

**CULTURE AND ARMED CONFLICT: TOWARDS AN UNDERSTANDING OF THE  
MAASAI-KURIA CONFLICTS; 1950S TO 2008.**

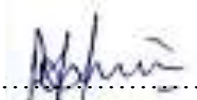
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**A PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS  
FOR THE AWARD OF MASTER OF ARTS DEGREE IN ARMED CONFLICT AND  
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UNIVERSITY OF NAIROBI**

**2023**

**DECLARATION**

This project is my original work and has not been submitted for an examination at the University of Nairobi or any other learning institution.

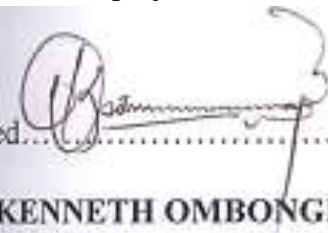
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**Supervisor's Approval**

This research project is submitted for examination with my approval as university supervisor.

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Date: June 26<sup>th</sup> 2023

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## **LIST OF ABBREVIATIONS**

KNA-Kenya National Archives

JKML-Jomo Kenyatta Memorial Library

DC –District Commissioner

## OPERATIONAL DEFINITION

### **Culture**

Culture is a pattern of behaviour developed and conveyed through symbols by a group of people. They include artifacts, traditions, ideas, and their attached values. People from the same community form a unique cultural identity that brings them together and differentiates them from members of other ethnic communities. Here, the dichotomy of 'us versus them' is formed and passed from generation to generation. Individuals grow up in a community with the notion that their cultural practices and beliefs are superior and different from other cultures.<sup>1</sup>

This research examined the cultural aspects of both the economy and politics of the communities under study. It discussed institutions such as the Age-set system, Moranhood, religious institutions (for example prophets, rainmakers, medicine men, and diviners), council of elders, the family Vis a Vis the role they played in the Maasai-Kuria relation.

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<sup>1</sup> Satish Saberwal, *Roots of a Crisis: Interpreting Contemporary Indian Society*, New Delhi: Sage Publications, 1996 p.131

## **ABSTRACT**

The postcolonial period in Kenya witnessed many inter-ethnic conflicts across the country for various reasons. The Maasai and Abakuria too engaged in armed clashes which were mainly done through cattle raids and counter raids across the transamara-Kuria border. This research investigated the interface between culture and conflict between the Maasai and Abakuria since 1950 to 2008. It focused mainly on the clash of identities between the two communities. To understand the construction of communal identities among the Maasai and Abakuria and the tendency to engage in armed conflicts, this research examined their various traditional institutions and the role these institutions played in fueling hostilities between the two communities. The study argued that the Maasai-Kuria conflicts persisted from pre-colonial to post-colonial period and beyond because the issue of identity as a major player in the conflict was not adequately addressed to compliment the other causes such as the struggle for scarce resources. This study therefore found that for a complete understanding of the Maasai-Kuria conflicts, and many other ethnic conflicts across Kenya, cultural factors must be examined. The study applied the psycho-cultural conflict theory which helped to demonstrate how differences in communal identities between the two communities led them into protracted hostilities. Data for the study was generated from books, online sources, archival materials, reports and oral interviews.



## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background

The period after Second World War was characterized by intra-state war as opposed to inter-state conflicts.<sup>2</sup> These conflicts have come in the form of inter-clan (for instance in Somalia), inter-ethnic (for example in Nigeria) and in some cases like Sierra Leone, civil wars. In Kenya, inter-ethnic conflicts became prevalent in the post-colonial period. As these inter-ethnic conflicts escalated, the various ethnic communities in Kenya found expression and identification in their respective cultures. This attracted the interest of scholars who began analyzing the conflicts and recommending possible resolutions. However, economic and political factors were given more emphasis in explaining these intra-state conflicts. This was done in disregard of the fact that politics and economy cannot be divorced from a peoples' culture. It was much easier to blame politics and scarcity of resources for the various inter-ethnic conflicts in Kenya than it was to examine the more complicated cultural perspective of the conflicts. As inter-ethnic conflicts continued to rock Kenya, did culture take a middle ground or did it form the foundation for inter-ethnic hostilities? With the transformation of these conflicts over the years, was culture still playing a role? If so, what was the effect of the hostility on the communities? The work examined the role played by culture in the Maasai-Kuria armed conflicts.

The Maasai-Kuria conflicts trace their roots to the period before colonialism when various ethnic groups were migrating and settling in their current locations. With the advent of colonialism, the policy of divide and rule helped to institutionalize and escalate ethnic hatred not only between Maasai and Abakuria but all over the Kenyan colony. Post-colonial governments of Kenyatta (1963-1978) and Moi (1978-2002) continued to perpetuate colonial principles thereby fanning the conflicts even more. Despite concerted efforts by both the Government and Non-Government organizations to address the conflicts and put in place a system that could promote peaceful coexistence between the two communities, no long-lasting peace was not achieved.

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<sup>2</sup> Mohammed Bedjouni: modern wars, The humanitarian challenge:Report for independent commission on international humanitarian issues; new jersey, zed books ltd, 1986 p24

Abuso argues that due to the increased tensions on the Maasai-Kuria border in the early 1950s, the government directed the D.C for south Nyanza to dig a 20 miles trench on the length of the Maasai-Kuria boundaries. The boundary had intermittent ditches linked with sisal fences.<sup>3</sup> Due to an increase in cattle raids the government sent the Kenya police and tribal policemen to patrol the border. To promote peace and reconciliation between the Maasai and Abakuria, border councils and committees were instituted in the 1950s<sup>4</sup>. However, since then no permanent solution to the Maasai-Kuria conflicts has been found. Though scholars such as Kjerland and Abuso have studied the Maasai and Kuria communities, the conflicts between the Maasai and Abakuria are yet to receive full scholarly research. This research examined culture and armed conflict with specific reference to the Maasai-Kuria inter-ethnic conflicts.

## **1.2 Statement of the Problem**

The Maasai and Abakuria experienced armed conflicts between them for a very long time. These conflicts mainly revolved around border disputes and cattle raiding. Efforts to find solutions to the conflicts have centered on economic causes yet the conflicts persist. What seems to be absent in the analysis of the Maasai-Kuria conflicts is the cultural nexus around which conflicts persist. Michelle LeBaron has pointed out that culture influences conflict.<sup>5</sup> Saverio Kratli and Jeremy Swift say that cultural motivation is a major factor in armed conflicts in Kerio Valley<sup>6</sup>. On his part Shadrack Gaya Best asserts that ethnic origin is key in explaining violent conflict.<sup>7</sup> Similarly, Satish Saberwal asserts that when people settle in different cultural settings they form different identities that engage each other so often in antagonistic terms.<sup>8</sup> He examines the concept of ‘religious identity’ in the Indian society.

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<sup>3</sup> P. Abuso, A Traditional History of the Abakuria CDA 1400-1914, Op., cit.

<sup>4</sup> KNA, PC/NKU/31/20, Notes on the Topography of Maasai-Kuria Border 1949-1952: Report.

<sup>5</sup> LeBaron Michelle, Bridging cultural conflict: New approaches for a changing World, San Francisco; Jossey-Bass Publishers, April 2003. P10.

<sup>6</sup> Saverio, kratli and Jeremy Swift, “understanding and managing pastoral, conflict in Kenya: A literature Review, University of Sussex, UK, 1999, p32.

<sup>7</sup> Stephen ademola Faleti “Theories of social conflict” in Shadrack Gaya Best, Introduction to peace and conflict studies in West Africa, Ibadan, Nigeria, and 2007 p.50.

<sup>8</sup> Satish Saberwal, Roots of a Crisis, p.127.

People from the same community form a unique cultural identity that brings them together and differentiates them from members of other ethnic communities and this is passed from generation to generation. Individuals grow up in a community with the notion that their cultural practices and beliefs are superior and different from other cultures. Perceptions of who the enemy is are created and nurtured leading to suspicions and hatred against ‘outsiders’<sup>9</sup>.

Despite the findings of the above studies on the centrality of culture in inter-ethnic armed conflicts, the works that have dealt with the question of conflicts between the Maasai and Abakuria have not given due attention to the possible role that culture could have played in these conflicts. In his study of Kuria history, Abuso focused mainly on the migration and settlement of Abakuria in their present environment. He mentioned conflicts between Abakuria and their neighbours in passing and attributed these conflicts to scarcity of resources. Similarly, Kirsten says that conflicts arose between Abakuria and Maasai due to struggle over limited resources. Ludeki Chweya argues that the struggle over resources such as land, water, and cattle lead to conflicts among various pastoral communities.<sup>10</sup> Akililu also posits that the root cause of conflicts is the competition over resources. On their part John Galaty and Sutton assert that the cause of conflicts between the Maasai and their neighbours is the scarcity of resources.

While appreciating the importance of resources in explaining the Maasai-Kuria hostilities, one notes that the arguments by the above scholars have negated the fact that one cannot mention the politics and economy of a community without mentioning cultural practices and the role they play in the day to day activities of the two communities. Resources and other material possessions are part and parcel of a community’s culture. Why have these conflicts continued to rock the Maasai and Abakuria despite relentless efforts to address them? Can one get closer to understanding the Maasai-Kuria conflicts by addressing cultural issues? This study focused on the role cultural practices and beliefs played in causing and fuelling conflicts between the Maasai and Abakuria. In particular, the study focused on the divergence and convergence of Maasai-Kuria identities in the context of their cultural institutions and norms and how this contributed to hostilities between the two communities.

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<sup>9</sup>Ibid p.131

<sup>10</sup> Ludeki Chweya, “Emerging Dimensions of Security in the IGAD Region”, In Makumi Mwagiru(ed), African Regional Security in the Age of Globalization, Nairobi: Heinrich Böll Foundation 2004 pp. 39-40.

### **1.3 Objectives**

- i. Explored the role of culture in the Maasai-Kuria armed conflicts.
- ii. Analyzed the transformation of Maasai-Kuria conflicts.
- iii. Examined the impact of Maasai-Kuria conflicts on both communities.

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

The Maasai-Kuria conflicts have been on and off for more than 100 years. Efforts to restore order and peaceful coexistence between the two communities have yielded little success. As a result, these conflicts have spilled over to the neighbouring communities which include the Luo, Abagusii, and Kipsigis. To dismantle this conflict system, one requires having a deeper understanding of the communities involved.

In the case of Maasai-Kuria armed conflicts, scholars have used economic views to analyze the cause and solutions. While one appreciates the role of resources in the Maasai-Kuria conflicts, the question that keeps coming on one's mind is: why is the conflict not resolved? This research is significant to the understanding of the Maasai-Kuria conflicts because cultural causes of conflicts will compliment economic and political causes hence giving a fuller picture. This study provided foundation to further researches on the role of culture in intra-state conflicts.

### **1.5 Scope and Limitations**

The research examined the Maasai-Kuria armed conflicts from the 1950 to 2008. The study was based on both sides of the border between Kuria East District and Transmara District. Kegonga Division of Kuria East District and Keyien Division of Transmara District border each other hence providing the area of study. The focus group constituted families that live along both sides of the border because having borne the brunt of the hostilities between the two communities they were relevant to the research. These areas are Kugitimo in Kegonga Division and Masurura in Keyien Division. The year 1950s was chosen because according to colonial government reports, this period experienced increased boundary disputes and cattle raiding which worsened tensions between the Maasai and Abakuria. It was at this time that the government decided to erect a 20 miles physical border on the Kuria-Transmara border and sent tribal police and tribal committees to help restore peace. The year 2008 becomes relevant because after experiencing a period of considerable peace, the Maasai and Abakuria again took

up their weapons and declared war against each other<sup>11</sup>. The situation is further complicated by the inter-clan fighting between Wairege and Nyabasi clans in Kuria district. Each of the two groups was supported from Transmara District by the main antagonistic groups. This led to tribal clashes relating to raids between members of the Maasai and Kuria communities on October 13 and 14, 2008 in Masurura area of Keyien Division. This shows that long term simmering tensions dating back many years have yet to be resolved. Understanding the culture of both communities vis-à-vis the conflicts between them will be important in achieving positive peace.

Multi-cultural trans-border problems such as Language barrier, suspicions, stereotypes, attributions, ethno-centrism among others arose. However the researcher emphasized the objective of the research and its importance in building a foundation for the resolution of the conflicts. The researcher also used a translator to get accurate information. Archival materials for the period between 1979 and 2009 are still closed to the public but the researcher used Oral interviews to get relevant information from the respondents.

## **1.6 Literature Review**

Scholars of armed conflict have different understanding of the causes of armed conflicts. For instance, Huntington<sup>12</sup> and LeBaron<sup>13</sup> argue that differences in cultural beliefs bring about conflict. However, Amartya sen argues that a singular identity polarizes people in a particular manner. That people can have different identities not just in relation to religion but also to language, occupation, political or social class among others. This literature focuses on literature on the concept of culture and armed conflict among communities or groups of people.

Satish Saberwal talks about religious identities and how they get implicated in conflicts in the Indian society. He argues that religion persuades its believers in ways to set themselves apart from the followers of other traditions.<sup>14</sup> This research examined religious Identities of the Maasai and Abakuria and sought to establish whether or not they played a role in the Maasai-Kuria

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<sup>11</sup>Peacenet Kenya, "Communities endure persistent raids in Transmara, Gucha and Kuria districts", (article). <http://www.peacenetkenya.org> accessed on 22-06-08.

<sup>12</sup>Amartya sen Identity and Violence: The illusion of Destiny, <http://www.amazon.com>, accessed on 14/08/2008.

<sup>13</sup>LeBaron Michelle, Bridging cultural conflict, Op.cit.

<sup>14</sup> Satish Saberwal, Roots of a Crisis, p 126-127.

conflicts. Saverio Krathi and Jeremy Swift argue that cultural motivation is a major factor in armed conflicts in Kerio valley. That cultural practices such as paying of dowry in form of many livestock, particularly among the Pokot is a factor that is driving conflict in Kerio Valley<sup>15</sup>. The research borrowed this argument and sought to establish whether or not there were cultural loyalties in the Maasai-Kuria conflicts and if yes what role they played in the conflicts.

According to Shadrack Gaya Best culture plays a role in conflict. He argues that ethnic origin and the culture that is learnt from that origin are some of the best ways of understanding conflict<sup>16</sup>. Similarly, Paul Lederach argues that cultural differences bring about conflict. That conflict emanates and grows from the interpretation that people attribute to events. Best's and Lederach's ideas provided a foundation for the researcher to look at the part played by culture in the Maasai and the Abakuria relations. Did differences in ethnic origins form the basis for the Maasai-AbaKuria hostilities?

Women have been mentioned as supporters of armed conflicts. Krathi and Swift, argue that Turkana and Pokot women play a serious role in triggering raids through praising of the men who bring in more cattle while ridiculing those who fail. This puts pressure on the raiders to gain recognition as heroes.<sup>17</sup> What role did the Maasai and Kuria women play in the Maasai-Kuria conflict? What role did Maasai and Abakuria popular notions play in bringing about conflicts between them?

The role of Laibons in armed conflict has also been explained. A.T. Matson says that among the Nandi, the Laibon (Orkoik) also acted as a diviner, prophet and medicine man. They lived in seclusion and possessed mystical attributes which augmented their influence over the Nandi, and the effectiveness of their power to curse any tribesmen daring to question their authority<sup>18</sup>.

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<sup>15</sup>Saverio, kratli and Jeremy Swift, "understanding and managing pastoral, conflict in Kenya: Op. Cit.

<sup>16</sup>Stephen ademola Faleti "Theories of social conflict" in Shadrack Gaya Best, Introduction to peace and conflict studies in West Africa, A Reader, Spectrum Books Limited Ibadan, 2007 p 50.

<sup>17</sup>Saverio, kratli and Jeremy Swift, "understanding and managing pastoral, conflict in Kenya: Op., Cit.

<sup>18</sup> A. T. Matson, Nandi Resistance to British rule, 1890-1906, Nairobi: East African Publishing House, 1972, P. 28.

Matson's book was important in investigating the role of cultural practices undertaken by medicine men, witchdoctors, prophets, diviners and other spiritual leaders in influencing inter-ethnic conflicts, especially the Maasai-Kuria conflicts.

According to Saberwal, the age set system was important in organizing for war and cattle raids in Embu of central Kenya. Once young men joined an age-set, they participated in raiding.<sup>19</sup> Apart from being important in organizing for cattle raids, what other functions, did the age sets system play among pastoralists? What part did the age class system play in the Maasai-Kuria conflicts?

Krathi and Swift discuss the commercialization of cattle raids and how it has rendered cattle rustling a profitable business. They argue that cattle are used to pay for guns and also sold to slaughter houses in Western Kenya and Nairobi<sup>20</sup>. This information was useful to the research because it introduced the element of transformation of traditional conflicts from a cultural point to an economic point. How did commercialization of cattle raids affect or transform the Maasai-Kuria conflicts. At what point did cattle start having an economic value and did this turn of events have a bearing on the cultural value of cattle?

Mkutu argues that the use of modern weapons such as Guns in inter-ethnic conflicts has complicated the nature of these conflicts. He says pastoral communities use guns to accumulate wealth in the form of livestock thereby escalating conflicts in pastoral areas<sup>21</sup>. Mkutu's ideas were good because they acted as a basis for the research to determine how the development of modern weapons and fighting techniques has transformed traditional conflicts. Is livestock accumulation still considered a cultural value or is it considered a purely economic endeavour among pastoralists?

Mirzeler and Crawford examine the Gun as a change agent. They argue that the influx of automatic weapons into Uganda has transformed tactics of the traditional nature of armed

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<sup>19</sup> S. Saberwal, *The Traditional political organization of the Embu of Central Kenya*, African Publishing House, 1970, p36.

<sup>20</sup> Saverio, kratli and Jeremy Swift, "understanding and managing pastoral, conflict in Kenya: Op.cit p.8.

<sup>21</sup> Kennedy Mkutu, *Pastoral Conflict and Small Arms: The Kenya Uganda Border Region*, London: Saferworld, 2003, P. 13.

conflicts which was waged by spears. They argue that the young people who own these weapons have disregarded the power of elders<sup>22</sup>. This article shows how automatic weapons have transformed conflicts. It was interesting to know the effect that the introduction of guns had on the Maasai-Kuria conflicts. Do the elders still exercise control and authority over the Maasai and Abakuria? Is culture still a major player in the Maasai-Kuria conflicts? Akililu argues that the root cause of inter-ethnic conflicts is the competition over resources. He says that the Boran-Rendile conflict was caused by the struggle over Shur and Baddasa dry season grazing areas.<sup>23</sup> Is the struggle over scarce resources a cause of conflicts between the Maasai and Abakuria?

According to Sonia Bleeker the Maasai believe that the right to own cattle was God-given and that their African neighbours got their cattle from them. The Maasai believe that their cattle were stolen by the neighbours<sup>24</sup>. This shows how the Maasai people value cattle and the extent to which they can go to justify cattle raiding. Did this Maasai belief contribute to the Maasai-Kuria conflicts? Why did both the Maasai and Abakuria value practice of cattle raiding?

Bernardi says that the wealth of a person in Maasai land was measured in terms of how many heads of cattle a person owned. A Moran earned great respect and outstanding social status in a village if he had more cattle than fellow Maasai herdsman while any man who owned a small herd of cattle was disregarded and looked down upon because he was considered poor<sup>25</sup>. How did this cultural value of cattle accumulation affect the relations between the Maasai and Abakuria? Similarity, is economic occupation a cause of conflict between the Maasai and Abakuria?

Paul Spencer argues that the institution of moranism was important during periods of conflict between the Maasai and other ethnic groups. He asserts that the Moran institution played a crucial role in community protection. As Maasai population and stock increased, so the Morans

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<sup>22</sup> Mustafa Mirzeler and Crawford Young, Pastoral Politics in the Northeast Periphery in Uganda: AK-47 as Change Agent, *Journal of Modern African Studies*. Vol. 38 No. 3 (Sep 2000) pp. 407-429, Cambridge University press.

<sup>23</sup> Akililu Yohannes, *Ethnic Conflicts among Pastoralists in Marsabit District: A Case Study of the Boran-Rendile Conflict*, Nairobi: university of Nairobi, 2004, p. 37.

<sup>24</sup> S. Bleeker, *the Maasai: Herders of East Africa*, London: Dennis Dobson, 1963 P. 12.

<sup>25</sup>kenya@bluegecko.com, "Traditional Music & Cultures of Kenya, accessed on 24/08/2008.



also played a leading role in their outward expansion to secure new pastures<sup>26</sup>. How did the expansionist role of the morans affect the relations between the Maasai and the Abakuria? What structures did the Abakuria put in place to counter the Maasai expansionism? Did Abakuria have similar expansionist tendencies and if so, what bearing did they have on the Maasai-Kuria relations?

Sutton argues that the Maasai way of life depended on maintaining adequate military organizations with suitable factors and weapons for defense and attack alike. The reason for this was both economic and territorial. Firstly, the pastures as well as the water points and salt licks for cattle had to be defended if they were to be exploited efficiently to maintain a predominant pastoral economy in a fashion adequate to support the community<sup>27</sup>. Sutton's ideas reveal that the Maasai survival depended on proper military organization. What could have been the cause of this Maasai suspicion of their neighbours? Was war making a cultural responsibility or economic responsibility? Why was it necessary to form a standing army among the Maasai?

On his part, Godfrey Muriuki introduces a different view of ethnic relations. Muriuki reveals that war between the Maasai and Kikuyu was considered a game or sporting activity. He argues that the relations between the two communities were not as bad as most scholars would want to argue.<sup>28</sup> Was this the case in the Maasai-Kuria conflicts? Did the Maasai and Kuria people go to war as a sporting activity? Economic causes of the Maasai-Kuria armed conflicts have been emphasized.

For instance, John Galaty<sup>29</sup> and Sutton<sup>30</sup> have argued that the Maasai went to war because of scarce resources. While acknowledging the importance of resources in explaining the Maasai-Kuria conflicts, one is left wondering, can resources alone explain the Maasai Kuria conflicts?

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<sup>26</sup> Paul Spencer, *The Maasai of Matapato: a study of Rituals of Rebellion*, Manchester university press, London 1988, p56.

<sup>27</sup> J. E. G. Sutton, "Becoming Maasailand", in Thomas Spear and Richard Waller (ed), *Being Maasai: Ethnicity and Identity in East Africa*, EAEP, 1993 P. 42.

<sup>28</sup> G. Muriuki, *A History of the Kikuyu 1500 to 1900*, London: Oxford University Press: 1974 p. 34.

<sup>29</sup> John G. Galaty, "Maasai Expansion and the New East African Pastoralism" in Thomas Spear and Richard Waller (ed), *Being Maasai: Ethnicity and Identity in East Africa*, EAEP, 1993 p. 77.

<sup>30</sup> J. E. G. Sutton, "Becoming Maasailand", in Thomas Spear and Richard Waller (Ed), *Op.cit.*

What are the other causes of these conflicts? This research studied the place of culture in the Maasai-Kuria armed conflicts.

### **1.7 Theoretical Framework**

The study was pegged on psycho cultural theory of conflict. It stresses the contribution of culture in conflict. Identity is used as the basis of prolonged conflicts.<sup>31</sup> This theory discusses the stubbornness of ethnic conflicts and challenges previous anti-psychological views of conflict. It presents a socially grounded psychoanalytic theory and language suggesting a central role to culturally oriented social and psychological processes which produce dispositions, shared images, impressions of the outside world, and motives for individual and group actions. Those characteristics which invoke security fears and threats to identity are fronted by groups and individuals to explain the motives of opponents in ways which often prevent groups from addressing the opposing interests which divide them<sup>32</sup>. Despite their belief that ethnicity is the biggest source of identity based conflicts, those who have this view agree that it does not mean conflict is unavoidable wherever there are ethnic differences<sup>33</sup>.

Conflicts over difficult to solve issues that engage the foundation of a group's historical experience was also examined in the case of the Maasai-Kuria armed conflicts. Psycho cultural dramas are negative events whose content has non-negotiable cultural demands, or rights that become important because of their connections to group beliefs that embody a group's identity. Psycho cultural dramas are implements of analysis for understanding the importance of identity and ritual in ethnic conflict<sup>34</sup>.

Psycho-cultural conflict theorists posit that conflicts that are not easily resolved come about when some groups are discriminated against on the basis of their identity. These human needs are seen in Maslow's theory of 'motivation' (1970) and Burton's (1990) 'Human needs' theory;

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<sup>31</sup> Adenola Faleti, Theories of Social Conflict, in Shadrack Gaya Best (ed), Introduction to Peace and Conflict Studies in West Africa, Ibadan, Spectman Books Ltd, 2007 p. 50.

<sup>32</sup> Ibid

<sup>33</sup> Ibid

<sup>34</sup> Marc Howard Ross, psychocultural interpretations and Dramas: Identity Dynamics in Ethnic Conflicts, journal of political psychology, vol 22. No.1, 2001, <http://www.jstor.org>, accessed on 10/04/2010.

both of which talk about the process by which an individual or group sets out to satisfy a variety of needs right from the basic ones such as food to the highest needs that they referred to as ‘self-actualization’ – the fulfillment of one’s greatest human potential.<sup>35</sup>

This theory was relevant to this research because it focuses on cultural identity as a cause of conflicts. The Maasai and Abakuria are plain Nilotes and Bantu respectively. This means that they have different identities. This research argued that the Maasai-Kuria conflicts were fueled by antagonistic cultural identities. The research examined the various cultural institutions among both the Maasai and Abakuria with the purpose of showing how the different cultural identities between these communities for years caused conflicts between them. Material resources were analyzed according to the cultural values attached to them by both the Maasai and Abakuria.

This theory has been used by Marc Howard Ross to study parades disputes in Northern Ireland. It has also been used by David Norman Smith to explain the Rwanda genocide of 1994. He argues that the genocide was neither tribal nor age-old, but psycho-cultural<sup>36</sup>.

Finally, this theory recognizes that there are other causes of conflict in society. Psycho-cultural factors are put in the highest level of the hierarchy of needs followed by others such as economic empowerment and politics. Since the focus of this research is culture and armed conflict, the theory was invaluable in explaining the Maasai-Kuria relations.

## **1.8 Hypotheses**

- i. Culture played a role in Maasai-Kuria conflict
- ii. The Maasai-Kuria conflicts transformed over time
- iii. Maasai-Kuria conflicts had an impact on both communities

## **1.9 Methodology**

This research relied on Secondary and primary sources. The secondary sources were books, and articles from scholarly journals on JSTOR, which the researcher had access to by virtue of being

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<sup>35</sup> Ibid

<sup>36</sup> Smith, David Norman, The Psychological Roots of Genocide: Legitimacy and Crisis in Rwanda (article), journal: American Psychologist, vol. 53(7), Jul 1998, 743-753, accessed on 11/04/2010.

a student of the University of Nairobi. The researcher also accessed relevant books to the study from University of Nairobi main Library (JKML), British Institute Library in Nairobi, institute of African studies and the Kenya national library based at community area of Nairobi. Internet materials were also used especially from the JSTOR online Library.

