

THE NORTHERN FRONTIER

NATURE AND CONFLICT DYNAMICS IN MARSABIT COUNTY



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Table of Contents

List of Abbreviations	5
Acknowledgement	7
Map of Counties in Kenya	8
Chapter One	9
Statement of the Problem	10
Conceptual Framework	11
Objectives of the Study	12
Methodology	12
Chapter Two	13
Background Information of Marsabit County	13
Colonial Period	13
Post-Colonial Period	13
Socio-Economics	13
The People	14
Chapter Three	17
Colonial Background: Movements, Settlements and Grazing Areas	17
Chapter Four	23
Causes of The Conflict	23
National and Regional Politics	23
Culture, Identity and Supremacy	27
Cultural Practices and Identities	29
Resource Based Conflicts	29
Maikona-Kargi	30
Sibiloi-Illeret	30
Retribution	32
Proliferation of Small Arms and Light Weapons	33
Weak Security Apparatus: Nprs And Early Warning System	34
Weak Early Response Mechanisms	34
Economic And Social Factors: Marginalization	34
Water Supply and Sewerage Services	35
Education	35
Road Infrastructure and Transport	36
Other Potential Conflict Issues	36
Chapter Five	38
Interventions	38
Chapter Six	40
Conclusion	40
Recommendations	41

List of Abbreviations

ADB	-	African Development Bank
A.I.C	-	Africa Inland Church
ALRMP	-	Arid Land Resource Management Project
AMREF	-	Africa Medical Research Foundation
AP	-	Administration Police
CAFOD	-	Catholic Agency for Overseas Development
CCF	-	Christian Children's Fund
CDM	-	Catholic Diocese of Marsabit
CEMIRIDE	-	Centre for Minority Rights Development
CIDP	-	County Integrated Development Plan
CIFA	-	Community Initiatives Facilitation Assistance
CJPC	-	Catholic Justice and Peace Commission
CODEP	-	Community Oriented Development Program
COPA	-	Coalition for Peace in Africa
CORDAID	-	Catholic Organisation for Relief and Development
CYU	-	Chemichemi Ya Ukweli
DFID	-	Department for International Development
DAI	-	Development Alternatives Inc.
CDF	-	Constituency Development Fund
DC	-	District Commissioner
DFSC	-	District Food Security Committee
DO	-	District Officer
DSG	-	District Steering Group
DSIC	-	District Security Intelligence Committee
DMO	-	Drought Management Officer
DMT	-	Disaster Management Team
DPC	-	District Peace Committee
EMOP	-	Emergency Operation Plan
ERS	-	Economic Recovery Strategy
FDP	-	Final Distribution Point
FHI	-	Food for the Hungry International
GER	-	Gross Enrolment
GTZ	-	German Technical Assistance
GEF	-	Global Environment Facility
GSU	-	General Service Unit
GOK	-	Government of Kenya
IPAL	-	Integrated Project in Arid Lands
ITDG	-	Intermediate Technology Development Group (now Practical Action)
IDPS	-	Internally Displaced Persons

KARI	-	Kenya Agricultural Research Institute
KFS	-	Kenya Food Security
KHRC	-	Kenya Human Rights Commission
KNA	-	Kenya National Archives
KNCHR	-	Kenya National Commission on Human Rights
KNFP	-	Kenya National Focal Point
KNUT	-	Kenya National Union of Teachers
KP	-	Kenya Police
KWS	-	Kenya Wildlife Service
KRCS	-	Kenya Red Cross Society
LATF	-	Local Authority Transfer Funds
MIC	-	Marsabit Interfaith Council
MIDP	-	Marsabit Integrated Development Programme
MLFD	-	Ministry of Livestock, Fisheries and Development
MPF	-	Marsabit Pastors Fellowship
MOH	-	Ministry of Health
MWADO	-	Marsabit Women Advocacy and Development Organisation
MT	-	Metric Tonnes
NARC	-	National Alliance Rainbow Coalition
NCCK	-	National Council of Churches of Kenya
NER	-	Net Enrolment
NPI	-	Nairobi Peace Initiative
NPR	-	National Police Reserve
NSC	-	National Steering Committee on Peace Building and Conflict Management
NSIS	-	National Security Intelligence Service
OP	-	Office of the President
PISP	-	Pastoralists integrated support Programme
PPG	-	Pastoralists Parliamentary Group
PSO	-	Pastoralist Shelter Organisation
PEACENET	-	Peace and Development Network
REGABU	-	Rendille Gabra Burji
RMLDF	-	Road Maintenance Levy Fund
PTN	-	Peace Tree Network
OXFAM	-	OXFAM
OLF	-	Oromo Liberation Front
SALW	-	Small Arms and Light Weapons
SNV	-	Netherlands Development Organisation
SRIC	-	Security Research and Information Centre
SS	-	Sphere Standard
TSACCO	-	Teachers Savings and Credit Cooperative
OCPD	-	Officer Commanding Police Division
CBOs	-	Community Based Organisations
FBOs	-	Faith Based Organisations
SUPKEM	-	Supreme Council of Kenya Muslims
UNHCR	-	United Nations High Commissioner for Refugees
UNEP	-	United Nations Environment Program
UNESCO	-	United Nations Education, Scientific and Cultural Organisation

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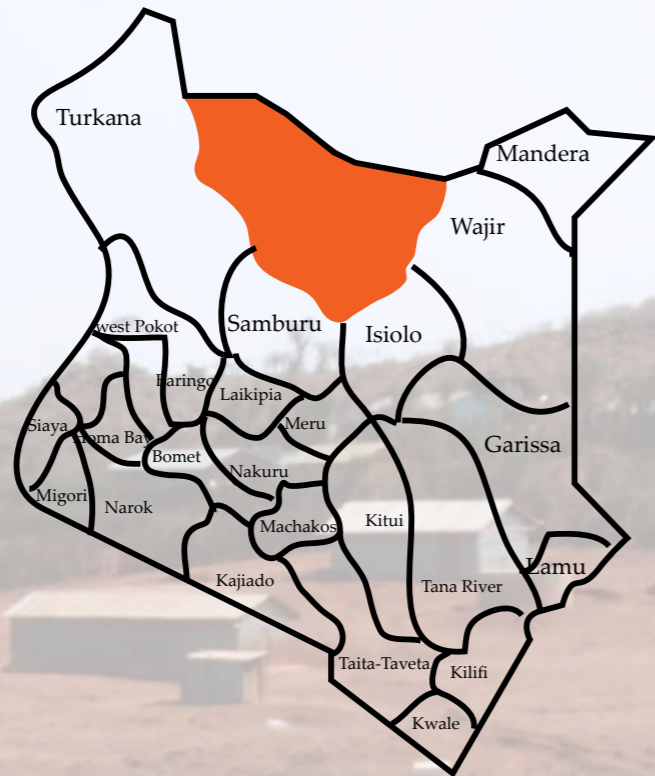
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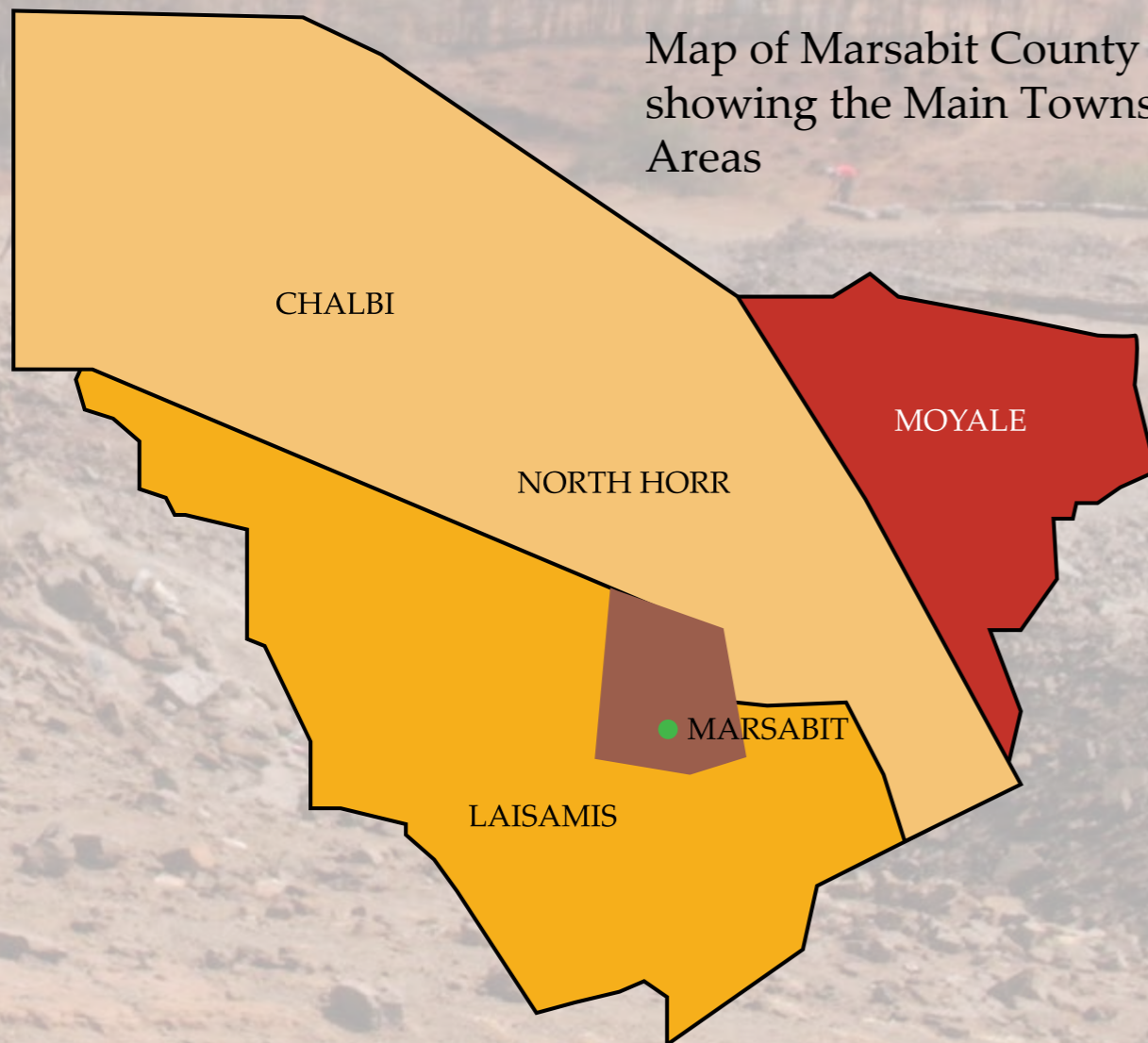
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MAP OF COUNTIES IN KENYA



Map of Marsabit County showing the Main Township Areas



CHAPTER ONE INTRODUCTION



Conflicts among pastoralists' communities in Kenya have been an enduring phenomena underpinning their relations owing to the socio-economic, political and environmental contexts they find themselves in. Politically and economically, people living in the periphery of the country have over the years expressed their dissatisfaction with exclusionary state policies that have failed to capture their aspirations to the extent they feel marginalized in many ways.

Since independence, Kenya like many other African countries, continue to be faced with a twin problem which Farah Mohamed points out as the need to create a viable nation out of many political entities and the need to build an acceptable state which can successfully initiate a process leading to the establishment of a true nation state in each of them¹. State making must include consolidation of the territorial and demographic domain under a political authority, maintenance of order in the territory and routine administration that

deepens the state's penetration of the society².

Approximately 50 years after independence, the Northern Kenya and the upper eastern Region remains largely detached from the rest of the country. In the case of Marsabit County, which is the centre of our focus, one notices what Kurimoto and Simonse, (1998) refer to as the classical retreat of the state and the superficiality of, first its existence and second, its lack of penetration³. In this light, violent and sometimes indiscriminate interventions by the security forces in the form of recovery of firearms or livestock appear very much as primarily directed towards reestablishing the state's unique right to violence and only secondarily towards conflict resolution. The situation in which the people of Marsabit County find themselves in puts into question the state's legal and moral obligations. As (Kamenju, Wairagu and Mwachofi, 2003: 6) note, "as a legal entity the state has a moral duty to provide security to its citizens. The security provided must be all encompassing to include physical, social and

¹ Mohamed, F. (1993) *From Ethnic Response to Clan Identity: A Study of State Penetration among the Somali Nomadic Pastoral Society of North Eastern Kenya*. Uppsala.

² Mohammed A. 'State Making, State Breaking and State Failure' in Chester A. Crocker, Hampson, F. and Aall P. (1997) *Managing Global Chaos: Sources of and Responses to International Conflict*. Washington DC: United States Institute for Peace (USIP). P. 38.

³ Kurimoto, E. and Simonse, S. (1998) *Conflict, Age and Power in North Eastern Kenya: Age Systems in Transition*. Oxford: James Carrey.2w

economic security. Where the state fails or is unable to provide such security to its people, logic demands that the people seek alternative means to meet these challenges.”⁴

However, the promulgation of a new Constitution in Kenya in 2010 was greeted with euphoria in this part of marginalized Kenya, since for the first time the possibility of the local residents through their elected and appointed leadership making critical decisions concerning their lives in the wake of devolution may reverse this trend of weak presence and capacity of national government to prevent and manage conflicts. The devolution of resources, especially the Equalization Fund, will in the long run address some of the challenges that many parts of the country, including Marsabit County, have endured over the years. With local political goodwill, structural issues that have greatly contributed to conflicts such as poor physical infrastructure, social services (including water provision) and weak state presence will be overcome. Other avenues like County Policing Authority, where the elected Governor will be the Chair, will make local security equally a County concern where every head of security agencies in the County will be accountable for their activities.

Nevertheless, the history of Marsabit County is largely one characterized by neglect and marginalization by subsequent administrations leading to perpetual conflicts.

To understand conflicts in Marsabit County, one needs to have first and foremost the knowledge of its geographical location, the situation on the ground, the people and the regional dynamics that inform interactions on a day to day basis. In this report, we examine key issues that divide communities and interrogate the nature, content and character of conflicts and interventions that have been attempted. We also seek to interrogate the new and or changing dynamics of conflicts in the County to include among others conflict challenges brought by devolution and terrorism in the region.

In doing so, we analyze the historical perspectives of community settlements, intra-state security concerns, ethnic geography, inter-group and elite politics, growing inter-group competitions, intensifying leadership styles, economic problems and perpetual cultural factors characterized by widening ethnic divisions. The report concludes by giving recommendations

that as a starting point will progressively transform people’s perceptions and relationships as they seek lasting peace.

STATEMENT OF THE PROBLEM

The continued conflict situation in Marsabit County is a matter of concern to both the National and County governments, the communities, researchers, peace builders and other stakeholders. It is obvious that conflicts impede development as much as it is true that lack of development motivates conflict situation. It is therefore possible for the various responsible institutions to counter accuse each other on who is to blame for the current situation. The community and observers can rightly accuse the National government of neglecting the region and therefore creating conducive conflict environment. On the other hand, the government can accuse the communities of continued practice of cultural tendencies and activities that encourage the conflict situation and now that major decision making has been devolved under the new constitutional dispensation, the County government should take a lead role in transforming the County instead of blaming Nairobi for the woes bedeviling the County.

That well said and done, there are historical and factual situations that explain the current state of affairs that cannot be ignored. For example, the marginalization of the region in question by successive administrative and political regimes in Kenya before the promulgation of 2010 Constitution cannot be ignored. The fact that there are territorial disputes that are as old as the Kenyan state is a show of intended ignorance or sheer lack of interest for the concerned parties. Nonetheless, major infrastructural projects particularly the construction to bitumen standard of the Isiolo - Marsabit – Moyale road that will link and promote movement of goods and services between Kenya and Ethiopia has been undertaken by the Kibaki regime. Once completed, such a major project could steer and improve the economic livelihoods of the residents including peace and security. However, the minimal security arrangement in view of the porous borders and the instability in Somalia remains a critical challenge facing Marsabit as well as other Northern Frontier Counties and largely blamed on the abdication of duty by the National government.

Politicians from the region have over the years practiced partisan and divisive politics using the unsorted disputes as campaign tools and ensuring that they preserve contentious issues for use in the next election period. This has provided them opportunities to stand as community defenders or conflict heroes at the expense of genuine dialogue and conflict resolution. It is unacceptable that leaders block peace efforts by opting not to talk to each other and worse, making this position known to their followers as happened recently during the first ever Marsabit County Investment Conference. During this conference, a section of the community walked out in protest⁵. This incident signifies the inter-communal hostility in the county particularly as a result of the first ever general elections under the new Constitutional dispensation where an alliance bringing together Rendille, Gabra and Burji, popularly referred to as REGABU (and supported by other small communities in the County such as Turkana, Daseenach and Garre) swept all the major County based elective positions – Senator, Governor, Women Member of National Assembly and dominated the County Assembly positions.

The development agencies, civil society and religious groups have also been accused of contributing to conflicts in the County through selective working relations and award of development projects. It is alleged that the problem emanates from ethnicity in the leadership and staffing of such agencies.

