

**THE PROLIFERATION OF ILLICIT SMALL ARMS AND LIGHT WEAPON IN  
THE HORN OF AFRICA: A CASE STUDY OF KAJIADO DISTRICT,  
KENYA 1991-2009.'**

**BY**

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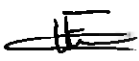
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## DECLARATION


I Freshiah Waitherero Nyambura hereby declare that this research project is my original work and has not been presented in any other University.

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Asante sana!

Freshiah W Nyambura

September 2010

## **DEDICATION**

**This research is dedicated to my daughter Caitlyne and to all those committed towards existence of peace in the society.**

## LIST OF ABBREVIATION

AIDs	Acquired Immune Deficiency Syndrome
ALRMP	Arid Land Resources Management Project
APFO	African Peace Forum
ASAL	Arid and Semi-Arid Lands
AU	African Union
CBPP	Community Based Policing Program
CSBM	Confidence and Security Building Measures
DDR	Disarmament Demobilization and reintegration
DGECHO	Directorate General for Humanitarian Aid
EU	European Union
GNP	Gross Domestic Product
GOK	Government of Kenya
GSU	General Service Unit
HIV	Human Immunodeficiency syndrome
HOA	Horn of Africa
IGAD	Inter-Governmental Authority on Development
ISS	Institute of Security Studies
KANSA	Kenya action Network on Small Arms
KMC	Kenya Meat Commission
KNCHR	Kenya National Commission on Human rights
KNFP	Kenya National Focal Point
KWS	Kenya Wildlife Services
NAP	National Action Plan
NCKK	National council of Churches in Kenya
NFP	National Focal Point
NGO	Non Governmental Organization
NSCPBMF	National Steering Committee for Peace Building and Conflict Management

RECSA	Regional Centre on Small Arms
SADREP	Semi-Arid Rural Development Program
SALIGAD	Semi Arid Lands Inter-Governmental Authority on Development
SAS	Small Arms Survey
SAWL	Small Arms and Light Weapons
SPLA	Sudan People Liberation Army
SSRP	Security Sector Reform Programs
UN	United Nations
UNDP	United Nations Development Programs

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## ABSTRACT

Possessions of illicit small arms and light weapons have become widespread and their severe impacts felt across the Horn of Africa. Traditionally African communities practiced raids with use of traditional weapons but the use of modern weapons and lack of respect for traditional rules nowadays is enhancing conflict influencing proliferation of illicit SALWs. The study addresses the illicit SALWs situation across the Horn of Africa and in Kenya Kajiado District in Particular. The objective of the study is threefold; to understand the causes and impacts of illicit SALWs, assess attitude, perception and the experiences of the people towards illicit SALWs and to examine possible links of illicit SALWs with economic, socio-cultural, environmental and political factors. The HoA region is one of the most armed regions with the highest pastoralist population in the world living in the arid and semi-arid areas and their main livelihood is livestock. Data for this study was obtained from primary and secondary sources using sampling design and the question the study aims to answer is “Why proliferation of illicit SALWs a scourge in the HoA particularly in Kajiado District?” The study findings indicate the presence of illicit SALWs, underdevelopment and increased poverty due to increased SALWs proliferation and that the local people long for peace as demonstrated in their willingness to be involved in activities to control and Manage illicit SALWs proliferation.

## CHAPTER ONE

### Introduction

#### Background to the study

The use of illicit small arms and light weapons in the Horn of Africa has risen to alarmingly high levels during the past decade a trend blamed on the easy availability of illicit SALWs and which is a global threat to human security and human right. Preventing, combating and eliminating the spread of illicit SALWs constitute measures of maintenance of international peace and security, a recent major subject of discussion at international, regional and sub-regional levels. Possession of illicit SALWs is a devastating scourge especially in the countries of Great Lakes Region and the Horn of Africa. The region is facing threat to stability due to internal trends such as demographic, environmental, socio-cultural change, problem of economic growth and reforms.<sup>1</sup>

The interface of population growth with poverty has destabilizing effects, deepening sources of internal conflict but states in the region have declared an all out war to prevent and resolve conflicts through demobilization, disarmament, destruction of weapons to address the SALWs proliferation in the regional states that include Kenya, Burundi, Congo, Uganda, Rwanda, Ethiopia, Eritrea, Sudan, Tanzania, Djibouti.<sup>2</sup> Possession is filtering beyond armies and police forces to rebel groups, vigilante squads and individual citizens. Illicit SALWs are widespread and suited to irregular warfare as they are cheap, easy to use, concealable, widely available and durable. They are tools for terrorism, cattle rustling, carjackers, insurgents, robberies, inter-ethnic violence, burglaries, hunting and poaching. The proliferation of illicit SALWs however is not the

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<sup>1</sup> M. Tadesse, ' New Security Frontiers in the Horn of Africa: Regional Perception of the pressing Security Agenda;' *Dialogue on Globalization*, FBS Briefing Paper June 2004, pp. 3-5

<sup>2</sup> Kenya National Focal Points on Small Arms and Light Weapons, *Kenya National Action Plan for Arms Control and Management*,( Kenya, Government of Kenya,2006), pp.2-6

root cause of conflict but the fuel of conflict in an environment of widespread unemployment, poverty, environmental degradation, social inequity, environmental degradation and resource depletion.<sup>3</sup>They pose a serious safety and security threat resulting into conditions in which persons or community is deprived, or lacks safety, security and development essential for a minimum standard of life and well being.<sup>4</sup>

Regional conflict has left Kenya as most ravaged by the effects of illicit SALWs from war zones of Somalia, Ethiopia and Sudan. Small arms are crucial to many of the security challenges and a threat to major development in the region and in Kenya Kajiado District in particular.<sup>5</sup>Though not the root cause of conflict, crime or violence, they are tools to commit violent acts outlasting peace agreements blocking any efforts to address the causal factors, promoting culture of violence, leaving peaceful resolutions on shaky foundation.<sup>6</sup>However since its independence, Kenya has not experienced ravages of large wars but has challenges to its safety and security including high level of violent crimes, low level violent ethnic conflict associated with huge security void in border lands.<sup>7</sup>

### **Problem statement**

Proliferation of illicit SALWs in Kenya cannot be underestimated and their availability has intensified fear and insecurity due to increased violent crimes associated with the illegal SALWs, affecting growth and development increasing levels of poverty.

Illicit SALWs are widely dispersed and lacks internationally accepted norms or standards

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<sup>3</sup> J. Bevan, 'Between a rock and hard place:' *Armed Violence in African Pastoral Communities*, UNDP October 2007.

<sup>4</sup> K. Gebre-Wold, and I. Masson (eds), *Small Arms In The Horn of Africa: Challenges, Issues and Perspectives*, B.I.C.C, Bonn, Germany, brief 23 2002), pp.8-13:18.

<sup>5</sup> Ibid, pp. 13-14.

<sup>6</sup> Government of Kenya, ' Public Meeting of the Security Council on Small Arms Control and Management:' *Kenya Mission Official Statement at the United Nation s Government of Kenya*, 2005.

<sup>7</sup> Gruzd, S, *Peace, Security and the African Peace Review Mechanism: Are the Tools Up to the task?* (South Africa, Pretoria University Press 2007), pp.37-111

to regulate their production and trade. In Kenya, the existing Firearm Act is regarded as outdated and cannot match the current requirements at international, regional or even national levels.<sup>8</sup> Some of its provisions are unilateral specifically the one that bestows the department of internal security with powers on various issue. The Minister in charge of Internal Security in the Office of the President and the Commissioner of Police are the most crucial people in the Act and being the agents of the executive, they can be easily be manipulated. At the same time some of the sentences and fines are too lenient given the cost and the impact of gun violence in Kenya.<sup>9</sup>

States in the Horn of Africa have played a role in the proliferation of illicit SALWs mainly in application of tools and assumption of traditional arms control focusing on nuclear and major conventional arms, lack of a modern all-inclusive register of small arms at regional basis, lack of transparency in arms transfer and weak domestic gun control laws are to blame. The influx of illicit small arms from the surrounding states is fuelling violence and is also a factor in the increased violent crimes in the region.<sup>10</sup> Other contributing factors are arms left over after civil wars, surplus arms and presence of multitude supply networks ranging from legitimate to illicit transfers.<sup>11</sup>

The environment, economic, political and social-cultural aspects are also players in the spread of illicit SALWs at regional, state and grass-root levels. The scarcity of resources, inappropriate government policies, and traditional practices has fuelled conflicts in the region a major factor for the increasing demand and use of illicit SALWs

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<sup>8</sup> S. Kizito, 'The Proliferation, Circulation and Use of Illegal Firearms in Urban Centre: Case of Nairobi, Kenya,' *Small Arms in the Horn of Africa: Challenges, Issues and Perspectives*, Brief 23 (B.I.C.C, Bonn Germany 2002), pp. 36-41.

<sup>9</sup> *Ibid.*

<sup>10</sup> M. Christopher, *Global Disarmament and disposal of Surplus Arms*, (New York, Oxford University Press 1997), pp.7-24

<sup>11</sup> Cited in M. Renner, *Small Arms, Big Impacts, The Next Challenges of Disarmament*, op cit, p.55.

while porous and ill-dented borders facilitates their flow and that of refugees in the region.<sup>12</sup>

Many united nations agencies, non-governmental organizations and intergovernmental organizations such as the United Nations, Regional Centre on Small Arms and Light Weapons, Institute for Security Studies, Small Arms Survey and National Focal Points, are addressing the problem of illicit SALWs but these institutions have gained little as efforts by a single group or small groups of countries are easily circumvented by far-flung networks involved in the production transfer and trade of illicit SALWs. Efforts include countering gun-smuggling, restricting the flow of weaponry through domestic gun control, coordinating disarmament exercises at the regional and state levels and creating awareness at the grass-root levels and involving the local communities in the fight against illicit SALWs.<sup>13</sup>

The impact of illicit small arms on economic, political and social cultural spheres is causing concern. The main question that the study set out to answer is “why is proliferation of illicit SALWs is a scourge in the Horn of Africa and in Kenya’s Kajiado district in particular”? Kenya has never experienced a large scale war since its independence, yet there is increase in illicit SALWs that pose safety and security challenges in Kenya.

### **Objectives of the study**

The overall objective of the study is to examine the illicit SALWs situation in the Horn of Africa, specifically in Kenya Kajiado District in relation to addressing insecurity

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<sup>12</sup> UNDP, ‘Horn of Africa,’ *The Monthly Review*, UNDP. May27-28, June, 1996. Volume I No. 3

<sup>13</sup> Regional Centre on Small and Light Weapons, *Cooperating to Disarm*, RESCA Kenya. Feb 2007.

and the promotion of development. More specifically the study aims to,

1. Provide an overview of the proliferation of illicit SALWs in Kajiado District
2. Assess the causes and impacts of illicit SALWs proliferation focusing on the attitude perception and experiences of the general public towards illicit SALWs in the study area.
3. Examine possible links between illicit SALWs and environmental, socio-cultural, political and economic factors in the area under study.

### **Justification**

Many states in the HoA have experienced the problem of illicit SALWs and with illegal trade networks, the produced weapons end up in the wrong recipients such as criminal organization, insurgent groups and this has been worsened by the increased unemployed population, poverty and rural-urban migrations. Kenya has experienced the effects of illicit trade networks that includes proliferation of illicit SALWs and this has increased levels of violent crime and armed conflict also associated with cattle rustling, poaching, terrorism and spill over impacts from the neighboring unstable states.<sup>15</sup>

Poverty and marginalization is a common denominator of economic insecurity and a source of social insecurity in third world countries.<sup>16</sup>In Kenya specifically in Kajiado District, marginalization of some communities such the “Maasai pastoralist group” and inadequate and unevenly distributed resources are the root causes for most of the armed conflict over shared resources such as water points, pasture, diminishing grazing land, forests and also souring crime rates. These have generated the demand for illicit small arms for self protection from reported incidences such as cattle rustlings,

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<sup>15</sup> M. Renner, *Ending Violent Conflict*, (Washington DC: World Watch Institute 1999), pp.23-38.

<sup>16</sup> World Bank, *World Development Report*, (Washington DC: World Bank 2000, 2003.)



raids, carjacking, burglaries and kidnapping and protection in accessing these resources.<sup>17</sup>

The major drive to carrying out this study is the increased loss of lives and livestock, and properties thefts due to rise in violent crimes and low-level ethnic clashes in the area under study associated with of illicit SALWs.<sup>18</sup> The study focuses on the proliferation of illicit SALWs, examining various views by scholars and their perception on illicit small arms in safety and security issues, and seeks to research into the causes and impacts of illicit SALWs, viewed as the major threat to safety, security and development in Kajiado District. The study also assesses the attitude, perception and experiences of the general public towards illicit SALWs, and examines their possible links to economic, political, environmental and social-cultural spheres by examining their relationship with violent crime, underdevelopment and insecurity and hopes to come up with recommendations on how to curb proliferation of illicit SALWs in the study area.

The study is beneficial in both academic and policy dimensions by providing guidelines to prevent control and manage illicit possession of small arms. The findings of this study can also be used to improve national policy on SALWs and human development planning. The findings expands the body of knowledge in the area of enhanced human security and peaceful resolution of conflict and also provides information important in terms of developing strategies to address causes and impacts of illicit SALWs and enhancement of economic, political, and social cultural development. For the purpose of the study, the small arms and light weapons includes, weapons that an individual can carry such as pistols and revolvers, rifles and assault rifles, hand grenade,

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<sup>17</sup> OCHA, 'Pastoralist and Cross Border Security in the Horn, ' *Pastoralist Voices*, December 2008-January 2009 Volume 1 Issue 12

<sup>18</sup> K. Mkutu, *Pastoralist and Conflict in the Horn of Africa, Case study of Laikipia District op cit*, pp.5-6.

machine guns, light mortars and light anti-tank weapons. Weapons include traditional weapons and bladed weapons such as machetes, arrows and knives.

### **Literature review**

This section reviews the existing literature on the proliferation of illicit SALWs in relation to safety and security in the Great Lake Region and the Horn of Africa, and in Kenya, Kajiado District in particular. Literature relevant to this study is drawn from researchers and practitioners who have researched and written on this field of SALWs mainly on their causes, production and impacts of illicit small arms proliferation.

### **Small arms production and proliferation**

Fleshman on unregulated production argues that presence of many weapons outside the government control overwhelms law enforcement efforts, increasing crime and public insecurity, hampers economic growth and causes tragic and avoidable death and injuries. For instance, the insurgent and opposition groups such as, the Palestine Liberation Organization, groups in Mexico, India, Pakistan and some African countries provides simple small caliber weapons.<sup>19</sup> Daniel in his views on unregulated production of small arms indicates high production of arms arguing that about 300 companies in 52 countries were manufacturing small arms and related equipment in 1994, a slight increase in the number of such countries since 1980's licensed production takes place in at least 22 developing countries and 16 are exporting these weapons<sup>20</sup>

Klare and Laura also point at the inadequate guns law enforcement as key factors for arms' black market that involves barter of weapons for natural resources, animal

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<sup>19</sup> M. Fleshman, 'Small Arms in Africa; Counting the Cost of Gun Violence,' *African Recovery*, Vol. 15 #4 December 2001 pp.1-1

<sup>20</sup> D. Daniel, "Managing Arms in Peace Process"; *The issues*, United Nations Institute for Disarmament Research, Disarmament and Conflict resolution Project, (New York and Geneva, U.N, 1996), pp.2-4;68

products, drugs and other commodities.<sup>21</sup> Edward supports this in his view that the growth of international underground economy facilitates the physical process of illicit arms supply and that the most challenge in coping with small arms is reducing arms and when a conflict ends, arms suppliers takes no responsibility for either the disarmament or impacts they have thus the main task lies in dealing with the surplus arms.<sup>22</sup>

On easy availability of illicit SALWs, Renner notes that the field of conflict and security initially was dominated by major weapon systems of gleaming nuclear-tipped missiles used during the US and the former Soviet Union confrontations but now low tech, inexpensive sturdy and easy to use small arms have now spread around the world and are tools for most of the conflicts. On factors for increased proliferation, he argues that small arms are affordable due to low cost, require fewer complexes organizational, logistical or training to maintain and operate and that their small size and light weight makes them easy to conceal, smuggle and can be assembled and re-assembled with ease, they are sturdy thus can be circulated from one conflict to another.<sup>23</sup>

### **Causes for illicit SALWs proliferation**

Armed conflicts in the Horn of Africa especially in Somalia, some parts of Ethiopia and the Great Lakes region are one way through which illegal guns have fallen in the hands of gangsters and livestock thieves.<sup>24</sup> Inappropriate government policies, such as inadequate security and policing have enhanced proliferation of Illicit SALWs from these conflicts. States in the HoA have failed to provide quality security services and this

<sup>21</sup> T. Klare and R. Laura, *lethal Commerce: The Global Trade in small arms and Light Weapons* (Cambridge M.A: Committee on international Security Studies, 1995.), p74.

<sup>22</sup> L. Edward, *The new field of Micro-Disarmament: Addressing the Proliferation and Building of Small Arms and Light Weapons*, Briefs 7 (Bonn International Centre for Conversation, September 1996).

<sup>23</sup> M. Renner, *Small Arms, Big Impacts: The Next Challenges of Disarmament*, op cit, pp.5-58.

<sup>24</sup> K. Mkutu, *Pastoralist and Conflict in the Horn of Africa, Case study of Laikipia District* (Africa Peace Forum /Safer-world /University of Bradford 2004), pp.5-6

has increased the demand for personal arming and retaliation in case of attacks. The porous nature of borders in the states in the HoA has enhanced the influx of illicit SALWs enabling cross-border movements of illicit arms and contrabands goods by refugees and border communities due to lack of proper and clear security procedures. Commercialization of traditional practices such as cattle rustling has resulted into severe raids influencing personal arming of the communities involved to protect their livestock, protect themselves against hostile groups and guns are now an economic investment. Lack of effective policies to address insecurity and formation of vigilante adds more threats to law and unchecked infiltration of illicit SALWs and selective arming of some groups' leads to demand for arms for protection resulting into further proliferation of illicit SALWs in the region.<sup>25</sup>

Smith also blames the instability in the neighboring countries to posing the problem of influx of refugees, arms smuggling and general instability and suggests that arms suppliers who take no responsibility for the consequences of their sales should be compelled to fund peace efforts.<sup>26</sup> The influx of automatic weapons from war zones in neighboring Sudan and Somali has transformed formerly low-key skirmishes into major violence. For instance, in a single raid, 31 people including 8 children were killed in late 1997 clashes between rival cattle owners in Northwestern Kenya.<sup>27</sup> Jinadu on the other hand sees the problem of peace and security as bound up with human nature under conditions of scarcity and competition for resource acquisition, allocation and utilization by egocentric individuals. According to him, peace and security also lies in complexities

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<sup>25</sup> H. Armon and J. Mearns, 'Conflict and Vulnerability to famine: Livestock raiding in Turkana, Kenya,' *IIED Dry land Program*. Issue Paper No. 80. London.

<sup>26</sup> C. Smith, *Global Disarmament and Disposal of Surplus Arms* (New York, Oxford University Press 1997.)

<sup>27</sup> Cited in M. Fleshman, *Counting the Cost of Gun Violence African Recovery*, op cit, pp. 1-10.

of structures and institutions and views structurally induced and institutionalized inequities, prejudice and presence of marginalized groups as the features of national and international society.<sup>28</sup>

Social-economic and political marginalization also causes the spread of illicit SALWs in the HoA and this can be traced from colonial period. Social amenities such as health services and education are not equitably provided and in Kenya for instance, social amenities are hindered nomadic lifestyle especially during the dry season when the locals move to other areas in search of pasture water and physical security.<sup>29</sup> Inadequate land tenure policies, vulnerability to climate changes and weakened traditional governance in the region play a role in the proliferation of illicit SALWs amongst communities in arid and semi arid land in the Horn of Africa.<sup>30</sup> In 1950s most states in the HoA tried to introduce private land tenure, integrating pastoralist into private systems reducing their access to resources and is now the main source of violent conflicts among pastoralist, ranchers, sedentary farmers and state security forces.<sup>31</sup>

The erosion of traditional governance institution in Kenya has rendered the ability to control conflict more ineffective and the climatic changes and environmental degradation has also increased pressures on available land and water resources and this sometimes becomes violent conflict demanding the use of modern weapons.<sup>32</sup>The

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<sup>28</sup> A. Jinadu, *The Political Economy Of Peace and Security in Africa: Ethno Cultural and Economic Perspective* (Zimbabwe Print Source 2000), pp.1-11.

<sup>29</sup> F. Fratkin, "Pastoral Land Tenure in Kenya: Maasai, Samburu, Boran and Rendille Experiences, 1950-1990," *Nomadic Peoples* Volume 34 No 3 1994 pp.55-68.

<sup>30</sup> J. Hadley, 'The Organizing Framework for Indigenous Conflict Resolution in the Horn of Africa ' *Pastoralist Cosmology* (Eastern Mennonite University: VA USA 1997.), pp.15-17.

<sup>31</sup> The introduction of adjudication and tilting systems, that resulted in the individualization of land mainly to the benefit of the colonizing settler farmers. Key legislation that enforced these systems include the *Crown Land Ordinance of 1902* and later the *Crown Land Ordinance of 1915*

<sup>32</sup> Cited in K. Mkutu, *Pastoralist and Conflict in the Horn of Africa, Case study of Laikipia District*. Africa Peace Forum/Safer-world/University of Bradford op cit, pp.4-6.

frequent drought in the region has resulted into loss of lives and death of livestock, enhancing cross-border migration in search for resources and this is also worsened by competition of scarce resources between crop farmers and pastoralists with the wildlife, inducing human-wildlife conflicts enhancing the increase of illicit SALWs. In a gathering for pastoralist from Kenya and Ethiopia in Kajiado District in December 2008, conflict in the neighboring Sudan and Somalia were identified as the main sources of illicit SALWs in the district and called for enhancement of border security and collective management to involve states involved to curb gun trade in border areas.<sup>33</sup>

Sources for most of illicit SALWs in Kenya are from the unstable neighboring states such as, Somalia dated back to Siad Barre regime that armed rebel groups in Somalia and Ethiopia. Other illicit arms originated from the tribal police of the colonial governments in 1960s who were armed by the government to guard against acts of cattle rustling but leased their guns to cattle rustlers, while civil wars in the region also ensures continuous flow of illicit SALWs. Poor border policing facilitates the influx of illicit small arms in the country and theft from military and police forces as well as renting and selling of guns by police officers also increases proliferation of illicit SALWs.<sup>34</sup>

### **Impacts of illicit SALWs**

The proliferation of illicit SALWs especially in Africa poses a major threat to development and as noted by Fleshman, guns are not only weapons of choice but also weapon of mass destruction. The widespread abuse of weapons diverts government resources from health and education to public security, discourages economic growth and

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<sup>33</sup> Information collected from a Pastoralist Gathering in Kora Kajiado District August 2008: see OCHA, *Pastoralist Voices* December 2008-January 2009 volume 1 Issue12; M. Erikson, P. Wallesten and P. Sollenberg, "Armed Conflict 1989-2002," *Journal of Peace Research*, 2003 Volume 40.

