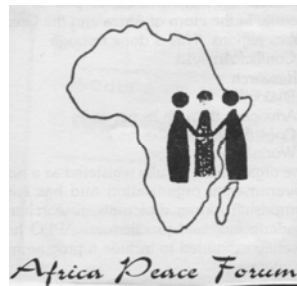


Report

Pastoralism and conflict in the Horn of Africa

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Contents

Acronyms

Executive summary

Introduction

1. Regional overview

Factors contributing to conflict involving pastoralists in the Horn of Africa

- Government policies
- Socio-economic and political marginalisation
- Inadequate land tenure policies
- Insecurity
- Cattle rustling
- Proliferation of small arms and light weapons
- Weakened traditional governance in pastoral areas
- Vulnerability to climatic variability
- Competition with wildlife

2. Laikipia case study

Introduction

Background

Factors contributing to conflict in Laikipia

- Inappropriate government policies
- Lack of appropriate land tenure policies
- Competition for land and resources

Security issues

- Cattle rustling and small arms in Laikipia
- Weakened traditional systems
- Climatic variability
- Competition for land by wildlife

3. Issues and recommendations for the EU and other donors

- Introduction
- Pastoralists and conflict
- The role of external assistance and agendas for the EU
- Recommendations for the EU
- Conclusions

Bibliography

Appendix 1: Map of The Horn of Africa

Appendix 2: Poem – Let the Masai Graze

Acronyms

AARNET	Animal Agriculture Research Network
APFO	African Peace Forum
ASARECA	Association for Strengthening Agriculture Research in East and Central Africa.
ASAL	Arid and Semi Arid lands
CTGI	Customary Traditional Governance Institutions
DC	District Commissioner
DfID	Department for International Development
EAC	East African Community
EC	European Commission
EU	European Union
GDP	Gross Domestic Product
GOK	Government of Kenya
GSU	General Service Unit
ILRI	International Livestock Research Institute
ITDG	Intermediate Technology Development Group
KMC	Kenya Meat Commission
KNA	Kenya National Archives
KWS	Kenya Wildlife Services
NCCK	National Council of Churches of Kenya
SALW	Small Arms and Light Weapons
PRA	Participatory Rural Appraisal
UN	United Nations
UNCOD	United Nations Center for Desertification

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Executive summary

Violent conflicts involving pastoralists have become widespread and increasingly severe throughout much of the Horn of Africa. This report identifies and examines the factors contributing to such conflicts, and discusses issues and priorities for conflict prevention and peace-building. These are examined across the Horn of Africa in general, and in Laikipia – a district in northern Kenya – in particular. On the basis of this examination, a number of conclusions and recommendations are developed on ways in which the EU and its member states could contribute to efforts to prevent conflicts involving pastoralists in Kenya and more generally in the Horn of Africa.

The Horn contains the largest population of pastoralists in the world. Pastoralist communities in the region are nomadic, live primarily in arid or semi-arid areas, and depend for their livelihood on livestock – cattle, sheep, goats and camels. They rely on access to water and pasture land. Such resources are scarce and under increasing pressure. They must be shared with ranchers, farmers and wildlife, as well as with the needs of the urban communities.

Laikipia is one of 17 Districts in the Rift Valley region of Kenya. It is a multi-ethnic tribal district which pastoralist communities share with ranchers, farmers, horticulturalists and wildlife conservation areas. It includes extensive arid and semi-arid lands as well as arable and urban areas. Pressures on water and land resources have increased greatly in recent years, with increased farming activities, rapid population growth, and periodic drought. Although violent conflicts in Laikipia have not reached the scale or intensity of those in many parts of the Horn, conflicts involving pastoralists associated with resource competition, cattle rustling, and wide availability of small arms are nevertheless widespread and of increasing concern. It thus provides a useful case study to examine in depth the factors contributing to conflict and the issues and priorities for conflict prevention.

Factors contributing to violent conflicts involving pastoralists

The patterns of division and conflict in Laikipia and similar regions in the Horn are complex. There are many factors contributing to the risk of violent conflict involving pastoralists, and these have tended to become mutually reinforcing.

Some conflicts within and between pastoralist communities, such as raiding and cattle-rustling, have a long history and have to some extent become an aspect of traditional pastoralist culture. However, such 'traditional' conflicts have become increasingly destructive and less manageable. The Laikipia case study, and the wider review of the Horn of Africa region, reveal a number of specific factors contributing to the risk of such conflicts between pastoralist communities:

Intensified cattle rustling: cattle rustling has intensified in Laikipia and throughout much of the region. It has also moved beyond limited rustling among pastoralist communities as it has become embedded in wider

criminal networks serving national and regional black markets. Responses by pastoralists to try to protect and defend their livestock have often tended to exacerbate the problems, as they contribute to local 'arms races' and local overgrazing as herds are concentrated into defended areas.

Small arms proliferation: small arms, including automatic and semi-automatic weapons have become widely available and are increasingly used in Laikipia and similar districts. These weapons come from a variety of sources, including conflict areas in Sudan, Northern Uganda and elsewhere in the Horn, as well as from insecure official weapons stockpiles. Such arms availability has made traditional raiding more deadly, which in turn has made conflict management and resolution more difficult. Insecurity from criminal activity has increased as a result of wider access and use of semi-automatic weapons, particularly in relation to livestock rustling by criminal gangs.

Inadequate policing and state security policies: national and district police and security services have lacked the capacity to provide security to pastoralist and other communities. This has increased insecurity and the tendency towards self-defence and retaliation. Inappropriate arming by state authorities of local militias in response to security problems also appears to have exacerbated problems.

Weakening and undermining of traditional governance systems: traditional leaders and governance systems in pastoralist communities, while still substantial, have generally weakened, reducing the capacity of communities themselves to manage and prevent conflict and criminality. National and district state authorities have exacerbated this problem, through policies that either neglect or undermine traditional governance systems.

Pastoralists are also coming into conflict with ranchers, farmers, horticulturalists and conservation area wardens, and thus with State authorities. Scarcity and insecure access to water and pasture land has led to constant friction with ranchers and other users, which has led in turn to violent conflicts such as recent ranch invasions by Maasai pastoralists in Laikipia. Long distance nomadic movements by pastoralists with their herds require local cooperation with sedentary communities and this is not being adequately addressed. The risks of conflict are particularly severe during droughts and similar emergencies.

The Laikipia case study, and also a broader examination across the Horn of Africa, reveals a number of specific factors that are contributing to the risks of violent conflicts between pastoralists and other communities living in the same areas. These include:

Inappropriate government development policies: policies pursued by successive colonial and post-colonial governments in Kenya have tended not only to neglect the needs of pastoralists but also often to run directly counter to pastoralist interests with a bias instead towards ranchers, horticulturalists, and other resource users. This has exacerbated problems and insecurities of pastoralist communities, particularly in relation to access to scarce water and pasture.

Inadequate land tenure policies: although laws enabling secure tenure and ownership of land are in many ways beneficial, they have been implemented in Laikipia and elsewhere with little regard for the needs of nomadic pastoralist communities. Nomadic communities have tended to

rely on communal grazing rights, which are not protected by law, and they have lost access to water and pasture as privatisation of land tenure has proceeded. This has intensified the problems of access to scarce resources and of managing competition for these resources. The consequent increased risks of violent conflict have become particularly clear recently during the periods of drought, where lack of provision for pastoralist needs for pasture and water has led to ranch invasions and similar conflicts.

Inadequate engagement with traditional governance systems:

traditional models of governance, including access to water and pasture, often contradict statute law. Most remaining pastoral lands are managed in fact according to traditional governance systems, and the inconsistencies with national and district state regulations lead to confusion, conflict and reduced use of legal and other frameworks for dispute resolution. Government officers do not always engage effectively with traditional governance systems, and indeed frequently undermine them unnecessarily.

Political and socio-economic marginalisation of pastoralists:

pastoralist communities are inadequately represented in decision-making processes in Kenya and other countries in the Horn, allowing their interests and concerns to be unduly neglected in development and other programmes and limiting the scope for official structures to be used for conflict prevention and dispute settlement. There is also a further socio-economic marginalisation, for example pastoralists generally receive limited education.

Inadequate arrangements to cope with droughts and other

emergencies: during droughts, pastoralist livelihoods become particularly precarious, and experiences in Laikipia and similar districts have shown that there is a high risk of conflict over scarce water and pasture unless special arrangements are made to ensure emergency access. Similarly, in the absence of provisions to assist pastoralists and other farmers to maintain their capital stock during emergencies and enable communities to restock afterwards, economic insecurity and deprivation during droughts increases the risk of wider violence and social breakdown.

Conflict prevention and the role of the EU and other external assistance

Efforts to prevent and reduce violent conflicts involving pastoralists in Laikipia and similar districts need to address each of the factors contributing to conflicts, as outlined above. The development of effective actions to tackle such causes of conflict is clearly challenging in the context of Laikipia or similar regions in Kenya and elsewhere in the Horn. It is bound to take years. However, serious attempts to address these problems can contribute substantially to conflict prevention and management if they are recognised as such by the communities involved, even if they fall short of what is required due to lack of capacity.

A good start could be made by taking measures directly aimed at conflict prevention, such as establishing agreed programmes to address the needs of pastoralists and other resource users during periods of drought and other predictable crises. Such processes are already being undertaken, for example by DFID in Kenya and the EU in Uganda. These programmes also seek to develop mediation and conflict prevention capacities of local and national

authorities, and of the local tribes and communities themselves. These programmes have the potential to make a real difference. Projects in support of pastoralists need to strategically invest in awareness raising, training and local peace-building resources, including potentially undervalued resources within each community such as women's networks.

Primary responsibility for developing and implementing the programmes and measures outlined above must rest with the Kenyan government and its people. Conflict prevention requires the active involvement of local and national stakeholders if it is to be effective. External technical and financial assistance from donors such as the EU and its member states can only play a secondary, facilitative, role.

Nevertheless, external partners such as the EU (including its member states) have a responsibility to do what they can to assist. In Laikipia, although conflicts are serious, they do not yet appear to have become so deep-rooted or intense as to be intractable. There are many opportunities to reduce the pressures generating conflict and to promote useful conflict prevention and security building measures.

Recommendations for the EU

The report makes a number of recommendations to enhance the EU's role in helping to prevent conflicts as well as reduce poverty, conflict and insecurity in arid and semi-arid districts such as Laikipia where pastoralists form a substantial part of the population and pastoralism is a major factor in the economy. This goal implies a direct focus on tackling the factors contributing to conflicts involving pastoralists, and on enhancing security and preventing such conflicts.

Encourage and support policies to enhance the viability of pastoralism

- Review the impacts on risks of conflict of current development policies and of laws and regulations relating to land tenure and access to water.
- Mainstream efforts to prevent conflicts involving pastoralists in EU development assistance programmes, ensuring for example that such issues are carefully addressed in country plans and development assistance programmes.
- Support appropriate reforms of regulations and land tenure rights relating to access to pasture land and water for pastoralists and other stakeholders.
- Support programmes to ensure emergency access to water and pasture during droughts.
- Reduce economic vulnerability during crises such as droughts, for example through programmes to assist pastoralists with capital during droughts and to restock their herds after the drought has passed.
- Support the development and capacity of the Ministry of Agriculture and relevant agencies at district level to govern and

support pastoralism, as well as the other modes of agricultural production in districts such as Laikipia.

Support efforts to address the political marginalisation of pastoralists

- Support efforts to strengthen participation in political institutions and decision-making processes, particularly by marginalised and disadvantaged groups, for example through awareness-raising and training programmes and developing mechanisms to enhance participation in consultation processes.
- Enhance opportunities for pastoralists to participate in district – and national level – policy processes through civil society groups, particularly as regards increasing opportunities for citizens to participate in public life through civil society organisations.
- Support education programmes for pastoralist communities.

Enhance coherence of EU engagement with pastoralist regions

- Develop the capacity and commitment of the EU to ensure that its policies (and those of the international financial institutions) are coherent with its efforts to support the changes in policies towards semi-arid and arid regions such as those discussed above.
- Ensure that EU member state practices relating to arms transfers do not undermine efforts to prevent or manage armed conflicts involving pastoralists.
- Provide all appropriate co-operation with efforts by Kenya and its neighbours to tackle small arms proliferation and to combat and prevent illicit arms trafficking.

Support conflict prevention and reduction activities

The EU should directly support efforts to strengthen the capacity of communities, civil society and government to prevent and resolve conflicts at the district and national level. In relation to districts like Laikipia, conflicts involving pastoralists should be a particular focus.

