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Kennedy Agade Mkutu

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**PASTORALIST CONFLICT, GOVERNANCE AND  
SMALL ARMS IN NORTH RIFT, NORTH EAST  
AFRICA**

**K. A. MKUTU  
PhD**

**2005**



**PASTORALIST CONFLICT, GOVERNANCE AND  
SMALL ARMS IN NORTH RIFT, NORTH EAST  
AFRICA.**

**The cases of Karamoja, Uganda; West Pokot; Dol Dol, Laikipia;  
and Baragoi, Samburu, Kenya**

**Kennedy Agade Mkutu**

**Submitted for the Degree  
of Doctor of Philosophy**

**Department of Peace Studies**

**University of Bradford**

**2005**



## ABSTRACT

Kennedy Agade Mkutu

**Title:** Pastoralist Conflict, Governance and Small Arms in North Rift, North East Africa.

**Key words:** Pastoralists, conflict, governance, small arms, security, disarmament, vigilante, gender, public health, Kenya, Uganda.

30-40 million people in arid areas depend entirely on animals for their livelihood. Of these 50-60% are found in Africa with largest number found in the North Eastern region. Pastoralism depends largely on the availability and access to water and pasture. However, pastoralism is under threat. This is due to a range of factors including weak governance; inadequate land and resource management policies; political and economic marginalization of pastoral groups. These have been initiated by the colonial regimes and continued by postcolonial governments. Increasingly cattle raids have resulted in insecurity fuelled by the proliferation of small arms and light weapons in pastoral communities.

The thesis identifies several factors contributing to pastoral conflicts in North Rift, Northeast Africa (Karamoja, West Pokot, Baragoi, and Dol Dol Mukogodo) These include communal resource conflict at the local, district, national and regional levels. The increase in drought has drastically reduced the amount of water and pasture available, thus escalating the vicious circle of cattle raids and counter raids. The drought has provoked greater need for movement and made clashes more likely. The situation is made worse by the weak governance or no governance in some areas. Official government structures or institutions of justice are conspicuous by their absence. The deficit has been substituted by a proliferation of vigilante groups of armed youth created either by the government or ad-hoc by the community. In recent years the areas have seen the emergence of local businessmen and warlords, whose economic activities span cattle raiding, small arms sales, drugs and who are at the centre of incipient regional criminal networks linked to national networks.

Small arms are not the cause of the pastoral conflict; they have simply intensified the conflict. Since 2001 until now small arms have drastically dropped in cost. But the ammunition prices have tripled due to their scarcity. Small arms in the pastoral areas have since the 1980s negatively impacted the communities. Small arms injuries can be counted like the incidence of any disease, and from the figures it is clear that a public health crisis is mounting as the violence continues. The 5000 victims of gun wounds over 18 months in Nakapiripirit area alone should be viewed as a major problem.

No common policy on intervention by the states is available. Attempts at interventions have been poorly coordinated and executed, too often taking a narrow definition of security that has focused on more or less coercive disarmament without focusing sufficiently on providing viable economic alternatives to those whose livelihoods have become dependent on the gun. Finally, traditional structures of authority within communities have been gravely weakened, as have some of the cultural restraints upon violence that operated in the past.

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## List of Acronyms

ACDA	Arms Control Disarmament Agency
ACK	Anglican Church of Kenya
ADOL	Action for Development of Local Communities
AK47	Avtomat Kalashnikova
APA	Advance Public Administration
APFO	African Peace Forum
ASAL	Arid and Semi Arid Lands
ASARECA	Association for Strengthening Agricultural Research in East and Central Africa
ASTU	Anti Stock Theft Units
BBC	British Broadcasting Corporation
BCMS	British Church Missionary Society
DC	District Commissioner
DCIO	District Criminal Investigation Officer
DDC	District Development Committees
DDHS	District Director Health Services
DEB	District Education Boards
DFID	Department of Foreign International Development
DIC	District Investment Committee
DO	District Officer
DRC	Democratic Republic of Congo
CDCP	Center for Disease Control and Prevention
CECORE	Center for Conflict Resolution
CID	Central Investigation Department
CMOCs	Civil Military Operation Centres
COMESA	Common Market for East and Southern Africa
CTGI	Customary Traditional Governance Institution
EAPCCO	East African Police Chiefs Conference
EMPLS	Exclusive Mineral Prospecting License
EU	European Union
FECCLAH	Fellowship of Christian Councils & Churches in the Great Lakes and the Horn of Africa
FGD	Focus Group Discussions
FSSS	Formal Sector in Security Services
GOK	Government of Kenya
GDP	Gross Domestic Product
GHA	Greater Horn of Africa
GSU	General Unit Service
GTZ	German Technical Co-operation
HRDP	Human Rights and Democratisations Programme
HRW-A	Human Rights Watch - Africa
IBAR	Inter-African Bureau for Animal Resources
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IGAD	Inter Governmental Authority on Development
ILRI	International Livestock Research Institute
IRIN	United Nations Integrated Regional Information Networks
ISSS	Informal Sector in Security Service

ITDG	Intermediate Technology Development Group
KADEP	Karamoja Agro-pastoral Development Project
KANU	Kenya African National Union
KAP	King's Africa Rifles
KDA	Karamoja Development Agency
KDP	Karamoja Development Program
KISP	Karamoja Initiative For Peace
KLC	Kenya Land Commission
KNA	Kenya National Archives
KPIU	Karamoja Project Initiative Unit
KPR	Kenya Police Reservists
KWMP	Karamoja Wildlife Management Programme.
KWS	Kenya Wildlife Service
LC	Local Council
LDU	Local Defence Units
LRA	Lords Resistance Army
LWF	Lutheran World Federation
MAPOTU	Marakwet, Pokot, Turkana
MP	Member of Parliament
MOH	Ministry of Health
MSF	Medecins Sans Frontieres
NARC	National Rainbow Coalition
NCA	Norwegian Church Aid
NCCK	National Council of Churches of Kenya
NFD	Northern Frontier District
NGO	Non-Governmental Organization
NRA	National Resistance Army
NRM	National Revolutionary Movement
OAU	Organization of African Unity
OCPD	Officer in Charge of Police Department
OLF	Oromo Liberation Front
OSLIGI	Organization For Survival of the Lilaikiapiak Group Initiatives
RCC	Roman Catholic Church
RCD	Congolese Rally for Democracy
RDC	Resident District Commissioner
REDSO	Regional Economic Development Service Office
RUF	Revolutionary United Front
SALW	Small arms and light weapons
SARDEP	Semi Arid Rural Development Project
SPIRI	Stockholm International Peace Research Institute
SPLA	Sudan Peoples Liberation Army
SMG	Sub machine gun
SNV	Netherlands Development Agency
SW	Saferworld
TDFA	Tanzania People Defence Force
PC	Provincial Commissioner
POKATUSA	Pokot, Karamoja, Turkana and Sebei
PRSP	Poverty Reduction Strategy Paper
PS	Permanent Secretary
UBO	Uganda Bureau of Statistics