<sup>34</sup> Cited in, K. Sabala, *The proliferation, Circulation and Use of Illegal Firearms in Urban Centres*, op cit, pp.37-41.

deprives developing countries of the skills and talents of the victims of small arms. Easy and ready availability of small arms promotes a culture of violence where gun ownership becomes a symbol of power and status and gun violence becomes a first resort for the settlement of personal and political disputes.<sup>35</sup>

In post conflict period, presence of arms outlasts peace agreements and are taken up again by criminal gangs, vigilantes, dissidents and individuals concerned about personal security and in areas where state security is weak or absent, possession of small arms can be a matter of survival to seize food and other vital resources and also protection from attacks.<sup>36</sup> Fleshman views the small arms low cost, easy to use, and availability to be escalating conflicts, undermining peace agreements, intensify violence and impact of crime, impede economic and socio development and hinder the development of social stability, democracy and good governance. The rise in number of armed conflict confirms illicit SALWs proliferation blamed on lack of international standards n small arms production, unmonitored and unregulated trade and possession.<sup>37</sup>

The unrestrained production of millions of small arms thus poses a serious threat as they are long lived and their circulation stays for decades and on availability and circulation, Renner argues that small arms are hard to track and control as compared to major weapons attributed to their small size and also that the transfer of small arms takes place through direct governments to governments or commercial sales transfer mostly common after Cold War<sup>38</sup>and these covert arms deliveries find a place in these transfers with governments affecting deliveries to insurgents groups in other countries.

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<sup>35</sup> Cited in M. Fleshman, *Counting the Cost of Gun Violence African Recovery*, op cit, pp.1-10

<sup>36</sup> M. Erikson, P. Wallesten and P. Sollenberg, "Armed Conflict 1989-2002," *Journal of Peace Research*, Volume 40 2003

<sup>37</sup> M. Fleshman, *Counting the Cost of Gun Violence African Recovery*, op cit, pp.1-10

<sup>38</sup> M. Renner, *Small Arms, Big Impacts: The Next Challenges of Disarmament*, op cit, pp.5-58.

## Control and management of illicit SALWs

In curbing the illicit SALWs, Shannon observes that preventing war and maintenance of peace is vital and a major goal of international relations. The formation of A.U in 2002 according to his views was to supplement the traditional concerns of state security with intrastate violence.<sup>39</sup> There was shift to “human security” focusing on the security of individuals than those of state.<sup>40</sup> According to the United Nation Development Program report, the security of individuals and ‘not states’ must be the main reference which is security with provisions of health, welfare, educational and other services and provision of physical security.<sup>41</sup> In reference to human security, Renner calls for policies that strengthen the society, improving governance through fair distribution of wealth and balancing of interests of different population groups, adequate job creation, and poverty eradication and preservation or restoration of ecosystems.<sup>42</sup>

Illicit SALWs proliferation has two dimensions in Kenyan context that include rural-gun problem covering areas mainly inhabited by pastoralist communities and urban-gun problem restricted to the major urban centre.<sup>43</sup> In Kajiado District, rural and urban dimensions are evident with increased violent crimes, armed robberies and cattle raiding in rural and urban population. Presence of illicit small arms is evident in southern Rift Valley of Kenya with for instance, the recovery of the largest arms cache comprising of, 6 guns and more than 100,000 ammunitions in Narok a neighboring district of Kajiado in

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<sup>39</sup> F. Shannon, *Peace in Africa towards Collaborative Security Regime* (Johannesburg Institute for Global Dialogue 2000), pp. 20-35.

<sup>40</sup> Cited in, F. Shannon, *Peace in Africa towards Collaborative Security Regime* Ibid .p.31

<sup>41</sup> United Nations, “Commission on Crime Prevention and Criminal Justice,” *Draft United Nations International Study on Firearm Regulation*, E/ C. N. 15/1997 (Vienna 25 April 1994)

<sup>42</sup> Cited in, M. Renner, *Small Arms Big Impacts. The Next Challenges of Disarmament*, op cit, pp.5-11.

<sup>43</sup> K. Kamau and J. Pickard, ‘Recent Trends and Implications of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya.’ *The Geographical Journal*, Volume 164.Number 2 July.



2009 posing safety and security threat of the local area and the entire country.<sup>44</sup>

Efforts to eradicate illicit trade in illicit SALWs were advanced and agreed on 2001 leading to approval of series of regional and international agreements which Kenya is a signatory, and co-ordinates activities in the region to combat spread of illicit arms.<sup>45</sup> This includes the United Nations Program of Action that entails a global agreement on the need to tackle the proliferation of illicit SALWs, the United Nations Firearms Protocol, a legally binding global agreement on particular aspects of small arms control, the Nairobi Declaration and Nairobi Protocol. The UN has also shown interest in proliferation of SAWs and in 1992 the former U.N secretary General, Boutros Ghali called attention to what he termed as “Micro disarmament” and established a Panel of Government Experts on Small Arms.<sup>46</sup>

Since the 2001 United Nations Conference on Small Arms and Light Weapon in All Its Aspects, Kenya has spearheaded efforts to resolve conflicts in the sub-region co-ordinating activities to prevent illicit arms.<sup>47</sup> At regional level, states of the Great Lake Regions and the HoA signed the Nairobi Declaration and Nairobi Protocol for the prevention control and reduction of SALWs in their regions that came to effect in 2006. Kenya is addressing the problem of illicit SALWs through National Action for Arms Control and Management approved in 2004.<sup>48</sup> Many conflicts in the study area are products of accumulating social, economic, demographic and environmental pressures as a result of population growth, rapid urbanization and industrialization, massive flow of

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<sup>44</sup> ‘Daily Nation:’ *Arms Cache* December 8 2009, p.1.

<sup>45</sup> Cited in, KNFP *Kenya National Action Plan for Arms Control and Management*, op cit, pp.2-6.

<sup>46</sup> UN, Report of the panel of Government Experts on Small Arms, (New York, UN 1997.)

<sup>47</sup> Cited in, GOK, ‘The UN Public Meeting of the Security Council on ‘Small Arms;’ *Kenya Mission Official Statement at the UN meeting New York*, UN October 11 2002.

<sup>48</sup> KNFP, *Kenya National Action Plan for Arms Control and Management*, op cit, pp.2-6.

refugees and illicit arms.<sup>49</sup>

The case for illicit SALWs in Kajiado can be interpreted in Johan, Nico and Shireen's views, of globalization and localization where there is shift of concern from inter-state to intra-state conflict. To them globalization has potential for tension and conflict as national economies when tied together in a global unregulated market, heightens disparities between and within nation, tearing many societies leading into devaluation of labor increasing informal sectors, inequalities, poverty and social exclusion.<sup>50</sup> They argue that globally there is rise in non-state and security forces such as guerilla forces, citizen or ethnic militias, armed criminal gangs, mercenaries and security forces hired by private co-operation. Information technology has propelled a revolution in military affairs involving development of smart weapons allowing remote controlled operations and the computer technology also used by non- state actors in terrorist campaigns.<sup>51</sup>

The existing literature reviewed during the study comprises of researches, academic papers and journals, conference and workshop reports, print and electronic media materials that have addressed the problem of proliferation of illicit small arms and light weapons. The literature review is to some extent successful in exploring the proliferation of illicit SALWs specifically on their causes and impacts in the HoA, which the scholars have covered well though there are inadequate recent literature on SALWs in the Horn of Africa region to adequately deal with the changing world and very view have

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<sup>49</sup> K. Kamau and J. Pickard, 'Recent Trends and Implications of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya; *The Geographical Journal*, Volume 164, Number 2 July.

<sup>50</sup> M. Johan., C. Nico and D. Shireen, *Challenges of Globalization*, South Africa Debates with Manchel Castel, Cape Town, (Maskew Miller Longman, 2001. Volume 4)

<sup>51</sup> M. Tadesse, "Security in a Globalized World: New Security Frontiers in the Horn of Africa, *Dialogue on Globalization* FES Briefing Paper June 2004.

featured deeply on how to resolve the problem on proliferation of illicit small arms.

Lack of qualitative and quantitative data on illicit SALWs in the Horn of Africa today is one of the appalling issues due to the fact that the governments in the HoA region consider this topic reserved for government intervention, and not an area open to for instance, civil society though there some efforts by organizations such as SALIGADs' case studies research works on SALWs that are changing the situation.

## Conceptual framework

The study will be guided by various theories with main theoretical concepts being derived from the realists and structuralisms approaches. Other theoretical frameworks relevant to this study include Maslow's theory of human motivation that views safety and security needs to dominate human behavior. Maslow defines safety and security needs to include personal and financial security which are factors to the spread of illicit SALWs.<sup>52</sup>

Psychological theories guiding this study are the frustration-aggression theory and the theory of relative deprivation where frustration-aggression theory explains aggression at an individual level viewing aggression to results from frustration and relative deprivation, explains aggression at social level<sup>53</sup> and is responsible for Gultungs' structural violence<sup>54</sup> demanding the use of illicit SALWs. The two are important in explaining conflict at various levels that can demand the use of illicit SALWs. Environmental scarcity theory postulates that the rising demands and unequal distribution

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<sup>52</sup> M. Abraham, *A Theory of Human Motivation, Psychological Review*, (New York: Harper. 1943), pp.370-96.

<sup>53</sup> M. Mwangi, *Conflict: Theory, Processes and Institutions of Management* (Nairobi: Watermark 2000), pp. 24-35.

<sup>54</sup> Cited in, M. Mwangi, *Conflict: Theory, Processes and Institutions of Management* op cit, Ibid pp. 28. and J. Galtung, 'Cultural Violence;' *Journal of Peace Research* Vol. 27 (1991), pp.291-305.

of resources causes violent conflict that demands the use of illicit SALWs.<sup>55</sup> This theory is relevant to this study based on the neo-Malthusian argument that the resource scarcity exacerbates conflict leading to extension of conventional security to include environmental changes and resource depletion. Modernization theory is also crucial as a causal factor for conflicts in distribution of benefits of modernization such as economic, political and social opportunities that too demands use of illicit small arms.<sup>56</sup>

Realists display the world as a potential and actual battle field with a belief that at all levels the core genotype basis of human behavior is a negative nature. It explains the negative biological determinism and lack of appropriate problem solving mechanism as a factor for deplorable states of violence.<sup>57</sup> According to realists, conflictual behavior is inevitable in strives for dominance in the international system to achieve security, national interests and that peace is temporary assuming that the international system is unstable due to lack of an overall sovereign power to constrain the behavior of the states where balance of power remains crucial in the system operation.<sup>58</sup> This paradigm considers states as the main actors and use of illicit SALWs as a competitive process of conflict resolution associated with destructive outcomes and empowerment and disempowerment comes in here where two actors in conflict may not be willing to enter into peaceful conflict resolution leading to re-alignment of power relationships.<sup>59</sup>

The second paradigm structuralism, guides the study by considering inevitability of conflict between social economic classes and focuses on the structures underlying

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<sup>55</sup> T. Hagman, 'Confronting the Concept of Environmentally Induced conflict,' *Peace Conflict and Development* Issue six January, 2005, pp.2-20.

<sup>56</sup> Adams, 'The Baggara Problem,' 'Attempts at modern change in Southern Darfur and Southern Kordofan Sudan,' *Development and Change*, Volume 13 1982, pp. 259-89.

<sup>57</sup> H. Morgenthau, *Politics Among Nations, The Struggle for Power and Peace*, (6<sup>th</sup>ed), (New Delhi: Kalyan Publishers 2000), pp. 7-133.

<sup>58</sup> H. Morgenthau, *Politics Among Nations, The Struggle for Power and Peace*, Cited in Ibid, pp.7-133.

<sup>59</sup> Cited in, D. Sandole., H. Mwere, (eds), *Conflict Resolution: Theory and Practice*, op cit, pp.11-13.

social relationships where some structures generate conflict and as identified by Mwangiri, such structures are for instance the climate change, economic, religious, legal, social, institutional, governance and psychological generate conflict and in Kenya the structures are responsible for the generation of structural violence and conflict<sup>60</sup> and structural violence as a reaction to felt discrepancies between *preferred* and *actual* states of affairs becomes a means to effect changes.<sup>61</sup> Inequalities in sectors such as education, health services and political representation, and inadequate social amenities facilities influenced by government policies and cultural and customs factors such as the nomadic lifestyle of pastoral groups in ASALs areas, is common in the Kajiado.<sup>62</sup>

According to this paradigm, human nature relies on environment and changes are necessary to realign institutions with human needs. The process to effect changes is threatened and likely to generate or sustain violent cycles and like realists, structuralisms view competitive process of conflict resolution to have destructive outcomes characterizing efforts of disenfranchised, disempowered, needs of minority and violated persons in the society and social inequity that enhance the spread of illicit SALWs. This paradigm considers human nature to be dependent on the environment stressing changes in the system of ownership and means of production to effect behavioral change that would also reduce conflictual behavior.<sup>63</sup> Changes in the socio-structures are thus essential to effect behavior change and such changes are for instance equal political

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<sup>60</sup> M. Mwangiri, *Conflict: Theory, Processes and Institutions of Management*, op cit, pp.24-35.

<sup>61</sup> Cited in M. Mwangiri, *Conflict: Theory, Processes and Institutions of Management*, Ibid, pp.24-35.

<sup>62</sup> S.Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado.' *Kajiado Focus* Issue No.13, April 2004, p.2.

<sup>63</sup> D. Sandole, H. Mwere, (eds), *Conflict Resolution; Theory and Practice*, op cit, pp.11-13.

representations and opportunities, equal distribution of resources and development.

## **Hypotheses**

1. Conflicts in the Horn of Africa have enhanced proliferation of illicit SALWs in the Horn of Africa and in the area of study.
2. Proliferation of illicit SALWs contributes to safety and security challenges in Kenya.
3. Proliferation of illicit SALWs contributes to underdevelopment.

## **Methodology**

Data for this study was obtained from primary and secondary sources with the largest portion of data coming from primary sources. These sources included, sample survey technique that involved administered questionnaires and interviews to collect information on proliferation of illicit SALWs, their presence, causes, and the impact of their availability. Secondary data relevant to this study includes data already collected on illicit SALWs proliferation.

This research used non-probability sampling design that involves purposive sampling of relevant government ministries, governmental and non-governmental organizations concerned with SALWs. Primary data is collected using structured questionnaires with open, closed and scaled questions as the main instruments for collecting data in the geographically dispersed population in the area under study. Seventy questionnaires designed according to different categories of respondent and the kind of information needed, are the key tools for data collection from top level, middle level and grass-root level respondents. The top level respondents involved government officials in the Ministry of provincial administration and internal security, middle level respondents involved government and non-governmental players while grass-root level

respondents involved the local people in the area of study.

Other sources of data were non-reactive data that included archival research of documents, records and written materials on proliferation of illicit SALWs. The study used a qualitative approach to data collection and descriptive statistics to determine percentages and frequencies presented graphically or in table and grouped into similar category for analysis. Interpretation of data was through observation coding of data into various themes and use of descriptive statistics. Analysis was also carried out using conference and media reports, police records and the questionnaires administered to different categories of respondents through face to face interviews.

### **Scope and limitation**

The study on proliferation of illicit SALWs is limited only to Kajiado District in southern part of Rift Valley, Kenya. This subject is very broad and time allocated is very limited and the sample size is also very limited as the study covers Kajiado District only. Despite limitations such as bias, high illiteracy levels, lack of accurate data and access to some records limiting the use of questionnaires, the study comes up with some recommendation and insights into the trends, dynamics of the proliferation of illicit SALWs in Kajiado District.

Access to relevant information from geographically dispersed respondents in the district is also challenging but with the use of administered questionnaires administered to the respondents by the researcher and use of interviews, minimizes the problems and respondents have adequate time to answer questions. The questionnaires design is limited to information on proliferation of illicit small arms based on the information needed on presence, causes and impacts of illicit SALWs and their possible links with economic,

socio-cultural, environmental and political factors.

## **Chapter outline**

The study has five chapters with Chapter One introducing the topic of the research study; the proliferation of illicit small arms and light weapons. The chapter gives an in-depth context of the study, problem statement and objective of the study, conceptual framework guiding the research, the literature review, hypotheses and the methodology used in carrying out the study. Chapter Two presents an overview of illicit SALWs in the Horn of Africa covering the background information on proliferation of illicit SALWs in the region giving the background on availability and circulation of illicit small arms, providing statistics from different sources and what has been done to address the increase of illicit SALWs. The case study is addressed in Chapter Three giving an overview of Proliferation of illicit SALWs in Kajiado, Kenya and covers the possible links between illicit SALWs and economic, political, environmental and socio-cultural factors and how they have contributed to the proliferation of illicit SALWs. Chapter Four presents the critical analysis of illicit SALWs in area of study from the data collected while Chapter Five provides the summary and the study's recommendations.



## CHAPTER TWO

### Illicit SALWs in the Horn of Africa: An overview

#### Introduction

Illicit small arms have become widespread posing a major threat to global human security and human right and by their nature of easy availability, cheapness, technical simplicity and conceal ability, they are weapons of choice for child solders, violent crimes, carjackers, terrorists, pirates, cattle rustlers, robberies, hunters, poachers and insurgents' across the HoA region and in Kajiado District in particular. The study aims at identifying the causes and impacts of proliferation of illicit arms, assesses the attitude, perceptions and experiences of the general public towards illicit small arms and also identifies the links between small arms and environment, economic, political, and socio-cultural spheres focusing on illicit SALWs proliferation specifically in Kajiado District in South Rift Kenya between 1991-2002.

The easy availability of illicit SALWs is the most serious safety and security challenge facing the Horn of Africa region in an environment of widespread unemployment, poverty and social inequity, political instability, inadequate and unequal distribution of resources, resource degradation and depletion.<sup>2</sup> The illicit SALWs situation across the HoA region is addressed in this chapter and to clearly understand the spread of SALWs in this region, it is imperative to first understand the physical environment and the social-economic activities of the region and the specific area under focus. The states in the Horn include Sudan, Kenya, Uganda, Somalia, Ethiopia, Djibouti, and Eritrea.<sup>3</sup>

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<sup>1</sup> Cited in, KNFP *Kenya National Action Plan for Arms Control and Management*, op cit, pp.2-12.

<sup>2</sup> M. Renner, *Small arms Big Impact: The Next Challenge of Disarmament*, op cit, pp.6-8.

<sup>3</sup> Cited in, KNFP *Kenya National Action Plan for Arms Control and Management*, op cit, pp.2-12

In 2002 Kajiado District had a population of 464,883 which is projected to have risen up due to increased immigration and the high rate of population growth which has implications for pressure on scarce resources and service provision in the district. The district is one of the southern rangeland with people in the rural areas practicing traditional Maasai mode of living encouraging semi-nomadic lifestyle and economic activities in the district are animal husbandry due to semi- arid conditions of most parts of the district; nomadic pastoralist is most feasible and reliable source of livelihood for the local people.<sup>5</sup>

### **Illicit SALWs in the Horn of Africa: An Overview**

The Horn of Africa region primarily has arid and semi-arid areas covering 70 per cent of the total land area and covers 5.2million km<sup>2</sup> with a population of 160million people. The climate and vegetation is influenced by altitude, the lowlands and plains have an arid to semi-arid climate temperature and relatively low rainfall while the highlands have sub-tropical climate with low temperature, low evaporation rate and high rainfall. Vegetation cover in lowland is acacia woodland and indigenous forests in the highlands water catchments zones. Social-economic activities like crop farming and livestock production are the key economic activities among others such as mining.<sup>6</sup>

Illicit SALWs are not new to the communities in the Horn region especially the among pastoralists, border communities and those in politically unstable states and the possession is due to unending conflict associated with limited resources and traditional cultural practices. Traditionally African communities practiced raids and counter raids

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<sup>5</sup> P. De Leeuw, et al Introduction to the Kenyan rangelands and Kajiado District,' Kajiado Maasai land, The biophysical environment and infrastructure, 'Chapter 2', pp.1-14. And ECHO, 'Response to Kenya Drought and famine,' *AFKE 61 Appeal: US\$2,442,709*, ECHO, Nairobi, 2003.

<sup>6</sup> K. Mkutu, *Pastoralism and conflict in the Horn of Africa*, op cit, p.6

using traditional weapons and if conflict arose, traditional dispute settling mechanisms were applied.<sup>7</sup> The use of modern weapons and lack of respect for traditional rules nowadays plays a role in the increasing intensity of conflict in the region enhancing the demand of illicit SALWs and this poses a major threat to development as scarce government resources are diverted from health and education to public security, discourages investments and economic growth depriving developing nations of the skills and talents of the victims of illicit small arms.<sup>8</sup>

Kajiado District is in the southern part of Rift Valley province of Kenya bordering Nairobi Province to the north east, Narok District to the west, Kiambu District to the east, the Republic of Tanzania to the south and Taita-Taveta to the south east. It covers an approximate area of 21,902.9sq km<sup>2</sup> and divided into seven division; Ngong, Magandi, Namanga, Isinya, Loitoktok, Ewaso Kendong and Central division.<sup>9</sup> In development indices, the area of study is characterized by high mortality rates, inaccessibility to water and proper sanitation, malnourishment, dependency on relief and abuse of human rights. It is also a multi-ethnic tribal district comprising of the Maasai, Kikuyu, Kamba, Gusii, Somali, and Meru communities. The Maasai and Kamba people occupy the semi-arid part while Kikuyu, Meru, Gusii and Somali occupy the urban and arable parts of the district.<sup>10</sup>

The HoA region with the largest pastoralist population in the world is characterized by political and social marginalization, unequal political representation, inadequate infrastructure and social amenities such as education, health services and

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<sup>7</sup> Ibid.

<sup>8</sup> Cited in M. Fleshman, 'Small Arms in Africa; Counting the Cost of Gun Violence,' *African Recovery*, op cit, pp.1-10.

<sup>9</sup> Government of Kenya, *Kajiado District Development Plan 1997-2001*, (Nairobi: Government Press Nairobi 1997), pp.2-61

<sup>10</sup> Many residents are in the urban areas of Kajiado District, are engaged in either formal or informal sectors. Cited in, K. Kamau and Pickard J, 'Recent trends and implications of group Ranch Sub-Division and in Kajiado District, Kenya,' *The Geographical Journal*, op cit, pp.1-9.

displacements. There are factors that trigger the proliferation of illicit SALWs in the region and these are inappropriate structures such as the inappropriate government policies such as inadequate security and development policies, lack of human security due to scarcity of resources and increased insecurity associated with persistent conflict and traditional practices in the region. Presence of inappropriate structures has strained social relationships and provision of basic needs resulting into social economic classes in the region a causal factor of conflict enhancing the increase of illicit SALWs.<sup>11</sup>

Inappropriate government policies such as land adjudication and subdivision of group ranches has led to land tenure system that has contributed to land sale to other people, the shrinking of land and decline in pasture, welfare and long term survival due to “invasion” and opening of the area to farming communities and failure of development project to support the local communities. The study area has high illiteracy levels that have contributed to weak integration of population into development due to lack of training, a major cause of increased poverty and issues such as poor waste disposal especially from flower farms, deforestation, sand and soil harvesting, are factors to increased human insecurity affecting provision of basic needs and physical security based on the fact that human nature is dependent of the environment as argued by Sandole. Others are poor infrastructure, malnutrition, poor health, water scarcity, land pressure, HIV and AIDs, associated to early marriages, drug abuse, and high number of school drop outs, wife sharing and inheritance, and influx of cattle traders.<sup>12</sup>

The inevitability of conflict due to the dominance interest of state is also a factor

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<sup>11</sup> OCHA, 'Pastoralist Voices,' *Pastoralist and Cross Border Security In the Horn of Africa* op cit, pp.1- 5.

