that they should assist in peace-making when they grow old.¹¹² However, the worst effects of conflict awaited them in their villages. Mandera County has never recovered from the many inter-clan conflicts pitting the Gurreh and Murulle Somali clans over pasture and grazing fields.¹¹³ Women argue that they have always seen many people from both clans uprooted from their original homes, many women

¹⁰⁹ Oral interview, Barwaqaahmed, secretary women for peace mandera 04/08/2013

¹¹⁰ Oral interview, Amina Hassan Ahmed, a peace crusader and the Executive Coordinator of Mandera Women for Peace and Development, 04/08/2013

¹¹¹ ibid

¹¹² ibid

¹¹³ Rosemary Okello, "Where are the women? Africa and other war torn countries come together to support Kenya in ratifying resolution 1325", The Kenyan Woman is a publication of African Woman and Child Feature Service E-mail: info@awcfs.org www.awcfs.org

widowed and hundreds of innocent children orphaned after hitherto friendly communities turned against each other along the unacceptable tribal lines. Women say they are used to seeing a huge deployment of armed security personnel whose presence could not thwart the disturbances.¹¹⁴ The women argue that for a durable harmonious co-existence between communities to be achieved there is need for more than the deployment of contingents of armed security personnel.¹¹⁵

People need to dialogue and willingly embrace each other and this was missing in the government policies in security management and administrations.¹¹⁶ During the operation all armed clan militia crossed the porous Somali border just to sneak back to cause more havoc shortly after the presence of security officers was scaled down. It was just a game of ping-pong between the government forces and the clan bandits. This gap prompted the birth of Women for Peace and Development Organisation in 2000 and since then the women have never turned back in the realisation of lasting and amicable peace in Mandera County. In the analyses of the data collected on the conflicts, the study found that women were the most vulnerable in all forms of conflict in the county. If it is not rape, the woman was being widowed or losing a son as a result of the conflict.¹¹⁷ Underdevelopment experienced in the region can be traced to the incessant clan skirmishes that diverted a huge chunk of the region's budgetary allocations for development to security and in such a case the women were the ones who bore the consequences. Many private investors shunned off investing in this region, particularly in Mandera due to the disturbing reports of recurrent conflicts that they read about in the papers or watched on television.¹¹⁸ No serious investor could risk putting their money in a fluid security situation.

For instance, in 2007 in the month of July more than 12 people were killed in Mandera Central Constituency Qurahmudow, after the inter-clan conflict flared-up between Gurreh and Murulle communities. Abdikadir Hussein who was the Member of parliament and a resident of the region had once observed that arbitrating the warring clans and mobilising security apparatus consumes thousands of millions of budgetary allocations to the region at the expense of developmental

¹¹⁴ *ibid*

¹¹⁵ Oral interview, Fatumaabbey, field officer ACTED. 09/08/2013

¹¹⁶ Oral interview, Amina, *Ibid*

¹¹⁷ Oral interview, Fardowsa Hassan, women group vice secretary, 10/08/2013

¹¹⁸ Oral interview, Hawaadanmolu, business women, 06/08/2013

projects.¹¹⁹ Women Peace as was popularly known by the people of Mandera County won accolades for their relentless efforts in peacebuilding, including the Head of state commendation in 2005 in recognition of Amina for her contribution to peacebuilding in the clash-prone County.¹²⁰ An Early Childhood Development (ECD) teacher, Amina says pastoralist communities in Northern Kenya from as far as Samburu to Mandera; Turkana to Moyale, Isiolo to Ijara have been battling with a myriad of social-economic and political problems that made them easily provoked at the slightest disagreements or incitement with their neighbours. Mandera was a region of a vicious circle of disasters that made the two communities impatient. When it was not drought, it was flash floods, if it was not the floods, it was the animal diseases, if not the diseases, it was clan confrontations, the women explained.¹²¹

In a bid to inculcate ownership of peace among the communities, women, who were part of the Executive Co-Coordinator of Mandera Women for Peace and Development said they formed twenty five(25) Locational Peace Committees comprising of youth, elders, women, religious leaders and the local administration in all trouble spots. These were in areas of grazing and watering as well as along the borders with Somalia. The committees were trained on peacebuilding and arbitration to help address issues likely to compromise tranquility in their locality.¹²² The organization further started peace clubs at 20 secondary and primary schools in urban centres of Mandera District. It also trained 35 teachers as peace patrons in order to inculcate peace values to students who had been victims of occurrences of conflict and especially the 2005 skirmishes that saw violence spreading to main towns. Schools were closed due to instability and by introducing peace values in the minds of the school children and with the assistance of the women who advocated the gospel of peace, there was hope that success would be attained. This method really worked well, even more than what the women expected.¹²³

Since the women established the peace committees at the lowest levels of the clan conflicts, resource based frictions between communities drastically went down and the people now had

¹¹⁹ Rosemary Okello, “Where are the women? Africa and other war torn countries come together to support Kenya in ratifying resolution 1325”, The Kenyan Woman is a publication of African Woman and Child Feature Service E-mail: info@awcfs.org www.awcfs.org

¹²⁰ *Ibid*

¹²¹ Discussion with Women group, [Gamanamina,h. ,06/08/2013](#)

¹²² Oral interview, Hawaadan .women group.06/08/2013

¹²³ Oral interview, Amina Hassan Ahmed, a peace crusader and the Executive Coordinator of Mandera Women for Peace and Development, [04/08/2013](#)

time to direct their energies on personal developments. However, it was not easy at the beginning. Born in communities where women's roles were limited to childbearing and taking care of their husband's need at the home, Mandera women managed to surmount the cultural stereotypes and barriers to score big in becoming distinguished peace brokers and shrewd mediators between the warring clans in the region.¹²⁴ On many occasions they withstood criticism, mudslinging and attempted distractions from their peace mission by conservative Somali male chauvinists, who thought their bid to be involved in a peace mission was culturally unacceptable and doomed to achieve little. An elder by the name Hassan Haji Ahmed once said that: "At first we thought our daughters were running crazy when they started their peace mission. Traditionally, mediation and peace brokering has been the reserve of old bearded men and we as the area elders felt betrayed by the local administration's bid to bring women into some of our arbitration talks. We later welcomed them after we found them resourceful and hard working. Their organisation was also the lead facilitator to numerous peace meetings."¹²⁵

According to the women, at the initial stages of their organisation's peace efforts, they were not welcomed by the traditional patriarchal community leaders. In many instances, they were intimidated by men who refused to admit them into the inter-clan peace dialogue for the simple reason that they were woman, who by custom had nothing to offer adding that they were never discouraged since they were committed to seeing an end to perennial clan skirmishes in their county and between the communities.¹²⁶ Today, many in the remote border County embrace women for their unselfish bravery to ensure a peaceful co-existence between rival clans became into a reality. Women observed that their lowest time in their peace activities was during the deadly inter-clan skirmishes in the region in 2000 where they witnessed an infant clinging to his mother who had been killed oblivious of her death. The conflict then swept an entire village. Also etched in their minds was the 2008 clan fight between Gurreh and Murulle Somali clans in Mandera District. At that time, trouble permeated into the urban centres such as Mandera town,

¹²⁴ Rosemary Okello, "Where are the women? Africa and other war torn countries come together to support Kenya in ratifying resolution 1325", The Kenyan Woman is a publication of African Woman and Child Feature Service E-mail: info@awcfs.org www.awcfs.org

¹²⁵ Oral interview, Hassan Haji Ahmed, 25/07/2013

¹²⁶ Rosemary Okello, "Where are the women? Africa and other war torn countries come together to support Kenya in ratifying resolution 1325", The Kenyan Woman is a publication of African Woman and Child Feature Service E-mail: info@awcfs.org www.awcfs.org

unlike other preceded conflicts which largely concentrated on the far-flung villages.¹²⁷ Many houses and business premises in the town were torched down by the rival clan youths.