UPA	Uganda Peoples' Army
UPDA	Uganda Peoples' Defence Army
UPDF	United Peoples Defence Force
UNDP	United Nation Development Programme
UNLA	United National Liberation Army
UNICEF	United Nation International Children Education Fund
UNITA	United Union Total Independence of Angola
USAID	United States Agency for International Development
WFP	World Food Programme
WHO	World Health Organization
WR	Wildlife Reserves

Map 1.1 Location of Study Area: North Rift<sup>1</sup>, Northeast Africa

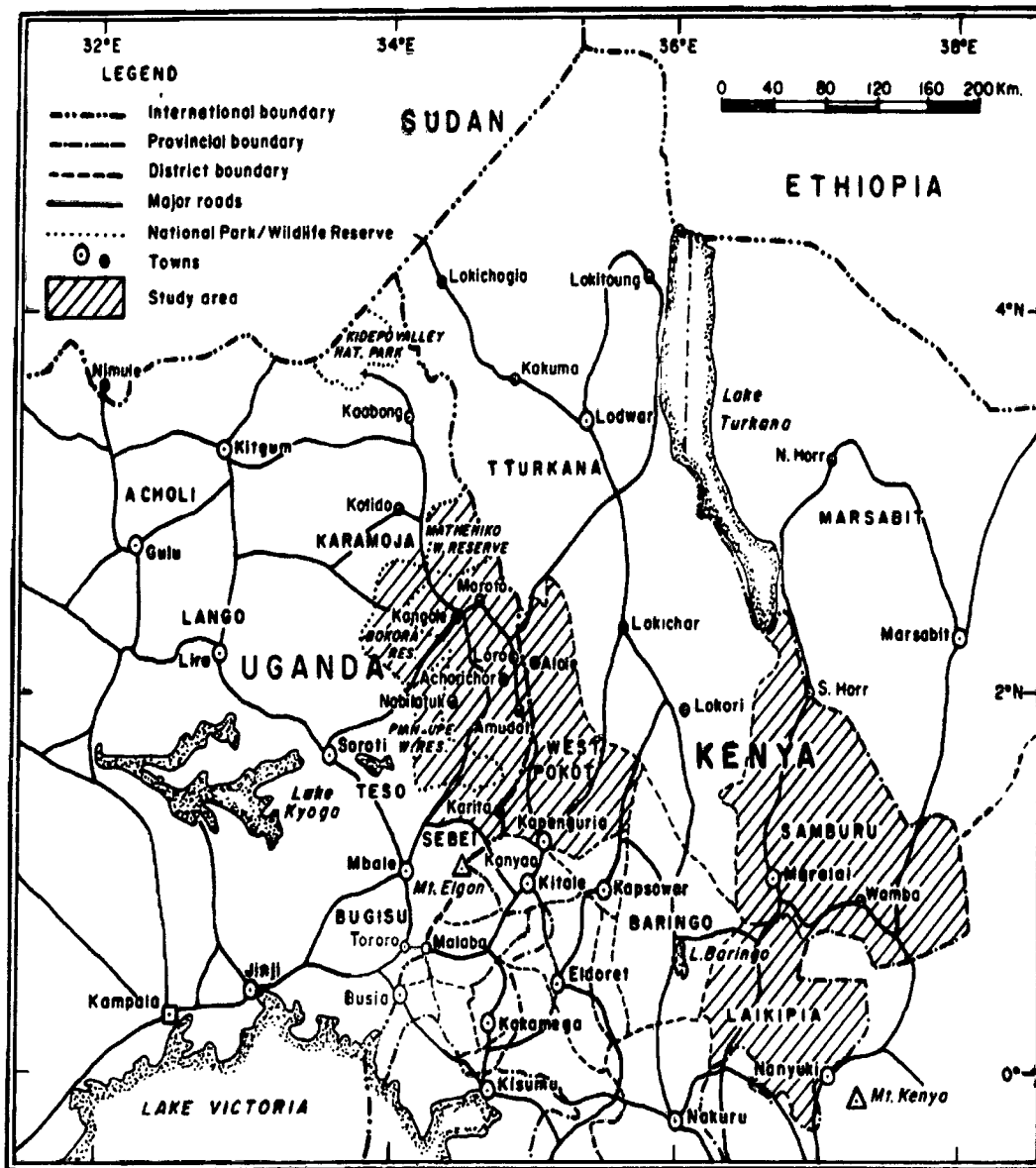


Fig. North Rift, East Africa

Source: Modified from Macmillan Sch. Sch. Atlas, 1999

<sup>1</sup> North Rift is a geographical reference for former eastern Province of Uganda (before the 1926 boundary drawing). The area extended from Naivasha Kenya and included North-eastern Uganda. West Pokot, Samburu, and Laikipia in Kenya and North-eastern Uganda (Karamoja) are the districts being examined.

## **Chapter 1**

### **Introduction**

#### **1.1 Introduction**

This research study examines the relationships between ethnic conflict, governance, small arms proliferation and violence as they relate to pastoralists in the Horn of Africa. An estimated five million small arms are alleged to be circulating in Nairobi city alone<sup>2</sup>, and the number in the pastoral communities in northeast Africa and the entire Horn region is unknown. In 2001, the Washington File on Africa noted: “illegal arms in Kenya had reached crisis proportions.”<sup>3</sup> Although small arms have proliferated in the Horn for decades, attention to the problems associated with their illegal transfers and misuse is fairly recent<sup>4</sup>. Current interest coincides with civilians’ decisions to arm themselves and with their use of small arms in livestock rustling and criminal activities. Such arms are usually acquired illegally. Therefore the stockpiles, transfers, and use of illicit small arms comprise a serious security and development challenge to countries in the Horn of Africa. The problem is especially acute in Kenya and Uganda within pastoralist communities and between the pastoralists and other communities, and this study addresses the problem.

