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**DISARMAMENT, DEMOBILIZATION AND REINTEGRATION IN
AFRICA: CASE FOR ROLE OF WOMEN IN KENYA: CASE STUDY
OF *OPERESHENI DUMISHA AMANI***

**RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT
OF A MASTER IN INTERNATIONAL STUDIES**

SEPTEMBER, 2014

DECLARATION

I Caroline Mwikali Ndiku declare that this research project is my original work and has not been presented to any other examination body.

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DEDICATION

I dedicate this work to my loving husband Dickson Gathu Githu and my two sons Chamberlain Githu Gathu and Caylan Kibunga Gathu. You have inspired so many changes in my life. May you grow to be courageous and stand for what you believe.

ACKNOWLEDGEMENT

I acknowledge The Almighty Father in heaven for enabling me to successfully pursue this course. Secondly to my beloved family; my parents, siblings and the greater family for your support during my studies. To my dear friends who constantly encouraged me, Abigail Obiero, Dan Michaels and Kelvin Mutulis, thank you.

I also acknowledge the sincere criticism of my work by my supervisor, Professor Amb. Maria Nzomo without whose support this work would be incomplete.

I am indeed indebted to my employer, The Kenya Utalii College for granting me the opportunity to do my Masters in International Studies.

Special thanks go to Ms Doris Mutisya , Mr. Clement Kaula, and the entire Languages Department for your continuous encouragement and believing in me.

I am indeed indebted to my young sister Colleta Kalekye, I cannot say enough for your countless and tireless support you accorded me as I ran forth and back to class. You took great care to your nephews; you have always been their second mum. To you I am grateful.

I acknowledge all persons who contributed to the success of this work as I cannot mention each one of you, but accept my appreciation all. Thank you.

ABSTRACT

This dissertation contends that civilian disarmament reduces the arms in the hands of civilians thus creating effective security. Given the increasing arms proliferation in Kenya, the government has undertaken several disarmament programs to ensure that illicit arms are curbed. Nevertheless, these programs seem to yield minimal outcome given the number of guns and rounds of ammunition being recovered thereof. This has begged the question; what affects the civilian successful recovery of arms from civilians during disarmament processes in Kenya? This study attempts to look at how inclusion of women in developing policies for disarmament as well as in implementation of disarmament programmes could contribute to effective execution of these efforts. Relying on descriptive research design, the study adapts a case study approach by focusing its evaluation on *Operation Dumisha Amani I and II* (2005 – 2010). It uses both quantitative and qualitative approaches to derive data from primary and secondary sources. The cluster sampling is used to select Turkana and West Pokot Sub-Counties (then districts) to test the hypotheses of the study.

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ACRONYMS

CAP	Comprehensive Peace Agreement
DDR	Disarmament, Demobilization and Reintegration
LRA	Lord's Resistance Army
UN	United Nations
UNODC	UN Office on Drugs and Crime
NRM	National Resistance Movement
SALW	Small Arms and Light Weapons

CHAPTER ONE

GENDER APPROACHES AND CIVILIAN DISARMAMENT IN KENYA

1.0 Introduction

Although they are far from unique in facing an illicit small arms problem, the states of Kenya and Uganda can in many ways be seen as at the forefront of efforts to address the problem. In Kenya, the northern region is believed to have the most illicit weapons, with estimates put at over 100,000 units. By 2007, it was estimated that 400,000 small arms were in circulation in Uganda, including 150,000 believed to have been with the Lord's Resistance Army (LRA). More than 40,000 illicit arms were believed to be in Karamoja region.¹ These arms have fuelled insecurity leading to population displacement, deaths and injuries, low intensity conflict, insurgencies, and urban crime, often affecting the vulnerable groups in society the most.

The concept of Practical Disarmament was first used in 1995 in the UN's "Supplement to an Agenda for Peace", reinforcing arms reduction efforts in response to the new phenomena of small arms possession by non-state actors. It reflected the need to target this new group with practical measures different from the regulations and sanctions for countries. UN member countries that experienced negative effects of proliferation of weapons particularly after civil war and others endorsed the concept. Practical

¹ Wepundi Manasseh, *Study on Practical Disarmament for the RECSA Region*. (Nairobi: Regional Centre on Small Arms/Institute for Security Studies, 2010) p. 11

Disarmament measures were envisioned as a concept and framework that would comprehensively address the issue of illicit weapons.²

Practical Disarmament, therefore, is not just about the collection and management of weapons stockpiles but has to do with preventing conflicts, strengthening the rule of law and promoting public security. It is aimed at reducing armed violence and demands for SALW and improving the management of the State in dispensing its security function. Practical Disarmament is often combined with, but distinct from, Disarmament, Demobilisation, and Reintegration (DDR) programmes amongst others. It can also be taken as a component of ‘disarmament’ during DDR programmes. The concept has expanded in recent years beyond simply a technical intervention and now takes into consideration demand factors as well as the accountability and reform of state security entities.³

Like other countries in the globe, successive governments in Kenya and Uganda have launched civilian disarmament programmes as a response to the problem, but with mixed success.⁴ Civilian disarmament is different from DDR as it is the process to control civilian possession of small arms and light weapons. Other countries in East Africa like South Sudan have undertaken these measures as well through the decree for disarmament across

² Giustozzi Antonio, *Post – Conflict Disarmament, Demobilization and Reintegration: Bringing State Building Back* (England: Ashgate Publishing Limited, 2012) p. 29

³ Willems Rens, *Arming with Opportunities: Disarmament, Demobilization and Reintegration (DDR) and a Community – Based Approach*. (England: LAP LAMBERT Academic Publishing, 2010) p. 7

⁴ Ndung’u, J, ‘Analysis of Disarmament Approaches in Kenya and How to Make them Effective’, paper presented during RECSA Practical Disarmament Validation Workshop in Mombasa, Kenya, 30–31 August 2010

South Sudan in 2008. The picture of arms in the region is however getting worse as years advance.

1.1 Problem Statement

National development processes in Kenya have for a considerably long time failed the test of inclusivity to the extent that this participation provision has been enshrined in the constitution as part of national values. It is in this context that Kenya has contended with the challenges of illicit small arms possession and usage from colonialism (especially in the pastoralist north), to the anti-colonial struggle in central Kenya (including Nairobi) during the 1950s, to date.

Although there is no systematic record of disarmament, the country has implemented more than fifty operations in the past 100 years, most of them in the pastoralist-inhabited north of the country. The earliest recorded civilian disarmament drive in Kenya is the 1920s Operation Tennis which was done in Turkana. This, like many of them thereafter, was largely unsuccessful. Despite the 100,000 arms believed to be in civilian's arms and the target of recovering 50,000, the government recovered only 2,433 arms and 5,260 rounds of ammunition in the 2005 Operation Dumisha Amani I. The extension of the operation done in 2010 in Turkana, West Pokot, Marakwet, Samburu, Baringo East, Laikipia East and Trans Nzoia remained largely elusive with recovery of only 1,201 arms and 1,665 rounds of ammunition.⁵

⁵ Wepundi Manasseh, *Study on Practical Disarmament for the RECSA Region*. Op. cit. p. 51

There is no doubt that success in this area has been minimal and following this has been the increased bold ownership of arms thus increasingly posing significant socio-economic, political and security risks countrywide. This coupled with the rising negative ethnicity and the conglomeration of vigilante and militia groups in the country pose a great danger especially during election periods. The threat has thus moved from the traditional pastoral areas to urban centres and cities such as Eldoret and Nairobi.

It is imperative to understand that disarmament processes in Kenya have failed to consider the specific gender contributions which either enhance or deter proliferation of small arms in the country. It is therefore prudent to interrogate the civilian disarmament efforts with a view to discharge weak spots which hamper successful execution and recovery of small arms. The main hypothesis of this study is that significant inclusion of both gender in the disarmament process in Kenya is limited, causing feeble outcomes. Recognition of the gender-deficit and willingness to address it is the window of opportunity to replace ad hoc measures and one-off projects with routine consideration of the different needs and capacities of women and men. Women for instance are perceived only as victims of the burden of illicit arms proliferation and not as active actors as well as solution providers. The lack of involvement particularly of women in decision making as well as implementation of civilian disarmament policies and programmes in Kenya has blinded these programmes from adopting gender approaches that may increase their success. It is on the basis that successful and inclusive disarmament will make peace more likely that this study attempts to analyze the place of women in the civilian disarmament process in Kenya by focusing on the case of Turkana.

1.2 Objectives

This Study has one main objective and four specific objectives.

1.2.1 Main Objective

The main objective of this study is to evaluate the contribution of women in the civilian disarmament process in Kenya with a focus on the 2005 - 2010 *Operation Dumisha Amani* Disarmament program.