<sup>12</sup> K, Kamau, Pickard .J, 'Recent trends and implications of Group Ranch Sub-Division and in Kajiado District, Kenya.' *The Geographical Journal* Volume 164 No. 2 July, 1998

for conflict based on the fact that from early 1990s, the HoA region has been the site of the most deadly conflicts in the world and this is associated to the collapse and political anarchy in the neighboring state of Somalia and with lack of an overall sovereign power to constrain the behavior of states and balance of power. The prevailing state of anarchy in Somalia continues and has greatly enhanced proliferation of illicit SALWs in the region though all countries of the Greater Horn of Africa have experienced varying levels of political inter-ethnic violence in the past and specifically in the years 1991-2002, influenced by easy availability of illicit SALWs increasing the demand and use of illicit SALWs in the region.<sup>13</sup> Porous borders are intensifying influx of refugee and illicit arms spreading civil conflicts that have exacerbated violent crimes such as international terrorism, cattle rustling, car-jacking, robberies, poaching, and inter-ethnic violence undermining development, the new regimes and scaring off foreign investments.<sup>14</sup>

Modernization of conflict dimensions in the region also enhances proliferation of illicit SALWs.<sup>15</sup> For instance, emergency of international criminal and terrorist organization and commercialized raiding in pastoral conflicts embedded in wider criminal networks is serving as both national and regional black market facilitated by improved access to livestock and gun markets.<sup>16</sup> The high urban populations, the consequent rise of commodities and increased violent crime is enhancing “arms race” in response to livestock and self protection in urban and rural areas in Kenya.<sup>17</sup>

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<sup>13</sup> D. Whitehead *SALW Proliferation Pressures in the Horn of Africa and EU Responses* pp.8.

<sup>14</sup> I. Farah , et al, ‘Small Arms and Border Controls in the Horn of Africa: The Case of Malkasufu, Ethiopia; Mandera, Kenya and Bula Hawa, Somali,’ *The Second Regional Workshop Supporting Implementation of the Nairobi Declaration Final Report*, APFO: February 7 -9<sup>th</sup> 2005 Nairobi p.24.

<sup>15</sup> E. Brown, *The International Dimensions of Internal Conflict* CSSIA, the MIT Press Cambridge, Massachusetts London England, 1960.), pp 235-264.

<sup>16</sup> K, Sabala, ‘Small Arms in the Horn Of Africa: Challenges, Issues and Perspectives,’ *The Proliferation, Circulation and Use of Illegal Firearms in Urban Centre: Case of Nairobi, Kenya*, op cit, pp. 36-37.

<sup>17</sup> Ibid pp. 36-37.

The use modern illicit weaponry today in violent activities is due to frustrations and aggression in access to basic needs and cultural practices such as raids and violent crimes that also increases the demand for illicit arms affecting provision of social amenities and interfering with the flow and allocation of resources thus enhancing food and trade insecurity.<sup>18</sup> Violence in the district is characterized by increased armed robberies, carjacking and low level intra and inter-community resource conflicts.<sup>19</sup> Acquiring of illicit SALWs is thus attributed to frustration arising from demographic pressures and some policies adopted by governments and regional authorities thereby constraining traditional pastoral modes of existence, the local Maasai in Kajiado are being moved to marginal lands and forced to graze their livestock on a shrinking range of inferior quality land creating tension that increases the demand for illicit SALWs.<sup>20</sup>

### **Factors contributing to the demand and supply of illicit SAWLS**

There are complex and multiple factors contributing to the demand and supply for illicit SALWs in the HoA region touching on the values and practices of people. The demand and supply side addresses the root causes of gun violence, and also the economical, political, social- cultural injustices contributing to the spread of small arms.<sup>21</sup> In the HoA region “human security” means individual’s freedom from attacks from other groups in the same region or neighboring areas, and also freedom from physical harm, abuse and violence from state and non-state actors. Individuals can move freely to access resources such as grazing pastures and water points and access to quality social-economic

<sup>18</sup> K. Mkutu. 2006. ‘*Small Arms and Light weapons Among Pastoralist Groups in the Kenya- Uganda Border Area*, op cit, p.47.

<sup>19</sup> L. Keriga, ‘A profile on Crime and Insecurity in Kenya,’ *Social Policy, Development and Governance in Kenya* (Nairobi: DPMF March 2009.), pp.3-21.

<sup>20</sup> S. Quantai, ‘Drought and Development,’ Frequent Drought wreak havoc in Kajiado:’ *Kajiado Focus* Issue No.13, April 2004, p.2

<sup>21</sup> K. Gebre-Wold and I. Masson (eds), *Small Arms In The Horn of Africa: Challenges, Issues and Perspectives* op cit, pp.8-13.

amenities such as education, and health facilities.<sup>22</sup>

Many people in the region are acquiring the illicit SALWs as means of personal, communal or clan protection from armed groups, bandits and other clans, advancing or securing their interests due to inability of the law enforcement agencies to provide quality security services and public perception that the government is not capable to adequately meet their security needs enhancing the demand for the illicit SALWs for self protection.<sup>23</sup> The brutality experienced in Rift Valley and some parts of Kajiado is due to widespread of illicit SALWs and for instance, in the period between June and October 2007, out of 229 bodies counted with gun shots and verified by KNCHR between 7<sup>th</sup> June- 19<sup>th</sup> October 2007, 54 bodies had been collected from Ngong-Kiserian in Kajiado.<sup>24</sup>

The government policies of states in the HoA region have failed to address effectively natural disasters frequent in the region such as drought, outbreak of pests and diseases. Economic insecurity, deprivation and diminishing resources increase the risk of wider violence and social breakdown, increasing the demand for illicit SALWs.<sup>25</sup> In Kajiado, human security entails personal, livestock, communal safety and ease in accessing needs, comprising of access to natural resources such as pasture, crop land, and water points.<sup>26</sup> Tendency to neglect pastoralist groups and weak guns control laws enhances thefts from military and police forces, illegal renting and sales of illicit SALWs by military and police forces for material gain and introduction of armed trained home guards in the rural areas by government and selective-arming of groups in Kenya and

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<sup>22</sup> F. Shannon. *Peace in Africa towards Collaborative Security Regime*, op cit, pp.20-35.

<sup>23</sup> K. Mkutu. *Small Arms and Light weapons Among Pastoralist Groups in the Kenya-Uganda Border Area* op cit, p.47.

<sup>24</sup> Cited in L. Keriga, 'A profile on Crime and Insecurity in Kenya,' *Social Policy, Development and Governance in Kenya*, pp. 3-21.

<sup>25</sup> D. Whitehead, *SALW Proliferation Pressures in the Horn of Africa and EU Responses*, op cit, pp.8-25.

<sup>26</sup> Cited in S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado,' *Kajiado Focus*, op cit, p.2.

Uganda. For instance in Karamoja, almost ninety percent of attacks are perpetrated with illicit SALWs, and government-sponsored armament has occurred here as a defensive measure against foreign incursion and as a means to destabilize opposing groups.<sup>27</sup>

The Post-Cold War arms trade facilitates the availability and affordability of illicit small arms in the region.<sup>28</sup> There is overcapacity in defense industries in both the east and west while states also have significant stocks of excess weapons built during Cold War and now are being sold to raise money for development and acquisition of modern and advanced weaponry. This approach was first endorsed in the Conventional Forces in Europe treaty of 1990 approving surplus weapons to approved recipients but the arms market has enhanced the spread of illicit small arms due to lack of exporting controls or failure to enforce existing controls or loopholes in the law. Producers of arms have also shown a disregard for UN embargoes continuing to export to countries plagued by conflict and insecurity, the divergent policies are also confusing and lack clear and accepted norms concerning transfers of arms to states and groups in conflict.<sup>29</sup>

### **Causes for illicit SALW proliferation**

The root causes of illicit SALWs in the HoA, as argued by Kiflemariam can be analyzed in two perspectives; macro-level and micro levels perspectives. The main underlying causes for proliferation of illicit SALWs in this region are poverty and disparity, selective arming of ethnic groups and lack of a culture of peace.<sup>30</sup> Others are structural, political, economical and social injustices leading to massive poverty, social

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<sup>27</sup> M. Quam, 'Creating Peace in an armed society: Karamoja, Uganda;' *African Studies Quarterly*, Volume 1 Issue 1 (1996), p.15

<sup>28</sup> E. Brown, *The International Dimensions of Internal Conflict*, op cit, pp 240-271.

<sup>29</sup> Cited in K. Gebre-Wold and I. Masson (eds), *Small Arms In The Horn of Africa, Challenges Issues and Perspectives*, op cit, pp.8-13.

<sup>30</sup> Ibid pp. 8-13.



and political marginalization by governments in the HoA, patronage and political culture of exclusion increasing the demand for illicit arms in an environment of little formal education, poor representation in decision making.<sup>31</sup> In Kajiado social amenities are not equitably provided due to urbanization that has resulted into rural-urban migration and the nomadic lifestyle affecting provision of social amenities.<sup>32</sup>

## Political factors

Politically, most states in the Horn of Africa have been involved in or are just emerging from armed conflicts that have enhanced proliferation illicit small arms. Political issues play an important role in proliferation of illicit SALWs due to endemic corruption, administration incompetence, discriminative political institutions and inability to promote economic development leading to political instabilities.<sup>33</sup> Poorly controlled state borders enhance cross-border movement of militia, illicit small arms, drugs, smuggled goods, refugees and migrants and massive humanitarian problems such as, famine and trans-boundary issues.<sup>34</sup>

Political transition due to political reforms or democratization has also destabilized most of these states in the short run though it promises to stabilize in the long run. The new tenet of democracy has increased tension among leaders, dividing citizens along political and ethnic lines breeding ethnic violence common in the region.<sup>35</sup> Most states in this region are also characterized by inter-group politics and elite politics that results into power struggles between leaders, and in the process political violence and

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<sup>31</sup> M. Quam, 'Creating Peace in an armed society: Karamoja, Uganda,' *African Studies*, op cit, p.15

<sup>32</sup> D. Campbel, Kajiado District: Case Study in D. J Campbel and S. E Migot- Acdholla (ed): 'The Development of Kenya's Semi-Arid and Lands,' *Occasional Paper* No. 36 (IDS, University of Nairobi 1981), pp. 212-241.

<sup>33</sup> E. Brown, *The International Dimensions of Internal Conflict*, op cit, p. 240.

<sup>34</sup> J. Milton., *Ethnic Politics*, (Ithaca, N.Y.: Cornell University Press, 1994), pp.224-245.

<sup>35</sup> GoK, 'Armed Violence in African Pastoral Communities,' *UNDP Report*, October 2007.

criminal gangs become powerful.<sup>36</sup> Though pastoral populations often exist peacefully with sedentary communities, political issues have led to increased competition over land and other resources that has created tensions and in some contexts, have escalated into armed violence.<sup>37</sup> The conflicts tend to occur either on the fringes of pastoral regions, where trans-human and agriculture co-exist; or where pastoral groups have encroached onto land populated by sedentary farmers due to seasonal factors.<sup>38</sup>

Political and historical injustices have attracted illicit SALWs as is the case for the collapsed Somalia and the prevailing state of political anarchy in Somalia that has greatly influenced proliferation of illicit SALWs in the region.<sup>39</sup> For instance, a large number of illicit arms in Somalia today, came from the former Siad Barre regime that had stockpiled intended for use to create a “greater Somalia” that was to include parts of Kenya, Djibouti and Ethiopia. Barre also armed separatist rebel movements in neighboring states, specifically Ogaden National Liberation Front against Ethiopia and the Shifta against Kenya.<sup>40</sup>

Cross-border issues due to the porous nature of borders in the HoA region have facilitated flow of arms from one state to another attributing to contagious conflicts hindering peaceful conflict resolution, control and management of illicit small arms.<sup>41</sup> In Ethiopia for instance, the political cross border factor, there is Anyuak and the Nuer, the

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<sup>36</sup> E. Brown, *The International Dimensions of Internal Conflict*, op cit, p.240.

<sup>37</sup> N. Mburu, 2003. ‘Delimitation of the elastic Elemi Triangle: Pastoral Conflicts and Official Indifference in the Horn of Africa.’ *African Studies*, Quarterly Volume.6, Number 4. p.30.

<sup>38</sup> K. Kamau and John Pickard. ‘Recent Trends and Implications of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya.’ *The Geographical Journal*, op cit, pp.202-213.

<sup>39</sup> K. Gebre-Wold and I. Masson (eds), *Small Arms In The Horn of Africa, Challenges, Issues and Perspectives* op cit, pp. 8-13

<sup>40</sup> Ibid.

<sup>41</sup> J. Beavan, ‘Fear and Loathing in Karamoja: An assessment of armed violence and the failure of disarmament in Uganda’s most deprived region,’ *Small Arms Survey Paper* Geneva SAS Occasional paper, 2007.

dominant ethnic groups in Gambella, that engage in conflicts with the worst conflict witnessed in 1992-1993 over issues of power at a regional, state level among others such as access to natural resources. The porous borders allows uncontrolled movements of people, goods and illicit small arms and this has intensified influx of illicit arms between states in the HoA which has also resulted into spread of conflict in the region thus sustaining the conflict cycle in the region.<sup>42</sup>

Sources for most of Ethiopian illicit SALWs have origin in Ethiopian and Sudanese government tense relationship, and through the agency of SPLA which was a source of modern arms.<sup>43</sup> For instance, after Riek Machar, a Nuer group split away from SPLA but retained weapons, they exchanged for food and clothing in Gambella. Porous borders in the HoA are major factors in the spread of illicit small arms from unstable states such as, Sudan and Somalia as identified in a meeting between pastoralist and government officials from Kenya, Uganda, and Ethiopia held in Kajiado district and this also intensified by the nomadic lifestyle of the most border communities in the region.<sup>44</sup>

### **Structural causes**

Structural causes that have influenced proliferation of illicit small arms are weak states and ethnic geography which are starting points for analysis of internal conflict and are key factors in proliferation of illicit SALWs in the region.<sup>45</sup> Most states in the HoA region are weak, with poor infrastructure hindering territorial penetrations, experience problem of credible commitment and security dilemma thus are prone to ethnic conflicts which have enhanced the spread of illicit small arms. Generation of inappropriate policies

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<sup>42</sup> Cited in K. Gebre-Wold, and I. Masson (eds), "Small Arms In The Horn of Africa," *Challenges Issues and Perspectives* op cit, pp.8-13.

<sup>43</sup> Ibid

<sup>44</sup> OCHA, 'Cross border security in the Horn of Africa,' *Pastoralist Voices* op cit, P.2

<sup>45</sup> Cited in, E. Brown, *The International Dimensions of Internal Conflict* op cit, pp. 240-511

especially in the ASALs are influenced by the existing assumptions, myths, pre-conceived ideas and generalization and the impacts of these generalization is that governments mistrusts pastoralists and their lifestyles perceiving them as lacking in national loyalty and politically unreliable, difficult to control due to their cross-border movements and thus are a threat to national unity.<sup>46</sup>

Majority of the weak states in the Horn of Africa were carved out of colonial empires, and they lack political legitimacy relying on manifest coercion instead of legitimate authority, they also lack sensible political borders and institution capable of exercising meaningful control over territory. This mostly leads to repression and coups that are characterized by brutal murders of opponents, resulting into civil wars and in recent times has led to ethnic coloration where different regions have majorities and minorities on different sides of war which is the case for armed ethnic conflicts in Somalia and Sudan. States have failed to arbitrate between groups and collective fears of the future develops leading to what Barry Posen refers to as “emerging anarchy” and as a result the group opts for physical security enhancing self arming increasing the demand and use of illicit SALWs.<sup>47</sup>

Three strategic dilemmas that include information, problem of credible commitment and security dilemma are factors weakening states and in combination of other national issues such as historical memories, emotional and mythical issues, the violence that mostly involves the use of small arms is implicated.<sup>48</sup>In Darfur, the recurrent drought, demographic pressures, overgrazing and deforestation has reduced

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<sup>46</sup> L. Dolnald, A. Rothschild, ‘Containing Fear: The Origin and Management of Ethnic Conflict’ *International Security* Volume 21 No 2 1996, pp. 41-750.

<sup>47</sup> C. Maynes, ‘Containing Ethnic Conflict:’ *Foreign Policy*, No 90 Springs 1993, pp.3-21.

<sup>48</sup> L. Dolnald A. Rothschild, ‘Containing Fear, the Origin and Management of Ethnic Conflict’ *International security*, op cit, p.19

vegetation cover and political marginalization has pushed the region into armed ethnic conflict leaving 300,000 people dead and close to two million people displaced since 2003 and this has affected the region due to rising number of refugees and IDPs.<sup>49</sup>

Weak institutions governing access to resources leaves some people disadvantaged, marginalized and prone to recruitment into militia groups. Individuals in weak states also develop security concern perceiving each other as security threat and in such situations illicit SALWs become suitable for either offense or defense in most of the internal conflicts and with the mobility of illicit SALWs, they marginally favor for offense and where both sides are armed the knowledge that offense has advantage causes security dilemma. For instance, the Rwanda genocide was perpetrated with very primitive weapons-machetes. Security dilemma in this region is rooted in anarchy where states are dependent upon self help for their security and must maintain or expand their military capabilities. These weak states have led to reduction in foreign aid from major powers and international financial institutions and this has resulted in drop of commodity prices attributing to institutions decline.<sup>50</sup>

The general modernization theory approach adopted by most governments in the region after independence was that states were to function as the motors of development and serve as a central means to meet social aspirations and bring about development but this resulted in policies that only emphasized changes on the local people themselves rather than the environment. For instance, the policies that encouraged pastoral production aiming at sedentary livestock production a system that does not suit to the ASAL climatic and ecological context resulted into the invasion of pastoral areas by

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<sup>49</sup>Ibid.

<sup>50</sup> E. Brown *The International Dimensions of Internal Conflict*, op cit, p.240

people from outside a key factor for conflicts on access of resources, increasing demand for illicit SALWs<sup>51</sup>

Ethnic geography has also triggered conflict and proliferation of SALWs in the HoA region where ethnic minority are more prone to conflicts and thus acquire illicit arms to protect their basic rights while those that are homogenous viewed to face few problems, though this is not always the case as Somalia the most ethnically homogeneous state in the Horn of Africa is torn apart by clan warfare and warlords.<sup>52</sup> The arbitrary borders in the region have divided ethnic groups placing them in two or more countries such as the “Mar group” in Kenya and also in Tanzania, the Ethiopia Anyuk and Sudanese Anyuk as well as Ethiopian Nuer and Sudanese Nuer and the unimpeded movements of people and goods increase chances for SALWs spread.<sup>54</sup>

### **Cultural practices**

The most crucial cultural factors in this region is cultural discrimination against minority taking form in inequitable education opportunities, gender inequality affecting mostly women and girl child, nomadic lifestyle denying the locals quality and today’s basic needs such as, education, sanitation and health services.<sup>55</sup> Group histories and perceptions of themselves and others, constituting of “ancient hatreds” are also sources of conflict influencing demand for illicit small arms and this explains why in 1994 the Hutus slaughtered 800,000 Tutsi in Rwanda in which some Hutus argued was self defense.<sup>56</sup>

Group’s lore with time is distorted and ethnic mythologies are problematic if rival

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<sup>51</sup> In the context of the state, security connotes the immunity of a state from threats from outside territorial boundaries. K. Eileen, *The Impacts of Water Conflicts on Pastoral Livelihoods: The Case of Wajir District in Kenya*, op cit, pp. 1-10

<sup>52</sup> E. Brown *The International Dimensions of Internal Conflict*, op cit, pp.240-271.

<sup>54</sup> K.Gebre-Wold, and I. Masson (eds), ‘Small Arms In The Horn of Africa;’ *Challenges Issues and Perspective*, op cit, pp. 8-13

<sup>53</sup> E. Brown, *The International Dimension of Internal conflict*, op cit, pp.223-271.

<sup>56</sup> Ibid.

groups have mirror images of each other, and slightest provocation calls for revenge or retaliations. For in instance the “warrior culture” common among the communities in the Horn of Africa influences the demand for illicit SALWs such as the prolonged feud and diminishing “warrior culture” evident in the highlands of Ethiopia and lowlands of Somalia that beliefs in the culture of revenge. For example where one person is killed it is justifiable to kill one before the victim is buried and also the belief that possession of gun reflects wealth, victory in the event of conflict, and ability to sustain their families, property and livestock in future.<sup>57</sup>

Traditional practices influence the demand for small arms where bride price and bravery is measured with the number of cattle one can supply and this has intensified violent cattle rustling among the pastoral communities’ communities transforming the practices into income generating activities.<sup>58</sup>With the commercialized raids and scarcity of natural resources such as grazing land and water points, traditional weapons used by the ‘Morans’ such as spears and clubs are being replaced with illicit small arms to facilitate successful raids and access to resources.<sup>59</sup>

The culture of law enforcement agencies of leasing of guns to gangsters and bandits to generate income feeds the demand for illicit small arms and light weapons leading to individuals and criminals arming themselves for self defense. This is attributed to poor and irregular police pay in the Horn of Africa, lack of motivation, promotion and modern training, adequate equipments and funds to quality provide security services.<sup>60</sup>

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<sup>57</sup> M. Jama Omar “Small Arms In The Horn of Africa,” *Challenges, Issues and Perspectives, Management and Control of Small arms: The Somaliland Experience*, op cit, pp.18-21.

<sup>58</sup> K. Mkutu, *Pastoralism and Conflict in the Horn of Africa: A Case study of Laikipia District*, op cit, p.5

<sup>59</sup> M. Fleisher, “Kuria Cattle Raiding: A Case Study in the Capitalist Transformation of an east African Socio- Cultural Institution,” PhD thesis, 1997

<sup>60</sup> Ibid.

## Regional economic and other factors

Economic factors contributing to the spread of illicit SALWs in the HoA are due to unemployment, inflation, resource competition especially on land that holds cultural value in the region, leading to societal tension creating conflict, that demand the use of illicit SALWs.<sup>61</sup> Discriminative economic system mainly on ethnicity and social stratification leads to resentments and frustrations resorting into violence, and unequal distribution resources especially agricultural and grazing land among pastoralist communities in Kajiado has been a major factor in proliferation of illicit SALWs.<sup>62</sup>

Government efforts on economic reforms are also sources of short term tension while economic growth is benefiting some individuals, groups and regions more than others. The advents of industrialization and economic development and introduction of new technologies has brought about new social changes: migration and urbanization have disrupted the existing family and social systems and undermine traditional political institutions. Increased literacy levels and improved access to mass media have raised awareness straining the existing social and political systems leading to instabilities.<sup>63</sup>

Other factors such as climatic change have led to desertification narrowing the belts of crop land and pasture upon which the farming and pastoralist mode of production depends drastically reducing access to farming land and rangeland in arid areas, growing sedentary populations, and resulting demand for arable land is decreasing the relative opportunity cost of farming in arid regions increasing competition over scarce

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<sup>61</sup> K. Mkutu, *Pastoralism and Conflict in the Horn of Africa: A Case study of Laikipia District*, op cit, pp. 11-28.

<sup>62</sup> S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado:' *Kajiado Focus*: op cit, pp.2-10.