This study interrogates the prevailing situations, revisits historical stairs to the present, looks at the various initiatives to alleviate the situation, evaluates the success cases and possible explanations for failures and seeks to offer suggestions on the way forward. The propelling spirit is a conviction that it is possible

for the situation in Marsabit County and other areas with similar experiences to change and achieve development especially during this period when substantial resources and services have been devolved to the Counties. It is also a persuasion that it is possible for the various stakeholders to come to a consensus on the way to resolve the prevailing challenges in the area of focus. It is therefore hoped that this research will offer clear background information for all who engage in the plans and actions that seek to ensure peace and development for Marsabit County and other similar regions in this country.

CONCEPTUAL FRAMEWORK

Before discussing several causes of conflict, it is important to examine some approaches to the root causes of conflict. It has been argued that any of the approaches that do not address the causes of conflict fails in the long run. From the onset of his analysis of conflict, theory, processes and institutions of management, Makumi (2000: 1) contends that it is not possible to understand, analyze, or even manage conflict before defining its nature and content.⁶ Luise Druke-Bolewski contends that there is need to distinguish between root and proximate causes and to consider both remedial and preventive action. Several root causes of violent conflict can be identified; these include: ethnicity, inequitable distribution of resources, authoritarian and majoritarian rule, and the weakness of states. Exacerbating factors include boundary disputes due to inappropriate borders inherited from colonial rule, indiscriminate arms flow and sensational reporting by the media.⁷ Brown (1996: 1-33) outlines three levels of underlying and proximate causes of conflict.⁸

UNDERLYING CAUSES	PROXIMATE CAUSES
Structural i. Weak states, ii. Intrastate security concerns, iii. Ethnic geography	i. Collapsing states ii. Changing intra-state military balances iii. Changing demographic patterns
Political i. Discriminatory political institutions ii. Exclusionary national ideologies iii. Inter-group politics iv. Elite politics	i. Political transitions ii. Increasing exclusionary ideologies iii. Growing inter-group competition iv. Intensifying leadership struggles

⁵ “Investors Meeting disrupted after tussle over insecurity”, Nation TV, available online at <http://www.ntv.co.ke/news2/topheadlines/investors-meeting-disrupted-after-tussle-over-insecurity/>

⁶ “Investors Meeting disrupted after tussle over insecurity”, Nation TV, available online at <http://www.ntv.co.ke/news2/topheadlines/investors-meeting-disrupted-after-tussle-over-insecurity/>

⁷ Luise Druke-Bolewski ‘Causes of Refugee Problems and International Response’ online at http://www.luisedruke.com/luise/causes_of_refugees.htm#_ftnref1 Accessed on 10 May 2006.

⁸ Brown (1996) “Introduction” *In The International Dimension of Internal Conflict*. CSIA Studies in International Security, London: The MIT Press, Cambridge Massachusetts.

Economic and Social Factors i. Economic problems ii. Discriminatory Economic systems iii. Modernisation	i. Mounting economic problems ii. Growing economic inequalities iii. Fast-paced development and modernization
Cultural/perpetual factors i. Patterns of cultural discrimination ii. Problematic group histories	i. Intensifying patterns of cultural discrimination ii. Ethnic bashing and propagandizing

This research uses this approach as a model to examine the various causes of conflict in Marsabit County and to make recommendations.

OBJECTIVES OF THE STUDY

This study sought to achieve the following specific objectives:

- Capture the historical background of the communities' resident in Marsabit County and how this relates to conflicts.
- Interrogate the political, environmental, cultural and economic factors prevalent in the County and how they factor into the conflict situation.
- Assess initiatives by various stakeholders to alleviate the situation and outline success and failure cases.
- Suggest ways and possible means through which appropriate interventions could bear lasting fruits for security, peace and development for Marsabit County especially in the new dispensation (devolution).

METHODOLOGY

The study was carried out using field survey and interviews as the main methods for data collection. Interviews were held with the local leadership, government officials, law enforcement agencies, civil society and community members. Focus group discussions were held during peace building and reconciliation meetings organized by various civil society groups and the Ministry of Interior and Coordination of National Government especially National Steering Committee on Peace Building and Conflict Management – NSC).

To gain the historical aspects of the conflict, the researchers undertook an in-depth analysis of the relevant secondary data sources such as archival

materials, official documents, reports, journals, magazines, newspapers, periodicals and published books. The research heavily relied on Marsabit and Moyale colonial administration correspondences and annual reports to assemble relevant historical facts related to the central problem addressed by the study. The goal was to access materials that would fill in the gaps left by the various categories of respondents. Records and reports from the District Peace Committees⁹ of both Marsabit and Moyale districts were also used.

⁹In the new constitutional dispensation, District Peace Committees are now referred to as Sub County Peace Committees.

CHAPTER TWO

BACKGROUND INFORMATION OF MARSABIT COUNTY

COLONIAL PERIOD

During the colonial administration, Marsabit was part of the Northern Frontier District (NFD) in what was also known as Northern Frontier Province (NFP). Although the NFD had been visited by explorers like Teleki¹⁰ and elephant hunters like Lord Delamere; little was known of the area before 1905. A boundary line had been negotiated with Abyssinia and Philip Zaphiro¹¹ had been commissioned to patrol the boundary. Captain Archer had founded Marsabit in 1909 and other stations were established at Moyale, Garba Tula and Archers Post. In 1909, the district ceased to be controlled from Naivasha and was officially proclaimed District with HQs at Meru. It then comprised Marsabit, Moyale and Gurreh (Mandera, Wajir, Garba Tulla and Archers Post).

Between 1921 and 1925, the district was under *military administration* with an additional centre at Barsoloi for Samburu. By 1926, the District had reverted to *civil administration* and appears to have been upgraded into a province. Between 1934 and 1935, it was downgraded into a District, remaining so until 1946. Telemunga (Garissa) had been added to the Province in 1921 and in 1934, Samburu had become part of Rift Valley Province. In 1947, the amalgamation of the NFD gave birth to the new Northern Frontier Province.¹²

Marsabit station was founded by Geoffrey Archer in 1909 as part of the newly created NFD, whose capital was at Meru. The name Marsabit has been retained throughout except during the brief period 1921 to August 1925 when the district came under *military control* of the 5th King's African Rifles (KAR) with the rest of the Northern Frontier Province and was known as the 'Gabra District'.¹³

POST-COLONIAL PERIOD

Marsabit is the second largest County in Kenya, only trailing Turkana County in terms of land mass. It is

a vast county covering approximately 12% of Kenya, with variable landscape and climate and a population estimated at 291,166 persons (Kenya census 2009). Marsabit County is located in North Eastern region of Kenya and constitutes 4 constituencies (Moyale, North Horr, Saku and Laisamis). Chalbi, Laisamis, Marsabit and Moyale districts were mapped to this county for the purposes of generating county estimates.

SOCIO-ECONOMICS

Human settlements are concentrated around the humid and sub-humid mountain areas where agro-pastoral livelihood is practiced. Other pockets of concentration are in the low lying areas where a mosaic of semi-permanent pastoralist's manyattas¹⁴ is found around watering points, market centres along major roads and townships. Although the population density naturally vary with area, recurring drought in the past decades are largely responsible for increased rural to urban influx of destocked pastoralist communities.

About 80 per cent of the district's residents are pastoralists deriving their livelihood from livestock and livestock based products. About 10 per cent of the total population practice subsistence agriculture and reside mainly around Mount Marsabit in the divisions of Central and Gadamoji and other areas, which receive comparatively high rainfall like Mt. Kulal. About 7 per cent are involved in commerce trade and the rest are salaried employees.¹⁵

The pockets of poor are predominantly found in Loiyangalani and North Horr Divisions. These parts of the County wholly depend on livestock as a source of livelihood with extremely unfavorable climatic conditions for agriculture. Poverty is also found in Central Division especially in Marsabit town among the victims of ethnic clashes, cattle rustlers and immigrants from other districts in search of relief food.¹⁶

¹⁰ Count Teleki was an Austrian explorer who in 1888 came from the south to 'discover' the great lake that he named Rudolf, after his patron the heir to the throne of the Austro-Hungarian Empire. Lake Rudolf would later be renamed Lake Turkana.

¹¹ This was a Greek born agent of the British administration who in 1905 was made Boundary Inspector based at Fort Harrington (which is today Moyale)

¹² Kenya National Archives - PC/NFD/1/1

¹³ Kenya National Archives – *Marsabit Political Records*. PC/NFD/2/1 Also DC/MBT/1/2

¹⁴ Manyatta refers to a cluster of homesteads living together in most pastoralists areas in Kenya

¹⁵ Ibid.

¹⁶ Ibid.

THE PEOPLE¹⁷

Before the colonial era, Northern Kenya was inhabited almost exclusively by the pastoral people: Borana, Gabra, Rendille, Samburu and Somali of various groups. The only exception were the hunter gatherers, a tiny group of El Molo fisher folk on the southern shore of Lake Turkana and little bands of Dorobo and Waata hunters in the few forested mountains. During the colonial era, small commercial and administrative centers namely Garissa, Isiolo, Mandera, Marsabit, Moyale, Laisamis and North Horr were created and continued to flourish during the post-colonial period. The following are the major communities in the County¹⁸.

The Gabra

The Gabra are an Eastern Cushitic people related to the Somali-Rendille in their historical origins. The Gabra first settled just south of the Ethiopian border. However, recurrent attacks from the Ethiopian soldiers and the Daseenach led to their relocation to near the Hurri Hills area farther south of the border. The Gabra share the Oromo clan identities with their Borana neighbors, but retain older Somali-Rendille identities. This yields a complicated pattern of clans and “moieties”. There is a complicated Oromo generational system called “gada” which includes all people born with successive 7-year periods. The five sections of the Gabra are the Algana, the Gona, the Gara, the Galbo and the Odol.

The Gabra are closely related with the Borana. They speak the same language and have a very similar social organisation, religious and moral ethos. However, their ceremonies and calendar are quite different from those followed by Borana. Moreover, the Gabra rely much more on camels and are therefore able to live in much drier areas. Their ability to survive in such a harsh environment, their extremely exact way of reckoning time with their two independent calendars, one Solar and one Lunar, their traditional chronology – purely oral but very accurate, which records events of every single year back to 1850, their distinctive ceremonies full of symbolism and performed with collective involvement make their culture one of the most interesting among the nomads of East Africa.

The Borana

The Borana are part of a very much larger group of

whom some live in north central Kenya and others in Ethiopia. They live in a large area of barren northern Kenya including Marsabit, Tana River, Garissa and Moyale districts. The heaviest concentration lives in the Sololo area of Marsabit District and in Moyale District. Those in Isiolo District are concentrated in Merti and Garba Tula.

A large section of the Borana are also found in Southern Ethiopia but their presence has deeply marked the region east of Lake Turkana as far as the Tana River. Their language is the common language in Isiolo, Marsabit and Moyale. Together with Somali language, Borana is spoken in Garissa, Wajir and Mandera particularly by Sakuye, Orma, Ajuran and Garreh people who in the last two centuries were part of a large confederation led by Borana not only in the Southern regions of Ethiopia but in vast parts of Northern Kenya¹⁹. The Borana had a skill that enabled them to maintain a position of power in the region: they were accomplished horsemen and used their calvary in their territorial expansion. Towards the end of the 19th century, the British colonial administration forbade the Borana to use their calvary, which seriously undermined their control. Their cultural influence was however not diminished, except in the eastern area where the Somali influenced the Ajuran, Garreh, Orma, Sakuye and Waso Borana. Their language is still predominant and their traditional religion and moral behaviour still adhered to even by those who have accepted Islam or Christianity. The personal names, the customs about birth, marriage, social integration, the traditional way of calculating the time and the related ceremonies are still followed. In particular, they have kept their traditional system of generation sets called *Gada* in which the social and political position of any member of the tribe is connected with and ruled by the succession of generations through their traditional religion and their lunar calendar which involves a precise reckoning not just of time but also of intrinsic auspiciousness of each day, month and year.

The Rendille

The Rendille lead a nomadic life in north central Kenya. They cling to a nomadic life of herding camels, goats and cattle. Harassed constantly by the more powerful groups of Oromo and Turkana, these people lead an extremely harsh existence. The Rendille speak a

language closely related to Somali while having many customs similar to Samburu with whom they have had long close relations. One Rendille section; the *Arial* is particularly closely related to the Samburu and speaks the Samburu language. However, other sections of the Rendille particularly *Odola*, a clan found also among the Gabra, have religious ceremonies and ritual such as the *Dabele*, which resemble those of the Gabra. Though they speak different languages, Gabra and Rendille have basically the same names for the days and months, many similar festivities such as *Almado*²⁰, they rely more on camels than cattle and have a similar way of building movable houses. The Rendille are largely restricted to the region between Marsabit and Mt. Kulal, the Chalbi desert and Mathews Range.

The Samburu

The Samburu developed from one of the later Nilotic migrations from the Sudan, as part of the Plains Nilotic movement. The broader grouping of the Maa-speaking people continued moving south, possibly under the pressure of the Borana expansion into their plains. They live slightly south of Lake Turkana in the Rift Valley Province of Kenya. They have traditionally herded cattle, goats and sheep in an arid region with sparse vegetation. A nomadic life-style is essential for their survival since attempts to settle down in permanent locations have reduced their self-sufficiency and ability to maintain their traditional values and practices. The Samburu have been in a somewhat defensive position with surrounding peoples moving around them. They have had clashes with some of the migrating or nomadic peoples. They have maintained a military and cultural alliance with the Rendille, largely in response to pressures from the expanding Oromo since the 16th century. The Ariaal Rendille have even adopted the Samburu language.

The Turkana

They are a Nilotic speaking pastoral people living in north western Kenya. They are mainly immigrant minorities. They are individuals or families who have given up often completely pastoralism and gone to seek their fortunes elsewhere, settling down especially around Isiolo. Many Turkana have also migrated to the most northern part of Samburu District, keeping

though in another land their traditional pastoralist way of life.

The El Molo

The El Molo people are the smallest ethnic group in Kenya. The Cushitic group numbers about 300²² people. According to some historians, the ‘pure’ El Molo may be very few. The rest being of combined Samburu and Turkana bloodlines. They certainly have the combined customs of both Turkana and Samburu. Some say they originally came from Ethiopia, others say Somalia. They originally settled on the northern shores of Lake Turkana, where they were mostly wiped out by other tribes and forced to move south to the two small villages on the shores of Lake Turkana. They hunt crocodiles and on occasional basis hippo for food, but fresh or dried fish is the staple diet. During the colonial time the community was despised as this 1929 Marsabit District Annual Report by the colonial government describes them:

These harmless fisher folk cannot consist of more than 150 souls.²³ There is nothing to be said about these remnants. They are just as they were. The PC and DC visited them in June of the year. They were cheerful and contented.²⁴

The Daseenech

A group of Daseenech migrated early in the 20th century from Omo River Valley in Ethiopia into Kenya and settled around Illeret at the Northern end of the Turkana Lakes. In Ethiopia, they live on either side of the Omo River north of the lake. They are agro-pastoralists and their language though Cushitic is not of the Oromo group. These two differences explain the hostile relation that Borana and Gabra have had with them for a long time. They are also called Gelluba, Reshiat, Merille and Shangilla²⁵ and in the Kenya censuses have so far been lumped as “others”. They are still in Illeret region and have not migrated into southern regions.

The importance of the Daseenach in political records is the challenges the community gave to the colonial administration by raiding against neighbouring communities such as the Turkana, Gabra, Rendille and Samburu. The history of Daseenach Frontier was

¹⁷ Tablino P. (2004) Christianity among the Nomads: The Catholic Church in Northern Kenya, Nairobi: Paulines Publications. More information about these groups would be published in Tablino's Second Volume of his work.

¹⁸ The listing of the communities does not necessarily follow any order and there may be certain groups or minorities that may have not been described. This is not deliberate however.

¹⁹ This partly explains why Borana have maintained that they are senior to Gabra. This is one of the key factors that inform the conflict between the two ethnic groups.

²⁰ Almado is a cultural ceremony that marks the end of the Gabra Calendar year.

²¹ <http://www.geocities.com/orvillejenkins/profiles/samburu.html> Accessed May 5 2006.

These statistics are relative and population of this group certainly is ever-increasing due to many factors including intermarriages.

²² These statistics are relative and population of this group certainly is ever-increasing due to many factors including intermarriages.

²³ Kenya National Archives - Marsabit District Annual Report 1925.

²⁴ Kenya National Archives - Marsabit District Annual Report 1929.

²⁵ When Count Teleki, an Austrian explorer encountered this community, they were referred by many names. Earlier travelers called them Reshiat, Turkana call them Merille, Ethiopians call them Geleb or Geleba, Borana and Gabra call them Gelluba or Shangilla. Until today, these names are still used. The first recorded name preferred by the community is entered by earlier colonial administrators as ‘Dathanaith’ which they said the community preferred. It is important to note that the Daasanech prefer to be called Daasanech. They argue that other names given to them are derogatory and are used by other communities to degrade them. We have substituted all the names used by other communities in reference to the community with Daasanech.

therefore one of raids and counter-raids with the administrative and security officers trying their best to check the raids and negotiate peaceful settlements with Ethiopian officials across the border.²⁶

The Burji

The Burji are agricultural people whose homeland is in Southern Ethiopia just north of Borana land. In the early part of 20th century, a few individuals filtered down to Kenya to take up employment. The colonial government, recognizing their skill encouraged more Burji to come.²⁷ Some of them settled in Moyale but majority settled around Mount Marsabit where the climate was suitable for farming. From farming, they branched out successfully into business and now they form a considerable community in Marsabit. Although the Burji have their own language, those in Kenya also speak Borana language.