1.2.2 Specific Objectives

In addition, the study seeks to achieve the following specific objectives;

1. Identify the challenges that face women during disarmament processes
2. Examine the role of Women in Disarmament Programs in Kenya
3. Critically examines the undertakings of *Operation Dumisha Amani I* and *II* with a view to inform gender policies in civilian disarmament
4. Proffer recommendations for the inclusion of women in civilian disarmament in Kenya

1.3 Literature Review

The literature review addresses three contentious issues that affect the main focus of this study. The first section looks into how arms get into the hands of civilians. This section brings out debates as to whether there is need to disarm civilians or whether the reasons for arming justify them to hold onto their illicit arms. The second section is an evaluation of the impact of illicit arms. This is an extension of the debate as to whether proliferation of small arms and light weapons should be ignored. Finally, the literature analyses gender

perspectives in DDR. This section looks at how and why gender perspectives are important for DDR.

1.3.1 Free Flow of Arms into Civilian's Hands in Kenya

Scholars have noted that there are several causes of self-armament in East African countries, especially in Kenya. Communities' marginal existence in underdeveloped parts of the country creates a demand for small arms as groups compete for scarce resources and protect their livelihoods. This, coupled with inter-ethnic rivalries that turn violent, for instance, through cattle-rustling raids, pushes communities to self-arm for security. Muchai⁶ argues that government failure to provide sufficient security makes local community armament for self-protection necessary. Worse still, the government's failure to impose its presence through service provision and enhancing law and order in northern Kenya has cumulatively fed communities' essential need for firearms. In fact, Kamenju et al⁷ observe that poor policing in vast parts of Kenya has catalyzed the permeation of a gun culture, especially among pastoral communities. In northern Kenya, the gun culture—or the value of firearms as a necessary possession among groups—has entrenched many people's view that firearms possession is an essential right. This has resulted in inter-ethnic arms races.

On the contrary, Kimaiyo and Nthiga⁸ argue that feelings of insecurity may not be the cause of arming among civilians. However, they posit that a weak and sometimes corrupt

⁶ Muchai, Augusta, 'Insecurity: A Case Study of Northern Kenya.' In Micha Hollestelle and Simon Simonse, eds. *Security When the State Fails: Community Responses to Armed Violence*, Vol. 5. The Hague: Pax Christi, 2005 pp. 113–29.

⁷ Kamenju, Singo, and Wairagu, 2003, pp. 49–50

⁸ Kimaiyo and Nthiga, 2009, pp. 44–46

security architecture characterized by inadequate border control mechanisms and minimal police presence in vast parts of northern Kenya creates a favourable environment for illicit small arms trafficking, possession, and use. On the other hand, Nguli⁹ holds that insecurity is a consequence not a cause of arms proliferation.

However, there are other independent triggers, like cattle rustling, which is treated as a cultural problem among most pastoralist communities in Kenya and the Eastern Africa region. Farah¹⁰ et al. contend that poverty and unemployment are root causes of self-armament in these areas. On the contrary, Bevan¹¹ indicates that the arms economy and its attendant profits to gun runners and agents fuel the proliferation of arms in the country.

Kamenju et al.¹² also aver that one of the feeders of arms ownership among local pastoralist communities is their systematic response to their perceived minority status and marginalization. These communities' lack of power in numbers means they cannot influence policies and political decisions, hence their search for autonomy and independence through arms. Such groups usually reassert their claims and rights through the use of the force of arms.

⁹ Nguli Mutuku, *Small Arms and Light Weapons' Proliferation in Parts of Kenya*. (Nairobi: PEACENET Kenya, 2008) p. 48

¹⁰ Farah, Ibrahim, Ahmad Aisha, and Omar Daud. *Small Arms and Border Controls in the Horn of Africa: The Case of Malkasufta, Ethiopia; Mandera, Kenya; and Bula Hawa Somalia*. (Nairobi: African Peace Forum and Project Ploughshares, 2005) p. 103

¹¹ Bevan James, *Blowback: Kenya's Illicit Ammunition Problem in Turkana North District* (Geneva: Small Arms Survey, 2003) p. 12

¹² Kamenju, Jacob Alex Nderitu, Mwachofi Singo, and Francis Wairagu, *Terrorized Citizens: Profiling Proliferation of Small Arms and Insecurity in the North Rift Region of Kenya*. (Nairobi: Security Research and Information Centre, 2003) p. 22

Mkutu¹³ holds that an exploration of reasons for armament reveals that illicit gun possession in most urban areas has a criminal economic drive, as illegal gun owners use the guns in armed robberies, carjacking, and other crimes. However, Hartford¹⁴ holds that the crime factor does not apply in pastoral areas since though many pastoralist households have small arms, the rate of crime and violent incidents is not high in their community.

Human Rights Watch¹⁵ contends that political instability in some of the neighbouring states continues to catalyze the threats posed by the illicit proliferation of SALW. The problem is compounded by the easy entry of illicit arms through porous borders. Many of the illicit SALW in Kenya originate from beyond the sub-region, and indeed, the African continent.

This study appreciates the different causes of arms proliferation. Nevertheless, it argues that there is no justification for self-armament within communities in Kenya. This is because some of the said causes such as perceived insecurity seem not to hold as arms proliferation permeates to high security areas such as Nairobi City. Mkutu's argument of crime being a driver of conflict may partly answer this question but the contradiction of higher crimes committed in cities as opposed to pastoral areas which have higher arms cannot yet be reconciled. In this section therefore, the study upholds its hypothesis that disarmament reduces arms in the hands of civilians thus promoting peace.

¹³ Mkutu (2008, pp. 6–9)

¹⁴ Hartford, Mark. n.d. *From Africa to Africa: Traffic in Arms*. Also available online at <http://www.misna.org/uploads/trafficoarmi-en.pdf> accessed on 22nd September 2014

¹⁵ HRW (Human Rights Watch). *Playing with Fire: Weapons Proliferation, Political Violence, and Human Rights in Kenya*. (New York: HRW, 2002)

1.3.2 The Impact of Small Arms Proliferation in Kenya

There are direct and indirect impacts resulting from arms proliferation and misuse in Kenya. Klare¹⁶ argues that the massive quantities of small arms in circulation have been primary contributors to a world-wide epidemic of ethnic, sectarian, and criminal violence. Although weapons themselves do not cause conflicts, their proliferation and easy availability exacerbate the degree of violence by increasing the lethality and duration of hostilities, and encouraging violent rather than peaceful resolutions of differences.

Similarly, Hartung¹⁷ observes that guns don't kill people, but societies awash in guns are far more likely to resolve their differences violently, in ways that can quickly spiral out of control. Once this happens, the international community can neither stop the killing nor heal societal wounds inflicted by militias, warlords, criminal gangs or repressive governments.

In fact, Bourne¹⁸ argues that small arms and light weapons have certain characteristics that make them the most widely used weapons by countries and groups involved in armed conflict: they are cheap, wide availability, highly lethal, simple to use, durable, portable and can be easily concealed. They are also germane to military, police, and civilian use. Out of the forty-nine major conflicts fought in the 1990s, small arms were the only armaments used in forty-six conflicts. Furthermore, SALW were the dominant weapons used in the 95 internal conflicts that were fought around the world between 1989-1996.

¹⁶ Michael T. Klare. *Light Weapons & Civil Conflict: Controlling the Tools of Violence*. (Lanham MD, 1999) p. 19

¹⁷ William D. Hartung, 'The New Business of War: Small Arms and the Proliferation of Conflict' Available at http://www.cceia.org/media/488_hartung.pdf accessed on 22 September 2014 p. 83

¹⁸ Bourne Mike, *Arming Conflict: The Proliferation of Small Arms*. (New York: Palgrave Macmillan, 2007) p. 92

Bevan¹⁹ also contends that the availability of light weapons has also transformed the very nature of conflict from traditional combat between nation-states to intra-state conflict involving a wide variety of actors, including governments, rebel movements, militias, ethnic and religious groups, tribes and clans, refugees, criminal gangs and mercenaries.

A key indicator of the direct impact of small arms on human security is firearms related deaths and injuries. The proliferation of SALW has also led to higher combat and civilian casualties during conflicts as well as deaths from rising criminal activities. Human Rights Watch²⁰ argues that the uncontrolled proliferation and widespread misuse of small arms represents a global human rights crisis by facilitating countless human rights abuses and violations of international humanitarian law. Small arms-aided abuses by either governments or private actors occur in wartime, post-conflict settings, and in countries not at war. These violations include the deliberate targeting of civilians or other non-combatants, and indiscriminate attacks likely to disproportionately harm civilians and torture.

