

**FACTORS INFLUENCING CONFLICT BETWEEN COMMUNITIES
THE CASE STUDY OF ORMA AND POKOMO COMMUNITIES IN THE
TANA DELTA OF TANA RIVER COUNTY, KENYA**

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DECLARATION

I hereby declare that this project report is my original work and has not been presented for a degree at any other university.

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L50/71327/2009

This research project report has been submitted for examination with my approval as the candidate's University Supervisor.

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DEDICATION

I dedicate this work to my parents who have greatly supported and encouraged me during the entire period of my study and their continued dedication and prayers towards my successful completion of this course.

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I would like to thank the beloved Almighty God through whose love, grace and guidance and protection made me study and complete this course.

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ABBREVIATIONS AND ACRONYMS

DDP	District Development Pan
GSU	General Service Unity
HRW	Human Rights Watch
NHRC	National Human Rights Commission
KMYA	Kenya Muslim Youth Alliance
KDF	Kenya Defense Force
PA	Provincial Administration
PC	Provincial Commissioner
UNHCR	United Nations High Commissioner for Refugees
UNEP	United Nations Environmental Program
UoN	University of Nairobi

ABSTRACT

The study was designed to examine the factors that aggravated conflicts within communities, taking a specific focus on the Orma and Pokomo communities in the Tana Delta in Tana River County. The Ormas and Pokomos have been facing quite dramatic challenges posed by various socio-economic indicators. In spite of the fact that there had been increased deaths, loss of property and displacement of people within the area, there still exist significant differences ethnicity and the level of articulating of the fundamental issues still remain wanting. There are a large number of members of the community within Tana Delta who still live under fear, not knowing the next move that will be undertaken thus failing to make maximum utilization of their available resources for their socio-economic well being. One of the reasons for this might be the proliferation of small weapons in the area, inadequate land tenure system, weakened traditional governance systems within the pastoral communities, emergency of cattle rustling and the ineffectiveness of the government policies. A number of initiatives have been conducted within the area by both the Government, the donor agencies, Human Rights Watch, Faith based and Non-Governmental organizations both local and international to increase awareness on conflict management and reduce fears within the communities as well as provision of material and medical support to the members within the IDPs. The literature reviewed showed the extent of the factors that influence the conflicts within the communities as stated in the conceptual framework. Reviewed literature has indicated that the communities including the government possess different characteristics and thus strengths and/or weaknesses in trying to mitigate the aforementioned challenges. The collection of data on the profile including the factors that influence conflicts gave a clear picture of how the situation was on the ground. A quantitative and qualitative descriptive design was used to study a sample of 60 stakeholders including the Provincial Administration, Non governmental organization, faith based and communities in the various sectors. In the process of answering the basic questions, a questionnaire that includes all the aspects of the study was sent to all the stakeholders and /or stakeholders nearby so that it could be shared by every respondent. A telephone follow up was made where qualitative information was gathered to complement the quantitative information available from the questionnaire. The literature reviewed in this study, and especially my experience, suggests that lasting conflict resolution can only be achieved by the parties themselves, based on a strengthened local institutional capability (including customary institutions and local civil society organizations), and key local individuals. However, government and outside agencies have an essential role to play in creating the external conditions for such local settlements, and in supporting local institutional capability. To summarize, the government should immediately restore the security and order in the affected areas and take appropriate measures to prevent further resurgence of violence. Firm and decisive action should be called upon against the perpetrators irrespective of their standing in the society. The relevant government ministries must urgently resolve with finality the boundary disputes in various violence hotspots and establish durable mechanisms of averting drought related conflicts. This could include provision of water, humanitarian support and enforcing community driven modalities of sharing pasture during the dry season.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

Conflict, according to **Karl Max 1991** was defined as a force that tries to tear apart relationships between parties. He further described it as an inevitable and necessary feature of our relationship with others. What matters is how to effectively address conflict when it arises. Conflict is normal as its part and parcel of human lives, it is natural and part of God's creation (was there since creation). It was not neutral and cuts across (it's either positive or negative) it does not dependent on your status. Karl max added that there shall always be a rift between 'the haves' and 'have-nots' and therefore conflict is inevitable as it's, out of the conflicts resolutions such as equitable distribution of resources, coalitions etc are made.

Ralf Dahrendorf 2001 expressed his differences emanating from the majority and minority groups within the community, bosses verses servants, employees verses employers. The human needs theory; **Abraham Maslow's 2003** identified ten basic needs. Denial of any of will automatically lead to conflict. The needs are as follows; Subsistence-food, shelter and clothing, Affection (the need to love and to be loved), participation (own up and feel part and parcel), transcendence (belief in some supernatural being), freedom (to move, express etc), Understanding (to understand and be understood), Leisure (to relax and engage in recreational activities), identity (need to know who you are and to be known), creativity (be innovative) and security (the need to feel safe and protected).

Conflict also arises because of the changing relations of numerous variables; technological, psychic, social, and intellectual. The idea of conflict is basic to our understanding and appreciation of our exchange with reality--of human action. Conflict can be treated broadly as a philosophical category denoting the clash of power against power in the striving of all things to become manifest. Or, conflict can be seen simply as a distinct category of social behavior--as two parties trying to get something they both cannot have. Moreover, conflict can be

apprehended as a potentiality or a situation, as a structure or a manifestation, as an event or a process.

The concept of conflict is multidimensional; it envelops a family of forms. We select one depending on our analytical purposes and practical problem. Because my concern is to understand conflict as social field phenomena, I must first consider conflict as a general category. From this most general conception I can work towards comprehending social conflict, and its empirical manifestations. **Wright, 1965: 1284**

Reality comprises multiform and interwoven potentialities, dispositions, and powers. What aspect becomes manifest depends on the dialectical confrontation between this reality and our perspective, which is a power, an outward directed vector. What we perceive is the result of the *conflict* between this vector and reality's inward bearing vector of power.

Such is the view of reality provided by the field approach of this book. What then is conflict? *Conflict is a balancing of vectors of powers, of capabilities to produce effects.* It is a clash of powers. But note; Conflict is not a balance, equilibrium, of powers. It is not a stable resultant. Conflict is the pushing and pulling, the giving and taking, the process of finding the balance between powers. Thus, I have favored the term dialectical--the moving back and forth in a field of confrontation--to describe perception. For perception is seldom determinate. It is a continual balancing of outward directed and inward bearing vectors of power, a perpetual conflict.

Most fundamentally, therefore, conflict is correlative to power. Power, simply, is the capability to produce effects; conflict is the process of powers meeting and balancing. To understand what powers become succeed requires comprehending their conflicts; to understand conflict involves untangling the powers involved.

Conflict is therefore universal, as Heraclitus pointed out. My very experience presupposes conflict in its generation, and my knowledge, apart from its categories, is based on such conflict. Our learning about ourselves, others, and reality, our growth and development, and our increasing ability to create our own heaven or hell, comes through conflict. *The desire to eradicate conflict, the hope for harmony and universal cooperation, is the wish for a frozen, unchanging world with all relationships fixed in their patterns--with all in balance.* One in which we cannot hope nor plan for a better tomorrow, but can only follow our inevitable course, with the determined ups and downs of a wooden horse on a merry-go-round. As a balancing of

powers, conflict embodies the levels of *potentiality*, *dispositions*, or *manifestations*. Potentiality is what may become; it is the space of possibilities, as the space of a blackboard is the realm of all the two-dimensional figures and forms that may be drawn on it.

Conflict as potentiality is then the space of possible conflicts: the realm of potential opposing vectors of power.

Our reality, then, is a conflict-space. Even our perception presupposes a conflict between inward directed vectors and our active reaching out to sense and comprehend such reality. Are all spaces of potentials, then, conflict spaces? Yes, for all potentials may be opposed; all potentialities have inherent in their space the possibility of conflict. Even a one-dimensional space contains the possibility of opposing vectors, as trains headed for collision on a straight railroad track. But potentiality is only one level of reality. A second is that of *dispositions and powers*: of potentialities transformed into tendencies toward specificity and their strength to be so manifest. At this level we can discriminate between two facets of conflict: a *conflict-structure* of those dispositions opposing each other within the conflict space; and the *conflict-situation* consisting of opposing powers, and their indeterminate balancing. Clearly, some clarification is required.

Reality is a multidimensional space of potentialities and multifold, divergent, congruent, intersecting, and opposing dispositions. Two such dispositions are oxygen and hydrogen, which have the *tendency* to form a dynamic balance called water. Water itself has the opposing dispositions to become steam or ice. Normally, in water these dispositions form a structure; they exist with little strength towards conflict. Neither heating the water to boiling nor freezing it alters the structure of conflict, although the disposition of water to become steam or ice is manifested. The structure merely indicates the existence of dispositions which have a tendency to conflict. Thus, slaves and masters, proletariat and bourgeoisie, and peasant and landowner comprise structures of conflict, regardless of the strength of their opposing dispositions.

Within a conflict-structure, however, may exist a conflict-situation. This is a situation in which the opposing tendencies are activated--opposing powers are manifest. Consider water again. If water is contained in a pipe ten meters long with one end heated by a torch and the other packed in dry ice, the opposing dispositions to become steam or ice are activated. That is, they have become opposing powers towards manifestation. Similarly, if both slaves and masters share a normative system legitimizing slavery, as was true in classical Greece, then there exists a

structure of conflict, but no conflict-situation. However, let a religion spread which emphasizes the equality and freedom of all people and the evils of slavery, and slaves become conscious of their exploitation and the masters become aware of the need to protect their interests. Dispositions have become actual opposing powers: a conflict-situation exists.

The final level of reality is of manifestations. This is the level of manifest conflict, of conflict behavior, where the opposition of powers is specific. For water enclosed in a pipe, the simultaneous heating and freezing of the two ends--the situation of conflict--manifests a rapid circulation of water. This circulation reflects the balancing of powers--the struggle of opposite tendencies--within the water. Likewise, secret meetings among slaves and the organization of an escape route manifest the conflict-situation.

On this we must be careful, however. This process has three facets: opposing attempts to produce effects, that is, opposing powers; the balancing of these powers; and the actual balance of powers. Now the opposing powers create a conflict-situation at the level of dispositions and powers. On this plane the actual balancing, the process of their clashing may be partially indeterminate, like the unconscious cognitive balancing in a psychological field which partially underlies our perception, or the movement of molecules in the circulating water. However, aspects of this process may become manifest. We perceive the rapidly circulating water in the pipe (assume the pipe is made of a special glass), slaves may riot or demonstrate against their masters.

Consequently, the balancing process occurs both at the level of dispositions and powers and of manifest effects; the process may involve both the conflict situation and manifest conflict. The thunderstorm which manifests the conflict between hot and cold air systems is but the determinate aspect of the balancing of these two systems.

Finally, there is the balance of powers, the momentary equilibrium established between the opposing powers. This balance is manifest, determinate. Although there may be a situation of conflict between slaves and masters, a sufficient balance of the opposing powers may exist to manifest the patterns of dominance and subordination. A balance of powers is no longer a conflict. It is neither a conflict nor manifest conflict. It is a system of manifest effects. Manifest reality therefore has two forms. *Manifestations* are either a balancing of powers or a balance of powers. Thus, manifest roles, norms, or practices in society evidence a balance among social

powers. To conclude, conflict is a balancing of powers which can be correlated to potentiality, dispositions, and manifestations as described by (Spencer 1973; Almagor, 1979).

1.2 Statement of the problem

Pastoralism is a production strategy in which people raise herd animals as a means to earn a livelihood, often in Arid Semi Arid Lands (ASAL). Pastoralism relies on the availability of water, pastures and labor to thrive, with water as the determining factor. Crop farming is yet another strategy which sustains survival for the farming communities with the inadequate rainfall limiting crop-farming activities as the most feasible and consistent viable livelihood. Conflict emerges as one way in which human society adjusts in the face of scarce resources. Conflicts are complicated issues that get interwoven with other social, economic, environmental and political activities within a society. If not managed well, conflict can have a negative impact on the environment and on the assets and capabilities people require for their survival. Being that delicate, conflict management takes time and resources.