The Waata

The Waata are traditional hunter-gatherers. They had their own language but now speak Borana with only a little of their distinctive vocabulary, mostly to do with hunting, remaining. They are incorporated as a low-ranking endogamous 'Caste' within the Borana-Gabra framework. Although quite different in other aspects of their culture, the four main ethnic groups still have four things in common: a lifestyle that is nomadic (or semi-nomadic); an economy that is based on raising livestock; a culture closely aware of the passage of time and a religion closely connected to natural phenomena. While herding remains the main occupation of the people, a considerable number have now taken to other activities such as commerce and agriculture, or have become professionals employed in schools, hospitals, administrative offices etc.

The Garre

The Garre are a Somali pastoralist clan who live in Somalia, Kenya, and Ethiopia. History infers that the main Garre groupings descended from Mayle ibn Samal, and are thus equals to Irir and Saransor as sons of Samal, the original head of the Somali people²⁸. The Garre are a sub-clan of the larger Digil clan. The Garre

are divided into the Tuff and Quranyowa sub-clans. While the Tuffs further divided into the Ali and Adola groups, the Quranyow are divided into the Asare and Furkesha.

In Somalia, they live in the southern part, in Kofur near Mogadishu and El Wak District in Gedo Province. In Ethiopia, they live in Moyale, Hudet and Woreda of Liban zone, while in Kenya, the Garre inhabit Wajir North, Mandera and Moyale amongst other areas²⁹. Most Garre are nomadic herdsmen, seasonally migrating with their camels, sheep, and goats. Traditionally, they live in portable huts made of bent saplings covered with animal skins or woven mats. Their collapsible tents can easily be loaded on pack animals and moved with the herds. The wealth of most Garre is in their herds³⁰.

The Sakuye

For a long time, Sakuye had been considered part and parcel of the larger Borana community. However and in the recent past, Sakuye have continued to strengthen their identity outside Borana and are increasingly perceived as a separate ethnic group from Borana just like the way Gabra and Burji have consolidated their "identity" as distinct ethnic groups.

Sakuye community live in the eastern part of Moyale district particularly Golbo Ward (Division) of Marsabit County. Their main economic activity is pastoralism and marginal farming. It is believed that there are more Sakuye people in Isiolo than in Marsabit County.

CHAPTER THREE

COLONIAL BACKGROUND: MOVEMENTS, SETTLEMENTS AND GRAZING AREAS



Conflict in Marsabit County is a complex phenomenon. It cannot be isolated from Southern Ethiopia as well as Isiolo, Samburu and Turkana. The history of the conflict makes it even more important to study the conflicts from the perspective of the bigger colonial Northern Frontier Province that included other parts of Northern and North Eastern Kenya like Mandera, then called Gurreh and Wajir. But the conflict is more intertwined with the events of Moyale and Southern Ethiopia than these other areas. From the colonial times, the DCs from both districts as well as the Abyssinian administration would constantly consult over a variety of issues including grazing which forms the core of Northern people's livelihoods. For example, a meeting held in 1922 in Dimtu discussed poor grazing in south of Hurri and it was reported that the Gabra were grazing in a place called Dakwagalla. This was followed by a serious drought in 1927 in which many more animals were lost. The then DC Marsabit reporting to Senior Commissioner, NFP wrote:

The rains have failed except in Marsabit Mountain. The worst area is the north, north-west and west of Kalacha. Maikona and North Horr are deserts of dust. The Gabra

*are all in the Frontier and a considerable amount of cattle want to go over to Magado (Ethiopia) but the headmen there have stopped it. The suggestion is that the cattle should go to Magado and the camels to Hobbok. I have refused both requests emphatically and told their headmen that their cattle may stay near Turbi and I'll ask through the DC Moyale for permission for it to water at Uran.....I think it is the only thing I could do as if they once go over to Abyssinia though they have every intention of returning when grazing is good it may not be so easy to do so.*³¹

The 2005 conflict which culminated into the killings in Forole and Turbi was the first time the Gabra and the Borana were engaged in open hostilities in their long history of peaceful coexistence. Indeed, at one time the colonial administration described the two communities thus;

*'As I have not been here for long, I can hardly tell the difference between the two communities and I will therefore describe them as one....the Marsabit Gabra moved into Boran areas and constant pressure continued from Ethiopian Borana. Relations between the two communities were good and were accommodating stock with or without permission.'*³²

²⁶ This is a clear indication that cross-border peace initiatives were done early during the colonial administration.

²⁷ In 1922, the DC Marsabit struck a deal with his Moyale counterpart which the colonial secretary sanctioned, to send 20 Burji families who were 'the only available supply of labour in the district' from Moyale to ply their agricultural talents on Marsabit to ease the government's imports of foodstuffs.

²⁸ <http://history.uonbi.ac.ke/node/1136>

²⁹ Ibid

³⁰ Schlee, Gunther, 1989, *Identities on the Move: Clanship and Pastoralism in Northern Kenya*, Manchester: Manchester University Press, Manchester.

³¹ Kenya National Archives: *Marsabit District Annual Reports, 1937-1960 PC/NFD2/3...6*

³² Kenya National Archives: *Marsabit District Annual Reports, 1937-1960 PC/NFD2/3...6*

Important to note also is the multiplicity of actors in the conflict. A lot of attention has been given to the conflict between the Gabra and the Borana while there are many other conflicts around the district. For instance, in Illeret around Sibiloi National Park decades of hostilities and diminishing resources have been at the center of relations between the Daseenach and the Gabra. In the south western part of the district the Rendille and the Gabra are constantly engaged in incessant raids and counter-raids while competition over the ownership of Moite has placed the Gabra into hostile relationship with the Turkana. At the same time, other small communities like the El Molo living in two isolated villages of El Molo Bay also known as Komote and Laiyeni are in constant fear over their future position in the middle of conflicts.

The conflict belt consists but not limited to some hot spot areas like Hurri Hills, Dukana, Forole, Bubisa, Turbi, Sololo, Gadamoji, Maikona-Kargi, Moite, Gas, and areas surrounding Sibiloi National Park like Darate, Karsa, Boluk, Assuma and Alia Bay. The Marsabit Mountain surrounding areas like the National Park, Songa and Badasa are also from time to time conflict zones.

Further south of the County, conflicts have been reported between the Rendille and Borana mainly from Isiolo County. Quite often and during dry spells, tensions have been high in Kom (Marsabit) and Merti (Isiolo) where the two communities, including Samburu, converge during dry spell. On 26 January 2009, raiders believed to be Boranas raided a Rendille manyatta in Budas allegedly to revenge earlier attacks by Rendille and Samburu³³ and this worsened the enmity between Borana and Rendille in Marsabit County for according to Rendille a Borana is a Borana irrespective of where they come from. This formed another conflict sub system in Marsabit County.

Before embarking on specific areas of conflict, it is imperative to do a historical analysis and examine how different communities settled in different grazing areas and how they interacted with each other.

Grazing areas and watering points form the core of the pastoralists' social, economic and political lives since pre-colonial period. The arrival of the colonial administration in northern Kenya encountered non-sedentary communities in an environment characterised by expansionist maneuvers by communities living in the areas. In this section we critically look at the historicity of the problem heavily relying on *Marsabit and Moyale Colonial Hand over and Annual Reports*

from the Kenya National Archives. Consequently we examine colonial inter and intrastate security concerns, ethnic geography and changing demographic patterns.

We describe how colonial grazing schemes that confined communities to specific areas have remained key factors that define the conflicts among pastoralists today as a result of claims held against specific grazing areas. *The Outlying District Ordinance of 1902 and The Special District Ordinance of 1934* are the specific administrative legal measures that were put in place to constantly check the movements of pastoralists from one area to the other. While the former covered subjects relating to movements in and outside of the districts thereby restricting individuals from moving without prior arrangements with the administration, the latter was meant to curb clan movements thereby creating tribal grazing zones that were subsequently named after these 'tribes'. These two administrative measures would be followed in 1960 by the *Preservation of Public Security Act* which made NFD a closed district to deal with among other things the prevention and suppression of rebellion, mutiny, violence, intimidation, disorder and crime, and unlawful attempts and conspiracies to overthrow the Government or the Constitution.

Essentially, early restrictions were based on division of 'tribes' into areas in which they 'belonged' in order to facilitate their administration, their protection and their trade for tribute and taxation. When the concept of overstocking appeared, it was more a rationalization for seeking increased revenue than a manifestation of serious concern for the region's vegetation. A more recent condition that has prevented the utilisation of certain areas is that of government imposed restrictions. The exclusion of the Daseenach from traditional grazing within Ilemi Triangle in 1941 is an example.³⁴ Another example is the KWS imposed restrictions against grazing around Sibiloi national park by the Gabra, Daseenach and the Turkana communities. Despite all the efforts at introducing control schemes in the north, the NFD PC in 1960 concluded that grazing control in the accepted sense of the term was non-existent except perhaps in Marsabit Mountain.³⁵ This admission would however not change the colonial administration policy on grazing.

Migration of communities to the British territory started in early 20th century. This would soon put pressure on the resources and cause major re-alignments of communities to assert their positions in specific grazing areas. The Boran speaking people were at that time escaping Abyssinia (Ethiopia) due to oppression by the then administration. The most affected were

the Boran and the Gabra then living in Southern Abyssinia. One observe an initial inseparable kind of settlement of the Gabra and Borana communities as demonstrated in the many historical problems the two communities encountered together. This is followed by dual movements and settlements formalized through colonial boundaries thereby further ethnicizing their relationships and interactions.

A major influx of Boran speakers in 1913 from Ethiopia triggered British government concern for a settled frontier, which Ethiopia would accept according to European principles. This was however to a certain degree discouraged:

*I saw a good number of refugees and am of the opinion that these immigrants should be discouraged. The rotundity of their countenances and the large number of their flocks belie their tale of Abyssinian oppression. At any rate, human nature being what it is, they will naturally prefer pleasant pastures of Marsabit Mountain.....*³⁶

These movements continued throughout 1934 and the Borana arrived not only in Marsabit but also at North Horr and the Hurri Hills where it was difficult for the colonial administration to administer them. During this time, they freely interacted with the Gabra and indeed suffered together from the constant raids by the Daseenach as happened at one time in Maikona. The settlement of Boran around Hurri Hills as will be seen later would be a major bone of contention between them and the Gabra for whom, the opening up of the northwest by the colonial government had expanded their grazing areas after years of suffering in the lowlands.

To reduce more pressure on the Marsabit Mountain area, the colonial government formulated *Marsabit Mountain Grazing Rules* to enforce tough restrictions on the use of these areas by pastoralists. Although on the one hand the colonial government was uncomfortable with the influx of immigrants, it on the other hand implicitly acquiesced to settle them so that the government could tap more taxes from their livestock.

Consequently, the Ethiopian proposal of arresting the Boran and encouraging their return was rejected by the colonial administration on the basis that refugees in British territory could not be sent back. With the ever increasing occupation by the Gabra of the northern part of the district primarily north of a line Maidahad-Maikona-Kalacha-North Horr, and the continued

expansion of the Borana on Marsabit Mountain itself, an undesirable situation was created in which two societies of the North, the Samburu and the Rendille were taxed and the Boran speakers were not since refugees for reasons of international policy were exempted.³⁷ There were however numerous attempts to tax them:

*I have already advocated to you the taxation of Boran and Gabra in this district (Marsabit) on the same basis as the Rendille. I trust that you will sanction this for the coming financial year.*³⁸

To further advance this policy, the colonial government formulated a plan to move more Boran from Moyale to Marsabit. The DC, NFD on 12th July 1932 made the request officially:

*I asked the DC Marsabit to send you his suggestions regarding the Moyale Borana joining the Borana now at Marsabit....*³⁹

In reply, the DC, Marsabit wrote:

*I understand that they are all Abyssinian subjects and have recently been fighting. I take it that they don't take a habit of it! If you desire them to live here, I shall be most grateful if the DC Moyale could arrange to have them escorted right to my office and see that each adult male is in possession of 10/= or three sheep for this year's poll tax before leaving. I would prefer that the tax were paid here as they can then be taken on my register at once and there will be no confusion.*⁴⁰

As these migrations continued, the threat of overstretching diminishing resources became apparent. Of a more serious nature but not seen as having long term implications was the matter of what area to allot the 'fugitives'. Involved in allocating an area to these refugees was the recognition that Rendille areas were hardly enough for them and Samburu was already congested.⁴¹ Concomitantly, the desire to tap more taxes from these communities by the colonial administration grew exponentially.

At the beginning of the 20th century, the traditional Gabra-Borana pattern of herding was one of using the grass of the Hurri Hills in the wet season⁴² and the well watered pasturage in the Southern Ethiopia in the dry season. The Borana and the Gabra were therefore sharing resources as early as the beginning of 20th century. This continued for a longtime and it is noted that despite pressure on the resources,

³³ Ruto Pkalya, Musoi, Kyalo, Tulel, Irene and Kirui, Benard, 2010, *Conflict Dynamics in Isiolo, Samburu East and Marsabit South Districts of Kenya*, Amani papers, Vol 1 No. 7, October 2010, UNDP and NSC, Nairobi

³⁴ Sobania, N. W. (1979) *Background History of the Mount Kulal Region of Kenya*. IPAL Technical Report A-2. Nairobi: UNESCO/UNEP

³⁵ Kenya National Archives - PC/NFD/2/1

³⁶ DC Marsabit to the Office in Charge NFD Moyale, 12th February 1921

³⁷ Kenya National Archives: *Boran Escape Massacre of Gabra and Borana* – DC/MBT7/1/2

³⁸ DC Marsabit to the Office in Charge NFD Moyale, 12th February 1921

³⁹ Kenya National Archives – *Moving Boran to Marsabit* - DC/MBT7/2/1 – Letter Ref No. Adm. 15/21

⁴⁰ Kenya National Archives – DC/MBT7/2/1

⁴¹ Sobania, Op cit.

⁴² Ibid

relations between the two were always very good and were accommodating stock with or without permission. Relations between the two communities would however be constrained at the beginning of 21st century as will be seen later due to political, economic, social and cultural factors.

Only few Gabra settlements ever pushed southwards towards the northern margins of the *Chalbi*. The grazing and waterholes of this region were used almost exclusively by the Rendille. Additional pressure on the Rendille and Samburu grazing also came on their eastern flank as the Sakuye/ Borana especially pushed even further south passing to the east of Marsabit and settling along the Uaso Nyiro between Isiolo and the Lorian swamp.⁴³ This explains why the Rendille hold firmly on these areas and their conflict over their use with the Gabra, though catalyzed by other factors should be looked at from the perspective of this historical fact.

The colonial government soon, realized that the constant southward movement of Gabra and Boran had resulted in a situation in which the grazing was no longer sufficient for everyone. The problem of grazing was further complicated by heavy occupation of Borana on Marsabit Mountain. In 1922, the DC Marsabit struck a deal with his Moyale counterpart, which the colonial secretary sanctioned, to send 20 Burji families who were 'the only available supply of labour in the district' from Moyale to ply their agricultural talents in Marsabit to ease the government's imports of foodstuffs.⁴⁴ Indeed, this ushered in the entry of pioneer Burji into the district adding to the already increasing numbers of Boran speaking people around Mount Marsabit. In the subsequent years, they would be an important group that would define the socio-political and economic activities in the mountain region. They today dominate business and agricultural activities in the Mount Marsabit area.

The cultivation of Marsabit was encouraged as a matter of policy and a considerable increase in planting was noted in 1929, a situation that continued until the early 1940s when the Borana themselves began to cultivate areas first at the edge of the township and later at Saganta.⁴⁵ This added to the fact that the British government had sanctioned their transfer and settlement around Marsabit area was an important historical event as it legitimized their stay and they would remain there for a long time and influence social political and economic activities in the mountain area.

⁴³ Ibid

⁴⁴ Kenya National Archives – DC/MBT7/2/1

⁴⁵ Sobania, Op Cit

⁴⁶ Ibid

⁴⁷ Lugga is the word popularly used by pastoralists to refer to a river or stream and especially the dry ones.

⁴⁸ Shackleton: Gelluba Affairs 1927-1947. See also Shackleton: *The Merille/Gelluba 1932*, Kenya National Archives – PC/NFD4/4/1, PC/NFD4/4/20, PC/NFD4/4/3, PC/NFD4/4/4, PC/NFD4/4/5, PC/NFD4/4/6

⁴⁹ Thorp, J.K.R. (1942) *A Short History of the Gelluba Border East of Lake Rudolf 1888-1942*. Nairobi: Kenya National Archives. PC/NFD4/4/4

The Gabra and the Rendille were still banned from the northwest region of the district as the only economic means of preventing their collision with the Daseenach. This was largely because there were constant raids by the Daseenach whose strength was based on two foundations. First, arms were continually available and modernized as the Ethiopian forces received new rifles. Secondly, their large home settlement pattern allowed the gathering of considerable force either for offensive or defensive purposes unmatched by the other communities in the north. In 1938, following the effective occupation of southwest Ethiopia by Italian forces, who, it was thought could control the Daseenach, the northwest was for the first time opened for grazing by the Gabra and was never closed up again.⁴⁶ This somehow completed the definition of 'tribal' grazing areas and as will be seen, the colonial government would be faced by a daunting task of not only protecting the Gabra and the Rendille from the hostile Daseenach raiders from Ethiopia but also dealing with the problem of illegal firearms. This also opened up a new corridor of conflict between the Daseenach and the Gabra that would go on for many years.