It is often assumed that there is a relationship between small arms, their misuse, and levels of armed criminality. However, perspectives differ on whether easy access to weapons increases or decreases crime. One view propagated by Wolfers²¹ is that small arms possession serves as a deterrent leading to improved personal security and a reduction in interpersonal crime. Proponents of this view assume that small arms possession in controlled circumstances serves as a micro-deterrent to would-be criminals. Another view advanced by SRIC²² is that small

¹⁹ Bevan James, *Between a Rock and Hard Place: Armed Violence in African Pastoral Communities*. (Geneva: Small Arms Survey and UNDP, 2007) p. 130

²⁰ HRW, *Bring the Gun or You'll Die: Torture, Rape and Other Serious Human Rights Violations by Kenyan Security Forces in the Mandera Triangle* (New York: HRW, 2009) p. 43

²¹ Wolfers Arnold, *Discord and Collaboration: Essays on International Politics*. (Baltimore: Johns Hopkins Press, 1962) p.4

²² SRIC (Security Research and Information Centre), *Kenya Crime Survey*. (Nairobi: SRIC, 2003) p. 15

arms availability, ownership, and portability are linked to a greater incidence of violent death (e.g. homicide, suicide, and unintentional death), interpersonal violence, intimidation, and criminality. Accordingly, more firearms equal more violent crime. This study however holds that the proliferation SALW is responsible for the rise in criminal acts such as armed robberies, hijacking, terrorism, stealing of livestock, drug trafficking, and smuggling.

SAWG²³ observes that one of the major impacts of illicit small arms is the displacement of people, which is not only confined to hotspots of electoral violence in the central Rift Valley. Research in northern Kenya by Pkalya²⁴ indicates that small arms fuelled pastoralist violence had displaced more than 160,000 people by 2003. In two years, at a given period of time, more than 200,000 people had been internally displaced by small arms fuelled conflicts over resources or livestock.

Barry²⁵ also decries the status of insecurity that is caused by arms proliferation. As such, the prevalence of small arms use has fed a gun culture that has undermined entrepreneurial development and investments while contributing to cases of sexual violence. Eavis²⁶ posits that this insecurity also has implications for poverty and competition for resources as groups are displaced and/or flee to more secure places, increasing pressure on land and resources.

²³ Small Arms Working Group (SAWG), 'Consequences of the Proliferation and Misuse of Small Arms and Light Weapons' Small Arms Working Group Facts Sheet 2006

²⁴ Pkalya Ruto, Mohamud, A and Masinde, I., *Conflict in Northern Kenya: A Focus on the Internally Displaced Conflict Victims in Northern Kenya* (Nairobi: ITDG, 2005) p. 39

²⁵ Barry Buzan, *People, State and Fear: The National Security Problem in International Relations*. (Chapel Hill, NC, University of North Carolina Press. 1991) p.35

²⁶ Eavis 2002, pp. 252–53

Taken together, Wepundi²⁷ reasons that these different forms of violence and insecurity, all fuelled by small arms have led to closure of schools, health facilities and markets in both countries, hampering development while basic human development indicators e.g. nutrition, literacy and health have remained low. In addition, there is a direct economic cost to these poor communities as they strive to acquire weapons for self-protection. In 2010, the Kenya government estimated that the country's pastoralists had spent 1.1 Billion Kenyan Shillings (\$13,750,000) to arm themselves over the years, based on the number of firearms recovered from them.

Wolfers²⁸ argues that there may be positive impacts of SALW. There is a strong feeling among frontier communities along the international borders that local gun ownership unwittingly contributes to the protection of the country's territorial integrity by fending off raiders from other countries. Occasional fights with foreign security forces are hailed as patriotic. He also refers to the high profits of the illegal arms market which was marked at approximately \$1 billion in 2006 as opposed to the \$4 billion on the legal global market for small arms (Cited SAWG, 2006 also in this study). During the early 1990s, many states such as Czechoslovakia decided to cease arm exports for political reasons. Unfortunately they decided to reenter the business a couple of years later due to economic and other reasons.

²⁷ Wepundi, James Ndung'u, and Simon Rynn, *Lessons from the Frontiers: Civilian Disarmament in Kenya and Uganda*. (Nairobi: Saferworld, 2011) p. 62

²⁸ Wolfers Arnold, *Discord and Collaboration: Essays on International Politics*. Op. cit, p.5

1.3.3 Gender Approaches in DDR

Peace building is a process that facilitates the establishment of durable peace and tries to prevent the recurrence of violence by addressing root causes and effects of conflict through reconciliation, institution building and political as well as economic transformation. Peace building involves a full range of approaches, processes, and stages needed for transformation toward more sustainable, peaceful relationships and governance modes and structures. Peace building includes building legal and human rights institutions as well as fair and effective governance and dispute resolution processes and systems. To be effective, peace building activities requires careful and participatory planning, coordination among various efforts, and sustained commitments by both local and donor partners.

According the UN, peace building consists of a wide range of activities associated with capacity building, reconciliation, and societal transformation.²⁹ In this sense, peace building is a process that facilitates the establishment of durable peace and tries to prevent the recurrence of violence by addressing root causes and effects of conflict through reconciliation, institution building, and political as well as economic transformation. This consists of a set of physical, social, and structural initiatives that are often an integral part of post-conflict reconstruction and rehabilitation.

Peace building measures also aim to prevent conflict from reemerging. For instance, creating effective channels of communication increases fundamental mutual trust and reduces probability of misjudgment. On the other hand, gender is a fundamental element of conflict and of peace. Gender analysis can play an important role in furthering the

²⁹ Boutros-Ghali Boutros, *An Agenda for Peace* (New York: United Nations, 1995) p. 17

understanding of successful peace building. Through the transformations it illuminates, it may contribute to knowledge and skills required for the prevention of future violent conflicts. For such reasons, gender cannot be dismissed as irrelevant to the peace building enterprise. Reychler and others dispute the “worrisome presumption that ‘gender’ is intellectually bland” and maintains that “to take seriously the full implications of gender entails shining bright lights into the cultures, the structures, and the silences of peacekeeping.” They challenge us all to “pull away gender’s reassuring public mask of comfortable blandness and reveal it for what it should be: a conceptual tool to make us see things at work that we would rather not see”.³⁰

The continuing evidence of gender discrimination found in conflict and post-conflict settings, and occasionally even within the structure of peace operations themselves despite the increased attention to gender, suggests that peace building and reconstruction activities and the actors that conduct them have yet to grasp the nettle of the problem. Gender-sensitive approaches often fail to address the larger contextual issues behind women’s marginalization in peace building and post-conflict reconstruction, which in turn can exacerbate women’s marginalization in economic, social, and political processes and undermine their well-being and quality of life. While the peace building community may show greater recognition of and appreciation for the new open spaces (social, economic, political) in conflict and post conflict settings that accommodate new roles and opportunities for women, those open spaces often close as the dust of conflict settles.

³⁰ Luc Reychler and Thania Paffenholz, (eds) *Peacebuilding: A Field Guide* (Boulder, Colorado: Lynne Rienner Publishers, 2001) p. 12

Understanding women and peace is to understand the experience of militarization and political violence for women in terms of physical, economic and cultural violence. Disempowered in peace time, in the time of conflict, a time of decision by arms, women are even more disadvantaged and less able to assert their rights and the rights of their children to entitlements. War magnifies the already existing gender inequalities of peace time. Peace politics is of central concern to all in unequal power relations. Peace is not envisaged as a return to the status quo. A just peace involves the reworking of the gender status quo.³¹

Traditionally, those involved in defining and conducting disarmament have operated from a stance of gender neutrality, considering specific interventions to be time-bound and aimed at discrete outcomes such as the cessation of hostilities or the opening of communication channels. Women members of militias and women soldiers often face discrimination when seeking to access DDR resources, and thus are often blocked from gaining access to various financial and other incentives to disarm. Women participate directly as combatants or indirectly as backline supporting agents, more than those implementing DDR strategies expect, with the result that women are too often denied DDR benefits.³²

There is increasing recognition that women have a vital voice to share in peace policy and its implementation, but progress is uneven. As recently minted Nobel Peace Prize Laureate Leymah Gbowee said when discussing the DDR process in Liberia, women were not

³¹ Funmi Olofinakin, Karen Barnes, Eka Ikpe, *Women, Peace and Security: Translating policy into practice*, (London: Routledge, 2010) p. 8

³² Elizabeth J. Porter, *Peacebuilding : Women in international perspective* (London: Routledge, 2007) p. 21

treated as experts on the issue of disarming their own communities, and were also excluded initially from decisions about how to disarm after conflict.³³

Corey³⁴ argues that there must also be recognition of the political reality of both disarmament efforts and DDR processes: specifically that it takes considerable political will to be inclusive in processes that are so often about who gets to exercise power and who has access to resources in post-conflict rebuilding. In addition, the flow of SALW in fragile post conflict States fuels tendencies to violence and instability that are often driven by continuing tensions as former combatants struggle to find a path of future success that is not predicated on the intimidation of guns.

Jacquette³⁵ acknowledges that armed conflict affects women and men differently. Although each conflict presents specific dynamics, men may have been more active in organized fighting, while women may have had to flee to refugee camps, been subjected to violence, had to assume non-traditional responsibilities and seen their domestic responsibilities intensified in their efforts to secure food, shelter and security for their families. Goldstein³⁶ holds that these different experiences need to be recognized in order to construct DDR programmes that respond to the actual (rather than assumed) needs of all those involved. Women and men have unequal access to resources following conflict.