Support conflict prevention and reduction activities at the district level, such as:

- Efforts to improve understanding of the dynamics and trends of conflicts;
- Efforts at the district level to experiment with alternative responses to conflicts involving pastoralists;
- Establish legal precedents to support the appropriate use of customary procedures for dispute settlement and of customary approaches and traditional governance systems for addressing natural resource conflicts and managing and reducing violent conflict;

- Support District Peace and Development Committees and preparation of district strategies for conflict prevention, conflict management and longer-term peace-building.
- Support the role of women in local level peace-building;
- Support attempts to resolve open conflicts;
- Assist measures to address underlying causes of specific conflicts.
- Train district authorities and security committees to sensitise them to customary or traditional procedures (and vice versa)

Support conflict prevention and reduction activities at national level

It is important to ensure appropriate awareness and links between conflict prevention and reduction activities at national and district level, and that national authorities take appropriate account of district level conflict prevention efforts as they become engaged, through regulations, the provision of political or economic resources or police and security forces. To support this, the EU should consider supporting:

- Awareness-raising and training programmes, for relevant government officials and agencies and for civil society groups;
- Efforts to improve the accuracy and quality of media reporting of conflicts involving pastoralists;
- Programmes to improve co-ordination and information sharing between district level conflict prevention and peace-building initiatives, to promote co-ordination and the identification and dissemination of good practices, and to assist lesson learning by national government and donors.

Assist in controlling and reducing small arms

The EU has established co-operation and assistance programmes in this area through its Joint Action on small arms agreed in 1998. EU member states have also developed numerous assistance programmes to assist in controlling and reducing small arms proliferation and illicit arms trafficking. There are thus opportunities to extend such assistance to countries and districts experiencing problems with small arms linked to conflicts involving pastoralists. Assistance in this area should be largely within the framework of support for the implementation of the Nairobi Declaration on the Proliferation of Illicit Small Arms and Light Weapons (5 March 2000), and of the Agenda for Action and an Implementation Plan (November 2000), a sub-regional agreement involving ten countries in the Horn of Africa and East Africa. Such assistance might include support for: improved laws and regulations; national and local weapons collection programmes; weapons destruction programmes; public awareness and training programmes; enhancing management and security of authorised stock of arms held by police, armed forces and border guards; capacity building for border controls, arms transfer controls, and combating illicit arms trafficking.

Promote security sector reform

Capacity-building and reform of the police, military and border

guards is a priority, to increase their capacity to ensure a peaceful and secure environment and to improve standards of training and professionalism in crime investigation and in dealing with pastoralist and other communities. The EU should investigate specific needs for capacity-building and reform of the police, army, border guards, judiciary and other parts of the security sector in areas of Kenya and its neighbours where conflicts involving pastoralists are an important factor.

Combat cattle rustling

It is clear that cattle rustling poses a difficult challenge for Kenyan police. Donors cannot become directly involved, although their police and other relevant agencies can provide co-operation through intelligence sharing and training, for example, particularly where there are links with transnational criminal networks. There is also scope for capacity-building support for the district and national police and for sub-regional police co-operation amongst the countries of the East African Community (EAC) and of the Nairobi Declaration.

Introduction

All aspects of pastoral social and economic life are ordered in relation to livestock and the environment in which they live. In pastoralist societies, cattle hold central value within the society and are the basis of association in a complex of social, political and religious institutions. The livelihood is practised predominantly in semi-arid and arid areas where pastoralists are able to exploit land and conditions that normally cannot support other economic activities. The system depends largely on the availability of water and the distribution and quality of, and access to, pasture.

Some 500-600 million people live in the arid and semi arid parts of the world, some 30-40 million of them depend entirely on animals. Of these 30-40 million people, 50-60 percent are found in Africa. The Horn of Africa contains the largest grouping of pastoralists in the world: Sudan has the highest pastoralist percentage globally while Somalia and Ethiopia rank third and fifth respectively. In Djibouti, one third of the population is pastoralist. The semi-arid and arid areas in the Horn make up 70 percent of the total land area, which provides an average of 20 to 30 percent of GDP. At the local level, as much as 70 percent of cash income is generated from livestock¹. In Kenya, semi arid and arid land constitutes 439,000 km² of the land mass, covers 14 districts², and is equivalent to 80 percent of Kenya's total land area³. This area supports 25 percent of the country's population and half of its livestock.

However, pastoralism is under threat. The combination of weak governance; inadequate land and resource management policies; political and economical marginalisation; and increasing insecurity, resulting from small arms and cattle raiding, is taking its toll.

The challenge now is to determine the actual conflict risks associated with pastoralism in the Horn and to identify potential opportunities for peace-building. This requires an analysis of pastoral communities at risk as well as an exploration of the impact of policies at all levels (local, national and regional). The case study of Laikipia in Kenya seeks to undertake such an analysis by drawing on research data supplemented by interviews at local, district and national level. It also attempts to understand the role that donors, particularly the European Union (EU), can play in conflict prevention and in the restoration of security in the region.

The EU and its member states have the potential to play an important role in reducing the risks of violent conflict, but this requires a deeper understanding of communities at risk of conflict as well as an exploration of the impact of EU and member states policies at local, national and regional levels.

The EU recognises that the human and material costs of violent conflict undermine efforts to foster sustainable development and now demands that development assistance be targeted at the root causes of violence⁴. EU policy commitments in support of the prevention of violent conflicts have also necessitated enhanced coherence between the full range of instruments

¹ "Coping mechanisms and their efficacy in disaster-prone pastoral systems of the Greater Horn of Africa (GHA). Effects and responses of pastoralists and livestock during the 1995-1997 drought and the 1997-98 El Niño Rains", ILRI/ASARECA, Draft.

² The districts include Isiolo, Marsabit, Garissa, Mandera, Wajir, Baringo, Keiyo, Kajiado, Laikipia, Marakwet, Narok, Samburu, Turkana, and West Pokot.

³ "Recovery and sustainable development to the year 2000", Sessional paper No 1 (Government of Kenya, Government Press: Nairobi, 1995), p 59.

⁴ Conclusions of the Council and of the representatives of the member states on the role of development co-operation in strengthening peace-building, conflict prevention and resolution, adopted by the Development Council on 30 November 1998.

available to the EU including trade, investment and diplomatic engagement.

The Horn of Africa has been among the largest beneficiaries of EU aid in both development and investment. Ethiopia, Kenya and Uganda are principal trading partners with a number of EU member states, with Kenya being one of the leading trading partners of both the EU and its member states.

This study aims to highlight the factors that have potential to catalyse conflict in the Horn of Africa with reference to Laikipia in particular, and to identify areas in which EU and its member states can make a positive contribution to peace-building. Laikipia District in Kenya provides a focus from which to consider conflict risks and to suggest future EU practices for engagement in pastoral areas. It is hoped that such a study can catalogue the wide range of risks of violent conflict, which the EU will need to acknowledge in developing its engagement.

The report specifically aims to examine conflicts risks associated with natural resources management and small arms proliferation which impact on pastoralists in the Horn, with an emphasis on Laikipia District in Northern Kenya. It is intended that the EU and member states will use lessons learned in their planning of future participation in conflict prevention and peace-building programmes in pastoral regions across the Horn.

Part 1 of this report provides a regional context in which to consider the cross-border, national, regional and more localised causes of conflict, relevant to the case study. Part 2 examines the specific issues relevant to Laikipia District. Part 3 considers how the state, the EU and its member states can better promote sustainable peace and development.

1. Regional overview

Factors contributing to conflict involving pastoralists in the Horn of Africa

Government policies

The range of policies pursued by successive post-colonial governments has led to the marginalisation of pastoralists from mainstream national development in most countries in the Horn. Over the years there has been a tendency to neglect the needs of pastoralists and even to envisage the gradual eradication of pastoralism. In addition, there has been a tendency by governments to focus on the interests of agriculture and urban dwellers, thus marginalising other stakeholders. Most states in the Horn have pursued policies based on containment, pacification and sedenterisation of pastoralists.

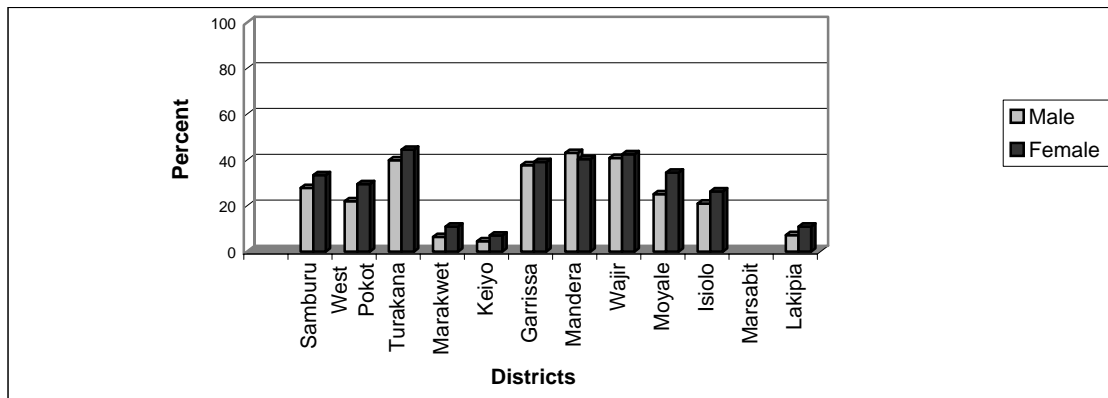
The pastoral livelihood has always been exposed to the vagaries of climate and harsh environmental conditions. However, in recent years, pastoralists have faced a myriad of new problems, including competition for water and pasture in the context of decreased access to land; more explicit political and economical marginalisation; lack of appropriate responses to the deteriorating security situation; and the proliferation of weapons across the region.

Socio-economic and political marginalisation

Governance in the Horn is dominated by manipulation of ethnicity, patronage and a political culture of exclusion. This has continued, in large part, from the period prior to independence. Although the governments of the Horn have made some efforts to include pastoralists in the civil service, cabinet ministries, and the army, they are still not adequately represented in political life. Pastoralists are not represented according to their numbers in parliament or in high-level civil service posts, nor do they have education rates in line with the majority of the population. In many of the semi-arid and arid areas of the Horn, pastoralists have very little formal education. For Kenya, this is borne out by the 1999 population-housing census (see figures 1 to 3 below). The situation is generally similar in nomadic areas of Ethiopia, Somalia, Djibouti, Eritrea, Sudan and Northern Uganda.

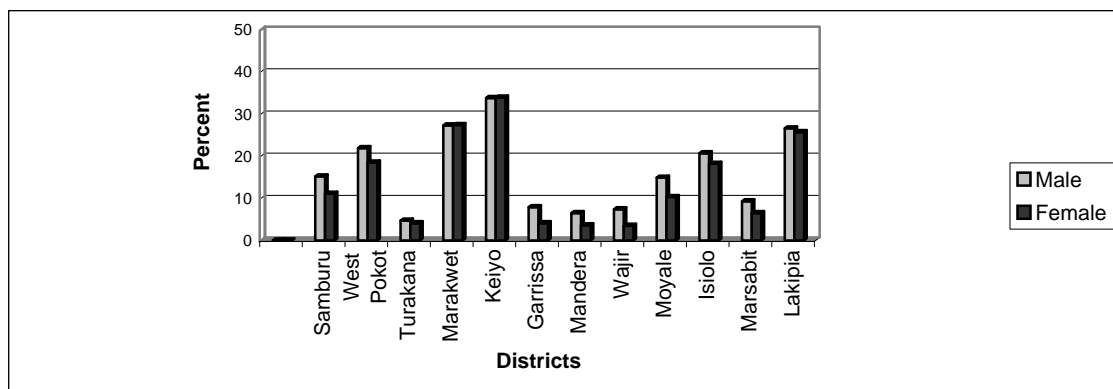
Figures 1-3: Education in selected pastoral areas in Kenya

Figure 1: Percentage of pastoral population without education



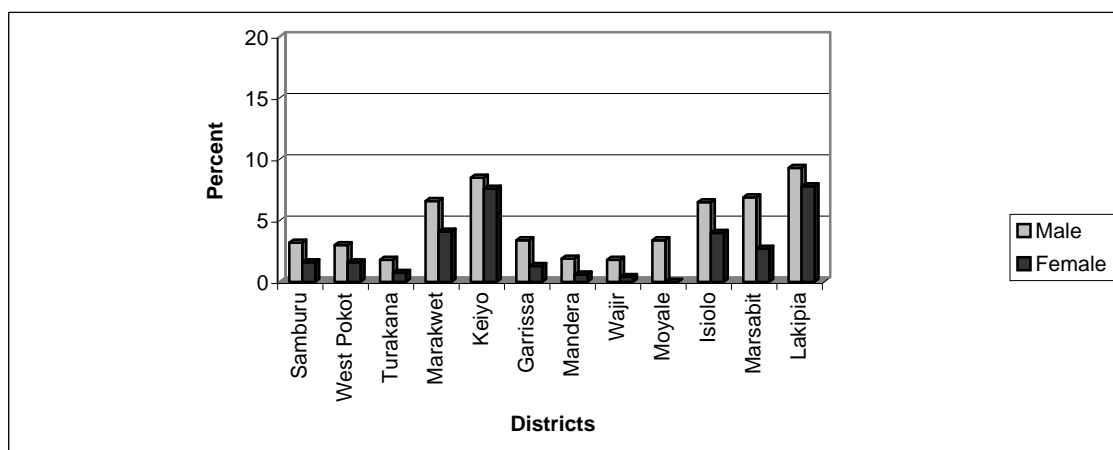
Adapted from Republic of Kenya, CBS (2001). 1999, Population & Housing Census, Vol 2, Ministry of Finance & Planning.