In Tana Delta, households are affected in a number of ways during and after conflicts. The violence experienced in the Lower Tana Delta area in Tana River County saw a number of lives lost, livestock killed, homes burnt into ashes, breakup of family units, disruption of learning, displacement of people, escalation of OVCs, violation of human rights and famine.

The impact is in terms of reduced access to food; interruptions in education; health care services; and trade. Reduction in the number of livestock through raids; loss of life and property; lack of water; degeneration of social relationships; forced migration of families and livestock; negative psychological and social impact of closure of the borehole; and intensified insecurity leading to reduced outdoor activities; among others—these are serious implications to a people already experiencing figures below the national average in health, education and nutrition. This project sought to discuss the factors that escalated conflict which later caused each of these elements and affected the daily lives the Pokomo and Orma communities in the rural country side of lower Tana Delta in Tana River County along the northern part of Coastal Kenya.

1.3 Purpose of the Study

The purpose of the study was to examine on factors influencing conflicts between Orma and Pokomo communities in the Tana Delta District of Tana River County.

1.4 Objectives of the study

The study was guided by the following objectives:

1. To determine the extent of insecurity situation as a result of proliferation of small and light weapons within the community in Tana Delta.
2. To examine how inadequate land tenure policies influences conflicts within communities in Tana Delta.
3. To establish of how the weakened traditional governance in pastoral area influences conflicts within communities in Tana Delta.
4. To examine how cattle rustling influences conflicts between communities in Tana Delta.
5. To assess the extent on how the government policies influences conflicts between communities in Tana Delta.

1.5 Research Questions

The study attempted to answer the following research questions:

1. What is the extent of insecurity situation as a result of proliferation of light weapons within the community in Tana Delta?
2. How does land tenure policy influence conflicts within communities in Tana Delta?
3. How does the weakened traditional governance in pastoral area influence conflicts within communities in Tana Delta?
4. How does cattle rustling influence conflicts between communities in Tana Delta?
5. How do the government policies influence conflicts between communities in Tana Delta?

1.6 Basic Assumptions of the Study

The study was built on the basic assumption that the respondents would be truthful in responding to the questions.

It was certain that the allocation of time for each and every component of this study would be intact to ensure that the results of the exercise are made available in due time.

Another assumption was on the sample size and the choice of respondents that was chosen if it could be adequate to come up with major conclusion.

1.7 Significance of the study

Various parties would find significance of this study for their own use as stated below;

The study would help the government to understand the extent of the communities in Tana delta getting into conflicts, which would also help in making informed decisions on how to mitigate the conflicts on a long term.

The study also would help the government to understand the role and responsibility of each actor in the conflict mitigation and management processes as well as help create a synergy that will be beneficial to both the government and the communities.

The study helped the researcher to acquire knowledge and understand the critical factors that influence conflicts between communities in Tana Delta of Tana River County in Kenya.

The study assisted the communities in Tana Delta, especially the Orma and Pokomo conflicting communities to come up with the root cause of the conflict and also provide a platform to analyze the possible solutions to their problems.

The study also helped provide an insight to the entire Kenyan public comprehend diverse decisive factor used in assessing validity of the factors that influenced conflicts between communities; their role, purpose, significance and impact in conflict mitigation and management for sustainable development.

1.8 Delimitations of the study

The study concentrated only on the geographical area where the conflicting Orma and Pokomo communities live; that is Tana Delta in order to determine the measure and the way of distributing the variables. In Tana delta; Mkunumbi and Ozi area were the two distinctive research sites purposely selected due to the magnitude of conflicts that were experienced during the months of August and September 2012, thus calling for the study.

1.9 Limitations of the study

In this study, there were few limitations that were recorded as below;

There was quite a lot of financial support required to move between the places in order to collect information for the study. There was also need for other logistical issues such as provision of stationery. The study also called for the support of research assistants who also needed to be paid allowances thus calling for a budgetary allocation. In this note, the researcher was forced to extend the financial sources thus acquired a loan to successfully complete the research project.

The issues to be discussed in this research were so sensitive considering that the research was conducted during the period when the conflicts were at their peak. It was difficult to convince the respondents to answer fully and as expected since they thought they were investigated and thus their information provision could lead to their arrest. The researcher in this case had to use proxies who were well known to the people involved in this study. It was quite hectic but the only way to get accurate information from the members of the public.

1.10 Definition of significant terms

Conflict Disagreements which may lead to fight between different people or communities over something of common interest e.g. land, water or minerals etc.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

In this chapter, various documents and publications relating to the subject under study are reviewed; the background of the main problem is discussed in details, the factors that influence the conflicts between communities in Tana Delta and the involvement of various actors in mitigating the conflicts including the government among others are also details.

2.2 Insecurity and proliferation of small and light weapons

The conflict between these two communities and their different yet uncompromising lifestyles previously resulted in few casualties because the weapons of choice were traditional weapons such as clubs, spears, and bows. However, the increasing introduction of small arms and light weapons has caused the number of casualties to escalate and more property to be destroyed than in the past. The Orma communities belong to the larger Somali ethnic group and are believed to source their arms from their relatives in Garissa and Ijara districts, which border Tana River. (Monograph no. 95, January 2004)

Tana River has the characteristics of any other conflict prone area in the country: underdevelopment, poor infrastructure, poor communication and social amenities, and social marginalization. Communities are arming themselves because of the need to defend against perceived attacks. They feel that the government security machinery has not been able to effectively respond to violence. Isolation has led to increased demand for guns. (NHRC Report August, 2012)

According to a stakeholders' meeting convened by the District Commissioner in July 2002, it was pointed out that no concrete data existed on the scope and extent of small arms and light weapons in the district. There are some undisputed facts, however. The ethnic clashes in Tana River District started in 2000 and slowly picked up intensity to unprecedented levels from late 2001 to early 2002. There were several reasons for the escalation and sustenance of the conflicts in the district. (KMYA Report August, 2012)

A land adjudication programme was started in the district without first adequately consulting with the communities. This programme was summarily rejected by the pastoralist Orma ethnic community because they saw the adjudication as a conspiracy between the Pokomo agricultural communities and the government to deny them access to traditional grazing areas and water access routes known as 'Malkas'.

Sep. 11 (GIN) – A dispute between neighbors turned deadly this week in the Tana Rivera delta, north of Mombasa, Kenya's touristic center. Access to guns from war-torn Somalia has increased the number of fatalities in local villages. Two groups, the cattle-herding Orma, and the Pokomo, who are farmers, have been at odds over scarce land and water resources.

Over 100 lives have been lost since fighting began as small-scale attacks several months ago.

Mwalimu Mati, head of Mars Group Kenya, a media watchdog, urged the government to provide equitable resources to end the fighting.

"Resource conflict will be with us for a long (time) because the government policies that promote timber harvesting have resulted in deforestation," said Mwalimu Mati, head of Mars Group Kenya, an online activist group.

Local political leaders have condemned the government in Nairobi for failing to intercede and disarm the fighters. "Why is it that for seven months there have been no arrests, no people charged, no people taken before the law?" asked Danson Mungatana, a local member of parliament.

The bodies of eight policemen have been taken to Witu and Malindi hospital mortuaries. Red Cross officials have confirmed the figures of dead.

Said Ali, a Mombasa-based teacher, whose village in the Tana River region was recently attacked and burned, said the use of guns made the clashes much more deadly.

"There are usually tribal clashes between farmers and pastoralists—it's normal," Mr. Ali said. "But the way it has escalated, with firearms and the deployment of security forces – that has made us suspect it is political."

ANTI terrorism police officers seized two AK-47 rifles, 60 rounds of ammunition and three AK - 47 magazines in a bus at Mokowe in Lamu. The Mombasa bound bus belonging to Najah Company was intercepted after intelligence reports indicated that it was smuggling the firearms. Coast provincial police boss Aggrey Adoli said the seizure is a major breakthrough on the war against terror. Ten suspects including the driver of the bus, conductor and passengers are being questioned by detectives. The bus is detained at Mokowe police post. (The Star September 2012)

Security agencies were conducting a disarmament exercise in Tana River that is necessary to flush out guns illegally held by locals. It was highly likely that these firearms were used in the recent spate of violence that left more than 110 people dead and thousands displaced. While most of the deaths were from what police describes as crude weapons including pangas and clubs, a few gunshot wounds were reported. Guns could have also been used to subdue the victims before being hacked to death. Thus the move to disarm the communities was not only necessary but overdue to ensure the rule of law and order is restored. However, just like every disarmament that has ever been conducted in Kenya since independence, the Tana River operation has been accompanied by numerous complaints of police brutality. Locals report being physically assaulted to confess the whereabouts of the illegally held weapons. The operation must not break the law to implement the law. Officers cannot trample on the rights of the locals in the name of restoring order. Experience from the Operation Okoa Maisha in which the army disarmed the Sabaot Land Defence Force militia should be a lesson learned. Senior officers involved have since been banned from receiving any training funded by the US government because of extra-judicial killing. Officers in the Tana operation should also know that maiming innocent civilians will have consequences and repercussions, including being arraigned in court. They should conduct their operation in a human manner. (*Leon R. Yankwich, a former US judge, September 25, 2012.*)

The government issued a seven-day ultimatum to the warring pastoralists and farmers in Tana River to surrender all illegal firearms before they are forcibly disarmed. Coast PC issued the order after a more than four-hour meeting leaders in Garsen. The meeting was attended by senior provincial security chiefs including police boss, area MP and leaders from the two communities.

The government was aware that there were guns in the area and that they must surrendered voluntarily before the full force of the law takes effect. *"I want the guns and those who have them are known. There will be no reason to hide them because if they are not voluntarily brought by the end of this week, then we shall come for them by force,"*

They were also ordered to reveal the names of those behind the attack on pastoralists in which four people and several cows were killed and house burned houses at Kilelengwani and Kau villages. The incident has been blamed for the tension in the area in the last four day. (The Nation Newspaper, September 12, 2012.)

2.3 Inadequate land tenure policies

Tana River district is one of the seven districts that make up the coast province. The district has a population of about 180,000 people with the Pokomo (Bantu/farmers), Orma and Wardey (Cushitic/pastoralists) being the dominant ethnic groups in the district. The name of the district is derived from river Tana, the largest river in Kenya, which traverses the northern and eastern part of the district down to the Indian Ocean where it enters the sea at Kipini with a delta of approximately 40 km wide. (*Tana River District Development Plan, 2005*)

River Tana is an important ecological and natural resource in the district. Both the pastoralists and farming communities in the district derive their livelihoods from this river.