³³ Mohamed Awad Osman, *Transition from War to Peace* (Geneva: University of Peace, 2003)

³⁴ Corey Barr and Sarah Masters, *Why Women? Effective Engagement for Small Arms Control*, (Geneva: IANSA, 2011) p. 9

³⁵ Jane S. Jaquette and Gale Summerfield, *Women and Gender Equity in Development Theory and Practice: Institutions, Resources, and Mobilization* (Durham: Duke University Press, 2006) pp 71-87.

³⁶ Goldstein, Joshua S. *War and Gender. How Gender Shapes the War System and Vice Versa*. (Cambridge: Cambridge University Press, 2001) p. 26

Farr³⁷ avers that given existing gender biases and inequalities in most societies, men are often better positioned to take advantage of reconstruction initiatives. They may be better educated; they are often more confident in dealing with outsiders; and they tend to be more visible.

1.4 Justification

This study has both policy and academic justifications.

1.4.1 Policy Justification

According to estimates from Amnesty International, 250,000 people are killed each year in situations of armed conflict and another 490,000 from firearms in non-armed conflict situations. Although women are not the principal casualties from armed violence, the Women's Network of the International Action Network on Small Arms (IANSA) has reported that 30,000 women are killed by guns annually. Furthermore, when men die from armed violence, women bear the brunt of the emotional and socioeconomic consequences.

In addition, women are particularly at risk of certain types of criminality because of arms proliferation and because of their sex—crimes of violence in the home and on the streets.⁴ Every year millions of women are traumatized, intimidated, enslaved, robbed and raped, often at gunpoint. But women are not just passive victims of armed violence. They also participate in violence at times, either directly or by providing indirect assistance to combatants. And, of greatest importance here, they are also survivors, agents of change

³⁷ Farr, Vanessa. 'Gendering Disarmament as a Peace-building Tool' Paper 20. Bonn International Centre for Conversion. 2002. <http://www.bicc.de/publications/papers/paper20/paper20.pdf> accessed on 22 September 2014

and builders. The United Nations Security Council resolution 1325 (2000) (SCR 1325), adopted in October 2000, recognizes this reality. The resolution specifically addresses the impact of war on women, and women's contributions to conflict prevention, conflict resolution and peacebuilding. It is a platform to ensure women's participation in decision-making at all levels on peace and security issues. Hence, it is a concrete platform for work towards a fully disarmed world. Therefore the participation of women not only in political life but also in disarmament policy development could ensure that these efforts engender peace in our society. It is on this background that this study attempts to evaluate the contribution of including women in civilian disarmament policy making and programme development in Kenya. The findings and recommendations of this study will help policy makers appreciate the positive role that women can play in developing inclusive policies and effective programmes that can safely remove arms from the hands of civilians.

It must be noted that although Kenya has a robust policy and legal regime in regards to small arms and light weapons, they are all geared to operationalize legally recognized users; it only helps reconstruct stereotypes of other owners as criminals. There is need that the policy framework re-organizes these definitions in a way that aids in disarmament.

1.4.2 Academic Justification

From the literature review, it is apparent that scholars have researched on the proliferation of arms in Kenya, the causes of self-armament and the impact of this proliferation. Although some scholars have covered the inclusion of women in DDR, evidence indicates the absence of a comprehensive detailed analysis on the contribution of women in civilian disarmament in Kenya. The study is therefore justified by the existence of this lacuna,

which it intends to fill. Consequently, the study will contribute to the literature and data that will be useful for researchers, students and implementers and will form a basis for future studies of a similar nature.

1.5 Theoretical Framework

The main theory employed is feminism whose main proponents include Gloria Steinem and Naomi Wolf. Feminism is the organized movement which promotes equality for men and women in political, economic and social spheres.

The main view of feminists is that all people are created equal by God and deserve equal rights. They believe that women have the same mental capacity as their male counterparts and should be given the same opportunities in political, economic and social spheres. Women should have the right to choose, not have their life chosen for them because of their sex. Essentially, women must be like men.³⁸

In their struggle for equality and a just society in which both men and women are empowered, feminists are confronted by patriarchy, a social power structure and an ideology which provides a context and justification for institutionalized discrimination and violence against women. Its material aspects are manifest in men's control over resources and over women's labour power and in the marginalization of women from positions of power and decision-making. Peace activists must contend with the institution of the military and its material and ideological manifestations.

³⁸ Code Lorraine, *Encyclopedia of Feminist Theories* (New York: Routledge, 2000) p. 53

Feminists believe that women are oppressed simply due to their sex based on the dominant ideology of patriarchy. Patriarchy is the system which oppresses women through its social, economic and political institutions. Throughout history men have had greater power in both the public and private spheres. To maintain this power, men have created boundaries and obstacles for women, thus making it harder for women to hold power. There is an unequal access to power.³⁹

This school believes that the domination of women is the oldest and worst kind of oppression in the world. They believe this because it spans across the world oppressing women of different races, ethnicities, classes and cultures. Feminists want to free both men and women from the rigid gender roles that society has imposed upon them using various ways. One way is by creating and supporting acts of legislation that remove the barriers for women. These acts of legislation demand equal opportunities and rights for women, including equal access to jobs and equal pay. They believe that removing these barriers directly challenges the ideologies of patriarchy, as well as liberates women.⁴⁰

Feminists also contend that there are fundamental, biological differences between men and women, and that women should celebrate these differences. Women are inherently more kind and gentle. Because of these differences, if women ruled the world there would be no more war and it would be a better place. Essentially, they posit that a women's way is the right and better way for everyone. The Western society values male thought and the ideas of independence, hierarchy, competition and domination. Females value ideas such as

³⁹ Gamble Sarah, *The Routledge Companion to Feminism and Post-feminism* (London, New York: Routledge, 2001) p. 29

⁴⁰ Humm Magge, *The Dictionary of Feminist Theory* (Columbus: Ohio State University Press, 1990) p. 4

interdependence, cooperation, relationships, community, sharing, joy, trust and peace.⁴¹ Unfortunately, these ideas are not valued in contemporary western societies.

Feminism envisions similar ideals. As a social movement and an ideology, its aims include the empowerment of women, the achievement of equality between men and women and the creation of a just society. Ending discrimination against women and achieving a non-violent world are mutually interdependent, inseparable goals. If women want to build peace, they must also rid themselves of oppression based on gender. Similarly, if women want to gain their emancipation, they must work for a peaceful society in which to live.⁴²

1.6 Hypotheses

The study attempts to test the following hypotheses;

1. Disarming civilians reduces the number of weapons available in the short term thus increasing security
2. Inclusion of women in decision making on disarmament policies increases their efficiency
3. Adoption of gender approaches in implementing civilian disarmament yields a better outcome

⁴¹ John Stuart Mill, *The Subjection of Women* (New York: D. Appleton Co., 1869) p. 52

⁴² Wood Julia, *Gendered Lives: Communication, Gender, and Culture* 2nd ed. (Belmont, Calif.: Wadsworth Pub. Co., 1997) p. 46

1.7 Methodology

This section discusses the research methodology, target population and sampling procedures. It also explains the design to be used in data collection, instruments of data collection, the type of data and how it is analyzed.

The study adopts the descriptive research design which allows the researcher to obtain information concerning the current status of the phenomena to describe "what exists" with respect to variables or conditions in a situation. This design relies on both primary and secondary sources of data. Most of the information, however, will be obtained from secondary sources.

Primary data collection will be done through the administration of questionnaires targeting men and women in the pastoral North where Operation Dumisha Amani was executed. Cluster sampling is used to select two areas in Northern Kenya where the sample shall be drawn. Turkana and West Pokot Counties are selected due to the intensity of arms proliferation given their proximity to Sudan and Uganda borders. In addition, several civilian disarmament efforts have been implemented in these counties including joint processes with the said countries. The population sample will encompass women and men who were resident in Turkana and West Pokot at the time of the *Operation Dumisha Amani* (2005 – 2010). Twenty five men and twenty five women from each county shall respond to the questionnaire.

The study shall also undertake key informant interviews with the Police bosses in each county, members of the Kenya National Focal Point, civil society representatives as well as

a section of the public. These will be purposively sampled to include the officers who worked on the disarmament programme in question.

In addition, published books, papers, journals, internet and unpublished works will be used as secondary data sources. Other secondary sources will include government reports and websites, and previous research done by civil society organizations among other sources.

1.8 Chapter Outline

Chapter One: Gender Approaches and Civilian Disarmament in Kenya

This chapter provides an insight into the structure of the dissertation. It lays the background in which the introduction, statement of the problem, objectives, hypotheses, justification, literature review, theoretical framework, research methodology and chapter outline are discussed.

Chapter Two: Disarmament, Demobilization and Reintegration in Africa

This chapter highlights the Disarmament demobilization and Reintegration approaches in Africa looking at opportunities, lessons and challenges in a context that provides strategic insight on how best to address armed conflict in the region. It gives an overview of the countries in the continent like Liberia, Angola and Democratic Republic of Congo with a likelihood of having armed conflict, and therefore the potential candidature for such DDR programs.