The women noted that most of the conflicts in the region were politically instigated but it was always blamed on disputes over grazing fields and watering points. Every clan leader in the Northern region wanted to protect their perceived ancestral lands for their respective communities and they used any means available to drive others out.¹²⁸ However, due to the efforts by the women, majority of pastoralists' were now learning their leaders' selfish tricks of manipulating them against each other to their disadvantage. Mandera Women for Peace and Development which started as a community based organisation is now registered as part of a regional organisation, Horn of Africa Women Empowerment Network-Kenya (HAWENKA) to champion for peace and dialogue.¹²⁹ This was after its peace efforts were recognized regionally.

3.6 Mandera Youth Forum for Peace

Mandera County youth also played an important role in peacebuilding. They organized the Mandera County Youth Conference 2007 which was held in Mandera county and Nairobi County on 24th -25th November, 2008. Mandera County Youth Conference was an exciting opportunity for the youth from the region to make their voice heard. At the Youth Conference, young members discussed ideas for the Mandera County Government youth priority action plan and choosing Young Leaders as a first ever priority campaign. They strongly condemned the brutal attack on innocent people in Gari, Jabibar and Rhamu, calling it a senseless act of hate and violence.¹³⁰ "We condemn in the strongest possible terms the senseless act of hate and violence committed against innocent ordinary citizens of our beloved county. Discriminatory acts of violence undermine and discredit efforts toward peace and security and the development of our region. We welcome leaders from the region's unequivocal condemnation of hate and violence and there call for a full investigation. The perpetrators of this hateful crime must be held to account." The statement was read by the youth leaders.¹³¹ They further stated that, leaders,

¹²⁷ Oral interview, Halima buran , member women for peace 04/08/2013

¹²⁸ Oral interview, Anabissack, teacher at rhamu dep.27/07/2031

¹²⁹ Rosemary Okello, "Where are the women? Africa and other war torn countries come together to support Kenya in ratifying resolution 1325", The Kenyan Woman is a publication of African Woman and Child Feature Service E-mail: info@awcfs.org www.awcfs.org

¹³⁰ Oral interview, Hassan Mohamed nor, youth member from banisa, 09/08/2013

¹³¹ Oral interview, Adanissackadan ,youth member, from rhamu, 25/07/2013

aspirants, the youth and all peace loving people must unite to condemn violence and promote peace in Mandera.

Livestock theft, cross border raids and revenge attacks can mar remote villages in northern Kenya following long-standing armed conflict between pastoralist communities over water and pasture resources, land ownership and political supremacy. In Mandera County, youths were provided with weapons by their communities to defend their tribes and carry out raids against enemy tribes.¹³² This violence and the loss of livestock caused thousands of pastoralists to flee to major towns. In a bid to stop this cycle of conflict, government-backed peace-making activities were initiated in 2003, bringing seven local tribes together to search for local solutions. By engaging clan elders, women leaders and youth leaders, the tribes were able to address the factors that fuelled the conflict, sign a peace agreement and form a committee to solve disputes and ensure that resources were shared. Hundreds of youths also surrendered their weapons and returned to their communities. Now, if a tribe sources arms from Ethiopia, a penalty of 100 camels can be imposed.¹³³

To provide the demobilized youths with the skills necessary to start their own businesses, the Frontier Indigenous Network (FIN), a local community-based organisation, began providing livelihood training in the area. They decided to engage the youths because cases of insecurity were on the rise after demobilization.¹³⁴¹³⁵ After training, the groups came up with business ideas and were assisted in obtaining loans from local banks, which they could repay as they worked. Forty youths formed a group called *Wathajir* meaning together as one. After receiving training from FIN on forming a business, and managing capital, and from local agricultural extension officers on farming techniques, they were helped to establish links with national and international markets. *Wathajir* soon began growing mangoes, apples, watermelons, lemons, kale and spinach. They got a loan from a local bank to buy seedlings, farm implements and a diesel engine to pump water from the nearby river.

¹³² Allen T. ethnicity and tribalism on the sudan –uganda border, 1994

¹³³ Oral interview, Salimmaalimali, youth leader.02/08/2013

¹³⁴ Oral interview, AshaMulki, programme coordinator of FIN, 04/2013

¹³⁵ Oral interview, Mohamed Abikar, Wathajir group leader ,08/08/2013

Wathajir youth members have also benefited from a bi-weekly radio programme, put together by the local agricultural office and the Kenya Pastoralist Journalist Network. Broadcast in Somali and Orma, the programme offers farming advice to agro-pastoralist communities in the area, including information on soil fertility, drought-resistant crops, terracing, and establishing fruit nurseries.¹³⁶ All 40 young men share the duties on their 20 acre farm. They share activities regardless of their positions. The group also meets every Friday to discuss the business and farming challenges, opportunities and contributions to the farm. They also solve problems like misunderstandings between members, non-performance of duties, and failing to meet targets. They translate the weaknesses into opportunities.¹³⁷ This farm is a peace model project for other youths in Kenya.

The project encouraged the youths to start income-generating activities and create self-employment rather than engaging in conflict. Other ex-combatants were engaged as mechanics, waste collectors, builders, livestock traders, milk hawkers, and harvesters and traders of gum Arabic. Their businesses contributed to the development of the Mandera community and helped the young men to re-integrate into their communities. Despite a few continuing incidents of conflict over shared resources during prolonged drought, Mandera County has seen a significant reduction in inter-clan violence since the youths were demobilized and trained.

3.7 Local Community Responses

The community initiated the Umul Accord which was reached to end the conflict between the Gurreh and the Murulle with other communities in Mandera acting as witnesses. The UMUL Accord came up with the following seven resolutions.¹³⁸

After tabulations of deaths and injuries caused by the conflict and agreements to pay compensation according to Somali Customary Law, it was decided that the greater losses suffered by the Gurreh should be compensated. It was agreed that Murulle would pay KSh. 7,600,000 in three installments, three million on signing, Ksh. 2.3 million by 30th October 2005,

¹³⁶ Oral interview, Adan sheikh Hussein, youth member.27/07/2013

¹³⁷ Oral interview, , fardowsa Hussein dahiya, youth member, 04/08/2013

¹³⁸ UNDP, Kenya, *Amani Papers: Dynamics and Trends of Conflict in Greater Mandera*, Volume I No 2 May 2010

and a final Ksh 2.3 million by April 2006. It was agreed that a sum of Kenya Shillings one million, which had been paid by the Gurreh and held by the Mandera DC, be returned to them.

After payment of Phase 1 compensations, combined delegations of Gurreh and Murulle elders would go to the hot spots and preach peace. Then payment would be made at the ground level of the compensation, and there would be a return of displaced urban people to El Wak, Lafey, Wargadud. It was resolved that there would be no compensation for loss of wealth and property, but Gurreh would pay Kenya shillings Six hundred thousand (KSH 0.6m) to repair houses.