Figure 2: Percentage of pastoral population with primary education



Adapted from Republic of Kenya, CBS (2001). 1999, Population & Housing Census, Vol 2, Ministry of Finance & Planning.

Figure 3: Percentage of pastoral population with secondary school education



Adapted from Republic of Kenya, CBS (2001). 1999, Population & Housing Census, Vol 2, Ministry of Finance & Planning.

Access to education has been hindered by several factors including local customs; traditions hostile to change; the nomadic lifestyle itself; and insufficient attention by governments to alternative models of schooling. As a result, pastoralists in the Horn have lagged behind in modern education. The low literacy levels, particularly among women and girls, adversely affect development; they exacerbate the limited access to and analysis of information, and reduce opportunities for influencing political decision-making processes at district and national level.

Moreover, the rapidly increasing insecurity in pastoral areas hinders formal education. Many schools in pastoralist areas have been closed due to insecurity. For example in Marakwet District in Kenya, 39 schools were deserted at the height of insecurity three years ago⁵.

Inadequate land tenure policies

The majority of pastoral land resources are held under a controlled access system which is communal in form. 'Communal' land tenure relates to that system of tenure in which the tribe or clan or a group has access to land. Tenure is thus a social institution: a relationship between individuals and groups or tribes consisting of a series of rights and duties with respect to the use of land.⁶

From the 1950s, most Horn of Africa countries tried to introduce a form of private land tenure. There were attempts to integrate pastoralists into the private property system through the granting of private group title to limited areas. Having group title gave security to the groups but it also circumscribed their ability to maintain reciprocal relations among their own communities and with others. It also reduced their access to critical grazing and water resources outside the group ranch boundaries.

The enforced changes in land tenure altered the way people related to land as a resource and this created uncertainty and tension. The customary regime governing pastoralist land recognised the communal use of land and was in contrast to the privatisation and individualisation of land advocated by state legislations. As result of increased levels of privatised land, pastoralists' traditional grazing patterns and coping strategies have been disrupted. This has resulted in reduced and fragmented grazing areas and increased the impact of droughts and scarcity.

It should be noted that the existing policies and legal institutional frameworks were put in place in the 1950s and 1960s when the ratio of land to population was greater. The major concern of policy and law was the regulation of 'orderly' use of land.⁷ The tension between state legislation and customary land regimes and the continual grabbing of land and displacement of pastoralists in the Horn of Africa are now leading to violent conflict among pastoralists, ranchers, sedentary farmers, and state security forces.⁸

While in Ethiopia Article 130 (3) of the revised Constitution is explicit on the issue of pastoral land, "grazing lands" are not held or possessed individually and hence belong to the government. Article 1168 (1) brought

⁵ Chesos R, "Moi offers one-month arms amnesty", *Daily Nation*, 18 April 2001.

⁶ Birgegard L E, *Natural Resource Tenure: A review of issues, experiences with emphasis on Sub-Saharan Africa*, *Rural Development Studies* (Swedish University of Agriculture Science/International Rural Development Center: Uppsala, 1993).

⁷ See Bazaara, N, "Land reforms and agrarian structures in Uganda: Retrospect and prospect", *Nomadic Peoples*, vol 34, no 35 (1994), pp 37-54; for land alienation in Kenya see Fratkin, E, "Pastoral land tenure in Kenya: *Masai*, Samburu, Boran and Rendile experiences, 1950-1990", *Nomadic Peoples*, vol 34, no 35 (1994), pp 55-68.

⁸ Legislation on land, especially in Kenya, is still biased towards sedentary groups.

an end to private land ownership of rural land. Land use planning and land tenure is being hotly debated⁹.

Despite the many problems which land policies like the Swynerton¹⁰ Plan of the 1950s brought to agricultural areas in Kenya, ambitious and costly programmes of land titling and registration, supported by the World Bank¹¹ are being pursued and policies of individual title deed are now being implemented in pastoral areas. The rate of land expropriation in pastoral areas is severe. Most pastoral advocates, including pastoral organisations, are calling for an immediate moratorium on land titling until land rights can be equitably regularised.¹² In the absence of coherent national land policies, violence over land may increase.

Insecurity

The history of relations between governments and pastoralists is one of confrontation. From the early 20th century to the present, pastoralists have drawn attention when invaded or under invasion.¹³ This has led to strained relationships between the state and pastoralists.

The response by administrations and security forces in the Horn and especially in Uganda and Kenya, has had an influence on conflict. Force is often applied, even to civilians who are not part of the conflict and this has exacerbated strained relationships.¹⁴ In 1992, as security conditions in Karamoja continued to deteriorate, the Moroto District Council decided to take matters into their own hands. They appointed Sam Abura Pirir as Secretary for Moroto (southern district) and tasked him with organising a local police force recruited from among the armed warriors. Members of this force came to be known as 'the Vigilantes'. Since then vigilante groups have mushroomed in Northern Uganda.

Although there has been a demand by parliamentarians from Teso District in Uganda¹⁵ for the disarmament of the Karimojong, this is in direct contradiction to some members of parliament from Teso who have demanded that their constituents, who have borne the brunt of Karimojong raids, be given guns to defend themselves. On 22 March 2000, President Yoweri Museveni was reportedly present when an assortment of weapons was given to the people of Teso District to defend themselves against the Karimojong raiders.¹⁶ It was also reported that each district had to provide 700 youths for training by the army.

The establishment of home guards, coupled with arming and training, increases the potential for conflict escalation given that there is no clear-cut policy to address the root cause of the problems. Further, there is lack of a

⁹Constantinos B T, "Alternative natural resources management systems: Processual and strategic dimensions in governing the environment", in Okoth-Ogendo, H W O and Tumushabe, G W (eds), *Political change and natural resource management in Eastern Africa & Southern Africa* (ACTS, Nairobi, 1999), p 178.

¹⁰The Swynerton Plan of 1954 introduced the concept of title deeds in Kenya.

¹¹Sayer G, "Kenya Promised Land", An Oxfam Country profile (Oxfam: UK, 1998).

¹²Bazaara N (1994) op cit.

¹³Mukhisa K, "Understanding the conflicts affecting local pastoralists", *Sunday Standard*, 29 November 1998, p 9.

¹⁴The best example is the Pokots of Kenya. Since 1979, there have been 12 operations by the Kenyan army to try and retrieve unlicensed arms. According to interviews by the researcher, the local community stated that the operations most often have targeted innocent people.

¹⁵Appeals from neighbouring districts to the government of Uganda to disarm the Karimojong has been made frequently. Disarmament formed part of the resolutions of the Conference on Peace in Northern Uganda in Gulu on 29 and 30 March 1999. In April 1999, the MPs of Teso, Kapchorwa and Mbale came out with a joint statement that they would boycott the referendum if the government did not deal with the problem of cattle raiding from Karamoja. Interviews with Hon Ael Ark Lodou, Member of Parliament, Kotido and the chairman of the Karamoja Parliamentary Association; Mr Drani Dradriga, Resident Commissioner, Kotido District, Karamoja, Uganda; Hon Peter Teko Lokoris, Minister for Karamoja and Executive director of the Soroti Initiative for Peace (10/11/01) Jinja, Uganda. Also see Otim R, "Kjong gun deadline", *New Vision*, 8 November 2001, p 11.

¹⁶Eiobu A, "Teso gets guns from Museveni", *The Monitor*, 22 March 2000, p 3.

co-ordinated regional programme to address the issue of insecurity. Additionally, arming one community leads to others demanding arms for protection, resulting in further proliferation of small arms across the region. The current breakdown in law and order and rising insecurity in Kenya is now also leading to the formation of 'home-guards'.

Insecurity in pastoral areas has implications for poverty and competition for resources. Pastoralists are forced to flee from their communal areas and this affects their ability to maintain their livelihood and forces people to congregate in more secure areas, which increases the pressure on land and resources.¹⁷ The unchecked infiltration of small arms and the deliberate arming of certain communities without due regard to the security of others is a major threat to peace in the entire region.

Governments in the Horn and their security forces have shown inadequacies in the task of combating the unprecedented escalation of inter-pastoralist conflict in what are becoming no-go areas. The response by state law enforcement bodies has been slow, ineffective, overly forceful, or non-existent. In some states, including Kenya, the police are often complicit in violence. There are no effective policies to address insecurity and the formation of vigilante groups and home guards is leading to additional threats to law and order and increased proliferation of small arms. Vigilante groups are now in the forefront of sectional fighting.

Cattle rustling

Cattle rustling is a traditional activity among all plain pastoralists. Traditions, cultural songs and dances carried from one generation to another highlight the existence of cattle rustling before the coming of the Europeans to the Horn of Africa. Pastoral communities engaged in cattle rustling culture, raiding weaker communities and taking away their animals as a means of expanding grazing lands, restocking livestock and obtaining cattle for bride price.¹⁸ (When the warriors return from successful raids, ululation and other songs of praise welcome them. Among the singers are the potential brides for the warrior.)

As clearly stated by President Moi of Kenya, who is a pastoralist, "Traditionally, cattle rustling did not involve killing people."¹⁹ In an ideal cultural situation, rustled livestock were meant to replenish lost herds following drought. However, if elders from the neighbouring communities identified the stolen herds, the matter was usually discussed and livestock returned. If death occurred during the raid, extra cattle from the killer's family were given to compensate the victim. A *Moran* (warrior) who killed during armed conflict could not enter his *Manyatta* (homestead) and had to be cleansed at the nearest water point with blood from a slaughtered goat and intestinal contents smeared all over the body. The *Moran* would then be cleansed with water and has to stay alone over night in the bush before being declared clean to enter the *Manyatta*. This rigorous ritual cleansing prevented *Morani* from killing during cattle raids. Cattle rustling did not explode in its present violent form until the 1970s.²⁰

Inter-communal cattle rustling has become more frequent with a level of

¹⁷ Mkutu K and Marani M, "The role of civic leaders in the mitigation of cattle-rustling and small arms: The case of Laikipia and Samburu", (African Peace Forum: Nairobi, 2001). Also see Niamir-Fuller M, "Conflict management and mobility among pastoralists in Karamoja, Uganda in managing mobility in African rangelands" (ITDG: UK, 1999).

¹⁸ See Mkutu and Marani (2001) op cit ; see also Mkutu K, "Banditry, cattle rustling and the proliferation of small arms, the case of Baragoi Division of Samburu District", Arusha report (African Peace Forum: Nairobi, 2000) and Novelli B, "Aspects of Karimojong ethno-sociology", Museum Combonium, No 44 (Comboni Missionaries: Kampala, 1988).

¹⁹ Chesos (2001) op cit.

²⁰ Mkutu and Marani (2001) op cit ; see also Mkutu (2000) op cit.

combat beyond any historical precedent in the Horn of Africa. There have been constant clashes between the Pokots and Turkana in Kenya, the Karamoja, the Sebi and the Itesots in Uganda, resulting in deaths and theft of livestock.²¹ The governments of the two countries have responded through military operations aimed at containing the violence of warriors. For example in Pokot District alone, there have been 14 'operations' since 1979 aimed at disarming warriors.²² The president of Kenya has ordered a one month firearms amnesty in a new crackdown on cattle rustlers. He gave residents of West Pokot, Marakwet and Baringo one month to surrender their illegal guns.²³

The implications of cattle rustling on communities have been wholly negative. For example in Labwor in Uganda, a series of raids and incursions by the Karamoja led them to completely give up pastoralism in the 80s.