Arms transfers and the conflicts they feed are having a devastating impact on sub-Saharan Africa. Mkutu (2001) demonstrates that they have significantly prolonged and intensified instability, violence and insecurity of livelihood. Since 1989, Africa has experienced more armed conflicts than any other continent<sup>5</sup>. By the 1990s wars in Africa

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<sup>2</sup> Daily Nation, 18 December 2000 “5,000 Guns Unlicensed in Nairobi”

<sup>3</sup> [Http://usinfo.state.gov](http://usinfo.state.gov). July 10, 2001:4

<sup>4</sup> It was only 15 March, 2000, that the issue of small arms was placed on the security agenda of the countries of the region. The meeting brought together ten countries from the Horn and the Great Lakes region, which are adjacent, and overlap. The meeting led to the signing of the Nairobi Declaration that lays the basis for devising a regional approach to the management and control of small arms.

<sup>5</sup> See Wallensteen & Sollenberg, 1997:339

had increasingly taken on a regional character, especially in the Greater Horn of Africa.<sup>6</sup> A second type of armed conflict is the small communal conflicts, which are rarely reported, but have the potential to evolve into greater civil wars. This study will concentrate on pastoralism conflict and small arms in North East Africa, which fall into the second category, but which are more devastating overall than the large-scale wars.

This chapter gives a brief overview of the research area, describes the genesis of the research, describes study methodology and how access to data was gained, identifies ethical issues and limitations, and briefly outlines the content of the thesis.

## 1.2 Statement of the Problem

The small arms<sup>7</sup> issue has emerged as the latest problem to be tackled by non-governmental organizations (NGOs), funding agencies and governments in order to improve human security and development in northeast Africa. Why? The proliferation of small arms and light weapons is associated with the escalation and intensification of conflicts, crime and violence in the Great Lakes region and the Horn of Africa<sup>8</sup>. The area has been ravaged by conflict and cattle rustling within and between border communities, with violent use of small arms. Conflicts over diminishing resources continue to characterize the socio-economic and political life in the region and in sub-Saharan Africa

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<sup>6</sup> Covers the Great Lakes and the Horn of Africa, which include Somalia, Djibouti, Ethiopia, Democratic Republic of Congo, Sudan and Eritrea.

<sup>7</sup> These include revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns. Light weapons also consist of heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank and anti-aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missiles, and mortars of less than 100mm caliber. Ammunition and explosives also fall under small arms and light weapons and consist of cartridges for small arms; shells and missiles for light weapons, anti-personnel and anti-tank grenades; land mines; mobile containers with missiles or shells for single action anti-aircraft and anti-tank systems; and explosives. See UN A/52/298 27 August, 1997. This thesis uses the term 'small arms', 'light weapons', and 'firearms', interchangeably as the overlap is great.

<sup>8</sup> There are currently 3 ongoing conflicts in the Horn of Africa (Southern Sudan, Uganda north, Ethiopia and Eritrea), in addition to one collapsed state (Somalia), and much pastoral conflict and banditry with the



as a whole. Many of those affected are non-combatants: women, the elderly and children, as well as the young men who are forced to become warriors. The conflicts among the pastoralists have not spared the peacekeepers, relief workers and entrepreneurs; who more and more become victims.

Towards the beginning of the 20<sup>th</sup> century, pastoralists faced major challenges<sup>9</sup> and threats emanating from political marginalization, drought, and competition for grazing land, diseases and stock theft.<sup>10</sup> In addition, inept aid and development policies continue to affect them. Between 1990s and now, next to political conflict, insecurity from small arms proliferation has become the main problem affecting pastoralist communities and urban areas in Kenya<sup>11</sup> and Uganda. In the Rift Valley of Kenya, where nomadic and semi-nomadic pastoral and agro-pastoral communities occupy two thirds of the country's landmass, cattle rustling has increased ten fold in the last decade as small arms and light weapons have flooded into the region.<sup>12</sup> The problem, however, cuts across regional boundaries and has engulfed Kenya, Sudan, Uganda, Somalia and Ethiopia.

The epicentre is in the upper Rift Valley where the Pokot, Marakwet, Samburu, Turkana, Oromo, Karimojong, Jie, and Toposa share borders and keep livestock (cattle, camels and donkeys) as the main economic activity. Some of the communities, such as the Turkana, Karamojong, Samburu and Pokot, depend almost entirely on livestock for their livelihood. Civil unrest in the region is high, as seen by widespread cattle rustling across national boundaries.

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use of small arms in Ethiopia, Uganda, Sudan, and Kenya.

<sup>9</sup> Pastoralism is a subsistence system that relies on domesticated animal production for meat, milk, hides and blood etc or tending herds of large animals native to parts of Asia, Europe, Africa and the Middle East. Pastoralism is the core activity in arid and semi arid areas and relies mainly on pasture and water with some little agriculture combined in some areas. It is a nomadic way of lifestyle.

<sup>10</sup> Mkutu 2001; Kashay et al., 1998

<sup>11</sup> See for example Kenya Times 21 April 2004. Nairobi alone has nearly 5,000 small arms circulating.

<sup>12</sup> Poverty Reduction Strategy Paper 2001-2004:35.

Livestock raids in the last two decades have been well organized and sophisticated. Historically, raids came once a year; the raided group knew the raiders were coming, and no one used AK47s. A man in traditional war costume would alert the other clan. Raiders would round up the cows, but herders were never killed. Women and the disabled were not killed, or if they were, such actions were thought to bring bad luck to the killers' families. The technology was primitive: spears, stones, arrows, and occasionally an old 303 rifle.

The problem of cattle rustling and small arms became so serious in 1999, that the former President of Kenya directed the police to shoot cattle rustlers on sight and ordered punishment for whole communities abetting the practice. Raiding has come dramatically to national and regional awareness by raids that have repeatedly closed road contact within large areas of the North Rift. The lethality of the raiding can be illustrated by a raid in April, 2000, where a gang of 500 armed bandits with AK47s, G3s and Mark 4 rifles, invaded Baragoi, Samburu District of Kenya, stole 5,000 cattle, camels and donkeys; and left five Kenya government officers hurt and thirty people and 100 animals dead<sup>13</sup>. Proliferation of small arms is associated not only with escalating cattle raids, but also with greater banditry and insecurity on roads and killings in villages. It has also made the control of livestock diseases a more difficult task. (OAU/IBAR, Report, 2001).