<sup>63</sup> Current policies informing development strategy in Kenya are guided by the *Economic Recovery Strategy for Employment and Creation*, (ERSWEC2003-2007) and the *National Development Plan 2004-2009* emphasizing on poverty reduction and equality



resources.<sup>64</sup> Growing urban populations adjacent to farming and pastoral zones also increases economically-motivated crime, such as 'commercialized' livestock raiding. This is breeding ground for climate of 'lawlessness' – fuelling a self-sustaining dynamic where minimal socio-economic investment allows crime and violence to flourish increasing the demand for illicit SALWs which further deters investment of all kinds.<sup>65</sup>

Climatic changes have also induced conflict such as human- wildlife conflict in the HoA mainly in efforts to access the limited resources such as water and grazing land and availability of small arms in an inadequate resource environment will enhances poaching for subsistence or commercial gain and trespass in conservation or protected areas resulting into resource based conflict. Some of these small arms are acquired by governments officially only to ends up as illicit arms during armed struggles, as means of ensuring personal or communal security while forced migration due to instability. Other changes such a global changes and practices such as, climate change and global policies on trade environment, funding, development can have destabilizing effects that can be directly linked to the demand of SALWs at regional, national and grass-root levels.<sup>66</sup>

### **The impacts of illicit SALWs in the Horn of Africa**

The peripheral location of areas greatly affected by illicit SALWs specially of pastoral communities, the near -absence of news media and minimal monitoring by state security forces makes it difficult to have accurate information on the distribution of arms and their impacts. Impact of SALWs in the region is mainly assessed in terms of

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<sup>64</sup> Summarized from, OCHA, 'Focus on Karamoja:' *Urgent Humanitarian Needs: Special Report No.2* August -October 2008.

<sup>65</sup> K, Kamau, J. Pickard. 1998. 'Recent Trends and Implications of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya:' *The Geographical Journal*. op cit, pp.202-213.;E. Fratkin, 'East African Pastoralists in Transition: Maasai, Boran and Rendille Cases. *African Studies Review* Volume 44 Number 32001, pp.1-25.

<sup>66</sup> OCHA 'Pastoralists and Cross-border Security in the Horn:' *Pastoralist Voices* op. cit, p.33.

destruction, death and injury. <sup>67</sup>The easy availability of illicit SALWs in the HoA has sustained the conflict in the region intensifying and changing the conflict dynamics which has left millions of people dead, death of livestock, destruction of properties, increasing the number of refugees and IDPs as an attempt by a group to enhance its security through arms acquisition can lead other group to stage preemptive attacks. <sup>68</sup>

In an environment of scarce resources conflict emerges as one way in which the local communities adjust themselves in the face of the limited resources and this is linked into social-cultural, economic political and environmental set up within the society. If not addressed the illicit SALWs have devastating impacts such as intensifying and prolonging of conflict which too has negative impact on other sectors. Conflict has resulted into environmental degradation due to over use of resources mainly by displaced people through forced migrations and most of the weapons used are also destructive thus polluting the environment. Physical access to health care, schools, and other learning institutions is also affected due to migrations in search of physical security and resulting into malnutrition, lack of proper poor sanitation and low-levels of education. <sup>69</sup>

Availability of illicit SALWs have increased mortality and morbidity rates in the affected areas and in Kajiado District with increased deaths as a result of armed violence, increased insecurity and crime and also reduced access to social amenities, increased malnutrition that have increased levels of poverty in the region. Loss of live and injuries have an impact in the flow of resources for subsistence and have high chances of initiating new conflict for instance revenge conflicts that further leads to loss of more

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<sup>67</sup> M. Ericksson ,P. Wallensten and M. Sollenberg, 'Armed Conflict,1989-2002:' *Journal of peace Research* 2003 Volume 40 pp. 593-607

<sup>68</sup> Ibid.

<sup>69</sup> For instance raiding of Turbi centre, Marsabit raid that left 89 people dead, 46 injured and unknown number of cattle stolen. Cited in L. Keriga, *A Profile on Crime and Insecurity in Kenya* op cit, pp. 1-11

lives and properties. The increased insecurity is reflected on increased loss of lives and gun injuries that has also affects food production at the household level leading to hunger and reduced outdoor activities increasing poverty.<sup>70</sup> Illicit SALWs poses a major threat to development by diverting the few resources from health and education to maintenance of public security, discourages investment economic growth, regional economic and development disparities and reduced access to education. The increased insecurity discourages trade and investments in the region negatively impacting on income generating activities and this has resulted in to increased prices of products<sup>71</sup>

### **Control and management of illicit SALWs**

There have been efforts to control and manage illicit SALWs and the effective approaches in control and management aims at reducing their demand and supply. These mechanisms include poverty reduction programs, promotion of economic development opportunities and justices, regional meetings and researches or studies.<sup>72</sup> The approaches used in control and management of illicit SALWs in most state in the HoA are indigenous and rooted in the local culture. There is an established co-operation and assistance in the region. For instance the European Union in its Joint Action on small arms which is being extended to the Nairobi Declaration in March 2000 and the Nairobi Protocol for the prevention, control and reduction of SALWs that was effected in 2006. The states in the Great Lake region and the HoA signed the Nairobi Declaration in March 2000 and the Nairobi Protocol for the prevention, control and reduction of SALWs that

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<sup>70</sup> S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado: ' *Kajiado Focus* op cit, pp.2-10.

<sup>71</sup> M. Fleshman, 'Small Arms in Africa: Counting the cost of gun violence,' *Africa Recovery*, op cit, pp.2-9.

<sup>72</sup> In Somalia, Gun ownership is by clan other than individual and in Ethiopia, neutral elders are gathered from different *kebels* to look into the case to prevent violence, imposing penalties proportional to harm each group and these efforts checks on proliferation of illicit arms. *Kebels* are administrative structures. M. Jama Omar 'The Somaliland Experience,' *Small Arms in The Horn of Africa, ' Challenges, Issues and Perspectives, Management and Control of Small arms:* op cit, pp.18-21.

came to force on May 2006. Kenya and Uganda have already set up NFP for SALWs.<sup>73</sup>

There are also calls for police reforms in the HoA region to improve the living conditions of military and police force, increment of police pay, promotion, training opportunities and provision of modern equipments to curb illicit SALWs.<sup>74</sup> Arms embargoes have also been employed in the HoA region to avoid direct actions, such as military intervention though most of these embargoes have not been successful with obstacles being the illegal market and existing stockpiles of weapons. The UN embargoes to parties in the HoA include, Somalia, embargoed in January 1992, and still ongoing, Rwanda embargoed in May 1994 and lifted for and year in 1995.<sup>75</sup>

The governments and civil society in the region and in Kenya particularly in Kajiado such has established various programs such as the established and implemented National Steering Committee for Peace Building and Conflict Management, establishment of Community Based Policing Programs and the Arid Land Resource Management Project supporting community in improving security. The indigenous populations have over the years too developed local ways of surviving such as weather forecasting that serves as drought early warning mechanism and preparedness and this should be incorporated with the more modern appropriate drought management systems.<sup>76</sup> The use of traditional management systems including conflict resolution mechanisms are in the new structures such as the District Peace and Development Committee are combining formal and customary approaches in conflict management,<sup>77</sup> which are working well as they involve the local communities.

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<sup>73</sup> KNFP *Kenya National Action Plan for Small Arms Control and Management*, op cit, pp. 2-12.

<sup>74</sup> Government of Kenya: *Kenya Police Strategic Plan*, op cit, p.34.

<sup>75</sup> E. Brown, *The International Dimension of Internal conflict*, op cit, pp.223-271.

<sup>76</sup> Government of Kenya, *Kajiado District Strategic Plan*, op cit, p.31

<sup>77</sup> Ibid.

## Conclusion

Proliferation of illicit SALWs in the HoA is due to their low cost, ease to use and availability and they escalates conflicts, insecurity and violence, undermining human rights and peace agreements, impedes economic and social development. Modern warfare destroys political, socio-economic, infrastructure, uproots populations, paralyze economic activity, disrupts vital health and education services and diverts financial resources from development to defense. Factors increasing demand for illicit SALWs in the region are political marginalization, natural calamities, scarcity of resources, inappropriate government policies, availability of illicit SALWs from unstable states, porous borders, inadequate policing and security, weakened traditional institutions to resolve conflicts and commercialization of traditional cattle raids.<sup>78</sup>

There are efforts by the governments in the HoA region to reform policies and strategic manipulation of supply of weapons to assists in prevention and management of illicit SALWs.<sup>79</sup> The impact of illicit SALWs is reflected on increased rise of child soldiers, high rate of illiteracy, violent crimes, and high unemployed population displacements of people, increased deaths and injuries from gun shots and promoting culture of violence.<sup>80</sup> This has resulted into low standards of living, underdevelopment and high levels of poverty in the region.

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<sup>78</sup> M. Fleshman, 'Small Arms in Africa: Counting the cost of gun violence,' *Africa Recovery*, op cit, pp.2-3.

<sup>79</sup> V. Orindi, A. Nyong and M. Herrero, 'Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya,' *Human Development Report* op cit, pp.1-11

<sup>80</sup> Ibid.

## CHAPTER THREE

### **The proliferation of illicit SALWs in the Horn of Africa: A case study of Kajiado District, Kenya 1991-2009**

#### **Introduction**

Proliferation of illicit small arms in the HoA region is a devastating issue affecting economic, environment, political and social-cultural activities in the district vital for human survival. Possession and use of illicit SALWs have become widespread in the region due to undesirable social-economic structures, traditional practices, resource scarcity and conflict in the region resulting into severe impacts across the region such as the increased insecurity and crime, loss of lives and properties and sustaining of the regional conflict. The resource based conflicts, high population and urbanization are the key factors associated with the increased demand of illicit SALWs in the HoA region.<sup>1</sup>

This chapter focuses on the illicit SALWs situation in the case study area Kajiado, a vast district characterized by glaring contrasts with semi-arid areas occupied by industrious agriculturalists relying on rain and rivers to produce horticultural crops and the other ninety percentage of the district's land is one of the leading livestock producing areas in the country and is a low-level recipient of illicit SALWs in the country. Most parts of the district are arid and semi-arid zones dominated by Maasai community and some potential areas for rain fed crop occupied by crop framers. Most land in the district is communally owned with land adjudication and sub-division of group ranches and this has led to land tenure system also contributing to land sale to other people.<sup>2</sup> The shrinking of land and decline in pasture welfare and long term survival is due to

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<sup>1</sup> E. Brown, *The International Dimension of Internal conflict*, op cit, pp.223-271.

<sup>2</sup> S. Quantai, 'Drought and Development: Frequent Drought wreak havoc in Kajiado;' *Kajiado Focus* op cit, p.2

“invasion” and opening of the area to farming communities and failure of development projects to support the local people.<sup>3</sup>

Data for this research was obtained from primary and secondary sources with the largest part of data coming from primary sources. Sample survey technique involving the use of structured questionnaire and also interviews were used to collect information on proliferation of illicit SALWs in the district using seventy questionnaires with twenty open, closed and scaled questions administered to respondents. This aimed at gathering qualitative and quantitative data on presence, causes, and impacts of illicit SALWs, attitude, perception and experiences of the people, possible link between illicit SALWs and economic, social-cultural, political and environmental spheres. The questionnaires were designed according to different categories of respondents and the kind of information needed from top, middle and grass-root levels respondents

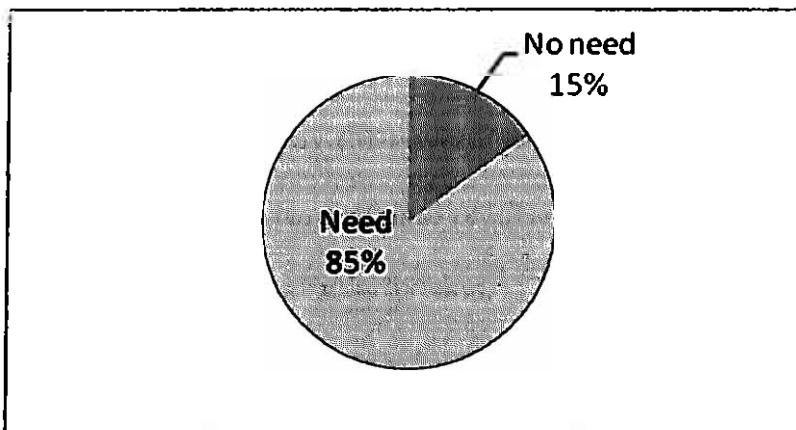
Other sources are non-reactive data from previous research, reports, on illicit SALWs. Interpretation of the data from the primary and secondary sources is mainly by observation, conversion of data into arising themes, and use of descriptive statistics to determine percentages and frequencies presented graphically or in tables and grouped into similar categories for analysis.

From the study, majority of the people were concerned about the increasing use of illicit SALWs perhaps due to the impacts they have on their safety and security. Majority thus felt the need of improved firearms control measures and this was a suitable measure of the attitude and perception of the public on illicit SALWs proliferation as indicated in the following figure 1.

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<sup>3</sup> S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado;' *Kajiado Focus* op cit, p.2

**Figure1: Respondent who indicated the need for improved control of fire arms**



*Source: Freshiah Nyambura, 2010.*

In addressing the illicit SALWs, the population surveys also sought to measure willingness of civilians to actively participate in activities addressing illicit SALWs in the district and this is crucial to the development of awareness and community based activities in reduction of illicit SALWs proliferation in Kajiado. Migration into the three urbane divisions influences demand for illicit SALWs in urban areas.<sup>4</sup> This was achieved through questions aiming at definitive answers to provide more accurate response based upon peoples' experiences, perceptions and less sensitive providing a more accurate picture and measures on the presence of illicit SALWs.

The urbane population is likely to experience the presence or even possess illicit SALWs as compared to rural population. Increased proliferation of illicit SALWs in Ngong, Isenya and Central divisions is perhaps also a reflection of the use of illicit arms in settling local disputes over scarce natural resources<sup>5</sup> arising due to constrained grazing lands and access to communal resources such as land and water points, fueling clan

<sup>4</sup> Ibid.

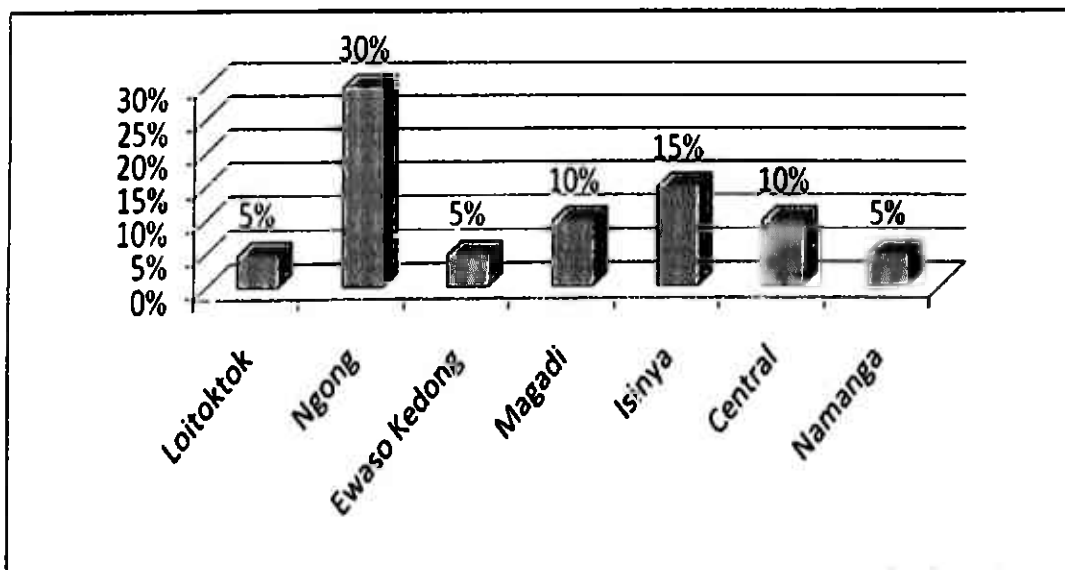
<sup>5</sup> V. Orindi, A. Nyong and M. Herrero, 'Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya,' *Human Development Report* op cit, pp.1-11



conflicts and also intensifies human-wildlife conflicts.<sup>6</sup>

The areas with greater concentration of urban communities such as Isinya and Ngong have higher percentage perhaps due to increased insecurity, violent crime in urban areas and the perceived failure by the government to provide adequate security and also the land tenure policy that has resulted into reduced grazing areas due to individualization of land that has resulted into land sub-division.<sup>7</sup>

**Figure 2: Percentage of respondents who had experience of illicit SALWs**



Source: Freshiah Nyambura.2010

The increased demand of illicit SALWs is also due to socio-economic disparities while climatic conditions such as the frequent drought have increased competition for resources and the use of illicit SALWs is to facilitate access of basic resources.<sup>8</sup> Political instability in the Horn of Africa is due to power politics with states as dominant actors,

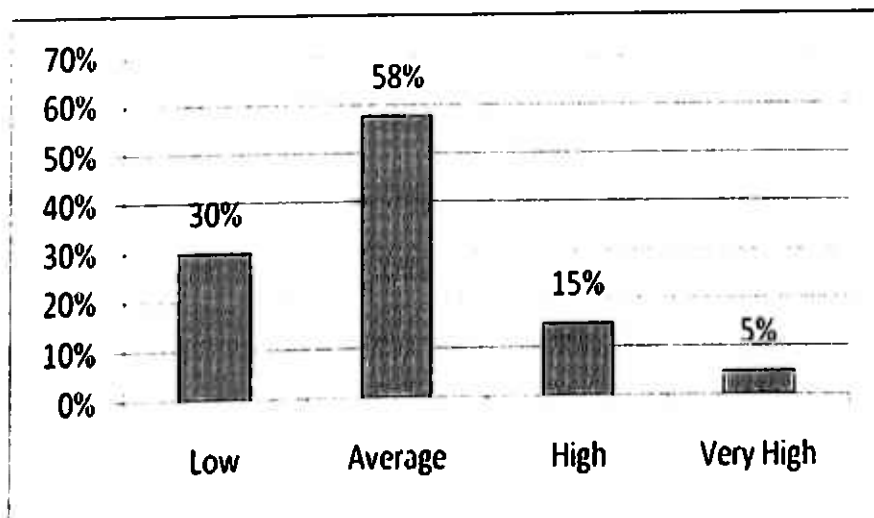
<sup>6</sup> Cited in A. Victor, A. Nyong and M. Herrero 'Pastoral Livelihood Adaptation to Drought and Institutional Interventions in Kenya:' *Human Development Report* op cit, pp.3-6.

<sup>7</sup> OCHA, Affected population in the Horn of Africa region, May 31<sup>st</sup> 2004 and also in Government of Kenya, *Kajiado District Development 2 Report 2000-2003*, op cit, p.34

<sup>8</sup> K. Chege, 'Sub- Sahara Africa: Urban Planning in Maasai way'. *Daily Nation* September 23 2006

ethnic distribution, scarcity and abundance of resources and proximity to the border that has fuelled conflict in the HoA enhancing smuggling of illegal arms in Kenya that have spread across the country including Kajiado District.<sup>9</sup> The level of the availability of illegal SALWs in Kajiado is illustrated in the following below.

**Figure 3: Proportion of illicit SALWs availability in their locality**



*Source: Freshiah Nyambura, 2010.*

The high percentages in accessibility of illicit SALWs in the urban areas are perhaps also a reflection of the use of illicit SALWs in violent crimes characterizing urban crimes such as bank robberies, carjacking, violent murders, burglary and kidnapping. This is attributed to undesirable social structures, intra and interstate power based relations in the society at the regional, state and grass-root levels constraining the socio-economic relationships.<sup>10</sup>

Proximity to the Nairobi city, the border with the Republic of Tanzania, failure by

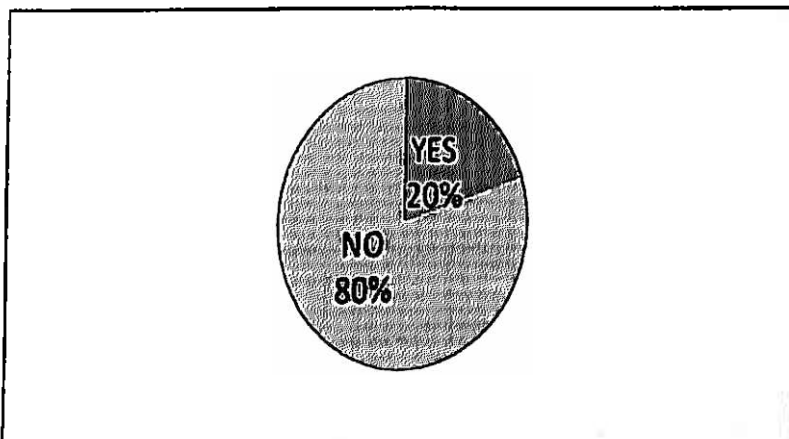
<sup>9</sup> K. Mbote, *Property rights and Biodiversity management in Kenya*, (ACTS Press 2002 Nairobi.), pp.7-1.

<sup>10</sup> P. De Leew, Peacock and M. Cisse, The importance of Acacia Tortillas pod feeding in small stock management in Mbirikani Group Ranch Kajiado District. In: *Proceedings of the Fifth Small Ruminant CRSP Workshop* Nairobi, 4-6 November 1986, (Small Ruminant Collaborative Research Support Program, Nairobi Kenya), pp.233-241

the government to provide adequate security to civilians and increased poverty in Kajiado are also factors to high percentages of illicit SALWs in the district.<sup>11</sup>The results thus suggest that in given certain security threats and social-economic condition in urban and rural areas, the demand and use of illicit SALWs is triggered by certain factors.

The population survey indicated that a large proportion of population was concerned about the illicit SALWs situation in the district and majority of the people felt that improved firearms controls measures are essential and this was a crucial lead to involving the local people in designing and implementation efforts to curb illicit SALWs. To achieve in control of illicit and management of SALWs there is therefore the need to involve the local people to reduce the level of demand and willingness to own arms. The figure below represents respondents willing to participate in illicit control activities.<sup>12</sup>

**Figure 4: Respondents participation in tackling illicit SALWs**



*Source: Freshiah Nyambura, 2010.*

In this case greater percentage of men than women were willing to own small arms and hence in efforts to reduce the demand and the use of illicit SALWs, men are an important target group in activities to curb illicit small arms proliferation this too

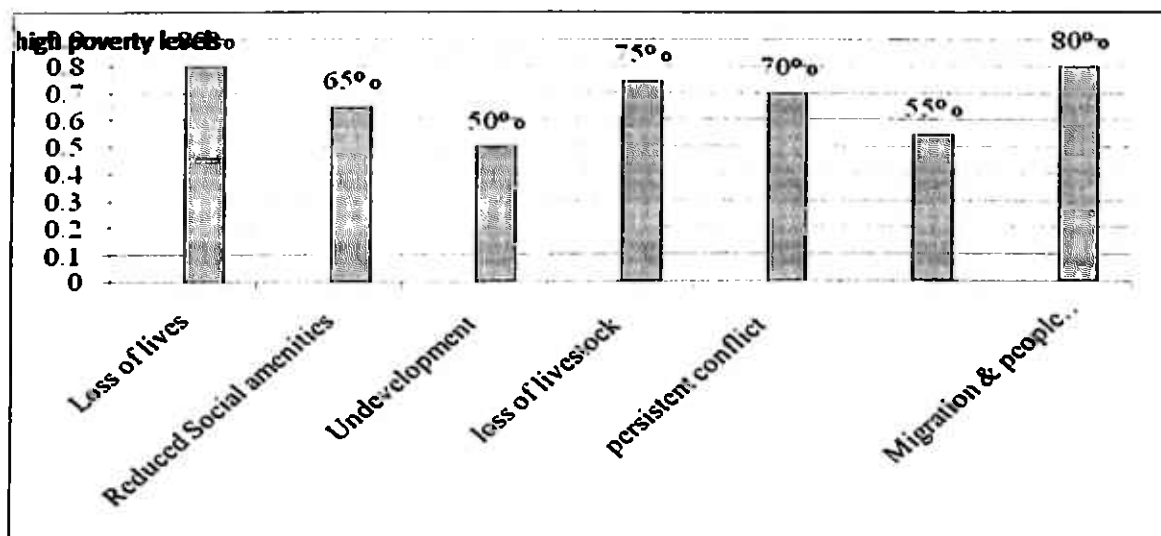
<sup>11</sup>Ibid.