Proliferation of small arms and light weapons

To date there have been few attempts by the state to adequately address the issue of small arms. Pastoralist communities now provide the largest market for small arms from local circulation and from areas in the region undergoing civil war.²⁴ Many pastoralists who live near the borders of Kenya-Ethiopia, Kenya-Uganda, Kenya-Somalia, Kenya-Sudan, Uganda-Sudan, have found themselves victims of cattle rustling. Traditionally, the pastoralists practised cattle rustling using spears and bows, but now the weapon of choice used is the AK-47.²⁵ The relative ease of acquisition and low cost of these illegal guns enable the pastoral communities to guarantee a sustained market. The East African weekly newspaper estimates that there are between 150,000 and 200,000 firearms in the Karamoja region of Uganda alone. While the exact number of small arms in the hands of pastoral communities is difficult to access, it is clear that the threat posed by them is enormous.

Pastoral communities seem to be arming themselves for several reasons. First, they need to protect themselves against being plundered by hostile groups. Second, the weapons are used to defend their animals against other armed pastoral communities. Third, arms are used forcefully to steal stock from other pastoral communities: guns are an economic investment. In early 1998, three to six cows could buy a gun in Samburu,²⁶ while in Karamoja, a bullet could be used as bus fare or to buy a glass of beer.²⁷ The porous borders, without clear security procedures, make it easy for arms to move to and from one country to another. The arms issue is a cross-border problem and arms acquisition is now both a cause and consequence of insecurity and conflict in the pastoral communities in the Horn of Africa.

The problem of small arms is made more complex by a new dimension: the commercialisation of cattle rustling whereby rich urban merchants fund raids in the pastoral communities.²⁸ The economic implications of obtaining a gun are more attractive now than in the past.

²¹ Niamir-Fuller (1999) op cit p 176. Also see Belshaw D and Malinga M, "The Kalashnikov economies of the Eastern Sahel: Cumulative or cyclical differentiation between nomadic pastoralists", Paper presented at the first workshop of the study group on conflict and security of the development studies association (University of East Anglia, South Bank University, 1999).

²² Interviews by the author among both the Kenyan and Uganda Pokot – May 27 to 2 June, 2001.

²³ Chesos (2001) op cit.

²⁴ Mkutu and Marani (2001) op cit ; Mkutu (2000) op cit.

²⁵ Belshaw and Malinga (1999) op cit.; Mkutu (2000) op cit ; See also Muiruri S and Mugo W, "Thirty killed in raids", *Daily Nation*, 9 February 2001, p 1.

²⁶ Mkutu and Marani (2001) op cit ; Mkutu (2000) op cit.

²⁷ Conversation with Stella Sabiti, 8 March 2001. Sabiti is the founder and Executive Director of Center for Conflict Resolution in Uganda.

²⁸ Mkutu (2000) op cit.

Weakened traditional governance in pastoral areas

Traditionally, African societies were dominated by elders who were responsible for the governance of the community. African communities had structures for conflict resolution through councils of elders, traditional courts and peer or age-group supervision, where each individual or group had to meet certain social expectations.

In Uganda, among the *Karimojong*, the elders made important decisions through discussions and debates and solved communal conflicts.²⁹ In Ethiopia among the *Boran*, the village council and *Aba-Olla* (village head) had far-reaching political, social and economic functions. The *Aba-Olla* was responsible, inter alia, for maintaining peace and order; for resolving disputes; for representing the village at meetings; for grazing and water management; and for reporting back to village households³⁰.

The Samburu in Kenya had a distinctive clan-based customary traditional governance system derived from a progressive age-set system. Elders made decisions that were absolutely binding in arbitrating conflict. The elders played a major role in natural resource management and determined the modes of production, distribution or sharing of food and other essential common property resources such as water, saltlicks, pasture and livestock. In recent years, customary traditional governance institutions have been eroded partly due to the failure of the Horn governments to recognise the role of the traditional institutions in management at the community level, and partly due to changing property rights regimes. The status and the functions of the elders as resource managers have been simultaneously eroded and undermined. Additionally, the indigenous institutions are no longer significant mechanisms for resource management as a result of the emerging individualisation and privatisation of land, which was previously governed by a common property regime.

The erosion of the traditional governance institutions among the pastoralist communities has rendered the ability to control conflict more ineffective. In effect, conflicts have intensified. 'Eldership' can now be attained by wealth, and armed youth can attain wealth by raiding. This added a new dimension to conflict, which the elders have never had to deal with on such a scale before.

Traditional structures are still vital in trying to understand conflict in arid and semi-arid areas of the Horn. Such structures can be used to resolve conflicts if indigenous knowledge and cultural practices are recognised and respected by national and district administrations. For example, the recent collaboration between the provincial administration, elders and civil society saw the formation of the Wajir Peace Initiative (Kenya). The state and traditional governance structures involved in the resolution of competing land use claims successfully solved the Ajuran, Degodia and Ogedan disputes over grazing pasture and water in Kenya.³¹

Vulnerability to climatic variability

Climatic change and environmental degradation have led to food shortages and increased pressure on available land and water resources. Climatic conditions play a major controlling role in a pastoralist's life because rainfall

²⁹ Quam M D, "Creating peace in an armed society: Karamoja, Uganda", *African Studies Quarterly*, vol 1, issue 1 (1996), pp 15.

³⁰ See Niamir-Fuller (1999) op cit.

³¹ Hadley J, *Pastoralist cosmology: The organizing framework for indigenous conflict resolution in the Horn of Africa* (Eastern Mennonite University: VA, USA, 1997), pp 15-17.

affects the availability of pasture and water. Droughts have a long-term impact on the people in the Horn of Africa. Djibouti, Eritrea, Ethiopia, Somalia, Sudan and Kenya³² all provide tragic examples of how devastating droughts can be. There have been six major drought periods on the African continent in the last three decades.³³ Recent droughts in Somalia, Ethiopia and Kenya resulted in the loss of lives, and in the decline in livestock population by 60 to 70 percent in some areas.³⁴

In Kenya, huge losses of livestock were expected in the first three months of the year 2001 following a serious drought. The drought arose from failure of both short and long rains of 1999/2000 seasons, and resulted in serious shortage of water and pasture for the livestock in the hard hit districts of Northern Kenya.

In the period ending October 2000 approximately 1,725,000 cattle, 2,184,000 small stock and 8,000 camels valued at 12.2 billion shillings (approximately US\$ 1.5 billion) were certain to be lost without short-term interventions (ASAL, 2000). While it is expected that in some situations people will be able to recover from these losses over several years, the majority of the population will not have the capacity to rebuild their livestock resources in the short term.

In former times, pastoralists had strategies for coping with the pressures caused by vagaries of nature. The pre-colonial coping strategies were an integral component of the pastoralists' socio-economic system and included: leaving land fallow; splitting families to better manage family herds; pooling resources; migration; and trade ties with traders and businessmen.³⁵ These strategies were based essentially on the premise that control of a variety of resources was needed to provide access to pasture and water at different times of the year and particularly during droughts. Government policies have consistently sought to alter, rather than build upon, the pastoral production and coping systems. The failure to appreciate the pastoral logic has meant that development objectives have been defined on the basis of erroneous assumptions and the policies which have been implemented have disrupted pastoral economies.

Competition with wildlife

Access by pastoralists to water and pasture, especially during the dry season, has been greatly hindered by the excision of game reserves and national parks from pastoral areas. This excision policy, which started in the 1950s has taken up large tracks of land and crucial sources of water and dry grazing land. The pastoralists are perceived as a major threat to the ecosystem as their activities are seen as leading to over-grazing. As a result, pastoralists have been evicted from land. In Karamoja, 25 percent of land was gazetted by the colonial administration.³⁶ Only now are environmental proponents recognising, not only that pastoralism is compatible with land use, but that pastoral communities and wildlife can benefit from resources within these gazetted lands.

³² See the Horn of Africa map, Appendix 1

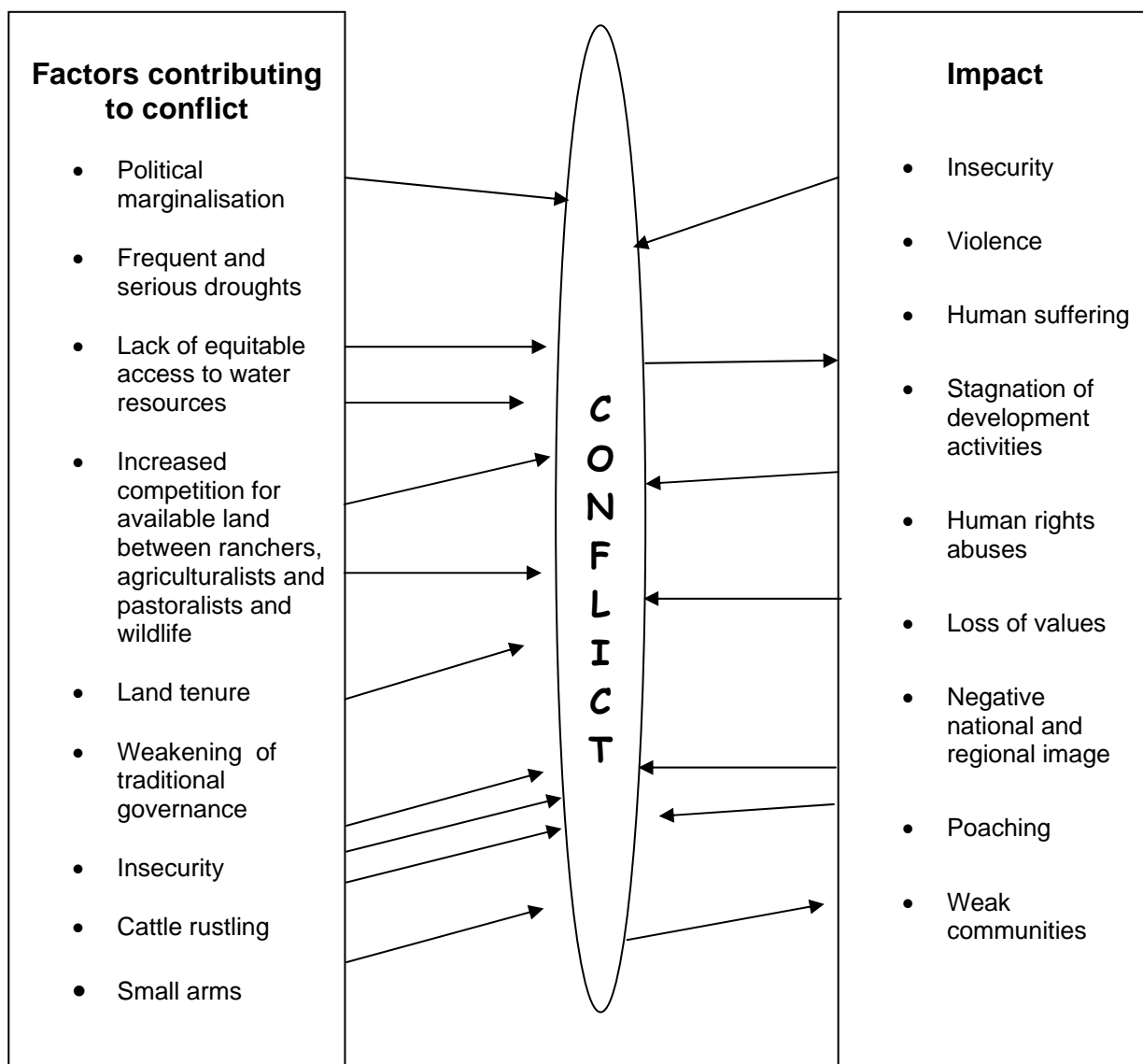
³³ This was in 1965-66, 1972-74, 1981-84, 1986-87, 1991-192 see ILRI/ASARECA, Draft, p 7. However in Kenya, there were additional droughts in 1997-1998 and 1999-2000.

³⁴ ILRI/ASARECA, Draft op cit.

³⁵ Casper O A, "Life in the balance: Ecological sociology of Turkana nomads" (ACTS: Nairobi, 1990).

³⁶ Mamdani M, Kasoma P M B and Laatste A B "Karamoja: ecology and history", Working Paper No 22 (Centre for Basic Research: Kampala, 1992).

Figure 4: Factors contributing to conflict



In conclusion, poor governance, inappropriate land tenure policies, increased resource competition by different land users, cattle rustling and small arms proliferation are contributing to violent conflicts in the Horn of Africa.