Rainfall in the district is low bimodal and erratic, the mean ranges between 300mm and 500mm. With the rains being erratic especially in the hinterland, the district experiences drought almost every year. The coastline is wet than the hinterland. The coastal region receives up to 1200mm of rain annually although it varies and is highly unreliable. The higher rainfall at the coast support cash crops while the dry climate in the hinterland only supports nomadic pastoralism. Generally therefore the district is dry in most of the seasons with temperatures averaging. (*Short Rains Assessment Report, 2007*)

In the 1980s, there were 3 major irrigation schemes in the district, which greatly influenced the local people's lifestyle in terms of employment and source of income. There were no conflicts during those days since people were busy on the schemes. However, since the collapse of these schemes (Bura, Hola and Tana Delta irrigation projects) the poverty rate has alarmingly soared and became a major source of conflicts in the district. The pastoral communities reverted back to their traditional method of nomadic pastrolism while the farmers (the Pokomos) started small

scale subsistence farming along the Tana River from Mbalambala (Asako) in north, to Kipini on the Tana River estuary. The Nomadic pastoralists (the Ormas) moved far into the hinterland with their large herds of animals while the Pokomos remained along the river. This created two distinct and competing lifestyle (farming and pastoralism); *Practical Action-EA Peace Bulletin - September 2004*

Conflicts have flared whenever the pastoralists try to access the river to water their livestock for virtually all the riverbanks have been occupied by the farmers. This subsistence land use by the farmers has left no space for the pastoralists to access the water and this has been the main and leading cause of conflict, especially during the dry period when all the pastoralists have moved with their livestock to the Tana delta. Whereas the farmers claim the land the pastoralists claim unfettered access to the water. These conflicts are therefore predictable and preventable if adequate conflicts resolution mechanisms are put in place. This scenario perhaps provides an express manifestation and understanding of conflict over natural resource (water); *GoK 2010 Peace Bulletin.*

On the other hand, unresponsive land adjudication and regimes have bred conflicts in the district. Ostensibly to promote productive land use, the government implemented a controversial land adjudication programme in the district. Land was subdivided and allocated to individuals (mainly settled farmers) as private property. However, it become apparent that this process did not go down well with the pastoralists since they thought it would limit their movement and that's why they opposed and continue to oppose the policy. The farmers who felt that the adjudication would legalize their ownership of land embraced the adjudication (*Desta, Solomon, D. Layne.Coppock, and Christopher B. Barrett 2004*)

On the Tana River Delta, Kenya including on the plight of the villagers who were forcibly evicted from Gamba village at the end of 2010 to make way for an unsuccessful food programme. Over 1000 people - Wardei pastoralists grazing their cows and goats – were evicted and set up a in a place called Walkon, 4.5 miles away from Gamba. Most of the children dropped out of school after the move because of the distance back to the school and the only water came from a drainage canal of the Government farm contaminated with chemicals until good Samaritans drilled the village a borehole. (*The Star, September 2012*)

In late 2011, the flooding returned, probably to the level that is normal to Tana Delta. The new village was established in a significant dry period and so became submerged in water, forcing a temporary return to Gamba.

The water submerging Walkon village is now subsiding; however, there are pools around the village which have been taken over by hippos and crocodiles. The villagers are forced to wade to reach their huts and predictably diseases such as bilharzias and malaria have increased. This sad story emphasises why proper land use planning for the Delta is so urgently needed. We're pleased that the strategic land use planning process for the Tana River Delta, launched last September, is now well underway. This process will involve all stakeholders and zone different areas of the Delta for certain types of activities including conservation and development activities such as farming and livestock rearing. A Strategic Environmental Assessment (SEA), run in parallel, will inform development of the plan and ensure it sets out a truly sustainable future for the Delta – a Kenyan Futures cape; *Akeno J., Emweki S. 1997.*

The fighting between the Pokomo and the Orma has often been blamed on rivalry over pasture and water, but recent developments indicate that competition for political power is behind the violence that has claimed 109 lives in the past two weeks. It is also emerging that the dispute has to do with land ownership as opposed to use, with the two communities fighting over land rights. Recent boundary changes effected by the Independent Electoral Boundaries Commission (IEBC), which resulted in some villages, sub-locations and locations being shifted to different constituencies, are also said to be fuelling the bloodletting. According to local residents, politicians seeking elective positions in the coming elections are to blame for the intensified fighting between the Pokomo and the Orma (*Hendrickson D, Armon J, Mearns R*)

Inquiries by the *Nation* have established that politicians eyeing governor, senator and MP seats have been mobilising their supporters ahead of the coming voter registration. There is also talk of politicians forging alliances for the senate and governor seats ahead of the General Election. These machinations have raised fears of some communities being disenfranchised. Currently, the Orma do not have an MP in the three constituencies of Tana River County— Garsen, Bura and Galole. National Cohesion and Integration Commission supports claims that power politics is to blame for the violence between the Pokomo and the Orma. *“It is 100 per cent political. One*

community wants to destabilise the area and block the rival community from registering as voters so that it does not influence voting in the coming election,” The Standard 17th Sep 2012.

Supreme Council of Kenya Muslims secretary-general has blames the violence on the fight for political supremacy. *“If you talk to the Orma, they complain that out of the three MPs in the county, none of them is an Orma. (Danson) Mungatana, who is a Pokomo, defeated Molu Shambaro, an Orma. Dhadho Godhana is also a Pokomo, while Dr Ali Nuh, who defeated Ali Wario, an Orma, is a Wardei. So the Ormas feel they are politically marginalised,”*. Nature Kenya’s natural resources environmental expert added there is more to the resurgence of conflict in Tana River than the scramble for resources in the recent times. (NHRC Report, 2012)

Tana River County could have had the worst conflict in 2009 and 2010, when drought was experienced for a long period. *“During this period, people lived, herded and farmed together. While there was a more serious shortage of resources, the situation never aggravated to levels being experienced today,”* The area remained calm even with the influx of livestock from Mandera, Kajiado, Wajir and Ijara. There was a lot of water and rivers flooded forcing people to wade through swamps during the year. *“With these resources at their disposal, we are wondering why the situation is bad to the extent of losing lives. There is enough water and pasture for the farmers to harvest a good crop and livestock to feed on,”* (KMYA Report, September 2012)

2.4 Weakened traditional governance in farming and pastoral communities

The Implication of Traditional governance

The study describes the basis for the local social structures, their variations and the different entities they entail. Traditional institutions express themselves in the form of traditional chiefs (Aqilo), elders (other Guurti) and clergy (ulimo). Societal management was based on invisible, ad hoc, constantly changing and multi-centered structures of these institutions that would operate at different levels of the socio -territorial dimension. The traditional governance, however, have domineering elements that would exclude, from the decision-making process, women, the youth, minorities even with the same socio-clan setting, and other social groups considered inferior.

Traditional laws have been based on a mix up of xeer acts and sharia commandments. The most significant judicial cases have been those related to homicide and various degrees of injury. The

homicide compensation (based on dia-payment) applied under the traditional maslaha framework has not always been fair and has not been effective in preventing future cycles of retributions between the concerned parties. There was a cultural dichotomy in the customary laws affecting women. An insult or a physical offense of women would be highly sensitive cases. On the other hand, the dia-payment for women would be half of that of men. Successive governments have tried to overcome the constraints of the traditional legal system through the adoption of modern judiciary system (Ibrahim D. 1994)

Overall the functions of the traditional social elite' (e.g. setting of traditional laws, conflict resolution, resources management, etc.) have changed to various degrees and currently cannot be exercised as would be needed as the traditional structures have weakened or acquired non-traditional roles. Significant and irreversible social transformations and changes have occurred as a result of the introduction of "modern" governance and administrative systems. The traditional leaders and elders have increasingly become drifted towards the urban-based political and administrative structures. The changes have been exasperated by environmental, socioeconomic and demographic changes that lead to increasing commercialization, urbanization and monetization of livelihoods and social relations. A highly corruptive political and government system has evolved through the successive administrations and governments (colonial and post-colonial). This has transformed the traditional clan (qabiil) culture that allowed to a certain extent social harmony and mutual relations between social groups into an urban practice of clanism (qabyaalad) through which kinship ties and clan sentimentalism has been exploited to achieve economic, social and political capital. The socio-political transformations have trickled down into the traditional structures and clan social bases, leading to politically motivated proliferation of traditional kings and leaders and politically instigated inter-clan disputes. The engagement of the traditional leadership in urban politics made them no more "neutral" to their clan constituencies and weakened and eroded their traditional statuses and legitimacy as superclan authorities. (Kurimoto E. and Simonse S. (eds.) 1998)

Clanism has become the key political and governance cornerstone through which successive governments and opposition parties and rebel movements have won over the unorganized masses. Little P.D. 1996 demonstrated that the historically and gradually spiraling marriage between clanism and the sociopolitical aspirations of the upper-tier levels of society (including

the traditional leaders and elders) has dragged the unorganized clan constituencies into diverse and contrasting political platforms and into civil strifes and conflicts. For the establishment of the “national state” administration, a series of peacemaking meetings and Beel (clans/communities) conferences were held. In all cases, the upper-tier socio-political elite’, including SNM political and military wings, old-time politicians, excivil servants and businessmen (in addition to the traditional leaders and Guurti) motivated and participated in the conferences.

McCabe J.T. 1990 stated that for the de-mobilization of the clan-based militias and establishment of a “state” administration, a political leader and statesman with talent and experience in clan-political mobilizations was needed. This was the late Egal. He inspired the grassroots masses and successfully engaged the socio-political elite’ (including the traditional structures) in the process of de-mobilization and building of a functioning administrations. However, that political leadership was double -edged as it also established a very centralized system of governance where Hargeisa practically became the “city state”. A strong central presidency, operating through clan-political manipulations and institutional corruption, has constrained the roles of the other national bodies, i.e. the two Houses of Guurti and Parliament and the judiciary. Practically there are effective checks and balances on the central government. The regions and the districts barely function as structures enhancing responsiveness and accountability at the local level. Overall the government structures have not allowed much progress towards democratization, decentralization, and building consensus and societal harmony that were crucial for overall national reconciliation and “national state” building.

The traditional leaders and Guurti have only been elements in those political and governance processes. They have proliferated concomitantly with the increased socio-political factionalisms. As they have converged into the main towns, they have widened the rural urban gap and validated top-down governance and administrative system. Therefore, they could not be means of expression for decentralization and devolution approach to participation and local development. They could not engage themselves on a sustainable basis in a constructive political reconciliation process to secure the Somaliland “national state” building agenda. They have almost failed in their “traditional function” of conflict resolution and could not prevent actual and latent inter-clan conflicts.

The traditional structures have become and more linked both formally and informally to the government structures. Many of the current “traditional” leaders and Guurti were ex-civil servants, ex-police or security officers, ex-militias, ex-traders, and so on. Rather than “traditional positions”, they by now have and strive for “urban socio-political statuses” as members of the Houses of Elders and Parliament, Council of Isimo, House of Aqils, District Councils, and urban political middlemen, mobilizers and opinion makers. Because of their new roles in this political-administrative machinery and limited direct and supportive involvement in their pastoral and rural clan territories, they are now often referred to as the elder with the “plastic hats” (signifying their fakeness and simulation of traditional elders). (Mercurieff L. The key to conflict resolution: *Cultural Survival Quarterly* 19(3) Fall.)

The weakness of the traditional structures is also demonstrated by the radical changes in resource management. They could not deal with and restrain the inevitable governance, demographic and economic changes that have entailed socio-economic stratifications and radical changes in land use patterns. The pastoral and rural communities are convinced of the irreversible land change that would impact negatively on the sustainability of their livelihoods and would welcome and support measures to halt and ultimately reverse the trends. However, they are unorganized, socially fragmented and lack “local social structures” that would adopt interventions for better management of the resources. After all, the traditional structure would not be able to facilitate optimal resource use and devise and implement policies (social, institutional and economic) that would avert the very underlying causes of the negative trends in resource use and management.

In addition to the traditional structures by now assimilated into the urban-based sociopolitical elite’, the paper also examines the other non-state actors that affect the lives and self-governing capabilities of the pastoral and rural communities local development. These include the religious institutions (already defined within the traditional structures), the civil society organizations (local non-governmental organizations and community based organizations) and the professionals and their associations. The paper concludes that the traditional structures have been absorbed into top-down sociopolitical and administrative systems that are a bottleneck to local governance and development. It also summarizes their weaknesses in coping with breakdown of

authority, demographic and economic changes and the consequent social stratifications and irreversible land use changes. (Omosa, K, Eileen).