<sup>12</sup> M. Odhiambo, *Managing Pastoral Conflict: Case Study* UNDP Human Development Report Occasional Paper 2005, pp.3-7

indicated the willingness of the public in tackling illicit SALWs and hence to achieve in control and management levels the local people should be involved.

From the study the proliferation of illicit SALWs has severe impacts on the local resident and this include loss of lives, forced migration, loss of livestock, increased rate of crimes, fuelling of the regional conflict that too enhances the flow of illicit SALWs in the region and also reduced outdoor activities resulting into increased poverty. The impacts of illicit SALWs are indicated in the following figure 5 below.

**Figure 5: Percentage impacts of Illicit SAWLs in Kajiado District**



Source: Freshiah Nyambura, 2010.

### **Demand-supply analysis of illicit SALWs in Kajiado**

There are factors that contribute to the demand and supply for illicit SALWs at regional, state and grass-root levels and have their roots in social and institutions deficiencies such as weak institutional framework, inadequacy of policy to address insecurity, and inequality of opportunities leading to widespread poverty<sup>13</sup> and this has become complex with new conflict dimensions and traditional cattle rustling.

<sup>13</sup>D. Whitehead *SALW Proliferation Pressures the Horn of Africa and EU Responses*, op cit, pp.1-6.

Many states in the HoA region are experiencing the problem of illicit SALWs and in Kenya's Kajiado District this problem is associated with increased insecurity, cattle rustling in other parts in the country and due to increased loss of life and gun injuries, loss of livestock and property to armed thefts, rise of violent crime and low-level ethnic conflicts. Illicit SALWs are a major threat to public safety and development in the district due to increased insecurity characterized by high incidences of violent crime that reduces access to education, good sanitation and health facilities, malnutrition, poor living standards and high poverty levels. <sup>14</sup>

The increased demand and supply of illicit small arms in Kajiado and across the HoA is sometimes entangled as a cause and result of SALWs proliferation and diffusion; it addresses the root causes of gun violence, and also the economical, political, social-cultural injustices contributing to the spread of illicit SALWs. This has been made complex due to new dimensions on traditional practices such as commercialized cattle rustling. The illicit small arms demand and supply addresses the root causes of gun violence and also the economic, political, socio-cultural injustices contributing to the spread of illicit SALWs. <sup>15</sup> There are various factors at the regional, national and grass-root levels that contribute to the increased proliferation of illicit SALWs Kajiado District.

### **Regional causes for illicit SALWs**

The use of firearms has risen to alarmingly high levels in the Horn of Africa during the past decade a trend blamed on the easy availability of small arms. The geographic location of the HoA region has facilitated the easy supply of arms from other

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<sup>14</sup> Ibid.

<sup>15</sup> K. Sabala, 'Small Arms in the Horn of Africa, Challenges, Issues and Perspectives,' *The Proliferation Circulation and use of illegal firearms in urban centre: A Case of Nairobi, Kenya*, op cit, pp.36-41.

parts of the world through the strategic ports such as Berbera port in Somalia. Armed conflict in the HoA, especially in Somalia, some parts of Ethiopia and the Great Lakes region, have been cited as one of the means through which illegal SALWs spread and the durability nature of arms keeps them in circulation for a long period within the region.<sup>16</sup>

### ***Political factor***

The collapse of Somalia is an important cause of SALWs proliferation pressure in the HoA, when the government led by Siad Barre fell in 1991 and the stockpiles of weapons amassed for creation of a 'greater Somalia' were dispersed within the region through illicit trade in exchange of safe passage, food and shelter. Further regional cause is the prevailing state of political anarchy and the on-going conflict and poverty in Somalia which also hosts international criminal and terrorist organizations operating in the region and these activities further aids the spread and sale of illicit SALWs resulting into incidences of insecurity that adds pressure on illicit SALWs proliferation in the region particularly in Kenya where their widespread availability is devastating specific.<sup>17</sup>

The demand and supply of illicit SALWs is enhanced by instabilities in the neighboring states facilitated by porous nature of HoA states' borders. The supply routes are multiple including Uganda, Somalia, Sudan Ethiopia and towns on or close to the borders of states, such as Mandera, Moyale, Lokichogio, Isiolo and El-wak are the major entry points for illegal fire arms. The main actors are traders, refugees and communities

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<sup>16</sup> Cited in M. Jama, 'Small Arms in the Horn of Africa: Challenges, Issues and Perspectives,' *Management and Control of Small arms: The Somaliland Experience* op cit, pp.18-23.

<sup>17</sup> I. Farah, et al, 'Small Arms and Border Controls in the Horn of Africa- The Case of Malkasufu, Ethiopia; Mandera, Kenya and Bula Hawa, Somalia;' *Second Regional Workshop Supporting Implementation of the Nairobi Declaration Final Report*, op cit, p.24

on border areas while Nairobi, is the centre for distribution to other parts of the country.<sup>18</sup>

The conflict cycle in the region has a significant role in the spread of illicit SALWs with spill-over effects from the neighboring states which are also facilitated by porous borders in the region. The conflicts are due to high levels of poverty due to political marginalization, scarcity and abundance of natural resources and this further leads to the problem of internally displaced persons and refugees who also brings arms across borders and increases insecurity and are thus also are a regional cause of SALWs proliferation.<sup>19</sup> The nomadic lifestyle of pastoralists also fuels conflicts in the region, making the gun trade easier due to uncontrolled movement of people and goods has intensifying illicit SALWs in Kenya. In a regional pastoralists gathering held in Kajiado in 2008, porous borders were identified as key sources of the district's illicit SALWs and called for enhanced security in the border areas.<sup>20</sup>

### **States causes for illicit SALWs**

There are also factors at national level that play an important role in increasing the demand and use of illicit small arms in the Kajiado District. In 2003 Small Arms Survey had identified Kenya alongside Uganda, to have domestic SALWs manufacturing capacity exploiting the production to amass a million weapons as national stockpile thus spending scarce resources on weapons rather than development making availability of small arms easier both nationally and regionally.<sup>21</sup> These factors include inappropriate government policies such as inadequate land policies and weak gun laws.

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<sup>18</sup> J. Hadley, 'Pastoralist Cosmology,' *The organizing framework for indigenous conflict resolution in the Horn of Africa* (Eastern Mennonite University: VA USA, 1997.), pp.11-17.

<sup>19</sup> K. Sabala, 'Small Arms in the Horn of Africa, Challenges, Issues and Perspectives,' *The Proliferation Circulation and use of illegal firearms in urban centre: A Case of Nairobi, Kenya*, op cit, pp.36-41.

<sup>20</sup> OCHA, 'Pastoralists and Cross-Border Security in the Horn,' *Pastoralist Voices* op cit, p.2

<sup>21</sup> E. Fratkin, 'East African Pastoralist in Transition: Maasai, Boran and Rendille Cases,' *African Studies Review*, 2001 op cit, pp.1-25.

## *Inappropriate government policies*

Inappropriate government policies of states in the HoA region, such as development policies and inadequate security services, inadequate security provision based on the public perception on incapability of police towards providing security services, lack of appropriate policies to monitor and reduce the impacts of drought and famine in ASALs areas and failure to include the local communities in designing and implementation of policies has resulted into policy failure, a situation that has further increased the demand for illicit SALWs for self protection, and facilitation to access resources in ASALS.<sup>22</sup>

The inappropriate government policies, low levels in education and political participation have left the larger local Kajiado Maasai community marginalized in the national and district political decision making. The government has also failed to effectively address natural disasters frequent in the region such as drought, outbreak of pests and diseases, resulting into economic insecurity, deprivation and with diminishing resources, there is increase in the risk of wider violence and social breakdown, decline in economic activities and increasing to rates of crimes that also demand of illicit SALWs.<sup>23</sup>

Land tenure policy and other policies on dry land resources management have not been supportive to the pastoral groups in the area of study, for instance; individualization and alienation of pastoral lands through creation of livestock ranches has reduced their grazing blocks during dry seasons.<sup>24</sup> Land sub-division has promoted

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<sup>22</sup> J. Pickard, Kimani, and Kamau, 'Recent Trends and Implication of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya' *The Geographical Journal*, op cit, pp.202-213.

<sup>23</sup> J. Mwaikusa, 'Community Rights and Land use Policies in Tanzania: The case of Pastoral Communities,' *Journal of African Law*, op cit, pp.144-163

<sup>24</sup> R. Berstern and A. Jacobs, *Socio-economic aspects of range research in Kenya: A plan for reaching the ultimate target groups* Nairobi: Ministry of Livestock Development, Kenya. p.112



sedentization of pastoralists and attempts to introduce land subdivision and individual tenure have been disruptive resulting in violent conflicts in some areas thus increasing the demand and use of illicit small arms. Fragmentation of local communities especially to the relatively high potential areas such as Ngong and Loitokitok where farming is practiced is creating conflicts between pastoralist and crop farmers which too could demand possession of illicit small arms.<sup>25</sup>

There are actors such as Socio-economic high unemployed population, lack of alternative livelihood, unequal access and distribution of resources and reduced livestock markets also influenced possession of illicit SALWs as they are viewed to facilitate access to human security that entails physical security and access to basic needs.<sup>26</sup> Harsh environmental conditions such as famine and drought have affected livelihood of local communities, draining their only source of income and this has further led to competition for resources inducing clan conflicts and human wildlife conflicts. Resource over use has reduced their availability and this has further induced conflicts a factor that has influenced self arming to guard and protect the limited resources.<sup>27</sup>

Transfers of SALWs from state to non-actors in Kenya are real such as the arming of some communities that has led others to demand for protection and this furthers proliferation in the country and the entire region.<sup>28</sup> Absence of reliable state response on security services has increased levels of violence, increasing insecurity. Many people are

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<sup>25</sup> A. Victor, A. Nyong and M. Herrero, 'Fighting Climate Change: Human solidarity in a divided world, Pastoral Livelihood Adaptation to Drought and Institutional Interventions in Kenya,' *Human Development Report 2007/2008* UNDP

<sup>26</sup> S. Quantai, 'Drought and Development; Frequent Drought wreak havoc in Kajiado,' *Kajiado Focus* Issue op cit, pp.1-10.

<sup>27</sup> A. Jacobs, *An overview of population dynamics in Kenya's rangelands*. Ministry of Agriculture and Livestock Development, Nairobi Kenya 1984 and Windrock International Institute for Agriculture Development, Morrilton, Arkansas :USA p10

<sup>28</sup> Ibid.

relying on illegal firearms to protect themselves from armed gangs and to advance their interests thus undermining stability and hindering development in Kajiado District.<sup>29</sup>

Lack of capacity to offer adequate security has left some criminals even more equipped with sophisticated arms than law enforcers creating fears and insecurity making the illicit SALWs tools for ensuring “human security” enabling individuals access to physical security as well as access to basic needs and that their rights are not infringed creating social divisions and conflict affecting the quality of socio-economic amenities and with presence of illicit SALWs the situation is worsened. The legacy of distrust from past police practices still exists between the police and the public since the public believes the government lacks the capacity to provide for their security and this is evident with widely accessed private security services a factor too that has also influenced self arming increasing demand for illicit SALWs.<sup>30</sup>

Poor policing of the expansive borders between Kenya and its neighbors allows influx of illicit arms into Kenya, enabling individuals to possess and use arms for overt criminal purposes.<sup>31</sup> The ill-defined borders have allowed the inflow of refugees from ongoing conflicts in the neighboring countries and this has led to large scale proliferation of illicit SALWs which later find their way into other areas such as the district under study.<sup>32</sup> Another factor for increased spread of illicit SALWs is the cross-border raids involving border communities facilitated by porous borders of Kenya/Uganda,

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<sup>29</sup> K. Mkutu, ‘Pastoralism Conflict and Small Arms:’ *The Kenya-Uganda Border Region*, op cit, pp.5-29.

<sup>30</sup> K. Mkutu, ‘Pastoralism Conflict and Small Arms:’ *The Kenya-Uganda Border Region*, op cit, pp.5-29.

<sup>31</sup> Human security” a new notion of security that involves physical security as well as access to human basic needs, see K. Gebre-Wold and I. Masson (eds), *Small Arms in the Horn of Africa: Challenges, Issues and Perspectives*, op cit, p.12

<sup>32</sup> Human security” a new notion of security that involves physical security as well as access to human basic needs, cited in Ibid.

Kenya/Ethiopia, Kenya/Sudan and the porous Somalia/ Kenya borders.<sup>33</sup>

Government disarmament exercises poorly conducted are also a factor to increased demand of illicit SALWs as the neighboring states are not involved and with porous borders, migratory and trans-boundary ethnic factors of the border communities, the once disarmed communities are able to rearm themselves and this leads to further arm-race increasing both the demand and supply of illicit arms. A range of government land policies pursued by successive post-colonial governments in states in the HoA have led to the marginalization of some communities and the tendency to neglect their needs especially the pastoralist communities. The states pursued policies based on containment, pacification and sedenterisation of pastoralist.<sup>34</sup> The communal land tenure system of 1950s tried to introduce private land tenure system, enforcing changes in land tenure and traditional patterns and coping strategies were disrupted reducing grazing lands.<sup>35</sup>

The high demand of illicit SALWs in Kajiado District is mainly due to inadequate land tenure policies and displacements due to pursued policies by both successful colonial and post colonial governments in the arid areas that has led to land individualizations with fencing of land now common blocking access to natural resources such as pastures and water points and this has fueled conflicts that also influences demand and supply of illicit SALWs.<sup>36</sup> For instances, a policy to sub-divide rangeland into group ranches forced the Maasai among other communities into drier and unproductive areas and this has been a source of tension and frustration up to date.

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<sup>33</sup> Human security” a new notion of security that involves physical security as well as access to human basic needs, see K. Gebre-Wold and I. Masson (eds), *Small Arms in the Horn of Africa: Challenges, Issues and Perspectives*, op cit, p.12

<sup>34</sup> K. .Mkutu, ‘Pastoralism Conflict and Small Arms:’ *The Kenya-Uganda Border Region*, op cit, p.5.

<sup>35</sup> K. .Mkutu, ‘Pastoralism Conflict and Small Arms:’ *The Kenya-Uganda Border Region*, op cit, p.5.

<sup>36</sup> I. Livingstone, “The common property problem and pastoralist economic behavior” *Journal of Development Studies* Vol. 23, No.1 1996, pp. 5-15.

The government also lacks comprehensive policies on environment and dry lands leaving pastoralists influenced by assumptions, myths and misconceptions, a threat to national unity and demographic pressures has forced other communities moving in some parts of the district raising concern among the local communities increasing resources pressures as was evident during 2007 post-election violence with low-level conflict between the Maasai and 'new communities' in some parts of the district due to dry land unsupportive policies and alienation of pastoral land.<sup>37</sup>

Insufficient laws to control SALWs stockpiles at the national level considering the Horn is a major market for most of arms export from around the world is also influencing the spread of illicit small arms in the country.<sup>38</sup> For instance the capture of arms caches in Narok district in December 2009 is an indication of presence and easy availability of illicit SALWs. Kenya's domestic manufacturing capabilities and small scale production of weapons such as home-made guns<sup>39</sup> is also a factor for increased demand and supply of illicit SALWs in the southern region and in Kajiado District.

Tendency by governments in the HoA region to ignore the pastoralist and weak gun control laws have enhanced the demand for illicit arms in the area of study as the local people mainly pastoralists feel the government has neglected them to side with sedentary population and this has reduced their grazing lands and access to limited resources enhancing competition for resources a factor for increased conflicts<sup>40</sup> a factor influencing self arming.

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<sup>37</sup> UNEP and Government of Kenya: *Devastating Droughts in Kenya Environmental Impacts and Response*, (UNEP/GoK; 2000 Nairobi)

<sup>38</sup> L. Lumpe. 'Arms Sale Monitor,' *Selling Old Weapons to Buy New*, No. 25, April 30 1994.

<sup>39</sup> Daily Nation , *Arms Cache*, December, 7 2009, p.1

<sup>40</sup> Government of Kenya, *The 1999 Population and Housing Census*, Central Bureau of Statistics, (Nairobi, Kenya 2001.)

## Grass-root causes for illicit SALWs

At the grass-root level, cultural practices such as traditional cattle raiding, issues of bride price and circumcision are crucial in enhancing the spread of illicit SALWs especially amongst pastoralist groups in the HoA region and traditional weapons used have been replaced with modern illicit SALWs transforming traditional practices into severe criminal income generating activities.<sup>41</sup>

### *Traditional practices and harsh climatic conditions*

In Kenya traditional practices are crucial in the spread of illicit SALWs. The most important traditional practices that greatly influence the demand for illicit arms are the traditionally practiced cattle raiding now commercialized, becoming more severe cattle rustlings. Sign of bravery after circumcision is indicated by the number of cattle one can raid as in some community, while bride price is measured among many communities in Kenya by the number of cattle or amount of money one can offer as dowry. Cattle-rustling is a critical security issue with implications on the environment and has become a major pastoral conflict and in the HoA region, it has intensified proliferation of SALWs, by pastoralists in response to try to protect themselves and their livelihood.<sup>42</sup> The availability of weapons has also sustained conflicts among pastoral groups and this is worsened by the erosion of traditional governance institutions among the pastoralist communities rendering the ability to control conflict more ineffective thus intensifying conflict that demands the use of illicit SALWs.<sup>43</sup>

Kenya experiences major and minor drought every decade and this has resulted in

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<sup>41</sup> D. Whitehead, *SALW Proliferation Pressures the Horn of Africa and EU Responses*, op cit, pp.1-6.

<sup>42</sup> K.. Mkutu, "Banditry, Cattle Rustling and the Proliferation of Small Arms, the Case of Baragoi Division of Samburu District, *Arusha report*, (African Peace Forum: Nairobi, 2000).

<sup>43</sup> Ibid.

immense losses and affected the livestock of many who depend on the ecosystem for survival mainly the pastoralists. The 2000/2001 and 2006/2009 drought reduced the water sources dried up and forage resources declined and this is exacerbated by the fact that many landowners are selling off their productive lands for other commercial purposes and this has encouraged exchange of relations, livestock and animal product and even illicit SALWs with the neighboring communities.<sup>44</sup> Climate variability and change particularly droughts, strongly affects the states of Horn of Africa a factor that influences illicit SALWs possession with some ending up in the hands of criminal gangs, among pastoralists and other communities and this is evident in Kajiado District. Mistrust between clans or groups mostly during drought and famine have increased intensity of cattle rustling and this connection among drought, famine, and guns is seen as a reality by Institute for Security Studies encouraging self arming due to frequent conflicts that are common during dry seasons intensified by scarce resources.<sup>45</sup>

Other minor sources of illegal arms influencing the increase of illicit SALWs in the district are diverted arms destined for neighboring states, arms accompanying drugs trafficking to and from other states in the HoA region and also arms entering with refugees and this attributed to widespread poverty in the region. Some are captured by insurgent forces while others are stolen from police officers, murdered police officers or from licensed civilians. The illicit SALWs are transported along common roads and major highways<sup>46</sup> by use of trailers, lorries, public vehicles and by light plains from the neighboring states and north eastern Kenya with a major entry point being in Nairobi.

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<sup>44</sup> J. Beaver, 'Between a rock and hard place:' *Armed Violence in African Pastoral Communities*, op cit, pp.2-7.

<sup>45</sup> F. Michael, 'Kuria, 'Cattle raiding: Capitalist Transformation, Commoditization and Crime formation among an east African Agro-Pastoral People;' *Comparative Studies in Society and History*, op cit, pp.745-213.

<sup>46</sup> Ibid.

## **Causes of illicit SALWs in Kajiado**

The widespread availability of illicit SALWs in Kajiado is tied up with various factors such as political, economic, environmental and social-cultural and this establishes the existing potential link between these factors, and proliferation of illicit SALWs as explored in the district mainly from the altitude, perception and the experiences of the local residents, and also by assessing causes and the impacts of illicit small arms in the area. Increased insecurity and high rate of crime has impaired overall development, compromising human dignity and creating climate of fear and violence.<sup>47</sup>

The Kajiado District case study and also a broader examination across the Horn of Africa, reveals that the affected communities are forced to take up arms to secure an income by protecting their business premises, farms and livestock as a result of increasing insecurity and crime, while the youths possess illicit small arms as means of generating income and this is reflected in high population of unemployed youths.<sup>48</sup>

### **Political factors**

Political activities in the region such as general elections and by-elections have played a role in increasing insecurity especially in the area under study. The electioneering process in Kenya characterized by violence as witnessed in Kenya in 1992, 1997, and 2007 general elections marred by political motivated violence and human rights abuses by ethnically aligned militias, has resulted into loss of lives and destruction of property influencing the demand for illicit SALWs for protection of ethnic interests.<sup>49</sup>

Political instability in the neighboring states of Somalia, Sudan and Ethiopia who

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<sup>47</sup> Information gathered from Kenya Police *Occurrence Books* 1990-2009 from various Police Stations in the District and this is not reliable as many incidences go unreported.

<sup>48</sup> J. Pickard, Kimani, and Kamau, 'Recent Trends and Implication of Group Ranch Sub-Division and Fragmentation in Kajiado District Kenya:' *The Geographical Journal*, op cit, pp. 202-213.

<sup>49</sup> 'Daily Nation,' January 25<sup>th</sup> 2008 and 'Daily Nation,' January 21<sup>st</sup> 2008.

have not taken measures in disarming their communities, has also greatly contributed to proliferation of SALWs in Kajiado District as most of Kenya's illicit small arms have their source in these unstable states, and their proliferation has been facilitated by the porous nature of borders of state in the HoA region.<sup>50</sup> The weak laws and institutional structures that undermine administration of justice and enforcement of the law are also factors for increased spread of illicit SALWs as many individual take the law into their hands as they feel they have no channels for redress thus sustaining the cycle of violence, a factor for increased demand for illicit small arms in the district. The weakening and erosion of traditional governance institutions has rendered the ability to prevent conflict more ineffective.<sup>51</sup>

Social inequalities based on ethnicity and personal status protecting the interests of a few elites has resulted into social-economic imbalances along ethnic divide in the district, leading to marginalization of ethnic groups, enhancing poverty that creates social tension that can lead to conflict, a situation that demands illicit small arms.<sup>52</sup> The inequality levels have a bearing on increased crime, conflicts and insecurity. Poverty due to inequality and insecurity in Kajiado is characterized by malnutrition, diseases, high mortality rate and low life expectancy and the local communities feel they are not well represented in the government and in decision making on any progress in their area.<sup>53</sup>

Ethnicity founded in the former colonial policy of divide and rule, has also contributed to political tensions and violence due to increased ethnic divisions,

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<sup>50</sup> International Action Network on Small arms, 'The SALIGAD Project: Small Arms in the Horn of Africa;' *IANSA News*, July 2002.

<sup>51</sup> J. Hardley, *Pastoralist Cosmology: The Organizing Framework for Indigenous Conflict Resolution in the Horn of Africa* (Eastern Mennonite University VA USA.1997)

<sup>52</sup> J. Ellis, D. Swift, 'Stability of African Pastoral Ecosystems: Alternate paradigms and implications for Development;' *Journal of Range Management* op cit, pp. 450-459.