2. Laikipia case study

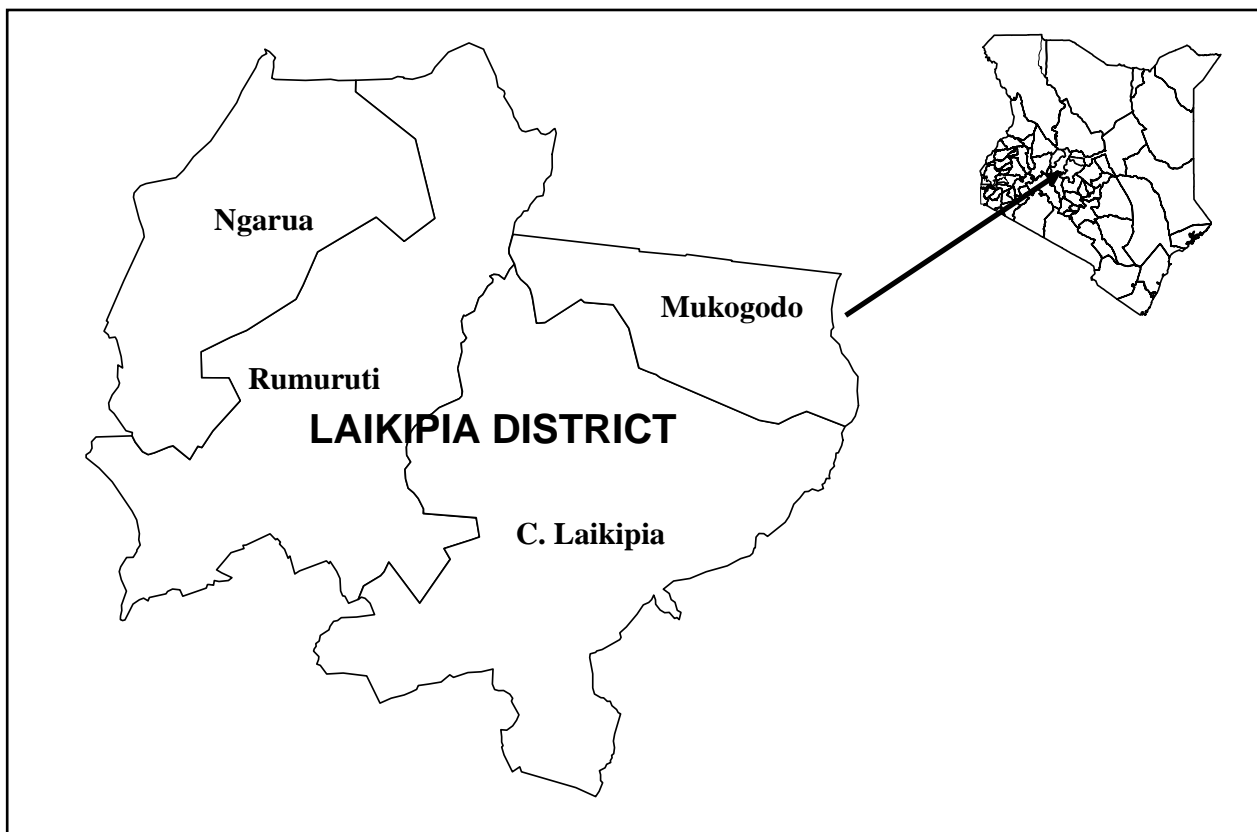
Introduction

Laikipia District, located in Northern Kenya, provides an opportunity to look at resource-based conflict and the impact of small arms and cattle rustling. The district has been the scene of conflict between the pastoralists and ranchers and between pastoralists and the state over pasture and water resources. The proliferation of small arms in the area is increasing insecurity.

Background

Laikipia is one of the 17 districts in the Rift Valley Province. The district lies East of the Great Rift Valley: it borders Samburu District to the North, Isiolo District to the Northeast, Meru District to the Southeast, Nyeri District to the South, Nyandarua and Nakuru district to the Southwest and Koibatek and Baringo to the West.

Figure 5: Map of Laikipia



Topography and climate of Laikipia

Laikipia District is predominantly a plateau, bounded by the Great Rift Valley to the West and the Abadares and Mt Kenya massifs to the South. To the Northwest, this plateau descends to the floor of the Rift valley, while in the North and East it merges into areas that extend to the North. Mt Kenya, which does not form part of the district, is situated to the Southeast. The rainfall patterns in the district differ but typically average between 400 and 750mm per annum. The district experiences the relief type of rainfall due to its high altitude. North Marmanet experiences the heaviest rainfalls of up to 900mm per annum but with average annual rainfalls of 706 mm. Mukogodo forests also have similar annual average rainfall figures. At the plateau where the ranches are situated the annual rainfall is estimated to be 500mm. Mukogodo and Rumuruti divisions experience the lowest rainfall with average annual rainfall of less than 400mm. The long rains are experienced normally around March to May, while the short rains occur in October and November, this normally being a result of the influence of the Northeast and South trade winds and the inter-tropical convergence zone. The low rainfall increases vulnerability to drought during the dry season.

Ethnic diversity

Laikipia is a multi-ethnic tribal district comprising the Kikuyu, Samburu, Masai, Kalenjin, Boran, Turkana and European people. The Samburu, Kalenjin, Boran and Turkana people occupy the semi-arid part of the district. The Kikuyu and the Meru occupy the urban and arable parts of the district (not mentioned above), and the Europeans are mainly ranchers. The total population of Laikipia District was estimated to be 266,560³⁷ in 1999 and projected to rise to 378,477 in 2001. Over the last ten years the population of Laikipia has increased reflecting a 4.5 percent growth rate per annum³⁸. The high rate of population growth has implications for pressure on scarce and land resources and service provision in the district.

Factors contributing to conflict in Laikipia

Inappropriate government policies

The impact of government policies on pastoralists in Kenya has been widely documented³⁹. The colonial government's policy towards the pastoralist communities was based on a perspective which saw pastoralists as practising an uneconomic and irrational herding system based on accumulation for its own sake.⁴⁰ Sir Charles Elliot, the Commissioner of the Protectorate, had no reservations about displacing the Masai in the area; he said, "I cannot admit that wandering tribes have a right to keep other superior races out of large tracts of land merely because they have acquired the habit of struggling over more land than they can utilise"⁴¹. The colonial policy was to confine the pastoralists in Native Reserves. Throughout the colonial period the system intervened in pastoral societies and economies to try to remedy problems by setting up commissions to advise on better ways of utilising land in the protectorate.

The post-colonial governments have followed a similar approach. Policy planners thought that part of the solution to the problem of arid land was to dig wells. This in fact exacerbated environmental damage. Native practices allowed pastoralists to hold back their animals from wetter areas so as to keep the grass in reserve for the dry season. A policy aimed at animal

³⁷ Government of Kenya, *The 1999 Population and Housing Census*, Volume 2, (Central Bureau for Statistics: Nairobi, 2001).

³⁸ Information obtained from the Nanyuki District Statistics Office, 1996 statistics. Also see Government of Kenya, "Laikipia District Development Plan (1997-2001)" (Government Press: Nairobi, 1997) and Republic of Kenya (2001) op cit, pp 1-167.

³⁹ Kitching G, *Class and Economic Change in Kenya. The Making of an African Petite Bourgeoisie, 1905-1970*, (East African Publishers: Nairobi, 1970), p 203.

⁴⁰ Mkutu K "Pastoralism and small arms in East Africa", Ph D Dissertation (2001), Chapter 3.

⁴¹ "Kenya Land Commission of 1933", Kenya National Archives, (1933-1934), Part II, Chapter 1, p 185, paragraph 635 and 642.

improvement was accepted by pastoralists but led to dramatic increases in the numbers of animals, thereby exacerbating the problem of overgrazing.

The policies directed towards changing pastoralist behaviour in favour of agriculture or urban dwellers also failed, as the arid and semi-arid areas were best suited to pastoralism as an economic activity. Farming was not possible due to the variability in climate and rainfall as well as poor quality of soils. The most recent 1990s policy assumed that policies linking privatisation, land registration and titling with the provision of credit would lead to the take-off of pastoral development. The assumption was that individual control of land and resources would lead to more efficient production.⁴² These assumptions are flawed, deriving as they do from the belief that indigenous tenure systems impede productivity and development.

An examination of policies reveals that they take no cognisance of the native population's indigenous knowledge and understanding of the local conditions, and their solutions to practical problems of herd management. Secondly, individualisation of land is not only inappropriate but also inconveniences the pastoral nomadic way of life.

Lack of appropriate land tenure policies

Laikipia District was created after the enactment of two Masai agreements between 1904 and 1911. This was followed by the migration of Masai into the area.

The overwhelming majority of Masai remain firmly attached to the old tradition of livestock rearing. During the long dry seasons the herdsman leave their permanent settlements and move their cattle to temporary encampments near pasture and watering places, often crossing into the territory of neighbouring groups and districts.

The interference of traditional migration now has the potential to result in violence. Owing to the long dry spell for over two years (1997-1999), pastoralists from Laikipia had to travel far and wide trying to locate pasture and water for their animals to survive. After going far as Isiolo and Baringo, they returned home (Laikipia). In the year 2000, they forcefully invaded the European ranches in order to access pasture and water.

Over the last 40 years, grazing land in Laikipia has been reduced substantially as foreign settlers, local investors and ranchers have bought large tracks of land. Communal pastoral land is now being turned from communal property to free-access. Land has been transformed from communal to individual land ownership through the acquisition of title deeds. This implies that pastoralist land is now limited and that mobility is restricted. This situation is exacerbated by the continual illegal acquisition of land by elites. The problem is especially rampant in Kenya and in Laikipia. Land grabbing by the ruling class in Kenya has reached such proportions that it is hardly considered illegal.⁴³

Land tenure in Kenya is complicated by the fact that in many parts of the country, traditional models of governance continue which often contradict the statute law. The series of land acts, implemented on top of surviving customary tenure, has had the effect of creating confusion for the land allocating authority. This confusion enables proper procedures, if not justice, to be subverted. This can be problematic in cases where traditional

⁴² Livingston I, "The common property problem and pastoralist economic behaviour", *Journal of Development Studies*, vol 23, no 1 (1986), pp 5-19.

⁴³ Markakis J, "Pastoralists and politicians in Kenya", *Review of African Political Economy* (1999), p 3.

and formal legal structures clash. Most of the pastoral lands are communally managed under traditional governance systems. This means that it is difficult to resolve resource-based conflict through the statute laws alone since the people have, for centuries, been applying traditional approaches to land and resource management. Experience in Kenya indicates that courts do not function well when processing land disputes. The main reason is that such disputes have a complex cultural context, which cannot be resolved in normal adversarial procedures.

Competition for land and resources

There are four major economic activities in Laikipia District: commercial farming, traditional cultivation, pastoralism and ranching.⁴⁴ These activities all require land and water and there is competition for these scarce resources.

There are 223 commercial farms ranging from 60 acres and above in the district and forming a total of 6260 square kilometres. Generally, the crops grown in these farms are maize, wheat and horticultural crops. Ranching is the only major commercial activity carried out in Mukogodo Division, although there is limited traditional cultivation too. The land-carrying capacity is generally 7 to 10 animals per square kilometre in Laikipia, but higher in Mukogodo, which carries 40 animals per square kilometre. Pastoralists mainly occupy the dry parts of Mukogodo, Northern Ngarua and Rumuruti Divisions.

The water needs of commercial farms have increased over the last five years and Laikipia has become one of the areas where large-scale horticulture farming relies on irrigation. The high demand for water this necessitates, affects pastoralist communities downstream who now have to compete for the dwindling water resources. This has already led to violent conflict.

About 70 percent⁴⁵ of the traditional pastoral land area of Laikipia is given over to commercial ranching. Pastoralists do not have access to water and pasture which exist in ranches, and pastoral mobility is restricted by fences and boundaries. The exclusion of pastoralists from water and pasture, and the failure to support migration routes for pastoralists is potentially dangerous, given that they are so dependent on free movement for their animals, especially during drought.

For the pastoralist communities, temporary movement of livestock occurs during the dry season. Nomads go in search of green pasture and water. According to the District Development Plan for 1989-1993, pastoralists tend to migrate to Samburu and Nakuru District during the dry months (January to April). When the dry seasons last longer — up to five months — the pastoralists migrate in larger numbers with up to 85 percent leaving their communities.⁴⁶

During the droughts of 1999-2000, the pastoralists did not migrate to their traditional areas (see Map 2), but moved towards ranches where it was perceived there was ample availability of water and pasture. The extreme drought conditions led to armed pastoralists actually invading ranches in order to access pasture and water.