The need for research and cooperation to find practical and mutually beneficial solutions cannot be over-emphasized. The first meeting of African experts in 2000 stressed the need for data collection and policy oriented research to guide efforts to control the illicit small arms trade (OAU, 2000:22). The regional foreign ministers then met in March 2000 signing the "Nairobi Declaration"<sup>14</sup> and later its "coordinated agenda for action"<sup>15</sup> that

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<sup>13</sup> Daily Nation 18 April 2000.

<sup>14</sup> Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, March 2000. <http://www.ploughshares.ca/CONTENT/BUILD%20PEACE/NairobiDeclar00.html>

<sup>15</sup> "Coordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons

placed the issue of insecurity and the spread of small arms on the security agenda of nations in the greater Horn of Africa (GHA) region. The destructive and debilitating impact of the availability and use of small arms and light weapons is now a serious concern for different countries and regions worldwide. The U.S. Embassy in Kenya noted that small arms proliferation has reached a crisis in Kenya. (Washington File for Africa, 2001). The UN (2001) Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects underscored the importance of small arms in exacerbating and prolonging conflicts around the world. That conference is one of the latest high-level attempts to curtail the proliferation of small arms and light weapons. It aimed to agree on a set of measures to curb the illegal trade, circulation and re-circulation of small arms and light weapons<sup>16</sup>.

The conference created a valuable document that proposed global, regional and national actions to reduce the dangers of the diffusion of small arms<sup>17</sup>. Its most useful recommendation was for well-organized government regulation of small arms exports, not to obstruct them, but to guarantee their legality. It has made sure that small arms issues get attention by African Union, East African Cooperation and the IGAD.

The scope and magnitude of conflict in Africa has increased in the last two decades. Nowhere is this pattern more clearly demonstrated than in the fragile, arid peripheries of the Horn of Africa. For the past thirty years, the Horn has been in a state of turmoil, devastated by drought and famine and torn by civil war and at least three regional conflicts, bringing death to millions. The proliferation of light weapons, financed by cash, diamonds, or other commodities, did not cause Africa's wars, but it has prolonged them and made them more lethal.

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in the Great Lakes Region and Horn of Africa; November 2000.

<sup>16</sup> The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, 9-20, 2001. UN Headquarters, New York. [http://www.clw.org/atop/salw/un\\_conference.html](http://www.clw.org/atop/salw/un_conference.html)

Two types of armed conflicts are now rampant in the Greater Horn<sup>18</sup> of Africa. One is the large-scale conflict such as the wars in Democratic Republic of Congo, in Northern Uganda and currently in Southern Sudan and the Darfur area. These wars are widely covered by the press. The second type of conflict is intra and interethnic conflict among pastoralists, which are not often reported. Little is known about them though it is assumed that there is a causal relationship between small arms availability and the intensification of the level of violence. As noted by Osterle and Bollig (2003:13);

Guns have been discussed as a new means of production, highlighting potential gains from raiding.... However, there has been little proof that guns are, in effect, consistently used in an economic way so as to accumulate scarce resources.

Additionally, a detailed quantification of losses and damages is rarely presented.

The spread and use of small arms in interethnic and intra-pastoral conflicts has exacerbated the nature of these small-scale resource conflicts. To date there have been only a few attempts by the governments of Kenya and Uganda to address the issue of small arms in pastoral communities. That is what this research is intended to study.

Small arms and light weapons as tools of combat were increasingly in the limelight in the 1990s. According to Klare (2000), small arms are not just small, they are a distinct class. Their portability allows them to be carried by an individual or even a child. Their use requires minimal training. Most are easily concealed in the clothing or hand luggage of an individual. The problem of small arms is basically one of excessive accumulation and widespread abuse. Their easy access undermines both traditional and modern institutions of human security, conflict mediation and democratic governance.<sup>19</sup> They play an important role in creating and sustaining a culture of violence, which undermines human development and finally they contribute to criminal violence. A study such as this one

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid. Footnote 3.

<sup>19</sup> Mkutu 2001.

should help fill a pressing need.

### 1.2.1 Distinctiveness and Rationale for Choice of Study Areas.

The North Rift is a geographical area, which was part of the former eastern province of Uganda before the 1884-5 Berlin Conference, which created the current international borders. The Uganda border then extended south and east to what is now Naivasha, Kenya, and the current Northeastern province of Kenya was part of Jada land province.<sup>20</sup> Thus the area displays complex issues of two different states with distinctive colonial histories and border politics. Another complexity is the issue of multiple conflicts waged simultaneously at different levels (regional, national, district, inter-ethnic and local). The conflicts are varied in nature, including environmental and resource based conflicts,<sup>21</sup> communal armed conflicts and political insurgencies. Different ethnic groups live in the area but share identical problems (See Figure 1.1)

**Figure 1.1 The People of the Karamojong Cluster**

Tribe Name	Area occupied	Country
Turkana	Turkana	N.W. Kenya
*Samburu	Samburu/Kenya	Kenya
*Laikipia	Laikipia/Kenya	Kenya
Pian	Karamoja	N.E. Uganda
*Upe Pokot/ Pokot Kenya	Uganda/Kenya	Uganda-Kenya border
Tepes "people of mountain"	Karamoja	N.E. Uganda
Bokora	Karamoja	N.E. Uganda
Matheniko	Karamoja	N.E. Uganda
Jie	Karamoja/south Sudan	N.E. Uganda/Sudan
Dodoth	Karamoja	N.E. Uganda
Toposa	Sudan	Sudan
Nyangatom	Sudan/Ethiopia	Sudan/Ethiopia
Teso	Uganda/Kenya	Uganda/Kenya
*Didinga	Sudan south	Sudan
*Merille <sup>22</sup>	Sudan	Ethiopia
*Sebei	Karamoja	N.E Uganda/Kenya borders

\*Indicates those who are not linguistically related to the Karimoja cluster. They are however related to the Kalejin, who inhabit parts of Kenya's Rift Valley, Uganda, and Southern Sudan. The Karamoja cluster groups have different dialects<sup>23</sup>.

<sup>20</sup> See for example Ojany and Ogendo 1973:6 "The East African Protectorate before 1902"

<sup>21</sup> Water, land, pasture and control of minerals

<sup>22</sup> Merille are found between the River Omo in Ethiopia and Lake Turkana in Kenya

<sup>23</sup> For more on Karamoja cluster see Pazzaglia 1982. "Karimojong" are the people, "Karamoja" the region.