It was agreed that rapists would be handed over to government and there would be no acceptance of payment to forgive this crime. Where clear evidence was lacking, an Islamic oath would be used to establish innocence, administered first to the accused, then to the woman. Injuries would be dealt with according to the Islamic Sheria. A woman who was raped would be paid dowry equivalent to what is normally paid for women getting married; a further compensation would be sought if the victim was a virgin. Farms and pasture land would be separated by clear fencing, and farm owners should guard their farms during the day. Livestock owners would pay for transgressions by their stock; if transgression were proved to be deliberate the culprit would be arrested and made to pay for damage caused. Nomadic communities would have to respect the traditions of place where they move to, and accept the area chief as their chief. Any conflict that arose would be resolved through elders of host community. The host community should have patience and deal with migrants tolerantly. Damaging actions against trees and vegetation were prohibited, and such actions should be reported and punished.

Murderers were to be handed over to government. In unclear cases, oaths would be used. If a group of elders claimed compensation for murder of one of their own, the oath would first be administered on 50 elders from those claiming compensation. If the 50 elders agreed and underwent the oath, their claim would be accepted and they would be paid. If they declined to undergo the oath, then 50 elders from the accused clan would be asked to take the oath; if the accused clan elders under oath swore they were not transgressors, no payment for compensation should be made. If both sets of elders decline to undergo the oath, the case will be adjourned until clarity is found; Elders would undertake to control crowds, and avoid any incitement that

leads to conflict. It was resolved to ask government to release all those who had been captured by security forces in the name of the conflict.

Conflict over pasture and water were not resolved; Issues of peaceful coexistence not solved; Conflict over administrative locations was not solved; The killing of Gurrehs at Jabibar 20 April 2004 unresolved. It was resolved to create a standing committee, made of 20 persons, including 6 religious leaders, and 7 elders from each clan, Murulle and Gurreh, to oversee the implementation of the resolutions. It was agreed that not every incident will be treated as a violation of the accords, until the elders from violating community accept that they have failed to resolve the issue at hand.

However, the UMUL Accord did not stop the 2008 hostilities. Again, its impact cannot be quantified as the Security Operation was launched while the peace activities relating to the Accord were still ongoing, in effect forcing them to stop. Other efforts were initiated as the condition of conflict got worse.

3.8 Youth Peace and Development Groups

Several Youth for Peace and Development CBOs have been formed at differing times since the major clashes broke out in the Mandera District, some with mandates covering the Greater Mandera, while others concentrating on one or two of the new districts. The youth groups provide forums for exchange of views and ideas for the youth, and are well placed to campaign against drug abuse. However, capacity constraint was a key feature of these organisations, limiting their capability to address the problems affecting the area. Civil societies joined the efforts to work for peace. SUPKEM is the leading Muslim organisation in Kenya, with members, officials and offices across the country. SUPKEM Mandera worked through the religious elders and community elders to re-inculcate proper Islamic principles/values within the community so that it renounces participating in or glorifying inter-clan violence. SUPKEM participated in Barazas (public meetings) to spread the message of peace.

3.9 Mandera Mosque and Madrassa Development Committee

The Mandera Mosque and Madrasa Development Committee (MAMDEV) is a voluntary organisation bringing together a number of Islamic scholars and it runs an active secretariat based in one of the Mandera mosques. MAMDEV had taken on a broad mandate to coordinate the development of a modern Islamic education and the institutions offering this type of training in Mandera. MAMDEV runs a number of Madrasas that innovatively combine Islamic and secular education in their curriculum. MAMDEV formed a special sub-committee to participate in peace work in Mandera and to mediate between the two clans fighting each other. This sub-committee was selected from those Islamic scholars (Sheikhs) hailing from the Mandera clans which were not involved in the fighting, and they were chosen from among the Corner Tribes, and the Degodia.¹³⁹

The peace and reconciliation committee that the Sheikhs formed carried out various activities. It spearheaded the holding of meetings to discuss solutions to the conflict in all its hot spot areas. It was involved in the meetings that led to the UMUL Accord. It acted as the secretariat for the writing of agreements and accords. It liaised with the administration in implementation of agreements, and has been involved in organising, collecting and delivering to the victims of the traditional Somali Islamic compensation payments.¹⁴⁰

3.10 NGOs in Mandera Peace Activities

NGOs were in the forefront of promoting peace through a number of well-received innovative initiatives as discussed below. The Mandera District Peace and Development Committee started in 2000. The Mandera Women in Peace and Development was instrumental in the initiation of the Committee, and it provided the first Secretary. Youth, women, elders and other stakeholders like the NGOs, and CBOs were involved in the process. The Committee participated in making the 'MaddoGashe declaration.' It visited several places in Mandera assisting in solving conflicts. However, as the Gurreh and Murulle conflict escalated in 2003, the Committee started to fall apart. Many Committee members became clan oriented and compromised by the conflict. Peace-Net group was also involved by contributing funds to facilitate Islamic religious leaders for

¹³⁹ UNDP, Kenya, *Amani Papers: Dynamics and Trends of Conflict in Greater Mandera*, Volume I No 2 May 2010

¹⁴⁰ *Ibid*

peace talks and it trained mediators on the ground- the main result being the dialogue. Another group was the Practical Action Group. Practical Action has run livestock health, livelihoods and peace programs in Mandera for a very long time. Practical Action's interventions were through mobilising local traders and politicians and other stakeholders for peace. Practical Action strengthened the capacity of Women for Peace and the Peace Committee with financial assistance. It also brought in external consultants to train trainers (Training of Trainers) with a view to build local expertise on trauma counseling. The training targeted teachers, chiefs and NGO workers, who would use the skills in their localities.¹⁴¹

3.11 Conclusion

The peace delegation elders prevail upon both sides to adopt and sign memorandum of understanding as the peace agreement that was supported by the locals and the all leaders in the mediation team. Therefore both conflicting parties swore that they would uphold the outcome of the meeting and peace agreement and pledged to stand by it with all their efforts and preach peace messages to all corners of the county for sustainable peace to be realized. It's also concluded that those displaced from their homes be resettled and schools to be reopened in all affected centers, with the assistance of the government. The next chapter discusses the impact of peace initiative on Gurreh and Murulle conflict in Mandera.

¹⁴¹ UNDP, Kenya, *Amani Papers: Dynamics and Trends of Conflict in Greater Mandera*, Volume I No 2 May 2010

CHAPTER FOUR

IMPACT OF PEACE INITIATIVE ON GURREH-MURULLE CONFLICT IN MANDERA

4.1 Introduction

The activities of traditional elders in the field of conflict resolution and peace-building in Mandera markedly increased after the government seemed not to care about the conflict that was going on in Mandera while due to insecurity, the humanitarian organizations withdrew from the region. This made the conflict during the 1990s to attract substantial local attention. Clan elders in Mandera therefore decided to play an important role in conflict resolution through their ability to build inter-communal links, facilitate reconciliation, and address the root causes for conflict between the Gurreh and the Murulle. This chapter asserts that the traditional peace efforts have an impact on conflict resolution by creating constituencies for peace and by affecting public opinion. This chapter outlines what traditional peace efforts have accomplished in conflict resolution, and the actual impact of the traditional activities on the broader conflict context. What was studied in this chapter is the possible impact that traditional peace-building activities on the conflict between the Gurreh and the Murulle peace process beyond the direct effects they have on the participants. Such impact is often referred to as ripple effects. More specifically, the focus of the chapter was to show the factors that might determine whether the traditional peace efforts succeeded or not. The reason for the use of traditional mechanisms was mainly because of an acknowledged governance gap.