Chapter Three: Proliferation of Arms and Civilian Disarmament in Kenya: A Detailed Analysis of *Operation Dumisha Amani I and II*

This chapter looks at the history of disarmament in Kenya since colonial times. It also details the process of disarmament and the approaches adopted in *Operation Dumisha Amani I* in 2005 and *Operation Dumisha Amani II* in 2010.

Chapter Four: A Critical Analysis of the Place of Women in Civilian Disarmament in Kenya: A Case of *Operation Dumisha Amani*

This chapter evaluates women's inclusion in the disarmament process in Kenya. It outlines the main contributions women could offer at the decision making table as well as on the implementation ground. The chapter also focuses on the impact of not adopting gender approaches in disarmament on the society.

Chapter Five: Conclusions and Recommendations

Following the findings in the previous chapter, this chapter offers a conclusion. After assessing these findings, it also proffers recommendations concerning the future of women inclusion in disarmament processes.

CHAPTER TWO

DISARMAMENT, DEMOBILIZATION AND REINTEGRATION IN AFRICA

2.0 Introduction

This chapter highlights the Disarmament demobilization and Reintegration approaches in Africa looking at opportunities, lessons and challenges in a context that provides strategic insight on how best to address armed conflict in the region. It gives an overview of the countries in the continent like Liberia, Angola and Democratic Republic of Congo with a likelihood of having armed conflict, and therefore the potential candidature for such DDR programs.

2.1 The state of Disarmament Demobilization and Reintegration

Zena (2013) avers that approximately 500,000 people in diverse non-state militias, national armies and paramilitary groups were likely to face and be taken through DDR programs in Africa. It has been noted that many conflicts in Africa are due to an inconsistent DDR program schedule and belief by those it is aimed at or for. However, the success stories of DDR in Angola, Liberia and Sierra Leone portended changed attitude among the African communities even with the new challenges being evident in 10 African states including south Sudan, Cote d'Ivoire and the Great Lakes region.

Massimo⁴³ maintains that DDR programs in Africa have been difficult to achieve over seventy-five percent success owing to the fact that they are mostly executed within the post

⁴³ Masimo, F. (2003). *Disarmament, Demobilization and Reintegration of Ex-Combatants*. Beyond Intractability

conflict environment. This is so due to the deep seated animosities between the warring factions mostly on ethnic disharmony in an atmosphere where civil society structures have crumbled and economies stagnant or obliterated. The tying factor, however, Massimo asserts is the dilemma regarding security for those who may wish to disarm, but most importantly the ones whose vulnerability cannot be addressed by way of people to people approaches that only thrive in a scenario of “acceptable normalcy.”⁴⁴

Christian⁴⁵ notes that DDR in Africa, as the case of Liberia attests highly revolves on the connections between the present state of the country and the future picture of what the warring parties may wish to see and work on. Under the Comprehensive Peace Agreement of 2003 between the government of Charles Taylor and the two armed opposition groups (Liberians United for Reconciliation and Democracy & Movement for Democracy in Liberia), certain socio-political and legal structures were put in place to allow for the reconstruction of the tattered Liberia in to well dressed state in five years time. This was done at the backdrop of a country which had been at civil war for fifteen years.

Daboh⁴⁶ denotes that the case of Liberia is considered successful despite the challenges due to the effect it had on a country that had not known peace since 1989. The effect according to Daboh was the recognition that every system and structure whether of political, economic, social and even culture had been destroyed. Therefore, in seeking to

⁴⁴ Accepted Normalcy in this study refers to the “re-establishment of basic relationships where people can exchange information even if this is done within constrained circumstances

⁴⁵ Christian, W. P. (2005). *The Challenges of Disarmament, Demobilization and Reintegration in Liberia. International Peace Keeping*. Vol. 12 No. 2. Taylor and Francis Limited

⁴⁶ Daboh, F et al (2010). *Disarmament, Demobilization Rehabilitation and Reintegration (DDRR): A Case Study of Liberia, Sierra Leone, and South Sudan*. New York Science Journal

initiate a successful DDR program there was urgency in re-establishing some of the most visual and affective structures in the state of Liberia. This was given a foundation by the Comprehensive Peace Agreement signed in 2003, where a political road map was drawn, an economic strategy developed, within it supportive indication from the developed world was assured. However, the need to rebuild socially binding networks based on a Truth, Justice and Reconciliation legal regime, provided the impetus of establishing meaningful community relationships that possibly would have outdone the strong ethnical ties when political matters were in focus.

2.2 Conditions necessary for DDR to be effective

Boshoff (2010) noted that DDR programs in African were largely half successful due to non consideration of strategies which did not reflect realities in the region. Most DDR plans were absent of inclusive and participative processes for designing and executing them. This concerns did not include the fact that, eligibility criteria was unclear, provision of security in the absence of community armed guard was not defined and lastly the unavailability of an “acceptable and across the board framework made this process quite hideous.

Ulvin (2007) makes a contribution that emphasizes the need to design DDR programs as part and parcel of a bigger picture that is peace negotiation. In so doing the DDR program is likely to consider and respond to the fundamental question, of why people have and believe in possessing arms and light weapons. To further contextualize this assertion, IRIN (2012) avows that the presence of alternative livelihood opportunities even within the hardest type of conflict portends success of a successful disarmament program. This

scenario requires that DDR planners and executioners make consideration of the broader prevailing economic, labour market and development conditions. These concerns has been observed as the main impediment to smooth DDR program in conflict region(s) as most ex-combatants become unwilling to surrender their only source of “power, security and survival.” As was case in Northern Uganda, most ex-combatants lacked the drive to use new skills due to depressed suppressed demand(s) and depressed market conditions.

According to the United Nations (2007) as was affirmed by the Kinshasa conference the chances of African states relapsing in to conflict is purely a question of three major issues enumerated as follows; a) limited capacity and experience sharing of the DDR experts as well as strategic networking to enable progressive learning while avoiding trial and error approach; b) the failure to consider and incorporate principles of human rights, good governance, gender and community based approaches in undertaking such initiatives; c) the absence of a clear and inclusive post-conflict political plan thus causing a lot more uncertainty, which is the first and one fundamental reason as to why most vulnerable groups arms themselves.

Wenstein⁴⁷ attests that DDR in Africa is a process calling for the presence of the following conditions in order that it is successful. There must be reduced animosity between the warring parties, or significant drop in violence to avoid a renewal of conflict. The purpose of this security is the capacity to generate “sober levels of trust” between former belligerents. Secondly there must exist an inclusion process where all the belligerents are

⁴⁷ Wenstein, J. and H. Macartan, (2005). *Disentangling the Determinants of Successful Demobilization and Reintegration*. Washington DC. Centre for Global Development

involved, in order to structure relationship building, where disarmament is not lopsidedly executed. Thirdly and most importantly there must be enough funds or sufficient resources to ensure that the process is driven to completion and successful execution, otherwise incomplete actions may provide room for more conflicts and quick relapse to violence.

DDR faces challenges that are political, economic and strongly social in Africa, and thus any successful execution must be wary of such environments. Muggah⁴⁸ looks this issues from two levels; one which is the internal dynamics of a state where DDR must be employed, and b) the planning, designing and implementation mind frame of the executors. Foremost the internal deaths of all or most structures of development make affected countries insecurity playing fields where only the strong survive. Strength in this context is seen as the possession of the gun, while sanity is defined by one's ability to find and fend for those in need of food, shelter and protection. This scenario is a challenge that most DDR practitioners and promoters do not put in to consideration.

On the second point Muggah, does decry the time bound approaches taken by “interested world” when it comes to issues of conflicts, especially in Africa. First it is a top down approach that incidentally schemes out the contribution of locals in their own affairs. Secondly it is time bound and deadlines are decided by the limits of the policing world or powers where the United Nations Security Council plays a very crucial role. While these may have worked in some circumstances in some regions like Sudan, there was total

⁴⁸ Muggah, R. (2006) Reflections on Disarmament, Demobilization and Reintegration in Sudan. Humanitarian Exchange Magazine. Issue 33

rejection as the interventions were considered foreign and imposed upon people without their consent (Ibid)

2.3 Experience and Lessons from other regions outside Africa

UNDP⁴⁹ keeps watch over a number of issues in Europe that have made DDR possible and sustainable, which are not present in Africa. Foremost there has been massive support from the European Union in regards to the countries in Eastern Europe and the Balkans. In 2013, the council decision number 2013/730/CFSP mobilized the twenty eight member states of the EU to secure five million Euros for the sole purpose of undertaking disarmament process in the region of South East Europe. This kind of support provides an opportunity to engage a more comprehensive program when it comes to matters of DDR.