Damage control strategies

Most recent research on conflict has concerned customary institutions for conflict management/resolution; early ethnographies underline the importance of damage control strategies, not as norms to moderate the raids but as precautions against the consequences. Gulliver (1951) does not mention raiding rules to limit the violence of the attacks, and nothing in his description suggests that among the Pokomo (and by extension among the groups involved in joint raiding with them) there were any. However, Gulliver does underline the existence of damage control strategies, examples of which are: (a) men fight back whilst boys and women flee with the stock; (b) distributing homesteads over a wide area, so that when the first is attacked the others have time to organize the defense; (c) in dangerous areas, keeping livestock as separated as possible from women and girls, in small highly mobile herds looked after by one herder only; (d) everyone participates in common defense in case of attack. The focus on damage control strategies raises some issues. First, whether the contemporary widespread impression of increased fatalities from raiding should be seen in light of jeopardized damage control strategies, rather than just attributed to the use of automatic weapons or the weakening of traditional conflict management institutions. Already in 1951 Gulliver observed that ‘the present day heavy concentrations of stock and people would have been easy targets for well-led enemy forces; and they would have been less mobile’ (1951: 156). Second, whether the increase in fatalities may be due to the fact that damage control strategies, including the disposition of people and animals within the camp, have not yet adapted to the different raiding conditions introduced with the adoption of automatic weapons (e.g. the virtual disappearance of hand-to-hand fighting and thus of the possibility of targeting men rather than women and children).

Pastoralists’ perception of escalation of conflict

Anthropological studies of conflict in East African pastoral societies underline that usually such groups distinguish between different kinds of warfare and have specific words for referring to situations in which “normal” warfare is undergoing a process of escalation. Most normal raiding does not exclude cooperation at other levels (Tornay, 1979), such increased levels of violence

usually do. Escalation occurs when the rules of reciprocal raiding are violated: when great numbers of livestock are looted, casualties rise sharply, killing appears deliberate and cruel, and raids become too frequent (Spencer, 1973). As pointed out by tribal elder during a meeting concerning an increase of raiding in 1968, such escalation causes disruption to the pastoral routine, because the young men stop tending the cattle in order to go to war, and because cattle are forced to graze in restricted areas due to the danger of hostilities (Almagor, 1979). Almagor points out ‘that once a raid gets started there is no guarantee that the excited raiders will not commit excesses, which may escalate into large-scale retaliation’ (1979: 127). Ultimately, escalation is prompted by one group’s perception that the raiding practices of the other group have become “excessive”, a fuzzy and subjective notion which may change according to a number of variables. Such increased raiding may result in a campaign which involves organized recruitment and strategic decision-making process. Inter-tribal co-operation ceases and daily social life and economic routines are disrupted (ibid.). Such escalation can be interrupted only when both parties feel that the balance of power has been re-established, that is when the peace process is not seen as a sign of weakness of one of the parties (Turton, 1993). However, excessive behavior in raiding does not necessarily lead to the escalation of hostilities into full-scale warfare. Between the two moments there is usually room for dialogue. As long as the injured party receives compensation and is assured that the incident was an exception, scaling violence up into to a retaliation campaign will not take place (Almagor, 1979).

Insecurity, trade and food

When conflicts arise and become violent, the majority of those who go to fight are men from the clan, hired labour and family members. Participation of able-bodied men at conflicts implies that at least once every year, households are deprived of energetic people and their contribution to pastoralism. This is especially critical in taking livestock out to far away watering points. The result is that women and children are forced by circumstances to take up men’s responsibilities, in addition to their normal workload. In this regard, women find themselves challenged to take livestock out to far- away places in search of water and other livestock resources—a big security threat to their lives. At the same time, women, children and elderly people are exposed to more insecurity, as there are no strong young men nearby to defend them in case of an attack. Insecurity confines them to homesteads, as they cannot carry out small-scale cultivation, or venture out to markets to engage in trade as an income generating activity. Insecurity and fear

affect levels of food production at the household level due to a reduction in the quality and quantity of livestock. The livestock get stolen and there are no stable markets to rely on. Reduction in quality and quantity leads to hunger and increased poverty. Physical insecurity bars people from moving to marketplaces to buy and sell foodstuff and participate in other income generating commodities. Insecurity sparks a whole new cycle of poverty, limited water and conflicts.

Insecurity and access to water

Farmers rely on water for agricultural activities. Pastoralism survives on frequent movements in response to availability of water. This demands that the migratory routes are safe. Water resource conflicts lead to physical insecurity, which in turn impacts negatively on access to grazing and watering points. Other people are forced by circumstances to move to drier but secure areas. Over-concentration of people and livestock in small areas will lead to eruption of more conflicts as people start to compete and fight over the limited water resources, creating more insecurity in the previously secure areas. Forced migration leads to more conflicts as those from warring parties can meet and revive old conflicts while in foreign land. The main reason is that since the fights are over water, watering points experience frequent fights, making the places insecure both for people and livestock. The result is sometimes damage to the borehole, which makes it inefficient, resulting in restrictions on the number of days when water can be accessed, and subsequently more and intense conflicts over water.

The borehole is closed when fights break out. Closure of the borehole means that people have to trek far in search of water, yet, such movement is constrained by the fact that able-bodied men, are the same ones involved in the fights. Families end up losing more livestock, a fact that will force them to steal from others if they are to meet their basic needs. Thieves have also learned to hide attack and steal livestock at watering points. Most water-related conflicts start with individuals at watering points and spread upwards to households, villages and clans. At the clan level, the conflict is normally interpreted as one between clans, when the real cause is competition over access to water. Consequently, many people are drawn into or join conflicts that they don't fully understand. This results in a vicious cycle of more conflict and increasingly limited water resources.

Relationship involving mutual exchange

Customary approaches to conflict management focus on the needs and desires of people rather than on results, and stress values of respect, honesty, dignity and reciprocity (Mercurieff, 1995). Beyond the context of single episodes of conflict, are the broader relations of reciprocity and collaboration between different communities that can ensure that the scope of conflict is minimized (Ocan, 1994). It is the common perception of a condition of reciprocity that it helps to maintain co-operative relationships. Dry lands herders are aware that no matter how good one's situation might be at the present, at any time in the future one may depend on the favors of those who now one can afford to have as enemies, and vice versa. Reciprocity does not exclude occasional raids and killings, but provides the context and motivation to avoid excesses and, on the other hand, to isolate unusual episodes and deal peacefully with them (for example through compensation) in order to prevent the escalation of violence.

Among the agro-pastoral Chamus (Njemps) in the Baringo region, for example, those who have had their fields damaged by somebody else's livestock still usually ask for minimal compensation, being well aware that it is only a matter of time before their own animals are caught grazing in another's field (Little, 1987). The situation is rather different when the disputes are between herders and farmers (Hussein, 1998). A degree of tolerance and flexibility with regard to compensation applies also to cases that involve damage to people. It seems to be a widespread custom among pastoralists that the standard compensation, even for cases as serious as murder, is discounted by the damaged party in order to show "good will" (Duba *et al.*, 1997). Reciprocity is a perception as well as a practice. Both sides must perceive the actual or potential advantage of co-operation. Such a perception of reciprocity can be maintained only on the understanding that (a) sooner or later a favors will be needed from the other group, (b) there are not sufficient alternative solutions, (c) the other group is in a position to reciprocate. The question is therefore what kind of events influences these conditions. For example, the prohibition of crossing national borders, even if enforced sporadically, can seriously jeopardize the perception of reciprocity in traditional concessions over grazing and waters under harsh conditions (Oba, 1992). If resources which are part of customary tenure patterns based on reciprocity are made legally inaccessible to one of the parties, this not only creates a potential

cause of conflict but, and perhaps more importantly, the condition of reciprocity is interrupted and with it the motivation to maintain conflict at a low level.

Conflict and drought

Raids increase after droughts both for ecological and economic reasons. In general, raiding is more convenient during the rainy season, as the livestock have a better chance of survival. It increases particularly after droughts because households hit by the drought are desperate to get back to a viable herd. Another way in which the introduction of a market economy may have affected conflict is through its influence on drought coping institutions (Hogg, 1988, McCabe, 1990). Raiding is commonly considered one of those institutions (Oba and Lusigi, 1987; Cullis and Pacey, 1992; Hendrickson *et al.*, 1996), and indeed amongst the more efficient. It is likely that raiding is also the only “traditional” way to restock that, with the introduction of a market economy, has expanded. Have the herders most affected by drought increasingly turned to raiding as the most popular coping strategy? It may be useful to investigate to what extent the popularity of raiding is due to its commercialization through marketing of cattle and weapons, combined with constraints on other drought coping institutions resulting from the introduction of market-based relations of exchange.

2.5 Cattle rustling and conflicts between communities

Early ethnographies of cattle herding peoples in Northern Part of Coastal region of Kenya give little space to the analysis of conflict. The scarce and scattered information available often describes warfare, and particularly raids, as fights without quarter in which no one was spared except the young boys and girls who were abducted. On the other hand, at a more general level of analysis, sometimes even within the same works, one may find mention of rules or conventions meant to moderate the destructive effects of raiding (Spencer 1973; Almagor, 1979). Moreover, recent descriptions of raids by pastoral people often emphasize the increased violence compared with “the old days”, particularly with reference to killing women and children. Ultimately, there are too few detailed accounts to identify a general rule of conduct: warfare changes between ethnic groups, although long term give-and-take relationships may have produced geographic “confrontational arenas” with shared norms concerning the limits of acceptable violence (Simonse and Kurimoto, 1998). Several classic ethnographies suggest

raiding used to be accompanied by great violence. Gulliver's survey of Turkana contains some information on pre-colonial. According to Gulliver's informers, Turkana raids were largely improvised and unruly affairs in which everyone's goal was to kill enemies and take as many cattle, boys and girls as he could manage. Gulliver underlines that killing an enemy had a symbolic value in itself and it was central to raiding as a means for a warrior to fully enter manhood. Captive boys and girls were immediately and fully integrated into the raiders' group. With specific reference to the amount of violence, Gulliver writes: *No enemy man, married woman or very small child was spared. Fighting seems to have been of the utmost ferocity - no quarter- asked nor given. Young girls and boys were spared, and were retained by the respective captors* (Gulliver, 1951: 147).

Writing on Orma raiding methods, Baxter, like Gulliver, underlines the intrinsic and symbolic value of killing as an important and autonomous component of the attacks:

The usual practice is to lay up outside a village of the enemy until its occupants are asleep, and then swoop in and kill as many people as possible. If stock can be driven away so much better, but this is secondary to the killing. Trophies are carried back to home villages (Baxter, 1979: 89). The trophies were the severed genitals of slain males 'of any age or size from an embryo or a baby boy to an old man' (Schlee, 1989: 38). The perception of violence and the measure of legitimate violence may vary in function of the social distance between the parties: the greater the social distance, the greater the violence.

2.6 Government policies and conflicts between communities

In less than two months, ethnic clashes between the Pokomo and Orma tribes have claimed 110 lives, including nine police officers, and displaced thousands of families. Property has been destroyed and livestock stolen. The President declared a curfew from dusk to dawn in the area in an attempt to curb the violence. But fresh violence broke out late Sunday and early Monday (September 17th), with at least 20 houses torched in two villages, according to the Kenya Red Cross Society. On Monday, a mass grave was found in the Garsen area, the location of recent killings. Police are seeking a court order to exhume the bodies to determine their identities. *"The situation on the ground is still very tense. I do not know who is to blame for these heinous acts,"* a Pokomo, told Sabahi by telephone. *"The government must act to stop further loss of lives."*

The Kenya Red Cross Society reported that more than 13,700 villagers have been affected by the violence, and many have opted to re-locate. Most of those fleeing are staying in temporary camps set up in schools in Tarasaa, Marereni, Garsen, Hola, Witu and Malindi, Kenya's Daily Nation reported.