<sup>53</sup> D. Start, 'The rise and fall of the rural non-farm economy: Poverty impacts and policy options,' *Development Policy Review* Volume 19 Number 4 2001, pp. 491-505.



heightening insecurity and fear affecting individuals, families and business operations.<sup>54</sup> Unequal distribution of natural resources contributes to ethnic tension in the struggle for scarce basic needs creating a sense of neglect and deprivation and this is fuels violent ethnic animosity.<sup>55</sup> Violent crimes in Kajiado District including, mugging, carjacking, murder and stealing are on the rise.<sup>56</sup>

The distribution of ethnic groups also triggers conflict and demand for SALWs in the district. In the HoA, arbitrary borders divide ethnic groups, placing them in two or more countries.<sup>57</sup> For instance, the Maasai group in Metta in Kajiado and the Maasai in Tanzania. These border nomadic pastoralist communities don't recognize boundaries and hence unimpeded movements of people and goods increasing chances for influx of refugees and illicit SALWs in the states involved. The ethnic distribution in the region and the movement of livestock occurring mainly during the dry season has influenced armed conflict among the pastoralists in sharing common resources and is this contributes to clan conflicts which are enhancing proliferation of illicit small arms in the region.<sup>58</sup>

### **Economic and socio-cultural practices**

Kajiado District economic lifeline is livestock production and the pastoralist practiced by the majority of the area resident is becoming increasingly economically less viable and this one of the main reason to proliferation of illicit SALWs in the district.<sup>59</sup>

Economic factors contributing to the spread of illicit SALWs in the district are due to

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<sup>54</sup> Cited in C. Elkins: 'The Standard,' *Ethnic woes a legacy of colonialists power game*, January 7<sup>th</sup> 2008

<sup>55</sup> K. Eileen, *The Impacts of Water Conflicts on Pastoral Livelihood: A Case of Wajir District in Kenya*, op cit, pp.12-14.

<sup>56</sup> Kenya Police, *Occurrence Books* for the years 1990-2009 in police stations in Kajiado district and this is not reliable as many incidences go unreported.

<sup>57</sup> E. Brown *The International Dimensions of conflict*, op cit, pp.572-601.

<sup>58</sup> Due to the nature of their lifestyle the pastoralists have no respect of territorial boundaries and mostly these are factors for spill-over effects such as contagious conflicts. See, K. Mkutu, 'Small arms and Light Weapons among Pastoralist Groups in the Kenya- Uganda Border Area' *African Affairs*, op cit, p.47

<sup>59</sup> Government of Kenya, "*Kajiado District Strategic plan:*" (Government Press, Nairobi, 2005-2010.)

limited employment opportunities and large number of jobless youths, inflation, resource competition especially on land that holds cultural value in the region, leading to societal tension and frustration, creating conducive grounds for conflicts that demands the use of illicit small arms. Discriminative economic system mainly on ethnicity and social-stratification increases levels of poverty resulting into resentments and frustrations resorting into violence.<sup>60</sup>

Natural population growth and rural and urban migration also contributes to proliferation of Illicit SALWs. These migrations due landlessness and displacement of communities either through government evictions or land disputes results into complex social strata, economic disparities and crime rampant in urban areas as these areas present more opportunities to commit crime.<sup>61</sup>Insecurity is manifested in high incidences of violent muggings robberies, car-jacking, murder and gang violence in Kajiado while urbanization has resulted into land related conflicts in urban areas in the district.<sup>62</sup>

Traditional practices in Kajiado District are exacerbating incidences that influence the demand for illicit SALWs that lie in cultural practices such as, “*Moranism*,” circumcision and bride price, cultural practices common in the district and in other pastoral groups in the HoA. Cattle rustling lies in cultural practices deeply rooted in pastoral community lifestyle and linked to inflow of SALWs<sup>63</sup> within groups whose borders are close to countries experiencing conflict. The spill-over effect of the clan wars

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<sup>60</sup> R. Berstern and A. Jacobs, *Socio-economic aspects of range research in Kenya: A plan for reaching the ultimate target groups*. Ministry of Livestock Development, Nairobi Kenya. p.112.

<sup>61</sup> A. Jacobs, *An overview of population dynamics in Kenya's rangelands*. Ministry of Agriculture and Livestock Development, Nairobi, Kenya 1984 and Winrock International Institute for Agriculture Development, Morrilton, Arkansas, USA, p.10

<sup>62</sup> Cited in, L. Keriga 'A profile on crime and insecurity in Kenya, op cit, pp.20-23.

<sup>63</sup> “*Moranism*” refers to a rite of passage where young Maasai young men are initiated into warriors responsible for the care and security of the Maasai community. Cited in, J. K. Mworira and J.I. ‘Kinyamario, ‘Traditional strategies used to cope with la nina induced drought in Kajiado, Kenya,’ *African Journal of Environmental Science and Technology*, op cit, pp.010-014.

in Somalia in 1991, and the Sudan conflict has resulted into increased flow of arms in Kenya. Cultural practices have also been exploited by politicians whose agenda is to advance their political ambitions. Kajiado experienced low level violence during the 2007 post-election violence and politician have been accused in fuelling attacks geared towards expelling 'foreign' communities in the district and the youth in same age set and elders were used to incite violence a factor for self arming.<sup>64</sup>

### **Harsh Climatic conditions and resource competition**

The study area has always been exposed to harsh climatic conditions compounded by competition for water and pasture in the context of inadequate security, decreased access to land, socio-political and economic marginalization, the district is prone to drought breeding food insecurity.<sup>65</sup> Harsh climatic conditions have contributed in the collapse of the livestock market, deterioration of water situation due to over use, robbery and spread of illicit SALWs in the region.<sup>66</sup> Most parts of the district have unpredictable and relatively low annual rainfall and constant droughts, food insecurity, insufficient pasture and water scarcity are frequently experienced, building tension influencing the demand and supply of illicit SALWs.<sup>67</sup>

Climatic changes have led to desertification narrowing the belts of crop and pasture land, upon which the farming and pastoralist mode of production depends on drastically reducing access to farming land and range-land.<sup>68</sup> Competition and access for

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<sup>64</sup> Cited in, L. Keriga *A profile on crime and insecurity in Kenya*, op. cit, pp.20-23

<sup>65</sup> DJ. Campell, 'Response to drought among farmers and herders in southern Kajiado District, Kenya:' *A comparison of 1972-1976 and 1994-1995*.

<sup>66</sup> WFP (World Food Program), *Kenya's Drought: No sign of any let up*. WFP, Rome Italy, 2000.

<sup>67</sup> D. Musembi and D, Too, J. Mworira, *The Analysis of periodicities in rangeland rainfall and the implications on drought management strategies in low potential areas of Kenya*. Paper presented at the APSK symposium 2001 on 7<sup>th</sup>-18<sup>th</sup> March 2001 Egerton University Njoro, Kenya.

<sup>68</sup> K. Galvin, B Noone, N, 'Smith and S. lynn, 'Impacts of climate variability on East African pastoralists: Linking social science and remote sensing,' *Climate response*, 2001, pp.161-172:19

natural resources has been also a key source of conflict in the district influencing possession of illicit arms. The most crucial resources in area of study are water, land and pasture which have been key sources of tension and conflict.<sup>69</sup>For instance in 2009, Purko and Kekonyoke both clans of the Maasai community in Magadi division had a conflict over grazing land and water for their livestock and this left three people dead and others seriously injured. Such conflicts attributes to proliferation of illicit SALWs and the situation is worse during drought and famine seasons.<sup>70</sup>

### **Inappropriate government policies**

Inappropriate government policies such as the land tenure system inadequate provision of security and poor development policies have also fueled the demand and use of illicit SALWs in Kajiado. The introduction of land individualization and land alienation of pastoral land in the district has taken through creation of livestock ranches, grazing blocks, national parks and game reserves creating competition for resources with wildlife also a source of violent conflict in Kajiado District and especially the restriction on land available to pastoralists.<sup>71</sup>

Creation of conservation areas has narrowed grazing corridors while land privatization has blocked the migratory corridors for the wildlife and livestock a key cause of human-wildlife conflicts as herdsmen move their cattle in parks and farms during dry season. Conservation areas have reduced the grazing lands and have enhanced also the fencing of private lands to prevent trespass of livestock into protected areas and

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<sup>69</sup> R. Lamprey, and S. Reid, 'Expansion of human settlement in Kenya's Maasai Mara: What future for pastoralism and wildlife.' *Journal of Biogeography*, 2004, pp.997-1032:31

<sup>70</sup> P. de Leeuw, B. Gradin and S. Bekure: *International Livestock Centre for Africa, systems study 4* op cit , pp. 21-37.

<sup>71</sup> I. Livingstone, 'The common property problem and pastoralist economic behavior,' *Journal of Development Studies*, Vol. 23 No.1 1986, pp.5-19; D. Lotui, *The causes and consequences of cattle rustling among pastoralist communities*, APA Paper No. 47/97 (KIA: 1997Nairobi).

prevent also wildlife attacks and destruction of crops and property and access to shared resources such as water points is blocked and these has resulted into human-wildlife conflict. These conflicts are common especially during the dry season due to limited resource sharing between livestock and wildlife from Amboseli, Nairobi and Tsavo national parks.<sup>72</sup> The Wildlife Conservation Act of 1978 outlining compensation for loss of live or livestock and destruction of property by wildlife is also considered as outdated and failure to its review has prompted the locals to arm themselves against wildlife attacks increasing proliferation of illicit SALWs in the district as means of protecting themselves and their livestock and also as a means of poaching especially during the dry seasons.<sup>73</sup>

The introduction of policies aiming at sedentary livestock products is one of the systems that do not suit in ASALs climatic and ecological context and this has led to invasion by people from outside the area under study reducing the grazing lands due to fencing of land which has resulted into conflicts due reduced access to common resources such as common water points, reduced grazing land and increased competition over ownership and sharing of resources. The opening of the area to 'outside communities' has also affected the local culture and mainly wiping away of traditional conflict resolution processes and this has resulted into frequent outbreak of low-level natural resource based ethnic conflict.<sup>74</sup> Development policies during the colonial and post-colonial periods were weakened by top to bottom government project such as Kenya Livestock Development Project that have failed for not involving the local people in the design and

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<sup>72</sup> Republic of Kenya, Report prepared for the Wildlife Planning Unit: *Amboseli, Lower Rift regional study*. Ministry of Tourism and Wildlife, Nairobi, Kenya, 1982, p.162

<sup>73</sup> D. Barton, J. Morton and C. Hendy, *Drought contingency planning for pastoral livelihoods*, op cit, p.4

<sup>74</sup> K. Mbote *Property Rights and Biodiversity Management in Kenya*, op cit, pp.37-53.

implementation and this is interpreted as negligence of the local people<sup>75</sup> by the government.

### **Impacts of illicit SALW in Kajiado**

The widespread availability of illicit SALWs in the Horn of Africa and particularly in Kenya Kajiado District has devastating impacts that include rise in violent crimes, low level ethnic clashes associated with illicit SALWs threatening safety, security and development. The high levels of poverty and underdevelopment in Kajiado are due to reduced access to basic human social amenities such as schooling, health centres, and proper sanitation, increased insecurity, deaths and gun injuries, malnutrition, spread of preventable diseases, abuse of human rights reducing out-door economic activities and also fuels persistent clan conflict over resources such as water and land further leading to environmental degradation due to overuse and overcrowding at the resource points.<sup>76</sup>

Kajiado District falls under ASALs that covers eighty per cent of Kenya's total area of 592,000 sq km. The majority of the people in this district live below the poverty lines of less than a dollar a day.<sup>77</sup> The use of illicit SALWs emerges as one way in which human society adjust in the face of human insecurity that entails physical insecurity and inadequate access to basic human needs. Illicit SALWs proliferation is interwoven with social, economic, political and environmental spheres within the society<sup>78</sup> and if not addressed proliferation of illicit small arms have a negative impact on these spheres

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<sup>75</sup> Ibid.

<sup>76</sup> O. Charles, "Population Growth and Sustainable Land Use System, A Critical Analysis of Population and Land Use Planning Priorities in Arid and Semi-Arid. Kajiado District," *Union for African Population Studies. UNAPS, Study Report No. 32.* Nairobi 1998.

<sup>77</sup> J. Maituma and M. Olson, *Arid and Semi-Arid agro-pastoral system in transition.* Lucid Working Policy Brief 2 ACTS Nairobi 2006.

<sup>78</sup> M. Mirzeler and C. Young. 'Pastoral Politics in the Northeast Periphery in Uganda: AK-47 as Change Agent,' *The Journal of Modern African Studies*, 2000 Volume 38. No pp.407-429.

essential for human survival.

The impacts of illicit SALWs proliferation in the district are mostly felt in the reduced economic activities such as livestock trading, increased insecurity and crime rates, reduced access to food, interruptions in education and health services, lack of access to natural resources, forced migration and lack of meaningful development raising levels of poverty.<sup>79</sup> Degeneration of social relationships, costs and negative social and psychological impacts of death or injuries, high rural to urban migration, and increased insecurity has reduced outdoor activities enhancing poverty in the district.<sup>80</sup>

### **Underdevelopment**

Violent crimes and increased insecurity in presence of illicit SALWs is hindering development in Kajiado District contributing to unequal distribution of developments in the study area, low economic growth resulting into high levels of poverty. For instance, long distance traders have abandoned markets in Kajiado, and the local traders experience security and safety challenges discouraging economic growth.<sup>81</sup> With increased insecurity, there is reduction of market goods such as livestock, reduced employment opportunities and income generating activities<sup>82</sup> and as result the district due to insecurity and nomadic lifestyle of the locals has few schools and health facilities resulting into social problems such as high mortality rate, malnutrition, idleness, drug trafficking, alcohol abuse, early marriages and high number of school drop outs

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<sup>79</sup> E. Wangulu, 'Kajiado Focus,' *Drought: A Disease that affects Livestock and Pastoralists*, op cit, p.2

<sup>80</sup> V. Orindi, A. Nyong and M. Herrero, 'Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya,' *Human Development Report*. (Human Development Report Office, UNDP 2007/2008

<sup>81</sup> O. Charles, "Population Growth and Sustainable Land Use System, A Critical Analysis of Population and Land Use Planning Priorities in Arid and Semi-Arid. Kajiado District," *Union for African Population Studies. UNAPS, Study Report*, op cit, P.8.

<sup>82</sup> Ibid.

increasing levels of poverty in the district.<sup>83</sup> Unequal development due to insecurity, unequal distribution of resources, unequal distribution of social amenities, has increased demand for illicit SALWs and violent conflict and crimes in some areas enhancing.<sup>84</sup>

Most parts of the ASALs are less developed with poor infrastructure and this is attributed to rural urban migration, insecurity, economic and nomadic lifestyle of the local people that involves migrations in search of natural resources such as water and pasture for their livestock or forceful migration during dry season or due to insecurity from conflict.<sup>85</sup> The use illicit SALWs has increased casualties and deaths of people which has profound consequences on development. Though most cases are never reported official records indicate that between 1994 and 2004 there were more than 3094 illicit SALWs related deaths and 1084 injured, increased rape incidences, influx of refugees, internally displacement of people leading to environmental degradation due to congestion, destruction of property and abuse of human rights.<sup>86</sup>

Presence of illicit SALWs impedes development, intensifying violence and crime hindering economic growth and social stability, democracy and good governance.<sup>87</sup> The spread of illicit small arms in the district has negatively impacted on the environment, economic and social infrastructure, uprooting population, paralyzing vital health and education services and also of diverting financial resources to defense.<sup>88</sup> Proliferation of illicit SALWs has also negatively impacted on tourism industry

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<sup>83</sup> E. Wangulu, 'Kajiado Focus,' *Drought: A Disease that affects Livestock and Pastoralists*, op cit, p.2.

<sup>84</sup> Government of Kenya, "Kajiado District Development Plan," (Nairobi: Government Press, Nairobi 1989-1993)

<sup>85</sup> Cited in, K. Mkutu, *Small Arms and Light Weapons among Pastoralist Groups in the Kenya-Uganda Border Area* op cit, p.47

<sup>86</sup> M. Fleshman, *Counting the Cost of Gun Violence*, op cit, pp.1-10.

<sup>87</sup> L. Keriga, *A profile on crime and insecurity in Kenya*, op cit, pp.11-23.

<sup>88</sup> Government of Kenya: *Session Paper on Sustainable Development of Arid and Semi Arid Lands of Kenya Nairobi*, Acts Press Nairobi, 2005.



and conservation of wildlife in the neighboring national parks and protected areas fueling conflicts among, pastoralist, ranchers, farmer's, horticulturalists and conservation wardens and state authority and this is worse with frequent severe droughts.<sup>89</sup>

### **High levels of poverty**

Poverty and structural inequality are both factors that influence the proliferation of illicit small arms and are also impacts of illicit SALWs, the product being social stratification also common in Kajiado District especially in urban areas where social classes exists. The gap between the rich and the poor has intensified physical and food insecurity and this contributes to increased violent crime across the Horn and in the district.<sup>90</sup> Food insecurity is mainly due to harsh environmental conditions, unequal distribution of resources and access to social amenities. Illicit small arms have created tension breeding conflict, affecting access to schools and other learning institutions with majority of the local community in the study area lacking formal education leading to a high population of unemployed youths. Insecurity has also affected teachers and students with some schools ending up closed.<sup>91</sup>

Cultural practices are also associated with proliferation of illicit SALWs enhancing abandoning of schools to join others in defending the community while others abandon school to get married at early ages or forced to drop out of school due to migrations in search of physical security.<sup>92</sup> Insecurity interferes also with peoples' access to health services and facilities. Donors and providers like NGO, religious institution and

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<sup>89</sup> Council of European Union, *Fourth Annual Report on the Implementation of the EU Joint Action of 12<sup>th</sup> July 2002 on the European Union's Contribution to combating the Destabilizing Accumulation and spread of Small Arms and Light Weapons*, (2002/589/CFSP,) EU document 2005/C109/01, 12<sup>th</sup> July 2002.

<sup>90</sup> N. Mburu. 'Delimitation of the Elastic Elemi Triangle:' *Pastoral Conflicts and Official Indifference in the Horn of Africa* op cit, p.30

<sup>91</sup> E. Wangulu, 'Kajiado Focus,' *Drought: A Disease that affects Livestock and Pastoralists*, op cit, p.2

<sup>92</sup> K. Eileen, *The Impacts of Water Conflicts on Pastoral Livelihoods*, op cit, pp.12-14.

private sector are kept away by insecurity and this sometimes leads to closure of health facilities. The rising inequality has intensified poverty, grounds for conflict and has discouraged long distance traders and the sense of insecurity is embedded in the psychic of many Kenyans, a factor that has created suspicion and destroys community ties among residents in Kajiado District.<sup>93</sup> Movement of individuals has also been curtailed with many residents limiting travel to areas due to insecurity increasing poverty levels.<sup>94</sup>

Violent crimes such as murder, assault, rape, suicide, domestic violence, armed robbery, child abuse, house break-ins, mugging and hijacking are the serious crime common and central to many of the security challenges in this district. The increasing insecurity is impeding their freedom of movement at night, fear of carjacking or even being denied right to life creates sense of fear and insecurity negatively impacting on the daily lives of many populace of the district reducing their quality of life.<sup>95</sup> The high rate of crime is forcing people to move from rural to urban or within urban areas and is widening gap between the rich and the poor which is clearly displayed well in the distribution of people in various areas in the district and it is a reflection of high rate of crimes in urban areas as compared to rural areas sometimes this results into conflicts in the new settlements in access and sharing of resources.<sup>96</sup>

### **Control and management of illicit SALWs**

There are initiatives aiming at preventing and controlling illicit SALWs proliferation in the HoA region. At the regional level the European Union and member

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<sup>93</sup>S. Eriksen and J. Lind, 'The impacts on household vulnerability to climate stress; Evidence from Turkana and Kitui District in Kenya'. *Human Security and Climate Change: An International Workshop*, Holmen Fjord Hotel, Asker near Oslo 21-23 June 2005

<sup>94</sup>Cited in E. Wangulu, 'Kajiado Focus: Drought and Development,' *Drought: A Disease that affects Livestock and Pastoralists*, op cit, p.2

<sup>95</sup>Ibid.

<sup>96</sup>Government of Kenya *The 1999 Population and Housing Census* (CBS, Nairobi 2000)

states has created the EU standards on the export of arms and adoptions of code of conduct and in 1998 further progress was made with adoption of a Joint Action on Small Arms that established common views on the role of SALWs as destabilizing force requiring inter-states attention. The EU coordinates the NAPs enshrined within the Nairobi Declaratio.<sup>97</sup>

At the national level EU actions are reflected through the Directorate General for Humanitarian Aid (DGECHO) that has responded to regional issues such as severe drought, providing food for both people and their livestock. The EU and member states are participating in Disarmament, Demobilization and Reintegration (DDR) and Security Sector Reform Programs (SSRP).<sup>98</sup> At the grass-root levels there are activities initiated by NGOs, community based organization and traditional elements in Kenya and across the Horn which are working together to address the problem of illicit SALWs.<sup>99</sup>

To improve security and community safety, Kenya has developed NAP and also KNFP for arms control and management. Other measures include the establishment of National Steering Committee for Peace Building and Conflict Management, the implementation of the Arid Land Resource Management.<sup>100</sup> There are also efforts by the government and the civil society to adopt participatory development which is more inclusive approach to social and economic development and also initiatives such as partnership between law enforcement and communities as evidenced in Community Policing Program. The Provincial Task Forces and District Peace Building initiatives have also been established and people trained in adopting a more inclusive framework to

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<sup>97</sup> D. Whitehead, *SALW Proliferation Pressures the Horn of Africa and EU Responses*, op cit, pp.1-6.

<sup>98</sup> Ibid.

<sup>99</sup> V. Orindi, A. Nyong and M. Herrero, *Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya*, op cit, pp.1-12

<sup>100</sup> KNFP *Kenya National Action Plan for Small Arms Control and Management*, op cit, pp.43-55.

include politicians, youth, women and community elders from various communities backed with continuous peace building.<sup>101</sup>

The government of Kenya has also destroyed a number of illicit SALWs with about 9,000 and 4,000 destroyed in 2003 and 2005 respectively and a total of 22,614 assorted illicit SALWs having been destroyed and also the ongoing efforts to disarm communities forcefully and voluntarily in the last four years. The government is coordinating projects that aim at enhancing food insecurity and reducing livelihood vulnerability in drought prone and marginalized communities in Kenya's ASALs districts and development and strengthening of early warning systems to reduce these effects.<sup>102</sup>

The government has also provided humanitarian support, constructed health facilities, roads, schools, sinking boreholes and other facilities and on development, and with other agencies, the government has introduced in the district the feeding programs in schools to encourage better school attendance, opening of new livestock markets that led to reopening of Kenya Meat Commission, provision of water and fodder during drought period and increased awareness on health issue and provision of more health facilities while security at Namanga border point has also been improved to counter cross border movements of refugees and also illicit SALWs.<sup>103</sup> The government of Kenya has also taken significant steps towards major causes for increased demand for illicit SALWs by facilitating adaptation and revising of the policies aiming at improving the development of the ASAL to promote appropriate land use practices while taking into account the diverse and unique characteristics of the various livelihood groups. The Institute of

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<sup>101</sup> KNFP *Kenya National Action Plan for Small Arms Control and Management*, op cit, pp.43-55.

<sup>102</sup> RESCA, 'Co-operating to disarm: *Collection of Illicit Firearms*, (RESCA, Kenya 2009), pp.1-8.

<sup>103</sup> V. Orindi, A. Nyong and M. Herrero, *Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya*, op cit, pp.1-12

Security Studied has made efforts in which Programs such as, 'Mifugo Programme' of 2007,<sup>104</sup> a legal framework for addressing livestock theft, particularly through branding, marking and record keeping.