4.2 Why Traditional Peace efforts in Mandera

The Mandera region is marginalized in terms of the politics of Kenya, adding an interesting dynamic of relative autonomy from the national government in local communities. That said, state inattention also tends to foster greater innovation on the part of state functionaries engaging local actors on pertinent conflict issues. The nature of the conflict in the Mandera County is inter-clan warfare, based primarily on issues of water resources and grazing land¹⁴². As new conflicts over administrative issues emerged in the 1990s, clan warfare took on a decidedly

¹⁴² UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

violent dimension. Further fueling the conflict was intense resource competition in light of the 1992-1999 droughts during which time many people died.¹⁴³

Initiatives to mitigate the conflict and conditions that led to it were multi-faceted and altogether successful. Its success can be in part attributed to the fact that a collaborative relationship was fostered between the state actors and the local community. Through this collaboration, a Rapid Response Team composed of the army, police, and local activists was created. In addition, the partnerships between community based organizations (CBOs) and local government institutions proved particularly fruitful. Another essential component of the initiative was the formation of a Peace Forum, embracing the roles of youth, elders and women in the peace process. Through local interest groups, many women worked to develop trust with elders and youth, and additionally, took the lead in reaching out to local government institutions. A positive set of relationships and channels of communication were established and have proven sustainable over the course of the initiative.¹⁴⁴

The most crucial aspect, however, was a meeting of clan elders that culminated in a negotiated framework document entitled, “Umul Declaration”. This declaration constituted the basis for a peace settlement among the feuding clans. As a result of this initiative, bandit activities that brutalized the communities were significantly curbed. Moreover, local neighboring communities such as the corner tribes were invited to assist them in mediation of similar conflicts.¹⁴⁵ As the initiative expanded beyond the core activities, it yielded good results. For example, an effort was made to establish a village polytechnic institute for youth the institute has bore fruits by keeping the youth busy and reducing idleness which is an incentive for conflict. Similarly, the initiative created a peace prize to be awarded annually to the most peaceful community, the prize has assisted peace to materialize. Overall, the initiative has contributed to peace through information gathering, creating early warning systems, and setting up new norms of behavior for the community. And since the local government has bought into the value of the initiative, its likelihood for sustainability is quite high.¹⁴⁶

¹⁴³Mwanikinjuguna (2010) natural resources conflict management process and strategies in africa ,iss paper 216

¹⁴⁴ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

¹⁴⁵ Oral interview, sultanalinoorGurrehcouncilof elder 21/08/2013

¹⁴⁶ ibid

4.3 Effects of Traditional Conflict Management on Gurreh and Murulle Conflict

Indigenous conflict management and resolution mechanisms in Mandera County used local actors and traditional community-based judicial and legal decision-making mechanisms to manage and resolve conflicts within or between communities. Local mechanisms aimed to resolve conflicts without resorting to state-run judicial systems, police, or other external structures. Local negotiations therefore had a big impact on conflict in the county. They led to ad hoc practical agreements which kept broader inter-communal relations positive, creating environments where Somali clans in the county who are nomads to graze together, those living in towns to live together, and merchants to trade together even if there was clan animosity or even if tensions remained un-reconciled.¹⁴⁷

Additional results of local conflict management occurred when actors who previously did not have an political, social or economic stake in continuing violence came together and build a constituency for peace. In some cases, this undermined the perpetrators of violence, leading to the development of momentum toward peace in Mandera County. Local mediation in Mandera typically incorporated consensus-building based on open discussions to exchange information and clarify issues.¹⁴⁸ Parties were more likely to accept guidance from these mediators than from other sources because the council of elder's decision did not entail any loss of face and was backed by social pressure. The end result was, ideally, a sense of unity, shared involvement and responsibility, and dialogue among groups otherwise in conflict.

Local mechanisms in Mandera intervened to resolve community or clan disputes before they escalated to large-scale violence or to prevent a resumption of violence after a period of calm. Generally one or both parties to a dispute requested intervention by elders, the elders' council, or other community members living in the county.¹⁴⁹ Occasionally, elders from the Gurreh and the Murulle united and took the initiative in forming a local council to represent the community's interests. Community members involved in the conflict participated in the dispute resolution

¹⁴⁷Modagashe declaration of 2011

¹⁴⁸ibid

¹⁴⁹ Oral interview, sultan alinoorGurreh council of elder 21/08/2013

process. These community members included traditional authorities such as elders, chiefs, women's organizations, local institutions and professional associations from the county.¹⁵⁰

The elders functioned as a court with broad and flexible powers to interpret evidence, impose judgments, and manage the process of reconciliation. The mediators led and channeled discussion of the problem. Parties typically particularly the youthful who engaged in direct fighting did not address each other, eliminating direct confrontation. Interruptions were not allowed while parties from both clans stated their case.¹⁵¹ Statements were followed by open deliberation which integrated listening to and cross-examining witnesses, the free expression of grievances, caucusing with both groups, reliance on circumstantial evidence, visiting dispute scenes, seeking opinions and views of neighbours particularly the members of the corner tribes, reviewing past cases, holding private consultations, and considering solutions.¹⁵²

Although the process may be time-consuming and encouraged broad discussion of aspects that may seem unrelated to the central problem, it was important and very successful in alleviating conflict. The discussion out of the real conflict was because the mediator tries to situate the conflict in the disputants' frame of reference and decide on an appropriate style and format of intervention.¹⁵³ The elders or other traditional mediators used their judgment and position of moral ascendancy to find an accepted solution which both the Gurreh and the Murulle clans could accept. Decisions in some cases were based on consensus within the elders' or chiefs' council and were rendered on the spot. Resolutions involved forgiveness and mutual formal release of the problem, and, if necessary, the arrangement of restitution.¹⁵⁴

International agencies such as World Vision, Lutheran World Federation, Muslim Council and other NGO operating in the area also assisted in promoting local dispute resolution mechanisms to ensure that local actors participated in conflict management by partnering with existing local institutions. External players such as humanitarian organizations, UN officials, US Aid workers

¹⁵⁰ *ibid*

¹⁵¹ Oral interview, sheikh Mohamed Alasow chief mediator between Gurreh and Murulle 23/08/2013

¹⁵² *ibid*

¹⁵³ Hussein Ibrahim Alio, M.A project inter-clan conflict in Mandera district between Gurreh and Murulle (2004-2009)

¹⁵⁴ *ibid*

and government of Kenya official delegations worked together and empowered local mediation groups by acknowledging their relevance, meeting with them when visiting an area and securing their input into planning.¹⁵⁵ They also engaged in what is known as building on traditional structures for peace and conflict resolution, and using those structures in dealing with ongoing conflicts in Mandera County at the time of intervention.

Foreign actors also assisted in developing a strategy for identifying conflict resolvers and peacemakers within each cultural group in the Mandera area, validating and empowering existing conflict resolvers from the Gurreh and the Murulle, and creating opportunities for their interaction with other communities particularly Somali clans in their reach. They helped local Murulle and Gurreh partners to evaluate some of the traditions and approaches to peacemaking that worked in the past, and assisted the two clans to think through how such methods could be helpful in the current conflict situation.¹⁵⁶ Such efforts by external forces assisted the communities to learn what external actors could do to bolster mechanisms and actors to increase their effectiveness, or at a minimum, to avoid eroding or undermining the local authorities.