Primary data began with archival materials which included provincial annual reports, Letters, handing over reports and district reports found at the Kenya National Archives based on Moi Avenue in Nairobi. Information was also extracted from relevant newspaper and Articles from the daily Nations and The Standard found at the archive area of the JKML. Interviews were conducted in both Kuria East and Transmara Districts. 20 people were interviewed especially the elderly men and women who had fast hand information on the Maasai-Kuria relations. Respondents involved the people who live along the border between Kegonga Division of Kuria East District at a village called Kugitimo and Keyien Division of Transmara District at a place called masurura.

The researcher applied oral histories question guide, which gave accorded the interviewees enough space to provide adequate information on the questions posed. The questions came in English, Kiswahili and in some cases both Kuria and Maasai languages were used in the interviews. The Researcher Knows Kuria language. To help with the Maasai Language, a research assistant was hired from Masurura. Both Note taking and tape recording were used to record and preserve information in readiness for interpretation and analysis.

The researcher intentionally targeted people who had relevant information which benefited the study. In turn these key informants referred the researcher to other relevant people who had the relevant information on the Maasai-Kuria conflicts. These included people from the security agencies such as the police on both sides of the border, anti-stock unit based in kegonga, Chiefs, District Officers, Teachers, and religious leaders. This Research was qualitative. The researcher focused on answering questions about those who were involved in the conflict, where the conflict occurred, why the conflicts between the Maasai and Abakuria happened, what happened to the communities as a result of the conflicts, and how the conflict was fought and resolved.

## CHAPTER TWO

### HISTORY OF THE KURIA AND MAASAI

#### 2.1 Introduction

The Maasai and Abakuria of Kenya border each other in the Transmara and Kuria regions. The Maasai are plain Nilotes while Abakuria are Bantu. Being neighbours, the two communities have related with each other through periods of conflicts and periods of relative peace for many years. This chapter will focus on a history of each of the two communities with the main intention of laying a foundation to an understanding of these people. It will deal with the origins, migration and settlement of the two communities in their current regions. It will focus on the culture and livelihoods of the Maasai and Abakuria.

#### 2.2 A History of the Kuria and Maasai

Abakuria and Maasai share a common border in South Western Kenya. Abakuria are Bantu speaking people who occupy the region covering the Kenya and Tanzania border to the East. They occupy the territory between Migori River in Kenya and Mara River in Tanzania. They occupy Kuria East and Kuria West districts in Kenya. Abakuria practice a mixed economy which involves livestock keeping and crop farming.<sup>37</sup> On the other hand the Maasai are Plain Nilotes. They are a pastoral people and live in the Central Rift valley which stretches to Central Tanzania. At the Kenya side of the border, they occupy an area which is mainly open grasslands with a low and inconsistent rainfall of below 750mm a year.<sup>38</sup> However, the Maasai identity is debatable to the extent that some researchers describe them as pure pastoralists while others contend that they acquired agricultural skills which helped in survival in times of calamities.

Berntsen says that the Maasai depend on meat, milk and butter. They greatly dislike for agriculture, believing that the satisfaction derived from cereals enfeebles, and is only suited to the inferior tribes of the mountains; meat and milk on the other hand gives strength and courage.<sup>39</sup>

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<sup>37</sup> Kirsten Alsaker Kjerland, *Cattle Breed; Shillings Don't*: op cit p 24

<sup>38</sup> Mukhisa Kituyi, *Becoming Kenyans: Socio-Economic Transformation of the Pastoral Maasai*, Nairobi, Acts Press, 1990 p. 25

<sup>39</sup> Ibid p. 13

However, Richard Waller argues that this was tempered in times of scarcity. Strict dietary rules, which prescribed milk, meat, and blood as the foods exclusively appropriate to the Maasai, were then followed principally by the Moran while “the Maasai women and old married men eat pretty much what they like... Nevertheless, pastoral self-sufficiency was the stated norm.”<sup>40</sup>

No matter how skillfully a Maasai cattle owner managed his cattle so as to take advantage of grazing and water supplies, he could not always assure a supply of milk sufficient for the needs of his family and dependents. Whenever natural calamities such as extended drought, cattle panzootics, or loss of cattle to raiders occurred, the Maasai pastoralists had to supplement their pastoral diets with agricultural foods obtained from their neighbors<sup>41</sup>. Richard Waller argues that this is not to deny the strength of the pastoral commitment nor to question the existence of strong dietary preferences and avoidances, but rather to see them as ideals, subject to modification<sup>42</sup>.

Arguably, Maa-speakers came from the southern Sudan during the first millennium AD. They moved downwards in the Rift Valley in Kenya and Tanzania. It is said that they displaced or absorbed most previous inhabitants of the semi-arid savannah. Over time, they developed division of labour in select ethnic terms. This was divided among Maa-speaking pastoralists, Bantu farmers, and Okiek hunter-gatherers<sup>43</sup>.

Some traditions claim that the first Maasai into the Rift Valley were already organized into *intipat* (clan cluster), the largest social-political unit to which Maasai feel any allegiance short of belonging to those people who share one language and one culture. This *intipat* (clan-cluster) is the largest cattle-owning unit among the Maasai; the largest group which fights to protect the land and water needed by those cattle; the largest group participating in an age set ceremonial cycle; the largest group of people claiming putative descent from a single male ancestor, in many cases unnamed; and a group defined, to some extent at least, by its allegiance to a single family

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<sup>40</sup> Richard Waller, ‘The Lords of East Africa: p.25 op cit

<sup>41</sup> Ibid p.24

<sup>42</sup> Ibid p.24

<sup>43</sup> Thomas Spear and Richard Waller(ed), *Being Maasai: Ethnicity and Identity in East Africa*, Nairobi, EAEP,1993, p1

of prophetic and ritual leaders<sup>44</sup>. Of a total of about eleven clan-clusters which existed late in the eighteenth or very early nineteenth century, only four now survive as independent units. These include IL Sampur or Samburu; the UAS Nkishu, Ilumbwa or Il Kwavi; and the purko-Kisongo, often referred to as the “Maasai proper”. The Siria cluster lost their ritual political independence at the end of the nineteenth century, but their geographic isolation across the Mara River allows them some level of independence<sup>45</sup>.

Basic to an understanding of Maasai society and history is an appreciation of the influence of the age set arrangement which rewarded almost every aspect of life. Men began to formally participate in political affairs through initiation into an age set. They cooperated in political action and individuals acquired political power and influence as members of an age set. Men formed their closest friendships among the members of their own age-set and exhibited a degree of rivalry, sometimes hostility, toward members of other age sets<sup>46</sup>. All adult male Maasai belonged to an age-set (Ol porror, Ol aji) and the age-set system as a whole acted as the main integrating mechanisms in Maasai society, knitting territorial units together and defining the ways in which individuals and groups behaved towards each other. The male life-cycle was divided into four stages: boyhood (ilayiok); Murranhood (Il murrān); elderhood (Il Moruak); and “retirement” (ill dasati)<sup>47</sup>.

Within these stages were age-grades, ranging from junior morran to retired elder, through which corporate age-sets, composed of those circumcised within a certain period, passed in succession. The progression of age-sets through the age-grades creates a status hierarchy, based on biological age and social development, which dictates ideal patterns of authority and behaviour. One age-set is junior to the one proceeding it and senior to the next<sup>48</sup>. Age-grades delimit categories of persons authorized to behave in a certain way and define what this behaviour should be. Age-sets provide the corporate groups which carry out these activities.

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<sup>44</sup>Ibid

<sup>45</sup>Ibid

<sup>46</sup>Ibid p.66

<sup>47</sup> Richard Waller, *The Lords of East Africa* p.165

<sup>48</sup> Ibid.

The bonds between age-mates were very strong and remained vitally important throughout life, even though they ceased to live together after muranhood. More pithily, a Maasai proverb has it that “Two relationships ever; that of the brother and that of the age-set<sup>49</sup>. Apart from its role in complementing the territorial and family structures within Maasai land, the age-set system had three interlocking functions:

- a) military aspect (standing army)
- b) socializing and integrating new adults into the social systems
- c) finally, the age-set system established social categories, allocated roles, and defined the pattern of political authority within society<sup>50</sup>

On the other hand, the history of the Abakuria begins about A.D.1400 and 1500, that is, between about nineteen to sixteen generations ago<sup>51</sup>. Abakuria are Western Bantu speaking people<sup>52</sup>. They originally came from “Misri” together with Abagusii, Abalogoli, Ababukusu, and Abasuba. They were mainly agropastoral with a mixed pastoral and agricultural livelihood. They grew finger-millet, cassava and sorghum and kept cattle for food, economic purposes and for bride wealth. However, generally Abakuria describe themselves as farmers<sup>53</sup>. Traditionally, they kept sheep, goats and cattle and grew millet, finger millet, and cassava. They ate meat and drunk milk. Their environment was suitable for both agriculture and pastoralism with sufficient grazing fields and watering points and salt licks. Some writers have referred to them as pastoralists who were rich in cattle<sup>54</sup>. A colonial officer in Kisii district reported that the Abakuria are agricultural people who also love livestock keeping.<sup>55</sup>

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<sup>49</sup> Ibid 167

<sup>50</sup> Ibid p.181

<sup>51</sup> Paul Asaka Abuso, ‘A Traditional History of the Abakuria C.A.D 1400 -1914, p.69 op cit

<sup>52</sup> Paul Asaka Abuso, Op. cit p.14

<sup>53</sup> M. J. Ruel “Kuria Generation Classes”. Op cit.

<sup>54</sup> KNA/PC/NZA/1/1/2, monthly intelligence report, South Kavirondo District, 1908.

<sup>55</sup> KNA/PC/NCA/1/8 Nyanza Province Annual Report, 1913.



Kjerland wrote that their attachment to cattle was very strong<sup>56</sup> while M. Prazak held that they have a tendency of being engaging in war with other people hence difficult to govern.<sup>57</sup> Their evolution as a distinct Bantu group only took place in their present country of Bukuria<sup>58</sup>. From AD 1400 to 1800 when migrations into kuria happened, the ground was prepared for the future kuria cultural and political growth. Organization amongst Abakuria composed of the largest political unit called Ikiaro (plural Ibiaro). The Ikiaro is further composed of three types of descent groups, each of varying level of inclusiveness. Ibisaku (singular Egesaku) or descent section, Amagiha (singular Irigiha) or clan segment and lastly Ichika (singular eka) or lineage<sup>59</sup>. They were divided into various clans on either side of the border between Kenya and Tanzania.

Each of these clans had its Totem which it acquired during migration and settlement. Abanyabasi call themselves Inchage (zebra), Abakira refer to themselves as Inchugu (Elephant), Abairege Engwe Enkari (female Leopard), and Abagumbe Engwe Ensaacha (male Leopard)<sup>60</sup>. The kuria totems are symbolized by wild animals such as Leopard<sup>61</sup>, Zebra<sup>62</sup>, Elephant<sup>63</sup>, Baboon<sup>64</sup>, Hippopotamus<sup>65</sup> and Hyena<sup>66</sup>. All people within each clan observing the same Totem held the totem in great reverence<sup>67</sup>.

The Abakuria were placed in fifteen clans that formed administrative units<sup>68</sup>. In Tanzania, Abakuria clans include: Nyabasi, Abakira, Abairege, Abugumbe (who reside in both Kenyan and Tanzania), Abatimbaru, Abanyamongo, Abakenye, Abaikoma, Abamerani, Abasweta,

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<sup>56</sup>Kirsten Alserker Kjerland, Cattle Breed shillings Don't: The Belated incorporation of the Abakuria into Modern Kenya" PhD Dissertation, University of Bergen, 1995.p

<sup>57</sup>Quoted in kjerland.ibid

<sup>58</sup>Paul Asaka Abuso, Op. cit p.14.

<sup>59</sup>Kirsten Asaka, KJerland, Op. cit p.8.

<sup>60</sup>Interview with marwa Mangiteni (elder) at kegonga on 23/ 02/2011.

<sup>61</sup> Used by Abagumbe, Abairege and Abanyamongo clans.

<sup>62</sup> Used by Abanyabasi, Abatimbaru and Ababwasi clans.

<sup>63</sup> Used by Abakira clan.

<sup>64</sup> Used by Abasweta clan.

<sup>65</sup> Used by Abanchari clan.

<sup>66</sup> Used by Abasweta clan.

<sup>67</sup>Interview with Marwa Mangiteni (elder) at kegonga on 23/ 02/2011.

<sup>68</sup>M. J. Ruel "Kuria Generation Classes" in Journal of the International Africa Institute, Vol. 32, No. 1 (Jan. 1962). Pp.14-37, Cambridge University Press, accessed: 05/04/2010 p.15.

Abanchari, Ababwasi, as well as several others. The clan was also territorial and military unit and built homesteads in fortified settlements.<sup>69</sup>

During an attack, a rallying-cry brought all clan members to the defense. A possible attack was sometimes cautioned; or a clan had its own reasons to start an attack. In such instances, a public gathering of the fighters of a clan could be summoned to be informed of danger and asked to plan the fighting<sup>70</sup>. The spokesmen (abagambi), gave instructions which carried weight in public affairs<sup>71</sup>. The community of interest was expressed in ritual institutions such as Inchama. The Inchama had the responsibility for cursing or performing magic against offenders. The Inchama sanctioned individual behavior, organized important clan ceremonies, and performed sacrifices to ensure clan prosperity.<sup>72</sup> They also had generation set system, which was peculiar to themselves<sup>73</sup>. Generation-sets, had a wider social application in Abakuria society. In this society, there were two generation families called Abasai and Abachuma<sup>74</sup>. The system assisted in determining the social position of individual members of the community. Taking the Abasai group for instance; Abamaina are the parents of the Abasai, grandparents of the Abanyambriti, great grand fathers of the Abagamyeri and great-great grandfathers of the Abamaina. The process repeats itself over and over again<sup>75</sup>. Thus, in the above example, the Junior Abamaina is the youngest group (the group just being born) and therefore not yet circumcised and married.

The Abanyambriti are the mature adults of the society, who might be termed the ‘junior elders’. They are also the fathers of the Abagamyeri. The Abasai are the ‘senior elders’ of the tribe. It is they who are usually sought for in crucial moments of the whole community. It is also among them that the ceremony of Isubo is performed. This ceremony, one of the important Abakuria social practices, is performed only on those elders whose eldest children (whether boys or girls) of all their wives have been married. The senior Abamaina are the oldest members of the society,

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<sup>69</sup> Interview with John Masara (elder) at Kugitimo on 24/02/2011.

<sup>70</sup>M. J. Ruel “Kuria Generation Classes”oo cit p.16.

<sup>71</sup> Ibid

<sup>72</sup>Ibid

<sup>73</sup>Paul Asaka Abuso, Op. cit p.135.

<sup>74</sup>Ibid

<sup>75</sup> Ibid

the dying generation. By the time the junior Abamaina are born to begin a new generation cycle, most of the senior Abamaina would have died<sup>76</sup>. Each generation set had a time span of 28 years.

Kjerland argues that armed conflicts between the Maasai and Abakuria ethnic groups started long before the establishment of colonialism in Kenya.<sup>77</sup> With the establishment of colonialism in East Africa, Inter-territorial, administrative, and segregation boundaries were erected further aggravating the already hostile inter-ethnic relations between the Masaai and Abakuria. These boundaries froze movement by individuals and groups from one cultural zone, to another thereby solidifying and intensifying ethnic identity and consciousness.<sup>78</sup> The Maasai and Kuria communities were among those affected.

According to Kjerland, between 1891 and 1921 there is very little evidence of unrest between the Maasai and Abakuria. But from the mid-1940s the tension between the Masaai and the Abakuria became more constant.<sup>79</sup> However, Abuso argues that there was tension between the Maasai and Abakuria in 1910 because Abakuria were expanding their territory into Maasailand. The then District commissioner (DC) of South Nyanza, CM. Dobbs issued an order against Abakuria expansion eastwards into Maasailand<sup>80</sup>. Transmara itself was added to the Maasai reserve in 1912 as a way of putting pressure on the Maasai to move from Laikipia, by offering them the supposedly fine grazing land of Transmara as a reward for cooperation.<sup>81</sup> In the same year (1912) another directive to stop Abakuria movement into Maasai territory was issued by the then D.C Campton but there was no actual border that was built between the two communities<sup>82</sup>.

Up to the First World War, the Maasai in Transmara had been separated from their non-Maasai neighbours by a belt of unoccupied land; but by 1930, infiltration along the boundary had

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<sup>76</sup>Ibid p139.

<sup>77</sup> Kirsten Alsaker Kjerland, *Cattle Breed; Shillings Don't*: Op. cit.

<sup>78</sup> Bethwell A. Ogot, *History As Destiny and History As Knowledge: Being Reflections on the Problems of Historicity and Historiography*, Kisumu: Anyange Press Ltd, 2005 P.268.

<sup>79</sup> Kirsten Alsaker Kjerland, *Cattle Breed; Shillings Don't*: Op.,cit, P.155.

<sup>80</sup> P. Abuso, *A Traditional History of the Abakuria CDA 1400-1914* p. 178.op cit

<sup>81</sup> Richard D. Waller, "Interactions and Identity on the Periphery: The Transmara Maasai", *The International Journal of African Historical Studies*, Vol. 17, No. 2 (1984) P. 257: Boston: Boston University African studies Center.

<sup>82</sup> P. Abuso, *Traditional History of the Abakuria CDA 1400-1914*, Op., cit.

become a serious problem. Richard Waller argues that the expansion of settlement along the borders posed, much more acutely than before, the problem of Maasai relations with their neighbours. It also forced the Maasai to define their identity more closely and to defend their own lightly-occupied grazing lands against continual encroachment by the much denser populations accumulating on their border. Often this erupted into armed clashes which could be resolved only by government intervention.<sup>83</sup>

Abuso argues that due to the increased tensions on the Maasai-Kuria border in the early 1950s, the government directed the D.C for south Nyanza to dig a 20 miles trench on the length of the Maasai-Kuria boundaries. The boundary had intermittent ditches linked with sisal fences.<sup>84</sup> Due to an increase in cattle raids the government sent the Kenya police and tribal policemen to patrol the border. To promote peace and reconciliation between the Maasai and Abakuria, border councils and committees were instituted in the 1950s.<sup>85</sup>

### **2.3 Conclusion**

This section spoke about the history of Abakuria and Maasai of Kenya. It traced the origins of the two communities and their migration and settlement in their current locations. The Maasai and Abakuria ways of life were discussed. For one to understand the Maasai/Kuria conflicts, it is necessary to understand their ways of life, modes of production and perceptions about other ethnic groups. This chapter clearly demonstrated and analyzed both Maasai and Kuria cultures thereby laying the foundation for an understanding of their hostile relationship since the 1950s. As demonstrated in this chapter, both the Maasai and Abakuria have some cultural practices that are similar and others that are divergent. For instance, Abakuria practiced pastoralism, circumcision, and age set system that were similar to what the Maasai had. However, the Abakuria also practiced crop farming while the Maasai practiced pastoralism mainly. This chapter laid the foundation to establish how this convergence and divergence of cultural practices and institutions between these two communities helped create hostilities.

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<sup>83</sup> Richard Waller, "Acceptees and Aliens: Kikuyu Settlements in Maasai Land," in Thomas Spear and Richard Waller, *Being Maasai: Ethnicity and Identity in East Africa*, Op.cit P. 281.

<sup>84</sup> P. Abuso, *a Traditional History of the Abakuria CDA 1400-1914*, Op., cit.

<sup>85</sup> KNA, PC/NKU/31/20, Notes on the Topography of Maasai-Kuria Border 1949-1952: Report.

## CHAPTER THREE

### MAASAI-ABAKURIA RELATIONSHIP

#### 3.1 Introduction

As chapter number one revealed, Maasai and Abakuria of Kenya have for more than one hundred years shared a common border. The Maasai are Pastoralists who traditionally depended on animal products for their survival though they also consumed agricultural products especially during times of droughts and calamities to supplement their meal. Over the years the Maasai have gradually embraced agriculture due to shortage of grazing lands, reduction in their herds and population growth. Abakuria on the other hand are traditionally mixed farmers practicing both crop production and animal rearing. Their food mainly consists of farm produce and animal products. The two communities have had an ambivalent relationship over the years in which they have oscillated between periods of conflicts and periods of relative peace. This chapter deals with basic information about both the Maasai and Abakuria communities. It identifies the geographical areas that both communities occupy and discusses the relationship between them over the years. By discussing relations between Abakuria and the Maasai, the chapter showed that tensions and armed conflicts have dogged both communities for years.

#### 3.2 Kuria District

Abakuria occupy the country extending across the Kenya-Tanzania border at the eastern part of Lake Victoria. Their land is between River Migori in Kenya and the river Mara in Tanzania<sup>86</sup>. Abakuria related to Abagusii of Kenya by language. They were one family until an attack by the Maasai in the beginning of 19th century separated them<sup>87</sup>. In the year 2006 Kuria was estimated to be 609000, with 405000 dwelling in Tanzania and 174000 on the Kenyan side. In 1993, Kenya Kurians were given a district which was hived off Migori district. Again in 2007, it was split into two districts namely Kuria East and Kuria West districts headquartered at Kehancha and Kegonga respectively. There are four Kuria clans on the Kenyan side which include Nyabasi and Bwirege in Kuria East and Bukira and Bugumbe in Kuria West District<sup>88</sup>.

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<sup>86</sup> Kirsten Alsaka Kjerland, *Cattle Breed; Shilling Don't*, p.6. op cit

<sup>87</sup> Paul Asaka Abuso, 'A Traditional History of the Abakuria C.A.D 1400 -1914', p.14. op cit

<sup>88</sup> Interview with Marwa Mangiteni (elder) at Kegonga on 23/02/2011.

The Nyabasi clan that occupies Kegonga Division (study area) of Kuria East District shares a border with the Maasai against whom it has waged intermittent conflicts for many years. The area has numerous peaks (above 2000 meters altitude) and most people on both sides of the border occupy highland area ranging from 1,200 to 1800 meters above sea level. The highlands fall within the High Rainfall Savannah Zones and an average of 1,000 to 1500mm of rain annually experienced. Abakuria who live in the lowlands (1,000 to 1200 meters above sea level) occupy less fertile soils where rainfall is erratic, between 750 and 900mm annually<sup>89</sup>.

### **3.3 Maasai**

#### **3.3.1 Transmara District**

Transmara, the D shaped place creating the western strip of Kenya Maasai land, extends from the Tanzanian border to Chepalungu Forest and is shielded on the East by the high escarpment overlooking the Mara River.<sup>90</sup> That area is presently occupied by three Maasai clans: Siria, south; Uasin kishu, North West; and Moitanik, North.<sup>91</sup> Transmara District lies on a 2900km<sup>2</sup>. The river Mara acts as its eastern boundary with Narok district from which it was curved in 1994. In the south it borders the United Republic of Tanzania and Westside by kuria and migori regions. It consists of five administrative divisions namely; Kilgoris, Pirrar, Lolgorian, Keyian and Kirindon<sup>92</sup>. Both lolgorian and Keyian share a border with Kegonga Division of Kuria East District. It is this border that the Maasai and Abakuria use as the battlefield from time to time when relations between the two communities are hostile.

Mara River originates from Eastern Mau Forest passes the low altitude eastern side and goes to Tanzania. Migori river moves in a south westerly direction from South West Mau and joins Kuja River eventually entering Lake Victoria<sup>93</sup>. There are many small rivers which join river Migori. The area around Migori River is a plateau. The altitude starts from 1524m on the stretch of Mara River upto about 1950m above sea level at Kilgoris to 2073 M. on the hills. Transmara was added

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<sup>89</sup>Kirsten Alsaka Kjerland, op cit p.7.

<sup>90</sup>Richard D. Waller, Interaction and identity on the periphery: The Trans-Mara Maasai. The international Journal of African Historical studies, Vol. 17, No.2 (1984), pp243 -284, Boston university African studies centre.<http://www.Jstor.org>. Accessed on 05/04/2011.p 244.

<sup>91</sup> Ibid

<sup>92</sup> Ibid

<sup>93</sup>Transmara Profile, [http://www.aridland.go.ke/semi\\_profiles/transmara\\_profile.pdf](http://www.aridland.go.ke/semi_profiles/transmara_profile.pdf) accessed on 21/03/2011.

to the Maasai reserve in 1912, almost as an afterthought and for reasons which had little to do with the identity or interest of its inhabitants and much to do with the tangled politics of the Maasai moves of 1904 and 1911<sup>94</sup>.

The idea of including Transmara was taken up partly as a way of putting pressure on the Maasai to move from Laikipia, by offering them the supposedly fine grazing of Transmara as a reward for cooperation, and partly in order to satisfy the doubts of the colonial office as to the adequacy of the proposed reserve.<sup>95</sup> The colonial government moved the Maasai from the northern to the southern reserve in 1904 and 1911; in 1912 Transmara became part of the Maasai reserve. Between 1922 and 1935, 600 new groups of Uasin Nkishu arrived and settled among the Purko. Lastly 5-600 Moitanic arrived from North Kavirondo and established themselves northwest of Kilgoris (in the mid – 1930s)<sup>96</sup>.

### **3.4 The Maasai –Kuria Relationship up to 1914**

At the second half of seventeenth century a number of different Bantu groups arrived in the vicinity of Lolgorien in Narok District, Rift Valley province. According to Abuso, the Abaasi segments of Abanyabasi (Zebra) clan were among the first who settled there. This happened sometime between the 1660s and 1720s<sup>97</sup>. The Abakuria call the place Gutura and the zebra remained there for four generations. Following a number of minor attacks, harassment and day-long battle (the Battle of Gutura), all the Bantu peoples broke away from there; The Gusii escaped towards the north and the Abakuria headed south.<sup>98</sup> The Abanyabasi and the Abatimbaru passed Chinato and Kebaroti on their way to Ikorongo (Tanzania). Abuso argues that it was groups of Maasai who forced people to move from Gutura<sup>99</sup>. Abuso claims that the Bantu people left Gutura sometime between 1746 and 1744. Richard Waller argues that the Maasai were in Transmara from C. 1750<sup>100</sup>. Abakuria stayed at Gutura for over 100years.

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<sup>94</sup>Richard D. Waller Op. cit p. 257.

<sup>95</sup>ibid

<sup>96</sup>Ibid p.264. Also see Bermstsen(1978) p.258.