Haliman⁵⁰ further deduces that the European Union and the SEESAC disarmament initiative designed a five plan structure together with national authorities in states around South East Europe and Balkans in a process that reduced possibilities of weapon ownership recurrence, which is a prerequisite condition for renewed conflicts. In this school of thought Haliman, asserts that the five point plan included the following; a) increased security of stockpiles through infrastructure improvements and capacity development by 2016; b) stockpile reduction through SALW and ammunition destruction; c) improved marking, tracing and registration of SALW; d) improved regional cooperation

⁴⁹ UNDP, (2014) EU Support of SEESAC Disarmament and Arms Control Activities in South East Europe (EUSAC): Strengthening Safety and Security through Regional Cooperation in South East Asia

⁵⁰ Haliman, H. (2012). *Making Progress on Non Strategic Nuclear Weapons*.

on awareness raising, information sharing and knowledge transfer and e) implementation of collection and awareness raising campaigns.

UN⁵¹ affirms that DDR in Europe has been undertaken by parties interested in the overall sanity of affected states (states in conflicts). This has generated linkages and learning through platforms and forums that are well oiled to execute the DDR plans in accordance with the strategic relevance those countries in conflict serve to the health or wellbeing of the other “peaceful states.

⁵¹ United Nations, (2006). *The United Nation's Disarmament Year Book* , Vol. 31. Geneva. The United Nations Department for Disarmament Affairs.

CHAPTER THREE

PROLIFERATION OF ARMS AND CIVILIAN DISARMAMENT IN KENYA: A DETAILED ANALYSIS OF OPERATION DUMISHA AMANI I AND II

3.0: Introduction

This chapter looks at the history of disarmament in Kenya since colonial times. It also details the process of disarmament and the approaches adopted in *Operation Dumisha Amani I* in 2005 and *Operation Dumisha Amani II* in 2010.

3.1 Proliferation of Arms in Kenya

Kizito⁵² asserts that proliferation of small arms and light weapons stands out as a major problem facing the East African region specifically Kenya, Uganda and Tanzania. Although the three countries experience some general levels of stability, it has been observed that trafficking and wide availability of these weapons fuel sectional instability, and conflict within certain areas. However, these conflicts and instability presents challenges for sustained development but particularly reduces community security options, considering that cases of armed crime is on the increase in both rural and urban centres.

Njoroge⁵³ takes note of small arms and light weapons in the volatile regions of the pastoralists and decries the amount of poverty and underdevelopment entrenched in the societies that occupy such lands. This situation, asserts Njoroge, has created chronic insecurity which in turn has continued to impede provision of services from the

⁵² Kizito, S. (2002) *The Proliferation, Circulation and Use of Illegal Firearms in Urban Centers: Case of Nairobi, Kenya*. Bonn. BICC

⁵³ Njoroge, M. (2007) *Small Arms and Light Weapons in Kenya*. Nairobi, Safer World

mainstream government agencies to the poor. This case, Njoroge, makes a comparison with insecurity experienced in the slum regions of Nairobi and concludes that service delivery is not only hampered as well causing development in the most unforgiving peripheral way. Njoroge confirms that insecurity is widespread due to the cheap availability of small arms, where an illegal pistol can cost as little as US\$80 and larger weapons, such as AK-47s for under US\$140.

Khadiagala (2003) observed that proliferation of small arms and light weapons is a security major challenge estimating that presence of small arms threatens sustainable development, and decreases people's capacities to build resilience on matters of social stability. While looking at the communities in the northern part of Kenya Khadiagala proffers that the presence of points of conflict within the communities mostly of pastoralist nature or lifestyle acts as an opportune moment towards gun ownership. In fact, it has been observed that pastoralist communities usually exchange arms for cattle.

According Wepundi et al⁵⁴ the growing availability and misuse of small arms and light weapons in the country poses a great danger to the fragile social fabric looking back at back at the events of 2007 and 2008 when Kenyans butchered each other over botched presidential elections. It is estimated that between 530,000 and 680,000 firearms may be in civilian hands nationally. This is noted on the backdrop of the general perception of an overall reduction of firearms nationally. For some reasons, however, it has been established that areas including Mt Elgon and Rift Valley, where important disarmament

⁵⁴ Wepundi, M. et al. (2012). *Availability of Small Arms and Perceptions of Security in Kenya: An Assessment*. Geneva. Small arms Survey

initiatives have been carried out before, there seems to have experienced significant increase in gun possession since 2003.

3.1.1 Why Small Arms are Important: Understanding Community Possession

It has been noted that availability of light weapons amongst the communities in the Kenyan region where conflicts are rife, emanate from social, political and economic reasons. It would be prudent that policy makers, as Omeje⁵⁵ avows, take stock of the reasons which necessitated acquisition of firearms by communities. This can be done through understanding why certain communities prefer arms ownership and others do not. Generally, Omeje asserts that most communities are concerned with the lethargic approaches employed by Kenyan Security Agencies in the provision of this essential service. In seeking to describe their own safety, communities have learned to trust their own security development arrangements which are considered as despicable confidence levels in government machinery.

Mukhereza⁵⁶ affirms that communities in the northern parts of Kenya are constantly struggling to protect areas of pasture and water points owing to the harsh climatic conditions which disallow consistent progressive community relationships in the presence of hostilities which emanate from competition for scarce resources. Further to this assertion is the fact that some of the resources at stake including cattle and other domestic animals have received a lot of attention from the commercial world where the trade in

⁵⁵ Omeje, K and M. Githogaro (2010). *The Challenges of State Policing In Kenya*. Peace and Conflict Review. University of Peace.

⁵⁶ Mukhereza, F et al. (2011). *Disarmament Experiences in RESCA Region with Particular Reference to Ethiopia, Sudan, Kenya and Uganda: A Regional Synthesis*, Regional Centre on Small Arms (RESCA). Nairobi. RESCA

products related with cattle has assumed an international face. Mukhereza's assertions are supported by Kenya Human Rights Commission's report that looked at the conflicts in the North with a view of establishing whether commercial definitions of cattle rustling promoted inter community animosities. It was established that international trade in cattle related products had made cattle rustling rampant but availability of small arms had enhanced the viciousness of execution.

Garuba⁵⁷ looks at the issue of arms from a cultural perspective, which is a dichotomy of definitions regarding ownership and use of the small arms. On one hand, Garuba states that some cultures among African communities contain, entertain and promote violence, and therefore acquisition of small arms and light weapons only justifies the purpose for reinventing a culture within that very society, where arms make easy the business of cattle rustling. On the other hand, Garuba focuses on the culture of impunity among policy maker, and implementers in areas where there are high tension conflicts.

Focusing on the conflict in the Niger Delta, Garuba avers that due to impunity⁵⁸ underdevelopment has been entrenched and exacerbate by environmental damage driven by inequitable sharing of petro-dollars. In this context the Federal Government which should mediate in the conflicts has not demonstrated neutrality, as the very tendencies of impunity have been part of its officers. In fact it has been noted that the federal government dispenses more violence invoking the bogey of "national security". This undermines humanitarian principles and poses a challenge for governance, threatening the

⁵⁷ Garuba, D. (2003). *Contractual breakdown: Small Arms, Intolerance and Tragedy in Nigeria's Delta Region*. At Issue Ezine Vol. 5

⁵⁸ Impunity in this case refers to the blatant misuse of the law without remorse for admonishment

stability of the country. Although Peace and security is a *sine qua non*⁵⁹ for sustainable development in any society, the state in the Niger Delta region with larger influx of small arms, there is conspicuous absence of peace and security.

3.1.2 The Legal and Policy Regime in Kenya

It has been observed that Kenya has a robust policy and legal regime which unfortunately has divided and defined legal users and non-legal users as saints and criminals. This perception which can be read in the wide ranging of pieces of legislation with relevance to SALW including the Firearms Act, Police Act, Explosives Act, Armed Forces Act, Customs and Excise Act, Wildlife Act, Extradition Act, Penal Code, Immigration Act, Administration Police Act, Prisons Act, Forests Act and Refugee Act, has had unfortunate results. Despite the existence of these pieces of legislation, there is disjointed and cumbersome approach to addressing the problem of SALW in all its aspects.

3.2 Civilian Disarmament in Kenya

Mburu⁶⁰ denotes that civilian disarmament in Kenya dates back to pre-colonial times in 1920 when operation tennis⁶¹ was carried out in the Turkana region of Kenya. In the early years of 1910s, the present Turkana region had been occupied by armed private armies of between 600 and one thousand fighters, and therefore the British had to find a way of pacifying Karamoja and Turkana region in order to claim full administrative control of the protectorate Kenya. In this process the operation Tennis took place in order that Britain

⁵⁹ Sine qua non means the end product

⁶⁰ Mburu, N. (2001) The Proliferation of Guns and Rustling in Karamoja and Turkana Districts: the Case for Appropriate Disarmament Strategies.

⁶¹ Operation Tennis was a disarmament program that targeted armed private armies operating between the lands of Karamoja, Turkana and Ethiopia.

exerted its presence and influence in the region. Operation tennis largely failed for lack of proper coordination and the evasive nature of the pastoralist communities who would relocate to the mountainous ranges for protection from British colonial patrols.