The people of the north Rift fall into two categories, the highland Nilotes or Kalenjin, who include Pokot, Sebei, Marakwet, Elgeyo, Tugen, Nandi and Kipsigisi and the Plain Nilotes, which here are composed of the Masai, Samburu and Karimojong-Teso. They have similar cultural and physical characteristics, though are linguistically different.<sup>24</sup>

Crops will not grow in these arid and semi-arid areas, so people are forced to be nomadic pastoralists. All the tribes of the cluster own and value cattle; when drought, famine and disease reduce the herds, the people must get more through raiding. They intermarry, raid each other, and forge war alliances with and against each other. The areas straddle communities on both borders that are related but separated by the border.<sup>25</sup> The Turkana and Jie are related but separated by the border between Kenya and Uganda. In addition, the areas are characterized by weak state structures and by customary traditional elders who remain very powerful. In Kenya the areas have chiefs appointed by the state, but in Uganda the customary governance system still dominates. The communities themselves, using vigilantes and local militias protect the people in most of these areas.

The problem of underdevelopment and purposeful abandonment by the government dates to the colonial regime, which preferred private to communal land ownership. Efforts were made by external forces to organize the pastoralists for ranching and to sedentarize them in an attempt to gain political control and to tax them.

People's means of livelihood in North Rift is quite different from those in the south where modernization has been attempted. Access roads to the cities and major towns are rudimentary, and there are no railways. Other amenities like water, electricity and health care are extremely limited or absent. This condition hampers access to basic services such as health care, formal education, security and markets. It hinders efficiency and options, both for input resources and output products. Therefore, trade ability and income

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<sup>24</sup> Karimojong cluster consists of seven tribes.



generation capacity in all the areas under study are severely restricted. Much of the existing social services in the North Rift has been provided by churches and missionaries; related to this is the fact that the majority of the people in the North Rift are not Muslims but nominal Christians or traditionalists. In northeastern areas by contrast the government provides services or they do not exist. Also the area is predominantly Muslim. As relates to land claims few claims exist in northeastern Kenya.<sup>26</sup>

The marginalization, brutalisation and dehumanisation of the districts by the colonial state have been sustained by the postcolonial regimes. In other areas in Kenya and Uganda, this is less of a problem. Policies that began in the colonial and immediate post-colonial periods have triggered many current contradictions and conflict between local people and the states. The area under study is still a subject of conflicting territorial claims based on policies from the colonial period. The conflicts, therefore, are partially linked to state formation.

The areas studied are similar in ecology and harsh climatic conditions, and they are remote from the two countries' capital cities (Nairobi and Kampala). They are termed 'hardship' areas by all civil servants sent to them. The areas were also chosen to allow representation of different communities, to portray different degrees of insecurity and intensity of conflict that exist in the North Rift; and to compare areas that have been targets of government interventions with those that have not. The uniqueness and its variety noted above and given that little work has been done in the area is the main rationale for the choice.

Finally, the areas were selected because those most affected by small arms conflict lie along the national borders in northeast Africa, and they also border under-developed

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<sup>25</sup> For example, the Pokot extend from Baringo in Kenya to eastern Uganda.

<sup>26</sup> See for example, "Memorandum: The Pokot Land Claims in Trans Nzoia District (1895-2002)" Presented to the constitution of Kenya Review Presidential Commission of Enquiry into the Land Law Systems in Kenya and to His Excellency, The President of the Republic of Kenya, Daniel T. Arap Moi 18 April 2002.

regions of neighbouring countries. Cross border conflict is complex because it is local, national, regional, international and global in nature. It becomes a national issue when it is manifested in intra-community raids, when the pastoralists cross borders to other neighbouring districts, or when the raids impinge on the security of the entire state of Kenya or Uganda. Such conflict takes an international dimension when the pastoralists raid people across the national boundary, e.g. Pokot against Karamoja or vice versa. It then takes a regional dimension when the Pokot attack the Karimojong and/or when the Turkana of Kenya ally with Karamoja to attack Sudanese Toposa and vice versa. Lastly the pastoral conflict takes a global dimension because small arms and light weapons are not manufactured in the areas but must be imported from abroad. The arms challenge is not just an African problem *per se*. Rather, it is a global challenge because of the intriguing nature of the arms flow into and within the Horn of Africa. No developed industry for small arms and ammunition<sup>27</sup> is located in any of the pastoral districts on the border.

### **Relevance of the Research**

The work is relevant for policy communities as well as for the academics concerned with the interrelationships between conflict, governance and the availability of small arms in developing countries especially in the Horn of Africa and Great Lakes. This work examines the problem of arms proliferation among pastoral people in unprecedented detail, and it shows that some widely held assumptions about the problem are misleading. The work takes an interdisciplinary perspective and looks beyond public-arena pronouncements. The dissertation also provides a detailed case study of small arms flows and their availability to violence, in the context of overlapping complex conflicts, and of the ways in which different governance strategies affect them. The study also examines the public health and economic impacts of small arms. In addition the work has generated an extensive literature review on arms and conflict in northeast Africa, and it contributes

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<sup>27</sup> Though ammunition industries do not exist in pastoral areas, all three East African countries (Kenya,

to the understanding of crime as it relates to small arms. It also provides information, which should be useful to scholars in security studies and conflict resolution and to those who are interested in further investigating the areas of pastoralism conflict, small arms, governance and development.

### **1.3 Genesis of the Research.**

My primary education was in Sameta high school, which is located on the border between the Kisii and the Masai in Kenya. The Masai are pastoralists, while the Kisii are mixed farmers.<sup>28</sup> From time to time, the Masai raid cattle from the Kisii, and the Kisii mount revenge raids to repossess their cattle and to punish the Masai. Sometimes, the interethnic fighting would affect the school. However, the fights between the Kisii and the Masai in 1980-1983 did not involve small arms; spears, arrows and sticks were the weapons of choice.

In 1983-84, I was admitted to a boarding school on the Kenya-Tanzania border, where the Kuria occupy both sides of the border. The Kuria are mixed farmers who also herd cattle. They raided cattle across the borders of Migori and Tarime in Tanzania's Transmara districts. The Kuria had access to firearms, which were easily obtained from Uganda. The principal source of weapons was the instability in Uganda and Tanzania in 1983-85 (Egesa and Mkutu, 2000).<sup>29</sup> The Tanzanian Kuria managed to get arms to their kinsmen on the Kenyan side. Among the cattle raiders were 11-14 year old boys from my school. This gave me an opportunity to begin to comprehend the problem through interaction with schoolmates. Once or twice bandits invaded the school. In December 1983, I sat for advanced level exams and left Kuria.