<sup>97</sup> Abuso,op.cit.p.89

<sup>98</sup> Ibid, pp.129-130

<sup>99</sup> Ibid,p.130

<sup>100</sup> Quoted in Abuso Paul Asaka Abuso, p130.op cit

Today Gutura is occupied by the Maasai who generally refer to this area as Iolgorien. Though the British colonial government and the post colonial governments recognized this area as a Maasai territory, Abakuria have always laid claim over it arguing that it is their ancestral land. This brings to focus the issue of coterminous boundaries that were drawn by both colonial and post-colonial governments of Kenya in total disregard of the input of the affected ethnic groups. Disputes by many ethnic groups over these ambiguous boundaries started right from the colonial period and escalated during the independence period. In Marsabit for instance, both Rendile and Boran communities claim they are entitled to Shur and Baddasa dry season and drought reserve areas leading to conflicts between them.<sup>101</sup> In south Nyanza there have been conflicts between Abagusii and the Luo over the exact location of the boundary between them<sup>102</sup>. Among Abakuria, ancestral land holds a lot of significance and therefore losing it to their neighbours is not an option. Perhaps the Maasai-Kuria border conflicts have partly been fuelled by the urge to recapture their ancestral land (Gutura) which was taken away from them by the Maasai in the seventeenth Century.

About 1850, Abakuria started returning to their present day settlement from what is now known as Tanganyika where they had been exiled. This is mainly because Abakuria were stronger than the Maasai at this time. The Maasai had been weakened greatly by internal wars and epidemics. The Maasai were the “Lords of plains” of Eastern Africa in the beginning of nineteenth century, but towards the middle of the nineteenth century this situation changed. They lost this position, never to regain their former strength because of internal fights over diminishing resources. This resulted in a disaster for a number of maa speakers in late 1860s and the 1870s. Between the 1880s and the early 1890s most East Africans suffered from famine, human and animal plague. Although all stock-keepers suffered, none suffered more than the Maasai pastoralists. At the end of nineteenth century the “Lords of the plains” were mere shadows of the former selves. The pest made pastoral mode of production difficult for many years and quite a big number of Maasai sought protection from agricultural neighbours for survival<sup>103</sup>.

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<sup>101</sup> Akililu Yohanis Hunqe, *Ethnic Conflicts among Pastoralists in Marsabit District: A case Study of the Boran-Rendile Conflict*, M.A. Project, University of Nairobi, 2005 p30.

<sup>102</sup> John Oucho, *Under-currents of Ethnic Conflict in Kenya*, Leiden: Koninklijke Brill, 2002 p116.

<sup>103</sup> Richard D Waller, *The lords of East Africa*. Pp.249-315. op cit



They are spoken of as roaming skeletons that squatted with others. The early European travelers feared the Maasai, but after the Rinderpest they were no longer a threat to the colonial administration. It was a weak group that the Europeans moved from the Northern to the Southern Reserve in 1904 and 1911. The colonial government made it increasingly difficult for the Maasai to defend themselves against the Europeans or other Africans. To an increasing degree non-Maasai groups encroached upon their grazing areas. This is an opportunity Abakuria took advantage of and moved back to Kenya<sup>104</sup>.

Another tactic that Abakuria used to facilitate their return to present day Kenya was 'Imitation'. When the Abakuria were defeated at the hands of the Maasai at about 1750s and exiled in Tanganyika, the military strength, organization and tactics of Maasai were superior to those of Abakuria. The Maasai age-set system had proved successful in defense and offence; their pastoral adaptation made rapid mobilization possible. The combination of novel forms of military organization and tactics, the rapid development of self-conscious ethnicity proved most successful. Abakuria realized that the only way to match the military prowess of the Maasai was to copy these key aspects of Maasai culture<sup>105</sup>.

Nineteenth century travelers and early colonial administrators were struck by the similarity between the Maasai and a number of the Bantu groups. Baumann, who met with Abakuria in 1892, found they looked like the Maasai. In regard to resemblance he mentioned dress, piercing of ears and the use of Snuff<sup>106</sup>.

Weiss traveled extensively along the German East African border in 1904 and pointed out how Maasai ornaments dress and weapons were found among non-Maasai. According to him, however, no group of people had imitated the Maasai to the extent of the Highland Abakuria<sup>107</sup>.

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104 Ibid

105 Abuso op.cit.p.147

106 Quoted in John L. Berntsen, *The Maasai and Their Neighbours: Variables of interaction: African EconomicHistory, No. 2 (autumn, 1976)*, pp. 1-11. Accessed on 05/04/2011, from <http://www.Jstor.org>.

107 Weiss, Kuria Pictures,1910

Ruel noted how the Maasai provided the Abakuria with a spear, short sword, the three-coloured shield, warriors' hairstyle and ornamentation. He argues that the Maasai provided the Abakuria with their ideals such as devotion towards cattle and the age-set system<sup>108</sup>.

Armed with the knowledge and practice of the Maasai culture, Abakuria could now challenge the Maasai to war. Abuso argues that the Abakuria started defeating the Maasai at war because they had mastered their military organization and war tactics. The striking resemblance of Kuria warriors with Maasai warriors acted to confuse the Maasai whenever there was war between them and Abakuria<sup>109</sup>. Kebaroti and Chinato are where the British found the first Abakuria (Abanyabasi clan) in Kenya. These are the same places Abanyabasi had passed when they were chased from Gutura to Ikorongo by the Maasai about 1750. Although Abakuria had started coming back to what is now known as Kenya around 1880s, mass migration from Tanganyika to Kenya was experienced in 1907. The then British District officer, R. Hemsted reported that a big number of people were arriving from the German to the British side of the border. The people who had crossed the border were Luo, Maasai Abasuba and Abakuria. One hundred and twenty new Luo homesteads are mentioned and thirty new Maasai Manyattas and a large number of Abasuba and Abakuria.

In 1912, the government declared Transmara a protected Maasai area and began to move the Maasai from Laikipia to Transmara. In November 1911 a post was opened on the Migori River by Mr. Collyer (D. C.) to receive the Maasai removing from Lakiopia. It is interesting to know how Abakuria reacted to this new development in the area. Perhaps the colonial government foresaw future tensions between Abakuria and the Maasai and moved fast to mitigate the problem by declaring Transmara a protected area. For the first time, the border between Abakuria and Maasai was demarcated and official orders given against any further expansion by the Kuria into Maasailand. A security post was established on the Migori River to facilitate the smooth transfer and settlement of the Laikipia Maasai. Right from this period onwards, the Maasai–Kuria relationship was being monitored by the colonial government. In the same year (1912), the

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<sup>108</sup> Quoted in John L. Berntsen, *The Maasai and Their Neighbours: Variables of Interaction: African Economic History, No. 2 (autumn, 1976)*, pp. 1-11. Accessed on 05/04/2011, from <http://www.Jstor.org>

<sup>109</sup> Abuso op.cit.p.147

colonial government abolished the Maasai warriors' camps (manyatta s) and later, an attempt was made to abolish their meat feasting. Why did the colonial government do this? Probably, the colonial government dreaded the possibility of the Maasai re-uniting and re-grouping against the government. The Maasai had lost a lot of land through land alienation and were thought to be unsettled about this. By reactivating their cultural practices the Maasai would have recaptured their former military strength and cause problems to the colonial government. Although these institutions were reinstated, colonial government made it complicated for the Maasai to defend themselves against the Europeans or other Africans. To an increasing degree non Maasai groups encroached upon their grazing areas<sup>110</sup>.

During this early period when the colonists were conquering and establishing the colonial state, land alienation was rampant and many African communities lost their land to the European settlers. A British protectorate was declared in 1895, primarily to secure the route to Uganda. By 1902 the government was encouraging white settlement in the highlands and by 1914 there were about 1,000 European landholders. The seeds of future conflicts had been sown. The extension of administration barely preceded that of settlement; it had occasioned a myriad of armed African resistances. Much of Maasai land and smaller but more contentious area of Kikuyu land were alienated to Europeans<sup>111</sup>.

Though various communities raised their grievances concerning the reserves the British colonial government continued to implement this alien law. The Delamere Land Board of 1905 that was constituted to look into the question of land in Kenya asserted that the policy of clustering Africans into reserves was inviolable.<sup>112</sup> They did not want the government to recognize native rights over land in as much as the agricultural natives lay "claim to no more than a right of occupation". The government owned all land not held under title, whether it was in locals hands or not<sup>113</sup>.

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<sup>110</sup>Kirsten Alsaka Kjerland, op cit ,p119

<sup>111</sup>Africa South of the Sahara (Ed) Seventeenth edition, Europe Publications Ltd, 1987 London. P.544

<sup>112</sup>Ibid P.317

<sup>113</sup>Ibid P.317

Through the formation of these reserves, the Maasai community (including those in Transmara) lost huge chunks of their fertile lands to white settlers. The Maasai were put into reserves that were overcrowded and insufficient for their huge herds of cattle. Though the provisions of the 1904 Anglo-Maasai Treaty stated that Maasai settlement in the two reserves should endure 'so long as the Maasai as a race shall exist' and that Europeans should not own any piece of land in the reserves<sup>114</sup>, in 1911, upon realising that the Laikipia plateau was fertile the Europeans revised the provisions of the treaty and alienated more land from the Maasai. This not only deprived them of their economic base but most importantly squeezed their cultural space. Land was no longer enough to provide pastures, water and salt licks for their cattle. This could be the reason why the Maasai of Transmara had to look beyond their borders in times of drought for the survival of their herds. Perhaps this is the reason why the Maasai of Transmara found themselves constantly at war with neighbouring communities.

#### **3.4.1 Maasai-Kuria Relations 1914-1950s**

This period was marked by beginning of First World War between Allied Forces and the central powers, which began in 1914 and ended in 1919 and the Second World War that began in 1939 and ended in 1945. This is also a period in which the colonial government intensified its administrative structures and control over the Kenyan colony. Many Africans were conscripted in the army to fight on the side of the British against the Germans while others, were recruited to provide labour as carriers for the British army. Food for the soldiers was to be provided by the Kenyan Africans especially those who lived in the Transmara and its surrounding such as Abagusii, Luo, Kipsigis, Maasai, Abakuria and Abasuba. This meant that agriculturalists had to provide their farm produce while the pastoralists had to provide cattle, sheep and goats to be slaughtered and eaten by the British forces. In a nutshell, every single African had to play a role in the war either directly or indirectly. In order for the colonial government to get all these services from the Africans, the administration was enhanced and expanded. Village headmen and their deputies were employed as government agents. The Kenya police were responsible for security, law and order.

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<sup>114</sup> Raymond Leslie Buell, *The Native Problem in Africa*, London; Frank Cass & co. Ltd, 1965 p312

Native councils were introduced to handle court cases. Tribal police and border committees were put in place to oversee inter-ethnic affairs. Chiefs, sub-chiefs and messengers were also put in place and all of them reported to a District Officer who then reported to a District Commissioner. Therefore, between 1914 and 1919, the relationship between Abakuria and Maasai was influenced by the war between the British and the Germans; a war in which both communities fought against a common enemy-the Germans. This was strengthened by the fact that German soldiers had the habit of crossing the border between Kenya and Tanganyika to attack natives on Kenyan soil.<sup>115</sup> An internal problem between Abakuria and Maasai was diluted by the war against a common enemy-the Germans. For the British colonial government in Kenya to get undivided participation of the Maasai and Abakuria in the War against the Germans, there had to be relative peace between the two African communities. According to Kjerland, between 1891 and 1921 there is very little evidence of unrest between Abakuria and Maasai<sup>116</sup>. This relative cease-fire between Abakuria and Maasai can be explained by the fact that after the 1890s the Maasai were struggling to recover from the losses brought about by the epidemics that depleted most of their stocks and killed many people. As we have already seen, the Laibon lenana collaborated with the British in order for his community to replenish their herds and gain strength which they were able to do by the end of the First World War. At this moment the Maasai were not so aggressive.

Secondly, in the First World War British colonial government closed the border between Kenya and Tanganyika and established military Camps in Kuria region. Activities in and along the Kuria-Maasai boundary were closely monitored thereby making it difficult for either community to attack each other. During this period also many young men from both Maasai and Abakuria were conscripted into the army to fight against the Germans while others were recruited to provide labour to the British troops and European Farms. This deprived both communities of the Warriors required to raid for cattle and defend the community. Both Maasai and Abakuria were forced to contribute many cattle to the British troops to be slaughtered for meat. All these factors coupled with increased taxation led to famine both in Maasailand and Kurialand further weakening the two communities.

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<sup>115</sup>ibid

<sup>116</sup>Kirsten Alsaken Kjerland, OP. Cit. P. 55

### Labour recruitment in south Nyanza 1914-1917

Year	Carrier coups	Other labour
1914 -1915	18,169	26,245
1915-1916	24,184	17,138
1916-1917	2,900	18,577

Table extracted from Chacha Magasi thesis (p.82)

However, some people argue that there was no calm between the Maasai and Abakuria. They argue that most disputes between the two communities were seldom reported to the authorities. In the 1920s more white farmers settled in south Nyanza hence events were reported appropriately. Mines were opened up in Lolgorien and Kehancha in 1922 and in 1923<sup>117</sup>. With this activity, new people, communication and new techniques found their way to this part of Africa. South Nyanza had four Europeans in 1911; in 1948, the number was 225. Nearly 900 Asians were by this time operating here. From 1927 to 1932, a number of new roads were constructed and bridges were made<sup>118</sup>.

The border locations were placed under military command during the war and in Bukuria production as well as freedom of movement was hampered for years. Nothing seems to have happened there when the German troops heading for Kisii passed Bukuria at Isebania, but some months later in January 1915 people had their houses burnt down and their stock stolen by German troops.<sup>119</sup> The southern part of south Kavirondo was the military camp area in 1916. Many recalled the two British men who were in charge of the military camps at Chinato in Kuria during most of the war. Camps were also set up at Kegonga and at Rebure<sup>120</sup>. Eight or nine civilians were killed within Nyabasi during the war. On one occasion, the Germans came across the boundary, fought the British at Kegonga and set fire to houses both at Kegonga and at Chinato while retreating.

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<sup>117</sup> South Kavirondo District Annual report (1922, KNA/DC/KSI/1/2, 1932, KNA/DC/KSI/1/3)

<sup>118</sup> Kirsten Alsaka Kjerland, op cit p.75

<sup>119</sup> South Kavirondo district annual report 1915, KNA/DC/KSI/1/2 .

<sup>120</sup> Kirsten Alsaka Kjerland, op cit p187

On various occasions people lost cattle. Some were arrested and taken to the German side of the boundary<sup>121</sup>. People who lived close to the boundary left their homes and were unable to return for as long as the war lasted. The state of affairs may be illustrated by the fact that the four Kuria locations were exempted from taxation in 1915, 16 and 17<sup>122</sup>. At the tail-end of the First World War, Abakuria still enjoyed a good reputation with the British. Together with the Kisii, they are spoken of in positive words just after the First World War, “The two tribes in the District which in my mind show some promise of progressing generally in the future are the Kisii and the Bakuria”<sup>123</sup>. This was repeated in 1921 but the following year Abakuria were described as rather restless<sup>124</sup>. The “restlessness” is remembered as “the war of Kiribo”<sup>125</sup> by the Abanyabasi clan (Zebra) and is probably the largest clash between Abakuria and II-Purko Maasai of this area in fifty years. E.L.S. Anderson claimed 150 dead Maasai had been counted after one battle. H. C. Stiebel, who dates the events to December 1921, corrected the figure; 127 out of a total of 200 Maasai warriors had been killed by Abakuria<sup>126</sup>.

What surprised the British colonial administration in Kenya was the fact that Abanyabasi on the Kenyan side of the border crossed the border to Tanganyika territory to fight on the side of their ‘brothers’ and loot Maasai cattle<sup>127</sup>. This act revealed the fact that Africans did not respect artificial boundaries created by European colonizers. The debate about the citizenship of Abakuria was re-awakened and the then District Commissioner strongly suggested that boundaries between Kenya and Tanganyika should be re-adjusted so that the Abakuria of Kenya can join their brothers in Tanganyika. This was because Abakuria were difficult to administer due to the fluidity of the borders which necessitated law-breakers and Tax-evaders to hide in Tanganyika. In 1924 the Nyanza Province Annual Report recommended as follows:

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121 Ibid p.188

122 South Kavirondo District Annual Report 1917, KNA/DC/KSI/1/2

123 Ibid

124 Ibid

125 Kiribo is Kuria word for Rift Valley.

126 Quoted in Kirsten Alsaker Kjerland, OP.cit. P70.

127 Nyanza province annual Report 1924, KNA/PC/NZA/1/19

*Bakuria who number about 15000 are included in the South Kavirondo District owing to the arbitrary boundary originally defined between this colony and German East Africa. There were comparatively few on this side of the line originally, but the number was largely increased by people desirous of escaping from the German administration. As the main tribe is situated in Tanganyika Territory, it would be better, from the administrative point of view, the relatively small number resident in this colony could by an adjustment of the boundary be also included in the main tribe*<sup>128</sup>.

Relations between the Maasai and Abakuria resumed a collision course in the 1920s. Abakuria who had initially been stopped from infiltrating or trespassing into Maasailand began gradually crossing the border between Transmara and Kuria. Why were relations between the two communities worsening at this time. Several explanations could be advanced to explain this sudden turn of events. First the First World War was over and the restrictions that had been put in place between the border of Kenya and Tanganyika and along the Maasai-Kuria borders had been relaxed and the military Camps in Kuria closed. Secondly, both communities had started accumulating stock hence they had regained considerable strength. Thirdly; many young men who had returned from the War were regrouping. Most of them probably, wanted to raid for cattle which they could use as bride wealth to marry and settle down while others returned to their warrior age-groups to fight for the interests of their respective communities.

Abakuria started grazing their stock in Transmara, cultivating in Transmara and even building huts. Cattle raids also resumed such that by 1930s they drew the attention of the colonial administration. In 1929, a survey of the Maasai-Kuria border was made in order to stop further encroachment on Maasai land. The survey of Kenya erected twenty-one demarcation points. These consisted mainly of Mounds of earth slit trenches and poles<sup>129</sup>. This did not deter Abakuria from trespassing into Maasai territory in the 1930s especially because the Maasai had not settled near the border. As pastoralists, they (Maasai) would bring their stock to graze during daytime and retreat to their Manyattas in the evening. In 1930, it was reported that Abakuria tribe on the

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<sup>128</sup>ibid

<sup>129</sup>KNA/DC/HB/4/1



Transmara border were still by far the least civilized natives in the district. They indulged in the Orgy of stock thieving during the early part of the year and though an improvement had occurred due to heavy punishment, they did not stop. In 1934 Abakuria were reported to be such inveterate stock thieves that,

*They do not hesitate to steal from neighbours in their own location and even relations. Theft from other tribes they regard as particularly meritorious. On the North, northeast and west the Maasai and Luo are constant victims<sup>130</sup>.*

The colonial Masters could not understand the culture of Abakuria nor the Maasai. To them, Abakuria were uncivilized and thieves who had no respect to their neighbours and relatives. This betrays lack of understanding of the cultures of various African communities by the colonial masters who always viewed things in Euro-centric context. In 1936, the similar statements were made in a report which stated that,

*“We are unlucky in having to sides of the District bounded by notorious stock thieves, namely the Kipsigis and the Abakuria<sup>131</sup>”.*

In 1931 the acting provincial commissioner of Nyanza. C. B. Thompson imposed a fine of one thousand shillings on the members of the Abanyabasi clan living in Kegonga. Three armed Maasai were to be compensated for the stock they had lost and 35 head of cattle were collected and used to cover the fine<sup>132</sup>.

In October 1939, the Maasai raided 61, head of cattle from the Abairege and Abanyabasi revenged this by arranging three counter- attacks against the Maasai. Two people were killed (one Umukuria and one Maasai). Twenty people were brought in but had to be released because of lack of evidence. The chiefs in buirege and Nyabasi were suspected of withholding evidence to protect their clansmen and were dismissed<sup>133</sup>.on 25<sup>th</sup> December 1939 the Maasai claimed 31 lead of cattle was stolen by the Nyabasi (section No. 19, police 3, Levy Force, Kisii south Kavirondo 1932-42)<sup>134</sup>.According to the District Annual Report of 1936 these cattle were taken to Tanganyika where they were sold. Report says’

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<sup>130</sup>KNA/PC/NZA/1/30 1934

<sup>131</sup>KNA/DC/KSI/1/4

<sup>132</sup>Safari Diary” March/April 1931, KNA/PC/NZA/2/1/3

<sup>133</sup> South Kavirondo district annual report,KNA/ DC/KSI/1/4

<sup>134</sup> KNA/PC/NZA/2/4/1

*Bakuria are quick to play off one administration against another and have already learned that it is no offence in Tanganyika to be caught with cattle stolen in Kenya*<sup>135</sup>.

The Luo and Maasai were the victims. In one case, the Maasai had killed five Abakuria rustlers and the British knew too well that this meant counter attacks. The Abakuria were watched closely in the coming months<sup>136</sup>. This probably postponed the attacks but when the Maasai raided 61 head of cattle from Abairege in 1939 there was no way back. The Abairege and Abanyabasi cooperated in five counter raids against the Siria and Uasin Ngishu Maasai. Two people were killed and a number of cattle were stolen. They were taken across the border to Tanganyika<sup>137</sup>.

After having received numerous complaints from the Maasai the British decided to remark the border between the Abakuria and the Maasai – 1939/1940. A total of three border points were laid down between buirege and Maasailand and four between Nyabasi and Maasailand.

The British ordered the houses which were put upon the wrong side of the border to be demolished.

In 1944, because of their culture of hospitality and in the spirit of give and take (especially in times of relative peace) the Maasai allowed Abakuria to water their cattle in the Engopelsani or Nyabikwa River on condition that all buildings in Maasai are removed and cultivation stopped. This concession was to last for one season but Abakuria did not grant the demands by the Maasai to destroy all buildings in Maasai and desist from cultivating their land. This infuriated the Maasai who aired their grievances to the Authorities. This was captured in the PINNEY Report, which stated that:

*Although this concession lasted only until next rains, the Kuria have helped themselves to it ever since. It is quite clear that the Kuria except perhaps for the immediate rainy season, graze and water their cattle in Maasai. Their huts are sited densely along the boundary in such a way that there is barely space for cultivation between them. It is obvious they have come to regard Maasai country as common land on which their cattle can be herded at all seasons. Such a state*

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<sup>135</sup>South Kavirondo District Annual report 1939, KNA/DC/KSI/1/4).

<sup>136</sup> ibid

<sup>137</sup> ibid

*has now been reached that it is unlikely that the cattle of the Buregi and Nyabasi sub locations could be supported from one rainy season to the next without recourse of Maasai grazing and water. If these were forcibly denied to them heavy cattle mortality would result<sup>138</sup>.*

Though the report argued that Abakuria risked losing many cattle were they to be denied access to Maasailand, it nevertheless recommended that Abakuria must be forced out of Maasai land and prevented from going back by the colonial administration. At the beginning of 1948 villages had been built all along the 11 miles of boundary between Tanganyika and the Migori, but none penetrating more than ½ miles. Nor had any Kuria settled north of the Migori. However, as the year progressed the floodgates of immigration opened and caused serious concerns. The following figures in respect of this area are interesting;

January 1948	142 families
August 1948	173 families
February 1949	212 families

In September 1948, the trespassers were ordered by their sub-headmen to move out of Maasai. Those of Nyabasi obeyed almost to a man and only two huts were found in Maasai at the time this boundary was visited in March 1949. However, 48 huts of Bwirege Kuria remained. The colonial government had to revisit the issue of boundaries between the Maasai and their neighbours in order to stop the brewing conflict between the two communities from degenerating into a bitter war<sup>139</sup>. The boundary line, as surveyed in 1929 was well-known by all the local elders. Although they were at pains to hide its exact course. The Nyabasi Kuria tried to justify their trespass by showing a boundary which wound round their villages, excluding them from Maasai. It had, they claimed been decided about 1927 between the chiefs of the two tribes. About 1927 two huts must have been sited in Maasai, both by a Kuria man called Marwa Mwita. It was claimed that other huts were built in 1935, 1939, 1941 and 1942. The entire remainder, bringing the total up to 212, was built in 1948 and 1949.

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<sup>138</sup>KNA/PC/NKU/3/1/20 Pinney's Report on Transmara 1949 – 1952.

<sup>139</sup>Ibid.

These later visitors (Abakuria) were resented by the local Maasai since they did not acknowledge Maasai ownership of the land and refused to pay “rent”. The government’s duty in the face of such an inter-tribal invasion was obvious. There was a thorough investigation of the situation as far as incursion of alien tribes into Transmara was concerned. The results were published in the PINNEY Report, which together with recommendations was accepted by the various committees and conferences, which dealt with the matter<sup>140</sup>.

In a bid to support the argument that no tribe should encroach on Maasai land, The Pinney Report recommended that a post of Kenya police or tribal police should be established on the boundary and a Maasai – Kuria border committee to be formed. The report further outlined the reasons why Abakuria should be removed from Transmara. It said: “The Maasai never welcomed the Kuria as they did the Jalu on the sare. Rather have they persistently asked the District Commissioner in Narok that the trespassers be removed. The widespread indiscipline of the Kuria, as evidenced by their invasion of Maasai on the 22<sup>nd</sup> March, 1949, is well known. No concessions should be given which appear to condone the deliberate trespass of the Kuria all along the boundary and justify their attitude that the Maasai land belongs to them by right for building, watering and grazing cattle and cultivation. In view of the present strained relations between the Maasai and Kuria it is essential that the provisions of the Outlying District Ordinance be strictly enforced. This cannot be done if any Kuria are allowed to remain. The moving of Abakuria huts is after all an operation of no giant labour and is carried out in the normal course every few years. The idea that certain Kuria of long standing should be left as “warders of the marches” has been considered but rejected. A committee of Maasai and Kuria would do much to lessen the present tension by arranging the payment of compensation in cases of theft by either side. The Maasai will shortly need the grazing for themselves. The south Nyanza authorities should therefore tackle the problems of overstocking and lack of water and grazing, so that the Kuria can do without the concession as early as possible”.

From January to March 1949, the Maasai stole some 80 head of stock from the Abakuria in three separate raids. Although the police expected counter-attacks, they were alarmed to find between 1500 and 2000 Abakuria gathered on 19 March 1949. Although about half returned to their

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<sup>140</sup>ibid

homes, the rest stole what was estimated to be 1000 head of stock from the Maasai. Two Maasai were killed. Reinforcements soon arrived from Kisii. Their job was to try to close the border with Tanganyika, trace the stock and find the guilty. But “everybody” were involved and it comes as no surprise that an enquiry by first class magistrate under collective punishment ordinance” began on 25<sup>th</sup> march. Abakuria were asked to present the stolen stock by 1<sup>st</sup> April, in order to avoid punishment. By this date 562 head of cattle were gathered and taken by the Maasai to Kilgoris for immediate branding<sup>141</sup>.