Two events in history define the protracted hostilities between the two communities. In 1925, tired with constant raids by the Daseenach from Ethiopia, the DC Marsabit proceeded to Lug Banya with a Kings African Rifles force and raided Daseenach killing 40 of them. 7000 goats, 200 head of cattle, 100 camels and 20 donkeys were taken and handed over to Gabra as compensation for their recent losses. This would however lead to Gabra Massacre of 1932 in which a prominent chief Dadu of Gabra and 92 people were murdered by the Daseenach at Bani Lugga⁴⁷ and other various places.⁴⁸ This marked the beginning of a protracted era of raids and counter-raids between the two communities. By this time, controlling the Daseenach was still very challenging for a number of factors:

1. The Abyssinians had never been able to deal with them. While the colonial administration in Kenya prevented the communities from raiding into Ethiopia, there were no checks whatsoever on activities on the other side of that boundary
2. The Daseenach were astride River Omo and lived partly in Kenya, partly in Ethiopia, and partly in Sudan. This tri-territorial vastness made it difficult to control them.
3. They were very far away from Marsabit and there was no adequate communication⁴⁹

In an attempt to address these challenges, Shackleton, a colonial DC in 1940s in Turkana and Marsabit published a blue print for the subsequent administrators to deal with the Daseenach. In his work entitled, *The Gelluba Affairs*, he describes the Daseenach warring tactics and makes proposals for a future policy to deal with the age old raids on the border.⁵⁰ Consequently, to tame the raids, the British colonial administration finally decided to occupy Lug Banya, Buluk, El Yibo and Illeret backed by mobile patrols between Hurri Hills, Dukana and Forole. It should be noted that after independence, policing in these areas was informed by past events. Today, there are Administration Police camps in isolated areas like Darate and Buluk. In addition, there are permanent GSU camps in Illeret, Hurri Hills and Forole backed by the Kenya Police and sometimes by the military. In all these areas, the National government has armed and deployed hundreds of Police Reservists to complement the efforts of formal security personnel.

While undertaking a study to determine the status and needs of National Police Reservists (NPRs) in Marsabit County, members of NPR from Tunale concurred that there is little presence and visibility of Police in the County, giving the following example:

"In Jaldaba borehole there are only NPR to provide security and if a security incident occurs they are the ones to assist. The police installations are very few and far apart in this area. Badasa, Dirib and Ulaula have Administration Police posts but with only two to three officers each, who cannot do much in case of attack apart from reporting the occurrence. On the other hand, Marsabit Central has 420 NPRs with 32 of them in Dirib; 22 in Gargase; 20 in Sagante; 60 in Badasa, while the number of NPRs in towns is not well known. In some instances, the NPRs may be many, but they only have 2 automatic weapons⁵¹".

These areas today remain hot spots of conflict between communities both from Kenya and Ethiopia just as they were during the colonial period.

In 1958, the Daseenach were informed that they would have to pay tax like Turkana and also supply stock to the police at Illeret and Sabarei. By making them pay taxes, the colonial administration was in a way sanctioning their stay in those areas. In 1961, it was doubtful on the part of the government if they could ever get rid of Daseenach. Instead, they were strictly confined to the area allotted to the north of Illeret and encouraged to return to Ethiopia. The British policy on Daseenach was therefore based on no man's land buffer state – the

⁵⁰ See Shackleton: Gelluba Affairs 1927-1947. See also Shackleton: *The Merille/Gelluba 1932*, Kenya National Archives – PC/NFD4/4/1, PC/NFD4/4/2, PC/NFD4/4/3, PC/NFD4/4/4, PC/NFD4/4/5, PC/NFD4/4/6

⁵¹ Aridi, Joshua, 2013, *The National Police Reserve Study*, KNFP/UNDP, Nairobi. Unpublished Report.

⁵² Ibid

⁵³ Nene Mburu 'Delimitation of the Elastic Ilemi Triangle: Pastoral Conflicts and Official Indifference in the Horn of Africa' *Africa Studies Quarterly*. On <http://web.africa.ufl.edu/asq/v7/Mburu#Mburu> accessed on 11 May 2006.

⁵⁴ Sobania, Op Cit

Daseenach living to the north of it and the other ethnic groups to the south. It was proposed that the Ethiopian government must occupy the Daseenach areas across the frontier and exercise some form of repression or control there and the British the northwest corner of Marsabit district, hitherto administered or else hand it over to Ethiopia and insist that they do so. This would enable the colonial administration in Kenya to exercise control over Daseenach raiders and provide more living room for other ethnic groups living in Kenya. It would also help to confine frontier problems to the frontier rather than in the middle of the district.⁵² Ethiopia however has allowed the problem to remain dormant and has been derelict in its responsibility of securing the needs of pastoral Daseenach. In the 1990s, the Ethiopian government armed the Daseenach in recognition of their vulnerability from the Kenyan Turkana and Sudanese cattle rustlers. It failed to seek a firm border settlement that could safeguard their grazing interests in the disputed grazing areas.⁵³

Long after independence, an answer to the grazing shortage of the Gabra was not found. They remained constantly short of grazing and water. By 1973, when 1570km² of land were hived off to form Sibiloi National Park, more than half of their grazing lands and those of the Daseenach were lost to KWS and the National Museums of Kenya (NMK) Kobi Fora Archaeological Sites. This marked a new dimension in that it introduced new actors in a silent but potentially explosive conflict between the KWS/NMK and the pastoralists as the latter continued to be pushed further to the periphery of the park. This development placed the communities and especially the Gabra to the former condition in which grazing areas remained limited in the lowlands.

The imposition of tribal grazing boundaries effectively brought to a halt the peaceful means of contact and exchange which had bred familiarity and allowed individuals to extend their networks of social relationships, through marriage alliances and bond partnerships across societal boundaries as a means of insurance against localized destabilizing crises. By confining communities to 'tribal grazing areas' and emphasising their identity as a community separate from their neighbours, a need for increased self reliance resulted and 'tribalism' was promoted.⁵⁴ Additionally, the creation of fixed borders did not only limit free access to grazing land and water, but also increased social conflicts among the communities. The borders hindered free movement of people and livestock. The pastoralists were adversely affected by such measures



since their mode of nomadic life results from ecological demands necessitating mobility to balance ecological heterogeneity.⁵⁵ The attempt by pastoral societies to ignore the colonial boundaries and interpret them according to traditional ecology has exacerbated tensions between the pastoralists and the agricultural communities. During good rains livestock have enough pasture. However when the rains fail and droughts occur animals are often taken to territories belonging to other clans or ethnic groups which eventually leads to conflict.⁵⁶ These patterns of grazing however have their own contradictions. During rainy seasons, for instance, when there is ample pastures and water, it is the opportune time for communities to either settle old scores with their enemies or start systematic restocking through raids especially if the season was preceded by severe droughts. This makes the conflicts cyclic.

After independence, the colonial 'tribal' grazing areas were never disbanded. Communities remained fixed in areas they were historically allotted by the colonial administration and hitherto perpetuated by the post independence government. But even as the communities held tight on their areas, the need to seek pastures from their neighbours or at times arbitrarily use their pastures during dry seasons never ceased. As population increased, the ecological balance was threatened and resources increasingly became under pressure. Protection of areas like Mount Kulal Biosphere Reserve, Mount Marsabit area and national parks around Lake Turkana meant that some traditional grazing areas were no longer accessible. These are some of the issues over which the communities are constantly fighting over as their only forms of livelihoods get threatened by new developments in the district. Awash with SALW, the areas have become dangerous zones and the state's concern has always been maintenance of law and order through coercion; a policy that has not achieved any meaningful results.

CHAPTER FOUR

CAUSES OF THE CONFLICT

NATIONAL AND REGIONAL POLITICS

In analyzing conflict in Marsabit County, politics is a necessary component that must inform this process. In our argument, we apply Brown's three levels' model outlined in the conceptual framework section. Under this we interrogate three underlying issues namely; discriminatory political institutions, inter-group politics and elite politics.

For a long period of time, the Borana community has been dominating the political discourse in Marsabit County. However, this is not to write off other communities in the County as history shows that before Kenya became independent, there was only one senior Gabra official by the name Dabaso Wabera whom the British had appointed as DC for Isiolo. Immediately after independence, Galgalo Godana, a Gabra became an MP taking Gabra a notch higher in national politics despite of their population compared to the dominant Borana community.

On the other hand, a recent history of the political contestation in Marsabit County could be traced to the attempts by the smaller ethnic groups particularly the Gabra, Rendille and Burji to challenge the Borana dominance politically. Based on this historicity and the fear of the common political adversary, the Gabra, Burji and Rendille came together in early 2000s to form an alliance labeled REGABU that sought to neutralize Borana political dominance⁵⁷. This alliance started gaining prominence during local (Marsabit) branch of Kenya National Union of Teachers (KNUT) elections in the 2000s where candidates from REGABU communities won majority seats.

In addition, the 1997 General Election campaigns in Marsabit's Saku⁵⁸ constituency were very sweltering. The former MP, JJ Falana, is alleged to have not done enough to bridge the widening wedge between Borana and REGABU communities. His opponent, the late Abdi Tari Sasura, contested on a reconciliatory platform

under a slogan LATU (Let All Tribes Unite) and handed his arch-rival a devastating defeat. Following a plane crash in what might be recorded in the communities' calendars as *The Monday Year when the MPs perished in a plane-crash*⁵⁹, the voting patterns were largely influenced by how the candidates demonstrated their commitment to uniting the communities both in Marsabit and Moyale.

The politicization of the killing of two prominent personalities in Marsabit played a key role in driving the conflict. In 1999 a Boran, Qalla Waqo Bero - an influential businessman was murdered in Marsabit town. It is alleged the Gabra were somewhat involved in the killing. This was followed three months later by the assassination of a Gabra-medical officer, Sora Qere whose killing was seen as the act of Borana to avenge Qalla Waqo's murder. The murder theory immediately changed to political theory that ethnic hatred was being stirred up and that it was the strategy by the Borana to forcefully remove the Gabra from the Marsabit Mountain.⁶⁰

The empowerment of political leaders through the Constituency Development Funds (CDF),⁶¹ Constituency Roads Funds, Constituency Bursary Funds and LATF has served to increase interest in controlling political processes in the district. There are serious concerns for example that politicians initiate projects only in areas where their communities are located. Sharing these projects with other communities therefore becomes a source of silent discontent and potential conflict. The popular belief among the communities in this area is that CDF funds come from the MPs, which is not the case. Politicians therefore ensure that their presence in initiating various projects is consistently maintained so that they can fish compliments from the people for political gains. In subsequent elections, politicians have in store a list of 'their projects' which they use for political mileage. This has served to create discriminatory political

⁵⁵ Ocan, C.M (_____) *Pastoral Crisis in North-Eastern Uganda: The changing Significance of Raids*. Working Paper No. 2. Kampala: CBR Publishers.

⁵⁶ Osamba J. (2000) "The Sociology of Insecurity: Cattle Rustling and Banditry in North-Western Kenya" in the *Online Africa Journal in Conflict Resolution*. No. 2/2000.

⁵⁷ Marsabit County Peace and Conflict Profile, 2013, NSC

⁵⁸ Saku means a mountain in Boran and is cosmopolitan constituency.

⁵⁹ The plane crash happened on 11 April 2006 at Marsabit resulting to the deaths of assistant ministers Mirugi Kariuki and Titus Ngoyoni; Dr Bonaya Godana who was deputy Leader of the Official Opposition, MPs Guracha Galgalo and Abdi Sasura and regional Assembly(East Africa) member Abdullahi Adan amongst others.

⁶⁰ Hussein T. Wario. *Op Cit*.

⁶¹ As of 2006 May each constituency was receiving Ksh 30 million per year. The 2006/2007 budget increased this amount to 50m. At the same time, most of the projects under this fund were either ongoing at a sluggish pace, were never completed or not started at all and reports on progress largely not delivered.

institutions that perpetuate conflict. As will be seen later, this situation is also evident amongst some peace and development actors in the region.

Linked to the above argument is elite politics in Marsabit. The apparent differences between communities have percolated into some elites at large and resonate deeply in the politics of the district. The competitive nature of politics has created the need to secure predictable voting blocs, resulting into formation of alliances between ethnic communities. As alluded to earlier, REGABU was formed and operationalised in the 2000s as formidable voting bloc to check Borana's then domination of the political discourse in Marsabit. In particular, the alliance sought to neutralize the Borana dominance of the Saku constituency politics and to counter the said campaign by Borana to move other ethnic groups off the Marsabit Mountain.

As alluded to earlier in this report, the REGABU alliance was piloted in the 2000s during the Marsabit Teachers' SACCO elections where candidates supported by REGABU won subsequent SACCO elections⁶². This in itself served as a clear message that a particular community was being isolated. For instance, the Borana argue that this kind of arrangement isolates them and access to loans and other services is incongruently and overwhelmingly biased towards the ethnic membership of the alliance. Having found a possible ground to harvest votes, politicians have deliberately sought to either strengthen or destroy the alliances for political reasons.

This fear of one community being isolated politically and economically came into light after the March 2013 General Elections and as alluded to earlier in this report, the REGABU bloc won the main County-Wide elective positions and dominated the County Assembly. In retrospect, it is important to have in mind that prior to the promulgation of the 2010 Kenyan Constitution, some communities, including the minorities, had found solace in the creation of small mono-ethnic administrative districts and political constituencies. Under this dispensation, Rendille had their "own" constituency and district with Gabra dominating North Horr constituency that straddles Maikona and North Horr districts. On the other hand, the Borana were firmly in control of Moyale constituency that also straddles Moyale and Sololo districts including its domination of Saku constituency politics and administrative units.

But the 2010 Constitution brought in a new order that kind of relegated constituencies and districts into the back seat with new structures such as County that came up with new political positions such as Senator, Governor, Women Member of County Assembly and County Assembly that kind of lumped everybody in the County into this dispensation. This new arrangement seemed to have given such ethnic alliance as REGABU a new lease of political life as they strategized to win all the major county-wide elective positions as they did in the last elections.

The outcome of the March 2013 elections confirmed Boranas fears that REGABU was determined to isolate them from the affairs of the Marsabit County, a County they considered their home in Kenya. In addition to sweeping all the "Countywide" positions of Senator, Governor and Women Member of National Assembly, REGABU dominated the County Assembly. Out of the total 33 Members of County Assembly (MCAs) – 20 elected and 13 nominated, REGABU alliance took 22 seats, representing 67% of the total membership meaning they have absolute control and can pass any legislation or approve any appointment including allocation of County resources with ease. In addition, the Deputy Governor, Speaker of the County Assembly, Deputy Speaker, County Secretary and County Chief of Staff are all from the REGABU camp meaning that REGABU is in control of both the County Executive and County Assembly.

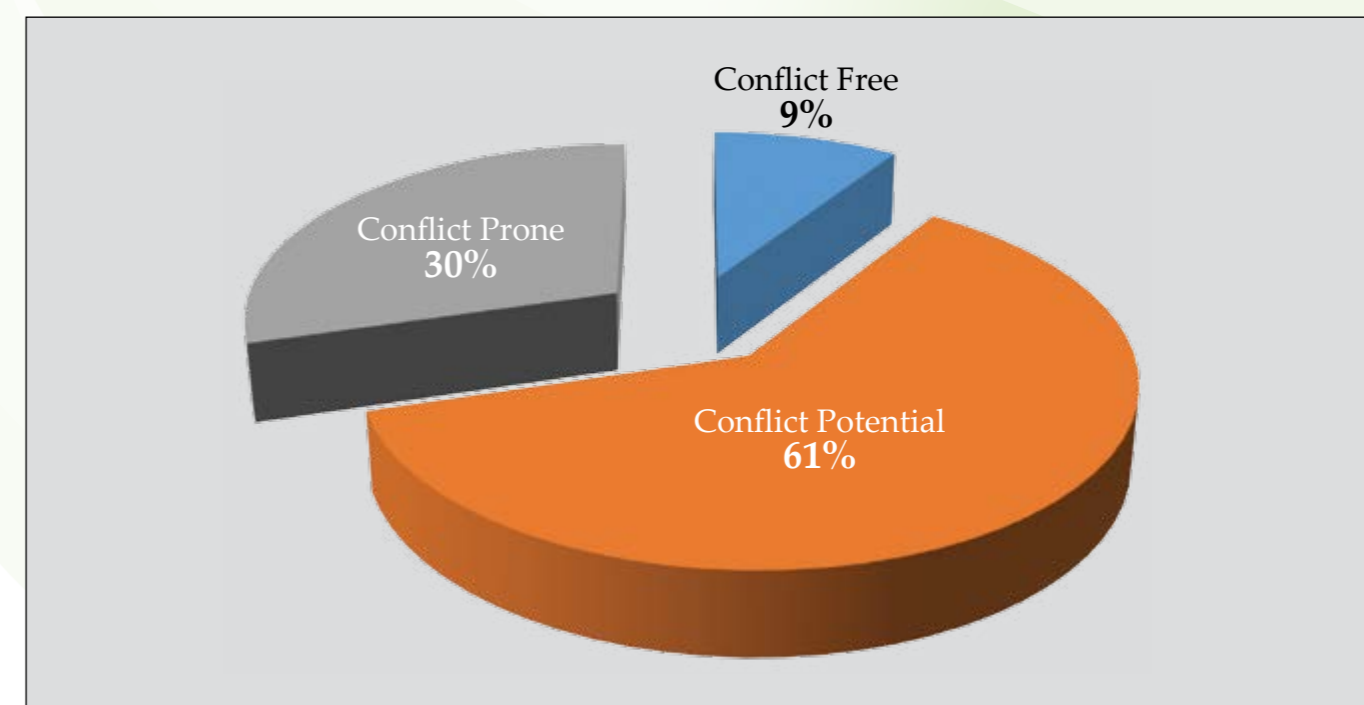
The recent conflicts in Moyale pitting the Borana against the Gabra were seen as part of the machinations by the Borana community to "rebel" on the outcome of the election with Borana leaders accusing Gabra "Administration" in Marsabit of encouraging their kins from Ethiopia to settle permanently on Borana settlements as a wider scheme to change demographic patterns in readiness of future elections⁶³. In other words, politicization of ethnic and clan identities still pose significant threats to peace and security in Marsabit County⁶⁴. Even at the clan/ethnic level and albeit it was not prominent in the last elections, minority sub clans have been known to jostle for political power with "larger" clans as has been happening among the Rendille. In previous elections and amongst the Rendille in Laisamis Constituency, small clans such as Tubcha, Yuyam, Matarbah, Odhola and Nahgan formed TUMEONA alliance against the dominant clans⁶⁵.