Foreign intervention involved sponsoring forums to develop comprehensive strategies for conflict mitigation activities in the region. Conducting workshops to focus on processes by which local groups could be empowered to help themselves in managing conflict. They provided an opportunity for Non-governmental organizations (NGOs) and government personnel to explore applying community-based conflict mitigation by learning from the experience of practitioners in the field.¹⁵⁷ This enabled the government and non-local actors to pay attention to traditional customs, cultures, and roles, and learning the community structure in areas where external actors were operating programs, including the role of the elders, women, and other leaders, especially non-military leaders. External actors supported or assisted in developing local venues for mitigation and mediation and allowing enough time for those processes to take place. Using the traditional authorities to implement activities other than conflict-resolution activities,

¹⁵⁵ *ibid*

¹⁵⁶ Oral interview, Local Peace Worker, Abdi Hussein 30/08/2013

¹⁵⁷ Practical action and peace net 2009

such as development or relief programs helped jump-start intra-community dialogue between the Gurreh and the Murulle that had broken down because of persisted conflict.¹⁵⁸

The traditional peace efforts between the Gurreh and the Murulle largely involved women participation. Gurreh and Murulle women played a unique role in conflict management and resolution. External agencies also recognized the importance of the women roles and promoted the inclusion of women in negotiations in Mandera through measures such as holding regional workshops to promote dialogue among women, sponsoring training to develop women's conflict resolution skills, assisting women's groups interested in developing peace education and civic education materials for use in schools and the media and facilitating the evolution of regional women's organizations as mechanisms for information sharing and coordination and to maximize participation of women in reconciliation and development processes.¹⁵⁹

Women among the Gurreh and the Murulle understand things that have influence on society. Women utilized such things to change or influence the society to move from violence to peace. For example, women used poetry. Poetry among the Gurreh and the Murulle and many other African societies is a celebrated form of art. Poets are highly respected in the Gurreh and Murulle community and have been traditionally involved in peacemaking.¹⁶⁰ In many the two communities cultures, poetry is widely understood and enjoyed, and has the power to influence opinion. In inter-clan peace conferences, distinguished poets recited poems advocating peace. Poetry in places like Somalia can help move people toward either war or reconciliation. Poetry can help identify grievances, argue for causes, rights and responsibilities, and justify the views and demands of different groups.¹⁶¹ A good example of such poems from the Gurreh and the Murulle are as follows:

Oboleyantena allaobololeyanten olkidansamiti er afagana gudisiyoletena lalanu nuyiniislan alafijiisomati aqrairafikira. Dubiqalutenadegena dubisirlakkenadegena .oboleyantena alaoboleyantena. It means that ooh brothers ooh brothers conflict are not good think of our

¹⁵⁸ ibid

¹⁵⁹ ibid

¹⁶⁰ Oral interview, Halimashaba the poet 27/08/2013

¹⁶¹ ibid

childrens life and education, we share the same religion and it's the wholly month of ramadhan respect the wadads and follow their preachings. Ooh brothers ooh brothers.

Other important actors that reconciled the Gurreh and the Murulle are the religious figures. In many traditional Somali societies, religious men are somewhat dissociated from society at large. They are considered separate from warriors and are the repository of traditional wisdom and sometimes the vehicle of religious judicial systems, such as shari'a law. This special place in society made them an ideal link between feuding Gurreh and Murulle groups who would otherwise have been unable to establish a dialogue.¹⁶² Religious and local leaders organized peace conferences. Overall cross-clan peace conferences were preceded by a combination of sub-clan deliberations about grievances, issues and representation, and a series of cross-sub-clan deliberations and consultations. Through this process perspectives were gathered, procedural steps were negotiated, and the basic parameters were set for moving toward a more explicit forum, guided by the elders' council called the guurti in Somalia language.¹⁶³ The larger forum or peace conference took the form of large, usually public meetings, which involved lengthy speeches and the extensive use of poetry. Preparing for and holding such a series of peace conferences commonly took four to six months. Throughout the process, elders prepared, moderated, listened, and often arbitrated procedural problems. They helped formulate an eventual consensus of the two clans. Various inter and sub-clan deliberations occurred on the side simultaneously. Key authority structures of conflicting parties were included in the process, including traditional, military, administrative, and religious leaders.¹⁶⁴

The above peace efforts were preferred because a local peace process is generally low-cost. Local efforts were sometimes financed through community sources, or sometimes through external, including international, support especially in the initial stage of rejuvenating such mechanisms. Excessive levels of external support were detrimental to the integrity of the process and therefore avoided.¹⁶⁵ The processes are non-threatening and familiar in setting which is highly needed to encourage attendance. Agencies who assisted in the efforts incurred expenses in

¹⁶²Oral interview, sheikh ahmedsudan religious scholar and the coordinator peace.

¹⁶³ ibid

¹⁶⁴ ibid

¹⁶⁵ Peace net 2009.

providing support and education to assist in promoting or re-establishing local mediation efforts. It is critical to respect local timeframes for planning and implementing indigenous peace-building processes. These were sometimes lengthy but helpful in achieving peace in Mandera. In some cases grassroots conflict resolution structures were dormant because of social upheaval linked to the conflict in Mandera County. In this case, the structures were often revived relatively quickly.¹⁶⁶

Indigenous processes in Mandera were long-term interactions. Mediation between the Gurreh and the Murulle continued sometimes for months until a solution was found that was acceptable to all parties. These were not quick fixes. The process took more time than outside observers were accustomed to, and the discussion of important issues were generally occurred only after other obligatory topics were handled.¹⁶⁷ Some peace conferences went on for months. However, traditional conflict resolution mechanisms in Mandera between the Gurreh and the Murulle brought about long-term reconciliation. Indigenous mediation of disputes occurred at any stages of a conflict in the county, from on-the-spot mediation to prevent a violent outbreak to efforts to mitigate the more violent aspects of the conflict to efforts toward reconciliation after the dispute had escalated to violent conflict. These processes took place before formal peace structures have been established.¹⁶⁸

Traditional forms of mediation and legal sanctioning among the Gurreh and the Murulle often appeared in the aftermath of widespread conflict when no other mechanisms for social regulation existed. This was particularly true in Mandera County where the Kenyan state had failed to stomp its authority. This is why the indigenous mechanisms, some ad hoc, others traditional and long-established, provided order where the outsider's eye saw only chaos. In many areas of Mandera there are no courts which are meant to enforce law and order, a welcome novelty for residents who have been deprived of a functioning judicial system for years.¹⁶⁹ Traditional mediation in Mandera was effective in dealing with interpersonal or inter-community conflicts. This approach has been used at the grassroots level to settle disputes over land, water, grazing-

¹⁶⁶ *ibid*

¹⁶⁷ *ibid*

¹⁶⁸ *ibid*

¹⁶⁹ UNDP Kenya, *Dynamics and Trends in Conflict in the Greater Mandera in Amani Papers* Vol 1 May 2010

land rights, fishing rights, marital problems, inheritance, ownership rights, murder, bride price, cattle raiding, theft, rape, banditry, and inter-ethnic and religious conflicts.¹⁷⁰ Traditional mediation was very effective in addressing the mistrust and animosity that could have been the local root causes of conflict. Grassroots mediation between the Gurreh and the Murulle depended on an existing tradition of local conflict management mechanisms, even if these were dormant during the period of conflict. Credible local people particularly elders were willing to undertake the role of traditional mediators in Mandera. They paused in the violence. Traditional mechanisms were often ineffective when the conflict was in an acute phase, especially if the conflict was violent and widespread.¹⁷¹