## Conclusion

There are factors at the regional, state and grass-root levels that increase the demand and use of illicit SALWs as identified in the study area. Political unrest in the neighboring states facilitated by porous borders and influx of refugees from the war torn states increases illicit SALWs. Inadequate government policies, socio-economic disparities harsh climatic conditions, fear of the famine and mistrust between clans are also factors increasing illicit SALWs.<sup>105</sup> Causes for proliferation of illicit SALWs in the district are inappropriate government policies, rising populations of unemployed youth, cultural practices, modernization and urbanization, lack of formal education, traditional practices and harsh climatic conditions leading to resources competition.<sup>106</sup>

The impacts of illicit SALWs loss of lives, displacement of people, impoverishment or poor livelihood, deterioration of social amenities, persistent conflicts, increased insecurity and immigrations, low trade and investments, underdevelopment, negative impact on tourism, environmental degradation raising the poverty levels.<sup>107</sup> Efforts to address the illicit SALWs situation and they include poverty reduction programs, promotion of economic development opportunities and justices, regional meetings and researches and established co-operation and assistance in the region.<sup>108</sup>

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<sup>104</sup> Institute of Security Studies: *Mifugo Programme*, (ISS Nairobi 2007.)

<sup>105</sup> D. Whitehead *SALW Proliferation Pressures, the Horn of Africa and EU Responses*, op cit, pp.1-6.

<sup>106</sup> V. Orindi, A. Nyong and M. Herrero, *Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya*, op cit, pp.1-12

<sup>107</sup> Ibid.

<sup>108</sup> KNFP, *Kenya National Action Plan for Arms Control and Management*, op cit, pp.6-48

## CHAPTER FOUR

### Proliferation of illicit SALWs in Horn of Africa: Critical analysis

#### Introduction

Possession and use of illicit SALWs has become widespread in area of study increasing safety and security challenges in Kajiado District. There are factors at the regional, state and grass-root levels that contribute to the proliferation of illicit SALWs such as inappropriate government policies, increased rural-urban migrations, scarcity of natural resources, traditional practices and the regional conflict that enhanced inflow of illicit SALWs in the HoA region. Proliferation of illicit SALWs in the area of study has increased insecurity threatening development in the area increasing poverty levels.<sup>1</sup>

At the regional level the demand is mainly due to the persistent conflicts in the region, the collapse and prevailing state of anarchy in Somalia and influx of refugees and IDPs from politically unstable state like Sudan, Ethiopia and Somalia, facilitated by the porous borders of the states in the HoA increasing chances for the spread of illicit SALWs.<sup>2</sup> At the national level, the spread of illicit SALWs is influenced by inadequate government policies such as land tenure policy and poorly coordinated disarmament exercises, domestic manufacturing capabilities and transfer of illicit SALWs to non-state actors. At the grass-root level, demand of illicit SALWs Pressure is due to traditional practices such as payment of bride price, modernized cattle rustling and mistrust between clans influenced by harsh climatic conditions limiting natural resources.<sup>3</sup>

In order to effectively address the illicit SALWs situation in the HoA region and

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<sup>1</sup> V. Orindi, A. Nyong and M. Herrero, *Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya*, op cit, pp.1-12

<sup>2</sup> D. Whitehead *SALW Proliferation Pressures: The Horn of Africa and EU Responses*, Ibid, pp.2 -7

<sup>3</sup> Ibid.

in Kenya-Kajiado District specifically, it was important to assess the widespread use of illicit SALWs, identifying factors that attribute to increased demand, and the impacts they have upon the local community. This was achieved by focusing on the attitude, perception and the experiences of the general public and this also addressed the demand and supply side of illicit SALWs bringing forward their causes and impacts. The study also examined the possible link between illicit SALWs and socio-economic, political, cultural, and environment spheres. This could be crucial in identifying measures needed to reduce illicit SALWs and this chapter provides a critical analysis of the survey findings.

It is clear from the research top, middle and grass-root levels that presence of illicit SALWs is consistent in Kajiado District, with various causes for their increased demand at regional, state and grass-root levels. Theoretical concepts which are mainly drawn from realists and structuralisms approaches and other theories such as the psychological, environmental scarcity and human motivation theories play a crucial role in guiding the study and also in data analysis. Presence of illicit SALWs in the district is attributed to various factors due to political, socio-economic, environmental and cultural factors such as modernization, rapid population growth, high population of unemployed youth, persistent conflicts in the Horn of Africa region, forced migration uneven resource distribution, and structural inequality,<sup>4</sup> bringing about structural violence due to '*relative deprivation*' and this is argued by Mwangi to result when some people feel they are deprived of their needs.<sup>5</sup>The frustration of the local communities leads to aggression creating tension based on power and social-cultural structures sustaining conflicts in the

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<sup>4</sup> M. Odhiambo, *Managing Pastoral Conflict: Case Study* UNDP Human Development Report Occasional Paper 2005, pp.3-7

<sup>5</sup> M. Mwangi, *Conflict: Theory, Processes and Institution of Management*, op cit, 24-35.

entire region that are a major cause for enhancing proliferation of illicit SALWs.

### **Themes arising from the study**

There are three important themes arising from this research that aimed at examining illicit SALWs situation in the Horn of Africa, particularly in Kenya in relation to addressing insecurity and promotion of development. The three themes are regional conflict and illicit SALWs, the illicit SALWs and security and also illicit SALWs and development.

### **Regional conflict and illicit SALWs**

Many of the states in the Horn have been involved in or are just emerging from armed conflict ranging from civil wars to inter-state and regional conflict that demands the use of illicit SALWs and this is evident in the regional overview that reveals the needs for illicit arms by the local pastoralists, crop farmers, and investors among others in achieving 'human security' that offers provision of basic needs and physical security.<sup>6</sup> There are factors from the study that have led to the increased demand for illicit small arms and these factors depend on various factors and actors at the international, regional and local levels.

The regional conflict influences demand and supply of illicit SALWs in the Horn of Africa. This is based on scarcity and abundance of resources induced by traditional cultural practices, political, climatic conditions and socio-economic aspects.<sup>7</sup> Armed conflict in the HoA has significant impacts in the region such as environmental degradation, loss of lives and property, increased number of refugees and IDPs, commercialization of traditional practices and reduced socio-economic activities resulting

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<sup>6</sup> K. .Mkutu, 'Pastoralism Conflict and Small Arms:' *The Kenya-Uganda Border Region*, op cit, p.5

<sup>7</sup> Ibid.



into lack of sustainable development and high levels of poverty in the region. and all these impacts are both a product and a trigger of illicit SALWs proliferation of in the region.<sup>8</sup>

### ***Political Factors***

Political instabilities in the neighboring state such as Somalia, Sudan and Ethiopia have influenced illicit SALWs proliferation in the HoA region.<sup>9</sup>The major sources for illicit SALWs in the region are traced from historical and political history of 'Somaliland,' during the reign of Siade Barre the government of Somalia stockpiled arms, aiming to use them in the struggle to create a 'Greater Somalia' by incorporating some parts of Kenya, Djibouti, and Ethiopia. During this period a lot of arms got into civilians hands and were distributed to sympathizers and forces supporting the regime.<sup>10</sup>

The collapse and the prevailing state of political anarchy in Somalia has further created SALWs proliferation pressures in the region and this on the other hand has maintained and intensified the conflict cycles and political violence in the region which further has resulted into high population of displaced persons and refugees in the region.<sup>11</sup>In Kenya the influx of refugees from war torn neighboring states such as Somalia Ethiopia and Sudan is a key factor for increased smuggles of illicit arms into the country. The existence of high number of IDPs and refugees have created human security risk that demands others to arm themselves for protection,<sup>12</sup>creating insecurity not only in the country but also in the entire region.

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<sup>8</sup> Cited in M. Brown, *The International Dimensions of Internal Conflict*, op cit, p.247

<sup>9</sup> K. Kingma and V. Sayer, *Demobilization in the Horn of Africa*, op cit, pp.8-17.

<sup>10</sup> *Ibid.*

<sup>11</sup> K. Sabala, "Small Arms in the Horn of Africa, Challenges, Issues and Perspectives," *The Proliferation Circulation and use of illegal firearms in urban centres: A Case of Nairobi, Kenya*, op cit, pp.36-41.

<sup>12</sup> J. Hadley, 'Pastoralist Cosmology:' *The organizing framework for indigenous conflict resolution in the Horn of Africa*, op cit, pp.11-17.

The porous borders of the states in the HoA have also enhanced circulation and availability of illicit SALWs as well as influx of refugees and nomadic groups in the region while ethnic geography placing some ethnic groups in more than one country,<sup>13</sup> such as the Maasai of Kenya and Maasai of Tanzania, is a contributing factor to the spread of illicit SALWs in the region due to the nomadic lifestyle and socio-economic activities of the border communities attributed to Maslow's theory of human motivation that views safety and security needs to dominate human behavior.<sup>14</sup>

Other political factors such as the general elections and by-elections that are based on power relationship in the states in the Horn region have in most cases induced ethnic conflict as they are characterized by ethnicity, enhancing possession of illicit SALWs for protection of tribal or group interests.<sup>15</sup> Ethnic conflicts have also played a role in the increased number of refugees and IDPs, loss of lives and property, proliferation of arms, underdevelopment due to reduced outdoor activities and increased levels of poverty in the region specifically in the district under study.<sup>16</sup>

### ***Climatic conditions and resources competition***

The unending conflicts in the region are resource induced due to reduced herd size and through drought representing an economic and social disaster at the household level.<sup>17</sup> Conflict are particularly common during drought due to competition over grazing land and water, and with the local communities feeling they are not adequately policed enhancing self arming themselves for self protection contributing to further proliferation

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<sup>13</sup> M. Brown, *The International Dimensions of Internal Conflict*, CSSIA, the MIT Press, Cambridge, Massachusetts, London, England 1960), pp.235-264

<sup>14</sup> OCHA. *Pastoralists and Cross-Border Security in the Horn*, op cit, p.2

<sup>15</sup> M. Brown, *The International Dimensions of Internal Conflict*, op cit, pp.235-264

<sup>16</sup> Ibid.

<sup>17</sup> OCHA. *Pastoralists and Cross-Border Security in the Horn*, op cit, p.2

of illicit SALWs creating a conducive environment for criminals through other violent criminal activities.<sup>18</sup> In an environment of inappropriate government policies and strategies for the development of ASALs in the region the situation is aggravated by the policies that only aim at managing rather than minimizing the impacts of climatic conditions such as the persistent drought and famine in the region which has resulted into loss of lives and livestock and also increasing migration in the affected areas.<sup>19</sup>

The harsh climatic conditions have also induced human-wildlife conflict due to resource competition influencing self arming to protect themselves and their livestock from wildlife attacks.<sup>20</sup> Inequality in distribution of natural resources in Kajiado District such as, rivers, and potential land also intensifies resource competition especially during the dry season, enhancing violent conflict in the region resulting into other impacts such as environmental degradation due to overcrowding and overuse of common resources such as water points.<sup>21</sup>

The persistent drought in the district has led to immense resource losses, affecting the livelihood of many who depend on the ecosystem for survival, enhancing movement of people as well as regional and local conflicts over declining resources, increasing the demand for illicit SALWs due to threatened socio-economic and survival of the local communities.<sup>22</sup> From the study, the periodic drought and famine frequent in the district

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<sup>18</sup> Ibid.

<sup>19</sup> OCHA, 'Focus on Karamoja: Urgent Humanitarian Needs,' *Special Report* No.2 August to October 2008 and J. Mwaikusa, "Community Rights and Land use Policies in Tanzania: The case of Pastoral Communities," *Journal of African Law* Volume 37 Number 2 pp,144-163

<sup>20</sup> S. Lodgaard, 'Demobilization and Disarmament: Experiences to date,' *UNIDIR News Letter*, no 32, 1996.

<sup>21</sup> Ibid

<sup>22</sup> J. Beaver, 'Between a rock and hard place:' *Armed Violence in African Pastoral Communities*, op cit, pp. 2-7.

and across the HoA have therefore encouraged the likelihood and intensity of conflicts,<sup>23</sup> societal breakdown through violent crimes based on the sharing of the resources.

### *Inappropriate government policies*

The Horn of Africa and the district under study is predominantly occupied by pastoralists and with development of inappropriate government policies, pastoralists groups tend to suffer more as compared to crop farmers.<sup>24</sup> In the last few decades there are land tenure changes that have occurred characterized by sub-division and fragmentation of communal grazing into individual lands and are evident in Kajiado and other parts of the HoA. The increased subdivision of land in areas initially used as dry season grazing reserves and also declination of protected traditional drought coping mechanism such as traditional herd mobility resulting to tension and low-level conflicts.<sup>25</sup>

From the research agricultural communities have invaded high potential areas in Kajiado district for crop farming and the land under irrigation has also expanded in the recent years.<sup>26</sup> Land sub-divisions have blocked grazing lands and migratory corridors which have increased conflict among pastoralists, crop farmers and wildlife, leaving the already marginalized land to become more overused due to restricted pastoral movements.<sup>27</sup> Attempts to introduce land sub-division in some areas have also been disruptive resulting in violent conflict while individualization of communal resources such as watering points, salt licks and dry season grazing areas denies the local Kajiado Maasais' pastoralist to graze in the expansive planes putting pressure on the diminishing

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<sup>23</sup> V. Orindi, A. Nyong and M. Herrero, *Pastoral Livelihood: Adaptation to drought and Institution Intervention in Kenya*, op cit, pp.1-12

<sup>24</sup> ISS 'Small Arms Proliferation and Africa,' *News Letter*, ' Volume 3 April-June 1999.p.14

<sup>25</sup> Government of Kenya, *Kajiado District Development Report 2* op cit, p.32

<sup>26</sup> E. Wangulu, 'Kajiado Focus: Drought and Development,' *Drought: A Disease that affects Livestock and Pastoralists*, op cit, pp.2-5.

<sup>27</sup> Ibid.

grazing land enhancing clan conflicts and environmental degradation.<sup>28</sup>

From the study and other past research, conflicts are real in the lower parts of the district for instance in Kekonyoke and Purko areas and also in upper parts of Loitokitok between crop farmers in Rombo, Namelock and Kimano areas and Maasai group over access of water and pasture land.<sup>29</sup> Establishment of conservation areas in the district has also enhanced human-wildlife conflict also increasing the demand for possession of illicit SALWs for protection from wildlife attacks and destruction of crops and this is due to reduced grazing land while privatization of land has blocked the migratory corridors for both wildlife and livestock during dry seasons enhancing human-wildlife conflict a fact.

### **Traditional cultural practices**

Traditional practices such as the modernization of traditionally practiced cattle raiding are also highlighted as the main factor that has intensified the demand of illicit small arms especially among pastoralist communities and these illicit small arms end up spreading across the country. Traditional cattle raiding activities have been commercialized into violent cattle rustling and traditional ornamental arms replaced by illicit small arms transforming the activities into more severe cativities.<sup>30</sup>

The rite of passage activities that include payment of dowry, traditional activities to signal bravery, circumcision and initiation rites have also encouraged these violent cattle raids in efforts of raising the required number of herd which is significant in the communities involved enhances and these influences self arming of the local communities to guard their livestock. The traditional drought coping strategies of moving

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<sup>28</sup> S. Quantai, 'Drought and Development;' Frequent Drought wreak havoc in Kajiado;' *Kajiado Focus* Issue No.13, April 2004, pp.2-10.

<sup>29</sup> Ibid.

<sup>30</sup> E. Fratkin, 'East African Pastoralist in Transition: Maasai, Boran and Rendille Cases,' *African Studies Review*, 2001, Volume 44 No.3, pp.1-25

of livestock to potential areas for pastures and water also influenced self arming to facilitate access to resources.<sup>31</sup>

### **Illicit Small arms and security**

The study has confirmed the unending cycle of conflict in the Horn of Africa due to various factors such as the political instabilities, ethnicity, scarcity and abundance of resources and this has been enhanced by easy availability of illicit SALWs that are transferred from one conflict to another and thus the conflict too contributes to the increased demand and use of illicit small arms mainly attributed to the durability of small arms, porous borders, political instabilities, harsh climatic conditions and scarcity of resources.<sup>32</sup> Presence of illicit SALWs in the HoA and specifically in the district under study poses a challenge on safety and security as they enhance violent crimes, abuse of human rights, intensifies violent ethnic conflict prolonging and changing the dynamic of the regional conflict.

### **Crime and insecurity**

The study sought also to investigate impacts of illicit SALWs on security and perception of people regarding the illicit SALWs. Availability of illicit SALWs increases the rate of crimes as they are tools to commit violent crimes such as violent robberies, murder, and carjacking. The cause of insecurity and increased rate of crimes is lack of official security with a large number of respondents accusing the government for failing to protect the people due to lack of adequate police services hence the demand for arms to protect themselves and their property. The results however don't indicate a direct

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<sup>31</sup>M. Jama, 'Small Arms the Horn of Africa: Challenges, Issues and Perspectives,' *Management and Control of Small arms: The Somaliland Experience*, op cit, pp.18-23.

<sup>32</sup> Ibid.

correlation between the presence of illicit SALWs and respondents' perception of individual security are relative and not directly linked to the experience of illicit SALWs.

As highlighted by Muchai, the challenge of rising urban population growth resulting from natural population growth and rural-urban migration, has been accelerated by lack of land, displacement of communities either through government evictions or land disputes, high number of unemployed youth which is also evident in Kajiado district.<sup>33</sup> The porous borders were seen as increasing the easy access to illicit small arms especially among the border communities and this is further aggravated by the nomadic lifestyle of the groups in border areas and diminishing resources with the main sources of illicit arms being Somali, Sudan and Ethiopia who have not taken any effort in disarming their communities availing the illicit SALWs to the wrong people such as criminal gangs, vigilantes and ethnic militias posing safety and security challenges and any successful effort to curb illicit SALWs should also involve neighboring states.<sup>34</sup>

### **Inadequate government policies**

Lack of adequate government policies such as proper security services in many states in the HoA has presented them to having no capacity to guarantee the security of their citizens a major factor for self arming.<sup>35</sup> In some cases the governments in the region have been arming some groups to protect themselves and this has influenced possession of illicit SALWs as the groups dispose their old weapons to acquire new arms from the state. The states in the region have failed to provide adequate security services and proper

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<sup>33</sup> A. Muchai, *Kenya Crime Surveying*, (Security Research and Information Centre, Nairobi 2002).

<sup>34</sup> I. Farah, et al 'The Second Regional Workshop Supporting Implementation of the Nairobi Declaration, Final Report,' *Small Arms and Border Controls in the Horn of Africa- The Case of Malkasufu, Ethiopia; Mandera, Kenya and Bula Hawa, Somalia*, APFO and Project Ploughshares, February 7 th-9<sup>th</sup> 2005  
Nairobi, op cit, p.24

<sup>35</sup> M. Jama. 'Small Arms in the Horn of Africa: Challenges, Issues and Perspectives,' *Management and Control of Small arms: The Somaliland Experience. op cit*, pp.18-23

control of the borders in the region, influencing the spread of illicit SALWs.<sup>36</sup>

The porous borders are also a factor for illicit SALWs proliferation in the HoA region and more so in Kenya's Kajiado District and this are due to poor policing of the borders between Kenya and its neighbors facilitating the influx of refugees and illicit SALWs. The public perception towards the police in the states of HoA as that of corrupt, brutal and incapable forces that cannot effectively protect their citizens also plays an important role in the spread of illicit SALWs in influencing self arming of individuals for self protection and that of their properties.<sup>37</sup>

The impacts of illicit small arms on security in the region and specifically in Kajiado District have increased levels of violent crimes which further have resulted into increased loss of lives and death of livestock, reduced social amenities, lack of proper sanitation, under-development, persistent conflict, forced migration, high illiteracy levels, increased challenges in reducing culture of violence and this has increased levels of poverty.<sup>38</sup>

### **Illicit SALWs and development**

The impacts of illicit SALWs in relation to development are reflected on the living standards of the local communities in HoA region and this indication is made possible by providing an indication of the link between illicit SALWs and political environmental, economic, social-cultural factors essential for development across the Horn of Africa.<sup>39</sup> Environmental, economical, political and social pressure often limits choices for the local communities that traditionally have been available to settle conflict,

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<sup>36</sup> Ibid.

<sup>37</sup> E. Wangulu, 'Drought and Development; Drought: A Disease that affects Livestock and Pastoralists, Livestock and Pastoralists;' *Kajiado Focus* Issue No. 13 April 2004, pp.2

<sup>38</sup> Cited in Ibid. op cit, pp.2-10.

<sup>39</sup> Ibid



coping strategies in response to natural calamities thus exacerbating their vulnerability.<sup>40</sup>

The study also provided an opportunity for exploring the relationship between illicit SALWs and development, or lack of development and the possession and use of illicit SALWs in the area under study. Crime statistics play an important role in this study as they provide a measurement of the impact of small arms on development. There was a clear indication that crime and insecurity in presence of illicit SALWs were obstacles to development and thus proliferation of illicit SALWs is a contributing factor to increasing levels of poverty due to increased insecurity affecting access and availability of social amenities proper sanitation, schools, health centre, reduced economic activities and affects also the most resourceful sectors in the region such as the tourism industry.<sup>41</sup> Earlier research conducted indicated that underdevelopment leads to increased availability and demand of illicit SALWs leading to increased insecurity though there are other factors such as unemployment, limited access to scarce resources, unequal distribution of resources and opportunities has also factors that have increased the demand and supply of f illicit SALWs.<sup>42</sup> People in the population survey indicated that some people are motivated to take arms as means of trying to secure an income. High population of unemployed youths is a major drive to the increase in the demand of illicit arms across the district under study due to idleness and frustrations forcing the youths to arm themselves to generate income through criminal activities or a means of protecting their clan property.<sup>43</sup> These findings only reflect a partial picture of development based on a few indicators and further research is necessary to explore the links between demand

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<sup>40</sup> OCHA, 'For a Policy Framework on Pastoralism in Africa, op cit, pp.1-5

<sup>41</sup> Cited in S. Quantai, 'Drought and Development,' *Frequent Drought wreak havoc in Kajiado;* *Kajiado Focus* op cit, p.2-5.

<sup>42</sup> Ibid

<sup>43</sup> S. Quantai, 'Drought and Development,' *Frequent Drought wreak havoc in Kajiado;* *Kajiado Focus* op cit, p.2

for illicit SALW such as unemployment and inequality, however the indicators collected shows distribution of development in Kajiado District as uneven.

## **Underdevelopment**

Development processes in the ASALs areas are rooted in the pre-colonial era and later inherited by the post colonial government with support focusing mainly on the agriculturally potential areas as economic, social and political system was dominated by the needs of export agriculture which pastoralists had less to offer thus leaving them marginalized.<sup>44</sup> Development planners and policy makers advanced the argument that would lead to land degradation due to uncontrolled grazed and accumulated large herds eventually resulting in desertification.<sup>45</sup> This resulted into changes on the economic base, offering agriculture as an alternative to pastoralist, opening up of pastoral lands due to increased crop farming in high potential areas in ASALs.

Government strategies and policies for the development of ASALs are often influenced by assumptions, myths and generalization as the locals are never involved in designing and also in the implementation of these policies thus failing to address the core pastoral development problem in which pastoralist have refused to be transformed into sedentary framers resisting attempts to interfere with their cultural traditions.<sup>46</sup> The big problem in Kajiado District as identified from the research is the failure by the government to undertake vaccinations and veterinary services which is a severe blow to livestock sector, the mainstay of the arid district's economy. As a result, conflicts and diseases are rampant as most livestock keepers drive their animals into parks where they

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<sup>44</sup> A. Victor, A. Nyong and M. Herrero, *Pastoral Livelihood Adaptation to Drought and Institutional Interventions in Kenya*, op cit, pp.3-6.