However, the claims by the Borana that they were systematically isolated from the County leaderships during the last elections were queried by a Marsabit Peace and Conflict County Profile that was undertaken before the elections. The profile found out that there were no deliberate plans or schemes to lock out the Borana from elective positions in the County. Oral interviews with Members of District Peace Committees in Marsabit prior to election inferred that both the Gabra and Rendille approached the Borana for a possible election alliance (coalition) but it is alleged that the Borana took a long time to nominate their preferred "community" candidates and state which positions (Senator or Governor) they were interested in, forcing Gabra and Rendille, with support of minority communities such as Burji, Turkana, Shangilla and Garre to come together and "share" political seats that finally saw Gabra, Rendille and Garre winning the positions of Governor, Senator and Women Member of National Assembly respectively. The Borana only

managed to retain, albeit narrowly, their old positions of Member of Parliament for Moyale and Saku constituencies.

It was also found out that for a long time the Burji community had been siding with and supporting Borana in political contests but during the run up to the 2013 elections they were not happy with clandestine plans to lock them out under a scheme orchestrated by the Borana christened "Operation Burji Out" (OBO). In synopsis, the history and complexity of political contestation in Marsabit County could be blamed on the new emerging dynamics of conflicts in Marsabit County in addition to the traditional competition over access and control of pasture and water resources.

How would you classify Marsabit County in terms of conflict



In addition to political contestations in the County, the delimitation of Moyale-Marsabit boundary⁶⁶ polarized further the relationships between the Borana and the Gabra. For instance, Turbi has been used by politicians both in Marsabit and Moyale as a campaign tool. Political leaders in North Horr insist that Turbi should remain in Marsabit district while Moyale politicians always claim the area. When Moyale district was

created in 1996, areas of Forole, Turbi and Bubisa, it is alleged, should have formed part of that district. The Borana claim that a former Gabra politician influenced the retention of these areas in Marsabit district and subsequently had the areas occupied by Gabra. It is also alleged that the Borana would have liked to have these areas so that they occupy them from Ethiopia through Moyale, Marsabit up to Isiolo. The attack on

⁶² Witsenburg, Karen, 2012, "Ethnic Tensions in Harsh Environments: The Gabra Pastoralists and Their Neighbours in Northern Kenya", in Witsenburg, K. and Zaal, Fred (editors), *Spaces of Insecurity: Human Agency in Violent Conflicts in Kenya*, African Studies Centre, African Studies Collection, Vol. 45, Leiden

⁶³ NDMA/NSC, Oct 2013 Moyale Peace and Conflict Monthly Report, NDMA, Nairobi.

⁶⁴ CRECO, 2012, *Building a Culture of Peace in Kenya: Baseline Report on Conflict-Mapping and Profiles of 47 Counties in Kenya*, CRECO, Nairobi.

⁶⁵ Ibid.

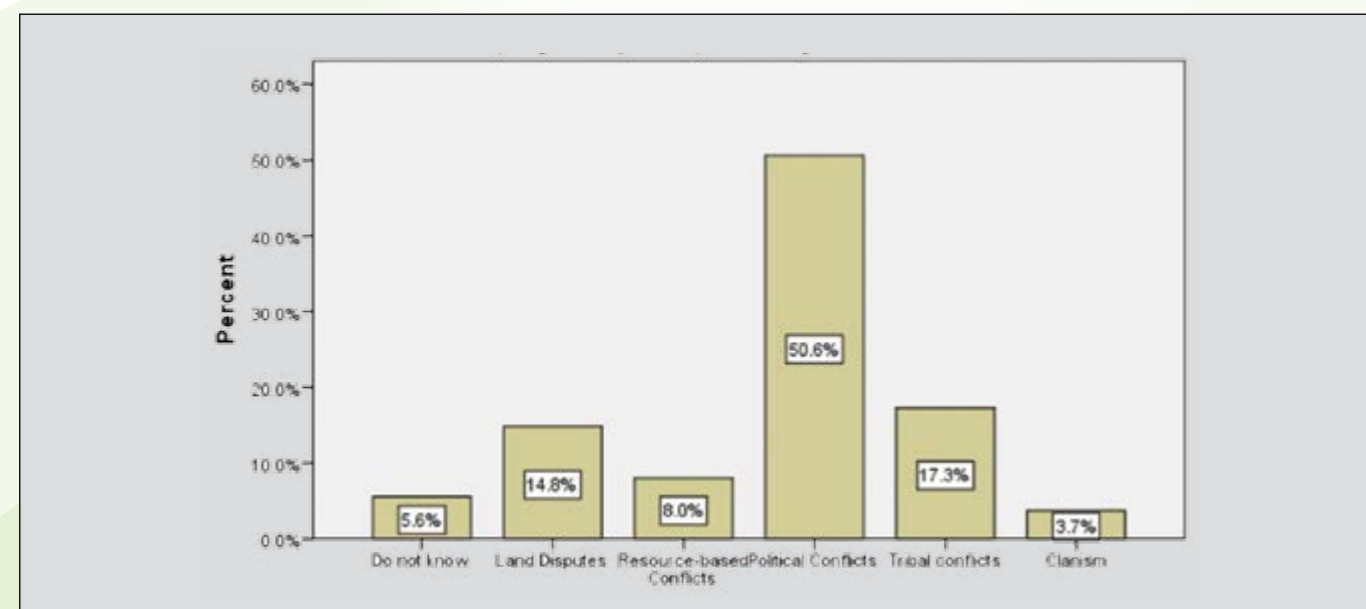
⁶⁶ For a clear understanding, this section should be related to the historical perspectives and the growth and the development of the two districts from the colonial period.

Turbi⁶⁷ was construed as an intention to scare away the Gabra from this area so that the Borana could take the land. However, there was more than this as the raid at Turbi followed another one in Forole in which 6 Borana were killed. Indeed, the raiders, it is said sent misleading indicators that they were going to attack Burgabo while in the real sense, Turbi was the target.

However, the transition to the new devolved system of government with its HQs in Marsabit will no

doubt rekindle old rivalries among communities over leadership and control of resources in the county. Similarly, how constituency boundaries play within the Marsabit County by way of ethnic representation in various elective and appointive positions will be an important dimension in future elections as has already been demonstrated by the outcome of March 2013 elections. Indeed, asked about what type of conflicts likely to occur in future, a majority, 50.6% mentioned political conflicts.

Which conflicts, in your opinion, are likely to occur in the future



In Hurri Hills, North Horr constituency, there has been concern over increasing numbers of Ethiopian Borana immigrants whom the Gabra argue are non-Kenyans. The political concern, which is not very manifest, is that the ever-increasing number of Borana on the Hills poses a political challenge. Issuing them with Kenyan IDs automatically enfranchises them thereby posing a challenge to the status quo. The area chief and Civic leader have been mostly Gabra.

In terms of access to opportunities, the Borana complain that over time, Gabra politicians have systematically favoured their community members in education and

employment opportunities, particularly during the time of the late powerful Gabra government minister, Bonaya Godana. On the northern part of the County at the tip of Lake Turkana which falls under North Horr, the Daseenach also in conflict with the Gabra where they have been arguing that the politician deliberately over the years made sure that Illeret Primary⁶⁸ school remained a feeder school so as to deny their children access to education. The feeling amongst the Daseenach is that they have not been well represented and have been isolated both by politicians and the government.

Regional politics is also a factor contributing to the



conflicts in Marsabit County. Kenyan Borana have always been accused of hosting and being sympathetic to the OLF insurgents⁶⁹. It is alleged that these insurgents have occasionally been used against the Gabra.

On the other hand and during elections, those seeking political positions have been accused of mobilizing their ethnic communities across to come and vote for them. The Ethiopian political leaders also seek the same support from their kinsmen in Kenya further complicating inter-communal relations depending on who supports who. For instance, local politicians align themselves to rival factions in Ethiopia. This creates a ripple effect in the local politics. The Gabra in Ethiopia supported the Ethiopian government under the Ethiopian Peoples Revolutionary Democratic Front (EPRDF), which won the elections in May 2005. This did not go well with a section of Borana community in both Ethiopia and Kenya further polarizing inter-communal and cross border relations.⁷⁰

Politicians also have deliberately politicized the institution of Provincial Administration (now referred to as Ministry of Interior and Coordination of National Government) at various levels, the worst

being the location chiefs. Chiefs in the county owe their first allegiance to the politicians who influence their appointments, secondly to their clans, then to the government. This does not spare other local civil servants who have also been accused of leaking and distorting information and fuelling differences. The District Peace Committees which act as mechanisms for conflict resolution are invaded by politicians who undermine not only their work but also their decisions. For instance, a politician can easily incite communities against paying fines in accordance with the Modogashe Declaration⁷¹ whose implementation is done by the District Peace Committees and the DSIC.

It is a combination of these political factors manifested in political transitions, increasing exclusionary ideologies, growing inter-group competition and intensifying leadership struggles that have made it so difficult for communities to realize the benefits of mutual co-existence. It was found out that political conflicts are the most likely ones to happen in future largely because of the county governance structures introduced in the new constitution without due consideration to the vastness of the county and the history of conflicts over boundaries in the county.

CULTURE, IDENTITY AND SUPREMACY

Under this section we apply Brown's model of cultural perpetual factors and examine the patterns of cultural discrimination and problematic group histories which we argue using the model that are eventually manifested by the proximate factors of intensifying patterns of cultural discrimination, ethnic bashing and propagandizing.

The Gabra and the Borana have lived together for a long time sharing resources and social cultural and economic activities. They speak the same language. The two communities also have broad similarities in their cultures. Most of their ceremonial sacred activities are also closely interrelated. It is also important to note that the conflict between the two communities which culminated to the Turbi massacre marked the first instance of open hostilities between them. For a long time, the Borana considered themselves senior brothers to the Gabra. While the Borana assume this 'traditional'

⁶⁷ Turbi Primary School had about 294 pupils before the attacks of July 12, 2005. The Nursery section had about 56. In total the school had 12 teachers. There was an attack at Burgabo before the school was invaded. Many of the attackers were in military uniforms. At Turbi primary school, 22 pupils were killed, 20 injured and 15 school camels for the feeding Programme and utensils stolen. The Head teacher lost 30 camels and 300 shoats while another teacher lost 23 camels. In Turbi area, 50 people were killed, 25 injured and 58 displaced. The attacks in Turbi were linked to the killing of 6 Borana in Forole near the Ethiopian border and theft of livestock. This pulled the final trigger for the bloodshed that was the massacre in Turbi on 12th July 2005.

⁶⁸ Between 1970 and 2005, Illeret primary school in North Horr constituency remained a feeder school running up to Standard Six. Between 1986-1996 there was only one teacher Mr Koriye M. Koriye who also served as Head Teacher teaching pupils from class 1-3. It is only in 2006 that the situation changed although the school just like many others in the district is understaffed. In our visit to Illeret location in March 2006, however, we met the late Dr. Bonaya Godana monitoring construction of 3 more classes, 2 dormitories and a dining hall. We also learnt that the CDF contribution to this project was Ksh 1 million while Ksh 13 million was from the Community Development Transfer Fund (CDTF) implemented by the Pastoralists Integrated Support Programme (PISP).

⁶⁹ It is important to note that OLF is no longer present in Sololo area of Marsabit County especially since 2003 when Kibaki came to power. A significant number of OLF leadership has since been accommodated by Addis Ababa administration significantly weakening it.

⁷⁰ Kamau, J. 'Queries over Oromo rebel link to killings' *The East African Standard*, Friday July 15, 2005.

Ibid.

⁷¹ Modogashe Declaration is a community based peace agreement that was brokered in 2001 by North Eastern and Upper Eastern communities to end cattle rustling and other vices. The Declaration has since been reviewed with the latest review taking place in Garissa in 2010. Among other penalties, the declaration slaps a communal fine of 100 camels and 50 camels (or its equivalent) for any male or female killed during conflicts as blood money (compensation).



position, the Gabra have sought to systematically fight it socially, economically and politically. These claims to social status, identity and supremacy are causes of friction between the two. It is however important to trace the historicity of the *senior brother* concept and see how it feeds into the differences between the two major communities in Marsabit and Moyale.

The Oromo expansion in parts of Ethiopia took the form of military conquest. However, the expansion of the Borana in Northern Kenya was more a gradual diffusion of the Borana language and of a mild form of control by the Borana whose *qallu* (high priest) at the time seemed to have had considerable social and political as well as ritual power.⁷² Schlee (1994) quoted in Tablino calls this *Pax Borana* and writes that they succeeded in keeping a large federation of ethnic groups of different origin in a loose, internally peaceful association in which themselves especially their *two qallu* were the undisputed centre of ritual power.⁷³ Not every group accepted Borana hegemony; some moved away to join the Rendille in the west or the Somali in the East.⁷⁴ Those who stayed as ‘vassals’ (Gabaro) of the Borana gradually abandoned their own language and adopted the Borana one while keeping their own Proto-Rendille-Somali rituals and calendars.

There are two contending views concerning the Gabra identity and their language as advanced by Tablino and Kassam. Kassam argues that the Gabra were originally Oromo speaking herders of camels who after coming into contact with Somaloid speaking herders of camels changed their way of life while keeping their own language.⁷⁵ On the other hand Tablino argues the contrary case that the Gabra are Proto-Rendille-Somali originally part of the Somaloid speaking group rather than of the Oromo speaking world. There is however some point of convergence between the two views in the sense that both scholars agree that it is not possible to authoritatively say that the Gabra are purely either Oromo or Somaloid (Proto-Somali-Rendille culture) origin. The Gabra can therefore be seen to represent a cultural economic bridge between the Boran and Somali communities. They are the result of very complex interactions of various ethnic groups of different origins who in pre-colonial times lived between Lake Turkana to the west, the Juba River to the east, the Ganale River to the north and the Waso Nyiro to the south. The Gabra presently have cultural elements of Rendille and Borana and have assumed the language and various elements of the Borana with whom before the colonial times they had established a special relation of alliance called *tiriso*.⁷⁶

The overall Oromo society is divided into two basic ways. It is first divided into two groups; the *Booran* – those living in the east and the *Barrentu* – those living in the west. Then it is further divided into Booran – the elders of society and the *Gabaro* – the juniors of the society. One basic concept in this system is that the first born son is by nature superior to all those sons born after him. Land could only be given to the Gabaro only by the Booran who were responsible for blessing it. *Booran* lived in the most elevated ground where the most prestigious livestock could be raised. The younger *Gabaro* brothers were therefore forced to live in the lowlands or Oromo country and to lead a less privileged life.⁷⁷ Although this is not to justify this argument, the Gabra today occupy some of the driest areas of Marsabit like North Horr, Maikona, Kalacha, Dida Galgallu and Bubisa. The Borana occupy mainly Central and Gadamoji on Marsabit Mountain which is relatively productive arable land. However, the Gabra settlement on the mountain slopes started in 1970s

when a number of Gabra families who had lost all their livestock were encouraged to take up farming in what became the Gabra Scheme.

It has been argued that the name Gabra (or Gabaro) did not originally designate a distinct people but a concept in the Oromo system of thought. The idea of *Booranhoo*d represented the principle of seniority in society while that of *Gabarohoo*d stood for the principle of subordination. This hierarchical relationship was a source of conflict that the Oromo society sought to control. In the political rule of the *Gada*⁷⁸ the interests of the Gabaro were represented by the Booran *qallu*.

The two communities are very much aware of the constant transformations in the society that affect their relationships. While the Borana would like the *status quo* of their relationships with the Gabra to remain, the Gabra seem to be decidedly embracing an approach that departs from the old tradition thereby putting them into loggerheads with their ‘brothers.’