Wepundi⁶² goes further to explain other disarmament process undertaken in Kenya in colonial times specifically mentioning the order of 1942 whose objective was to disarm the Dassanetch, through economic blockade in the Omo region disallowing grazing on specific pieces of land that primarily would have sustained livestock not unless the community parted with certain numbers of rifles. During these times, again in 1950, the government cordoned the Kolowa region of Eastern Baringo in order to find arms. This cordon and serch operation resulted into many deaths and displacement, which saw survivors exile in Losiro in Uganda. Finally during the colonial times there was there was the operation Jock Stock that aimed at countering the insurgency by the Mau Mau in 1952. In post colonial period various disarmament programs had been executed including, the shifta war (1968-1973), the Bulla Karatasi massacre, the Garse, Derakali, Dandu and Takaba operation and the tragic Wagalla massacre. In 2008 the government went ahead to execute a disarmament program under the titles of operation Okoa Maisha and Operation Chunga Mpaka in Mandera and Mount Elgon respectively.

Kimokoti⁶³ attests that over the years in areas that conflicts have been rife Kenya has instituted a number of civilian disarmament programs with a view of collecting arms illicitly held by civilians in the sense of the law. In most of the occasions, the government

⁶² Wepundi, M. et al (2011) *Lessons from the Frontiers: Civilian Disarmament in Kenya and Uganda*. Nairobi. Safer World

⁶³ Kimokoti, M. and R. Ating'a (2014) *Armed Violence and Disarmament in Turkana County, Kenya*. Journal of International Academic Research for Multi Disciplinary. Vol 3 Issue 2

has always failed to achieve the intended targets due to the big brother⁶⁴ approach, which most communities rejected as it represented the flipside of government's failure to deliver necessary services to the poor. Operasheni Dumisha Amani.....sec

3.2.1 Operasheni Dumisha Amani (ODA)

Wepundi⁶⁵ proffers that operation Dumisha Amani, which is Kiswahili for uphold or sustain peace, must be read and contextualized by the larger concept of disarmament in Kenya, which for many years had taken the big brother approach. ODA was a government disarmament program for civilian in conflict in the northern parts of Kenya, where majority communities are pastoralists. This was done in two stages, ODA 1 that was executed in 2005 following vicious and cruel inter ethnic clashes in the North Rift and Upper Eastern regions of Kenya. The ODA had both short and long term objectives as follows; a) stabilization of the regions and returning them to normalcy; b) facilitating and supervising return of communities to their traditional areas of residence or settlement; c) surrender and recovery of illegal arms and ammunitions; d) opening of administrative units of chiefs and Administration Police camps; e) construction of roads and branding of livestock

On a second level, ODA 1 had medium term intentions that included provision of alternative livelihoods, change of values and attitude among local communities and development and integration of the region with the rest of the country. The desire to

⁶⁴ In this study *Big Brother* makes reference to an omnipresent, seemingly benevolent figure representing the oppressive control over individual lives exerted by an authoritarian government.

⁶⁵ Wepundi, M. (2011) *An Analysis of Disarmament Experiences in Kenya*. Regional Centre on Small Arms (RECSA) Nairobi, RECSA

restructure even on medium term indicated the urgency of addressing sectional or regional inequalities that seemed to have institutionalized conflicts in the areas. This second stage was foundation upon which the long term goals would have rode. Particularly the ODA anticipated initiating opportunities for alternative livelihoods, through change and attitude in value systems towards establishment of investment schemes or marshal plan for economic growth.⁶⁶ However, it must be noted that ODA 1 failed partly due to the inability of the implementers mostly police and security agencies to win the hearts, trust and collaboration of the local communities.

Kimokoti⁶⁷ observes that ODA 2 was a lesson from ODA 1, based on the fact that ownership of the process by local communities being the mainstream stakeholders at this level had become more important than the force and might of the law enforcement agencies. In ODA 1 as noted, emphasis was placed on voluntary arms surrender, development initiatives and coercive disarmament with a view mopping up small arms and light weapons while eliminating inspirations for arms acquisition. With this background ODA 2 changed tact by undertaking an inclusive approach hence recruited the support of the Civil Society Organizations (CSOs), region-wide inter governmental agencies, local political leaders, the private sector, mass media and the local communities, purposely to observe, uphold and impress human rights in the process.

Did the disarmament operation succeed, is the question that we may seek to respond to. Reading discussions and conclusions by Wepundi, Mburu and Kimokoti there is a strand

⁶⁶ Ibid

⁶⁷ Kimokoti, S and Ating'a R. (2014), *Armed Violence and Disarmament in Turkana County, Kenya*. The Journal of International Academic Research for Multidisciplinary. Vol 2, Issue 3

indicating that success is defined under the banner of how much arms were to be collected, then this fails the test of objectivity. However, if the same conclusions were to be placed on the scale of reduced efforts of direct conflicts, viz-a-viz revenge attacks then the operation scored a moral triumph. This moral triumph may not necessarily mean that the process was out of reduced number of weapons, but reaction to the fears instilled by the presence of gun-boot diplomacy where claims of torture and coerced confessions were cited.

In this context, according to Kimokoti confirm that disarmament faced a number of challenges which policy makers must embrace in order to generate legal structures which read from realities without negating the essentials of reducing conflicts in the target regions. If targets of 50,000 arms can be justified with collection of 2,433 then success is what ODA must have missed. Problem statement

CHAPTER FOUR
A CRITICAL ANALYSIS OF THE PLACE OF WOMEN IN CIVILIAN
DISARMAMENT IN KENYA

4.0 Introduction

This chapter discusses the findings of the study having contextualized the literature from previous chapters that looked at proliferation of arms and civilian disarmament in Kenya. In this section, study addresses findings that include the general gender dimensions in the conflict-disarmament-peace building spectrum, women and policy making, women and information and women as victims of conflicts.

4.1 The General Gender Picture

The study revealed that women are absent in process of conflict handling, hence a minimal presence in peace building efforts. This was partly informed by the cultural issues among the Turkana and Pokot where women have no community voice due to strong and deep seated patriarchal tendencies. In fact the key informants in the study indicated that this made it difficult to identify the specific tasks which women undertake in the process of arms trafficking and subsequent civilian disarmament. This revelation is in tandem with the work of Dirasse⁶⁸ who observes that it is increasingly becoming very difficult to ascertain, contextualize and discuss women issues regarding gender roles considering that women sometimes assumed men roles in order to defend and fend for their families whenever, such situations present themselves.

⁶⁸ Dirasse, L. (2000). *The Gender Dimensions of Making Peace In Africa*. Disarmament Diplomacy, Issue No. 48

The United Nation's Inter-Agency Working group⁶⁹ denotes that defining gender issues in disarmament while looking at women with the impression of ex-combatants or dependants of ex-combatants removes value from the discourse of women's role in civilian disarmament. There is need therefore to re-look at gender issues with a view to ascertaining women's place in civilian disarmament in circumstances where they have not belonged to any militarized group by virtue of accessing, possessing and using arms. In the same measure find strategies that do not address their role within earshot of DDR as the situations which necessitate civilian armament may differ philosophically with those of militarized approaches. Therefore, this study concludes that women play a major role in intelligence gathering and sourcing on one hand and on the other trafficking and possession of arms (hiding, maintenance etc), and calls for the incorporation of due diligence in disarmament processes, in order to identify, define and allocate the tasks played by women in the processes of armament and disarmament.

4.2 Women and Policy Making in Disarmament

In accordance with study based on the literature reviewed and focusing on the assertion that women are denied opportunities to voice their concerns, it was found during focused group discussions that women are extremely absent from the mainstream proposal collection processes and consequently missing from the policy development gamut of the region. In this regard, policy dialogue has progressively stood out as a male dominated undertaking. This non-inclusive approach has shut out important perspective of women's contribution to policy making, particularly proposals that may have exposed the

⁶⁹ United Nation's Inter Agency Working Group, (2012). *Blame it on the war: The Gender Dimensions of Violence in Disarmament, Demobilization and Reintegration*. Geneva. UN-IAWG

responsibilities women assume in the absence of their husbands, especially the aspect of protecting and fending for the families.

This finding resonates with what Rutherford⁷⁰ observed that women's soft and inconspicuous roles tend to have more impact than when they singularly appear like non-influencers. Rutherford goes forward to describe the tasks executed by women as those which directly affect the state of family and this manifest as the burden of household maintenance, agriculture, and industry as well as health care. It is necessary that practitioners, professionals and policy makers find means by which women survive when faced with armed conflicts in order to generate or develop interventions that are reflective of their needs.