The punishment meted on Abakuria was mild possibly because the Maasai had started the trouble. The annual report of 1950 stressed that Abakuria procured the cattle in seven days, while Maasai had failed to deliver the cattle they had taken prior to the large raid by Abakuria<sup>142</sup>.

Maasai raided 40-50 head of cattle – from Abakuria in June 1949, but this time the police were on guard and promised to compensate for the loss immediately<sup>143</sup>. Three times, within three months, the Maasai raided stock from Abakuria<sup>144</sup>. In the third raid, on 17 March 1949, ten Maasai warriors raided 49 head of stock from Abakuria. A 12 year old boy was wounded. Some Abakuria followed the raiders, but were asked by the District Officer Baron (“who was holding court there at the time) and the head of the police in Kehancha (A. P. J. Derham) to return to their homes. They did so after they had received a promise that the police would find the stock for them<sup>145</sup>.

Two police constables took it upon themselves to follow the tracks but lost them four miles north of Lolgorien. The next morning they continued, but lost the tracks again. Although they did not find any cattle that day, on the Lolgorien – Narok road they found 40 armed Maasai “ready to meet any watende who were following the stolen cattle. On 22<sup>nd</sup> March the last tracks were lost in the Purko Maasai area, in the Kimaniki section<sup>146</sup>.

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<sup>141</sup>Kirsten Alsaka Kjerland, op cit.p.106

<sup>142</sup> South Kavirondo District Annual report 1950, KNA/DC/KSI/1/12

<sup>143</sup>Monthly intelligence report June 1949, KNA/PC/NZA/3/1/448.

<sup>144</sup>Raids, Riots and Disorders – general correspondence. Levy forces 1937-1949, KNA/PC/NZA/3/15/153

<sup>145</sup>Kirsten Alsaka Kjerland, op cit.p.243

<sup>146</sup> Ibid

Abakuria lost patience when no stock was found by 22nd march. Chief Machera heard war cries during the night and in the morning four different age groups of fully armed men were observed. A total of 1500 to 2000 people had gathered, four miles north of Migori River. They were described as “running around in frenzied manner” .Those seated were shaking and according to the British, “Quite unamenable to reason”. In spite of this discouraging scene, half of them returned to their homes when the assistant superintendent of police spoke to them. His total force was only seven people<sup>147</sup> .

Upon the outcry: “the Maasai are coming” the rest headed north. They seized a large number of Maasai stock herded by children with which they returned back via Bukira location. Two Abakuria were at this time reported killed. Some twenty Maasai, who had joined the British, were very upset by the fact that only one head of stock had been found and one man had been arrested when the night fell. This very evening enforcement arrived at Kehancha from Kisii. The border was being patrolled to prevent the stock being driven across<sup>148</sup> .

Abakuria alleged that they had stolen 60 head of cattle, but the British estimated it to be 1000 head of stock. After negotiations they were asked to return seven hundred within six days; if not a tribal fine would be levied. On 29<sup>th</sup> March, 13 had been returned and in a letter to the chief native commissioner, hunter reveals that the District Officer in Transmara was working on calming the Maasai (who he feared would join in a reprisal action). By the first of April a total of 562 head of stock had been collected; fifty of which were recognized as the stolen stock<sup>149</sup> . After some time the Maasai accepted this as full compensation<sup>150</sup> . The leaders were to be imprisoned for two years: some with less central positions, three to twelve months in jail. One hundred men were fined. Five Abakuria who lived inside Maasai land were to be moved. The grazing concession in Maasai land, beyond, the buirege boundary was to continue until the end of rains only. It was made clear that the concessions had to be applied annually from their own. But problems were not yet over.

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147 Monthly intelligence report June 1949, KNA/PC/NZA/3/1/448

148 Ibid

149 Ibid

150 Ibid

On 17<sup>th</sup> April 1949 some 60 head of stock was stolen from Abakuria. The authorities, who were still on alert, sent six extra constables to the Kehancha police post immediately. The following day 18 more were stolen. The night between 29<sup>th</sup> and 30<sup>th</sup> April 1949, another 8 were lost. It came to a fight the following morning and one Maasai was stabbed to death<sup>151</sup>. The mid July 1949, 54 head of stock was stolen from an umuirege and in a letter, dated 29 June, the relationship between the Maasai and Abakuria is spoken of as:

*“So tense” that the grazing concession proposed had to be discussed in some more detail, “the Maasai as a tribe are very aggrieved at their neighbours depasturing their stock far into Maasai country along the whole length of the common boundary, and in some cases even building their huts there”, and I consider that the Maasai as a tribe have been extremely patient in not molesting the trespassers and especially the Watende who have been helping themselves to Maasai grazing without even asking for any concessions<sup>152</sup>.*

Two areas of the Maasai land consisting over 9000 acres were demarcated and leased to South Nyanza at 40 cents per annum rent. It aimed at achieving a better form of land tenure and agricultural practice. Laws were put in place to give control over occupation of the area and authority to control the number of animals. But problems continued and to the south the Narok administration interpreted the ongoing Kuria trespassing as a source of growing friction between the Kuria and Maasai. The district commissioner in Narok pointed to considerable trespass in 1952; 10 to 12000 head of stock was grazing into the Maasai Reserve daily. In the dry season he argued some 2000 cattle grazed 5 to 6 miles into Tanganyika Territory<sup>153</sup>. The colonial government threatened to deny the full use of the two areas rented by South Nyanza District if the trespass was not discouraged<sup>154</sup>. During the 1940s and 1950s there had been a number of conflicts between the Maasai and Abakuria. This was because a strong chief had been installed in Kuria to man three locations. It became difficult to steal cattle within Kuria without being caught. This, according to one informant, was one important reason the Abakuria were raiding the Maasai extensively after the locations were amalgamated<sup>155</sup>.

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151 Ibid

152 Ibid

153 TNA, *Border council between Kenya and Tanganyika 1955-1957*. Acc. No.436,L5/10.

154 *Maasai/South Nyanza Border: Maasai/Tende Tension 1952*, KNA/DC/HB/4/1.

155 Kirsten Alsaka Kjerland, op cit. p.99.

In October 1954 the district commissioner in Tarime District (Wilson) and the Assistant Superintendent of the police, in Tarime and the district officer in Kilgoris, Kenya met and agreed to: Seize and remove Kuria stock found illegally grazing in Maasai land. The quantity of stock seized would be determined at the time of the “roundup” and would be limited only by the availability of forces<sup>156</sup>. This opportunity came before long: On June 3<sup>rd</sup> –without taking the advisable step of informing the South Nyanza administration, a strong force of Maasai police and tribal police and tribal police acting under European officers took drastic action against trespassing. They seized more than 2,000 head of cattle of which 425 were subsequently confiscated under the disease of animal rules and thereby considerably upset the Kuria<sup>157</sup>. The matter was solved peacefully and an agreement was reached which allowed 3,000 head of Kuria stock to graze on Maasai territory for the rate of 50 cents a month per beast<sup>158</sup>.

A repeat of Abakuria-Maasai boundary survey was carried out on 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> March 1955. The survey was made in order to: study the best method of demarcating the border; ascertain how far Abakuria had infiltrated Maasai territory; study the concentration of population on Bukuria side of the border; and study the disposition of watering points on the Bukuria side of the boarder. At the southern end of Kuria area cultivation by 1955 had spread over into Maasai territory up to about 500 yards. About 25 homesteads were in the Maasai area. E. J. Murphy suggested that cairns or cement posts to a height of 15 feet should be erected. These were to be linked with sisal hedges<sup>159</sup>. Perhaps it is important at this point to ask oneself why the colonial government had to keep on changing and creating new boundaries right across the Kenyan colony. How were the Maasai and Abakuria community affected by the colonial boundaries? Did the colonial powers benefit from the ambiguous boundaries?

According to Leuan Griffiths, the political boundaries of modern Africa emerged mainly about 30 years after Berlin Conference. He argues that the boundaries were decided by Europeans, for Europeans and apart from some localized detail, paid little consideration to Africa, leave alone to

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<sup>156</sup> TNA, “Boarder Council between Kenya and Tanganyika 1955-1957” Acc. No. 436, L5/10,Op.Cit.

<sup>157</sup> Ibid

<sup>158</sup>South Nyanza District Annual Report 1955, KNA/DC/KSI/1/17.

<sup>159</sup>DC/HB/4/1



Africans<sup>160</sup>. As we have already discussed, in cases where the Europeans secured treaties with Africans over land alienation like the 1904 Anglo-Maasai treaty, the beneficiaries were always the Europeans and the victims were always the Africans. In any case these treaties could be changed to cater for the interests of the white farmers. One can therefore argue that colonial boundaries were conveniently drawn to favour the colonial regime at the expense of African communities who have ever since borne the brunt of boundary disputes.

African boundaries owe their unique attributes to the fact that the continent was divided by Europeans who at the time had little information about it. Physical landmarks were used in boundary determination with known, and even unknown about, and failing them, lines of latitude and longitude (astronomical lines) or other straight lines. At the continental scale the widespread use of physical factors and astronomical lines by and large de-humanized the boundaries of Africa. Though at times it was based on treaties between Europeans and local rulers, rarely did colonial boundaries go in line with tribal areas<sup>161</sup>. In the case of the Maasai-Kuria boundary a river was used as a physical boundary and this has always caused disputes because as time goes by the river keeps on changing its position.

The effect of a divisive boundary is born when it interferes with the daily operations of local people. Their abstractness splits people and in some ways ends in absurd situations, their ambiguity and lack of clarity make for differences of interpretation and opinion<sup>162</sup>. The implications of colonial boundaries on the Maasai and Kuria communities were many but the biggest were socio-economic and political implications. The Maasai, being traditionally semi-nomadic pastoralists previously controlled huge tracks of pastureland where their stock grazed and watered. However, with the 1904 and 1911 Maasai moves that saw them being placed in reserves, their pastoral economy was curtailed and their traditional nomadic culture brought to an end. With boundaries being drawn in Trans-mara between Maasai and their neighbours, their traditional military expansionism and political hegemony that they had established over their

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<sup>160</sup> Ieuan Griffiths, *The Scramble for Africa: Inherited Political Boundaries*, *The Geographical Journal*, Vol. 152, No. 2 (Jul., 1986), p204, Published by: Blackwell Publishing on Stable URL: <http://www.jstor.org>. Accessed: 19/06/2012.

<sup>161</sup> Ibid p.206

<sup>162</sup> Ibid p.209

neighbours many centuries ago was halted. This was bound to cause conflicts between Maasai and their neighbours and probably it was the cause of friction between them and Abakuria. On the other hand, Abakuria, being traditionally mixed farmers who both tilled the land and reared cattle used to occupy a huge area both for their crops and animals. When the Maasai were moved to Transmara and a big chunk of territory hived off to take care of them, Abakuria had to make do with the small area left for them. Perhaps it is the insufficiency of land that prompted Abakuria to keep on “trespassing” into Maasai territory in total disregard of government orders. On several occasions they had to be evicted just like in this case of 1955.

It was anticipated that some difficulty may be experienced in evicting those who live across the border. They stated that they had lived there for as long as they can remember and know of no other land to which they could move. The area on either side of the border is adequately supplied with watering points. Several rivers intersect the boundary; springs are to be found near the southern end of the border. Stock trespass was a serious problem in 1955. This had to be stopped. According to the Homabay DC: There are eroded cattle tracks leading into Maasai and much evidence that the border area on the Maasai side is used daily by large numbers of Tende (Abakuria) stock. I saw 11 herds of Tende cattle in Maasai, between Kasumu Hill and Beacon 17<sup>163</sup>.

The Homabay DC issued orders for the trespass of Abakuria stock to be stopped but later expressed his frustration by admitting that it was not easy to prevent Abakuria from grazing their stock in Maasai land. He said:

*There are now, as far as my information gives, no Kuria huts whatever on the Maasai side of the boundary, and I am willing to accept that there is no reason for abakuria to bring their cattle across the boundary. In reality though, I do not understand how daily trespass in search of grass can be halted, nor do I see any wrong with it ..... All along the boundary there were herds of trespassing Kuria cattle, but I saw no Kuria cattle More than a mile or so from the boundary, and I saw no sign whatever of the area being used by the Maasai. Chief Getangenyi told me for the last one year he had an agreement with the Maasai leader that daily trespass for grass by Kuria was not bad, but that Abakuria should not pass as he said, beyond 10 miles into Maasai.....if and when the Maasai really require the*

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163KNA/DC/HB/4/1

*grazing along the Kuria border I can see that trespass must be stopped, but as long as there is a vast area of empty land between the Kuria and the nearest Maasai, I do not see how trespass can be effectively stopped, nor what harm there is in it provided that we strictly enforce the rule that there must be no huts or shambas over the border<sup>164</sup>.*

From the above excerpt, it is clear that the colonial government was on one hand protecting the Maasai boundaries from being taken over by the neighbouring Kuria community while on the other hand not showing enough commitment to stop the intermittent armed conflicts between the two communities. Did the colonial government reap from the Maasai-Kuria conflicts? Perhaps one could respond to this Question in the affirmative. This can be explained in two ways; first the British wanted the Maasai to retain their Transmara Land because this way they could not start asking the government to return the white highlands to the Maasai community.

Secondly, the British might not have wanted the conflicts between the Maasai and their neighbours to come to an end. With the Maasai fighting Abakuria on one side and Luo, Kipsigis, Abagusii on the other side, they would be kept busy all the time. This would therefore deny the Maasai time and energy to organize a rebellion against the colonial government while at the same time make them become increasingly over-reliant on the colonial government for their survival.

On 24<sup>th</sup> September 1956 in Transmara there was a strained atmosphere on the Maasai/Kipsigis and Maasai/Tende borders. There was a clash at Angata Barakoi over grazing again in 1956; this time because the people had failed to pay the grazing fees. The border became demarcated with beacons and sisal being planted to demarcate the area<sup>165</sup>. However, despite of the failure by Abakuria to consistently pay grazing fees, The Maasai went ahead and gave grazing concessions to Abakuria in 1956. Border committees were reconstituted to handle these concessions and solve disputes peacefully. Where cattle had been raided from either Maasai or Abakuria the committee was supposed to sit and look for ways of getting compensation for the aggrieved community. Again, Abakuria were largely blamed for not honouring their commitments and as such the Maasai-Kuria Border committee was accused of being ineffective.

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<sup>164</sup>KNA/DC/HB/4/1

<sup>165</sup>South Nyanza district annual report 1956, KNA/DC/KSI/1/18.

According to monthly intelligence Report 1957: This border committee is easily the least successful of all other border committees, and the Siria are now complaining that while they have made payments to the Kuria no effort has yet been made by the Kuria to pay them<sup>166</sup>. On 16<sup>th</sup> August 1957, a meeting of the Maasai-Kuria border committee was held at Tarime (Tanganyika). This was attended by D.O Kilgoris on behalf of DC Narok<sup>167</sup>. By holding a security meeting concerning the Transmara region of Kenya in Tanzania, the government had acknowledged that the Maasai-Kuria conflict was not a Kenyan problem alone but a regional problem affecting both Kenya and Tanzania. The fluidity of the border had made it easy for members of both Maasai and Abakuria to criss-cross the border at will. Whenever there was war between the Maasai of Tanzania and Abakuria of Tanzania, the Kenyan Maasai and Abakuria would cross the international boundaries to go and fight on the side of their respective Kin and vice versa. It therefore called for cooperation between the governments of Tanganyika and Kenya to contain the Maasai-Kuria conflicts which were proving to be complicated.

Following the above meeting, the outpost at Gutura, on the Maasai/tende border was re-manned. A new post was set up at Oloropil, as had been agreed at the February meeting at Nangipere. The morans observed the prohibition on their movement within a mile of the border.<sup>168</sup> However, once again, Abakuria were constantly looking for ways of circumventing the security at Gutura so as to continue with their culture of cattle raiding. They (Abakuria) took advantage of a temporary withdrawal of the Tribal Policemen from the Gutura outpost to raid the Ang'ata Baragoi settlement and steal 50 head of cattle<sup>169</sup>.

### **3.4.2 Kuria-Maasai relations 1960s to 2008**

As we have discussed above for many years Maasai-Kuria relations have been marked by periods of relative peace and periods of conflicts. These conflicts were mainly based on Cattle raids and counter-raid both during pre-colonial and colonial periods. In the pre-colonial era<sup>170</sup>, the

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<sup>166</sup> KNA/AB/4/98 Monthly Intelligence Reports 1957.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid

<sup>169</sup> Ibid

<sup>170</sup> In this work covers the period before 1885 Berlin conference.

Maasai and Abakuria fought over the control of pasture lands, watering points, salt licks and herds of Cattle. From this early point the interests of Abakuria and Maasai seemed to be similar leading to competition against each other. There were no clear boundaries marking one territory from the other. The Maasai controlled a huge territory upon which they practiced their semi-nomadic culture while Abakuria being both cultivators of the land and pastoralists wanted a huge piece of the same land. This coupled with the need by both communities to propagate their respective cultural practices more often led to friction between them. Abakuria were chased away from the current Transmara region to Tanzania hundreds of years ago but after the illoikop wars in which the Maasai fought a civil war amongst themselves, Abakuria seized the opportunity to come back to Kenya because of the weak military status of the Maasai at that time.

When the Europeans arrived they found the Maasai who had been weakened by the diseases which had destroyed both humans and cattle. The community could not conquer their neighbours anymore. As we have seen in the period between 1880s and 1920 there were fewer conflicts between the two communities than any other periods in their history. This was helped by the establishment of formal government which drew boundaries and restricted movement of people and stock across these boundaries. The coming of the first world war also decreased the chances of the Maasai and Abakuria waging war against each other because military camps were established in Bukuria and policemen were posted to patrol the boundaries. Young men enough to become warriors were conscripted into the army to fight alongside the British. After the World war things went back to normal and hostilities between the two communities resumed.

Colonial policies were put in place to curtail pastoralism and propagate Agriculture but both Maasai and Abakuria refused to abandon pastoralism. With the introduction of the money economy, cattle raiding gradually started to take a commercial nature. The elders started losing their authority over Warriors and raiding benefited a few individuals and not the whole community. As a result of these negative public opinion against raiding started growing especially among Abakuria. The colonial government failed to stop the practice of cattle raiding and when the time came for the colonists to hand over power to African leaders they handed over to the independent government the problem of cattle raiding. Both independent governments of Kenya and Tanzania vowed to bring Cattle theft as they called it to an end.

Notwithstanding the announcement of leaders of the then recently independent Kenya and Tanzania jointly, after a meeting in October 1964, that committed to end theft along ethnic and international borders, the difficulties that had bedevilled both the German and British colonial units continued to haunt the African administrations that came after them<sup>171</sup>. The border dividing the two nations remained porous and important priorities elsewhere, a lack of resources, police corruption, the inaccessibility of interior of Kuria, and lack of cooperation all continued to derail attempts to overcome the problem<sup>172</sup>. Conflicts between the Maasai and Abakuria continued to brew in the 1960s.

One informant held that the Abakuria were much stronger than the Maasai and therefore many moved to Kenya from Tanzania in the mid – 1960s. In 1965 the Maasai and Abakuria took up arms and went to war against each other;

*It was the largest fight ever between us here. It started after the Maasai had stolen some stock near Kugitimo. All the locations on this side of the border joined in. It lasted for months with a few quiet days between the fights. It was very dangerous to move about here; particularly on the Kehancha Road. Many died and the Maasai lost very much stock. This is the first time I saw Guns being used in a conflict between Abakuria and Maasai. It is clear that we were stronger and we would have continued had the government not decided to come in and put a stop to it. Soldiers guarded the border between Maasailand and Bukuria for a time. A number of people were sent to jail. The strength we had demonstrated enabled us to move into Maasailand in larger numbers than before. After this the Maasai were forced to move further than Kegonga<sup>173</sup>.*

From the above statement it is clear that the independent government of Kenya was facing serious problems solving conflicts between Maasai and Abakuria due to the ambiguousness and fluidity of the international borders drawn by colonialists. The line demarcating Kenya from German East Africa (now Tanzania) had created a big administrative distraction for the German and British colonial regimes from the day of its completion in 1902. It was tough to patrol the border with proper accuracy to stop the movement across it, and cattle raiders exploited the fact that the two countries were governed by separate colonialists, first by the British and the

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<sup>171</sup>Kirsten Alsaken Kjerland, Op.Cit.,1995,p262.

<sup>172</sup>Michael L. Fleisher, *Kuria cattle Raiding*: Op. cit,759.

<sup>173</sup> Interview with Nyaite Kohera, Kugitimo Village, Kegonga Division 20<sup>th</sup> March 2011.

Germans, and then, following World War I by two different British administrations. The Abakuria took advantage of the line marked through their region and across their provinces to be in whichever side of it that was more lucrative. The boundary and the closeness of the differently governed Maasai territory in Kenya both assisted in providing escape routes for stolen animals.<sup>174</sup>

In the years that followed Kenya's independence from colonialism both the Maasai and Abakuria continued with their culture of making war against each other. For both communities inter-ethnic clashes provided them with the opportunity to raid for cattle as a way of restocking and extending territorial integrity. Unlike the post-independent government, which viewed the conflicts between the Maasai and Abakuria as negative, the two communities themselves viewed the conflicts positively.

Writing about Maasai-kikuyu relations, Muriuki posits that unlike many arguments that the Maasai and kikuyu were enemies, all the wars they fought were always treated like friendly sports between them. He argues that traditionally, communities never fought in order to annihilate each other but strictly as a way of sporting whereby rules of the game were laid down and winners rewarded with cattle as trophies. It was only when rules were broken either accidentally or deliberately that the aggrieved party entered into aggressive war to avenge the dead. Furthermore, when the Maasai raided for cattle they did not take everything; they always left some cattle behind so that the victims of the raid could build new herds, which in turn would be raided for. This was a way of expressing their cultural hospitality for it is not in the Maasai culture to annihilate their enemies by cutting them off from the source of their livelihood.

Both Maasai and Abakuria viewed conflicts between them positively. To both there was no animosity or hatred. In 1969 the DC for south Nyanza seemed to draw similar arguments about the Maasai-kuria conflicts. He argued in the south Nyanza District Annual report (1969) that: Minor border clashes resulting from stock thefts on the border between Abakuria and Maasai should not be interpreted as tribal animosity. Stock-thefts across the Kenya/Tanzania border and the Narok/South Nyanza border have been frequent and have often resulted into border clashes.

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<sup>174</sup>Michael L. Fleisher, *Kuria cattle Raiding*: Op. cit., p. 757.

To the tribes concerned, however, it is not a question of tribal animosity or hatred. They harbour no moral blame worthiness because they “take” but do not steal stock. Only a re-education of the masses on the concept of ownership of property will eradicate for good stock theft, and hence, border clashes. No real tribal strife exists in south Nyanza.<sup>175</sup>

While agreeing to the fact that there was no permanent animosity between Abakuria and Maasai one respondent said that most of these clashes always ended up being violent because death of one or more warriors was almost inevitable since both communities cherished victory and dreaded defeat whether or not it was sport. Pride was at the core of both the Maasai and Abakuria cultures and every event was remembered in the history of both communities. On the other hand, animosities between the two communities had to be kept at a minimum for survival purposes during difficult times such as long periods of drought and natural calamities such as disease out breaks. Women were always allowed to trade during active conflict between the two communities strictly for survival purposes<sup>176</sup>.

In the immediate post independent error inter-ethnic animosities went on almost unabated because the new government was still weak and Kenyans were still grappling with the idea of self-governance. As a result, institutions of law enforcement such as the police force and the judiciary were still weak. In 1960, for instance the DC South Nyanza reported stock theft incidents on the Kuria/Maasai border and attributed these incidents to remoteness of the area, which rendered forces of law and order ineffective. However, he states that Kuria/Maasai and the Luo/Maasai border committees continued to meet and had a generally calming effect.<sup>177</sup> In the same report the DC south Nyanza sought to explain that the Transmara conflicts were complicated in that they involved other communities as well. He also indicated that politicians were a major impediment to peace amongst the Transmara communities.

Apart from Maasai/Kuria border conflicts, Kisii/Maasai, Kisii/Kipsigis, Kisii/Luo, Luo/Maasai, Kuria/Kipsigis borders have always been the constant source of trouble. All these ethnic groups

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<sup>175</sup>South Nyanza District Annual Report 1969 p3.

<sup>176</sup> Interview with Parasayip Ole Kayati, Masurura, 02/03/2011.

<sup>177</sup>South Nyanza Annual Report 1960.



continued actively with their traditional game of stock thefts. These acts were usually followed by high tension on either side and, sometimes ended in the loss of human lives. The provincial commissioner, Rift Valley and the provincial commissioner, Nyanza province held a high-powered meeting with all senior elders and chiefs and members of parliament from the three tribes. This was a very successful meeting and a resolution to discontinue stock theft, was passed. Border committees to keep tension down were not always supported by members of parliament from the area who questioned the legal powers of such committees. Despite this, these committees have done an excellent job and continue to do so.<sup>178</sup> In 1966, the relationships between tribes were generally fair but frictions due to cattle theft and boundary disputes remained on and off.<sup>179</sup> Both Maasai and Abakuria treated each other with suspicions throughout the 1960s and this form of hatred spilled over to the 1970s through the 1990s.

In the south Nyanza District Annual Report of 1970 the then DC writes on the Transmara conflict zone that involved various communities. The born of contention was the infringement of several ethnic groups on the territorial integrity of the Maasai. He argues;

Unlike the Luo, the Kuria are hot tempered and always suspicious of being despised as uneducated and backward. The tribe has been most pronounced in the part they play in stock theft. In the south the Kisii are gradually encroaching into Luo-land whereas the Luo and Kuria are similarly encroaching into Maasai-land.

In the 1970s it was argued that the main cause of conflicts between Maasai and Abakuria was cattle raiding. This coupled with the fact that there was lack of enough law enforcement officers made efforts to build long lasting peace difficult. For instance in 1975 there were only 21 police officers for Kihancha Division which has since been divided into Two Districts. In an annual report of 1975 the DC south Nyanza said: Although we had a decrease in stock theft cases in 1975 as compared to cases in 1974, this menace is still far from being eliminated. It is also one of the causes of tribal clashes. The administration has ruled that nobody should trace stolen cattle alone and armed without being accompanied by uniformed government officers.<sup>180</sup>

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<sup>178</sup>Nyanza Annual Report 1965.

<sup>179</sup>Nyanza province Annual Report 1966 p5.

<sup>180</sup>South Nyanza District Annual Report 1975 p48.