Another issue related to land is population growth and the need for larger tracts of agricultural land. This implies that more and more people will move

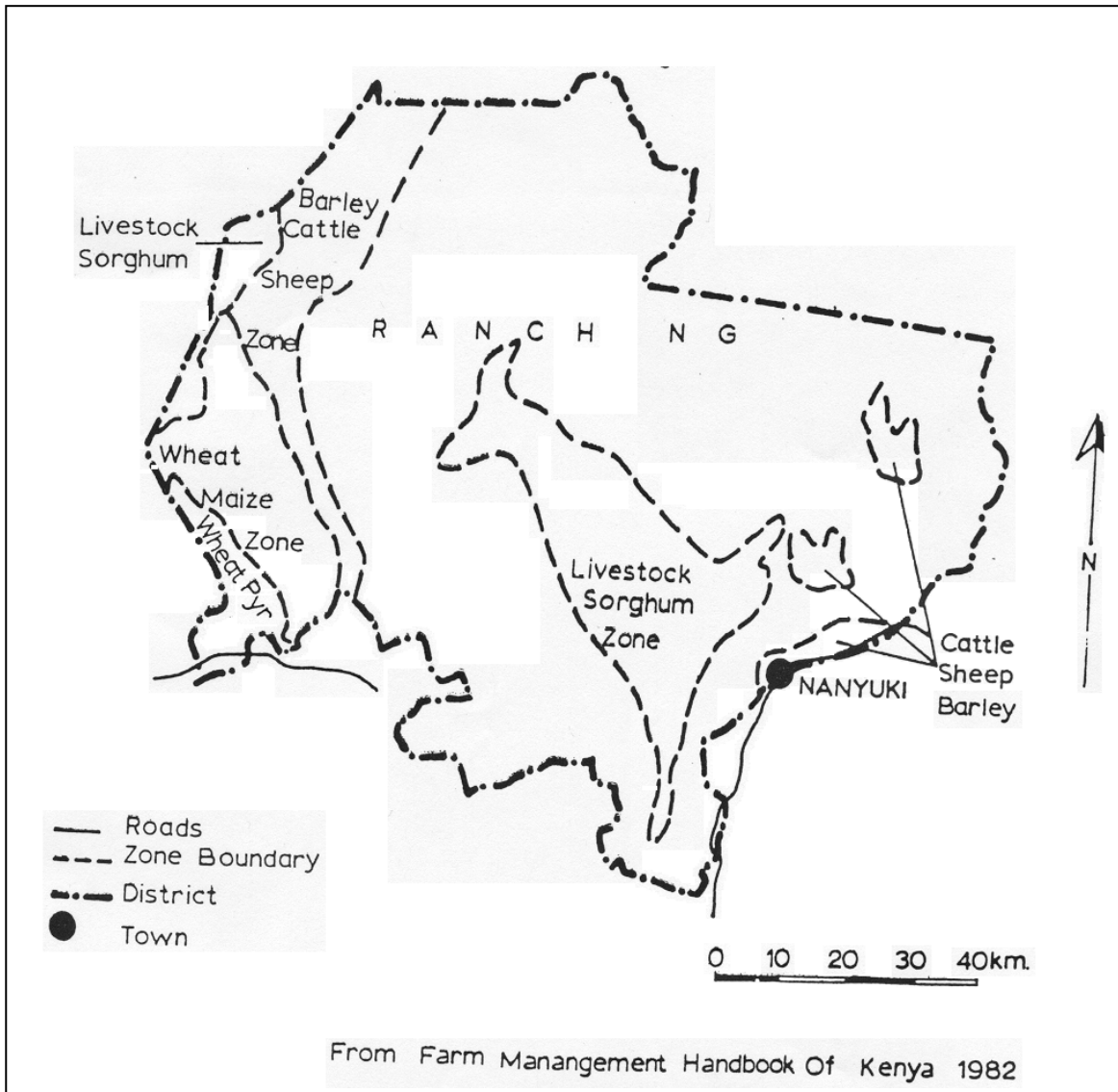
⁴⁴ See figure 6: Laikipia District agro-ecological map zone map.

⁴⁵ Ibid.

⁴⁶ Government of Kenya, "Laikipia Development Plan (1989-1993)", (Government Press: Nairobi, 1989), p 40.

to marginal lands and pastoral lands will be taken over to establish farms. Between 1967 and 1979 areas associated with wildlife districts such as Laikipia, Kajido and Narok (all pastoral lands) experienced annual population growths of respectively 7.3, 5.6 and 5.3 percent.⁴⁷ Between 1979 and 1989 the same districts experienced annual population growth of respectively 5.0, 5.7 and 6.6 percent.⁴⁸ The expansion forced pastoralists to graze their livestock on an ever-shrinking range of inferior quality land (See Laikipia district agro-ecological map zones, Figure 6 below).

Figure 6: Laikipia District agro-ecological zones



⁴⁷ See Government of Kenya, 1969 *Population and Housing Census*, (Government Press: Nairobi, 1969) and Government of Kenya, 1979 *Population and Housing Census*, (Central Bureau for Statistics: Nairobi, 1979).

⁴⁸ Ibid.

Security issues

Cattle rustling and small arms in Laikipia

Cattle rustling, or raiding, has become a major conflict risk for the pastoral communities in Kenya. Raiding has implications for relations with neighbouring states as 'warriors' cross national borders in search of cattle and weapons. While historically, rustling was part of a broader strategy of coping with shortages and drought, it has now reached unprecedented levels of violence.

Prior to 1979, cattle raids in Laikipia were relatively few and the cattle that were stolen were often recovered. However, since 1979⁴⁹ there has been a dramatic increase in the number of cattle stolen and, more worryingly, in the level of human casualties. According to the Laikipia Police Occurrence book, between 1993 and 2000, a total of 858 cows, 1487 goats and 595 sheep were stolen as a result of armed cattle rustling.⁵⁰ In the same period, 44 people were injured and 16 lost their lives. Many deaths go unreported.

Insecurity due to cattle rustling forces communities to congregate in "safe" areas, leading to overgrazing in some areas. Cattle rustling is a now a critical security issue and as pastoralists arm themselves for the protection of their lives and livelihoods. In the absence of an adequate or prompt state response, the stage is set for increasing levels of violence. Insecurity will continue unless some of the basic issues of governance, security and protection and arms are addressed.

There is a need to strengthen security systems and to establish effective police bases which can protect pastoralists and their animals. A reduction in insecurity could enable the opening up of new pasture areas and hence reduce pressure on land.

The impact of small arms

In January 1998, armed Pokot who stole 15 goats attacked the home of Esther Njeri Mburu. The assailants were followed by a group of Kikuyu who, unable to catch them, attacked 54 animals belonging to Pokot. This increased the tension in the area and as a result, the District Officer of Ngarua Division, Mr Soi, organised a peace meeting on 13 January between the Kikuyu and the Pokot communities. However, shortly after the meeting ended, raiders from the Pokot and Samburu communities, supported by some Turkana tribesmen, retaliated, killing four people. They also burnt and looted houses in Olmorán. This attack was followed by a series of raids on different homes. As a result, nearly 2,000 people fled their homes and took refuge at the Catholic mission at Olmorán and at the National Council of Churches of Kenya (NCCCK) Compound. On 17 January, the Kikuyu organised a response to the attacks and over 100 men armed with *pangas* (machetes) and *rungus* (sticks) confronted the raiders at Rum-Rum Valley, Mutamiayu⁵¹. The majority of raiders had guns. Almost all the deaths in Laikipia District were from bullet wounds. The availability of weapons and the insecurity means that many Pokot and Kikuyu feel that they have to acquire arms to protect their lives and their assets. Such conflicts lead to communities in pastoral areas arming themselves and to calls for better protection.

⁴⁹ See the Government of Kenya, "West Pokot Development Plan (1974-1979)", (Government Press: Nairobi).

⁵⁰ The police occurrence book for the years 1993-2000. The occurrence books are not reliable given the fact that most cases are not reported. However they are good indicators of the bigger problem of cattle rustling.

⁵¹ HR AFR 32/019/1998, "Kenya Political Violence Spirals", from www.amnesty.org/Kenya/political.

The Mukogodo Masai and conflict

Droughts in the past four years have resulted in scarcity of pasture and water, which has led to mass loss of livestock. Furthermore, climatic stress and the harsh and intolerable environment contributed to more losses. In response, the Mukogodo Masai pastoralists migrated from their familiar plains in search of pasture and water and into private ranch farms. Hundreds of pastoralists with their starving animals invaded five ranches. Among the ranches that were invaded was Loldaida ranch. The Mukogodo Masai were accused of trying to take over the ranch, which they denied. One warrior said, "This was a desperate move to save our animals from the ravaging drought". According to an interview with John Matunge, who lost many cows in the drought, "We have no interest in anybody's land, we are here to save our animals... If it rains today we will just go back to Mukogodo"⁵². According to the District Agricultural and Livestock Extension Officer, the short rains were inadequate, and by February 2000 pastures in pastoral and agro-pastoral areas had been depleted. This resulted in an overall 13 percent, 7 percent and 9 percent loss in dairy cattle, beef cattle and shoats (sheep and goats) respectively. In the predominantly pastoral Mukogodo Division, there was 50 percent, 55 percent and 50 percent loss in beef cattle, sheep and meat goats respectively. Livestock enterprises were hard hit by the drought. Livestock prices declined by 20-25 percent from January to November 1999, while food commodity prices rose by 15-59 percent.⁵³ This reduced the purchasing power of pastoralists, therefore the Mukogodo pastoralists had reason to be concerned.

The ranchers also had concerns; Masai invasion of ranches has cost implications in terms of lost revenues through possible over-grazing and damage to water sources. Also, ranchers fear that foreign livestock may infect their highbred and high yielding animals. However, perhaps the greatest fear is insecurity which has increased over the last three years and which is linked to persistent drought and the need for pastoralists to seek pasture and water.

According to the *Sunday Standard* of June 2000, the Laikipia District Livestock Extension Officer claimed that 11,000 head of cattle in Mukogodo division alone died because of drought in the past two years.⁵⁴ The Masai of Mukogodo view the European ranchers as dispossessors of their land (during the earlier colonial period 1904-1911 Masai agreement). The Europeans on the other hand view the Masai of Mukogodo as potential troublemakers. The Masai, they argue, have carried out cattle raids on their ranches resulting in damage to land and facilities. Pastoralists have been evicted from these farms and the government was left to find them an alternative solution. In the end the government allowed Masai to graze their animals in the otherwise forbidden Mt Kenya forests.

In response to increasing violence against the Mukogodo Masai by armed groups, the government took a decision to arm home guards for the protection of the communities. Far from this being a solution to the problem, the government decision has led, firstly, to the increase of small arms in the hands of untrained men. Secondly, the home guards are believed to be in the forefront of the raids, though research is needed to substantiate this claim. Thirdly, the experience in Uganda shows that it is not an effective security solution. Fourthly, there is now the problem of the legal control of home-guards and the law which they operate under. There is also no law under which the home guards are issued arms. The only person allowed to issue licence according to the law of Kenya to carry arms is the Chief Licensing Officer.

⁵² Interview with John Matunge, Laikipia Mukogodo Masai pastoralist, June 2000.

⁵³ "Emergency off take of livestock under the drought intervention measures", Arid Project 2000 (Government of Kenya, unpublished).

⁵⁴ "Pastoralists seek end to the crisis", *Sunday Standard*, 4 June 2000, p 4.

Influx of pastoralists from Samburu and Pokot

A more aggressive invasion of a Laikipia ranch occurred in June 2000 (see figure above). Heavily armed herdsmen from Samburu and Pokot with thousands of their cattle invaded several private ranches. Regular Administration police officers attempted to evict the pastoralists, but they failed and were forced to seek reinforcement.⁵⁵ The Kenya National Assembly Speaker, Francis Ole Kaparo, brokered a cessation of the conflict, and the ranchers agreed to share the pasture with the Masai, Pokot and Samburu pastoralists. This arrangement did not, however, last long and soon the pastoralists were given orders to move to areas on Mt. Kenya. The Samburu and Pokot herdsmen resisted this order, which led to the arrest of 125 herdsmen. They were jailed for one month and had their animals confiscated for invading ranches and damaging a fence worth Ksh. 2 million (US\$25,000).⁵⁶ For their part, the pastoralists sued well renowned author and wildlife enthusiast Kuki Gullman, seeking Ksh. 186 million (US\$2.3 million) compensation for livestock that died on her ranch in Laikipia in the endeavour to save their animals.

Research revealed that migrant pastoralists brought over 50,000 heads of cattle, 5,000 camels and 19,500 shoats from the 6 districts in North Rift. Assuming that every 100 heads of cattle and 10 camels are guarded by two or three heavily armed men (including one home guard) then Laikipia district received an additional population of around 1000 herders. This further increased the number of firearms in the district, placing the figure slightly above 500 illegal automatic weapons and 500 licensed firearms. It is for this reason that the regular police and General Service Unit (GSU) when called upon to contain the invasion of pastoralists into commercial ranches found it a difficult task to accomplish. Perhaps it is important to note that the police stations in Laikipia District do not have the same quantity of sophisticated fire-arms in the armoury as do the pastoralists.