CULTURAL PRACTICES AND IDENTITIES

Since time immemorial, communities of Marsabit County have sustained strong cultural traits and practices. The County is occupied by communities that despite many years of interactions with other communities have remained culturally conservative. For instance (Tablino 1999: XXI) concludes his 35 years of his life with the Gabra using the following statement:

Though at various times in history the Gabra have been influenced by Muslim practices, have adopted the Borana language, have accepted certain aspects of Western technology and culture, and have even, some of them converted to Christianity or Islam, the Gabra continue to be essentially distinctively Gabra.

This description by Tablino represents the conservative nature of the communities’ cultural aspects in this region. To an outsider, some of these cultural practices may appear to have outlived their usefulness, specifically with regard to enhancing the quality of life and promotion of peaceful co-existence. However, to these communities these cultural practices are strongly embedded in their way of life and serve to highlight the importance of safeguarding their heritage. For

instance, cattle-rustling has been a symbol of bravery and pride among the communities. There are raiders for instance who walk all the way from Southern Ethiopia to Marsabit national park to poach. Killing of the big five (elephant, lion, buffalo, leopard and the rhino) is a significant practice among the Borana. Praise songs are composed for “successful raiders and poachers”. Songs to scorn and despise are sung to those who are not ‘successful’. These cultural activities were noted earlier by colonial administrators:

As very recent immigrants, game prosecutions have been very numerous and since the forest was gazetted, they have been removed from it except along the routes to water. Their passion for hunting the large game animals merely to please their women attains its zenith if they can kill a man.⁷⁹

Amongst the Gabra, there are allegations by the Borana that there exists what they literally translate as ‘seeing off practice’ in which a Gabra will warmly welcome a Borana, host them with great hospitality but eventually pursue them as they depart. This is said to be very common especially in dealing with Borana hunters from Ethiopia.

RESOURCE BASED CONFLICTS

In the post-colonial period, a number of changes have taken place; increased population, redefinition of boundaries and adoption of new policies. Pastoralist communities in Marsabit County understand resources as land, pasture, watering points and hunting grounds mainly in the forests. Traditionally, these resources were managed and used communally. The redefinition of boundaries, establishment of settlement schemes, gazetting of forests and national parks (including establishment of community based private wildlife conservancies), and introduction of modern resource management methods contradicted the existing traditional approaches. Increase in population puts more pressure on the dwindling resources, thus creating conflicts among the communities as the examples of Maikona-Kargi and Illeret-Sibiloi below demonstrate. Additionally, majority of people interviewed in the county consider natural resources as serious conflict issues as the pie chart below shows.

⁷² Tablino Op Cit.

⁷³ Schlee Günther (1994) *Identities on the Move: Clanship and pastoralism in Northern Kenya*. Nairobi: Gideon S. Were Press.

⁷⁴ Tablino Op Cit.

⁷⁵ Kassam, A. ‘Notes on the Boran Oromo Gadamoji Ceremony held at Sololo Kenya June – July 1995’ in *Oromo Commentary* 5 (2): 23-34.

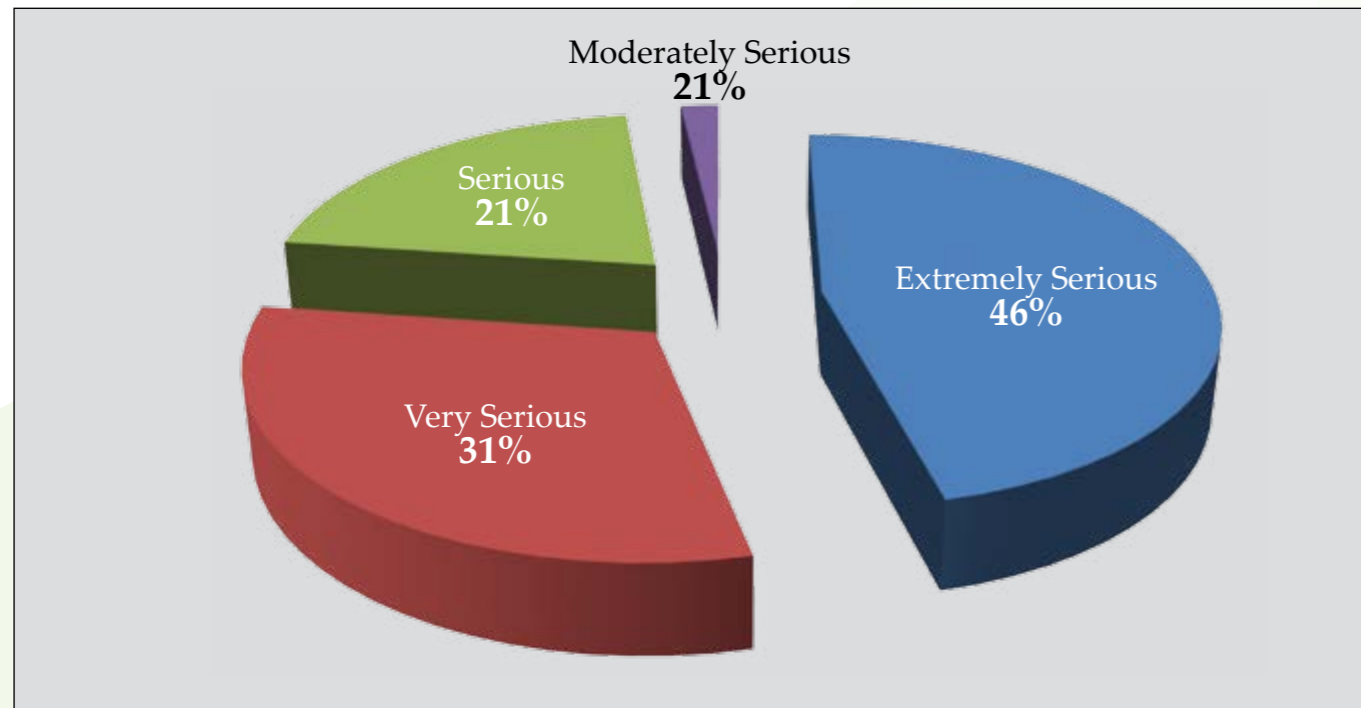
⁷⁶ The client-patron relationship between certain Gabra clans with certain Borana sub-clans implying a certain dependency of the Gabra on the Borana for protection but is also reciprocal assistance pact for in times of great need either one can call on the other for help. It seems now to be little used (if not extinct). For more details on this relationship, see Hussein Tadicha. Wario. *Op cit*

⁷⁷ Megressa, G. (1995) *Booran*. New York: Rosen Publishing Group.

⁷⁸ The Generation Set System of the Borana. For more details on Gada, see Golloo Huqqaa (1996) *Gada: The Oromo Traditional Economic and Socio-Political System – The 37th Gummi Gaayo Assembly*. Addis Ababa: Norwegian Church Aid.

⁷⁹ Kenya National Archives: HB Sharpe *Marsabit political Records*. DC/MBT7/1/2

How do you rate the seriousness of natural resources as a conflict issue?



MAIKONA-KARGI

The potential for conflict between the Rendille and the Gabra had been observed right from the colonial era:

*Through being deprived of their grazing, the Gabra have been lately crossing the boundary and some are as far as Loiyangalani. It will be necessary to modify this boundary by agreement between the two 'tribes'. The Rendille agree to this principle realizing that the Gabra are in an awkward position. The Rendille make but little use of Kulal and perhaps the Gabra might be allowed by agreement with the Rendille.*⁸⁰

History infers that the conflict between the Gabra and the Rendille is complicated by theft of livestock raids and counter-raids. In 1992 for example, the Gabra invaded Rendille in Kargi and stole 7000 camels and 3000 shoats⁸¹. During the raid, 17 Rendille herders were also killed. A peace meeting was called and the two communities reconciled until 2003 when raids and counter-raids and killings over grazing areas and water points started again. The very first incident that triggered the conflict involved a fight between herders at a water point in which a Gabra was killed.

The Gabra refer to the water point as Balesa Bura and insist belongs to them while the Rendille refer to it as Yell water point and also claim ownership.⁸² The killing was followed by an attack by the Gabra of Olturat trading centre – Kargi in which two women were killed and a child injured. A meeting called by the then DC at Kalacha was boycotted by the Rendille who argued it was not a neutral point recalling that in 1960s/70s a meeting convened in Gabra land ended up in chaos after Gabra youth attacked the Rendille. Kalacha is mainly occupied by the Gabra. When the meeting was called in Marsabit, the Gabra also boycotted and no other meeting was organised leaving the tension between the two unaddressed.

SIBILOI-ILLERET

The Gabra and the Daseenach are predominantly pastoralists groups with close to a century history of animosity. The causes of the more than a hundred years conflict are pasture and water, territorial boundaries and cultural beliefs and practices. Administratively and politically, the two communities reside in the same division and belong to the same constituency - North

Horr. Kenyan Daseenach is a small group occupying Illeret location. This is small compared to their brothers in Ethiopia who occupy a whole administrative district. Illeret borders Lodwar district to the west. Lake Turkana remains a permanent barrier to market accessibility in Turkana district. To the south, Illeret borders Sibiloi National Park and the Museum Sites of *Kobi Fora*. The most common business includes exchanging livestock with grain and Small Arms and Light Weapons. This kind of business engagement has enabled Kenyan Daseenach to sustain a hundred years long war with their Gabra neighbours many times supported by their Ethiopian brothers.⁸³

The conflict between the Daseenach and the Gabra has a long history. It has three dimensions. First is the direct confrontation between the two communities that involve raids and counter-raids aimed at stealing livestock. This is very common between the two and is a frequent occurrence. The second dimension is the long protracted disputes over grazing areas. The last dimension is what we call *unity of convenience* between the two against a common enemy; Kenya Wildlife Service (KWS) over access to Sibiloi National Park especially during dry seasons.

The Daseenach had acquired arms from the Italians as well as the Abyssinian government early enough and this enabled them to easily attack their neighbours. The Gabra for instance required guarding and protection from the colonial administration to be able to graze in the frontier. When the Gabra fled together with the Boran from Abyssinia, they were followed and attacked at Kalacha by the Daseenach living near Lake Turkana. During the attack, 6 men, 7 women and four children were killed. Another raid at Maikona left 4 men 11 women and 8 children dead. About 4000 shoats were stolen and 7 people injured.⁸⁴

These raids continued and in 1944, the Gabra revenged by attacking Daseenach, killed 21 and injured 4 people. As a result 500 camels were taken from the Gabra in accordance with the provisions of Special District Administration ordinance as a punishment for the raid. Leading Gabra elders were required to sign a bond to keep peace and prevent further raids.⁸⁵ The last major assault was the *Kokai Massacre* of 1997 in which the Daseenach killed 86 people including police officers at Kokai. The conflict between the two communities continues but with marked periods of

peace. However, access to Sibiloi National Park and the use of Lake Turkana is the biggest challenge for the two communities. The KWS does not allow herders into the Park gazetted in 1973. The communities feel they were not involved in the process and that civic leaders of Marsabit County Council were coerced by the government to sign documents on behalf of the communities. Initially, people were told by the then DC that the park was only going to take a small portion. It covers 1570 Km² of scenic landscape on the shores of Lake Turkana. The park was partially established through the initiative of National Museums of Kenya to protect unique prehistoric and archeological sites some of which are linked to the origin of man. The fossils include a crocodile *Euthecodon brumpti*, giant tortoise *Petusios broadleyi*, elephant *Elephas recki* and the Petrified Forest.

In 1968, the National Museums of Kenya started a museum and research centre at Kobi Fora and this marked the beginning of a continuous expansion of the park that was found to have deposits of fossils of past geological ages. The genesis of this protracted problem between the communities and KWS then started with the gazettelement of the park in 1973. Before then, the entire stretch on the shores of Lake Turkana from Madho Chiladhu to the west and Asuma Forest to the east was the sole undisputed reservoir for dry season grazing to the Gabra, and occasionally Rendille on agreement with the Gabra. The remainder of the prime cattle land to the east of the Asuma Forest - right from the Kokai all the way to the Ethiopian border at the confluence of the Lake and River Omo in Ethiopia was the Traditional Land of the Daseenach. Due to the centuries' old animosities between the two ethnic groups, a no-man zone existed between the prime herding areas.⁸⁶

Around this time, guns held by the communities were confiscated to stop them from accessing the park area. By 1980, the communities were entering the park by force and this put them in direct collision with the park rangers. This has not helped because communities consistently arm themselves, enter the park by force, and kill wild animals in an effort to reclaim their grazing land. At some point, four corridors were created by the KWS to give the communities access to the water in Lake Turkana. These corridors were later closed. KWS admit that the communities were not consulted during the process of gazettelement. However,

⁸⁰ Kenya National Archives - *Marsabit Handing Over Report 1941-1951*, p. 4

⁸¹ Pastoralists communities have been known to inflate number of raided livestock mainly to paint a grim picture of the atrocity and for anticipated compensation. Its unimaginable that 7000 camels and 3000 shoats can just be raided at once.

⁸² In February 2005, Practical Action (formerly ITDG), SRIC and NCKK were conducting an assessment on Peace and Security in Mandera, Wajir, Moyale, Marsabit and Samburu. When we visited Kargi, tension was very high and both communities were preparing to fight each other. In Samburu, the biggest challenge then was the issue of new morans to be initiated in July 2005. The new generation of Morans was the *Lmetili* which means elusive or slippery. A report prepared by the three organisations sent clear early warning to the relevant authorities but no action was taken. See: 'Report of a fact-finding mission regarding the Conflict in Mandera, Marsabit and Samburu Districts dated 26th January-2nd February 2005' - Practical Action, SRIC and NCKK

⁸³ Halkano H. (January 2005) 'A report by the Catholic Diocese of Marsabit.' Marsabit.

⁸⁴ Kenya National Archives - *Marsabit District Chronicles - 1940 - 1944*.

⁸⁵ Ibid.

⁸⁶ Konchora Guracha Molu (September 2004) 'An investigative Report of the conflicts between communities and the KWS in Sibiloi' Catholic Diocese of Marsabit. There is also a recent report by the Diocese about the problems surrounding Sibiloi National Park. It's titled *Access Denied: Violations of the Rights of Herders*.

they have to enforce the laws because human activities are not allowed within gazetted park areas. According to KWS, there is room for adjustments but the process of degrading a park to a reserve is long and tedious.

For the Daseenach, the Park took almost half of their land driving them further north and was left with only about 22 km² of grazing land which is not enough for their stocks. Although the Southern parts of Ethiopia in the Omo Delta region are productive, they are not conducive for grazing as they are infested with tsetse flies and camel ticks which attack the animals. As a result of this, the two communities hardly rear cattle but largely shoats and for the Gabra camels as well because they can withstand harsh environment. The whole of North Horr area is very dry and so is the area outlying the park in the east all the way to Illeret.

The biggest challenge is that the park is being overgrazed and the communities are in very bad terms with the KWS. There has not been comprehensive dialogue between KWS and the communities. A number of things however need to be done. These include educating the communities on how to manage their stocks, opening up initially created corridors, dialogue between the communities and the KWS, and protect areas of fossils deposits and regulate grazing to check degradation within the park area. Without these measures being taken, Sibilo area remains a time bomb waiting to explode. It is an area, though the KWS dismisses as having no problems, with all the signs and indicators of disasters and conflicts waiting to happen.

RETRIBUTION

Modogashe declaration is an offshoot of customary institutions of conflict management among the pastoral communities of northern Kenya. It demands that for every man killed during raids, 100 heads of camel (or its equivalent) are paid by the offending community. 50 heads of camel are paid for a slain woman during conflicts. 15 heads of camel are paid as compensation for an injured person while for livestock stolen, five times the number of raided stock is paid back to the owner.⁸⁷ The Declaration was signed by leaders in Modogashe in Isiolo District in 2001 to restore peace and order and also tame banditry and cattle rustling acts which were rampant in Northern Kenya. The Declaration continues to be used as the basis for compensation of stolen livestock and people killed amongst the pastoral communities. There are a number of challenges in terms of implementation

of this declaration now called *Modogashe Garissa Declaration*. First, the declaration was not constitutional because it held people collectively responsible for crimes committed, cultural variations and limitation in jurisdiction, lack of proper enforcement mechanisms, lack of sensitization and inadequate representation on the peace agreement. Second, the institutions that are supposed to help implement it are themselves non-existent or where they exist they were faced with serious operational problems due to interference by both politicians and the Provincial Administration. Some peace committees also lack legitimacy in the eyes of the people they serve due to flawed criteria in their formative stages.

The implementation of the Declaration largely relied on the goodwill of the people, fear of being cursed by elders and also because of its association with Islamic teachings and beliefs. It largely succeeded in communities with large Islamic population such as in North Eastern region of Kenya.⁸⁸ Additionally, the Declaration has been abused in the sense that sometimes there are exaggerations on the exact number of livestock or lives lost. In some instances, communities do on *ad hoc* basis settle their own problems without due reference to the declaration.

But in a bid to shoulder on with community sanctioned social contracts geared towards punishing crime and promoting traditional conflict resolution mechanisms in a context where the state or its representatives are missing, the Gabra and Borana community went ahead and brokered another peace pact called Maikona Peace Accord. Initially, most of the non-Islamic communities in Marsabit as well as other Counties in Kenya were not comfortable with Modogashe Declaration, terming it "Islamic". This is how the Gabra and Borana ended up brokering the Maikona declaration.