The Transmara conflict region continued to experience on and off conflicts in the 1970s through 1990s not only between Maasai and Abakuria but also among other communities such as Kisii, Kipsigis and Luo who share the Transmara borders. These conflicts basically were centred on cattle raiding which is a common cultural practice among the communities<sup>181</sup>. An interview with one of the best Kuria cattle raiders in the 1970s through 1980s ended in the following account of a few instances when the Maasai and Abakuria clashed:

In January 1964 we (Abakuria) raided for about 75 head of cattle from the Maasai. As a result there was tension at the border and two Abakuria youth were killed. In July 1965 the Maasai raiders came for our cattle in broad day light. War took place but no cattle were stolen. One person from Nyabasi (Nyangose Marwa) died in the clashes. In December 1968, 3 Nyabasi and 8 Abakira killed one Maasai and stole 78 head of cattle. In January 1969 Thomas chacha (from Kuria) was killed. Over 300 head of cattle was stolen by the Maasai. January 1971 we fought against the Maasai and two important things happened to me; first I had acquired my first Gun and second it was the day I killed a Maasai man. In 1972 we killed 1 Maasai and took 63 head of cattle at Olegetenge in Masurura. Again, in 1974 we took 70 head of cattle at Olegetenge. The Maasai were not happy about our constant raiding and therefore they organized a major raid for our cattle in 1974 at Maeta location of Kegonga Division where they killed one Nyabasi man and took 200 head of cattle. Again, in 1976, the Maasai took cattle of unknown number from Kegonga Division. In August the same year Abanyabasi and Abairege clans combined forces carried out revenge raids on the Maasai. 4 guns were used in the operation in which 80 head of cattle were stolen<sup>182</sup>.

Between 1978 and 1980 there was relative peace. In 1980 clan wars began among the 4 Kuria Clans<sup>183</sup>. This period saw an increase in the use of guns in armed conflicts both between Clans and against the Maasai.

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<sup>181</sup>Nyanza Province Annual Report 1977 p77

<sup>182</sup> Interview with Nyaite Kohera, Kugitimo village, Kegonga Division, 20/03/2011.

<sup>183</sup> People speak of this period as very unstable. The Abakira and Abanyabasi were fighting one another during this period. This struggle started in the early 1980s and reached a climax in mid-1980s. People were killed; stock raided and much Fear spread. People fled to Tanzania to Kenya, but battles also took place in the Tanzania-Bukuria. The early and mid 80s were spoken of with horror. See Catherine Kirsten's Thesis (1994)p.66.

The war pitted Abanyabasi against Abairege. 4 guns were used, 10 bullets, ak47 and SMG. In 1980, 1981, 1982 and 1983 Abanyabasi and Maasai combined and attacked Abairege and Abakira and raided their cattle. In retaliation, in 1983 Abakira and Abairege attacked Abanyabasi at Kugitimo and took more than 100 head of cattle and killed 1 man<sup>184</sup>.

On 2<sup>nd</sup> January 1984 Abakira and the Maasai combined forces and attacked Maeta and robbed 10 Nyabasi families, killed one man. There were 64 people with 21 guns. The Maasai had changed their allegiance from Abanyabasi to Abakira. Abakira from Mugumu Tanzania also joined their clansmen in Kenya. They raided for more than 400 cattle but according to Nyaite Kohera Abanyabasi men quickly gathered and launched a counter attack that lasted 2 hours and rescued the cattle before they crossed into Bukira. Kohera says that the Abakira and Maasai who had come to raid for cattle had 21 guns while their opponents from Nyabasi were 9 in number and had 5 guns (3 Ak47 and 2 homemade guns), 158 bullets and 4 people with bows and arrows. Kohera says that 15 Abakira and 1 Maasai died while several others escaped with injuries<sup>185</sup>.

Maasai-Kuria relations in post-independence Kenya were influenced and shaped by the governments of Kenyatta, Moi and Kibaki. The two former presidents failed to bring down corruption and negative ethnicity. During Kenyatta's tenure as president, negative ethnicity developed and thrived. He rewarded his cronies from his ethnic community with senior positions in his government and allowed them to loot and grab huge parcels of land that initially belonged to ordinary Kenyans mostly drawn from the Maasai, Kikuyu, and Kalenjin communities. This did not augur well with the aggrieved communities who held long term grievances since their land was alienated by colonialists. The Moi government came up with the Nyayo philosophy that was basically meant to continue with the status quo as had been established by the Kenyatta government. Because of corruption and poor governance over the years tensions and conflicts brewed among the various communities in Kenya culminating in the 1992, 1997, and 2007 post-election violence.

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184 Ibid

185 Interview with Nyaite Kohera, Kugitimo village, Kegonga Division, 20/03/2011

The Maasai Land question that began in 1904 has never been resolved and this largely shaped the Maasai relations with other communities. Any encroachment onto Maasai territory has always been met with armed resistance since the Maasai are not willing to lose more land to their 'enemies'. The Abakuria being neighbours to the Maasai have always been treated with suspicions and hatred and in many occasions have had to go to war against the Maasai. The most obvious sign of today unrest is the frequent cattle raiding and the losses of human lives associated with the cattle thefts. Due to constant border conflicts between Abakuria and The Maasai, the post-colonial government used tough and efficient methods to get rid of the people who lived in Maasai land.

Six or seven primary schools were leveled to the ground and some 8,000 Abakuria were forced to leave their homes in Rift Valley when the General/service unit removed the squatters from Maasailand in early 1989<sup>186</sup>.

### **3.5 Conclusion**

This chapter has dealt with the origin, migration and settlements of both Maasai and Abakuria communities and has discussed relations between them over the years. The chapter showed that even during this period of migration and settlement of the Maasai and Abakuria, there were conflicts that were witnessed between them. These conflicts, as indicated above, were caused by cultural practices such as cattle raiding and counter raiding amongst others such as circumcision and age-set formations that required warriors or members of these age sets to prove themselves in the battlefield. What comes out clearly is that both Maasai and Abakuria have engaged in conflicts for years. The Chapter has shown that wars between Maasai and Abakuria are mainly centred on cattle raiding and boundary disputes. These conflicts were many and happened intermittently which meant that sometimes there have been periods of relative peace in between periods of high tension and armed conflicts between the two communities. The next chapter has addressed the issue of 'Culture and Conflict' whereby the role of cultural practices and institutions in the Maasai-kuria conflicts has been discussed.

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<sup>186</sup>Kirsten Alsaka Kjerland, op cit. p.87

## **CHAPTER FOUR**

### **THE CONFLICTS**

#### **4.1 Introduction**

This chapter discusses the cultures of both Maasai and Abakuria in relation to the Maasai-kuria armed conflicts. The various aspects of the Maasai and Abakuria culture are discussed and their role in either causing or fueling conflicts between the two communities identified. There are also some aspects of culture that promoted peace between Abakuria and Maasai and these are also addressed here. The main argument here is that various cultural beliefs and practices of both communities promoted conflicts between the two communities while other beliefs and practices promoted peace. This argument reveals that even when the conflicts between Maasai and Abakuria were triggered by boundary disputes or other resources such as grass and water disputes, the underlying long term cultural differences and simmering ethnic grievances were the main cause of the conflicts. Boundary disputes, struggle over water and grazing fields acted as mediums through which these cultural differences manifested themselves.

#### **4.2 Traditional institutions and cultural practices that promoted conflict between Maasai and Abakuria**

##### **4.2.1 Age-Set system**

The organization of Kuria society was initially grounded on a combination of territorial division by clan, and an age-set system in which the social and ritual behavior of individuals was regulated by the age-grade of his or her age set. Each age-set consisted of people of same age, and always changed every eight to ten years with the birth of a new age-set, when the existing age-sets moved up one notch. For example, the creation of a younger age-set automatically produced a new age-set of warriors; the preceding warrior group would join the senior warrior age set, and the senior warriors would in their turn become elders, who were the topmost grade.<sup>187</sup>

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<sup>187</sup>Interview with wambura kohera (elder) at kugitimo on 25/02/2011.

Similarly, Maasai society is a man's society, structured around the age-grade functions of the male. The age grades are four: junior, warrior, and senior warrior, junior elder and senior elder. The warrior age-grades constitute a fighting force in times of conflict and groups of able men in the service of the community in times of domestic need, the elder age grades provide an administrative body. A generation of males forms an age-set and every age-set goes through each age-grade in succession. Consequently, an age set remains a permanent unit formed by males of the same generation, whereas an age-grade is a temporary stage in life<sup>188</sup>.

Whenever a conflict arose between the Maasai and Abakuria, the age-set system made it easier to mobilise warriors in both communities. There was always a standing army. All past wars between the two communities are remembered by referring to the age-groups that were involved in those wars. Those age-groups that defeated the 'enemy' at war were rewarded and praised in popular songs and stories for generations while those who lost were ridiculed and sanctioned for bringing dishonor to the community. This was true for both Maasai and Abakuria. For instance the 'War of kiribo' between the Maasai and Abakuria was explained thus:

*"This took place at the time the first Abakambuni were circumcised. This group fought together with the abanyaisandeko and abatamesongo. Makaberra mantawera was hunting in this area and saw the Maasai coming. We were expecting them to come: the seers had warned us. The Maasai came in two groups. One group came via Nyamwaga and one from Kiribo. They came in the early morning and captured much stock. They were dancing around the cattle when one of our men, who spoke maa, approached them asking if they were willing to fight. They agreed and waited for us to line up. The warhorn was blown and people gathered. We were loaded with poisonous arrows. The fight lasted Kimiriko and the Maasai left empty handed. We lost two men. Very many Maasai were killed."*<sup>189</sup>

From the above statement it is easier to know the year the war of Kiribo between the Maasai and Abakuria took place by referring to the years Abakambuni Age-set was formed. Abaatamesongo age-set was circumcised between 1907 and 1909 while Abanyaisandeko were circumcised between 1912 and 1916. The first Abakambuni were circumcised in 1920 meaning that the war of Kiribo took place in 1920.<sup>190</sup>

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<sup>188</sup>John L Berntsen, op.cit

<sup>189</sup>Kirsten Alsaka Kjerland, "cattle Breed; shilling Don't: op cit

<sup>190</sup> Ibid p70

Even in the post independence period to the current period, both Maasai and Abakuria continued to mobilize for war against each other by use of the age-set system which readily provided a standing army of warriors charged by their culture to defend and extend their territorial integrity. The urge by each age-set to be remembered and praised as the best ever by generations to come more often drove warriors to war.

#### 4.2.2 Seers and Prophets

Seers foretold and as a result helped plan cattle raids carried out by warriors. They also frequently warned of impending events hence influencing the direction of political activity among Abakuria. The seer was respected in Abakuria community because of the ability to foresee danger and the ability to predict victory or defeat. Their word was given great consideration when Abakuria wanted to go to war against their enemies<sup>191</sup>. Seers were consulted on specific raids that were organized on more circumstantial basis by war leaders, depending on the youths of a locality. The seer utilised his power to give accurate, detailed instructions about the situation the fighters would encounter and their consequent tactic for the mission. The seer never participated in a raid, and the warrior youth were expected to bring home all the stock collected, for them to be distributed by the warrior leader<sup>192</sup>. One example that demonstrated the ability of seers to influence war between Abakuria and Maasai came to pass in the 1970s when Abakuria fought with the Maasai and occupied part of their territory in order to fulfill a prophesy.

According to an informant:

*Obiya foretold that one day we will move from Kiribo (in Tanganyika) to Kenya. Obiya told us that Magena Marabu (Masurura in Maasailand) was our destination. It was to happen when men no longer controlled women. Some women would dislike having children, others unable to give birth. At this time women would be dressed in long robes. By 1970s people had fought the Maasai and reached Magena marabou-the heart of what used to be Maasailand.<sup>193</sup>.*

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<sup>191</sup>Interview with John Ng'ariba (elder) at Kugitimo on 25/02/2011.

<sup>192</sup>Malcolm Ruel "Kuria seers", Journal of the International African Institutes, Vol. 6, No.3, Diviners, seers, and prophet in Eastern African (1991) PP.34, Cambridge University Press URL: <http://www.jstor.org/stable/1160029>.

<sup>193</sup> Interview with Wambura Kohera

Similarly the Maasai had prophets who played a central part in the community. The prophets served as the centre of social unity and when necessary of unified political action among a people whose environment, pastoral economy and social organization encouraged local self-sufficiency.<sup>194</sup> Ownership of sufficient numbers of cattle for subsistence and the formation of social bonds was essential to Maasai life and their own sense of identity as a people, an identity affirmed in the common substitution of the word for “cattle”, inkishu, for people.<sup>195</sup> Maasai attributed their prosperity in terms of possession of cattle to the ritual protection and guidance of their prophets<sup>196</sup>.

The prophet exercised the power to curse or to bless, but only within rather well-defined social situations. They could not curse without good reason, and they did not rely upon their powers to curse or to bless as a means of obtaining wealth from their neighbours<sup>197</sup>. These men blessed by speaking words of blessing and perhaps spitting saliva, honey beer, or milk over the recipient of the blessing. They cursed by speaking the words of the curse and sometimes striking a stick on the ground. Basically, their abilities centered in the power to foretell, predict future events, and advice about the future. The power of prophets for good or evil was not in their blessings (emayian) or in their curse (oldeket) but in their charms for good fortune (intalengo) or in their witchcraft (esetan)<sup>198</sup>.

Prophets performed a special duty in the Maasai community during periods of war and even periods of peace. Apart from foretelling the future they provided warriors with protective charms during cattle raids and when there was war between them and Abakuria or Abagusii and the Luo who share a common border with them in Transmara. The role of the Maasai prophets during war and raids will be discussed later in this chapter.

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<sup>194</sup>KNA/RW 967.62 BER, op cit.

<sup>195</sup> Ibid

<sup>196</sup> Ibid

<sup>197</sup> Ibid

<sup>198</sup> Ibid



### 4.2.3 War leaders among Abakuria

Dream prophets advised on raids, but it was “war leaders” who organized them. Although the role of war leaders (Omocaina), had already started declining by 1950, it was still being commemorated in the lyrics of a common beer celebration song, “Nyagorio eng’ombe, sobokera, Omokaina, Nawe nakurusia egorio, that is translated as “he who longs for cattle, befriend Omocaina, it is he who will quench his expectations”. The verb sobokera means “sleeping on top of someone” and is mostly used on husband and wife, suggesting, a marital connection. The surface meaning of the beer party song is that warrior leaders can assist one to get more cattle, but the overtones come from the use of words that otherwise refer to a sexual relationship and from the value of cattle as bride wealth. Thus another hidden meaning comes out: you, who want to marry, join a raiding venture; that will satisfy your target<sup>199</sup>.

The status of a war leader, writes Ruel, is closely associated with that of the prophet; particularly regarding the latter’s function in foretelling and directing raids. Today, the term is often used as a synonym for prophet, with whom the war leader’s role is in any case merged, and in some clans to them and its associations do not appear at all.<sup>200</sup> The informal leaders were related to the seers though their role was abit more prominent and had more influence and strong personality hence their voice had a big weight in community affairs.<sup>201</sup> The most important achieved position open to any man who demonstrated leadership ability, was that of speaker, whose duty was not to rule or govern, but to guide the age-set members in discussions (enkiguana) affecting the people and their cattle. As one elder explained,

*“From older times the Maasai have always had a person who could talk in meetings and this was the speaker....whenever there is a meeting, people observe who speaks with most ability; they look to see who speaks well. They look to see who will carry the cattle of the Maasai”.*<sup>202</sup>

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<sup>199</sup>Malcolm Ruel “Kuria seers”,ibid,p39

<sup>200</sup>Ibid,p40

<sup>201</sup>Interview with Samuel ole mpusya at masurura on 05/03/2011

<sup>202</sup>Interview with Joseph Danga at Lolgorien on 04/03/2011

#### 4.2.4 Speakers

A speaker emerged as a leader during the period of warrior hood by demonstrating ability to conduct discussions among age-mates, between his local following and warriors of other areas, and between his age-mates and the elders<sup>203</sup>. Speakers were not expected to be bold and reckless (qualities acceptable in war leaders) but rather tactful, polite, eloquent, resourceful, and forceful. Political action followed these discussions in which all members of the age-set had an opportunity to state their opinions about the matter at hand.<sup>204</sup> As political leaders, they provided leadership for the men of their own age sets and performed the role of intermediary between the warriors and the elders, and between the warriors and the prophets<sup>205</sup>. While the speakers did not “rule” their sections, they did wield a great deal of influence among the warriors and elders of their territorial sections. Although the speakers might hold their positions for life and perhaps increase their influence as they grew older, it was as speaker of the warriors that they were remembered.

Among Abakuria oratorical powers were very important especially during instances that needed strong decisions to be made in the community such as periods of war and drought. The community would gather in a special communal assembly called iritongo where every adult in the community (both men and women) were supposed to attend and debate issues affecting the community. It is at this iritongo gathering that people with good speaking skills would take the floor either to convince the community that there was need for retaliatory attacks on their enemies or if it was an issue that was internal, give the best possible solution. Those who emerged as the best speakers were respected and praised as heroes in songs composed by both traditional musicians and women.

In fact, according to a respondent, a man who spoke emotionally in the iritongo gathering had the ability of influencing warriors into immediate war against their enemy<sup>206</sup>. So many of them would be given girls as wives for free on occasions where their supporters were overwhelmed by

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203Ibid

204Ibid

205Interview with Nasieku (woman)at Lolgorien on 04/02/2011

206Interview with Gati Marwa(woman) at Kugitimo on 27/02/2011

their (speakers') words. A woman would rise in the process of the speech and declare 'you have spoken well my son and for this reason I give you my eldest daughter as a wife for free'. Warriors would shake and tremble in anger as the speech progressed and when the anger reached boiling point all warriors stood and pointed their weapons towards the enemy territory. This signaled war<sup>207</sup>.

#### 4.2.5 Elders

In both Kuria and Maasai Elders play a big role in the community. Among Abakuria the elders' council is called Inchama. This is a clandestine council of elderly men tasked with the ritual protection and welfare of the clan and its geographical location. Although Ruel expressed doubt as to whether the Inchama had survived the changes in administrative structure wrought by colonialism<sup>208</sup>, the institution was still very much alive among the kuria in the late 1970s, and is referred to as ikimira, a word derived from mila, the Swahili term for "custom" or "culture.

As an August council, the men of the Ikimiira play no role in the market oriented cattle raiding, but in the present, as in the past, they continue to play a role in the areas' (Transmara) sporadic inter-ethnic warfare, in which raiding the Maasai cattle plays no small part, preparing magic medicine to protect their own fighters, to destroy the enemy and, in the case of night raiding from enemy cattle corrals, to ensure that the enemy will sleep through the raids and that their dogs will not bark<sup>209</sup>. In Kuria today, even during intervals where there is no inter ethnic warfare, a sympathetic elder who is wise in the ways of making such magic may elect to assist a son or other cattle raiders by providing him with protective medicine (iriogo), in the form of a stick worn in the hair near the front of the head, to keep him safe throughout the course of a raid<sup>210</sup>. Abakuri elders have been blamed for both inter-clan wars and conflicts with the Maasai since 1950s to present(2008). Hardly a year passes without confrontations between the Maasai of Transmara and Abakuria. According to John Mahindi:

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207 Ibid

208 Malcolm Ruel "Kuria seers", ibid, p343

209 Interview with John ng'ariba (elder) at kugitimo on 25/02/2011

210 Ibid

*The escalation of conflicts between clans and between Abakuria and Maasai since the 1950s to present was caused by the elders. They are weak and unstable, and always talk in low tones, but they are to blame for the widespread cattle raids at the Kenya-tanzania border. The elders hold such big influence; youths are literally at their disposal. It would be a big achievement to bring the elders from the two countries together to discuss peace. The elders are revered and those who have defied them have faced myriad problems.*<sup>211</sup>

### **4.3 Cultural Practices that Promoted Conflict between Maasai and Abakuria**

#### **4.3.1 Cattle raiding**

A major characteristic of the pre-colonial political arena in Kurialand was war between clans and cattle-raiding from their neighbours especially the Maasai. This raiding took different forms in pre-colonial times, it did not matter whether the kuria warriors stole cattle at day time or at night; the entire exercise of getting the cattle was considered legitimate as long as it came from other communities that were considered enemies.<sup>212</sup> In 1969 when Maasai and Abakuria went to war against each other over cattle raids in Transmara, the DC for south Nyanza argued that the war should not be interpreted to mean tribal animosity; “they harbour no moral blame worthiness because they ‘take’ but do not steal stock,”<sup>213</sup> he said.

However, anyone who raided for cattle within Abanyabasi clan was quickly labeled a thief and heavily punished. This served to unite members of Kegonga against the Maasai as only cattle raids from the Maasai would be tolerated. Stealing livestock from one’s clan was punished by fining the culprit twice the cattle taken. If the person was not able to pay back the entire amount at once the balance was paid from their relatives. A notorious stock thief was killed by his clan because his behaviour caused a huge drain on their wealth.<sup>214</sup> War leaders, elders and prophets organized and led cattle raids.<sup>215</sup>

Scouts were sent out in advance of the raid, with instructions to search out the grazing places of desirable cattle hoards, spy on the herdsmen watching over them to evaluate their vigilance and

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<sup>211</sup>Interview with John Mahindi on 25/02/2011.

<sup>212</sup>Michael L. Fleisher, “Kuria cattle Raiding: (Oct, 2000), pp. 745-769, Accessed on 05/04/2011. Op cit

<sup>213</sup>South Nyanza District Annual Report 1969 p3.

<sup>214</sup> Interview with Matiko Gire at kehancha kendege on 25/02/2011.

<sup>215</sup>Michael L. Fleisher, Kuria cattle Raiding: Capitalist, pp. 745-769, <http://www.Jstor.org> accessed on 05/04/2011.

preparedness, and gather up samples of the cattle's dung, earth from their footprints, and grass that had fallen off their mouths as they grazed for the seer to employ as omens for evaluating the propitiouness of the planned raid.

Armed with the intelligence brought back by the scouts, the seer employed his knowhow to issue particular information about the success or failure of the raid and help streaghten the raiders spiritually. In some cases the seer foretold cattle of special markings that were to be brought back for his own use<sup>216</sup>. He also provided the raiders with special leaves that they were supposed to use, a kind of "sacrifice", known as ekoroso, to help ensure the success of the raid – a form of protection additional to that which was provided by the secret council of elder-males known as Inchama<sup>217</sup>.

The role of Abamura (warrior-youths) notes Ruel, "was especially that of fighting to protect the clan or of raiding other clans and ethnic communities for cattle and the qualities most praised in them were courage, loyalty to age mates (particularly of the same age-set), obedience to elders and smartness of appearance."<sup>218</sup> Whether in raiding or warfare, a warrior displayed his courage by capturing cattle and by killing or capturing enemy warriors. Captives would be held for ransom – a ransom to be paid in cattle. "In this way," notes Ruel, "the acquisition of cattle was associated with manliness and courage and at beer parties or on the dancing ground individuals would boast in formal declaration of their fighting prowess"<sup>219</sup>. For young men newly become warriors, then, raiding was a way to win prestige, to demonstrate that the men of their age-set had the will and the courage to defend the clan. Raiding also offered a means of obtaining bride wealth cattle. Among the Maasai the decision to carry out a raid rested with the warriors, the young unmarried men who actually carried out the raid. The warriors of a warrior village discussed the matter in an open meeting (enkiguana) at which their speaker presided.<sup>220</sup>

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<sup>216</sup>Malcolm Ruel "Kuria seers",op,cit,p38.

<sup>217</sup> Interview with obosi (elder) on 26/02/2011 at girigiri.

<sup>218</sup>Malcolm Ruel "Kuria seers",op cit, p1.

<sup>219</sup>Ibid, p41.

<sup>220</sup>KNA/RW 967.62 BER,op.cit.

The extent to which the warriors formulated their plans during these discussions is not clear. Perhaps, in many cases, they simply decided that their own pride and prestige demanded that they show their prowess by undertaking a raid. After they agreed on the raid they would then hold discussions with their elders and chief prophet. In most cases, however, the warriors tended to attack the cattle-owning people nearest to themselves<sup>221</sup>. Since Abakuria shared a Border with the Maasai, they became a constant target of Maasai cattle raids. Certainly in times of crisis...times of severe drought or disease...raids were probably much more frequent than in peaceful times. After the warriors had decided that they wished to carry out a raid, they sought agreement from the elders and the chief prophet.

However, the warriors were an independent social unit and while the permission of the elders and the prophet was desired, it was not absolutely necessary<sup>222</sup>. The elders seldom rejected the request in absolute terms, but might raise questions about the warriors' health and safety: for example they might say that the young warriors lacked the stamina to make the long journey and return safely; Or they were too few in number to attack the region they suggested; they should wait until they were numerically and physically strong enough for this venture.<sup>223</sup>

The warriors would ignore the advice and admonitions of the elders and carry their request to the prophet. The prophet, aware that the elders had indicated their disapproval, might conciliate them by declaring that he would provide the warriors charms which would be strong enough to compensate for the physical or numerical weakness, by suggesting to the warriors that they invite warriors from another village to accompany them, or by disclosing through divination that the raid would not be successful and perhaps they should return at a later date<sup>224</sup>.

The prophet also laid down the ritual instructions governing the warriors' preparation for the raid and their conduct enroute. This included the preparations of ritual medicines, such as the intalengo osirua, considered especially potent for protecting raiders, and the charms carried by an

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<sup>221</sup>Interview with ole madala, masurura on 05/03/2011.

<sup>222</sup>KNA/RW 967.62 BER,op.cit.

<sup>223</sup>Ibid.

<sup>224</sup>Ibid.

appointed warrior which he threw against the enemy<sup>225</sup>. The prophet also indicates the amount of time the warriors should spend at meat feast (il puli) in physical and ritual preparation for their arduous journey. The more challenging the opponent, the more time the men should spend in isolation and feasting. Finally the prophet indicated various omens which they would encounter along the way, and the manner in which the warriors should react to them. Bernsten recites an elder's account of prophecies concerning a raid in the early part of the 20th century as follows:

*The prophet said, I have eaten the cattle which the warriors will bring; and the warriors began to shake as they were anxious to go. The place to which he sent us on the raid was a place called ngoroine (general name for the plains southwest of the loitai hills occupied by semi pastoral bantu-speakers such as the tende (abakuria). And he sent us on the raid and told us, 'go, because you will come to encounter three things. You will see a tree which has been burst by fire, and still burning, despite the fact that the land is green.....and with surprise we saw it burning.....and when you see that, keep to the left. you will also encounter hunters, who have just killed a giraffe. After they have killed the giraffe, and they have put the meat on their heads and set out (for home), follow them. when they sit down, you also sit down. go then and attack on that day.*<sup>226</sup>

These examples of the instructions given by the prophet are probably not verbatim accounts of what was actually said. But they serve to show the role of prophets in cattle raiding. Once the warriors had obtained as many cattle as they easily would or when the enemy had regrouped sufficiently to make defense of the captured cattle difficult, the warriors began their retreat to their own grazing lands<sup>227</sup>. Once they were beyond reach, the division of the cattle proceeded relatively peacefully under the watchful eye of the speaker. The speaker set aside cattle for the chief prophet who had given those charms, some for himself, some for the ritual leader, and then divided the remainder among the warriors, granting extra cattle to those who had been especially brave<sup>228</sup>. This division of cattle was in such a way that so many people in the community benefitted from the loot since almost every home had sons who were in the warrior class.