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Uganda and Tanzania) have ammunition-manufacturing industries.

<sup>28</sup> They grow wheat, tea, and corn but also keep some cattle.

In 1987, I went to study in United States. On return to Kenya in 1996, I found myself lecturing policy makers and state governors in Kenya,<sup>30</sup> of whom some worked in peripheral areas, which are mainly occupied by pastoralists. There livestock theft was prevalent.

In November 1997, my first assignment as a lecturer was to supervise governors in two pastoral areas of Kenya, Marigat (Baringo District) and Maralal and Baragoi division (Samburu District). The governors were studying public administration. To get to Samburu from Marigat, one had to use back roads via Lake Bogoria and pass through Pokot and Tugen country. For miles, there was no life, except from time to time. On occasion young Pokot herding boys (pastoralists) would spring from the bush armed with bow and arrows.<sup>31</sup> This stimulated me to try and understand and help to solve the problems faced by the pastoralists and from 1998, I ensured that any work I supervised among policy makers was in pastoral areas and concerned cattle rustling. This enabled me to write one of the first works on cattle rustling and small arms in Samburu, which was presented at the Conference for Improving Human Security in East Africa, in Arusha, Tanzania. The study was later serialized in the local newspapers in Nairobi<sup>32</sup>. I then decided the best way to help the world understand the security dilemma in pastoral areas of East Africa was to undertake further research in the area. Since joining the University of Bradford in 2001 I have published some preliminary findings. *Pastoralism and Conflict in the Horn of Africa (2001)* Nairobi, London. APFO/Saferworld, University of Bradford and *Pastoral conflict and small arms: The Kenya-Uganda border region (2003)* London. Saferworld. I have also contributed in writing the report “*Breaking the cycle of violence: building capacity for development in Karamoja, Uganda, SNV-Uganda/Paxi Christi*”.<sup>33</sup>

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<sup>29</sup> The fighters from Tanzania who liberated Uganda were mainly Kuria from Tanzania.

<sup>30</sup> District officers and top security officers and civil servants

<sup>31</sup> I had watched the movie Gods Must be Crazy, but could not imagine such areas existed in Kenya.

<sup>32</sup> See People Daily 20 August, 2000.

<sup>33</sup> See appendix for other conferences and workshops attended and participated in. 2001-2004

The understanding of pastoralism conflict and small arms, and of their dynamics and complexity, are vital to peace, security, stability and development in Northeast Africa. It is because of the neglect of the small arms presence amongst the pastoralists that this research has been undertaken.

#### **1.4 Study Methodology**

A case study approach employing both qualitative and quantitative methods of data collection and analysis is employed. The study questions, hypotheses and objectives are found at the end of the literature review in chapter 2. The methods chosen were those able to answer “why” and “how” questions. These methods are suitable when studying a phenomenon such as small arms, where the purpose is to understand the dynamics. Qualitative research is context sensitive and embeds everything in its social, historical and temporal contexts. To overcome bias, triangulation was used to compare data relating to the same phenomenon but deriving from different phases of the fieldwork and accounts of different participants (Hammersley and Atkinson, 1995; 230). Triangulation is the use of two or more approaches in the study of the same object.<sup>34</sup> Put simply, triangulation between methods compares at least two research ‘solutions’ to a single problem in an effort to validate the outcome of one approach in terms of the outcome of another. Thus, it is a means of monitoring research findings. (McFee, 1992:219) Triangulation allows mutual validation, reduces inappropriate certainty, and can assess the plausibility of threats to validity. Additionally, it assists in cross checking findings from both quantitative and qualitative research. Patton (1990:26) also notes that it is a powerful solution to the problem of intrinsic bias that comes from single data sources or methods. However,

The major problem with triangulation as a test of validity is that, by

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<sup>34</sup> See Denzin, 1970: 301; Robinson, 1993: 404; Patton, 1990:187; McFee, 1992; Hammersley and Atkinson, 1995:230-231.

counterpoising different contexts, it ignores the context-bound and skilful character of social interaction. (Silverman, 1993:158)

Attempts are made to counteract this and are later discussed.

The dissertation is based on primary data collected between August 2000 to November 2004, and also secondary data from historical sources. The nature and complexity of the problem predetermines that several data gathering techniques be employed. Their various merits are discussed in the relevant sections below. The main instruments used to collect data included an individual questionnaire, key interview guides, focus group discussions, and participant observation. Other approaches are employed, such as archive data, medical data and police data. The data collected from the different areas is woven into eight chapters. Data analysis from the different methods is done with triangulation, so when the entire work is put together, it gives the richness of the data but with checks on bias.

#### **1.4.1 Archival Data**

Archival data was obtained from published and unpublished sources including the Internet, books, journals, published and unpublished articles, official government reports, OAU documents, official statistics, parliamentary reports, and newspapers. These materials were predominantly useful in the theoretical chapter (2). The Kenya National Archives provided information on the background of the problem and the social structure of the communities. They also provided data on colonial policies toward cattle raids and attempts at management. The Kenya National Archives carry important documents and records dating to colonial times.

#### **1.4.2 Participant Observation**

Observing pastoralists was used while carrying out other study methods. Observation was

used in most of the areas visited to verify certain claims, particularly as to injuries, stolen cattle, the security situation, the military's presence and other measures to curb insecurity. I was able to attend some of the security meetings, conferences, workshops and peace meetings in the region<sup>35</sup>, at some of which the warriors attended with their arms. While driving on the roads I could observe young boys carrying arms, even while grazing their herds. For example, I visited an area where I saw some lovely camels. When I inquired where the camels came from, I was told, "They were raided in Turkana in 1984." Additionally, I had the opportunity to herd with the warriors, enabling me to carry their AK47s and to just talk to them.

Participant observation is especially useful in the study of small arms because it is difficult to collect such data without knowing the community and talking to its members. While I lived in the community, I could easily collect data as well as be a part of the local activities. I also obtained a rounded and well-founded picture of the community. As for disadvantages, the process was slow and intensive. It is difficult to cross check some subjective information and replication would be unlikely. Participant observation is vital in pastoral conflict research as it forces the researcher to step into potentially alienating situations (Cohen, 2000), and has the advantage of allowing the researcher to experience daily life first hand, clears the path to understanding, and acts as a point of reference for local practices that might otherwise remain obscure or strange to the passive observer (Jorgensen 1989:9; Dewalt and Wayland 1998).