At a temporary camp for displaced Pokomo people in the nearby Semikaro village, some residents blamed politics for the disturbances, claiming they were targeted for eviction because of their membership in the Mombasa Republican Council (MRC), a separatist group in the Coast Province that advocates for boycotting the general election next March. *"I think politicians, particularly aspirants for governor and senator, are scheming to have us evicted because of our links with MRC,"* Pokomo community member reporting, who is staying at a temporary camp in Semikaro. The Standard Newspaper, September 11, 2012. *"This is what makes us believe there is a political scheme and possibly a government hand in the attacks against the community."* Perhaps jolted by the magnitude of the violence, the Kenyan cabinet, chaired by President, on Thursday (September 13th) ordered police to use force and act decisively to end the clashes. Deputy police spokesman Charles Owino has said police were initially reluctant to use force in the area and had opted act cautiously, awaiting cabinet approval.

The cabinet approved tough measures to restore peace in the troubled area, including the deployment of an additional 1,500 security officers. The cabinet also ordered the formation of a judicial inquiry commission, which has 30 days to investigate the clashes and submit a report. The government's response has been too slow. *"Is declaring a curfew not a case of closing the stable after the horse has bolted?"* September 15th in Kenya's The Star. *"Did not the president's silence over the first massacre pave way for, and indeed encourage, the second?"*

Security forces stretched thin

The bloodbath in the Tana River Delta has posed a new security challenge to Kenya's government, which has sent military forces to Somalia to fight against al-Shabaab. Kenyan police have also stepped up internal security, as al-Shabaab has staged numerous grenade attacks in Nairobi and Mombasa since last October 2012. Police issued a fresh terror alert saying eight suspects were at large and planned to carry out deadly attacks in the country. The alert was issued after the arrest of two men in Nairobi on Friday, one who admitted he was a member of

al-Shabaab. During the arrest, officers recovered a cache of explosives, as well as eight explosives vests, 12 hand grenades, four AK-47 assault rifles, 480 rounds of ammunition and two home-made bombs. (Police Spokesman, Sep 2012).

The violence in the Tana River Delta also comes while the country prepares to hold its next general election in March, the first one under the new constitution. Kenya witnessed a wave of violence during the last general election in 2007 as a result of disputed election results. The post-election violence claimed 1,300 lives and displaced 600,000 people, as well as destroyed property worth billions of shillings. *"The situation in Tana River is sad indeed,"* Coast Province PC September 12th 2012. *"We hope the government security machinery will be on full alert to ensure the chaotic scenes witnessed in 2007-2008 are not repeated."*

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

In this chapter, the methods that will be used for the study and adopts the following structure: research design, population and sample, population description, data collection methods, research procedures and data analysis and methods.

3.2 Research Design

The research comprised of a comprehensive review of documented information on past studies, and collection and analysis of quantitative and qualitative data in the ASAL areas of Coast region of Kenya. Most of the previous studies have been mentioned briefly in the literature review section and were analyzed further to constitute findings of the field research.

3.3 Target Population

The population for purposes of this study was the stakeholders in Tana delta including Provincial Administration, Security Personnel, Political leaders, Intelligence Officers, Commissions, Civil Society Organization, Human Rights Organizations, Faith Based Organizations and the community including IDPs, village and opinion leaders in Tana Delta.

3.4 Sample size

The sample chosen for the purposes of this study were recorded in a sample frame will be as shown below.

Table 1: Sample Selection Size

<i>Respondent's category</i>	<i>Sample size</i>
Provincial Administration	5
Security Personnel	3
Intelligence officers	2
Political Leaders	5
Commissioners	1

Civil Society Organizations	5
Human Rights Organizations	5
Faith Based Organizations	2
IDPs	12
Village elders	10
Women leaders	10
Total	60

3.5 Data Collection procedures

Since this was a distant research, the main method of data collection was telephone interviews and E-mail correspondence with primary respondents. These primary respondents were mainly credible researchers who had conducted actual field research in the area as well as other respondents who had access to internet and mobile phone. The telephone interviews mainly followed a structured questionnaire that covered a diverse range of questions divided into open-ended and close-ended formats. The open-ended or free response questions required respondents to give opinions and feelings about factors that escalated conflicts in Tana Delta any other relevant subjective detail that was significant for the study. Conversely, through Email correspondence, the close-ended or fixed alternative was a series of multiple-choice questions, which the respondent must pick one answer, for example Yes, No, or I do not Know.

One of the advantages of phone interviews was accessibility particularly to public officials in remote areas of Tana River due to the prevalence of mobile phone even among farmers and herders. Phone interviews were also preferable when covering sensitive issues, accessing risky places and to avoid the bureaucracy of obtaining government documents. Although internet communication was less accessible in remote areas of East Africa, it was crucial particularly for quantitative data collection as the interviewer can formulate questions and the interviewee can answer at their own convenience. In addition, the interviewer can use instant messaging to seek clarification from the respondent.

The interview process was divided into three: pre-interview where respondents were sent a copy of the interview to be done, scheduling was arranged and informed consent sought. The actual interview was then done on phone or through Email with each response transcribed immediately.

Post-interview was mainly concerned with seeking clarifications and any other additional information relevant to the research.

Secondary data collection came from government officials, non-governmental organizations (NGOs) and other public officials with sufficient knowledge of conflict within the study area. Documented evidence of policy decisions initiated by government other stakeholders was also analyzed.

3.6 Validity of the research Instruments

Validation of the study tools measured by content validity test where a pre-test was conducted. This ensured the determining accuracy, clarity and suitability of the research instrument. At the beginning, about 3 cases were chosen, which assisted the researcher to identify the items which could have been inadequate and necessary corrections made to the same where as the ambiguous questions were reframed. Examination of the content validity ensured that the tools answered all the research questions. The researcher made corrections, adjustments and additions to some research instruments following the analysis of the pre-test results.

3.7 Reliability of the Instruments

Instrument reliability was the dependability, consistency or trustworthiness of a test which was measured through test-retest technique, where the questionnaire is administered to a group of individuals with similar characteristics as the actual sample. After a period of 7 days, equivalent to a week, the same test was repeated and the scores obtained from both tests will be correlated to get the coefficient of reliability. According to the Spearman's Rank, Correlation Coefficient of 0.68 was obtained which meant that the tools were 68% reliable. It was for this justification that the study was conducted since the research tools were reliable and consistent to answer the research questions in this study.

3.8 Data Analysis techniques

Quantitative data was analyzed using the Statistical Package for Social Scientists (SPSS) version 17 where frequencies and tabulation done. The qualitative data was analyzed thematically by categorizing the responses into related themes. By use of a correlation coefficient, further relationship of the variables were revealed, through the use of coefficient of determination (r^2),

the study determined the extend at which the predictor variables influenced the conflicts within the area.

In order to control the effects of other variables while analyzing one, cross-tabulation tables were used through the application of the SPSS statistical package. Error correction mechanism procedure to find out the order of integration was used, in order to find out the number of times that a variable has to be differenced to achieve stationarity. It is necessary to achieve stationarity of the variable so that the mean and variance estimated from such variables would be unbiased estimates of the unknown population mean and variance.

3.9 Ethical Considerations

An informed consent has to be obtained from the respondents before the actual research was conducted. The aims and objectives of the research were to be explained before undertaking the research to assist in arriving at permission from the respondents as well as utmost confidentiality about the respondents be assured. The researcher obtained legal requirements and made prior appointments for the interviews.

3.10 Organization of the Study

The research was organized into sections: The goal of this research was discussed in chapter one, followed by a presentation of comprehensive background information on conflict and factors that escalated it within the Tana Delta area. Part 3 discussed the demographic profile of the respondents in the region as among other poverty index of the sample populations. In chapter 4 and 5, the findings and discussions, summary conclusion and recommendations reached were accounted for. The final part illustrated the reference materials from diversity of authors, the tools used alongside the schedules and budgetary allocations for the study.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS OF RESULTS

4.1 Introduction

This chapter presents the analyzed data and discusses the interpretation of the findings. The data analyzed was presented both using frequencies and percentages using frequency tables. The data related to the factors that influenced conflicts between communities was also analyzed and tested using the Chi-square to test for its correlation with the dependent variable. At last, discussions were made based on the data presented and analyzed.

4.2 Response Rate

60 questionnaires were distributed to respondents through email and thereafter followed up through telephone to confirm receipt of the same, 50 were properly filled and emailed back, and 10 were filled through telephone conversation thus giving 100% response rate in this study. The questionnaires were analyzed and constituted to the discussions made in this study report.

Table 2: Response rate

Category of Respondent	Questionnaires issued to respondents	Questionnaires returned from respondents	Response rate
Provincial Administration	5	5	100%
Security Personnel	3	3	100%
Intelligence officers	2	2	100%
Political Leaders	5	5	100%
Commissioners	1	1	100%
Civil Society Organizations	5	5	100%
Human Rights Organizations	5	5	100%
Faith Based Organizations	2	2	100%
IDPs	12	12	100%
Village elders	10	10	100%
Women leaders	10	10	100%

Total	60	60	100%
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In this study, the questionnaire response rate was quite recommended and therefore acceptable for analysis.

4.3 Demographic profile

The demographic history of the respondents was analyzed and presented in this part. Eleven (11) categories of respondents were involved in this study and respondents were chosen by virtue of their correlation with the subject under review in order to take part in the study. This study sought to find out the age, gender, marital status, family size and the employment status of the respondents. An account of the analysis was summarized and below.

4.3.1 Distribution of respondents by Gender

Gender determination was analyzed and reported as follows;

Table 3: Gender of the respondents

<i>Gender</i>	<i>PA</i>	<i>Security personnel</i>	<i>Intelligence officer</i>	<i>Political leaders</i>	<i>Commissioner</i>	<i>Organizations</i>	<i>IDPs</i>	<i>Opinion leaders</i>	<i>Percent</i>
Male	5	2	2	4	1	7	5	8	53.3%
Female	0	1	0	1	0	5	7	12	46.7%
Total	5	3	2	5	1	12	12	20	100%

Table 4.2 depicts that 53.3% of the respondents involved in this study were males with 46.7% being females. The analysis of study is indicative of the female representation in sharing of opinions of the subject under review. Since the effects of the conflicts had a negative impact on the women, it was possible that opinions made available from the respondents represented issues relating to diverse community categories.

4.3.2 Age representation in the study

Table 4.3 below shows the distribution of respondents by age.

Table 4: Age of the respondents

<i>Age</i>	<i>No of respondents</i>	<i>Percent</i>
1. Below 20 Years	3	5%
2. 21-35 Years	33	55%
3. Above 35	24	40%
Total	60	100%

Table 4.3 above shows that majority of the respondents were between the youthful ages of 21 to 35 years. The fact that the study reached youthful respondents could clearly be indicative of the fact that information would greatly be availed since conflicts were more profound within this youthful age. It was however important to note that 40% of the respondents were above 35 years of age.

4.3.4 Determination of family size of eh respondents

Analysis of the family size gave rise to the following findings.

Table 5: Family size of the respondents

<i>Family size categories</i>	<i>No of respondents</i>	<i>Percent</i>
Less than 5	15	25%
Between 6 and 10	15	25%
More than 10	30	50%
Total	60	100%

The table above shows that the majority of the respondents had a huge number of dependants behind them with 50% (n=30) having more than 10 members in their families. This analysis showed the intense of family responsibilities in the area and thus a tip of violence that affected the household head was relative to the suffering of many of family members.

4.4 Insecurity and proliferation of small and light weapons

A report from stakeholders' meeting convened by the District Commissioner in July 2002 pointed out that no concrete data existed on the scope and extent of small arms and light weapons in the district. The KMYA report outlined that there were several reasons for the escalation and sustenance of the conflicts in the district.

The study through its respondents revealed some information about the small arms proliferation and findings were analyzed as shown in the table below.