<sup>45</sup> Ibid.

<sup>46</sup> S. Quantai, 'Drought and Development,' *Frequent Drought wreak havoc in Kajiado;* *Kajiado Focus* op cit. pp.2-10

are attacked by wildlife and infected with wildlife pests and diseases leaving the already marginalized district in a more wretched situation hindering sustainable development.<sup>47</sup>

The dominating Maasai community of Kajiado blames the modernization approach adopted by the Kenyan government aiming at sedentary livestock production which they argued is not suitable to the ASALs climatic and ecological context and this has opened the pastoral areas to agricultural groups resulting into conflict over ownership and use of resources.<sup>48</sup> These policies have failed to recognize the nomadic lifestyles of the locals, changing common property and this creates a feeling of being neglected among the pastoral groups, generating clan resource based conflicts and disruption of natural resource leaving the communities more vulnerable to famine and conflict.<sup>49</sup> Possession of illicit SALWs thus aims at protecting their interests perceived to be ignored by the both pre-colonial and successive governments.

Presence and easy availability of illicit SALWs is a key factor for underdevelopment in HoA region and in the district under study.<sup>50</sup> Modern warfare destroys economic and social infrastructure uproots populations, paralyses economic activities disrupting vital health and education services, diverting financial resources from development to defense causing under-development which is cited as both a cause and a consequence of illicit small arms. The illegal SALWs have sustained and intensified conflict in the region which has resulted into diversion of resources to public security, increased deaths and injuries, depriving the states of the productivity of the

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<sup>47</sup> Ibid

<sup>48</sup> S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado;' *Kajiado Focus* op cit. pp.2-10.

<sup>49</sup> K. .Mkutu, 'Pastoralism Conflict and Small Arms,' *The Kenya-Uganda Border Region*, op cit, p.5

<sup>50</sup> Ibid

victim of illicit small arms as stated by Micheal Fleshman.<sup>51</sup>

“The widespread abuse of weapons diverts scarce government resources from health and education to public security, discourages investment and economic growth, and deprives developing countries of the skills and talents of the victims of small arms.”<sup>52</sup>

From the attitudes, perception and experience towards the presence and use of firearms it is clear the majority of the people view illicit small arms as an important contributor to crime and violence. The study found that sixty per cent of respondents were willing to own illicit SALWs for self defense, and this reflects a residual distrust of the police and also reflects a popular perception that there is uncontrolled surge of armed criminal violence an indicator that more criminals are arming themselves.<sup>53</sup>

There is also strong support for tougher gun controls laws and better trained police officers and as is evident from the study that gunshots deaths and injuries were in a rising trend in the district and majority feeling safe at night than during the day and this agrees with an earlier research conducted by the UN Centre for Human Settlement (Habitat) and the Kenyan government that found that seventy five per cent of urban resident felt insecure at night despite an increased police presence in high crime areas. From the research most people in Kajiado feel insecure at night than during the day perhaps due to factors that prompt people to keep or acquire weapons in post conflict societies such as poverty, injustice and availability small arms intertwined together as both causal and the end-result for gun violence. The insecurity has reduced economic activities during day time and at night enhancing underdevelopment slowing economic

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<sup>51</sup>M. Fleshman, 'Small Arms in Africa; Counting the Cost of Gun Violence,' *Africa Recovery*, op cit, pp.1-

<sup>52</sup> Ibid

<sup>53</sup> E. Wangulu, 'Drought and Development: Drought: A Disease that affects Livestock and Pastoralists, *Kajiado Focus Issue No. 13, April 2004*, pp. 2

growth, reduced employment opportunities and poor living standards increasing poverty levels.<sup>54</sup>

### **High poverty levels**

Illicit SALWs possession has increased structural inequalities, reduced economic activities raising the levels of poverty in the district and as a result the local communities are compelled to engage in environmentally degrading activities such as charcoal burning to generating income threatening the area with desertification. The district is also characterized by high illiteracy levels with women and girls being the most affected and this is attributed to nomadic lifestyle and early marriages, malnutrition due to increased food insecurity and inadequate health facilities, poor infrastructure that has reduced economic activities while the persistent drought has continuously affected the livelihood of the local communities increasing poverty levels in the district.<sup>55</sup>

The assessment on the accessibility of services such as banking, policing, transport, recreation facilities, schooling is important as it provides the distribution of development indicators in the district which is clearly indicated as uneven with people in urban areas having more access to most of these services and this could be a factor for increased rural urban migrations, increasing level of insecurity in the urban areas and increased poverty especially in rural areas. Social problems such as high population of unemployed youths, pollution, poor sanitation, prostitution with high rate of HIV and Aids infections, use of drugs and possession of illicit SALWs are evident with more percentage in urban areas than in rural areas attributed to social stratification and

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<sup>54</sup> Ibid.

<sup>55</sup> Ibid

economic inequalities.<sup>56</sup>

Proliferation of illicit SALWs is a scourge in the district due to their devastating effects on the livelihood of the local people affecting political, economic, social, cultural and environment spheres vital in their basic survival and this in too reflects the possible link between the illicit SALWs and these factors resulting into the increased levels of poverty and underdevelopment. Insecurity is characterized by high rate of violent crimes, reduced economic activities and access to resources and lack of proper sanitation, forced migrations, loss of lives, properties and livestock, food and physical insecurity, education and health facilities and persistent conflicts.<sup>57</sup> There are government and traditional efforts in curbing the spread of illicit SALWs in the region and in the district predominantly occupied by pastoralists and these are traditional herd mobility in dry seasons, introduction of development policies such “Kazi Kwa Vijana” project, provision of development fund accessible at local levels, establishment of PBCM and also establishment of CBPP to address insecurity.<sup>58</sup>

## Conclusion

There are three emerging themes from the study; regional conflict and illicit SALWs, illicit SALWs and security and also illicit SALWs and development which are as a result of factors that contribute to the demand and supply of illicit SALWs. The regional conflict is due to political factors such as general election, ethnicity, distribution of ethnic groups, weak laws and institution to regulate national stockpiles, political instabilities in the neighboring states, porous borders and also colonial policies such as

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<sup>56</sup> E. Wangulu, ‘Drought and Development : A Disease that affects Livestock and Pastoralists,’ *Kajiado Focus* op cit, pp. 2

<sup>57</sup> Ibid

<sup>58</sup> S. Quantai, ‘Drought and Development,’ Frequent Drought wreak havoc in Kajiado;’ *Kajiado Focus* op cit, pp.2-10

land privatization and formation of political boundaries are the major drive for the illicit SALWs.<sup>59</sup> Economic and socio-cultural factors, environmental conditions and resource competition increase the demand for illicit SALWs. The discriminative economic system, social stratification, unequal distribution of resources and cultural raiding practices also contribute to proliferation of illicit SALWs.<sup>60</sup> Demographic pressure have increased rural-urban migration in the region, increasing employment pressures in urban areas a factor for high levels of crime and this also affects safety and security that negatively affects development in the region reducing economic activities and collapse of livestock markets and these results into slow economic growth in the study area characterized by under-development a factor for increased poverty in the HoA region.<sup>61</sup>

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<sup>59</sup> D. Whitehead *SALW Proliferation Pressures the Horn of Africa and EU Responses*, op cit, pp.1-6.

<sup>60</sup> Cited in E. Wangulu, 'Kajiado Focus: Drought and Development;' *Drought: A Disease that affects Livestock and Pastoralists*, Ibid op cit, pp.2-10

<sup>61</sup> S. Quantai, 'Drought and Development,' *Frequent Drought wreak havoc in Kajiado;* *Kajiado Focus* op cit, pp.2-9.

## CHAPTER FIVE

### Summary

#### Conclusions

The study has confirmed presence, causes and the prevailing impacts of proliferation of illicit small arms in the HoA region particularly in Kajiado District in Kenya. There are three key issues emerging from the study and these are; regional conflict and illicit SALWs, illicit SALWs and security and illicit SALWs and development. Factors contributing to regional conflict include political factors, climatic conditions and resource competition, inappropriate government and policies traditional practices. The impacts are high rate of crimes and increased insecurity resulting into under-development and high poverty levels in the area of study.<sup>1</sup>

The HoA region and particularly Kenya is facing threat to stability due to internal trends such as demographic, environmental, socio-cultural change, problem of economic growth and reforms factors that have influenced the demand and supply of illicit SALWs. Small arms in this study refers to weapons limited to revolvers, pistols, submachine guns, carbines, assault rifles, rifles, sniper rifles, squad automatic weapons, light machine guns and hand grenades. The arms are commonly as they are cheap, portable, easy to use and are commonly used weapons as they are cheap, portable, easy to use and durable thus can be recycled from one conflict to another.<sup>2</sup>

An overview of the Horn of Africa region reveals political factors, structural, cultural practices, regional economic and other factors as the regional causes for illicit

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<sup>1</sup> K. Gebre-Wold and I. Masson (eds), *Small Arms in the Horn of Africa: Challenges, Issues, and Perspectives*, op cit, pp.3-41

<sup>2</sup> M. Tadesse, 'New Security Frontiers in the Horn of Africa: Regional Perception of the pressing Security Agenda,' *Dialogue on Globalization*, FBS Briefing Paper June 2004, pp. 3-5



SALWs which are present at the regional, national and grass-root levels contributing to the increased demand and use of illicit SALWs in the region. The impacts of their proliferation are reflected on the unending conflicts with scarcity of resources playing major role in the increased demand and supply of illicit SALWs and easy availability of illicit SALWs and also sustaining these conflicts.<sup>3</sup> The conflicts are resources based mainly over access and use of limited natural resources and in absence of appropriate government policies the situation becomes conflictual. Other impacts include high gun related deaths and injuries and diversion of government resources from basic sectors such as education and health to public security, slow regional economic growth and development in the region.<sup>4</sup> Efforts to curb illicit SALWs in the HoA region include, calls for policy reforms, employment of arms embargoes, regional cooperation, such as signing of Nairobi Declaration and Nairobi Protocol for the prevention, control and reduction of illicit SALWs.<sup>5</sup>

The case study of Kajiado revealed the illicit SALWs situation in the district considering the factors attributing to the demand and supply of illicit small arms that included regional causes such as political instabilities in the region, state causes such as inappropriate government policies and grass-root causes such as traditional cultural practices such as commercialized cattle raiding and also environmental factors leading to resources based clan conflicts, fear of famine and mistrusts among clans. The illicit SALWs proliferation in the area under study has reduced outdoor activities, increased

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<sup>3</sup> J. Beaver, 'Between a rock and hard place:' *Armed Violence in African Pastoral Communities*, op cit, pp. 2-7.

<sup>4</sup> *Ibid.*

<sup>5</sup> K... Gebre-Wold, and I. Masson (eds), *Small Arms in The Horn of Africa; Challenges, Issues and Perspectives* op cit, pp.8-13:18.

deaths, loss of livestock and increase in the rate of crimes, insecurity, and rural urban migrations. Efforts in Kenya to curb illicit SALWs in the area of study involves the establishment of national steering committee for peace building and conflict management, implementation of the arid land resource management, adoption of inclusive approach to socio-economic development and community partnership with law enforcement such as community policing and their possible links with socio-economic, cultural political and environmental aspects, destruction of recovered illicit SALWs, provision of humanitarian support, improvement of infrastructure and border security and promotion of health and education through building of more health facilities and school feeding programs to improve school attendance.<sup>6</sup>

The research has emerged with three major issues such as regional conflict and illicit SALWs, illicit SALWs and security and illicit SALWs and development. Various factors influence the regional conflict with political instabilities being the main causes for increased demand of illicit small arms in the Horn of Africa. The collapse of Somalia and the prevailing state of anarchy in Somalia has also created further proliferation of SALWs in the region, enhanced by porous borders and large numbers of IDPs and refugees in the HoA region and this has been a source of most of the illicit SALWs highly circulating in Kenya. At the national level the transfer of small arms to non-state actors, inappropriate government policies and also some states have failed to apply or disregarded the UN embargoes supplying arms to states plagued by conflict and insecurity and also domestic manufacturing capabilities in poorly coordinated

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<sup>6</sup> E. Wangulu, 'Drought and Development,' Drought: A Disease that affects Livestock and Pastoralists,' *Kajiado Focus* op cit, pp. 2

disarmament exercises.<sup>7</sup> Outbreak of pests and diseases, mistrust among clans, harsh environmental conditions and long traditional practices such as the commercialized cattle rustling, acquisition of bride price practices also contributes to the increased demand of illicit SALWs while increased insecurity, economic marginalization, illicit trade and other social pressures influences self arming at local level.<sup>8</sup>

The Horn of Africa region has become synonymous with high levels of armed violence, increased insecurity and severe under-development and this is associated with pastoral groups lifestyle as most of them functions outside state administrative and security framework and has also a long history of conflict that extends to sedentary communities and these have proved devastating to the socio-economic and development trajectories of the entire region. Illicit SALWs in the district has left devastating impacts such as loss of livestock, high rate of crimes, reduced economic activities, discourages investment and increased migrations though the magnitude of the illicit SALWs in the district is at minimal scale as compared to other parts of the region.<sup>9</sup>

Causes for increased proliferation of illicit SALWs in the HoA are tied up in the political, economic, social-cultural and environmental arena, important in human survival.<sup>10</sup> Political factors in the region such as political instabilities in states such as Sudan, Ethiopia, Somalia and low level ethnic conflicts in the Horn is a factor to increased illicit SALWs, conflict in the HoA is the key factor to illicit SALWs demand, undermining states efforts to control and manage the illicit SALWs, thus hindering sustainable development in most states. The porous nature of borders influences illicit

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<sup>7</sup> D. Whitehead, *SALW Proliferation Pressure, the Horn of Africa and EU Responses*, op cit, pp.1-13.

<sup>8</sup> K.. Gebre-Wold, and I. Masson (eds), *Small Arms in The Horn of Africa; Challenges, Issues and Perspectives* op cit, pp.8-13:1

<sup>9</sup> T. Dietz, A. Owiti and J. Otinga, *Report of the identification mission for an ASAL program in Kajiado District* Netherlands Development Organization Nairobi, Kenya, 1986, P.35

<sup>10</sup> K. Mkutu, *Pastoral Conflict and Small arms: The Kenya- Uganda Border Region*, op cit, pp.7-36

trade including of illicit SALWs associated with influx of refugees.<sup>11</sup> Ethnic geography and the nomadic culture of pastoralist communities have placed them in more than one state and this furthers the spread of illicit arms in the region. In Kenya, political nature of general election is a key cause for self arming with recurrent ethnic clashes every electorate year or during by-election such as in 1992, 1997, 2002 and 2007 and in Kajiado low-level ethnic conflict was evident after 2007 disputed general elections.<sup>12</sup>

Inappropriate government policies of states in the Horn, such as development policies and inadequate security services, inadequate security provision based on the public perception on incapability of police towards providing security services.<sup>11</sup> High population, lack of employment, unequal access to resources, and reduced livestock markets also influenced possession of illicit SALWs. Famine and drought have affected livelihood of local communities increasing competition for resources inducing clan conflicts and human wildlife conflicts. Resource over use has reduced their availability further inducing conflicts a factor that has influenced self arming to protect resources.<sup>13</sup> The illicit SALWs have devastating impacts that include high levels of poverty and underdevelopment.<sup>14</sup> The increased insecurity and high rates of crimes in results into unequal developments at the regional, state and local levels and lack of meaningful development in leads to social problems<sup>15</sup> such as, high population of unemployed youth, poor living standards, low literacy levels and reduced income

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<sup>11</sup> E. Brown *The International Dimensions of internal Conflict*, op cit, p.240.

<sup>12</sup> M. Renner, *Ending Violent Conflict*, op cit, pp.23-38

<sup>11</sup> K. Mkutu, *Pastoral Conflict and Small arms: The Kenya- Uganda Border Region*, op cit, pp.7-36.

<sup>13</sup> A. Victor, A. Nyong and M. Herrero, 'Fighting Climate Change: Human solidarity in a divided world, Pastoral Livelihood Adaptation to Drought and Institutional Interventions in Kenya,' *Human Development Report 2007/2008 UNDP*, pp.3-11

<sup>14</sup> S. Quantai, 'Drought and Development,' Frequent Drought wreak havoc in Kajiado,' *Kajiado Focus* Issue op cit, pp.1-10.

<sup>15</sup> OCHA 'For a Policy Framework on Pastoralism in Africa: Pastoralists and Cross-Border Security in the Horn,' *Pastoralists Voices* op cit, pp. 1-5

generating activities.

The governments in the HoA region and specifically that of Kenya have taken significant measures towards control and management of illicit SALWs situation at the regional, national and grass-root levels. There are regional agreements demonstrating regional cooperation at states level, registration on SALWs has been enacted in most states though few have effective registrations. In Kenya, the government has structured a national weapons management policy with an objective to eradicate illicit small arms through strict control measures and is also a signatory to the Nairobi Declaration on the Problem of the Proliferation of Illicit SALWs in the Great Lakes Region and the HoA which was launched as Nairobi Protocol in 2000 leading also to the creation of centre on small arms; RESCA, to combat the proliferation of illicit light weapons.<sup>16</sup>

New institutional structures such as National Steering Committee for Peace Building and Conflict Management, CBPPs, National Focal Action on Arms Control and Management and implementation of the Arid Lands Resource Management Projects, supporting community based approaches to improving security. There are also disarmament exercises, destruction of all seized, captured and voluntarily surrendered stock and enhancement of border control.<sup>17</sup>

### **Key findings**

Presence and accessibility of illicit SALWs was highest in urban areas of and as compared to rural areas. The use of illicit SALWs increased significantly in urban areas is a reflection of the moderately urbanized population, the socio-economic disparities, increased insecurity, high rate of unemployed youths, features of an urban population and

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<sup>16</sup> KNFP 'Small Arms and Light Weapons:' *Kenya National Action Plan*, op cit, pp.2-6.

<sup>17</sup> L. Keriga, 'Social Policy, Development and Governance in Kenya,' *A Profile on Crime and Insecurity in Kenya*, op cit,p.24

the increased rural-urban migrations in the district perhaps is due to poor infrastructure, harsh climatic conditions and increased insecurity in the rural interior areas.<sup>18</sup>

The population survey also indicated various causes of increased spread of illicit arms in the district. Regional factors such as political unrest in neighboring states and mainly Somalia facilitated by inadequate border controls and refugees from the war torn states contributes to influx of illicit SALWs in Kenya and in Kajiado District. Illicit SALWs proliferation is also influenced by inadequate government policies such as the poor regulations of national stock pile, weak gun laws, inadequate land tenure policy, socio-economic disparities among the local communities while at the grass-root level, harsh climatic conditions, fear of the famine and mistrust between are the major causes.<sup>19</sup>

Political instabilities in the neighboring states, environmental conditions, traditional practices and presence of inappropriate government policies emerged as the main common causes of illicit SALWs proliferation in all levels of analysis while the impacts of illicit SALWs are loss of lives and livestock, reduced economic activities, forced migration resulting into underdevelopment and increased poverty levels in the HoA region and more specifically in Kajiado District. The findings thus confirm the presence of illicit SALWs as a scourge in the area of study and also indicated that the local peace long for peace as demonstrated in their willingness to be involved in illicit SALWs control and management activities and this is crucial both in academic and policy dimension as the findings provide further guidelines to improve national policy on

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<sup>18</sup> RESCA, 'Cooperating to Disarm: Achievements by Member States to the Nairobi Declaration,' *Arms Destruction RESCA 2007*

<sup>19</sup> Cited in, E. Wangulu, 'Drought and Development: Drought: A Disease that affects Livestock and Pastoralists,' *Kajiado Focus* op cit, pp.2-10

SALWs and human development planning expanding the knowledge on human security and peaceful resolution of conflict.

## **Recommendations**

The study has brought to the fore a number of recommendation to be shared at the local, national and regional levels. To deal with the proliferation of illicit SALWs in Kenya, the government should implement their policies adequately also there is needs to have a national weapons management policy which should be supported for its success. Control and management of illicit SALWs should also involve the neighboring states with disarmament exercises jointly exercised to involve neighboring countries to successfully disarm all border communities. Future control and management of illicit arms should consider development aspect as demand for illicit SALWs is due to the community's marginalization, insecurity and inability to support them and this result into feeling that acquisition of illicit SALWs would facilitate their access to basic needs.

The recommendation can be realized through further field research in relation to the following issues:

1. Causes and impacts of illicit SALWs in ASALs.
2. The link between demand for small arms and underdevelopment at the local level to identify the types of development interventions that would reduce demand for illicit SALWs.

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**QUESTIONNAIRE SAMPLE**

*(Tick your appropriate answer in the bracketed space)*

1. Do you have access to a gun (a) Yes ( )  
(b) No ( )
2. In your view, is possession of firearms desirable/necessary? And what makes you feel so?.....  
.....  
.....  
.....
3. In your view, to what extent are the small arms available in this locality/district  
(a) Low ( )  
(b) Average ( )  
(c) High ( )
4. In your own view, what are the likely sources of illicit SALWs in Kajiado District?  
.....  
.....  
.....
5. Does any of your household keep a gun? (a) Yes ( ) (b) No ( )
6. Have you experienced the presence of small arms within your community? (a) Yes ( )  
(b) No ( )
7. In your view, what extent are the small arms available in your locality?  
(a) Low ( )  
(b) Average ( )  
(c) High ( )  
(d) Very high ( )
8. Do you know of anyone of anyone who has a gun? (a) Yes ( ) (b) No ( )
9. How often do you hear gunshots within your locality?  
(a) Never ( )  
(b) Rarely ( )  
(c) Frequently ( )
10. Are firearms injuries common in your locality? (a) Yes ( ) (b) No ( )
11. In your view, Is possession of firearms desirable/necessary? What makes you feel so?  
.....  
.....  
.....  
.....
12. Would you personally own a small arm? And what are the reasons for your answer?  
.....  
.....  
.....  
.....

13. In your view, how can you indicate the quantity of small arms related crime in your locality as compared to previous years?

- (a) Low ( )
- (b) Average ( )
- (c) High ( )
- (d) Very High ( )

14. Do you think there is need for improved control of firearms in your area?

.....  
.....  
.....

15. Would participate in general activities in small arms control activities in this district?

- (a) Yes ( ) (b) No ( )

16. How safe do you feel while walking in your locality during the:-

- (i)Day (a) Yes ( ) (b) No ( )
- (ii)Night (a) Yes ( ) (b) No ( )

17. How would you rate violate crimes experienced in your locality?

- (a) Low ( )
- (b) Average ( )
- (c) High ( )
- (d) Very High ( )

18. Have you or a member of your family been a direct victim of crime/assault, robbery, hijacking burglary, or sexual assault?

- (a) Yes ( ) (b) No ( )

19. Are the following social problems common in your locality?

- |                      |                                 |
|----------------------|---------------------------------|
| 1. Alcohol abuse ( ) | 5. Prostitution ( )             |
| 2. Drug abuse ( )    | 6. Refugees ( )                 |
| 3. Unemployment ( )  | 7. Possession of small arms ( ) |
| 4. Corruption ( )    |                                 |

20. Do you have access to?

- 1. Legal assistance ( )
- 2. Health care ( )
- 3. Banking ( )
- 4. Policing ( )
- 5. Transport ( )
- 6. Schooling ( )
- 7. Sports and recreation ( )

*(Thanks for filling the questionnaire.)*