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225Ibid.

226Ibid.

227Interview with ole madala(elder), masurura on 05/03/2011

228Ibid

### 4.3.2 Blacksmith

Blacksmiths (IL kunono) found among all Maasai territorial groups and among almost all lineage groups, formed an endogamous occupational group within Maasai society. They usually had few cattle and lived separately from the pastoralists. They either lived in a house outside the kraal of a pastoralist or in a kraal with other blacksmiths. The strange position and powers of the blacksmith was attributed to their bellows or to the black flecks which fell from the crude iron as the smith beat it into the desired shape. Smiths possess the strongest curses in Maasai society, and in the iron they produced, a potent blessing<sup>229</sup>. The curses of smiths could be directed only against individuals who had harmed them, perhaps by cheating them or by physically hurting them without cause. Their curse may have been accompanied by the placing of some of the “black flecks” in the kraal of the cursed person.

The blessing of the smith was found in iron, especially in the branding iron which each new elder cattle owner received at the meat-eating ceremony, and twisted iron strands (inkonomira) which any Maasai, even prophets, wore as rings bracelets, or necklaces. Elders considered the act of burning a brand into the hide of an ox as an act bringing good fortune; they attempted to cure certain illnesses by laying a hot iron over the affected area. Men sought the twisted iron strands as protection from untimely deaths especially when on a raid or when at war with an enemy<sup>230</sup>. Because of the important nature of iron in pastoral groups, the blacksmith holds a strong status in all productive and reproductive processes.<sup>231</sup>

### 4.4 Women

Women also played a role among both the Maasai and Abakuria during times of relative peace between Maasai and Abakuria and when there was war between the two communities. Individual warriors and whole age-sets earned praise and respect by successfully raiding for cattle which increased their individual wealth and that of their grazing unit. The mothers and girls of the warrior village incited their sons and lovers to warlike deeds through their songs, requests, jibes

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<sup>229</sup>John L Berntsen,op.cit

<sup>230</sup>John L Berntsen,op.cit.

<sup>231</sup>John G. Galaty “Being Maasai; “people –of-cattle”: Ethnic shifters in East Africa. *American Ecologist*, Vol. 9, No. 1 (Feb, 1990), pp. 1-20. Blackwell published, accessed on 05/04/2011,from, [HTTP://WWW.JSTOR.ORG](http://www.jstor.org).



and insults<sup>232</sup>. One elder described the girls and their songs as “the rock upon which a knife is sharpened”. Men of adjacent warrior age-sets competed with each other for the praise and the attentions of the women since much of the praise of the society came to the warriors through the songs of women<sup>233</sup>.

#### **4.5 Bride wealth**

Nyanza province annual report 1978 on 22nd may, 1978 Muloba Sinana a Kuria from Bukira location went to the home of his son-in law. He collected his daughter on the ground that his son-in-law was unable to pay bride price. On arrival home, he started beating up his daughter for marrying a poor man who could not pay the bride price, in the end the lady died.<sup>234</sup> Fleisher argues that cattle theft among the Abakuria was the preferred career among young men who had no sisters to bring big numbers of bride wealth enough to ensure the boys got married to their first wives. Kuria bride wealth for a long time was one of the highest in east Africa.<sup>235</sup>

#### **4.6 Conflict Resolution**

Conflict resolution among Abakuria (Abanyabasi clan) was facilitated by elders and the community leader (omogambi) either at special traditional barazas or at a public gathering called iritongo (the local community court for settling disputes). Such iritongo in kuria occurred at all levels including family, clan, village, location among others. They could be impromptu meetings, for example, when suspect thugs were apprehended and a crowd met to interrogate them, or they might be official assemblies called by the elders or government to discuss matters of serious concern, especially increasing frequencies of raiding and insecurity. They were basically democratic discourses where all adult men had a right to be heard, moderated by representatives of the ‘ruling’ generation<sup>236</sup>. Generation is key in the fashion the iritongo arranges itself in a semi-circle, with the elderly positioning themselves to the right and younger people to the left, where they are joined by women.

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<sup>232</sup> Interview with Telelia (woman), Lolgorien, 05/03/2011.

<sup>233</sup> Ibid.

<sup>234</sup> Nyanza Province Annual Report 1978 p9.

<sup>235</sup> Michael L. Fleisher and Garth J Holloway, *The Problem With Boys*, pp264-288 op cit

<sup>236</sup> Interview with John Busunkwi, Kugitimo, 25/02/2011.

Age set element was also important, with members of a particular age set clustering together and, they could also meet in individual groups prior to a full iritongo meeting<sup>237</sup>.

Close to the iritongo, but scarcely performing a role in the meetings, was Inchama, the group of ritual elders. They always met in secret and were responsible for the ritual welfare of the people, deciding the timelines of the initiation ceremonies and litigating on other issues which affected the ethnic group as a unit. Members of Inchama have mystical powers and are therefore believed to speak to the ancestors and gods of Abakuria. Their word is taken seriously and their curses are dreaded by everyone<sup>238</sup>. The only district commissioners who were successful in Kuria were those who were been ready to work with Inchama rather than against them. This was true in instances of raiding and war. In as much as members of inchama were seen to be influencing warriors to raid their neighbours, they were mostly seen as peace keepers who worked had to advise against war. They supported their peace keeping initiatives by introducing sanctions against those who acted contrary to their advise. They also conducted rituals to make stock thieves to confess their stealing activities.

#### **4.7 Oathing**

Among Abanyabasi clan of Kuria oath taking (ekehore) is common in conflict resolution. It is used to identify thieves and to bind feuding parties from engaging in conflicts against each other. In modern times oath taking covers illegal arms and insecurity. Oaths are administered in villages in the eyes of all clan members. This is a strict decision that the respected council of elders take to curb spread of illegal weapons, insecurity and cattle rustling. The weak looking elders chosen from Kenya and Tanzania strike fear in the villagers and their pronouncements are law. "Politicians and professionals from the Kuria community view the elders in awe, which leaves them at a loss over how they (the elders) should be treated. The elders have a powerful committee, Inchama, which makes all the decisions ranging from sanctioning youths to go to war, cattle rustling, or planning circumcision ceremonies for boys and girls.

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<sup>237</sup> Ibid

<sup>238</sup> Ibid

Members of the Inchama are revered as they are reputed to possess mystic powers that can cause death or illness to those who disobey them.<sup>239</sup>

Matiko maeri, the chairman of Kenya elders and his Tanzanian counterpart, sinda nyangure, concede that cattle rustling, retrogressive cultures and illegal acquisition of guns are major challenges to peace and development in the region<sup>240</sup>. Failure by the government to consult the elders in the struggle against clan wars, cattle rustling, and female circumcision hindered efforts to solve the problems. In the case of proliferation of arms for instance suspected villagers are given amnesty to surrender arms to the government before the ritual. Those who return the guns do not undergo the ritual-says the secretary of the council of elders. A list of villagers suspected to be in possession of guns is drawn and forwarded to the inchama. To achieve peace in the area, two ceremonies namely Oboraro and enkoro are conducted<sup>241</sup>.

Oboraro is a cultural event used to unite all the AbaKuria irregardless of the country or age, to a common course of action while enkoro prevents the young locals from owning unlicensed arms and getting involved in criminal behaviour and those who disobey are expected to die in a mysterious way or go insane<sup>242</sup>. Prior to the commencement of the ritual, the leader of Inchama asks the villagers to surrender the firearms. Those who do not give up their weapons are then taken through the oath-taking ceremony. The leader of the secret conclave (Inchama) proceeds to call the names of those suspected of being in possession of firearms. They are assembled in front of their relatives. The accused are then walked to the shrine as shocked villagers escort them. At the shrine an elder utters some words, and then the culprits ordered to undress in full view of the people present<sup>243</sup>. The now naked suspects are asked to run around an ant-hill seven times while swearing that they do not have guns. The elders warn that people who undergo the rite and own illegal weapons will be struck by calamities. The curse would befall all family members of the suspects who are dishonest to the elders.

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239 Ibid

240 Interview with Matiko Maeri (Elder),Kegonga,21/02/2011

241 Interview with John Masara (elder) at Kugitimo on 24/02/2011

242 Ibid

243 Ibid

According to Masara, after the ceremonies are conducted, nobody can go against the resolution.<sup>244</sup>

According to Mahindi, after the ceremonies are conducted, nobody can go against the resolution. Another method that Abakuria elders use to resolve conflicts and problems facing the community as a whole is through offering sacrifices to the gods and asking them to intervene. The elders cross the border to their holiest shrine in Serengeti Tanzania to ask the gods to end the cycle of violence. For instance, in 1967, Kuria elders made a journey across the border to a place called nyamieri, where their gods reside. Their job in Tanzania was clear; to get answers from the gods on a never ending problem back home; violence. The gods stay in the Serengeti, at the middle of Mara River called nyamieri, or the place of eight moons. Two bulls and three goats are strangled for the ritual.<sup>245</sup>

In those days, elders prayed to the gods for help to cool a protracted community squabble revolving around cattle. And after several rituals to the gods, the issue stopped for about 5 years. While echoing a need to re-visit the gods at nyamieri, marwa laments that though rustling has gone down, the rustlers are turning their guns on their people. “We need to see our holy shrine and talk to our gods about this issue,” poses Marwa<sup>246</sup>. elders say illicit guns on both sides of the border have been responsible for deaths of many innocent people.

Peacemaking between Abakuria and Maasai was done through holding a joint ritual ceremony on the boundary between the two communities. Though they do not speak the same language, there is efficient translation from both communities. The ritual is meant to bless a person who is no longer going to raid and to curse a person who is going to raid after the vows<sup>247</sup>. This is called “olmumai” in Maasai language and “muuma” in kuria language. For the ritual to be binding on everyone, both communities must participate. For instance, In February 1930, District officer Hodge had asked the people to take an oath against stock theft. However, the Maasai did not take

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244 Ibid

245 Interview with Keherema Marwa, Kegonga, 27/02/2011

246 Ibid

247 Ibid

the same oath. The oath was broken and had to be taken again in 1931.<sup>248</sup> After the covenant, the communities identify strategies to nurture their unity and reconciliation. They come up with the several suggestions some of which may include; taking Maasai students to go and study in Kuria schools and vice versa; to encourage inter-marriages between the two communities; to have a livestock market together. They slaughter two goats, one from each side. The blood of the two goats is mixed with milk and placed in a hollowed out shell of a calabash (gourd). Then the elders spit into the mixture which is then sprinkled on all people in the meeting.<sup>249</sup>

Peace negotiations and conflict resolution among the Maasai is done by elders who are the senior-most members of the community. It is held that their words are respected by the community members because they are at the top of the age set pyramid which is the nerve centre of Maasai culture. Without the age set system the Maasai will lose their identity and culture. Because elders are at the top of age system their wisdom is believed to come from enkai. Their oratorical powers which enable them to speak skillfully in public plays a very important role in convincing parties to engage in peace talks<sup>250</sup>.

The Maasai also had several oaths to assert their honesty or the truthfulness of a particular claim. These included Aisha ngai inkishu (“in truth as god may give me cattle”), maoa eng’ ai (may god kill me if I lie”) and maoa en abere (“may a spear kill me if I lie”) <sup>251</sup>. People accused of going against Maasai culture were forced to take an oath or submit to an ordeal to prove their innocence. “When the accused mkuati is to take an oath (mumake) the oloibon boils some roots which he mixes with meat and puts into the mouth of the oath taking person. In case of guiltness the meat will stick to the man’s throat and move neither forward nor backward, so that he must die<sup>252</sup>. There was also the ordeal of blood (olmomai losarge) that required the accused to say, “if I did it, may the gods kill me”, then drink blood (or a mixture of milk and blood)<sup>253</sup>.

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<sup>248</sup> Movement of natives living along the Kenya-Tanganyika Border. PC/NZA/2/1/49) p.100.

<sup>249</sup> Interview with Keherema Marwa, Kegonga, 27/02/2011.

<sup>250</sup> Interview with Joseph tierikat, masurura, 02/03/2011.

<sup>251</sup> Interview with Jane Kinyarkoo, lolgorien, 06/03/2011.

<sup>252</sup> Interview with parasayip ole koyati, masurura, 02/03/2011.

<sup>253</sup> Ibid

Another was the ordeal of the dry wood (olmomai enjerta natoijo), in which the accused was given a dry twig, and a green twig:

*In accepting these, he invites the punishment of god to fall on him if he is guilty. He will then either die like the dry stick, or he may remain fresh and alive like the green one. Others were the ordeal of the bow, the ordeal of the earthen stool, and for non Maasai, the ordeal of the goat. The majority of those who hear an accusation decide when an ordeal is to be used, and which one. The accused and he alone must submit to the ordeal, he cannot appoint a substitute. If the accused has come to no harm within ten to fourteen days after the ordeal, he is regarded as entirely free from suspicion.*<sup>254</sup>

To protect themselves from curses, men, women, and children wore protective amulets and charms that they made or obtained from oloibonok. In addition, women, who go amongst strange tribes in the neighboring districts to buy vegetables, protect themselves more particularly against their spells. They smear their foreheads and cheeks with cow dung or wear a cord round their necks on which is a row of small split wounds.<sup>255</sup> Since 2006, peace caravans or border committees have been formed to deal with inter-ethnic conflicts between Abakuria and Maasai. Elders hold joint meetings to address the root cause of conflicts between the two communities and thereafter decide on the penalties, compensation and/or restrictions to put in place between the two communities. Religious leaders among the Maasai and Abakuria from various denominations have been involved in preaching peace to the people in churches, public or open air preaching, camps and seminars.

The provincial administration has also played a big role in enhancing peace in both Kuria and Transmara. The District Commissioners, District officers, Chiefs and the police have done the work of identifying criminals and cattle rustlers and divesting them. Police interventions during active armed conflict between the two ethnic groups have also assisted in diffusing tension and restoring order.

An anti-stock-theft police unit was set up in Kegonga division to deal with the issue of stock-theft. This has gone a long way to reduce cases of cattle rustling in the Transmara region<sup>256</sup>.

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<sup>254</sup> Ibid

<sup>255</sup> Ibid

<sup>256</sup> Interview with mutindika (DC Kuria East District).

The District Commissioners also attend public meetings through which they preach peace and articulate government policy to the people. The chiefs also hold their barazas where they preach peace and listen to disputes and come up with resolutions<sup>257</sup>.

Both Maasai and Abakuria have formed standing peace caravans (or border committees) which deal with disputes concerning cattle rustling and conflicts between the two communities. These peace caravans constitute elders who have earned their integrity, family success, and leadership qualities. Whenever cattle are stolen in kegonga division, the youth will follow the cattle tracks in order to recover the stolen stock. If the cattle are found within the borders of Kuria, the dispute is solved within. However, when the tracks cross into Transmara, the youth do not pursue the cattle further. Rather, they report the matter to the peace caravan which contacts the Transmara peace caravan on the same issue. The Transmara peace caravan will take-over the pursuit of the cattle and returns them to Kegonga.<sup>258</sup>

When there is conflict among the Maasai clans (Uasin Gishu, Siria and the Moitanic) elders are responsible for peace and reconciliation process. Elders drawn from each clan meet to discuss and resolve the conflict. The offenders are identified and warned of the consequences of their actions. After the resolution is arrived at, a bull is slaughtered and the meat shared by the elders. The blood obtained from the bull is sprinkled on the ground and on the conflicting parties to symbolize their union with the spirits of the living dead and the ancestors, to keep peace and harmony<sup>259</sup>. A local brew is always served to the elders in the belief that if they share food and drinks a bond of brotherhood will form among the clans and therefore forestall future conflicts. Perpetrators of conflicts who fail to adhere to peace agreements are banished from the community and their homes destroyed. Sometimes fines are levied on offenders by having their best cattle taken away from them<sup>260</sup>.

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257 Ibid

258 Interview with Chacha Mangiteni (Kuria peace caravan), Kegonga, 24/02/2011.

259 Interview with Joseph Tierikat, Masurura, 02/03/2011.

260 Ibid.

## **4.8 Conclusion**

This chapter has discussed the part played by culture in the armed conflicts between the Maasai and Abakuria. While we agree that the immediate trigger of the conflicts is the struggle over resources, the main causes of the conflicts are the underlying long term cultural differences and grievances going back more than one hundred years ago. We have identified and discussed several traditional institutions and cultural practices of the two communities with a view to show the position they occupied in the armed conflicts. The institutions discussed are in no way exhaustive and therefore there are other cultural practices that might not have been discussed here. However, the main aim of this chapter is to use a few institutions and cultural practices to show that culture, indeed, influenced the Maasai-Kuria conflicts in a big way.



## CHAPTER FIVE

### TRANSFORMATION OF MAASAI-KURIA CONFLICT

#### 5.0 Introduction

The period after 1885 saw the Maasai-Kuria armed conflicts going through rapid transformation from a more volatile position to a less volatile position. Though one can rightly argue that transformation of the Maasai-Kuria conflicts began from the first day the two communities clashed, the wheels of transformation only gained more speed with the advent of colonialism. Perhaps one would want to ask why this was so. Richard Waller argues that with the advent of colonial rule, raiding was outlawed and went underground.<sup>261</sup> This means that unlike in the pre-colonial period where cattle raiding was celebrated by both Maasai and Abakuria communities, in the colonial era raiding was regarded as robbery which was a criminal offence. As a result people had to minimize their raiding adventures and stop public praising of the warriors. The Maasai for instance loved carrying out their raids in broad day light but due to the establishment of a formal government fully equipped with a police force, they had to change tact and instead carry out their raids at night. Laibons who directed and provided charms for raids were arrested and convicted along with the raiders, while the fathers of murrans were made liable to heavy stock confiscations. These radical changes that were instituted by the colonial government set the stage for the Transformation of the Maasai-Kuria conflicts from a traditional free environment where only the strong community carried the day to a restrained environment where no community was allowed to fight with a neighbouring community.

Both raiding and prophecy were so important to both Maasai and Abakuria that they were at the center of their day to day life. By outlawing them therefore the government forced the two communities to re-organize themselves in line with the new real Culture just like climate, is dynamic. It changes because of several factors some of them being climate change, technological development, encounter with external or alien cultures through war or cooperation, experimentation and other innovations just to mention but a few. Both Maasai and Abakuria cultures just like any other culture have been changing over time and so has the relationship

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<sup>261</sup> Richard Waller, 'The Lords Of East Africa: p. 47 op cit

between them. The conflicts between the two communities have been changing with times as new circumstances and players came to the fore. Therefore, Maasai-Kuria relations cannot be addressed without addressing the issue of conflict transformation.

Conflict transformation is a stage in the life of a conflict. According to John Paul Lederach, a conflict like a human being is born, develops and changes with time.<sup>262</sup> He argues that transformation is a deliberate effort by agents of change to interfere with the course of conflict because on its own, conflict can have harmful consequences. However, the effects can be changed so that self-images, relationships and social structures get better as a result of conflict instead of being hurt by it. Normally this means transforming viewpoints of issues, actions and other people. Since conflict usually transforms perceptions by amplifying the differences between people, good conflict transformation can go a long way to improve mutual understanding. Even when people's interests, values, and needs are not the same, even non-reconcilable, progress is realised if each group acquires an accurate understanding of the other. Transformation also includes altering the way conflict is demonstrated. It may be fought competitively, aggressively, or violently, or it may be conducted through non-violent advocacy, conciliation or cooperation.<sup>263</sup>

In the case of the Maasai-Kuria conflicts external and internal agents of change combined to transform it though some of the changes negatively affected the relationship between the two communities further exacerbating the situation. These forces that transformed the Maasai-Kuria relationships include but are not limited to introduction of western education and religious institutions, introduction of formal government complete with disciplined forces (both colonial and post-colonial governments) and provincial administration, technological development which saw the introduction of modern weapons of warfare into the conflicts, introduction of private land ownership system which saw land becoming a commodity of exchange, introduction of the money economy which saw the commercialization of cattle raiding, and the politicization of ethnicity. These developments did not only change the conflicts between the two communities

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<sup>262</sup>Lederach, John Paul. *Preparing for Peace: Conflict Transformation across Cultures*. Syracuse University Press, 1995, Accessed on 04/08/2009 from <http://www.colorado.edu>

<sup>263</sup> Ibid

but also transformed the traditional culture of both communities. These agents of transformation did not bring resolution to the conflicts but only brought changes to the nature of the conflicts.

## **5.1 Imposition of Formal Government**

### **5.1.1 Colonial government**

The establishment of colonialism pushed the Maasai to the periphery, and the requirements of indirect rule militated against the proper recognition of the historical influence of the prophets<sup>264</sup>. The movement to the periphery began in the 1890s with the devastation caused by the rinderpest panzootic, which destroyed the cattle herds of many east African peoples, though nowhere, perhaps, with greater effect than among the Maasai. In an effort to maintain or recover their pastoral status, some Maasai and their prophet allied themselves with the British in Kenya. Although these Maasai gained cattle and remained pastoralists, they lost their best grazing areas and their independence. The British colonial administration alienated some lands in 1904 and more in 1912 -13, thereby forcing the Maasai into the less desirable periphery regions. Occasional attempts to integrate Maasai pastoralism into the colonial economies of Kenya and Tanganyika ran counter to the importance of cattle in the Maasai economy and to the goals of the small but influential European settler community.<sup>265</sup>

Despite this radical change in status, the Maasai maintained continuities (a “conservative commitment”) spanning the transition from an independent to a colonized people. Their pastoralism, their age-set organization, and their prophets, important foci of identity in the pre-colonial period retained their importance in the colonial period.<sup>266</sup> During the colonial period, the Maasai prophets lost much of their influence over the warriors as the central governments of Kenya prohibited raiding and turned to the speakers of the age-sets as representatives to the people. Attempts in the early years of the century to invest the prophets with the authority of “paramount chiefs” did not have the hoped-for results since the Maasai refused to recognize that type of authority in the position of chief prophet. By the mid-1920s, the British authorities considered the prophets only as trouble-makers, men who encouraged lawlessness and warfare

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<sup>264</sup>John Lawrence Berntsen, pastoralism, Raiding and prophets: thesis, p.3.op cit

<sup>265</sup> Ibid

<sup>266</sup>Ibid

than peace and order. Occasionally they were correct as individual prophets sought to increase their own prestige and that of their warriors by sponsoring raids.<sup>267</sup>

Maasai were traditionally led in ritual ceremonies, including military tactics, by elders, and by their laibons who were specifically responsible for age-set rituals. Each age-set presented its own spokesmen. Indirect rule was established in the early twentieth century with employed chiefs, starting a new legal system and level of power. As the incoming colonialists alienated land for white settler use, Kenya Maasai were moved from Laikipia and other northern rangelands and concentrated into the then southern Maasai reserve, now Narok and Kajiado districts. This built a foundation of an ethnic nature that would later affect decisions over land distribution, as well as creating the administrative structures that would manage and regulate such decisions.<sup>268</sup>

The colonial design of a Maasai reserve spelt clear spatial and social boundaries where more free interactions had prevailed. It brought control over allocation of what had been communal land in the hands of colonially appointed Maasai chiefs and local Maasai leaders as well as the district and provincial administration. Trust land was, and is, meant to be managed in the interests of customary users, avoiding alienation among other outcomes. However, following independence in 1963 the Kenya government, started dividing Maasai land into individual, corporate and group ranches. Group ranch officials became part of the local elite. As members of the Maasai elite started acquiring and dealing in individual titles, and ordinary locals saw no revenues from group title, agitation built for group ranches to be subdivided into individual ownerships.<sup>269</sup>

## **5.2 Warrior Hood**

Onwarrior hood, an elder laments: where has fled the greatness of the Maasai? We're not the age-group of tareto the most feared warriors along the Great Rift Valley? Did not the people of maa rule all land from the northern mountain of gikuyu to the highlands of the hehe in the south, from the great lake in the west even across the river tana to the very gates of Mombasa? But who

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<sup>267</sup>John Lawrence Berntsen, pastoralism, Raiding and prophets, Op.cit, p.334.

<sup>268</sup>Katherine Homewood, Ernestina Coast, Michael, Thompson. Journal of the International African institute, Vol. 74, No. 4 (2004), pp. 567-610 publication Cambridge University press.<http://www.Jstor.org>. Accessed on 05/04/2011.

<sup>269</sup>John L. Berntsen, "The Maasai and Their Neighbours: Variables of interaction: African Economic History, No. 2 (autumn, 1976), pp. 1-11. Accessed on 05/04/2011, from <http://www.Jstor.org> p.540.

are the warriors of today? They are no better than women. Without war how shall we know the courageous from the cowardly? In these times, any boy may put the sign of the oloing'oni the courageous-on his shield and go unchallenged by his age-group. I remember the day I put that awful circle on my shield, I had fought in the forefront in three great battles against the Sukuma and Gikuyu and on that very day, I moved myself against three who carried the circle of courage. The Maasai once said, "Do not enter warrior hood without a bracelet on both arms"? But these days ....there is no word, we no longer fight, for the Maasai says, "Do not look for stolen cattle armed only with a herding stick". And what are spears against their weapons? We have been forced by the ilmeek to leave our best lands.<sup>270</sup>

### **5.3 The World War**

The First World War that began in 1914 and ended in 1919 had a lot of impact on Africans in general and Maasai-Kuria interactions in particular. This is a period in which Africans were actively involved in world affairs by participating in the war against the Germans. Both Abakuria and Maasai were exposed to the western culture and became aware of happenings in the outside world. This exposure affected the traditional communal authority as people became increasingly individualistic and independent in behavior. The PC for Nyanza province wrote in his 1915 annual report that: "owing to the present state of affairs and the numerous ways in which the natives are being connected with the present day happenings, individual thought is being awakened at a pace which is in some instances and places threatening tribal unity and control. Almost daily we have evidence of young men who have returned from down country, or who are attached to missions or who, from other sources obtain ideas of independence asserting themselves as regards the individual point of view, and show a disposition to defy tribal authority or, in other cases to undermine it."<sup>271</sup>

On women, the report talks of the beginning of an awareness of their rights. The PC for Nyanza writes, "In some cases women are starting to exert themselves one of the signs being a demand to be given clothes.instances where some members of the female gender refusing to be held by

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<sup>270</sup>A. Ol'oloisolo Masek and J. O Sidai "Wisdom of Maasai (Edeno Ol Maasai) 1974 KNA.