Due to many challenges and the destruction caused by the conflict, the Gurreh and the Murulle turned back to clan and sub-clan structures to meet basic needs, including security, especially with the state's disappearance and the breakdown into warlordism. While the reascendency of clan politics in Mandera Somalia community encouraged certain patterns of conflict, traditional mechanisms were revived and adapted to resolve inter-clan killings and conflicts over resources. Lineage elders, who led smaller units within the clan, returned to prominence and the mediating authority of Akils heads of lineage groups was reestablished. Their functions expanded into the vacuum left by the absence of the national government.¹⁷² According to a survey of traditional local structures commissioned by the local and international Non-governmental organizations(NGOs) like practical action and Norda, such structures have enabled the Gurreh and the Murulle in Mandera areas to break the momentum of war.¹⁷³

In many areas of Mandera, the Gurreh and Murulle residents have achieved agreements to end fighting through local peace conferences. These peace conferences brought together and were guided by the elders of interdependent sub-clans. The conferences dealt with immediate concerns, made local leaders responsible for inter-clan fighting, and helped identify appropriate representatives for clan concerns. Once such local agreements were secured, it was possible to repeat a similar process at a higher level with a wider set of clans. These processes included a

¹⁷⁰ *ibid*

¹⁷¹ *ibid*

¹⁷² John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies*, Tokyo: United Nations University, 1994

¹⁷³ Oral interview chetomusa ,coordinator for NORDA mandera county, 30/08/2013

reliance on elders, lengthy oral deliberations, creation of a forum or assembly of elders, and negotiations over access to resources and payments for deaths between clans.¹⁷⁴ Clan elders authorized peace conference agreements but other traditional leaders, politicians' military officers' religious figures poets have played crucial roles in the peace process. Religious figures such as sheikhs and wadaads (Islamic scholars) have peacemaking responsibilities, with authority based on the esteem with which they are held as spiritual leaders. Spiritual leaders are seen as ideal, neutral arbiters who have allegiance to universal Islamic values that transcend clan loyalties. They do not settle disputes themselves, or sit in judgment; this is done by councils of elders. The responsibility of religious figures was to encourage rivals to make peace. Delegations of renowned holy men participated in all major peace initiatives between the Gurreh and Murulle clans in Mandera.¹⁷⁵

In such a context, outsider efforts to identify national leaders or convene peace conferences create only a superficial structure instead of a process which builds on Somali traditions and structures. For instance, in May 1993, elders from numerous sub-clans in Mandera region of Kenya undertook a peace initiative. The central government from Nairobi was not directly involved and was informed by the women groups to recognize or support the initiative. The conference involved community and religious leaders, businessmen, students, and factional representatives and produced a largely successful ceasefire in Mandera. The agreement involved the return of property, the surrender of illegally owned guns and the opening of roads which had been closed by some fighting factions from the two clans. The commercial imperative for peace was the most important factor in the continuing stability in the region. All the clans in Mandera and some of the large sub-clans, as of late 1993, had their own Supreme Council of Elders, known as guurti.¹⁷⁶ This Council acts both as legislature and executive, and is responsible for responding to questions within the clan and for arbitrating with other clans. Peacemaking initiatives in this region have been relatively successful compared with the rest of Somalia occupied territories of Kenya.

¹⁷⁴ Oral interview, *ibid*

¹⁷⁵ Oral interview, sheikh ahmedsudan religious scholar and the coordinator peace. 24/08/2013

¹⁷⁶ Oral interview, HAJII BULLOW Murullecouncilof elder and former councilor 28/08/2013

A series of inter-clan reconciliation conferences began in 1991 and gradually advanced to district and regional levels. Many elders' conferences were organized and brought together communities and their leaders from the former northern Eastern Province in early 1993 to address conflicts in those areas. Both led to a significant reduction of tensions in Mandera. The elders initiated peace efforts created a district security framework for the people of Mandera, developed an interim mediation team structure, and facilitated a peaceful sharing of resources in the county which were at the core of conflict.¹⁷⁷ This study identified ingredients that were critical to the success of the traditional peace efforts among the Gurreh and the Murulle as a series of local clan meetings preceded the conference, the meetings were initiated and conducted by clan elders, and the process was rooted in the place of conflict. The key pieces, according to this study were community support, participation in and ownership of the process, common goals, legitimate representation and a long-term process. The traditional peace efforts received national and Non-governmental organizations (NGOs) support, as they did the follow up efforts.¹⁷⁸ However, most other successful clan traditional peace efforts in Mandera were financed by the community.

Before the traditional peace efforts, Mandera County was a melting pot of ethnicity. Historically, cattle rustling are endemic in the region and goes beyond international borders into Somalia and Ethiopia. Inter-communal conflict had increased in the county areas following the collapse of the SiadBarre government in Somalia in 1991 because of constant clashes for control of certain areas and the rise of banditry and large-scale cattle raiding, in response, the two clans (Gurreh and the Murulle), joined together to work towards establishment of peace. The elders from the two clans emphasized the local concept of reconciliation.¹⁷⁹ Clan leaders of the two communities began visiting villages to discuss the reconciliation concept. In the later stages, the reconciliation efforts involved participants from all levels of the society, including chiefs, teachers, youths, and political leaders and members. The peace conference resolved many issues; for instance, sharing water and pasture, so the conferees agreed to share the resources under supervision of elders. Raiding was also discouraged and those caught raiding would be fined double their take. Compensation for wrongful death was set at one hundred (100) camels for men and fifty (50) for

¹⁷⁷ *ibid*

¹⁷⁸ Mark Adams and Mark Bradbury, *Conflict and Development: Background Paper for UNICEF/NGO Workshop*, New York, NY: United Nations, April 27, 1995

¹⁷⁹ Oral interview, sheikh ahmedsudan religious scholar and the coordinator peace.

women. Traveling outside one's home village with guns was disallowed, with confiscation of the weapon the penalty.¹⁸⁰

In Mandera, by solving the disputes at the level of traditional social organization, elders were able to deprive the politicians of the possibility of making war, and thus helped to create the conditions of peace. Indigenous conflict mitigation mechanisms were able to address some of the proximate factors that had helped fuel conflict at the local level such as access to land or water, competition over foreign assistance and can provide appropriate, sustainable and long-term solutions.¹⁸¹ While local peace processes were not likely to stop a large conflict, they helped prevent small disputes from escalating into larger conflicts between the two clans. In the Gurreh and Murulle communities which had perceived conflict resolution activities directed by outsiders as intrusive and unresponsive to indigenous concepts of justice, and preferred to resolve conflicts within the community. Conflict management mediators from the local community were generally more sensitive to local needs than outsiders and are immersed in the culture of the violence afflicted community. Their activities were rooted in conflict's context, address some of its immediate causes, and can bring long-term solutions.¹⁸² They drew people away from the conflict, breaking its momentum.

Indigenous conflict management and resolution mechanisms between the Gurreh and the Murulle aimed to resolve conflicts locally, preceding or replacing external dispute resolution and thereby reducing reliance on external structures. Traditional mediation helped the community keep control over the outcome of the dispute. Implementing this approach did not require sophisticated party structures or expensive campaigns. It provided a low-cost, empowering means of resolving conflicts within a relatively short timeframe. In the Gurreh and Murulle societies, elders have traditional jurisdiction in facilitation, arbitration, and monitoring outcomes.¹⁸³ Local conflict mediators typically possessed moral status, seniority, neutrality and

¹⁸⁰ *ibid*

¹⁸¹ Sandole D.H. Conflict resolution theory and practice . integration and application ,Manchester university 1993

¹⁸² Mark Adams and Mark Bradbury, *Conflict and Development: Background Paper for UNICEF/NGO Workshop*, New York, NY: United Nations, April 27, 1995

¹⁸³ Oral interview, sheikh ahmedsudan religious scholar and the coordinator peace.

respect of the community. They were acceptable to all parties and demonstrate leadership capacity.¹⁸⁴ Resolutions were generally accepted and respected by all concerned parties.