### **1.4.3 In-depth Interviews**

One hundred and eighty semi-structured interviews were conducted with key informants thought to be more knowledgeable about, and more involved in pastoral conflict and the diffusion of small arms than others. They covered historical and current insights about

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<sup>35</sup> See Appendix

local conflicts, especially as small arms entered the North Rift and neighbouring areas, the security situation, knowledge of arms movements, governance and security, impacts of conflict, peace building and development initiatives.

Interviews were conducted based on a general schedule so as to achieve comparability and a more balanced view of issues discussed. The questions were broad to encourage contributions, and elicit detailed descriptions, direct quotations of perceptions and accounts of experiences. Efforts were made in each case to identify a cross section of participants, to ensure that a representative picture emerged in the discussions.

### **Categories of Interviews in Kenya and Uganda**

Key informants interviewed included government officials such as district officers, district commissioners in Kenya and their equivalents in Uganda, resident district commissioners, chief administrative officers, local council leaders, security personnel, local council members (at district, sub-country and other levels), elders, religious leaders, doctors, nurses, women, *karachunas* (warriors), ex-raiders, and warlords, and workers in Non-governmental organizations.<sup>36</sup> Early researchers who worked in the region were also approached<sup>37</sup>. Other people interviewed included members of parliament and local councils, local defence unit and militia members, Kenya police reservists, businessmen, and cattle traders.

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<sup>36</sup> In Karamoja, NGOs visited included; Karamoja Initiative for Sustainable Project (KISP), Karamoja Agro-development Programme (KADEP), Karamoja Project Implementation Unit (KPIU), Matheniko Development Forum, (MADFO), Kotido Peace Initiative (KOPEIN), Karamoja Association for Peace Environmental Project (KAPEPS), Karamoja Data Centre (KDC), Moroto/Nakapiripirit Religious Leaders' Initiative for Peace (MONLIP, Pokot-Karamoja-Turkana-Sabiny Peace Building Project (POKATUSA), Teso Initiative for Peace (TIP), and Medicine San Francise (MSF). In Kenya, NGO personnel were interviewed included: National Council of Churches of Kenya (NCCCK), Semi-arid Rural Development Program (SARDEP), Intermediate Technology Development Group (ITDG), Organization For Survival of the Lilaikiapiak Group Initiatives (OSILIGI), and African Peace Forum (APFO).

<sup>37</sup> This included writing Prof. Gulliver (who did his work in the area in 1948); Prof. Ton Dietz from Belgium researched Pokot). Prof. Bollig (Germany) did his work among Pokot. Ben Knighton, (Oxford)



Individual oral testimonies were obtained in Uganda in Nakapelimoru, Kanwat, Panyangara, Lokitelaebu, Kachire, Kotido District (Jie), Nakiloro, Rupa, Loputuk, Lotirir, Nadeket, Musasi, Moroto district (Matheniko), Iri (Bokora), Namalu, Amudat, Karita, Nakapiripirit district (Pian and Upe Pokot) and Kampala. In Kenya, testimonies were obtained in Kapenguria, Kachiliba, Alale (West Pokot), Maralal, Baragoi, Bendera, South Horr, (Samburu), Dol Dol, Nanyuki in Laikipia district (Masai) and Nairobi.<sup>38</sup>

#### 1.4.4 Questionnaire

A structured open questionnaire was administered between 2001 and 2003 to administrative officers attending the six months course at the Kenya Institute of Administration.<sup>39</sup> The administrative officers are a special informant group because in Kenya, they are the custodians of public safety, especially in conflict prone or border areas. Sometimes, as a result, they become victims of violence, crime and the small arms scourge. Due to their experience in national and regional issues in the field, they have certain information not available in print. They chair local security committees, and the police are directly under their jurisdiction.

The study aim was to question them about the dynamics of small arms trafficking, cattle rustling, governance, disarmament, arming of pastoralist home-guards, the advantages and disadvantages of home-guards, their attitudes, their personal experiences and their position. The purpose was to learn why they are not able to address the problems as governors with the state machinery. Accessing these administrative officers was not a problem for me: I am currently a senior lecturer at the Kenya Institute of Administration (KIA) in Nairobi, Kenya, where these officers come for training. KIA was established in 1961 to take over the running of the public service from the colonial civil servants who

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and Prof. John Lamphear who did his work among the Turkana and Jie.

<sup>38</sup> See annex for the lists of those interviewed in each country.

were to depart following independence.<sup>40</sup>

A colleague was requested to administer the questionnaire in my absence, and after completion the questionnaires were returned to him. Those not willing to complete them were excluded, as were those who had not served in the field.<sup>41</sup> In total, 142 administrative officers completed the instrument. The officers based in headquarters or with ministries like finance, home affairs, transport, the judiciary and foreign affairs, did not need to respond. The questionnaires not returned were mainly from people assigned to these ministries.

The questionnaire had the advantage of being inexpensive and quick. It was intended for the respondents to complete themselves. Questionnaires provide people with a medium for the anonymous expression of beliefs (May, 2001:97), and open-ended questions are useful for testing hypotheses about ideas or awareness (Oppenheim, 2001:115).

#### **1.4.5 Police Occurrence Book Records**

The police occurrence books in police stations, especially in Kenya, provide raw data on crime incidents reported at a given police station or post in Kenya. I was able to obtain crime data on cattle rustling, arms used, arms recovered, deaths, injuries, and livestock stolen or recovered, as well as the general misuse of arms and its human and economic impact. This is material that has not been made available to earlier researchers because government officials usually treat security issues with secrecy.

Police data has limitations. Taking the figures at face value ignores the dynamics underlying their collation. Only a quarter of all offences recorded are detected by the

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<sup>39</sup> KIA is the senior institution for training upper level policy makers in Kenya.