Arms have introduced a new dimension to conflict. Armed Samburu terrorised residents of Laikipia who then felt compelled to protect themselves by acquiring arms.⁵⁷ Preliminary research done in Samburu indicates that the Samburu armed themselves after being raided many times by the Turkanas. The Samburu claim that their sources of arms are Pokot district, Sudan, Uganda and Somalia.⁵⁸ The source of Pokots arms is indicated to be Uganda and Sudan and also some arms have come from Isiolo via Somalia, the so-called Northeastern route.⁵⁹

This shows the complexity of the small arms dynamics and how the conflicts in the region are certain to get violent.

Weakened traditional systems

Traditionally, the Masai traditional governance system was based on age-set organisation. Belonging to an age group meant adhering to a specific set of rules, duties and rights. It demanded discipline and created a sense of comradeship among the people who belonged to the same age-set.⁶⁰ Among elders, power was bestowed according to age. Besides the elders, there also existed *Laibons*⁶¹ who were consulted in hard times such as droughts, epidemics and during raids. These institutions of the elders and *Laibons* among the Masai were responsible for keeping peace in the society.

In recent years, customary traditional governance institutions have been breaking down, partly as a result of their incorporation into the wider

⁵⁵ Ibid p 2-3.

⁵⁶ "The update on peace and rehabilitation" (NCCK: Nairobi, 30 June 2000), p 8.

⁵⁷ Mkutu and Marani (2001) op cit ; Mkutu (2000) op cit.

⁵⁸ Mkutu K "Human rights abuse, cattle rustling and the proliferation of small arms, the case of Baragoi, Samburu District in the Rift Valley Province of Kenya", Unpublished.

⁵⁹ Ibid. Also see Mkutu and Marani (2001) op cit.

⁶⁰ Mkutu and Marani (2001) op cit.

⁶¹ *Laibons* are seers or prophets.

economic and political system. Traditional mechanisms still hold among some Laikipia Masai. However, there is a need to research into these mechanisms in order to devise ways of making them more relevant for solving conflicts.

The *Laibons* and elders are still vital to understanding conflict in pastoral areas. Traditional governance still retains an important part in responding to conflicts. The combining of Administrative officers with elders to solve conflicts is a good example on how synergy between traditional governance and modern public administration can be achieved.

Climatic variability

The variable rainfall patterns in the district affect water and pastures. Mukogodo and Rumuruti divisions, where most of the cattle rustling is practised and small arms are in most demand, have unpredictable and low annual rainfall (440-493mm). The Laikipia pastoralists have never relied solely on the resources in Laikipia due the climatic variability, but have always taken advantage of natural resources outside. In the past four years due to constant droughts, this has not been possible. The rainfall cannot regenerate sufficient pasture so that the pastoralists are forced to supplement their income and mobility has increased. Given that mobility due to climate is being curtailed through administrative decisions and insecurity because of small arms, violent conflict is likely to increase.

Competition for land by wildlife

Wildlife conservation areas have also restricted the land available to pastoralists. The excision of land for wildlife limits pastoral access to water and dry season resources. Wildlife excision has also has created a rigid system which cannot adapt to changing environmental conditions such as drought, or seasonal events such as the migration of wildlife or pastoralists.

Governance, land tenure issues, competition for resources (water, pasture, land), the weakening role of customary traditional elders and security issues are all realities in the Laikipia District of Kenya.

3. Issues and recommendations for the EU and other donors

Introduction

The previous chapters have identified and examined factors contributing to conflict involving pastoralists in the Horn of Africa in general, and in the district of Laikipia in Kenya in particular. There is, unfortunately, a wide range of such factors. Experience shows that they must be addressed in a timely and appropriate manner. In much of the Horn, violent conflicts involving pastoralists appear to be becoming more frequent and intense.

The same is true in Laikipia District itself. Although the scale of the violence in this district remains limited compared with many other parts of the Horn, insecurity has become widespread. This undermines efforts to promote social and economic development, as well as posing risks of wider political instability in Kenya and beyond.

This section briefly reviews the factors contributing to violent conflict involving pastoralists and discusses some issues and policy options relating to managing and preventing such in Laikipia and similar districts in Kenya and its neighbours. It proceeds to address the issues posed for the EU and its member states and other potential sources of external assistance. Some recommendations are then made on ways in which the EU and its members could enhance their contribution to efforts to prevent and reduce such conflicts and to promote peaceful development.

Pastoralists and conflict

As is clear from the foregoing analysis, the patterns of marginalisation and conflict involving pastoralists are complex in districts such as Laikipia. Some of the conflicts within and between pastoralist communities have a long history, and to some extent are an aspect of their traditional cultures. However, such 'traditional' conflicts have become more damaging and less manageable as, for example, traditional governance systems have weakened, cattle rustling has become embedded in wider criminal networks, and wide availability of automatic and semi-automatic weapons has made raiding much more deadly.

However, pastoralist communities and practices are under severe pressures, and are not in themselves responsible for many of the conflicts in which they become involved. Pressures on access to land and water have increased competition for scarce resources, bringing pastoralist communities into constant friction with other users including agriculturalists and ranchers. Long-distance nomadic movements of peoples, with their herds, intrinsically add to the challenges of establishing understandings and conflict prevention arrangements between the different communities that are obliged to share scarce resources. Recent droughts have made matters worse. Not only have pastoralists had to compete for scarce resources, the asset base of their livelihoods has been seriously eroded. Some will not recover and will become known as the "cattle-less pastoralists", a poorer and more vulnerable group within an already marginalised group.

Promoting development and preventing and resolving conflicts in the face of such structural challenges would test the capacities of even highly

developed governance systems and police and judicial services. So it is perhaps not surprising that in Kenya the national and district governments have proved inadequate, and that the security sector often proves unable to ensure adequate security from crime and violence in a district such as Laikipia.

Yet, as this study demonstrates, inappropriate development and security policies by the government have to some extent contributed to social division and conflicts. Development policies have been adopted that not only do not address the concerns of pastoralist communities but also sometimes run directly counter to their interests. The needs of ranchers, agriculturists and the rapidly expanding urban population have generally taken precedence over those of pastoralists. The relatively low levels of education and political participation of pastoralists have re-enforced tendencies for them to become marginalised in national and district political decision-making processes. At the same time, traditional systems of authority and governance have been neglected and undermined by government agencies, thus reducing communities' own capacities for self-governance and collective problem-solving. Inadequate policing, and the impacts of occasional inappropriate arming of self-defence groups in border regions of Kenya, have meant that communities cannot rely on the state to provide a secure environment for development and conflict management. In this context, there are bound to be risks of violence.

Each of the above factors, and others discussed in the previous chapters, contributes to conflict. Combined, they become mutually reinforcing, making violence more endemic or intractable.

Preventing and responding to conflicts involving pastoralists

Efforts to prevent and reduce conflicts involving pastoralists in Laikipia and similar districts need to address each of the factors contributing to conflict. Indeed, as far as possible they need to be addressed comprehensively, taking into account the linkages that have become established between them. Once a conflict dynamic has become established, and the communities involved have become polarised and conflictual, one generally does not have the luxury of tackling one factor at a time.

Addressing the causes of conflict

The case of Laikipia demonstrates the need to take steps to address a number of underlying causes of conflict. In summary, these include the following:

- Improve systems for managing and allocating scarce resources, particularly access to water and grazing land, to reduce the intensity of competition for scarce resources and help to manage crises such as extended droughts.
- Adopt development policies and land tenure arrangements that appropriately recognise the needs and interests of pastoralists as well as those of agriculturalists, ranchers and urban communities.
- Address the problems of socio-economic and political marginalisation of pastoralist communities.
- Improve the quality of governance based on state institutions, including rule of law, while also respecting and supporting traditional governance systems where they can contribute to problem-solving and upholding rules and agreements.
- Take measures to reduce the rivalries and socio-cultural divisions

between the various tribes and communities living in the area, including nomadic communities, and to encourage communication, raising awareness of each other's problems and needs, and participation in local decision making and joint projects.

- Improve security, including measures to: improve the capacity and training of the police and access to law; control and reduce access to small arms; and combat and prevent cattle rustling, raiding, and similar crimes.

The development of effective actions to tackle such 'root' causes of conflict is clearly challenging in the context of Laikipia or similar regions in Kenya and the Horn of Africa. It is bound to take years. However, serious attempts to address these problems can contribute substantially to conflict prevention and management if they are recognised as such by the communities involved, even if they fall short of what is required due to lack of capacity.

Districts such as Laikipia appear increasingly vulnerable to drought and to external economic and other fluctuations. The arrival of pastoralists forced by drought to migrate from other districts in search of water and pasture will continue to occur periodically, and pose a potential risk of crisis and violent conflict, as illustrated by the recent Masai ranch invasions described in the previous section.

The development of systems and capacities to manage and respond to disruptions such as large migrations of pastoralists during periods of drought are therefore particularly relevant to efforts to prevent and reduce violent conflicts. These include establishing agreed programmes to cope with predictable crises, learning from customary procedures as well as from recent experiences, including improved information collection and dissemination and consultation mechanisms. They also include establishing procedures for coping with the relatively unfamiliar and unexpected.

In this context, programmes to develop the mediation and conflict prevention capacities of local and national authorities, and of the local tribes and communities themselves, come to the fore. This involves strategic investment in awareness, training and local peace-building resources, including potentially undervalued resources within each community such as women's networks. It is also a priority to develop appropriate communications and partnerships between national and regional authorities; police; traditional or informal leaders within communities; and an emerging civil society.

The role of external assistance and agendas for the EU

Primary responsibility for developing and implementing the programmes and measures outlined above must rest with the Kenyan government and people. Conflict prevention requires the active involvement of local and national stakeholders if it is to be effective. Moreover, addressing the factors contributing to conflicts in regions such as Laikipia involves efforts to substantially change existing patterns of socio-economic development and adapting national and local institutions for government and security. It is widely understood that external technical and financial assistance from donors such as the EU and its member states can only play a secondary, facilitative, role.

Nevertheless, external partners such as the EU (including its member states) have a responsibility to do what they can to assist. In Laikipia, although conflicts are serious, they do not yet appear to have become so deep-rooted or intense as to be intractable. There appear to be many opportunities to reduce the pressures generating conflict and to promote useful conflict prevention and security building measures.

The EU, like other donors, has a variety of different types of issues to address in relation to conflicts involving pastoralists in districts such as Laikipia in Kenya. These include:

- Ensuring that its existing development assistance programmes contribute to efforts to prevent conflict, by helping to tackle underlying or 'root' causes of conflicts involving pastoralists and by contributing more directly to conflict prevention and peace-building efforts. At an absolute minimum, it is important to ensure that assistance programmes do no harm in this respect.
- Encouraging effective measures by national and local authorities and policy-making groups in Kenya to identify and understand the factors contributing to conflicts involving pastoralists and to prioritise measures to tackle these conflicts. This includes recognition that some existing policies, laws and government practices — including some development policies, land tenure systems, and governance and security practices — are contributing to the problem, and need to be revised and developed.
- Supporting efforts to enhance conflict prevention systems and capacities available to the authorities and communities in the district, and to promote a secure environment in which problems of poverty and resource competition can be addressed with reduced fear of crime and violence. This includes support for efforts to control and reduce possession, transfers and use of small arms and to prevent and combat cattle rustling and its increasing links with criminal networks.
- Taking measures to promote co-ordination and coherence of external engagement with the arid and semi-arid districts of Kenya and neighbouring regions in the Horn of Africa. This implies following through on the political commitments made by the EU to integrate conflict prevention concerns into its financial and trading relationships with such regions.

Recommendations for the EU

The agendas outlined above are complex, and imply a wide variety of possible areas for EU engagement and support. In this sub-section, we highlight a number of possible priorities for the EU to assist in reducing and preventing conflicts involving pastoralists in districts such as Laikipia in Kenya.

The overall goal of the following recommendations is to enhance the EU's role in helping to reduce poverty, conflict and insecurity in arid and semi-arid districts such as Laikipia where pastoralists form a substantial part of the population and pastoralism is a major factor in the economy. The main proposition, substantiated by the previous sections of this report, is that this goal implies a direct focus on tackling the factors contributing to conflicts involving pastoralists, and on enhancing security and preventing such conflicts. These issues can no longer be pushed to one side in efforts to promote development in such regions. Not only should the human suffering involved be prevented, but also conflicts involving pastoralists threaten to derail the overall development of such regions unless they are addressed.