4.4 Conclusion

The principle objective of this chapter was to assess the impact of the traditional peace mechanism in peace-building in Mandera County among the Gurreh and the Murulle. The chapter was also designed to draw lessons from the experience and the impact of this intervention that can be useful in similar areas of conflict. The main objective of this chapter was to obtain evidence to answer this basic question: To what extent did the traditional peace methods solve the conflict in Mandera County? The chapter has shown that traditional mechanisms fostered more positive perceptions/attitudes and more peaceful everyday interactions and relationships between rank and file members of the main parties to a conflict.

¹⁸⁴ John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies*, Tokyo: United Nations University, 1994

CHAPTER FIVE

FINDINGS AND CONCLUSION

The aim of this study was to understand inter-clan peace initiative between Gurreh and Murulle communities in Mandera County and contribute to knowledge in the field of traditional conflict resolution by studying whether the traditional peace strategy increases the likelihood of achieving peace in societies torn by conflict. Whether or not traditional peace-building efforts at the grassroots level are transferred to people beyond those directly involved in these activities has been a matter of scholarly debate. Previous research on traditional peace efforts in conflict resolution suggested that ripple effects from such methods in peace-building activities might be more likely if the foreign intervention or the initiators had planned for such effects to occur. As very little research had been conducted in this field in Mandera County, this study aimed to fill a research gap by assessing whether traditional peace strategy increases the likelihood of peace in war-torn societies. For this purpose, field research was conducted in Mandera County.

The interview results were analysed using a qualitative method. The study supports the hypothesis that traditional peace strategy increases the likelihood of achieving peace at the grassroots level, even if the causal relationship could not be definitively determined. It should be kept in mind, however, that the study was limited in scope and possibly involved an unrepresentative sample of respondents, wherefore far-reaching conclusions should not be drawn. Nevertheless, there is a correlation between the two variables, which motivates further research on the causal relationship. The findings consequently suggest that traditional peace efforts worked as grassroots conflict resolution and had effects on conflict.

Based on the evidence, it is quite clear that community level dialogue when pursued under the right circumstances is a tremendous instrument for creating and maintaining peace. If we operate with the general assumption that people who talk to each other would rarely fight; or at the very least would not allow misunderstandings to deteriorate into physical confrontation, then *ipso facto*, maintaining a dialogue between communities should serve the same purpose. The most important factors in the success of an intervention are willingness of parties to engage in dialogue, adequate preparation by the facilitators, ensure that parties understand what is at stake and the ground rules are clear meaning everyone to be on the same page and minimal outside influence.

The principal purpose of this study was to assess the impact of traditional mechanism on peacebuilding in Mandera among the Gurreh and the Murulle clans. The project was also designed to draw lessons learnt from the experience and impact of this intervention that can be useful in similar areas of conflict. The assessment was conducted in areas where the two clans intersect and frequently conflict. Investigation focused on inter-group relations, social and political mobilization and elders' negotiations. Gurreh and Murulle relationship were characterized by as a direct feeling of the hate propaganda that pervaded the Somali clan relations. The elders' efforts were started as part of a broader response to the hate campaign, to support and enhance peacebuilding and strengthen local capacity to manage and resolve conflicts between the two clans. All in all, there is substantial evidence that the traditional peace efforts are dramatic and cultural components of the society have had positive effect in all of the two clans of investigation.

The findings of a survey as well as focus sessions and in-depth interviews reveal traditional peace efforts had a broad impact on inter-ethnic relations, social and political mobilization, political elite negotiations, public institutions, and mass or elite conflict behavior. The results indicate a relatively high approval of traditional methods in managing conflict. The impact is even more definitive and visible in the contributions the mechanism has made to change the Gurreh and Murulle culture and practice, especially in the areas of conflict management. Generally speaking, traditional peace methods have made significant contributions to the development of a culture of peace in Mandera County. Most of the respondents cited some of its cultural or dramatic components of the methods as contributory factors to the changes in their views about members of other ethnic that groups. The participants almost consistently gave the statements relating to tolerance and coexistence a high mark as the elders' contribution to peace and reconciliation efforts. Responses from the Gurreh and Murulle who participated in this study from both ethnic communities have been particularly positive about elders' efforts.

As an independent and credible source of verified news and information, the council of elders in Mandera has become instrumental in the fight against a recurring source of ethnic tension, rumour mongering, which can have catastrophic consequences in such a highly polarized society torn by mistrust and fear. The findings also show that the media intervention has at least

strengthened the belief of many of the people on both sides of the ethnic divide that dialogue is the only rational alternative for the Gurreh and the Murulle at this critical period in its history. One of the original goals of the traditional peace efforts was to empower civil society to strengthen its efforts in the peacebuilding process.

Many of the local and international Non-governmental organizations (NGOs) have had access to the traditional peace methods have been using it as a vehicle to reach their targeted sectors of the population. Traditional peace methods in Mandera have been serving as a forum for the civil society, which, like the rest of the society, is itself, divided along ethnic lines. Such innovative approaches are critical for traditional mechanisms to be effective, not only as a source of credible peace and information, but also as an instrument of social and political mobilization for the purposes of peacebuilding. Elders were instrumental in influencing some policy changes pertaining to several issues, but especially the peace-building.

Right from the start, the traditional methods opened up new channels of communication for those who did not have access to the government and as result, provided a reliable forum for what came out to look like an indirect dialogue between the parties and ethnic blocs. This has also exposed the Mandera people to the different political visions and platforms the parties have been debating among themselves. This educational function of the council of elders, which encourages informed participation from the people, naturally affects the negotiation process. Traditional mechanisms have achieved a high level of credibility as a neutral source of news and information in this highly polarized sociopolitical environment, which is raven by mistrust and fear.

The people of Mandera county and the county government can change the trend and dynamics of conflict in the larger Mandera county. to end conflict fundamental changes in economic, political and social systems are necessary. The county government should adopt and develop long term peacebuilding and conflict management framework in Mandera which should be done in consultation with other stakeholders including religious leaders, elites from Mandera, youth groups and clan elders.

The county should avail funds for peace sensitization and through arid lands resource management specifically for peace and security development. To absorb district peace committee who are well vetted that they are people who are genuinely interested in peace, these committees will ensure capacity building in the peacebuilding efforts. Peacebuilding is a community activity and that peace work is defined and initiated from the grassroots level. Peace workers must enlist community participation to rebuild, from conceptualization through planning, and finally to undertaking the various peace activities. This approach acknowledges that peacebuilding is an organic process. It ensures community support and legitimacy for peace work. When members of the community take ownership of peace processes, peace is sustainable, and fracture is repairable. In most cases, peace workers did not concentrate on defining victims and culprits in the initial period of the peace processes. Instead, they concerned themselves with building bridges to include as many community members as possible. The role of women in peacebuilding should not be underscored. They define the right moment and strategies for intervention.