<sup>271</sup>Nyanza province Annual Report 1915, p.10.

tribal custom have also been witnessed”.<sup>272</sup> The youth also started making their presence felt. According to the PC Nyanza: There is evidence in certain quarters of the native influence probably to an extent by the young generation, desiring to alter some of their customs and bring into existence new ones to meet the more advanced ideas of the moment.<sup>273</sup>

#### **5.4 Colonialism**

The beginning of the colonial era in Africa was marked by the Berlin conference of 1885. Ten years later, Kenya was declared a protectorate. Boundaries were put in place without the knowledge of the people of Kenya. These boundaries resulted in the creation of a big territory. However, over forty two communities who were autonomous before colonialism were brought together, albeit without their consent, in an effort to create one nation state which proved to be very difficult.<sup>274</sup>

Communities like Maasai and Abakuria found themselves split between two different countries. These colonial boundaries created a lot of inter-ethnic animosity because of their fluid nature. This competition between communities was prevalent after 1945 when most African states were agitating for self-rule. To bring these communities together, the colonial government had to use excessive methods. Police brutality led to massive loss of lives and replacement of traditional leadership structures with the colonial leadership. There was no consultation and all instructions came down from Britain and were handed down to the Africans in total disregard of their feelings or interests.

#### **5.5 Colonial Economies**

Cattle raiding among the Abakuria experienced transformation due to the introduction of the colonial economy in Kenya. These practices of raiding and inter-ethnic warfare were criminalized and in their place colonial policies of cash crop growing were introduced. By outlawing inter-tribal warfare the colonial government made it very difficult for counter-raids to be conducted. This forced the practice to go underground and mutate in nature. Instead of cattle

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<sup>272</sup>Ibid Nyanza province Annual Report 1915, p.10

<sup>273</sup>Ibid

<sup>274</sup>Peter O. Ndege, “Colonialism and its legacies in Kenya”.

raiding being sanctioned by the elders, small groups of individuals sprouted and continued raiding for their own selfish interests and not for communal benefit.<sup>275</sup>

Traditional institutions that were previously used to sanction thieves who raided for cattle for their own selfish interests were sidelined by the colonial government thereby giving these individuals a free hand in disobeying the elders and going against the communal spirit. This in effect transformed the Abakuria cattle raiding culture from a communal activity sanctioned by elders for the benefit of everyone into an individual enterprise that was driven by the money economy.<sup>276</sup> With the introduction of the cash market, everything including cattle was commoditized and sold for money. These markets opened up the Kuria region and linked it with the outside world. Criminal groups came up and formed raiding parties which in turn sold these cattle across the international borders and cattle markets and butcheries within Kenya. Cattle were no longer seen as the backbone of the cultural existence of the Abakuria but as a source of wealth and self enrichment by individuals.

Cattle raiding was now driven by capitalism as opposed to communalism. In addition to cattle providing meat and milk to the Abakuria, it was also seen as a source of cash.<sup>277</sup> The colonial administrators were against the “irrational liking” of cattle by the Abakuria right from day one of their rule. They said Abakuria took most of their time scheming on stealing cattle and herding the animals. For the colonialists, this was a waste of time and resources which should have been redirected towards agricultural production. They imposed taxes on Africans, formulated destocking policies to encourage cash crop farming which was seen to be of more value than pastoralism.<sup>278</sup> The colonialist saw cash crop farming as the best way to transform the Abakuria economy and make them more productive. With time the Abakuria attachment to cattle began to fade as they increasingly started depending on manufactured goods from the white settlers.<sup>279</sup>

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<sup>275</sup>Michael L. Fleisher, Kuria cattle Raiding, Op. cit, p.755.

<sup>276</sup>Ibid.

<sup>277</sup>Ibid. P. 765

<sup>278</sup>Op. cit Babere Kerata Chacha “From pastoralists to Tobacco peasants: 1969 -1999, p.5

<sup>279</sup>Michael L. Fleisher, “Kuria cattle Raiding, Op. cit, p.755.

Abakuria were beginning to embrace the exchange of goods for money instead of goods for goods. Many of the natives were undoubtedly increasing considerably their earning capacity and were showing a decided inclination to spend money freely on imported goods.<sup>280</sup>

A report says: There is an ever increasing desire to obtain money. Agriculture and trade combined with labour are all adopted as means to the acquiring of what is desired. Once their tax money is assured the kavirondo people spend the remainder of their cash on foreign goods. Up to within quite recent period the natives generally were opposed to parting with any of their cattle except in the way of exchange for other stock. This tendency has now changed and cash values are practically asked for in all the kavirondo locations.<sup>281</sup> By 1960s and 70s Abakuria had embraced large cash crop farming in coffee and tobacco.<sup>282</sup> According to Friedberg Abakuria embraced crop farming and reduced pastoralism to a large extent.<sup>283</sup>

## 5.6 Small arms

In 1978/1979 Idi Amin attacked Tanzania in what was called the “war of Kagera”. Nyerere of Tanzania retaliated and drove Idi Amin’s soldiers out of his country. As the Ugandan military was withdrawing from Tanzania a lot of guns and bullets were abandoned. These weapons were picked by the soldiers 50% of whom were Kurians and found their way into civilian hands. These guns included Ak-47. With the proliferation of small arms, the Maasai-Kuria conflicts escalated to new highs. These small arms were smuggled across the borders and sold or leased cheaply.<sup>284</sup>

Many types of trickery were used by Tanzania’s soldiers to pass these weapons across Tanzania border.<sup>285</sup> In 1981 4 kuria inter clan conflicts were waged simultaneously all of them caused by the new, technologically assisted form of cattle raiding brought about by the Tanzania-Uganda<sup>286</sup>

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<sup>280</sup>Nyanza province Annual Report 1915, p.10.

<sup>281</sup>Ibid p.19.

<sup>282</sup>Kirsten Alsaker p. 289.

<sup>283</sup>Babere Kerate, p.8.

<sup>284</sup>Michael L. Fleisher, “War is good for Thieving! Published, Cambridge university press accessed on 05/04/2011.

<sup>285</sup>ibid.

<sup>286</sup>Ibid p.143.



## 5.7 Western Cultures

Colonialism led to interaction of the western cultures with African cultures leading to cultural transformation. The British colonial government outlawed several aspects of African culture and imposed their own way of life on Kenyan people. The coming of western religious churches that professed Christianity led to the transformation of the African traditional institutions. These churches preached against African cultural practices such as female circumcision, and worship of ancestors and gods. The establishment of western form of education dealt a blow to the African traditional education system. Africans who went to these western schools gained awareness of the European lifestyle and began to question the African ethnic authority.

According to a provincial report village schools were established in order to give education to as many people as possible. The report says that, the spread of village schools, where traditional form of reading and writing is taught, is on the increase. Education generally is being eagerly sought after.<sup>287</sup> On religion, the report says that there is no doubt but that the Kavirondo natives offer a very promising field for mission work. As a people, large numbers of them are extremely receptive to any teaching, with it they are of an excitable temperament.<sup>288</sup>

Christian missionary ventures destroyed African culture through the teachings of salvation, obedience and hardwork. Through western education, which they dominated despite the colonial state's role, Christian churches taught against African cultural practices. They insisted that the African's salvation must be gauged on the level to which traditional way of life was abandoned. Their insistence that obeying the government because it is God who brought it there was euro-Centric work ethic inculcated individualism and acquisitive culture. Colonial education therefore fostered the emergence of quiescent and obedient elites. They served the colonial state and economy as skilled workers. The report states that from the province, labour comes under two distinct heads, viz: registered and unregistered.

A good deal of unregistered labour goes out on to the European settled areas in the province and also on to the uasin gishu plateau. Of this class of labour we have no record; that it is

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<sup>287</sup>Nyanza province Annual Report 1915, p.19.

<sup>288</sup>Ibid p.49.

considerable we know and that it tends to meet the requirements of farmers is evident from the fact that we are very little worried by demands from such quarters for labour.<sup>289</sup>

## 5.8 Cattle Raiding

Early in the colonial error Maasai elders complained that the British ban on raiding would mean that the “poor” young men would have difficulty acquiring wealth in order to marry and settle down as elders.<sup>290</sup> Community attitudes towards cattle raiding have changed tremendously. As opposed to the situation that prevailed in the previous years, however, when there was no generalized public opinion against cattle restocking, in Kurialand, people of Kegonga and other villages have come to denounce cattle raiding as the benefits of raiding are no longer sustainable and as the common use of guns by cattle raiders has killed many innocent people. The government (colonial and post-colonial) tried to stifle cattle raiding but it was not an easy task. About 1920 native councils for Kisii and Kuria started enforcing the limitation of marriage-price which allows the young men to obtain wives and removes a fruitful cause of cattle theft.<sup>291</sup>

Cattle raiding was by now a pale shadow of what it used to be in the pre-colonial era. The British confronted multi-clan raiding “gangs” or “syndicates”, which operated across a vast area, dividing up herds that had been taken from one place and then remixing them with animals from other herds to reduce the likelihood of their being traced, feeding them in hidden valleys while waiting for opportunities to sell them, moving cattle effortlessly back and forth across a fluid Tanganyika/Kenya border in response to regional price changes and shifts in the subtle mathematics of supply and demand.<sup>292</sup>

Among the Kuria, whose population straddles the border between Tanzania and Kenya, many young men are actively engaged in an illicit livestock trade in which cattle stolen in Tanzania – mainly from other Kuria but also from neighboring peoples – are sold to buyers mainly butchers, inside Tanzania or else run across the border for cash sale in Kenya. Kuria cattle raiding is by no

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<sup>289</sup>Nyanza province Annual Report 1915, Op. cit p.50.

<sup>290</sup>John L Berntsen, African Economic History, No.9 1980, pp194-198, African Studies Program at the University of Wisconsin-Madison, p197, from <http://www.jstor.org>.

<sup>291</sup>Nyanza province Annual Report 1920-1921 PC/NCA/1/16, p.4.

<sup>292</sup> Michael L. Fleisher, Kuria cattle Raiding, Op. cit, p. 755.

means a new phenomenon, but it has undergone profound transformation in the course of the past century- from its colonial roles of demonstrating the mettle of new warriors and enlarging the community cattle herd to an illicit often quite violent cash-market-oriented enterprise –in response to the pressures exerted by the colonial economy, capitalist penetration and the policies of the post-colonial Kenyan state.<sup>293</sup>

Fleisher argues that motivations for raiding generally linked to east African pastoralists include the yearning for prestige, retaliation, loot, young girls, and trophies; the desire to claim victims in association with the death of favourite oxen; and the desire to acquire, or reacquire, cattle for the purpose of expanding herds, repairing stock losses, and amassing the stock needed for bride wealth payments. Kuria cattle raiders, however are in it for the money, and have been for approximately the past 80 years.<sup>294</sup>

Similarly, pastoralists' livestock raiding had human-ecological functions of redistribution and herd management. In the standard ecological functionalist formulation, the “institutionalized” raiding of livestock serves to distribute livestock over a wide area, sustaining a general balance of pastoral economies through an extended region; circulating animals to where they are most needed in times of famine or drought; functioning as “a continuously operating system of exchange” and supporting “the whole network of social and ideological relations”. the cattle that are taken in cattle raids carried out by Kuria cattle raiders today, however, do not circulate around a local or regional area in a continuously operating system of exchange, for their destination is not the homestead cattle corrals of the raiders but rather the butcher shops and slaughter houses of towns and cities sometimes hundreds of miles away. Indeed, far from supporting “the whole network of social and ideological relations”, market-oriented cattle raiding is tearing apart social fabric of Kuria communities that it has led to an ongoing, catastrophic decline of the cattle population in the study area, and that it is the driving force behind declining food production in the agriculturally bountiful Kuria Country.<sup>295</sup>

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<sup>293</sup>Ibid, p.284.

<sup>294</sup>Ibid

<sup>295</sup>Michael, L. Fleisher, “Cattle Raiding and its correlates: Op. cit, p.549.

More critically, the suction pull of market forces increased a lot more during this post-independent period, as the demand for beef in both Kenya and Tanzania rose precipitously and as cattle prices rose right along with it, driven even higher by the insufficient supply of cattle making its way onto the commercial market.<sup>296</sup> Between 1975 and 1995 there was intensification of agriculture leading to decline in pastoralism in Kuria.<sup>297</sup> In 1916 there were 23573 carrier corps 4091 working in government departments and 8735 working for private people. All these were from Nyanza<sup>298</sup>. In the last months of the year instructions were received to purchase oxen for sale to settlers. Over 4,000 animals were obtained and handed over to the agricultural department. Oxen for slaughter purposes were also collected for the military authorities.

According to the director of agriculture Nyanza province since 1914 supplied over 50,000 head of cattle for military purposes. The drainage on local numbers has been severe and has led to a shortage of suitable bulls for breeding purposes.<sup>299</sup> Previously common land in Maasai land is now mostly privatized and more is at the moment undergoing rapid conversion to cultivation. Simultaneously, inward migration of non-Maasai into these areas has happened. In the 1990s in Maasai region, conflicts over land and related agricultural or wildlife revenues have constantly ended in violent confrontations. Hundreds lost their lives, and tens or even hundreds of thousands were displaced. While one commonly held perception sees this violent conflict as a reaction to immigration creating and worsening land shortages, there is evidence to prove that most of this violence was deliberately planned to derail multi-party elections and enable leading politicians to retain a monopoly of power.<sup>300</sup> In North Narok these conflicts may have been primarily linked to political manipulation for electoral reasons, though they capitalised on existing tensions. The conflicts by no means followed simple ethnic lines. There was a strong political and economic angle; violence was primarily levelled at multi-ethnic communities of smallholders and benefited large land owners and supporters of the government of the then president of Kenya, Daniel Arap Moi.

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<sup>296</sup>Ibid.

<sup>297</sup>Suzette Heald, "Agricultural Intensification and the Decline of pastoralism:", pp.213-237.op cit

<sup>298</sup>Nyanza Province Annual Report 1916, PC/NZA/1/111.

<sup>299</sup> Nyanza Province Annual Report 1917-18, PC/NZA/1/13.

<sup>300</sup>I John L. Berntsen, "The Maasai and Their Neighbours: Variables of interaction: African Economic History, No. 2 (autumn, 1976), pp. 1-11. Accessed on 05/04/2011, from <http://www.Jstor.org/stable/3601509>, p. 571.

Throughout Narok violence hit kikuyu and Kipsigis smallholders, while non-maasai land barons were not affected: class and political clientage, rather than ethnicity, were the real determinants. Major tensions erupted among the Maasai, with “the unthinkable: physical conflict between those in the privileged relation of age-set sponsorship, and cursing of elders by juniors’.<sup>301</sup> To assist in the levying of taxes, the introduction of fines, and the implimentation of forced labour, the British planted local collaborators as chiefs over the local peoples, in disregard of the fact that most of these peoples had no tradition of chiefly rule. In the Kuria case, this entailed downplaying the council of elders and other traditional leaders in favour of an installed chief for every clan.<sup>302</sup>

By eliminating the authority of the council of elders and appointing their own chosen chiefs as kuria leaders, the British had imposed a form of administration that was completely alien to the kuria people. The British also introdused taxes and then confiscated livestock in instances where those taxes were not remitted. The british also took large numbers of kuria livestock arbitrarily, without compensation, and often these livestock would be deposited for safe keeping in the corral of a friendly chief, who might well be a member of the same clan (ikiaro) as the man whose cattle had<sup>303</sup> been confiscated, but of a different clan segment (irigiha). Many of these chiefs had already attracted considerable antagonism in their own communities by unscrupulously seizing upon their newfound authority in order to defraud their own people. It thus came to be seen as acceptable, for a man who felt that his cattle had been erroneously taken from him to seek to recover his property by taking cattle from the chief or, from any other member of the chief’s clan segment.<sup>304</sup> What followed was a period of “unstructured” administration, during which, owing to the remoteness of Kuria from the British administration headquarters at Musoma, in Tanganyika, and at Kisii, in Kenya, local administration was left in the hands of the chiefs, with only occasional, brief visits from British administrative personnel.

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<sup>301</sup>Katherine Homewood, Ernestinn Coast, Michael, Thompson. *Journal of the International African institute*, Op. cit, p. 571.

<sup>302</sup>Michael L. Fleisher, *Kuria cattle Raiding*, Op. cit, p.753.

<sup>303</sup>Ibid.

<sup>304</sup> Ibid, p.754.

Many of these chiefs were heavily involved in cattle raiding themselves, planning and organizing raids, shaking down cattle raiders for a share of the proceeds, sometimes even participating in raids themselves.<sup>305</sup> This involvement of government officers in cattle raiding and inter-ethnic conflicts between the Maasai and Abakuria could be attributed to the fact that the colonial government picked collaborators as chiefs and without training they entrusted them with positions of authority. The fact that most of these collaborators were not “well-to-do” at least in the traditional context gave them an opportunity to amass wealth at the expense of law and order. To them (chiefs), cattle was still a status-symbol in society and since they lacked supervision from their seniors they engaged in illegal activities.

According to south Nyanza district annual report 1959 all tribal groups including the Kuria have become increasingly interested in the demands of African nationalistic favour. These tendencies backed and encouraged by a wide range of “popular” newspapers have contributed to a growing intensification of political atmospherics but with the great mass of the people the over-riding pre-occupations are still the weather, the crops and the demands of family life. The ancient customs of stock theft, brawling, fitina, prevarication and absorption in Nubian gin have not been noticeably forsaken.<sup>306</sup> In Kuria a gun is owned by a group of people. People acquired guns either as a clan, friends or neighbours for protection," While the general impression is that people stock together in the nineteenth century and that loyalty within the group (lineage and clan) was strong in this community, it is apparent that scarcity of resources and internal pressure are disruptive and at present the sense of cohesion within this group is at risk. In the present century the traditional elite slowly but surely lost influence in the Zebra community.

Although S. Heald holds that there are “an extreme strong authority system that ties authority to age in Bukuria the present author found that there were many examples of how fathers and elders decisions were questioned by those who were supposed to respect them. In the late 1980s a woman was killed in her home by rustlers. It was unheard of and spoken of as extremely bad.

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<sup>305</sup>Ibid.

<sup>306</sup>South Nyanza District Annual Report 1959 p3.

The Maasai, according to one informant, would cut the leg of the fastest ox when they came to raid in a home where there was a pregnant woman.

They stole the remaining stock, but that one of which now would be slaughtered ensured that the pregnant woman was given proper food; meat. These days, he concluded the Maasai also kill women and children. He claimed they had learnt this from the Abakira . Another informant had also claimed that thieves kill innocent women and children in raids, but at the time, one year earlier, when the present written heard this she interpreted this as a metaphor of how bad things had become. “At present modern weapons make traditional defense difficult. In the past a woman could chase rustlers. Men are afraid of sleeping in their own homes because of thieves now. There is no one to guard you these days. Except dogs you must have heard what people call their dogs now; “chui (leopard) or “samba” now (dangerous lion). Those are warriors’ names. No one can feel safe now that people steal stock with guns in their hands. They even kills women and children. Zebra men between the ages of 55 and 100 years in 1988 therefore seemingly had a pastoral ethos. Importance of cattle or stock keeping had become dangerous.

Jacobs was the first to challenge the myth of the Maasai as “aggressive, often ferocious, people whose war like activities were a constant threat to the more peaceful development of settled agricultural peoples around them (1979:33). The first decades of the two hundred year history of the relationship between Abakuria and the Maasai in this area was certainly on the Maasai’s terms, but since the mid nineteenth century they have been ovarum by Abakuria. Wallen noted that the Maasai speak of the 11 Mutende (or Abakuria) of nowas generally savage and unscrupulous.

### **5.9 Impacts of Maasai-Kuria Armed Conflicts**

The Maasai-Kuria conflicts have had several impacts on both communities over the years. Whether positive or negative, the effects of these armed conflicts have worked to shape both the past and future of the two communities. Like any other conflicts, the Maasai-kuria conflicts had ramifications that required intervention both from within the communities and from outside. External players such as the government, NGOs and development agencies had to be involved in the search for peace.

The conflicts claimed many victims some of whom died while others sustained physical injuries and scars that they live with. Others were affected by the loss of close relations. This chapter will look at the various players in the conflicts who include women, children, youth, and elders and see how they were affected. Some traditional African institutions such as the prophets, council of elders, warriors were also impacted by the conflicts.

### **5.9.1 Women**

Today, the vast majority of armed conflicts occur within a state's borders. Such internal conflicts have a devastating impact upon civilian populations. With respect to civilian women, there used to be a perceived security - a sense that as a woman and especially as a mother one would be spared the excesses of warfare. Recent and present conflicts show that this perception often does not correspond to reality. On the contrary, women are targeted precisely because they are women. For example, they are raped in order to humiliate, frighten and defeat the "enemy" group to which they belong. Over the centuries, our perception of the main actors in warfare has been shaped by stereotypes of men as the aggressors and women as peace-loving and passive bystanders. However, the reality is women also take an active role in armed conflicts and in their aftermath; as politicians, combatants, leaders of non-governmental organizations, social and political groups and peace campaigners. Appropriate action requires a greater understanding of the impact of armed conflict on women and the particular vulnerabilities they face.

As discussed above women played an important role in the Maasai-Kuria conflicts especially in composing praise songs for successful warriors, cooking for them before setting out for a raid. They pushed their men into conflict through jibes and scolding. Women would sing and dance for brave warriors. No lady would accept a man to pay bride prize that does not contain cattle raided from the Maasai or Kipsigis. They also blessed heroes by sprinkling milk on them and even offered them sexual favours. This led to competition among warriors for positive recognition. As a result of active participation in the conflicts women from both Maasai and Abakuria bore the brunt of hostilities. Parents frequently bribe their daughter's school teachers. In fact, to allow them to withdraw from school pre-maturely because they benefit more economically from marrying off the girls early than they could ever hope to benefit by leaving them in school.



Moreover, it is felt that to allow girls to leave their community and pursue a secondary school education elsewhere is to risk their forging relationships with non-kuria boys who will refuse to pay bride wealth.<sup>307</sup>

*Displacement.* Women and girls were subjected to innumerable acts of violence during the Maasai-Kuria armed conflicts. Increased insecurity and fear of attack often caused women and their dependents to flee. On the border of Transmara and Kuria east districts there is a huge chunk of unoccupied land amounting to thousands of acres. This land was previously owned by families from both Maasai and Abakuria communities but due to constant raids and conflicts along the border and due to loss of relatives to attacks by warriors, they fled. These families became displaced because they had nowhere to go as they had lost their land. Those who were most affected were women and children because in several instances their husbands had been killed in the conflicts leaving them with children to take care of. Some also fled because their men folk had fled, or went missing in connection with the hostilities, or because the men sent them away following the breakdown of traditional protection mechanisms. The impact of the displacement of women was enormous. They fled into uncertainty and often into danger, as they had to fend for themselves and support their dependents with few resources or belongings. Several of them died because of insecurity and lack of food.<sup>308</sup>

Women from both Maasai and Abakuria invariably had to bear increased responsibility for their children and elderly relatives - and the wider community - in the absence of their men folk. They often chose not to flee the fighting or the threat of hostilities because they and their families believed that the very fact that they are women and mothers would make them safe from the warring parties. They therefore stayed to protect their families and provide for them. But the absence of their men and the general instability and lawlessness that characterized the conflicts heightened insecurity and exacerbated the breakdown of the traditional support mechanisms upon which they previously relied.

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<sup>307</sup>Michael L. Fleisher and Garth J Holloway, The Problem With Boys: Bride wealth Accumulation, Sibling Gender, And The Propensity in Cattle Raiding among the Kuria of Tanzania, *Current Anthropology*, No.45,No.2 (April 2004), pp. 264-288, University of Chicago Press, p. 287, from <http://www.jstor.org/>

<sup>308</sup> Interview with ole Shangiti, Masurura, 04/03/2011.

The Maasai warriors for instance would abduct Kuria women and leave with them to Maasailand after a raid or clashes.<sup>309</sup> Sexual violence, rape, sexual slavery and forced impregnation are all criminal means and methods of warfare that have attracted more and more attention in recent years, mainly because of the widespread reporting of such acts in recent conflicts. Sexual violence has in fact always been used against women and girls - and to a lesser extent against men and boys - as a form of torture used to degrade, intimidate and ultimately defeat and chase away targeted populations. Sexual violence, including rape, is brutal and terrifying for its victims and the whole community. In the African traditional society such as Maasai and Abakuria, rape was an abomination not only on the men who perpetrated it but even the women and girls who were the victims. Rape carried heavy stigma because the victims were seen as having been defiled and hence not suitable for marriage or any association. As a result of this stigma, women and girls who fell victims of rape most often kept it as a secret and suffered silently while the men who were perpetrators went scotfree. This exposed women and girls to health risks such as contracting STDs, and developing health conditions such as fistula and in some occasion resulted in deaths. Both women and their husbands, and other family members were psychologically affected in cases where the raping was done in the presence of family members.<sup>310</sup>

*Missing persons.* One of the most harrowing consequences of armed conflicts, which continue long after the hostilities are over, is that people go missing. The majority of missing persons are men, which leaves large numbers of women seeking news of their fate. Traditionally, when raiders from both the Maasai and Abakuria went out on a mission they would sometimes lose some of their comrades to their enemy community. Usually when they returned from a raid whether successful or not, they did not return with their fallen comrades. Among Abakuria, the warriors would carry the blood drenched clothes of the dead warriors and on return they would secretly place them on the door-steps of the first wife so that in the morning when she wakes up she would discover the clothes and immediately start the mourning ceremony<sup>311</sup>. The inability to ascertain the fate of loved ones and to mourn and bury those who have died has had a devastating effect on the survivors of war and on their ability to cope. The search for missing relatives drags

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<sup>309</sup> Interview with ole shangiti, Masurura, 04/03/2011.

<sup>310</sup> Interview with John Ng'ariba (elder), Kugitimo, 25/02/2011

<sup>311</sup> Interview with John Ng'ariba (elder), Kugitimo, 25/02/2011

on long after armed conflicts have ended, and has been a long term impediment to the process of reconciliation between the Maasai and Abakuria. Furthermore, widows and relatives of missing men have often been left without any entitlement to land, homes, inheritances, social assistance.