Table 6: Determination of the extent of small and light weapons in Tana Delta

<i>No.</i>	<i>Query</i>	<i>Mean</i>	<i>Standard deviation</i>	<i>Rank in severity</i>
<i>Small weapons proliferation and insecurity in Tana Delta</i>				
1	I have knowledge on availability of small weapons	0.58	1.20	7 th
2	Violence is highly caused by availability of weapons	2.10	-1.57	3 rd
3	I am satisfied with the security system in our area	2.04	1.54	11 th
4	Security in our area is assured by the availability of small weapons	0.98	-1.35	2 nd
5	I It is easy to acquire small weapons in our area	2.99	1.52	10 th
6	The government has failed to burn the inflow of small weapons in the area	1.20	-1.02	1 st
7	The government security in the area depends on the available small weapons	2.04	1.29	8 th
8	Small weapons are sold from within the area	2.12	-2.01	5 th
9	Small weapon availability within the community is a sign of security	2.68	-1.58	4 th
10	I know areas where small weapons originate	1.30	1.11	6 th
11	The community makes weapons for itself	1.21	1.31	9 th
<i>Grand mean / standard deviation</i>		1.74	0.44	

It seemed evident from the table above that the government had failed to bur weapons from jetting into the area. Similar sentiments were echoed during the telephone conversation with the intelligence team in the area as quoted below;

There has been an influx of small weapons into the region from the neighboring areas of Garisa and Ijara. This has heavily had an impact on the conflict situation within Tana Delta as communities' armed themselves and prepare for war against other communities.

Going with analysis from the quantitative data, there was a mean score of 1.20 with a standard deviation of -1.02. It could simply be interpreted that the average score of the respondents with regard to government efforts in proliferation of small arms was not satisfactory.

Similar disagreements were expressed in various queries. It was strongly disagreed that Security in our area was guaranteed by the availability of small weapons where a mean of 0.98 and a standard deviation of -1.35 were recorded.

It was likely or not if Violence was highly caused by availability of weapons. However, during the analysis of the findings, it was found that a mean of 2.10 and a standard deviation of -1.57 in the results clearly depicted that the availability of small weapons in the community significantly accelerated conflicts.

Selling of small weapons in Tana Delta was inevitable due to the fact that the government had failed to control the inflow of the same. This study was informed further that it was quite easy to get weapons as majority of the members of the communities; both the herding and farming communities used weapons to guard their resources. In as much as weapons were used to guard the resources, it was worthwhile noting that the same could be used in times of conflicts and thus contributes to the massive deaths and loss of property as reported somewhere in this study.

The respondents expressed their strong disagreement in their satisfaction on security issues within Tana delta area. Analysis of the study findings revealed a mean of 2.04 with a standard deviation of 1.54. Sources confirmed that security within the area was at stake. In a telephone interview with some of the political leaders in the area, the incidences experienced were not that normal as some were quoted below;

"This is not normal. I have never seen a situation where people deliberately kill women and children." Hussein Dado, Tana River politician

"The September 10 massacre at Kilelengwani - carried out by ethnic Pokomo against the Orma tribe - followed a string of tit-for-tat attacks between the agriculturalist and pastoralist communities. More than 110 people have been killed since late August in Kenya's Tana River region. Some 6,000 people have been displaced" Human Rights Watch.

It was important to know how the government had planned to maintain calmness in the area. In a telephone interview with the provincial administration, it was revealed that the government would conduct a countrywide operation to disarm all communities with illegal weapons. It was made clear that it had been an official announcement, a day after at least 52 people were killed when hundreds of farmers attacked cattle herders.

"Witnesses said some Pokomo were armed with guns and shot the Orma. Other Orma people were burned to death in their houses, while others were hacked to death or shot with arrows, and livestock stolen in the dawn attack on Wednesday, said the witnesses. Eleven children were among those who died" PC Coast.

The government disarmament would reinforce security in affected areas as the acting Internal Security Minister reported.

"The government will conduct an operation to disarm all communities illegally armed in the country and ensure security in the affected areas,"

The longstanding conflict between the two tribes had previously resulted in relatively low casualties but the increased availability of guns has caused the casualties to escalate and more property to be destroyed, said the report.

"Communities are arming themselves because of the need to defend against perceived attacks," NHRC August 2012 report. *"They feel that the government security machinery has not been able to effectively respond to violence. Isolation has led to increased demand for guns."*

It was evident that security was not guaranteed within the area as a result of the availability of arms and small weapons.

Co efficiency determination

Table 7: Coefficients

Model 1	Unstandardized		Standardized	t	Sig.
	Coefficients		Coefficients		
	B	Std. Error	Beta		
(Constant)	58.536	8.098		7.229	.000
Insecurity and proliferation of small weapons	-.567	.834	-.234	-.680	.516

a Dependent Variable: Conflict between communities

Following the results of the test, the Coefficient of insecurity and proliferation of small and light weapons is negative at -.234 at a standard error of .834 and thus t-test recorded at -.680 after the first difference and thus we failed to reject the null hypothesis (insecurity and proliferation of small and light weapons has impact on conflicts between communities) and conclude that the variable is integrated of Sig.000 at a constant value of .516.

4.5 Inadequate land tenure policies

The Tana River Delta has featured a lot in this blog, but not recently. As a Researcher, I have received updates from Helen Byron who, as the RSPB's Senior International Site Casework Officer, has been working closely with our partners, BirdLife Kenya in their campaign to save the Delta. The updates have concentrated on how land along the Delta has had some conflicts especially when it came to utilization on the entire social integration.

The research purposely had to validate these updates and came up with an analysis of findings as discussed.

4.5.1 Determination of land as a source of conflict in Tana Delta

The study sought to find out if land was one of the factors that influenced and contributed to violence and conflicts in this area and findings were as shown in table below.

Table 8: Determination of land as a source of conflict

Response category	No of respondents	Percentage proportion
Yes	52	86.7%
No	5	8.3%
Don't Know	3	5%
Total	60	100.00%

It seemed was evident that land was a source of conflict as reported by 86.7% majority of the respondents covered in this study with only 8.3% reporting the contrary. It should also be noted that a minority of 5% did not know if land was a source of conflict. It could possibly be concluded that land in Tana Delta had its own challenges and thus conflicts were inevitable.

Further analysis of the study findings on how land was a source of conflict yielded the following results.

66.7% of the respondents were of the opinion that this was a conflict over access to land and water. It was added that on one side were the Pokomo people who were mostly farmers, smallholders who eke out a living growing cash crops by the banks of the Tana River. Further reiteration revealed that on the other are the Orma, semi-nomadic cattle drovers who roam the land in search of grazing grounds for their herds. It was therefore important to note that both communities scrambled for the available land for their economic survival and thus at some point clashes over the resource were inevitable.

A majority of 85% reported that scramble for land in the Tana Delta has not only be for the two tribes only but had also involved other interested parties both within the country and outside the region as was quoted during the interviews;

“There has been a scramble in the Delta in the last four or five years,” Francis Kagema, a conservationist.

Further details that were extracted from the interviews revealed that Investors, both Kenyan and foreign, have been acquiring leases on vast tracts of land in the region for the purposes of large-scale cultivation of food and biofuel crops.

65% proportion of the respondents reiterated that getting elected to office could mean gaining control of such lucrative deals as quoted below.

“Political power is everything in Kenya,” Mr Kagema. “Even foreign investors have discovered how to manoeuvre by getting the right political connections.”

4.5.2 Community land ownership and use

The study sought to find out the extent of community ownership on land and findings tabled below.

Table 9: Community land ownership and land use

<i>Do most of the community members own land?</i>		
Response category	No of respondents	Percentage proportion
Yes	55	91.7%
No	4	6.7%
Don't Know	1	1.6%
<i>Is the land owned by the community enough for their use?</i>		
Yes	48	80%
No	12	20%
Total	60	100.00%

The table above indicates that depicts a majority of 91.7% of the respondents indicating that the community owned land while only 6.7% minority denied. It was however noted that 1.6% did not know if the community owned land or not.

An in-depth interview on whether the land owned was enough for their use was made and findings recorded as below.

80% of the respondents express community satisfaction of their land use while the remaining 20% reported that the community land was not sufficient for their use. It was however noted that

majority of the community members who reported to have enough land for their use were the Pokomo community while in the other case, the Orma, who moved from one place to another were not contented with the size of their land. Further analysis of the findings revealed a significant proportion of 58% respondents reporting that the Pokomos' land was quite fertile and ample for their agricultural use, produced enough pasture which in most cases tempted the Ormas to graze on their lands, thus conflicts.

4.5.3 The main land use in Tana Delta

It was important to establish the main use of land in Tana Delta and the study revealed the following findings from the interviews conducted.

Table 10: Main land use

Land use	No of respondents	Percentage proportion	Cumulative Percentage
• Crop production	26	43.3%	43.3%
• Pastoralism	23	38.3%	81.6%
• Homesteads	10	16.7%	98.3%
• Wild life	1	1.7%	100%
Total	60	100.00%	

The analysis above indicates that crop production was the main land use in Tana Delta as reported by 43.3% majority while pastoralism was reported by 38.3% of the respondents in this study. It was important to note that crop production and pastoralism formed the basic land uses in Tana Delta since it represented of 81.6% coverage. This could be attributed to the fact that majority of the communities living in the area were the Pokomos and Ormas who were farmers and herders respectively.

16.7% of the respondents were of the opinion that land in the area was mainly used for homesteads while a minority of 1.7% indicated that wild life was main.

The foregoing analysis clearly shows that the uses of land in the area would easily aggravate scramble for the same resource and thus conflicts were bound to happen to some extent especially on cases when land was not enough for their use as reported in this study report.

Table 11: Model Summary for Inadequate land tenure system

Model	R	R Square (r ²)	Adjusted R Square	Std. Error of the Estimate
1	.234(a)	.055	-.064	11.10194
2	.726(b)	.527	.392	8.39217

b Predictors: (Constant), Inadequate land tenure system

The coefficient test was made to determine the results on the effects of the inadequate land tenure system on conflicts between communities. The R Square (r²) model was used and a standard error was recorded at 8.39217 at 2 degrees of defense and a figure of .392 was arrived. In this determination therefore, it was predicted that the inadequate land tenure systems could significantly influence the conflicts between communities as evidenced by the r².

Determination of coefficient test in the analysis of the inadequate land tenure systems conducted using the t test and findings shown in the table below.

Table 12: Coefficients^a

Model	Unstandardized		Standardized	t	Sig.
	Coefficients		Coefficients		
	B	Std. Error	Beta		
Inadequate land tenure	1.380	.522	.798	2.646	.033

The t value for inadequate land tenure systems is registered in this T-Test at 2.646 after the difference. This means that it is significant and thus we fail to reject the null hypothesis.

4.6 Weakened traditional governance in pastoral communities

Literature described the basis for the local social structures, their variations and the different entities they entail as basic component traditional governance. In the same literature, the traditional institutions expressed themselves in the form of traditional chiefs popularly known as Aqilo, the village elders called Guurti and clergy (ulimo). The traditional governance, however, have domineering elements that would exclude, from the decision-making process, women, the youth, minorities even with the same socio-clan setting, and other social groups considered inferior.

In this study, specific questions were asked to determine the traditional governance within the pastoral community (Ormas) and analysis presented as below.

4.6.1 How the Pokomos and Ormas were governed

The study sought to find out how the communities within the Tana Delta were governed and the following was reported.

Majority of the respondents (91.7%) reported that the traditional governance system for the communities in the Tana delta comprised of the lower ranked village elders who were rooted at the community. 83% of the respondents added the Chief's administration besides the village elders while the upper ranked provincial administration comprising of Dos, DCs, CC and PCs.

It was noted that some of the respondents recognized the governance of religious leaders. This comprised of 12% of the respondents while 3.1% did not have any idea about the traditional governance system.

Earlier inferences revealed in the literature inferred that chiefs and the village elders within the communities had a stake in the conflicts that saw over 100 people dead and loss of livestock in

the Tana Delta. This prompted the study to establish how the chiefs and village elders formed the traditional governance within Tana Delta.