The most far reaching impact of the conflicts is that that they undermine livelihoods and opportunities for social and economic transformation. In contexts that are inherently difficult, these conflicts undermine proven coping strategies of the communities principally by restricting mobility, which is critical for the sustainable management of the Arid and semi-arid lands (ASALs). They also undermine the operations and effectiveness of traditional institutions and systems with their social networks within and across neighboring communities that have traditionally facilitated negotiated access to strategic natural resources, especially in times of ecological stress.

The conflicts and their impacts on the one hand, and the ill-advised and often non-consultative, top-down interventions by governments and other development actors have undermined the confidence of communities on the future of pastoralist as a livelihood and land use system. This has the result of creating hopelessness within these communities, which know that pastoralist is the most appropriate way for them to make use of the ASALs and at the same time see many restrictions and constraints placed in their path by inappropriate policies and interventions as well as other natural factors that they are increasingly unable to manage.

Communities employ different strategies for coping with loss of access to strategic resources. In addition, civil society organizations have played a critical role in the search for lasting peace between the two communities as well as in helping the communities cope with the impacts of conflict. At times the pastoralists take the risk and travel to the rangelands, prepared for the prospect of violence, especially during droughts when they have no alternatives. At other times they seek the support of government in the form of security as they water and pasture their livestock. Education and the influence of modernization is also having an impact on the viability and continued relevance of pastoralist. Civil society organizations including religious organizations, women and youth should take a lead in peacebuilding initiatives, explore more traditional and customary of establishing the root causes of conflict hence more attention is given to local problem solving method

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- Oral interview, Barwaqaahmed, secretary women for peace mandera 04/08/2013
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Oral interview, Salim Maalimali, youth leader.02/08/2013

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Oral interview, Mohamed Abdi, council of elders. on 04/08/2013

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Oral interview,sultanalinoorGurrehcouncilof elder 21/08/2013

Oral interview, sultan alinoorGurreh council of elder 21/08/2013

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Oral interview, Fatumaabbey ,field officer ACTED. 09/08/2013

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Appendix A: Questionnaire

NAME _____ AGE _____ DIVISION _____

RESIDENCE _____ DATE _____

SEX _____

DATE OF INTERVIEW _____

1. List some of the communities that live in Mandera
2. Which among the listed conflict?
3. For what reasons did they conflict?
4. Compared to the area of other crops, what size of land did you allocate for food crops?
5. Did you have any intervention methods?
6. If yes, what were these methods?
7. How did they work?
8. How did the government address these problems?
9. What are other stakeholders?
10. Which of the listed stakeholders achieved peace in your area?
11. For what reason did they succeed?
12. Compared to other areas do you think peace efforts have succeeded?
13. If yes why?
14. If no why and what are the shortages?
15. If yes, what were the causes of these shortages?
16. How did you solve the problem of shortages?
17. How did you solve these problems?
18. What changes in peace efforts occurred?
19. What are the reasons for the above changes?
20. Generally describe the environment of peace in Mandera.
21. Describe some of the traditional peace efforts
22. Generally what is your opinion about peace efforts in the county?
23. What can you say has changed in terms of conflict?
24. What reasons do you give for these changes?
25. What do you attribute these changes to?
26. How do you perceive these changes?
27. Give reasons for recurrence of conflicts

Appendix B: Photos



Elders from both sides follow the proceedings and women participation in peace making



Elders from both sides giving their views on the modalities of peace



Elders from the warring communities forgiving each other

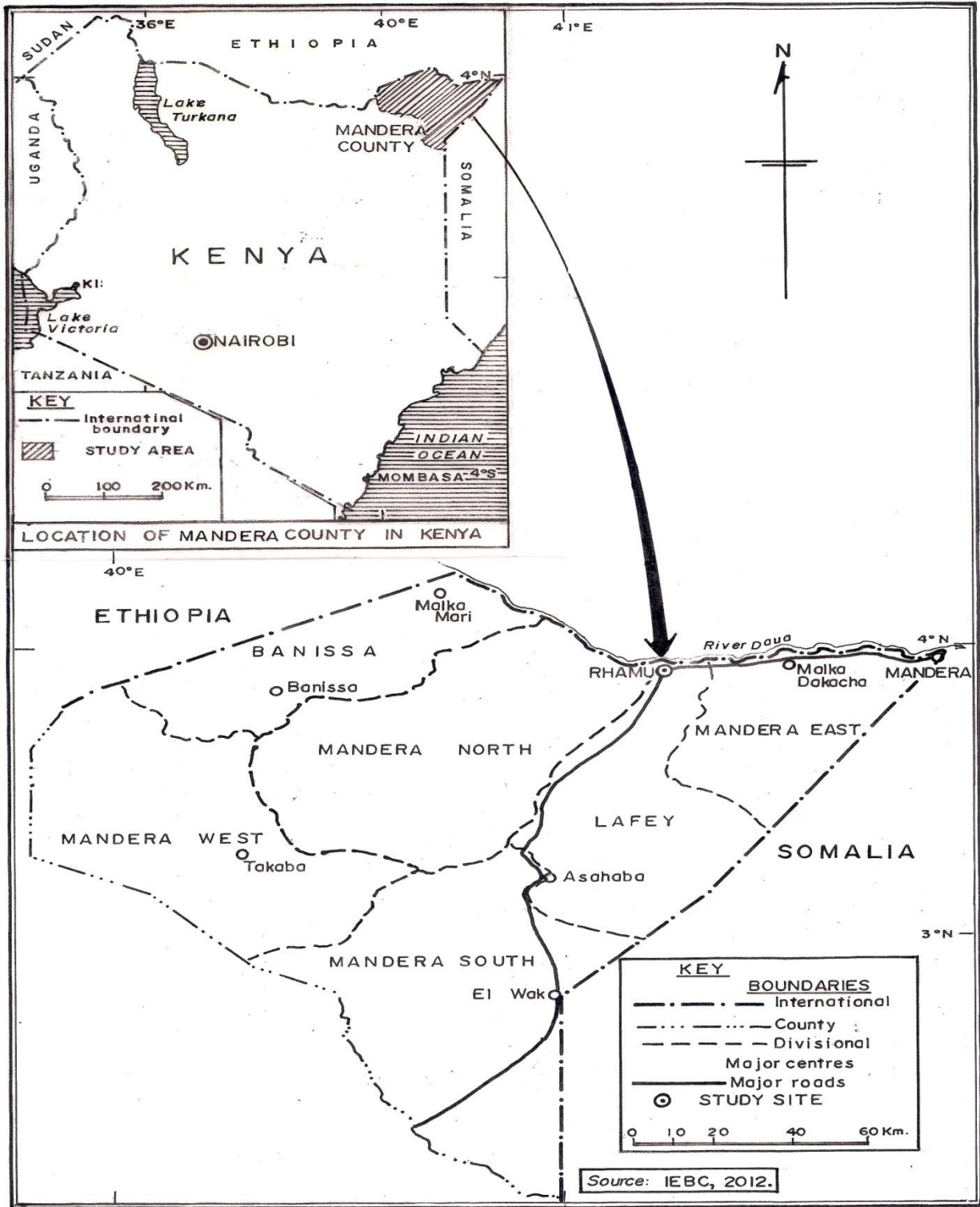


Local Administrators involve in peace making process representing the national government



Elders from Gurreh consulting each other before proceeding for the peace talks with Murulle elders

Appendix C: Map of Mandera County



Map of Kenya showing Mandera county (Source: IEBC 2012)