The Maikona/Waldaa Peace Declaration was entered into on 28 July 2009 after a series of cross-border peace meetings between the Gabra and Borana communities from both Kenya and Ethiopia. Among other clauses, the declaration states that if a person kills another person, a fine of 30 cows will be levied on him irrespective of the gender of the victim. It also adds that after "communal" justice has been done in the eyes of the community through payment of such a fine, the criminal will be handed over to the authorities for formal prosecution in a court of law. From 2009 to 2012, this declaration contributed significantly to the peace that prevailed along the Kenya Ethiopia border but unfortunately

political discourse towards the 2013 elections in Kenya instigated a new wave of conflicts that the declaration was unable to resolve. The declaration seems to have been designed to address normal pastoralists conflicts over natural resources (pasture and water) and did not anticipate political conflicts.

PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS

The problem of Small Arms and Light Weapons in Marsabit has a long history. Among the first communities to be armed were the Daseenach both from Abyssinia and Kenya. They started to arm themselves from 1909 and by 1933, during this time, 80% of their fighting men were armed with modern rifles. The arms consisted of old Fossil Gras 1874 which fired a heavy bullet. At the outbreak of war with Italy, rifles were issued by the Italians to the Ethiopian Daseenach who were encouraged to attack communities within the British territory.

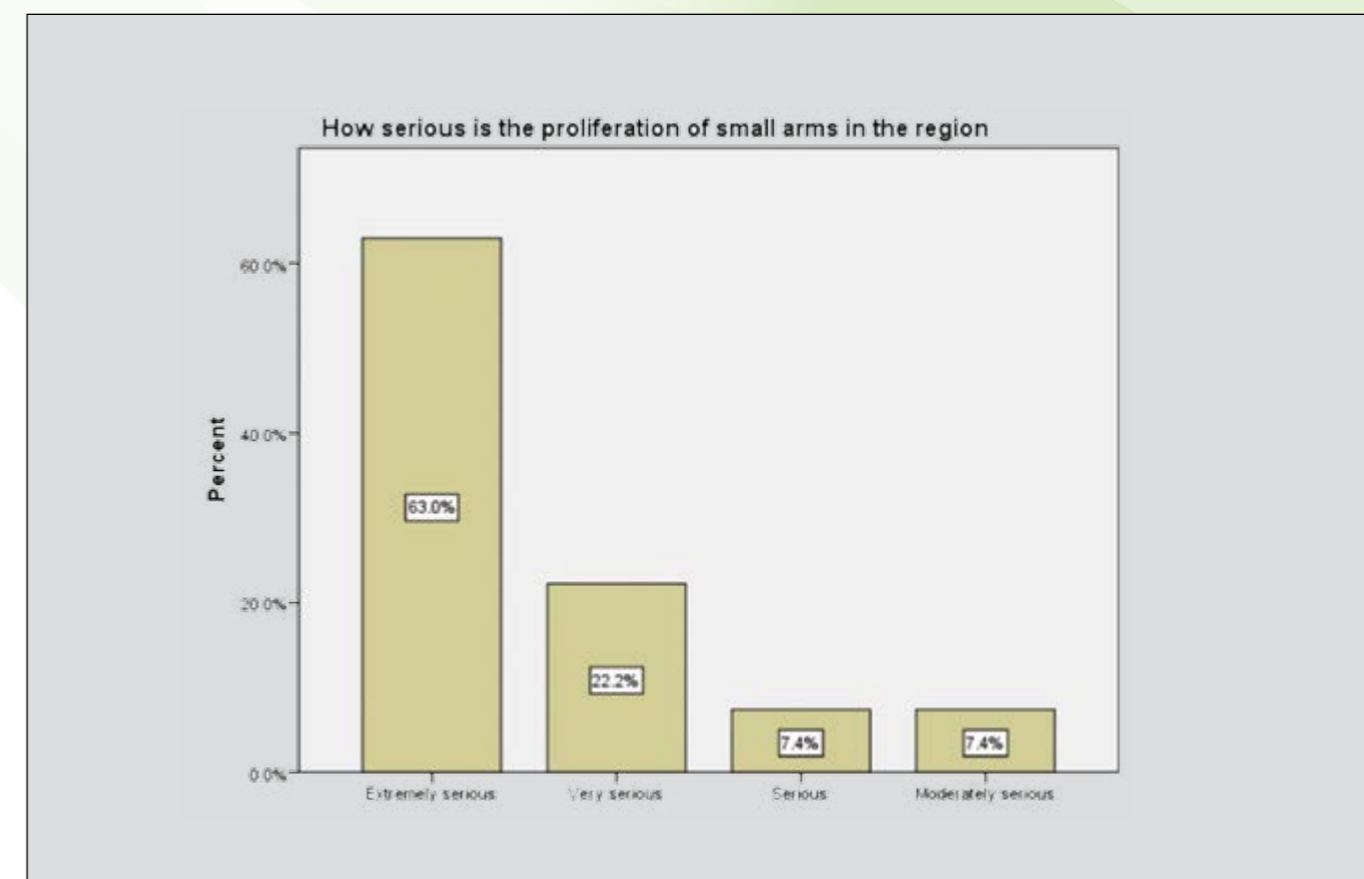
With such a high proportion of their fighting men armed, the Daseenach terrorized the border and at one time forced the Turkana 100 miles south of their northern most grazing grounds. In 1928, the carrying of illicit arms in British territory was proscribed. The

Ethiopian government was to do the same thing but it did not happen making armed Ethiopian Boran bolder. A warning to confiscate all the unregistered weapons was issued on 19th May 1927.

Following years of intense raids by the Daseenach, neighbouring communities also purchased firearms from Ethiopia, Sudan and Uganda. By independence more sophisticated firearms were available replacing the old ones. These included weapons such as Automatic Kalashnikovs (AK47) invented in 1947 by Russians.

Marsabit district shares an expansive porous international border with Ethiopia, which has no tight grip on its southern part; making it a major source of arms as well as arms trafficking. Additionally, pastoralists have been sourcing arms from the neighboring districts, some of which also share international borders with other countries in conflict. This proliferation and easy availability of small arms in Marsabit County is a motivating factor for conflict, especially cattle raids. Over 60% of people interviewed noted that small arms proliferation is extremely serious problem fueling conflicts in the county as the chart below shows.

How serious is the proliferation of small arms in the region



⁸⁷ Practical Action. Peace Bulletin. August 2003.

⁸⁸ Chris Talgalo Ali. 'Modogashe peace initiative is not binding' East African Standard, April 15 2005.

Although the exact number of SALW in civilian hands in Marsabit is not known. A recent survey on proliferation of SALW established that Marsabit is a major conduit of illicit arms trafficking. Gun merchants are known to source their arms from Ethiopia or Somalia, traffic it through Moyale – Marsabit – Isiolo route. Guns coming from Somalia also reach Marsabit through Garissa – Isiolo – Marsabit routes⁸⁹. Easy availability of SALW in Marsabit has contributed to increased frequency and severity of armed conflict including undermining of the traditional authorities as young men armed with such arms are laws unto themselves. The vastness, rugged terrain, limited state presence, its proximity to Ethiopia, inter-ethnic strife and history of OLF particularly in Sololo sub County have all conspired to make armed conflict in Marsabit County unbearable.

WEAK SECURITY APPARATUS: NPR AND EARLY WARNING SYSTEM

Kenya Police Reserves (KPRS)

The National Police Reserves have been providing security to pastoralist communities for a long time. They are a byproduct of what the colonial administration derogatively referred to as ‘tribal police’. The role of the National Police Reserves an auxiliary of the National Police Service is highly regarded among the pastoralist communities. The NPRs beef up security and supplement the role of the police in the affected areas. The NPRs are however faced with deteriorating image as well as operational challenges. They are not only viewed as ethnic outfits that do not have any regard for other communities’ safety needs, but also active participants in the communal conflicts as ‘warriors’. This has created an urge for continued recruitment and arming of NPRs among the warring communities. Some of the communities with few NPRs have interpreted this to mean a weakness in gun power. As such, the system of issuance of firearms to NPRs has grossly been abused in the county over a period of time. Firearms were handed over indiscriminately without regard to procedure and vetting of the recipients. Some landed in the wrong hands and the system of monitoring them collapsed. Some of them are being used to cause insecurity in the district.

The NPRs are more attached to the animals which they protect. As such, it is common for all the NPRs to be away in the *fora* with the animals as they migrate in search for pasture and water. As a result, the permanent and semi-permanent settlements they should be

protecting are left without any security officers and therefore vulnerable to attacks. Another challenge is the depletion of ammunition supply for the weapons available to the NPRs. Some of the guns issued to the NPRs, like the KMG 303 are obsolete and ammunition no longer in reliable supplies.

WEAK EARLY RESPONSE MECHANISMS

Most of the factors that cause conflicts in Marsabit and surrounding Counties are not spontaneous. They are accompanied by early warning indicators that point to possibility of looming conflicts.⁹⁰ For instance, before the killings that took place in Turbi in July 2005, a number of incidents took place that certainly indicated that a conflict was going to take place. The series of events unfolding at that time were well known to the relevant authorities. For instance the killings of a Borana chief and a NPR in Manyatta Jillo, the killings of six Boranas in Forole, frequent cattle raids and pronouncement by politicians that there would be no peace in the County in a broad day light and in the presence of the DSIC. Despite all these events, nothing was done to forestall the looming disaster. Despite the fact that relevant authorities normally have prior information concerning conflicts, there is a general lack of early action measures to complement it’s early warning mechanisms.

ECONOMIC AND SOCIAL FACTORS: MARGINALIZATION

Under this causal factor we examine the growing economic inequalities and marginalization of the communities by the government and development agencies. We also examine the general infrastructure especially health, communication and education sectors. According to key informants contacted during this study, there was a feeling that the government and non governmental actors had marginalized the County in terms of resource allocation and service delivery. The consequence of this is limited investment and lost opportunities for trade and employment. Due to inadequate service delivery especially in the security sector, communities have taken it upon themselves to provide their own security hence the high demand for guns. Internally, dominant communities are also accused of marginalizing the minorities. The cumulative effect of this is mistrust, suspicion and ethnic animosity.

WATER SUPPLY AND SEWERAGE SERVICES

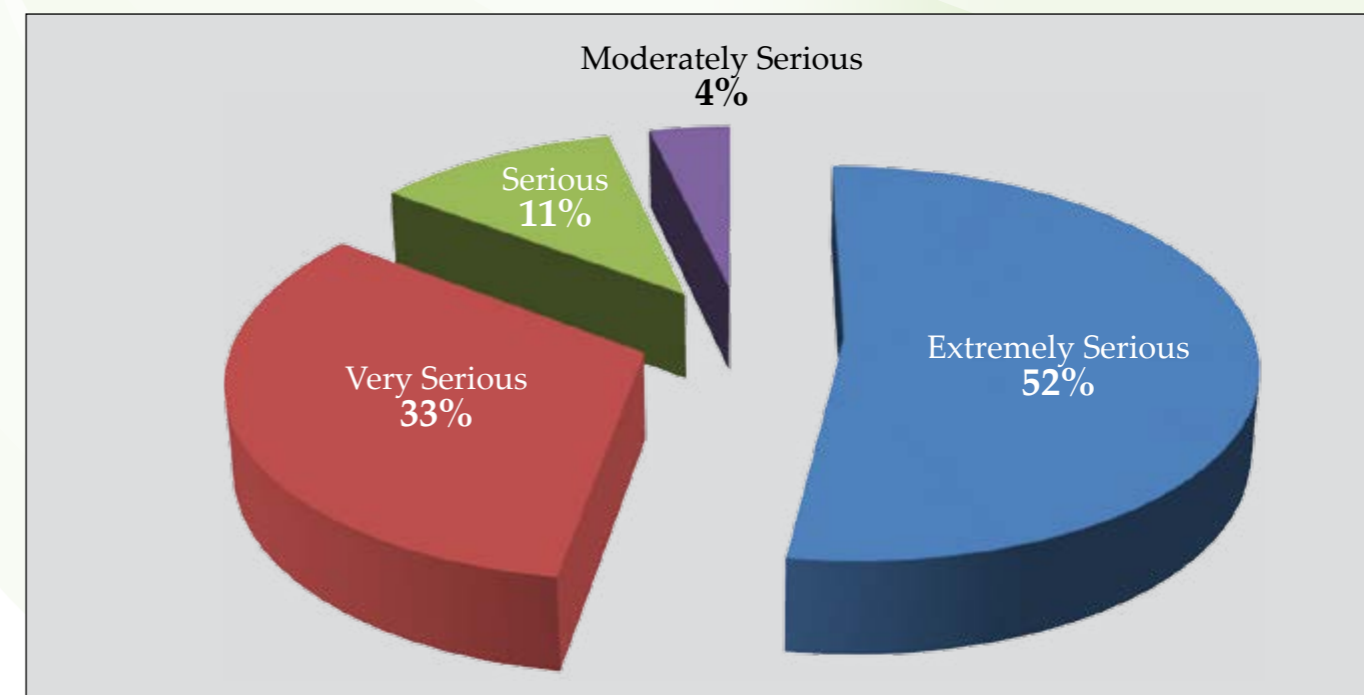
Water remains the biggest problem in Marsabit County. Apart from the mountainous areas in Marsabit Central, water sources in the rest of the County are seasonal and contribute to water stress both for domestic and livestock consumption. To address this problem, a number of state and non-state actors have invested a lot of resources in constructing and or rehabilitating new and old water facilities in the County. The Northern Water Services Board, a state water agency charged with improving access to water in Northern Kenya has invested a lot of money in water projects in Marsabit such as Badasa/Songo dam with a capacity of 5 million cubic meter’s, Bakulli III project in Marsabit central, Moyale water supply project that is funded by Italian Debt Relief.

Other completed or ongoing water projects in the County include Kitulini/ilpus water project, Jirime

borehole, Karare/Kamboe water supply, Hulahula, Parkinson, Qarsa, Karare, Huka adi, Halake yaya, Golole/Bolji, Qachacha, Olturoti, Arg, Salima, Kurkum, Nakwamekwe, Lukumee water pans as well as Larachi and Laisamis water supply projects⁹¹. A few NGOs are supplementing water supply in the district by drilling boreholes, constructing tanks for the communities and rehabilitating water pans. These include PISP, Catholic Diocese of Marsabit, CIFA among others.

However and despite these efforts, the percentage of people without access to clean water is still very high. This is compounded by the pastoralists’ nomadic patterns. Designated locations for water supplies are still very few and far from meeting the demand for this rare commodity. Water, as the pie chart below shows is considered by over 50 percent of people in the county as a serious conflict issue.

How do you rate the seriousness of water as a conflict issue?



EDUCATION

Communities in ASALs have lagged behind in education and training due to a number of factors, in particular limited facilities such as quality institutions and other essential infrastructure. The ASALs have the lowest Gross Enrolment (GER) and Net Enrolment (NER) ratios in Kenya. More than 80% of school age children and youth are not in school. Only 60,817 pupils were in primary school by the end of 2003 out of the targeted 381,328. Access, quality and relevance

are constrained by vast distances and the nomadic lifestyles of the pastoralists ASAL communities.⁹²

The table below shows percentages of education levels reached by respondents interviewed during the research with over 45 percent having had no formal education at all and a diminishing minority going past secondary education.

⁸⁹ Wepundi et al, 2012, *Availability of Small Arms and Perceptions of Security in Kenya: An Assessment*, KNFP and Small Arms Survey, Graduate Institute of International and Development Studies, Geneva.

⁹⁰ The Media constantly sends early warning information. For instance, Muchemi Wachira of *Nation Media Group* with whom we extensively visited the whole of Marsabit and Moyale Districts between 2003-2006, wrote on July 10 2005 an article in the *Sunday Nation* titled ‘Spilling Blood a way of Life in this Northern Frontier District’ in which he raised alarm over an impending raid in Marsabit. On 12th July 2005, armed raiders attacked Turbi killing over 50 people. His article would later be described by Nation’s Macharia Gaitho as ‘chillingly prophetic’.

⁹² GOK. (January 2005) Economic Recovery Programme for North Eastern Province and Isiolo, Marsabit and Moyale Districts.

LEVEL OF EDUCATION	FREQUENCY	PERCENT
No formal education	125	46.3
Primary	83	20.4
Secondary	80	18.5
College	74	14.8
Total	362	100.0

As a result of low levels of education, most of the youth gravitate towards moranism (warriorism) and other lawlessness hence entrench the culture of violence, including gun culture, in the county.

ROAD INFRASTRUCTURE AND TRANSPORT

Road network in Marsabit is very poor. The district has 1,954 km of classified road network. These include Isiolo-Marsabit-Moyale (classified as A2), and Marsabit-South Horr, C82 among others. These roads, particularly the Isiolo – Marsabit – Moyale, are being constructed to bitumen standards to enhance transportation of goods and services between Kenya and Ethiopia. The Planned railway line that will link port of Lamu and Southern Ethiopia will also open up this vast County with cumulative results being reduced conflicts, particularly highway banditry as

movement of vehicles, including security personnel, will be enhanced.

However, the problem still remains the feeder roads in the County that are very rough and inaccessible during the rainy seasons. During the dry season, access to the district northern part is through Chalbi desert. But during the wet season, most sections of this road become unmotorable. The same applies to many feeder roads in the county including those that connect the County with other Counties such as Wajir, Mandera and Southern Ethiopia.