4.6.2 Strength of Chieftains and Village Elders

The study sought to find out whether the chiefs and village elders within Tana Delta were strong enough to manage conflicts at the community level and findings of the same recorded in the table below.

Table 13: Determination of whether the Chiefs were strong enough

Response category	No of respondents	Percentage proportion
Yes	38	63.3%
No	22	36.7%
Total	60	100.00%

The analysis above depicts that majority of the respondents represented by 63.3% retorted that chiefs and village elders within the community were very strong. When asked how they thought the chiefs were strong, the respondents had this to say;

1. Disputes within the communities were easily solved at the chief's and village level by the traditional leaders.
2. Conflicts were detected and mitigated at the same level before they erupted.
3. The chiefs and village elders were centre of any development initiatives and the community members respected them since they represented the government at the lowest level.

However, 36.7% of the respondents were of the opinion that the chiefs and village elders were not strong at the community level since they were corrupt, not educated, not development conscious as well as greedy and self centered. They did not earn respect at the community level. While these respondents raised sentiments contrary to others, it should be noted that the dissatisfaction was raised by the fact that some of the conflicts that were experienced within the community level were as a result of the incapacity of the chiefs and village elders.

4.6.3 Part played by the religious leaders

The study revealed that the religious leaders took part in manage conflicts within the Tana Delta area. Some of the efforts made by the religious leaders were recorded below.

45% of the respondents reported that they had been involved in forums called upon by the religious elders to reconcile the two communities while a significant proportion of 32% indicated that the religious leaders had been an important partner in sensitizing the community on the fear of God to solve conflicts.

It was important to note that 23% of the respondents had not seen any effort made by the religious leaders in the conflict management in Tana Delta.

The foregoing analysis indicates that religious leaders formed a very key component in the community governance especially in conflict management.

Further analysis of the findings revealed that other partners including the local organizations help in mitigating the conflict by organizing forums and meetings to discuss on lasting solution on the conflicts.

4.6.4 Government involvement

The study sought to find out how the government intervened in solving the conflicts within the area and findings recoded as shown in the table below.

Table 14 Government involvement in solving conflicts

Response category	No of respondents	Percentage proportion	Cumulative percentage
Deployment of KDF	33	55%	55%
Conducting peace talks between the communities	25	41.7%	96.7%
Don't Know	2	3.3%	100%
Total	60	100.00%	

Analysis of the results findings revealed that the government deployed the defense forces as reported by 55% of the respondents while 41.7% reported that the government conducted some peace talks between the communities. It was however noted that 3.3% minority did not know the government involvement in the conflicts.

Table 15: Model Summary for Weakened traditional governance

Model	R	R Square (r ²)	Adjusted R Square	Std. Error of the Estimate
1	.234(a)	.055	-.064	11.10194
2	.638(b)	.407	.237	9.40023

b Predictors: (Constant), weakened traditional governance

Table 16: Regression Analysis for weakened traditional governance

Model		Sum of Squares	df	Mean Square	f	Sig.
1	Regression	424.395	2	212.198	2.401	.161(b)
	Residual	618.551	7	88.364		
	Total	1042.946	9			

a Predictors: (Constant), Weakened traditional governance

b Dependent Variable: Conflict between communities

Based on the weakened traditional governance analysis, the f value is significant and therefore we fail to reject the null hypothesis and conclude that the value is stationary. The t Test is conducted as shown in the table below.

Coefficients (a) analysis

The determination of the T – Test was conducted parallel to the F Test and findings recorded in the table below.

Table 17: Coefficients (a) on weakened traditional governance

Model	Unstandardized		Standardized	T	Sig.
	Coefficients		Coefficients		
	B	Std. Error	Beta		
Traditional governance	2.267	1.112	.653	2.039	.081

a Dependent Variable: Conflict between communities

The t value in the above analysis is significantly positive at 2.039 after calculating the Coefficient. This is indicative of the fact that the alternative hypothesis is highly rejected and null hypothesis fails to be rejected.

4.7 Cattle rustling and conflicts between communities

Earlier studies conducted on raiding methods by Baxter, like Gulliver, underlined the intrinsic and symbolic value of killing as an important and autonomous component of the attacks: an authenticated method including the usual practice is to lay up outside a village of the enemy until its occupants are asleep, and then swoop in and kill as many people as possible was reported in the book.

The study sought to find out if cattle rustling were a factor that influenced conflict within the Ormas and Pokomos and findings documented as shown in the table below.

Table 18: Determination cattle rustling as a factor towards conflict

<i>No.</i>	<i>Query</i>	<i>Mean</i>	<i>Standard deviation</i>	<i>Rank in severity</i>
Cattle rustling and conflicts				
1	Cattle rustling is common in Tana Delta	1.33	1.17	5 th
2	Cattle rustling is one of the causes of conflict within Tana Delta	2.15	1.35	3 rd

3	I know of cattle rustling incidences in the community	2.37	1.33	4 th
4	The cattle rustling is encouraged by some of the communities	1.99	0.99	7 th
5	Not all the community members have cattle	2.69	1.76	1 st
6	Those communities without cattle do practice cattle rustling	1.98	1.07	6 th
7	Cattle rustling is a culture in Tana Delta	1.28	1.54	2 nd
Grand mean / standard deviation		1.97	0.08	

The table above indicates that cattle rustling were a common game encouraged by some of the communities. A mean of 1.99 and a standard deviation of 0.99 propelled this indicator as one of the major contributors of conflicts in the area. While cattle rustling could be ignored as a practice of only those communities without cattle where a mean of 1.98 and a standard deviation of 1.07 were recorded, it should be considered that some of the respondents representing the community especially the IDPs had seen incidences of cattle rustling which later ended at conflicts.

With no doubt, cattle rustling were considered as a culture within the Tana Delta, a factor that was confirmed by a majority of 87% where the mean was 1.28 and a standard deviation 1.54 which indicates that we could not reject the null hypothesis.

While we accept the fact that cattle rustling is a culture as well as an indicator of conflict within the communities, it should be noted that the same act is encouraged by some communities especially those without cattle. It is therefore safe to conclude that rustling fills our list of the factors that accelerated conflicts in Tana Delta.

Table 19: Model Summary (b) for cattle rustling

Mode	R	R Square	Adjusted R Square	Std. Error of the Estimate
1				
1	.048 ^a	.002	-.122	11.40486

a Predictors: (Constant), cattle rustling

b Dependent Variable: Conflict between communities

The coefficient of determination (r^2) as shown in table 19 above indicates a very insignificant level of relationship between the cattle rustling and conflict between communities. An in-depth test was conducted and results shown in table 20 below.

Table 20: Residual Analysis for Cattle rustling

Model	Sum of Squares	Df	Mean Square	f	Sig.
1	2.379	1	2.379	.018	.896 ^a
Residual	1040.567	8	130.071		
Total	1042.946	9			

a Predictors: (Constant), cattle rustling

b Dependent Variable: conflict between communities

It is evident from the above analysis that cattle rustling have no impact on the conflict between communities as shown by the non stationary value of .018. This means that we reject the null hypothesis.

4.8 Government policies and conflicts between communities

The extent of the conflicts within the two communities

The study sought to find out how the conflict started and the findings revealed during the interviews were as discussed below.

A tribal conflict between the Orma and Pokomo began when Ormas livestock strayed in to the *shambas* and destroyed the crops where the Pokomos had to confront the Ormas and injured one person with an arrow. Ormas retaliated and drove the Pokomos away leaving the livestock to destroy their crops as quoted below;

“The problems between farmers and pastoralists have arisen when cattle belonging to Orma herdsmen strayed into Pokomo farmlands.” Ibrahim Dola – youth mobilizer and resident in Tana Delta.

The same sentiments were echoed during the interviews with majority of the stakeholders such as the Provincial Administration and the IDP in the camps. In addition, Pokomos solicited for support from their clan members and went back for revenge and the Ormas escaped for fear that

they would be injured. The Pokomos killed livestock with Pangas and arrows, which accelerated the conflict.

“While Ormas were away, they amassed guns and support and came back for real battle; they invaded Kau Village belonging to the Pokomos, drove the Pokomos away, stole Household items, burnt houses, shot people killing 2 people and leaving 7 seriously injured and the conflicts took another course.” Narrates Red Cross Boss in Tana River.

The government security policy and conflict in Tana delta

The study sought to find out if the government policy had contributed to the conflicts in the area. 40% of the respondents confirmed that the government was to blame but a majority of 60% declined.

Of those who declined, 55% were of the opinion that the government could not contribute to any conflict since it had mechanisms of protecting its citizens and that firing conflicts would be unconstitutional.

However, those who confirmed government involvement had this to say;

“It is believed four politicians who hoped to win seats in next year’s elections incited violence in order to displace their supporters’ opponents’ were behind the clashes” Human Rights Watch.

These sentiments were justified by the fact that one Member of Parliament (MP) had been arrested for incitement in relation to the killings.

“It can’t be ignored that some politicians fan violence so as to mess with voting patterns in some cases so that the outcome favors them in the long run,” A senior Education Specialist in Tana Delta.

The fuel conspired by the politicians during the campaign period was presumed by a major factor that brought the government in the spot concerning the conflicts in the area as quoted;

“Politicians come up with empty promises such as job provision and creation whenever an electioneering year is near, only for them to disappear or underperform, thus sowing a seed of hatred and hopelessness among the electorate, of whom a majority happen to be youths,” Local Opinion Leaders.

“Many youths have become extremely desperate to an extent of even being brainwashed

to join terror gangs, thus posing a major security threat to not only the coastal region but entire country at large,” KMYA Official in Tana Delta.

The findings of this study as reported by 80% of the respondents revealed that youths were ready to join [the Somalia-based insurgency] Al-Shabab or any other militia group. Further analysis from 65% of the respondents revealed that hundreds had already joined those groups and were available for hire to fight. This was quite a very serious threat since these groups were trained, organized and armed

Government intervention to manage the conflict in Tana Delta

The study sought to find out if there had been any efforts by the government to manage the conflicts in Tana Delta and the findings were as discussed below;

Arrests and prosecution

90% of the respondents conformed that the government had intervened in mitigating the conflicts while 10% declined. It was further established that the 10% who declined comprised of the IDPs who thought the government had not satisfactorily responded to help them and rather left them at the mercies of nongovernmental organizations such as Red Cross among others.

However, those who reported that the government had intervened in the conflict mitigation had the following to say.

45% of the respondents reported that the court on Monday (September 24th) charged 52 people, including two assistant chiefs, with inciting violence in the Tana River Delta that killed more than 100 people. Further analysis of the study findings revealed that the two assistant chiefs were also charged with failure to inform authorities that their communities were armed and planning to attack the Orma people.

A proportion of 30% of the respondents reported various charges including incitement to violence and possession of illegal weapons having been made against the remaining suspects who had been arrested for various offenses.

Deployment of KDF

80% of the respondents reported that security in the area has been increased and a permanent detachment of the paramilitary General Service Unit (GSU) has been stationed in the conflict zones. The remaining 20% reported Checkups at various road blocks having been beefed up leading to a thorough scrutiny of every vehicle and passenger travelling into the Tana Delta. Further analysis of the findings revealed that these checkups were meant to ascertain that travelers do not carry guns into the conflict zones.

Involvement of other local structures

It was mentioned by a majority of 75% respondents that the District Peace Committee (DPC) and some religious leaders lead by the PC had been conducting series of forums involving the two tribes to sustainably and permanently resolve the conflicts.

The remaining 25% declined having seen any interventions from other local organizations in conflict mitigation. Some of these who declined were the IDPs and some community leaders who could not perceive the involvement of religious leaders as a government effort.