Access to medical care. Armed conflicts seriously affect the health of an entire population - women, men and children. The insecure environment prevailing in areas of conflict or internal disturbance makes it difficult for civilians to reach health services and receive appropriate medical care and medicines. Kuria east being among the marginalized areas in Kenya has over the years had poor infrastructure. There is no medical center near the border between Abakuria and Maasai and the poor state of roads makes it difficult for the police to respond quickly. The weapons used in the clashes between the Maasai and Abakuria are mostly bows and poison-smearred arrows. Many warriors who are hit by these arrows and spears do not survive because there are no medical facilities nearby yet the poison takes a short time to kill<sup>312</sup> reproductive health care is vital to save lives and prevent and reduce illnesses and disabilities due to complications during pregnancy and labour, and after giving birth. In wartime, it has often been difficult for Abakuria and Maasai women to obtain access to specialist medical services, such as reproductive health care, when traditional systems of medical support have barely been functioning. In addition to obtaining care for themselves, women have an important role in promoting and maintaining the health of their family and community. In times of conflicts between the Maasai and Abakuria this did not happen leading to psychological torture of women and girls.

Access to food and other assistance. In situations of armed conflict, women, men and children may not have the means to ensure their own survival. When men take up arms, flee, become disabled, go missing, are detained, or die, the impact on women is dramatic. They face the heavy burden of taking over the role of head of household and providing for their own needs and those of their family. Certain tasks traditionally done by men are difficult for women to carry out because of social and cultural barriers, or lack of skills.

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<sup>312</sup> Interview with John Ng'ariba (elder), Kugitimo, 25/02/2011

Moreover, the insecurity resulting from the hostilities restricts their mobility. There are several instances among Abakuria where old people mostly women don't eat anything apart from milk, meat and vegetables. When all cattle are taken by raiders these women and old men end up dying<sup>313</sup>.

### **5.9.2 Children**

War affected children in all the ways it affected adults, though in various ways also. First, children depended on the care, empathy, and attention of grown ups who loved them. Their attachments were frequently disrupted in times of war, due to the loss of parents, extreme preoccupation of parents in protecting and finding subsistence for the family, and emotional unavailability of depressed or distracted parents. The child may be in substitute care with someone who cares for him or her only slightly – relatives or an orphanage. A certain proportion of war-affected children completely lost protection – “unaccompanied children,” as they are known in refugee situations. Second, impacts in childhood critically affected the life trajectory of children worse than adults. Children lost the opportunity for education during war, children who were forced to move into refugee or displaced persons camps (though in the case of Maasai-Kuria conflicts there were no refugee camps), where they waited for years in miserable circumstances for normal life to resume, if it ever does. Children who were disabled in war, in addition to loss of a limb, sight, or cognitive capacity, lost the opportunity of going to school and of a social life.

A girl who was raped was marginalized by her clan and lost the opportunity to be married. After the war ended, these lives never attained the potential they had before the war. Among Abakuria and even Maasai pastoralists, the young boys accompanied raiders during large raiding expeditions but they were given the less hazardous task of rounding off goats, sheep and calves and in most cases they assisted in herding looted stock. This exposed them to attacks by the enemy warriors and this in several cases led to death or injury to the boys. In another perspective, children fell victims of enemy raiders when they came for cattle either by being attacked directly or by losing their parents and other relations.

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<sup>313</sup> Interview with John Ng'ariba (elder), Kugitimo, 25/02/2011

*Death.* Hundreds of children from both Maasai and Abakuria communities have died over the years from direct violence in war. They die as civilians caught in the violence of war, as combatants directly targeted, and as helpless orphans who have no security, clothing, or food. In the past, writes Ruel, “the herding of cattle was the task of older boys ... and of warrior youths, who if attacked could defend the cattle”<sup>314</sup> “large collective herds were then taken to graze in the outlying pasture surrounding the main settlement areas of the province (clan). This was dangerous work. *Abamura nguching’ombe bagukwera* runs a well-known saying “young men die in the cows”<sup>315</sup>. During cattle raids, the uncircumcised boys (abariisia; sing; Umuriisia) served a kind of apprenticeship to these warriors, accompanying them on raids but entrusted with the least hazardous tasks, such as rounding up the sheep and goats and helping to drive the captured livestock home<sup>316</sup>. Every few years whenever the elders came to feel that enough boys and girls had attained the appropriate age, circumcision ceremonies (Ichisaaro: Sing, esaaro) were held, normally after harvest time. Ruel notes that “boys were expected first to show their valour and their right to the status of warriors by raiding and killing an outsider”, but Kjerland was told by one of her informants that, “not every boy killed a man or a lion prior to initiation. If one or two in the group did, this was a signal that their group was mature enough to be initiated”<sup>317</sup>.

*Psychological torture* Children were exposed to situations of terror and horror during war experiences that left enduring impacts in posttraumatic stress disorder. Big losses and disruptions in their daily activities led to high rates of depression and anxiety in affected children.

### **5.9.3 Elders**

In the African traditional societies elders were very important in the day-to-day activities. They were the custodians of culture. They presided over all cultural activities and enacted laws that ensured that everyone adhered to the norms and beliefs of their community. Elders kept the history of their various communities and passed it down to the younger generations in order to ensure that the identity and survival of their community was preserved. They were the judges

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<sup>314</sup>Malcolm Ruel “Kuria seers”,op.cit.p40

<sup>315</sup> Interview with David Mairo at kegonga on 22/02/2011

<sup>316</sup>Kirsten Alsaker Kjerland, 1995, p289

<sup>317</sup>Kirsten Alsaken Kjerland, 1995, p138

who presided over all disputes and sanctioned all deviants and criminals. Among the Maasai as well as Abakuria, elders sat at the top of the age-set system hence giving them a position of authority and prestige. In both communities the age-set system was the nerve centre of their cultures without which both communities would lose their identity and culture. Right from birth people were placed in the age-set system and grew up in it until they reached elder hood. Elders were believed to possess spiritual powers because they were in direct communication with the ancestors and gods of Abakuria and in the case of the Maasai, enkai.<sup>318</sup>

They planned and presided over all ceremonies including circumcision, shaving ceremonies, weddings, burials, rituals, oaths, among others. The elders' word was law and everyone feared their curses and yearned for their blessings. Most importantly they participated in decisions concerning cattle raids and declared war against their enemies. Under the leadership of elders, everything was done communally and no one was allowed to work alone or individually. All the loot of a raid was shared equally among the warriors who then ensured that each family benefited from war and cattle raids. In a nutshell elders from both Maasai and Abakuria communities held their people together and exercised authority for the benefit of all. However as the conflicts between the two communities dragged on over the years albeit intermittently, and as external forces intervened, the authority of elders was gradually challenged and diluted.

With the advent of colonialism, the Maasai-Kuria conflicts were transformed due to the forceful imposition of western ideals upon Kenya Africans. Colonial policies ran counter to African cultures. These policies included erection of physical boundaries between communities, land alienation for white settlements, introduction of reserves, introduction of agriculture which required pastoralists to minimize pastoralism and embrace agriculture, introduction of formal government institutions to replace the traditional African institutions, introduction of Christianity and suppression of African traditional religious institutions among others. Together with the establishment of boundaries, land alienation undermined the Maasai nomadic pastoralism by reducing the land on which to pasture their animals and confining the Maasai people within reserves. This led to congestion and forced the Maasai to reduce their stock.

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<sup>318</sup> Interview with ole Shangiti, Masurura, 04/03/2011

Destocking policies initiated by government further reduced Maasai cattle hence diminishing their culture. Elders lost much of their authority because they were no longer in control over cattle and land. The colonial government opted to use Maasai speakers as chiefs thereby undermining the authority of the laibon and elders. The chief prophet was no longer in command of the warriors and elders no longer wielded power over people. The Maasai worship of enkai was challenged and authority of ancestors questioned. This was the same case among Abakuria elders who increasingly ceded authority to the colonial government and lost their prestigious position as overall decision makers in the community. The establishment of colonialism also came with introduction of modern weapons of war chief among them the gun. The gun revolutionised the Maasai-Kuria conflicts as seen in the previous chapter.

The gun was superior and more effective than the bow and arrows. It changed the way cattle raiding was carried out among both Maasai and Abakuria. Traditionally, raiding expeditions used to be conducted by groups of more than fifty raiders because they always expected war between them and their enemy community. Raiding was synonymous with war because retaliatory attacks were always inevitable. The warriors had to seek the authority of elders before proceeding on a raid or war. The elders in turn would consult the gods and the chief prophet on the raiders request and when the gods agreed, the elders would give the go-ahead to the warriors. The elders prepared charms for the warriors and blessed them before setting out on the raid. However, with the introduction of the gun, the number of warriors who went on a raid reduced because the enemy community was not expected to oppose the gun with bows and arrows. Now raiding cartels were formed and even five warriors could easily stage a successful raid against an enemy community. The council of elders was no longer sought after and the communal type of raiding that ensured that the communities acted as unified entities was abandoned and banditry type of raiding was embraced whereby the loot was shared among the individuals who carried out the raid.

The introduction of the money economy further aggravated the situation because it destroyed the African traditional culture of cattle accumulation for prestige and subsistence and introduced a new market orientated cattle accumulation where all stolen cattle were sold to stock markets and butcheries for money. Individuals started purchasing guns for purposes of raiding.

Introduction of income generating activities by the government further eroded the authority of elders and gave the youthful warriors a lot of independence. Among the Kuria for instance the youth provided labour to European farms and in return they were paid wages with which they purchased their own cattle which they used as bride price to acquire wives. This meant that they did not have to rely on elders to get wives. With the gun, one was sure to get cattle for bride price. This led to disputes between the young and the old. The Maasai-Kuria conflicts took another twist from the traditional organized way in which elders could explore all possibilities to a modern way where armed clashes broke out haphazardly and spontaneously in response to cattle raids by the Maasai and vice versa.

Whenever warriors wanted cattle they provoked the Maasai warriors to war so that in that confusion they could collect their cattle.<sup>319</sup> This led to a state of cultural anarchy and the colonial government had to take over the role of law and order. This new kind of raiding was so brutal and dangerous that it alienated people who now began to detest and condemn it. The traditional value and prestige that was accorded cattle raiding was eroded and people sought to distance themselves from it. This is partly because the community no longer benefited from the loot. It was now a trade of greedy individuals out to enrich themselves at the expense of the community. The warriors were driven by rising market prices both in Kenya and Tanzania that according to one elder, ‘they turned the gun against their own people’.

Indeed the warriors knew no boundaries anymore as they started raiding from their own clansmen (Nyabasi clan in Kegonga division). They brutally killed their own clansmen during the violent night cattle rustling such that no one wanted to hear about them. In both Maasailand and Kurialand the people started reporting stock thieves to government authorities and in many occasions assisting the authorities in recovering stolen cattle. Community members turned against cattle thieves and mob-lynched them whenever they caught up with them. The formation of sungu sungu vigilante group sponsored by the government in 1997 saw the execution of a big number of these bandits with the survivors taking refuge in big towns and across the border in Tanzania.

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<sup>319</sup> Interview with ole shangiti, Masurura, 04/03/2011.



Though the elders lost a substantial amount of authority to the youth and the government, they retained a significant presence in the community. Among the Maasai for instance the institution of the laibon is still present and elders still preside over all cultural activities in Transmara. They still take part in key decision making processes and are still believed to possess mystical powers hence people dread their curses and seek their blessings. NGOs and development agencies involved in peace building have brought the elders on board in order to consolidate support of local people. Among Abakuria, elders are still respected and hold a relatively important position in society. They preside over all community rituals and ceremonies and particularly the elders of Inchama are greatly feared and revered. Their word is still binding such that no one can dare go against them. They organize circumcision ceremonies and speak to the gods on behalf of the Abakuria.

#### **5.9.4 Warriors**

As discussed above the institution of warrior hood was affected by transformative factors of the Maasai-kuria conflicts such as the advent of colonialism and introduction of western institutions such as Christianity and formal schools. However the institutions of warrior hood was impacted in a big way by the introduction of modern weaponry into Africa. The gun emancipated the warriors from the chains of elders as they no longer needed to consult them for a raid. They were split into raiding cartels that were market oriented as opposed to community orientated traditional raiding. The end result was that warriors lost their respect, authority and prestige in society. Especially among Abakuria they became amorphous outfits that had no code of conduct and nothing in particular to bring them together apart from the fact that they shared a single age-set name.

With the development of the market and money economy, elders became greedy and started accumulating cattle for sale. This is because after warriors started engaging in individual raiding expeditions, elders lost an important source of cattle-the warriors. They therefore began looking for other avenues of cattle accumulation. They withheld bride price cattle from warriors and instead kept them for themselves. With their source of bride wealth denied to them, the warriors were forced to intensify raiding so that they could gather enough bride price cattle to marry. This motivated warriors to go-it-alone in raiding Abakuria and other communities.

The colonial government outlawed cattle raiding and accused the practice as retrogressive. Curtailment of cattle raids and little need for defense of the community led to a huge loss of status for warriors. traditionally, Maasai men celebrated their prowess as warriors, would be exalted within the tribe through their exploits such as cattle raids or killing lions and would beautify/decorate themselves to reflect their achievements namely as protector. With the outlawing of both lion hunting and raiding the warrior hood glory was diminished.

Colonization of Maasai, like other communities in Kenya, was achieved by means of superior military strength of the British. Defeat for the Maasai represented a body blow for the concept of manhood among the Maasai warriors. As pastoralists Maasai warriors gained social status through being herdsmen with the size of herds having much subsistence and social value, thereby denoting wealth and status .as nomads Maasai men would travel between wetlands and the dry lands of eastern Africa in search of better pastures, water and saltlicks. Moving Maasai to reserves and reducing their pastureland had the effect of demasculizing them since pastoral nomadism was an important aspect of their masculine ethos. General, colonial and post-colonial policies in Kenya have combined to strip Maasai men of their sense of place in society and, indeed, of their manhood-as defined by their own social values. “As part of the ‘civilizing process’ of the ‘natives’, Maasai men have had to readjust their values as modernity has invaded their lifestyles.

By 1950s the colonially drawn apparatus of chiefs, headmen and councils had taken over from the roles and procedures that were in place in the past, although one had occasionally the glimmer of how a former assembly debate might have been conducted and one was never quite-sure whether the old inchaama, met or not. furthermore, a major element of the pre-colonial political scene –fighting between clans, raiding for cattle, and withstanding Maasai attacks – had been reduced, and with it a radical change in the settlement distribution of the countries had occurred, with homesteads spilling down from their former fastness among the rocks and barricades of the hills to spread out evenly across the valleys and plains of each country’s territory, now an administered ‘location’ or ‘chiefdom’.

The last time group of Zebra warriors were seen in “full regalia” or the military uniform was the 1920s. One older man held that the symbols of warrior hood survived longer than did men’s physical ability to defend the community. From 1902 warriors could do nothing because the Europeans were present.

### **5.9.5 Economic Impact**

The Maasai-Kuria conflict influenced the economies of the two communities especially areas Masurura, Lolgorien and Kegonga areas which border each other on the Maasai-Kuria frontier. Due to intensive cattle raiding and clashes between the two communities, the colonial government came up with policies that were aimed at restoring peace and order. First and foremost both Maasai and Abakuria were prohibited against expanding their territorial integrity into each other’s land. A physical survey was first conducted in 1912 after which boundaries were erected separating Masurura and Lolgorien of Transmara from Kegonga division of Kuria east district. This action impacted heavily on both communities. The Maasai for instance practiced nomadic pastoralism in which they kept on moving from one place to the next looking for fresh pasture and salt licks and water for their cattle.

However when the colonial government erected boundaries and placed Maasai into reserves, the land was so small that they could no longer practice nomadism. The congestion that resulted led to spread of cattle diseases prompting the colonial government to introduce quarantines and de-stocking measures which resulted in further reduction of the Maasai stock. Abakuria also faced the same dilemma. On the sidelines the colonial government initiated anti-pastoralist campaign in an effort to force both Maasai and Abakuria to abandon pastoralism and embrace cash crop farming. The two communities were also supposed to provide labour in European farm and pay tax to the government.

Faced with a lot of pressure from the colonial government, Abakuria gradually started to reduce their stocks and instead adopted cash crop farming. They planted tobacco and coffee. By the 1960s Abakuria had embraced agriculture at the expense of pastoralism. People now kept small

numbers of cattle mostly for tilling the land and a few for milk<sup>320</sup>. The Maasai also started very gradually to adopt eating habits of Abakuria where they could buy cereals for subsistence. This is because the milk they produced was no longer enough to sustain families. Again, the introduction of the market and money economy saw most of the Maasai milk ending up in the market. Few Maasai also began breaking the ground for agriculture, a practice that was prohibited in the Maasai culture because traditionally grass was considered sacred and could not be broken. By the year 2008 most of the Maasai had taken up agriculture and the government had even established large scale sugar cultivation in Transmara. This therefore marked the decline of the cow's glory in both Maasai and Abakuria. bride price among Abakuria which was deemed the highest in east Africa in pre-colonial and colonial times declined from about 50 heads of cattle in the 1940s to about 5 heads of cattle in the year 2008. to make it worse for the cow, most in-laws prefer bride price in cash as opposed to cattle. Among the Maasai, though it is rare to find bride price being paid in cash, the Payment of bride price is a formality.

Due to the decline of the place of the warrior in society, a section of Morans and Abakuria youth have gone to school and taken up paying jobs. Some Morans have re-invented themselves by joining the tourist sector in Transmara as tour guides and moderators while others have taken to business. Most Maasai are still pastoralist though they mix a bit of agriculture to supplement their diet. Abakuria are largely small scale farmers and keep a few cattle to supplement their diet. Cattle rustling is still being practiced though at a lower scale. Tensions between the two communities around the boundary are so high that Nyabasi people and the Maasai do not see eye-to-eye.

Educated Kuria youth who stay along the boundary between Kegonga and Masurura have decided to stay away from their ancestral land because of what they call insecurity. They prefer buying land in other areas of Kegonga far away from the Maasai border. One youth told me that you cannot invest or build an expensive permanent house in the area because of insecurity posed by Maasai<sup>321</sup>. The same case applies to the Maasai huge piece of land has been vacated by both communities along the border because of the traditional conflicts between the two communities.

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<sup>320</sup> Interview with a kuria.

<sup>321</sup> Interview with a kuria youth.

Outsiders were absorbed temporarily or permanently into Maasai society in three ways: as dependent herders and clients, through adoption, and by marriage. Dependent herders, usually boys and young men, came from most of the surrounding peoples. Many of the herders were captives. None of the dependent herders could rise far in the Maasai social scale.

Children captured on raids were adopted into the captor's family and elders sometimes followed raiding parties on the lookout for women to marry and children to adopt. The offspring of alien wives by previous marriages were adopted into the husband's lineage. Maasai families also acquired children as debt-pawns, given by neighbouring communities as a pledge in return for food during a famine; or by giving cattle for the privilege of fostering. Alien wives, especially captive women, were "cheaper" than Maasai wives: their labour and reproductive capacities could be secured for a minimal outlay of stock. Since they and their children were incorporated into a strong agnatic lineage structure, they represented a net gain. 1996 August 3<sup>rd</sup> Maasai killed Mahenba Marwa Misiachi, 7th September 1996 Masaiaga Wanbura and Mururi Mwita were downed by Maasai bullets. April 1996 Nyaihongo Naswi and Mwita Wangae were killed by GSU tracking cattle. 1996 Magoiga Merengo killed by Maasai. 12.05.2003 16 askaris came to take Nyabasi cattle only for floods April 2006 Maasai killed 4 Irege over cattle 2010 Maasai killed Keneddy Kohera 7th may 2007 Peter Nyamburi killed 1996 3<sup>rd</sup> August Marwa Misiachi was killed by the Maasai.

## **5.10 Conclusion**

This chapter took a critical look on the impact of colonialism and its concomitant ally, imperialism on the African traditional institutions. Using Maasai-Kuria case analysis revealed that colonialism came with imposition of formal government modeled along the Westphalian structure. It changed the traditional African way of life from communal structure to present capitalistic mode of production. Results of long years of colonial dominance, exploitation and imperialism shaped the conflicts experienced in most parts of Africa. Consequently, on attainment of independence by most African states from their colonial overlords, it was extremely very difficult to disentangle from the colonial perfected role for the state because of the systematic disarticulation in the indigenous economy and the intrinsic tying of same with the

external economy of the colonizers. The work also made a startling stark revelation by discovering through analysis that the deep-seated conflicts between the Maasai and Kuria have transformed into business away from traditional conflicts which had codes which were to be respected by all actors.

## **CHAPTER SIX**

### **CONCLUSION**

This work dealt with Maasai-kuria armed conflicts since the 1950s up to 2008. It had three objectives which included; exploring the role of culture in the Maasai-Kuria armed conflicts; Analyzing the transformation of Maasai-Kuria conflicts; examining the impact of Maasai-Kuria conflicts on both communities. All these three objectives were proved by this study as the findings below show. The psycho-cultural conflict theory was also found to be useful in explaining the Maasai-Kuria conflicts.

This research was based on the psycho cultural theory of conflict which emphasizes the role of culturally induced conflict. The findings revealed that the disputes between Maasai and Abakuria is rooted in the ethnic origin and culture of the two communities, attitudes, stereotypes, motives, perceptions and images about an enemy that are learnt from an early stage in life. The Maasai and Abakuria have historically treated each other with suspicions. The research found that these suspicions were passed on to the young ones in form of songs, dirges, poems, and stories. Negative images were created about the enemy and all the evils that the enemy community has committed against Abakuria or Maasai were told to the young in a manner that triggered hatred in them. According to the findings of this work, the bitterness about perceived enemies was nurtured till the children reached warrior hood when they committed to defend their community against the said enemies. Therefore this work found that the conflicts between Abakuria and Maasai are based on their conflicting and converging cultural identities that always create friction and suspicions between them.

One of the objectives of this study was to examine the transformation of the Maasai-Kuria conflicts. This research work found out that the cultures of both Maasai and Abakuria are dynamic and have been changing with time. Right from the beginning of colonialism to the post-colonial era the two communities have been exposed to changes such as introduction of formal institutions of governance, technological change, religion, climate change among others. All the above changes affected the relations between Maasai and Abakuria in various ways. The introduction of physical boundaries between the Maasai and Abakuria by the colonial

government brought to an end a life long culture of nomadism practiced by the Maasai. As a result the frequency of raids and boundary disputes reduced to an extent because the Maasai no longer moved from one territory to another for pasture. This policy was affected by the introduction of Kenya police and tribal police to guard the borders and ensure that neither Abakuria nor Maasai infringed on each other's territory. Quarantines were established and de-stocking policies put in place further reducing the Maasai and Abakuria stock.

By placing Africans in reserves the colonists succeeded in scaling down pastoralism. All these policies worked against the traditional culture of cattle raiding. Maasai- kuria conflicts were to some extent regulated because whenever there was conflict between Abakuria and Maasai, the provincial administration intervened. Short time peace was always achieved by stopping immediate hostilities but the long term peace was never achieved because the government never addressed the underlying cultural tensions that existed between the two communities. Technological change that saw the proliferation of small arms in the horn of Africa also shaped the Maasai-kuria armed conflicts. This research has traced the bulk of guns in Transmara to the Tanzania-Uganda war of 1977 that resulted in many guns falling into the hands of civilians.

The gun proved to be superior to the spear and the traditional form of cattle-raiding was transformed tremendously. Coupled with the introduction of the market and money economy in Kenya, the gun took away the authority of the council of elders and chief prophet over the kuria and Maasai warriors. Raiding which was previously a communal undertaking for the benefit of everyone in the community became increasingly individualistic and only benefited the few warriors who went on a raid. Raiding cartels of few individuals were formed and by the power of the gun raided for cattle which they sold for money. Cattle-raiding was commercialized hence giving it a new face. Among the Nyabasi clan of kuria, raiders started raiding from members of their own clan, a practice that was prohibited in the past. Cattle raiding lost its value in the community and both Maasai and Abakuria found little joy in it.

This Research also set out to show how the war impacted both Maasai and Abakuria. The research found that both women and children were impacted in the Maasai-kuria conflicts. As victims some women became single mothers after losing their husbands to the conflicts. Some



women were raped while others were displaced. The psychological torture and trauma that befell them after witnessing their husbands being killed remained a permanent scar in their hearts especially because there was no one to give them counseling and therapy. Lack of food, security and proper medical care led to death of some women. Children also faced all the problems that women faced in addition to being left as orphans.

The research found out that apart from women and children, Maasai-kuria armed conflicts had other impacts on both communities. The economic impact that came along with the conflicts was substantial. In response to widespread cattle raiding between Abakuria and Maasai, the colonial government put in place regulatory requirements whose end result was a reduction in the size of stock owned by both communities. The erection of physical boundaries between Maasai and Abakuria and the placing of these communities in reserves had the effect of reducing the population of cattle owned by them for lack of adequate pasture for the cattle. The Maasai were forced to abandon their nomadic lifestyle and adopt a centralized type of lifestyle where they lived in one area. On the other hand Abakuria adopted cash crop farming in coffee and tobacco. Cattle were now reared for sale in the market and therefore their cultural significance reduced. Both Maasai and Abakuria youth got employed in European farms where they were paid wages. With time and with the curtailment of cattle raiding, both Maasai and Abakuria took their children to school and most of them got jobs. Therefore both communities had to reinvent themselves and look for various ways of bringing food to the table now that their source of survival (cattle raiding) had been outlawed.

Finally, it is important to therefore argue that a cultural approach to inter-ethnic armed conflict gives it a holistic approach. Culture forms a basis of analysis in which all facets of a conflict can be discussed. As mentioned in the introduction chapter, most scholars who have dealt with the Maasai-kuria armed conflicts have emphasized the role of resources or economic factors in causing and sustaining the conflict. While this is right this research treats economy and politics as strands that form part of a people's culture. In order to have a total picture of the Maasai-kuria conflict its best to discuss all indices under the umbrella of culture. A cultural approach offers a bridge between the very specific and the too general, putting each conflict in context which highlights what the parties believe is at stake; identifying both the concrete interests and threats

to identity crucial to the disputants; linking interests and identities to psycho cultural interpretations and the motives underlying them; and proposing that successful settlement of ethnic conflicts means that the parties themselves must actively work toward proposals which address both their competing interests and core identity needs. For the Maasai-kuria conflicts to be resolved, peace makers must take seriously the profoundly cultural nature of the conflicts between them.

To understand the relationship between Maasai and Abakuria clearly the question of communal identity becomes important. This research found that the Maasai and Abakuria have different ethnic identities that set them apart from each other. According to the findings of this work, when there was a clash of beliefs and practices between the two communities, conflict always occurred and in several instances when there was a similarity or convergence in beliefs and practices the competition that followed led to conflict between the two communities. By examining the various traditional institutions and practices among the Maasai and Abakuria such as age-set system, moranhood, prophets, blacksmiths, rainmakers, war leaders, speakers, seers, elders among others, this research concluded that communal identity and culture played a big role in the protracted Maasai-Kuria armed conflicts between 1950 and 2008.

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