OTHER POTENTIAL CONFLICT ISSUES

Asked to qualify the extent to which the following factors contributed to conflict in Marsabit County, this is how the respondents responded.



FACTOR	VERY LARGE EXTENT	LARGE EXTENT	LITTLE EXTENT	VERY LITTLE EXTENT	NO EXTENT
Land access and ownership	11.4	8.3	2.4	1.6	0
Water & Pasture use	10.7	8.1	3.7	1.6	1.9
Youth unemployment	0.6	1.2	5.0	11.8	3.9
Drought/ famine	10.9	5.8	4.5	1.6	5.7
Political incitements	11.3	6.7	3.2	1.6	3.8
Cattle rustling	13.7	4.4	2.4	0.0	0.0
Cultural norms and practices	3.7	11.9	11.1	4.8	11.3
Lack of dispute resolution mechanisms	2.2	8.9	13.0	18.2	9.4
Population increase	3.7	8.1	13.0	15.5	5.7
Lack of education	6.6	8.9	9.8	6.9	3.8
Historical injustices	5.0	10.2	11.4	6.9	5.7
Clanism	5.3	9.2	12.2	6.4	5.7
Religious differences	2.0	3.7	7.4	18.2	39.5
Illicit arms	12.8	4.4	0.8	4.8	3.9
Total	100%	100%	100%	100%	100%

Since most of the conflict issues in the table above have been discussed and analyzed in this report, it is worth to mention some of the salient conflict causal issues that may have not been discussed such as the ethnicization and politicization of both the administrative and electoral boundaries (County, Sub County, Ward and Constituency boundaries), skewed representation of the different ethnic groups in the County government, unresolved historical grievances including recent atrocities such as Turbi Massacre of 2005, and threats of eviction of certain ethnic groups/clans from certain parts of the County.

Other causal factors of conflict include allegations that certain ethnic groups are being facilitated to migrate from Ethiopia to the county so as to change demographic patterns in readiness for future elections, inadequate and inappropriate interventions: most interventions focus on immediate peace without addressing concrete issues like restoration of peoples' livelihoods and compensation of lost property and lack of implementation of peace agreements such as Maikona/Waldaa peace accord.

CHAPTER FIVE INTERVENTIONS



Numerous conflict prevention, mitigation and peace building interventions have been undertaken in the County by a multiplicity of actors with varying degrees of successes as well as failures. We therefore take a critical look at the various initiatives for peace in Marsabit. Based on our vast experience largely derived from extensive participation in peace work in Marsabit County as a whole, we highlight various reasons why there have been very minimal tangible results and or achievements. Most of the peace initiatives in these areas have been focused on settling disputes rather than resolving them. The root causes of the recurrent conflicts have always been swept under the carpet. Lack of understanding of the nature and content of the conflicts in these areas has also contributed to poor outcome. Additionally, the processes of peace building in Marsabit have been largely flawed and poorly organised both by government and civil society organisations. Two approaches are discernible when one analyses these processes. First is the government approach to peace building and conflict mitigation from the perspective of maintenance of law and order which has dismally failed. This approach has mainly been episodic and reactive.

This is further manifested by the periodic attempts by the officers of the Ministry of Interior and Coordination

of National Government (provincial administration) and the military to disarm communities in the County, which are self defeating in the sense that there has not been any commitment from the regional governments to disarm their communities as well. No pastoralist under any pressure whatsoever will surrender their gun when their real or perceived enemies are armed. Disarming communities is not a solution but a problem. Unless this is coordinated from a regional perspective the exercise will remain difficult to accomplish.

The other approach that has also been embraced by the government is the traditional mechanism of peace building and conflict management which has been found to be effective. For instance, amongst the Boran and the Gabra, the Gada system regulates culture, rituals, economics, politics and security concerns. However, a gradual decline of elders' authority and the politicization of the institutions of the Traditional Authority System have been the hindrance to peace. In addition, the multiplicity of actors like NGOs and CBOs and an attendant competition amongst them is another big challenge that is yet to be addressed. The NSC and KNFP offer a very good forum for interaction between the government and the civil society. They for instance provide logistical support for initiatives on peace and small arms issues in their interactions with the civil society despite the

challenging bureaucracies within the government. These two structures have been very instrumental in peace and security issues in the Greater Horn of Africa but can do better if their structures are strengthened. Importantly, they need more financial support from the government to avoid their manipulation by non-governmental funding agencies.

Marsabit County has functional peace committees that have made considerable efforts in resolving communal conflicts. The peace committees, with reference to their mandate, have utilized available opportunities to convene reconciliation and conflict prevention meetings, negotiate compensation both for the people killed and animals stolen and also managed to trace and recover lost animals. Indeed, the committees have been an integral and worthwhile initiative that not only

provided the space for interaction between the public and the government on matters of security but also provided avenues for traditional dispute mechanisms which are more accessible, affordable and respected among the locals. Several attempts have been made to reconstitute the committee in order to make them more functional, inclusive and enhance dialogue.

Asked to rate the effectiveness of each of these structures in conflict resolution and peace building in Marsabit county, the following are the responses.

STRUCTURE	VERY EFFECTIVE	EFFECTIVE	NOT EFFECTIVE	NEVER HEARD OF IT	DO NOT KNOW
Courts	2.8	10.2	13	10.0	7.1
National Government (PC, DC, DO, Chiefs)	2.1	10.9	16	4.0	0.0
Law enforcement (Police/KPRs/ GSU/Army/APs, KFS, KWS)	2.1	10.4	16	2.0	3.5
Truth Justice and Reconciliation Commission (TJRC)	3.5	7.3	7	26.6	32.1
National Commission on Integration and Cohesion (NCIC)	6.6	5.6	6	26.6	32.1
NGOs/ CBOs/ FBOs	13.7	12.7	3	4.0	3.6
District Peace Committees/ Community policing	16.3	8.9	6	4.0	3.6
Community Elders	17.2	11.2	3	2.0	3.6
Traditional Justice Systems/ community Declarations	12.7	8.3	7	10.0	7.1
Religious Leaders	20.1	10.5	1	2.0	3.6
Totals	100	100	100	100	100

In this table, it is apparent that the alternative dispute resolution mechanisms consisting primarily of DPCs, elders, religious leaders and other forms of traditional justice mechanisms sums up the most trusted, relied upon and communally legitimate methods of conflict resolutions. This is why this study in the following chapters makes a case for strengthening these institutions in order to achieve peace in Marsabit County. These approaches/strategies or institutions

are accessible, borrows heavily from the customs of the residents and as such are regarded highly and perceived as legitimate. In most cases, the outcome of such processes (negotiations/dialogue/mediation) is a win win situation hence its capacity to promote peace, reconciliation and healing in the community.

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS



One of the most persistent ambiguities that we face is that everybody talks about peace as a goal. However, it does not take sharpest-eyed sophistication to discern that while everybody talks about peace, peace has become practically nobody's business among the power-wielders. Many men cry Peace! Peace! but they refuse to do the things that make for peace." - Martin Luther King, Jr.

Conclusion

From the preceding discussion, it is evident that a carefully designed and all inclusive approach is important to address the perennial conflicts in Marsabit County. While a combination of social, economic, cultural and environmental factors informs the dynamics of conflicts in the county, its evident, such factors can be curtailed if early warning mechanisms are backed by early response.

Politicians play a major role in fueling animosity between communities and there is a characteristic laxity amongst relevant authorities largely rendered powerless by lack of facilities and in some rare circumstances unclear operational framework. Take the example of the confusion created by the current constitution regarding operational and command relations between Provincial Administration (Coordination of National Government) and the Administration Police! Are the AP legally mandated to take orders from Chiefs, Assistant County Commissioners, Deputy County Commissioners or County Commissioners anymore? These are some of the grey areas that may play into the hands of trouble makers in the county in addition to providing a fertile ground of blame game in the event of omission of duty that may lead to loss of lives.

Societal divisions amongst the communities are so entrenched that most of the sectors in the County are highly polarized to the extent that ethnic reference is a common denominator in raising concerns over structural grievances. Having been made conscious of their ethnic identity through colonial 'tribal' grazing zones and a perpetuation of the same by post-colonial administrations and politicians, people are still stuck in ethnic webs and firmly hold to their 'traditional grazing zones'. However, ecological changes naturally threaten to disband these zones as pastoralists traverse the 'traditional boundaries' in search of pastures and water.

Conflicts in Marsabit County are largely of identity crisis deeply rooted in the way of life of communities which even though they share common language and culture, have bottomless fears over their very survival in a society where distribution of resources, land utilisation, access to business, employment, education and investment opportunities are highly ethnicised and subsequently reinforced by divisive politics. In essence, the people of Marsabit County are a marginalized community, seized and owned by politicians. The good thing is that this is slowly changing as people are now increasingly demanding answers from those in

position of authority regarding issues to do with service delivery and equitable allocation of County resources. The disintegration of Traditional Authority System has left the communities without their traditional norms to seek reference and this is the vacuum that has often been utilised by politicians.

The Ministry of Interior and Coordination of National Government is faced by operational challenges in a vast county whose infrastructure is wanting. With the state having made a classical retreat from the County, the people are left to take care of their own security. The traditional roles of the government have to some extent consequently been taken over by the people, the church and other non-state actors.

A double tragedy faces the County in that when people are not fighting in the contested grazing areas, then certainly, disasters like drought rule in the lowlands. While the NGOs and Development Agencies initiated their projects with good intentions, they find themselves caught up in a conflict maze and they have been forced by circumstances to incorporate peace-building and conflict transformation components within their mandate. Some however have been caught up in a 'mandate blindness' and in seeking to be everywhere, departed from the ethics of peace and

development work thereby causing more divisions than unity.

It is evident that there are structural problems that pose a very big challenge to the realization of the potentials and aspirations of the communities in Marsabit. The county remains largely marginalised and allocations for development are very minimal. As people continue to struggle for limited resources with very fixed forms of livelihoods, conflicts will also remain largely endemic. Conflicts are inevitable where socio-economic and political structures are designed to deny the well-being of some communities. Peace can only be realised if these structures are disbanded. The county needs to be opened up and linked up to the rest of the country. There is need to build more schools so that more children get access to education. There is also need to ensure equitable distribution of resources and opportunities amongst the communities living in the County. The government must be very firm and consistent and its presence must be felt so as to protect the lives of innocent people. All levels of justice as a starting point need to be addressed. Institutions of justice must ensure that people's grievances are fully addressed to their satisfaction to avoid a culture of revenge and violence and a relapse to conflict.

RECOMMENDATIONS

To address conflicts in Marsabit County, this study makes the following key recommendations to the different stakeholders including the communities themselves.

To The National Government

"Peace cannot be kept by force. It can only be achieved by understanding"
~ Albert Einstein

1. Strengthen County Peace Architecture: While working closely with the County government, National Government should expedite the establishment of County Peace Forum to help in coordination and harmonization of peace initiatives in the County and ensuring that these peace structures are working closely with County Policing Authority. Sub County Peace Committees should also be strengthened through legal/policy frameworks and logistics to deliver on their mandate. Where necessary, the government should

reconstitute Sub County Peace Committees in a transparent manner that also respects cultures, customs and gender equality. The government should also recognize and work closely with traditional institutions in the County to resolve some of the long standing conflicts.

2. Strengthen the security architecture within the county by increasing security personnel and equipment's. Being a vast and porous County, the government should deploy more security personnel in the County particularly along the borders between the different communities in the County as well as enhancing border control through regular patrols and surveillance. Administration Police should be deployed in the border areas with Ethiopia to step up border surveillance. In addition, this will not be realized without ensuring that the security personnel are well equipped in terms of vehicles, arms detectors and modern guns.

3. Recruit, vet, train, equip and deploy enough NPRs: To supplement the work of security agencies and fill security voids, the government should expedite the recruitment, vetting, training, kitting and deployment of NPRs in volatile (hotspots) areas across the County. Because they understand local terrain and conflict dynamics, NPRs provides a realistic hope of arresting insecurity in the County. It is further recommended that a clear monitoring strategy for NPRs should be put in place to avoid abuse of mandate or misuse of arms entrusted with them by the government.
4. Investment in Physical Infrastructure: The national Government still has authority over many investments such as roads and rail system. The construction of the Isiolo – Marsabit – Moyale road should be fast-tracked. The Railway line that will link Lamu to Southern Ethiopia should also be undertaken to facilitate integration and trade, with cumulative results being improved cross-border relations.
5. Regional coordinated Disarmament: The government should lobby and rally the neighbouring states to undertake a regional and coordinated disarmament exercise to mop up illicit firearms. Where there is a serious threat of attack after disarmament, more NPRs should be deployed to neutralize that threat. Although many studies have made this recommendation, we will not get tired of reminding the National Government of its responsibility to make the country safe.
6. Fully Support Devolution: The implementation of 2010 Kenyan Constitution will in the long run address most of the root structural causes of conflicts in the country. However and for this to be realized, the National Government should ensure that the capacity of counties to plan and executive projects that will greatly contribute to reduction of poverty is achieved. This should also include devolving enough resources and decision

making to the Counties, including Marsabit County.

To the County Government of Marsabit

“I would rather have peace in the world than be President” ~ Harry S. Truman

7. Promote transparency, accountability and equity in resource allocation and decision making: The County government should ensure that all communities in the County are involved and consulted on resource sharing including jobs and other opportunities that have come with devolution. Skewed allocation of County resources will only serve to widen the wedge between the various communities in the county. This is the opportune time to demystify REGABU by embracing all the communities.
8. Conflict sensitive service delivery and development: Closely related to the above recommendation is the need for the County government to be conflict sensitive in its service delivery so that devolution will serve to enhance cohesion and reconciliation in the vast multi-ethnic County.
9. Support County Peace Infrastructure: The County Policing Authority as spelt out in National Police Service Act of 2011 demonstrates that security is not just a function of national government but it’s a shared concern. The Governor is the Chair of this Authority so the County government should work closely with security agencies to strengthen peace and security in the County. The County government should consider funding activities of peace committees, traditional institutions and equip Police with vehicles if possible just as Mandera, Mombasa, Machakos and other Counties have done. The development agenda of County Government will not be realized in an environment devoid of peace and security.
10. Reach Out to all leaders in the County: The Governor and his team should do

everything possible in the County in order to weaken the perception that those who did not vote for the current regime in Marsabit will not be part of the just concluded County Integrated Development Plan (CIDP).

To Civil Society and other stakeholders

“Our goal must not be peace in our time but peace for all time”. ~Harry S. Truman

11. Evaluate peace building strategies: Civil Society and Development partners have spent colossal amounts of money in peace building initiatives but the results have not been impressive. This calls for a review of the strategies and approaches used in peace initiatives in order to learn from the past and design new approaches that may fit into the current dispensations including the emerging dynamics of conflicts such terrorism and disputes brought about by devolution. Most important is the need to attempt precise goals and reflect on long term implications of their programmes in these areas. There is need especially for them to work together as equal partners and maintain the ethics of peace and development
12. Support and Check County Peace Structures: The civil society and development partners should continue supporting and strengthening the capacities of County Peace structures such as County Policing Authority, County Peace Forum, Sub County and Local Peace Committees and traditional institutions. They should also continue providing checks and balances so that each of these structures operate within their set limits, adhere to international recognized human rights and meets constitutional requirements like gender equality where practical. They should also continue researching and flagging out key

conflict issues that need attention of the National and County governments for the sake of peace and security.

13. Support Peace Dividend Projects: The civil society should continue investing in small but quick impact tangible peace dividend projects to consolidate peace and act as development catalysts that the National and County governments may replicate in order to address the structural causes of conflicts.

To Communities in Marsabit County

“Nothing can bring you peace but yourself” ~ Robert Byrd

14. Support and Embrace Negotiated Democracy: The communities should support political processes such as negotiated democracy that will ensure that all communities in the County are accommodated both in the executive and legislative arms of the County. Such arrangements of sharing power for peace and prosperity should go beyond alliances such as REGABU and involve every community in the County including El Mollo.
15. Be each other’s keeper: There is a critical need for all communities in the County to realize that violence or revenge does not pay and to be each others’ keeper, shun negative and participate in peace building processes and dialogue over matters threatening their cohesion and integration.

CHAPTER SEVEN

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Security Research & Information Centre (SRIC) is an independent, not-for-profit organization that specializes in conducting applied research and disseminating knowledge-based information on matters relating to peace and security in Kenya and the sub-region of the Great Lakes Region (EA/GLR) and the Horn of Africa. The Organization envisions secure, peaceful and progressive region in which empirical information on human security is used to inform policy formulation and the establishment of effective and accountable security architecture. The organization began its operations in 1999 and has since made enormous contribution to the body of knowledge especially on peace-building, small arms and light weapons, conflict management and crime trends and typologies.

In this report, key issues that divide communities in Marsabit County have been examined, nature and content of conflicts interrogated and also interventions that have been attempted analyzed. The study sought to demystify new and or changing dynamics of conflicts in the County to include among many others, conflict challenges brought by devolution and terrorism in the region. In doing so, the historical perspectives of community settlements, intra-state security concerns, ethnic geography, inter-group and elite politics, growing inter-group competitions, leadership styles, economic problems and cultural practices characterized by widening ethnic divisions were analyzed. The report concludes by giving recommendations that are aimed at transforming people's perceptions and relationships as they seek lasting peace.

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There is no way to peace. Peace is the way." - A.J. Muste.