It was important to note that while conflicts were rampant in the area, the government had made efforts in one way or the other to ensure there was enough security for the residents as well as ensuring that the conflicts was brought to a dead end. All the same, the government was on the spot for allegedly fuelling conflicts within the area and thus confirming fears from the public that its hand had great influence on the violence, deaths and loses.

4.9 Discussions

Inferences drawn from this study give an account of the main factors that accelerated conflicts within Tana delta. In the analysis of the findings, the discussions could be summed up as follows;

Conflicts were highly caused by availability of weapons. The results clearly depicted that the availability of small weapons in the community significantly accelerated conflicts. Selling of small weapons in Tana Delta was inevitable due to the fact that the government had failed to control the inflow of the same.

This study was informed further that it was quite easy to get weapons as majority of the members of the communities; both the herding and farming communities used weapons to guard their resources. In as much as weapons were used to guard the resources, it was worthwhile noting that the same could be used in times of conflicts and thus contributes to the massive deaths and loss of property as reported somewhere in this study.

Crop production and pastoralism formed the basic land uses in Tana Delta since it represented of 81.6% coverage. Several factors could have attributed to this. Some of these factors included majority of the communities living in the area were the Pokomos and Ormas who were farmers and herders respectively. It clearly shows that the uses of land in the area would easily aggravate scramble for the same resource and thus conflicts were bound to happen to some extent especially on cases when land was not enough for their use as reported in this study report.

Cattle rustling on the other hand were considered as a culture within the Tana Delta, a factor that was confirmed by a majority which indicates that we could not reject the null hypothesis. While we accept the fact that cattle rustling is a culture as well as an indicator of conflict within the communities, it should be noted that the same act is encouraged by some communities especially those without cattle. It is therefore safe to conclude that rustling fills our list of the factors that accelerated conflicts in Tana Delta.

It was important to note that while conflicts were rampant in the area, the government had made efforts in one way or the other to ensure there was enough security for the residents as well as ensuring that the conflicts was brought to a dead end. All the same, the government was on the spot for allegedly fuelling conflicts within the area and thus confirming fears from the public that its hand had great influence on the violence, deaths and loses.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

In this chapter, the major findings are summarized; conclusions are drawn based on the findings and recommendations are forwarded for the concerned bodies.

5.1 Summary

Following the results of the test, the Coefficient of insecurity and proliferation of small and light weapons is negative at $-.234$ at a standard error of $.834$ and thus t test recorded at $-.680$ after the first difference and thus we failed to reject the null hypothesis (insecurity and proliferation of small and light weapons has impact on conflicts between communities) and conclude that the variable is integrated of Sig.000 at a constant value of $.516$.

The coefficient test was made to determine the results on the effects of the inadequate land tenure system on conflicts between communities. The R Square (r^2) model was used and a standard error was recorded at 8.39217 at 2 degrees of defense and a figure of $.392$ was arrived. In this determination therefore, it was predicted that the inadequate land tenure systems could significantly influence the conflicts between communities as evidenced by the r^2 . The t value for inadequate eland tenure systems is registered in this t test at 2.646 after the difference. This means that it is significant and thus we fail to reject the null hypothesis.

Based on the weakened traditional governance analysis, the f value is significant and therefore we fail to reject the null hypothesis and conclude that the value is stationary. The t value in the above analysis is significantly positive at 2.039 after calculating the Coefficient. This is indicative of the fact that the alternative hypothesis is highly rejected and null hypothesis fails to be rejected.

The coefficient of determination (r^2) as indicated a very insignificant level of relationship between the cattle rustling and conflict between communities. An in-depth test was conducted and results. It is evident from the above analysis that cattle rustling have no impact on the conflict between communities as shown by the non stationary value of .018. This means that we reject the null hypothesis.

5.2 Conclusion

The literature reviewed in this study, and especially my experience, suggests that lasting conflict resolution can only be achieved by the parties themselves, based on a strengthened local institutional capability (including customary institutions and local civil society organizations), and key local individuals. However, government and outside agencies have an essential role to play in creating the external conditions for such local settlements, and in supporting local institutional capability.

Farming and Pastoral societies in Kenya have a range of institutions, rituals, practices, oral and material culture items connected to conflict management within and between the ethnic groups. These have been studied, but their full range and the way they operate in practice is not fully understood. Even though active hostilities may cease, when conflicts and acts of violence are not fully expunged according to correct ritual procedure, hostility between the two groups may persist. There may be a place for full ritual settlement of specific past conflicts, to create a more generally accepted peaceful basis for present co-existence.

Present unrest in pastoral and farming communities in the area may involve dimensions not included in customary conflict management: for example new kinds of conflict of within the same ethnic groups; and conflicts between ethnic groups with no tradition of joint conflict management. It may seem clear that customary conflict management practices could play a role in these cases. There is however a largely unexplored potential for modern ideas about conflict management to be incorporated with other approaches. These include measure to build up social capital by multiplying social and economic interactions, networks and connection between

individuals and groups: examples might include the peace festivals pioneered in Tana Delta, alternative ways of channeling aggression in young men, such as football tournaments, and initiatives that can bring opponents together.

5.3 Recommendations

The government should immediately restore the security and order in the affected areas and take appropriate measures to prevent further resurgence of violence. Firm and decisive action should be called upon against the perpetrators irrespective of their standing in the society.

The government should be implored to timely provide humanitarian assistance to the displaced victims of the conflicts and guarantee their protection pending resolution of the conflicts.

The relevant organs of the government should be called upon to immediately constitute the stalled National Police Service Commission, operationalize the National Police Service Act and fast track the other pending security sector reforms.

The relevant government ministries must urgently resolve with finality the boundary disputes in various violence hotspots and establish durable mechanisms of averting drought related conflicts. This could include provision of water, humanitarian support and enforcing community driven modalities of sharing pasture during the dry season.

The National Steering Committee on Peace Building and Conflict Management (NSC) and the National Cohesion and Integration Commission (NCIC) must be more proactive in forestalling this bloodletting through the early warning and conflict prevention mechanisms, structures and systems at their disposal.

Politicians and their agents must desist from any conduct and utterances that may stoke tensions and conflicts among communities. The political contestants must take leadership in fostering peace and national cohesion especially in the electioneering period. They must be reminded of running the risk of being disqualified by the IEBC including criminal sanctions if found breaching the law.

Kenyans should resolve whichever grievances they have through peaceful and legal means including traditional dispute resolution mechanisms which are recognized in the constitution of Kenya and desist from taking the law into their hands.

5.4 Suggested areas for further research

Further research need to be carried out to establish how conflicts are greatly influenced by political power, establish the gaps that have been realised as a result of this study finding.

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APPENDICES

Appendix I Letter Of Transmittal

Aden Mohammed

The
.....
.....

Dear Sir/Madam,

RE: ACADEMIC RESEARCH

I am a student at Nairobi University currently pursuing a Master’s Degree. One of the requirements within the Masters is to undertake a research on a particular area of interest. This is the basis why I am conducting a research on the factors that influence conflicts within Communities with specific focus on the Orma and Pokomo communities in the Tana Delta District of Tana River County.

The research will seek to understand the situation as it is in the subject under review through the use of a questionnaire. I am kindly requesting for your assistance in responding honestly to the interview questions.

Looking forward to your corporation

Thank you.

Aden Mohammed

Appendix II Research Tool/ Questionnaire

Introduction

Hello! My name is Aden and currently pursuing my Master degree at University of Nairobi, Mombasa Campus. I am conducting a study in this area on the factors that aggravated the conflicts within the community with specific emphasis on Orma and Pokomo in the Tana Delta of Tana River County. Your participation in the study is voluntary, you can choose to participate or not to. The information that you will provide will be treated with confidentiality and will not be used for any other purpose other than the objectives of this study.

Demographic profile

1.1. Gender

- A Male
- B Female

1.2 What is Your Current Age?

- A. below 20 Years
- B. 21-30 Years
- C. 31-40
- D. Above 40

1.3. What is your Current Marital status?

- A. Single / never married
- B. Married
- C. Separated
- D. Divorced
- E. Widowed

1.4 Family size

- A. Less than 3
- B. 4-5
- C. More than 5

1.5. What is your Current employment status?

- A. Employed for a wage
- B. Self employed

C. Employed and part time entrepreneur

2.0: Insecurity and proliferation of small and light weapons

No.	Item	Agreement scale					
		Strongly Agree	Slightly Agree	Agree	Disagree	Strongly Disagree	N/A
2.1	I have knowledge on availability of small weapons						
2.2	Violence is highly caused by availability of weapons						
2.3	I am satisfied with the security system in our area						
2.4	Security in our area is assured by the availability of small weapons						
2.5	It is easy to acquire small weapons in our area						
2.6	The government has failed to curb the inflow of small weapons in the area						
2.7	The government security in the area depends on the available small weapons						
2.8	Small weapons are sold from within the area						
2.9	Small weapon availability within the community is a sign of security						
2.10	I know areas where small weapons originate						

2.11	The community makes weapons for itself						
------	--	--	--	--	--	--	--

3.0: Inadequate land tenure policies

3.1 Is land an issue that contributes to violence and conflicts in this area?

1. Yes
2. No
3. Don't know

3.2 If yes, how?

.....

3.3 Do most of the community members own land?

1. Yes
2. No
3. Some

3.4 Is the land owned by the community enough for their use?

1. Yes
2. No

3.5 What is the main land use in Tana Delta?

- Crop production
- Wild life
- Pastoralism
- Do not know

3.6 How has land affected the social integration of the community in Tana Delta?

.....

3.5 Is land use by both farmers and pastoralists a major problem?

1. Yes
2. No
3. Don't Know

3.6 Did land take part in aggravating the conflicts in Tana Delta?

1. Yes
2. No

3.7 If yes, how?

.....

3.8 What are the general challenges of the community on land issues?

.....

4.0 Weakened traditional governance in communities

4.1 How are the Pokomos and Ormas governed?
.....

4.2 Are chiefs and village elders strong enough to manage conflicts at the community level?
1. Yes
2. No

4.3 If yes, how?
.....

4.4 If no, why?
.....

4.5 What part have the religious leaders taken to manage conflicts in the area?
.....

4.6 How did the partners including the local organizations help in mitigating the conflict?
.....

4.7 How did the government intervene in solving the conflicts within the area?
.....

5.0 Cattle rustling and conflicts between communities

No.	Item	Agreement scale					
		Strongly Agree	Slightly Agree	Agree	Disagree	Strongly Disagree	N/A
5.1	Cattle rustling is common in Tana Delta						
5.2	Cattle rustling is one of the causes of conflict within Tana Delta						
5.3	I know of cattle rustling incidences in the community						
5.4	The cattle rustling is encouraged by some of the communities						
5.5	Not all the community members have						

	cattle						
5.6	Those communities without cattle do practice cattle rustling						
5.7	Cattle rustling is a culture in Tana Delta						

6.0: Government policies and conflicts between communities

6.1 What was the extent of the conflicts within the two communities?

.....

6.2 Did the government security policy encourage conflict in Tana delta?

1. Yes
2. No

6.3 How?

.....

6.4 Did the government intervene to manage the conflict in Tana Delta?

1. Yes
2. No

6.5 If yes, how?

.....

6.6 If no, why?

.....

Appendix III Financial Budget

Table 4.1: Estimated budget

Activity	TOTAL(Ksh)
Telephone expenses	25,000.00
Internet expenses	15,000.00
Data Entry and Analysis	15,000.00
Contingency	4,500.00
Total	59,500.00

Appendix IV Time Framework

Table 4.2: Schedule of activities of the research project

ID	Description of research activity	Duration in weeks				
		Week 1	Week 2	Week 3	Week 4	Week 5
1	Development of research tool	■				
2	Seeking for consent	■				
3	Sharing of the research tool with the identified respondents		■			
4	Pre-test of research too		■			
5	Field data collection, And correspondents with respondents			■		
6	Data entry and analysis				■	
7	Report writing and dissemination					■