4.3 Women and Information Management

Looking at conflict handling process and essentials of peace building, the study revealed that although women's presence and representation seemed very conspicuous, their contribution in terms of building an information hub remained untapped. In fact, FGDs revealed that disarmament has been given a masculine face, which stereotypically leaves out women, as key players in this conundrum. By emphasizing masculine face of disarmament, the study exposes civilian disarmament as a process that misses out on women's contribution thus, inconsiderate of the feminine theory within a clearly masculine society. The study revealed that masculine and feminine stereotypes where women are seen as weak, non-violent, meek and docile while men are aggressive and violent only

⁷⁰ Rutherford, L. (2010) *Women, Peace and Security: Examining the Impact of Resolution 1325 on UN Disarmament and Demobilization Programs*. Queens Policy Review, Vol 1. No. 1

applies in the physical use of the arms, but wrong on how the arms are detected, dispatched and stored. As according to the FGDs, most women handled the arms before and after use or upon acquisition in terms of moving them from one point of use to another, guarantee of safety (of the weapon) and sometimes ensure the working condition of the equipment (mostly guns). The study therefore underscored the significant role played by women in sustaining the proliferation of arms, and finds prudence in the tapping of such information to be able to develop awareness and sensitization process that are well packaged and targeted. This reads from the work of Cinardo⁷¹ who avers that women and men are affected differently by conflict and tend to view and communicate very distinct perspectives distinguishing such effects.

4.4 Women as Victims and Villains of Disarmament

According to the findings of the study women are a dichotomy of conflict representing the “victim-ness” and the villainess. It has been observed that women are the face of human right abuses which manifests as violence, rape, sex trophies (camp wives) for men in armed conflict and this has been well documented. On the other hand women are villains where they are directly involved in conflict either as combatants (very rare in the Kenyan scenario), or as suppliers of weapons, carriers of information, managers of logistical support (like preparing foods, amassing necessary arsenal etc). It is difficult for this study not to comment on the fact that women’s role in civilian disarmament must be considerate of the “hidden” aspects of their contribution. Just as observed by the Government of Philippines

⁷¹ Cinardo, J. (2011). *Male and Female Differences in Communicating Conflict*. Carolina. Coastal Carolina University

under the UNGA Resolution⁷², that women are a significant part and pattern of the insecurity map and there is need to develop strategies that have their perspectives in them, especially community participation in the development of policing schemes.

4.5 Women and Impact of Disarmament Processes

Reading from the disarmament processes that have been executed in the country, there is no deliberate attempt to follow up on the effects disarmament programs have over women. Although it has been acknowledged that women are affected by conflict differently from men, there is no deliberate work being done to address impact of civilian disarmament on women. During the past programs, according to respondents of the study men either get killed, maimed or take flight out of fear, as earlier on mentioned the disarmament program has a masculine face, and usually the disarmament platoon tends to target men. This study noted that women remain as widows, single parents, heads of households and sometimes defenders of their own families, a scenario that calls for them to assume the very aggressive roles of violence that disarmament submits to eradicate. In this context the study concludes that there is need for the disarmament programs to design gender specific interventions that should include mitigation(s) against women oriented effects in order to find sustainable mechanisms that keep away women from their “collaborative mind frame.”

⁷² Government of Philippine, (2010). *Ways and Means of Promoting roles of Women in Disarmament, Non-Proliferation and Arms Control: Pursuant to UNGA Resolution 68/33 Entitled “Women, Disarmament, Non-Proliferation and Arms Control*. Manila. Government of Philippine.

4.6 Definition of Civilian Armament: Community Perspectives

The study grappled with the question of why women tended to be very collaborative in the conundrum of armament. First community members never defined this as crime and gun ownership according to most interviewees was a moral representation of the capacity of one to protect and prevent their own from falling unnecessary attacks by other communities. Secondly it was a demonstration that mainstream security provisions were short of the expectations within affected communities. Lastly an emerging civilian force of communities driven by one purpose, held together by the virtues of their culture and organized under the “theme of divided we fall united we stand,” without a framework engrafted in law. Therefore, this study revealed that where the law of the land takes a back seat, other powers emerge and take center stage to fill the vacuum left by the legal power holders or service providers, as such thus leading to formalization of group identities in regarding the protection of community assets from any form of aggression. These assumptions, made arm ownership an act of patriotism to the respective community rather than a criminal offense as defined by the government. In this regard therefore, the study concludes that disarmament programs must not be reactive but be formulated within a progressive framework which can be made part and parcel of the affected way of life.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introductions

Armament and disarmament are processes that are performed by all members of the communities including children, as people learn measures that raise minimal suspicion from the government law enforcement agencies. This chapter reads from the previous one, where it looks and contextualizes information regarding women and the various aspects of disarmament and particularly the role played by them in reducing armed conflicts in Kenya. It further considers possible action areas and makes recommendations in the same regard which can enable development of an effective policy regime to guide disarmament in the country.

5.1 Summary of Findings and Conclusions

Chapter one of this study found that if gender considerations are not mainstreamed in the conflict handling and peace building processes, then the question of armament and disarmament may not be fully addressed. In this regard, the study proffers that the role of women in this spectrum must not be seen as secondary, feeding in to the channels of men control(s), but it may be made primary and given a standpoint of its own as one of the supporting pillar of armed conflicts in Kenya.

Chapter two of this study found that DDR in Africa was an initiative that was appreciated by states that had been badly ravaged by civil wars like Liberia and Angola. However, successful as it may have been, these programs were inadequate in the contextualization of

approaches in order to incorporate local dynamics making them insensitive to cultural issues and most importantly ignoring the specific gender roles as afflicted differently by conflict. Further, it was observed that DDR programs had been designed to deal with women ex-combatants which was a limitation factor when seeking to address gender issues regarding civilian disarmament in regions where conflict dynamics were not representative of civil wars.

Chapter three of this study sought to understand the architecture of arms proliferation in Kenya as a prerequisite knowledge to addressing programs on disarmament. It was revealed that arms proliferation in Kenya and disarmament had been, for good reasons given “a masculine face” and therefore most actions were targeted at men. This process however, was marred by human right abuses and therefore subsequent reactions consequently demanded tact change in order to integrate human rights approaches. These concerns gave birth to Operasheni Dumisha 1 and 2, where inclusivity was a mitigating factor in seeking community support. The study concludes that disarmament programs in Kenya since the 1920 when operation Tennis was initiated have failed considerably particularly because they tend to be blind to the realities of why communities opt for arms ownership in the first place and secondly do not recognize goodwill for intelligence sharing. Lastly, the mitigations are concerned more with numbers of arms to be collected without any meaningful baseline which can only be provided by the local communities.

Chapter four of this study sought to reveal the place of women in the armament and disarmament continuum. A number of issues came up that have an effect on the nature of programs and the structure of policy and legal regimes currently being used in the country.

It was revealed that women were great sources of information and also portrayers of the same through the various women groups or networks. In this connection women can be made the voice of sensitization as their information collection and connection strategies are easy to apply and acceptable in the community. Secondly women and men are affected differently by conflict, and therefore the need to develop policies and programs that embrace some of their needs for a sustainable disarmament process, otherwise women tend to occupy the positions of men once men vacate either through flight, death or harm. Additionally the chapter addressed the issue of task identification of women and armament processes. It sought to create space for women proposals in to the policies and laws that may guide disarmament programs, and lastly addressed the urgency to “womanize” disarmament programs. This will ensure that actions intended to disarm civilians met their objectives, away from numbers as the guiding factor.

5.2 Recommendations

In order to fulfill the main objective of this study which evaluated the contribution of women in the civilian disarmament process in Kenya with a focus on the 2005 - 2010 *Operation Dumisha Amani* Disarmament program, the following recommendations are proffered:

Although many studies have been done in drawing issues regarding proliferation of arms in Kenya, this research recommends that an inclusive and broader process be instituted that can generate information from the social-cultural perspective rather than insecurity driven approach to establish factors that have made arms trafficking and ownership an alternative to social security.

While women face unique challenges in the conundrum of conflict-disarmament-peace building, there is growing urgency to create civic education programs that have awareness and sensitization components which proffer women as key information sources with regards to arms trafficking trends, ownership schemes and disposal mechanisms.

There is need that all disarmament programs and processes take consideration of “humanizing” the actions, since this reduces human right abuses, and attracts collaboration and cooperation from local communities. It was established that local communities resisted disarmament for many reasons but particularly the disgust of its inhuman approach which is promoted by the gun-boot diplomacy. This should be undertaken in a broader perspective of the disarmament programs which must not be reactive but proactively designed or structured to address armament issues through closure of trafficking routes, suffocating networks and legalizing disposal mechanisms.

Participation and inclusivity is an important aspect of the disarmament programs, and was observed as missing. Therefore this study recommends that disarmament programs be considerate of the fact that women and men interpret conflict in their own socialized aspects of problem solving, and there must be space for their contributions to be incorporated for a more sustainable disarmament environment. These programs must be enriched with gender specific interventions away from the current gender neutral mitigations which tend to be blind to the needs of women.

Looking at all the perspectives given in the study, there is need for the development, redesigning and reconstructing of the legal and policy regime that represents the interests of men and women separately in creating purposeful synergy to effectively deliver civilian disarmament in Kenya. The broad legal and policy regime must endeavour to define armament in social-cultural perspective as well as security standpoint, with a view to generate legislation that addresses the root causes of armament in the country. In this regard the study recommends the consolidation of the various policies and laws that guide operations of arms in Kenya to one comprehensive framework possibly named the Civilian Armament and Disarmament Act, which can be employed to enhance coordination of disarmament processes.

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