Encourage and support policies to enhance the viability of pastoralism

The EU should encourage the development of national and district level development policies that enhance the economic viability of pastoralism in semi-arid areas and reduce the vulnerability of pastoralists to droughts, price fluctuations and other external factors. This could include:

Reviewing the impacts of current development policies and of laws and regulations relating to land tenure and access to water

Existing development strategies and laws unduly marginalise pastoralism and the needs of pastoralists. A review process should aim to develop a comprehensive understanding of the roles that pastoralism, horticulture, farming, ranching and wildlife conservation areas can all play in the development of Laikipia and similar districts, and of the ways in which the needs of pastoralists can be addressed in this context. As far as possible, this review process should involve national and district authorities and representatives of all relevant stakeholders, supported as appropriate by EU and other technical assistance.

Mainstreaming conflict prevention measures involving pastoralists in EU development assistance programmes

To achieve this, the European Commission (EC) and EU member states need to increase their capacity to understand conflicts involving pastoralists and the ways in which development assistance programmes can contribute to conflict prevention. In this context, the EU should ensure that such issues are carefully addressed in country plans, and properly taken into account in development assistance programmes, including those relating to land and water resource management.

Reforming regulations relating to access to pasture land and water for pastoralists

Land tenure rights have many economic benefits, but special provision needs to be made to ensure that pastoralists retain adequate rights of access to pasture and water. The development of national legal and policy-making frameworks to facilitate such provision should be supported. Support should be available for participatory district level processes for allocating appropriate rights, and for necessary national co-ordination since the needs of migratory populations cannot be addressed entirely at district level.

Ensuring emergency access to water and pasture during droughts

The pressures on resources in arid and semi-arid regions are such that there is particular vulnerability to drought. During such periods, incoming pastoralists are likely to be particularly resented by sedentary farmers and ranchers, yet provisions need to be made to meet their minimum needs if conflicts such as ranch invasions are to be avoided. The EU should support efforts to prepare for such emergencies, which are likely to become increasingly frequent.

Reducing economic vulnerability during crises such as droughts

Here policies beyond access to pasture and water are envisaged, such as programmes to assist pastoralists to sell their herds during droughts (for example through measures to support meat prices) and to restock their herds after the drought has passed. Technical assistance in the design of such arrangements may be required, together with donor support in their implementation.

Supporting the development and capacity of the Ministry of Agriculture and relevant agencies at district level to govern and support pastoralism

Simultaneously, support other modes of agricultural production in districts such as Laikipia in order to reduce inequality and promote sustainable development.

Support efforts to address the political marginalisation of pastoralists

As discussed in previous chapters, pastoralist communities are generally under-represented in political institutions and policy-making processes. This inevitably limits the extent to which national and district institutions recognise and address their needs and concerns, and ultimately contribute to the risk of violent conflict.

Support efforts to strengthen participation in political institutions and decision-making processes, particularly by marginalised and disadvantaged groups

This is obviously a sensitive area, and one where the EU should become engaged only in close partnership with all sections of the local communities and with district and national authorities. Nevertheless, it is an important agenda, and efforts to ensure participation of pastoral and other marginalised communities in decisions that affect them in the interests of conflict prevention may prove to be a relatively acceptable agenda. In practice, such support could be for training and awareness raising, and for mechanisms and programmes to enable certain communities to participate in meetings.

Enhance opportunities for pastoralists to participate in district and national level policy processes through civil society groups

This agenda is closely linked to the one above, but focuses more on increasing opportunities for citizens to participate in public life through civil society organisations rather than through democratic or other formal political institutions.

Support education programmes for pastoralist communities

Education programmes are an established element of long-term development assistance, and pastoralists have particular educational needs. This agenda is included here because of its links with addressing the political marginalisation of pastoralists. Support for educational initiatives could further play a more direct role in conflict prevention and security building programmes, as a recognition of special needs in peace-building efforts or as an incentive for voluntary weapons hand-in for weapons collection and reduction projects. Education will only prove viable if it can be tailored to the needs of pastoral communities. Efforts will therefore need to be supported which aim to learn from other educational programmes which focus on dispersed or pastoral communities, such as radio schools, mobile outreach, etc.

Promote coherence of EU engagement with pastoralist regions

The EU and its partners have committed themselves to take proper account of the needs of conflict prevention in the implementation of the Cotonou Partnership Agreement signed in June 2000. There is also an expressed desire to promote wider coherence in the impacts of EU engagement with developing countries, and particularly conflict prone countries and regions.

These commitments are welcome, but implementation has been difficult and slow. In its trade and financial relations with countries such as Kenya, the EU needs to develop its capacity and commitment to ensure that its policies (and those of the international financial institutions) are coherent with its efforts to support the changes in policies towards semi-arid and arid regions such as those discussed above.

Furthermore, EU member states have a responsibility to ensure that their practices relating to arms transfers do not undermine or exacerbate efforts to prevent or manage armed conflicts involving pastoralists. At the least, this implies that transfers of small arms and light weapons to the region should not take place without adequate safeguards against diversion or misuse, and that official arms holdings are secure from theft or loss. EU member states should also provide every co-operation with efforts by Kenya and its neighbours to combat and prevent illicit arms trafficking.

Support conflict prevention and reduction activities

The EU should directly support efforts to strengthen the capacity of communities, civil society and government to prevent and resolve conflicts at the district and national level. In relation to districts like Laikipia, conflicts involving pastoralists should be a particular focus.

Supporting conflict prevention and reduction activities at the district level

In this context, the experiences of the conflict reduction projects in pastoral districts supported by the UK Department for International Development should be particularly useful.

On the basis of the experiences of these projects, the EU should consider assisting local conflict prevention and reduction measures, such as:

- Improving understanding of the dynamics and trends of the conflicts;
- Supporting local conflict prevention and reduction efforts, such as working with district administrations to encourage experimentation with alternative responses to conflicts involving pastoralists and working with local water user associations;
- Establishing legal precedents to resource conflicts;
- Supporting the role of women in local level peace-building;
- Supporting attempts to resolve open conflicts;
- Assisting measures to address underlying causes of specific conflicts;
- Training district authorities and security committees to sensitise them to customary or traditional procedures (and vice versa, as is currently occurring under the DfID programme).

Supporting conflict prevention and reduction activities at national level

It is important to ensure appropriate awareness and links between conflict prevention and reduction activities at national and district level. Where local conflicts involving pastoralists reach a level at which national authorities become involved, government must become involved with conflict reduction and prevention efforts at district level. Moreover, it is important to ensure that national authorities take appropriate account of district level conflict prevention efforts as they become engaged, through the provision of political or economic resources or through police and security forces.

In this context, there is a need to consider supporting:

- Awareness raising and training programmes, for relevant government officials and agencies and for civil society groups;
- Efforts to improve the accuracy and quality of media reporting of conflicts involving pastoralists;
- Programmes to improve co-ordination and information sharing between district level conflict prevention and peace-building initiatives, to promote co-ordination and the identification and dissemination of good practices, and to assist lesson learning by national government and donors.

Supporting efforts to enhance community security

As discussed in previous chapters, pastoralist communities in Laikipia and elsewhere have experienced increasing insecurity and fear of crime and violence — particularly in relation to cattle rustling and violence involving small arms. The EU needs to consider ways in which it can assist efforts to tackle these problems.

- Supporting the appropriate use of customary procedures for dispute settlement and of customary approaches and traditional governance systems for managing and reducing conflict;
- Supporting District Peace and Development Committees and preparation of district strategies for conflict prevention, conflict management and longer-term peace-building;
- Supporting customary and formal mechanisms for addressing natural resource management.

Assist in controlling and reducing small arms

The EU has established co-operation and assistance programmes in this area through its Joint Action on small arms agreed in 1998. EU member states have also developed numerous assistance programmes to assist in controlling and reducing small arms proliferation and illicit arms trafficking. There are thus opportunities to extend such assistance to countries and districts experiencing problems with small arms linked to conflicts involving pastoralists.

Small arms proliferation poses complex challenges, and a comprehensive approach is generally necessary to enhance controls on flows, possession and use of such weapons. Moreover, the problems of small arms proliferation are normally trans-national, as was shown in previous sections to be the case for flows of arms to Laikipia. In March 2000, ten countries of the Horn of Africa and the Great Lakes Region, including Kenya and its immediate neighbours, adopted the Nairobi Declaration on the Proliferation of Illicit Small Arms and Light Weapons (5 March 2000). This recognised the dimensions of the problem in this region and committed participating governments to co-operate in tackling them. Since then, the participating states have agreed a co-ordinated Agenda for Action and an Implementation Plan (November 2000).⁶²

Thus, a sub-regional framework already exists for providing assistance to control and reduce small arms proliferation and misuse in Kenya and its neighbours. Such assistance might include support for: improved laws and regulations; national and local weapons collection programmes; weapons destruction programmes; public awareness and training programmes; enhancing management and security of authorised stock of arms held by police, armed forces and border guards; capacity building for border controls, arms transfer controls, and combating illicit arms trafficking.

In principle, some or all of these would be relevant and useful for districts suffering from conflicts involving pastoralists. In practice programmes to reduce and control small arms and illicit trafficking need to be designed according to specific national and regional characteristics, with careful links between local and national programmes.

Promote security sector reform

A significant factor in the conflicts and insecurity involving pastoralists has

⁶² "Implementing the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa" (Nairobi Secretariat: Nairobi, July 2001).

been the lack of capacity of police and other state security services to provide security for communities in districts such as Laikipia, and particularly for pastoralists that are vulnerable, for example to raids and cattle rustling. There is also some lack of confidence in the police and other armed services amongst pastoralists and other communities. Thus reform of the police, military and border guards is a priority, to increase their capacity to ensure a peaceful and secure environment and to improve standards of training and professionalism in crime investigation and in dealing with pastoralist and other communities.

Providing assistance for security sector reform is a relatively new area for many development ministries and agencies, including those of the EC and EU member states. However, there is increasing recognition of the need to provide such assistance in conflict prone societies. The EU should investigate specific needs for capacity building and reform of the police, army, border guards, judiciary and other parts of the security sector in areas of Kenya and its neighbours where conflicts involving pastoralists are an important factor.

Combat cattle rustling

It is clear that cattle rustling poses a difficult challenge for Kenyan police. Donors cannot become directly involved, although their police and other relevant agencies can provide co-operation through intelligence sharing and training, for example, particularly where there are links with trans-national criminal networks. There is also scope for capacity building support for the district and national police and for sub-regional police co-operation among the countries of the EAC and of the Nairobi Declaration.

Conclusions

Pastoralists are marginalised and impoverished in Laikipia and indeed throughout much of the Horn of Africa, and are particularly vulnerable when droughts or other developments limit their already restricted access to water and pasture. Moreover, conflicts involving pastoralists are increasingly widespread and damaging. The patterns of these conflicts, and the factors contributing to them, are complex.

It is becoming clear that existing policies and measures relating to pastoralists in Laikipia and similar districts in Kenya and the Horn are inadequate. Efforts to prevent and reduce conflicts need to be fully integrated into government and development programmes throughout the region, and thus also into the co-operation and assistance programmes of the EU and other donors.

There are many ways in which the EU can assist in preventing and reducing conflicts involving pastoralists in Laikipia and similar districts. They require systematic and concerted attention, and the development of appropriate and effective partnerships with government, pastoralist and other communities involved, and broader civil society groups.

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Appendix 1

Map: The Horn of Africa



By Kennedy Mkutu

Appendix 2

Let the Masai Graze

The Masai need not invade anyone's land
Let all sensible humane folks understand
That our cattle face inevitable doom
So why deny us access to land in bloom?
Born and brought up a noble race,
The Masai do not thrive on disgrace
And land grabbing is not our style
Nor can we rob another with a smile
It is necessity that drives us to this mess
From which we derive no bliss
As we trek for miles just for grass
And water so precious for our livestock's life
So no one should mistake us for being crass
Trespassing arrogantly to craze strife
Nomadic Pastoralists we've always been
In search of water and pastures green
Never unpredictable nature afflicts us,
We accept defeat and trek en masse.
These lush pastures were ours since yore
But now fenced, free grazing is no more
And the water rills only our eyes can see
For free cattle watering can no longer be.
Once land was free with grass for all
Hosting fresh springs and tress that tall,
And Masai valor was never in doubt,
Now so threatened by ever-crippling drought.
We cannot control the nature of things.
Nor can our cattle fly on wings,
But who will buy our dehydrated meat
Without a market that will meet our needs?
The Kenya Meat Commission has to revive,
To accommodate us, or else we die,
It isn't amusing selling donkey meat,
When thousands of our cattle die in heat⁶³.
So no one should mistake us for being

⁶³ By Omar Adequin Nassar, "Let the Masai cattle graze", letter in *East African Standard*, 16 June 2000, p 7.

Africa Peace Forum (APFO) aims to encourage and engage non-state actors within the Great Lakes and the Horn of Africa regions to explore collaborative approaches to the pursuit of peace and security. It aims to support the development of research capacity for early warning, conflict management and peace building.

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