<sup>40</sup> See <http://unpan1.un.org/intradoc/groups/public/documents/CAFRAD/UNPAN008176.pdf>

police, meaning that the public voluntarily reports the remaining three-quarters. However, reporting a crime does not ensure it will be recorded. Police officers may consider no crime was committed or decide to take 'no further action', in which case it will not be entered in the police occurrence book. Recording practices also vary, so the same act may be recorded differently in different areas. Additionally, pastoral areas are generally inaccessible; hence the police data presented below are indicative rather than definitive. The areas chosen are also districts/divisions not provinces; figures for the whole province will be significantly higher. Police data also suffers from lack of logical investigation to a conclusion; political interests may influence this. However, with all these limitations police data plays a crucial role in intelligence and statistical analysis for decision-making. Because of the police system's vast network, data from the police are likely to cover nearly all forms of crime. Also the police data are detailed at the national, provincial, district, and probably even to the local village level. It may give the nature of crimes committed and those involved, which makes it very valuable.

Information in daily papers is actually gleaned from police records, as journalists do not access these arid areas. Such records also help identify particular types of guns and their possible sources, e.g. illicit/licit. Gaining access to the data is near to impossible, since police are extremely wary of how it will be used. Hence they sometimes may be accused unjustly of secrecy and corruption.

Nevertheless for Kenya I managed to get the police data through the extensive networks I have in the different districts. Because that information was not available in Uganda, a comparison between the two countries could not be done; hence each country is treated as a unique case.

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<sup>41</sup> Some of the district officers are based at the headquarters.

#### **1.4.6 Medical Data**

Several hospitals were visited within the study areas, including Moroto District Hospital, Matany Mission Hospital, Tokea Dispensary and Amudat Mission Hospital, all in Uganda. Kenyan hospitals visited included Kapenguria District Hospital, Amukuriate Mission Hospital, and Baragoi Health Dispensary.

The hospitals were visited since they are the first recipients of most victims of small arms or domestic violence. In these institutions, I was allowed access to the records. I examined hospital records on gunshot wounds, noting numbers of those who died and those who lived, records on any trauma, by sex, age, date, etc. Some of the data was available for the past ten years, but in other clinics and hospitals records were not available for that long. Such information often is not available because of the sensitivity of patient information in health and social care. Therefore, names and addresses were removed to reduce the chances of anyone identifying a record, and only summaries were obtained, rather than detailed records.

The data was analysed for trends in demographic information, such as villages of origin, age and sex of victims, comparison of numbers of gunshot wounds with other types of trauma. From these data, as well as from discussions with the staff at each clinic, inferences were made about the magnitude of the problem of violence in the North Rift.

#### **1.4.7 Focus Group Discussions**

Where security allowed, focus groups discussions were conducted with community leaders of the areas, including women, youth (warriors), chiefs, local defence units, and Kenya police reservists, to elicit information through interaction with the communities.<sup>42</sup>

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<sup>42</sup> This was very significant given the low literacy rate in pastoral areas. Language was not a problem

Focus group discussion involves bringing together a group of individuals to discuss an issue and eliciting a wide range of opinions on that issue.

In total 23 focus groups were held in the entire region<sup>43</sup> 16 in Uganda and 7 in Kenya. The number of participants ranged from 8-12 and each session lasted for 2-4 hours. Among the pastoral groups were elders,<sup>44</sup> kraal leaders, warriors/*morans*<sup>45</sup> (vigilante), women and young girls, chiefs and their assistants and Kenya Police Reservists, home guards, and local leaders.<sup>46</sup> Due to insecurity in the North Rift, I used assistant enumerators from the areas that were chosen for their knowledge of the area and their ability to translate.<sup>47</sup>

These were organized in Namalu, Nakiloro, Rupa, Lopotuku, Musasia, Nabilatuku, Kanwat, Nakapelimoru, Panyangara, Losilang, Lochilabeau and Amudat in Uganda through the churches (Lutheran World Federation/Karamoja Agro-Pastoral Development, Karamoja Project Implementation Unit, Karamoja Initiative for Sustainable Project). In Kenya discussions were conducted in Alale, Baragoi, Bendera, Maralal, Dol Dol, South Horr and Nanyuki.

Groups were arranged through the provincial administrators and a network of friends in the areas. Groups were separated by gender to differentiate the perspectives held on small arms. The purpose of the focus group discussions was to obtain in-depth information on the insecurity problems caused by small arms. Their data is used extensively to understand the conflict dynamics and the systematic interplay between culture and conflict. The focus

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except in Namalu where most people did not speak Swahili. Here I used an interpreter but also tape recorded the interviews then gave a native speaker to translate to compare notes with my translator.

<sup>43</sup> See Appendix for the places focus groups held

<sup>44</sup> An elder among pastoralists is defined as a male person who is passed the *moran* age-set

<sup>45</sup> A *moran* or (Masai) warrior or *karachunas*- warrior (Karamoja) is a male of the warrior age-grade. He is not married and forms the core defence of the community.

<sup>46</sup> Distributed among civic leaders, paramount chiefs, church leaders.

<sup>47</sup> The researcher is functional in the common languages of the areas.

groups also served to validate interview data. Focus group discussions allowed deeper understanding of the small arms problem and helped answer the question why the problem persists despite intervention by different non-governmental organizations and the states. Focus groups allow people to identify more problems and to give thoughtful responses to what the research is trying to address. The groups allowed people to state how life has been transformed with the introduction of small arms. They also allowed people to ventilate their concerns as well as to talk to people from other villages, and they helped understand respondents' knowledge, attitudes and behaviours, towards the small arms conflict, as described in their own terms. They also allowed flexibility in the way a topic was approached. The disadvantage is that some opinions were more extreme and some were less verbalized than others because of the group effect.

### **Interview phases**

The field research was carried out in Kenya and Uganda in four phases. Interviews in Kenya were conducted May-June, 2001, and July-September, 2002, and those in Uganda were done June-July, 2001, January-February and May, November 2003 and finally September-October 2004.

In Kenya interviews were carried out in three locations: West Pokot, Baragoi – Samburu and Dol Dol, Laikipia. In Uganda, Karamoja (Nakapiripit, Moroto and Kotido) were selected. Interviews were face to face in offices and in the field, and group discussions were held under trees, in open market places, in the fields or in churches. Officers of NGOs and government officials were interviewed in their offices, except in Kenya where some District Commissioners were interviewed at the Kenya Institute of Administration. This was done because it is difficult to get access to them in their offices. Local leaders were interviewed in their own homes as some were too elderly to mobilise.

For the focus group discussions in Kenya, the researcher first reported to the District

Commissioner's office, which would give permission to go to the villages. Then contact was made with the chiefs or local leaders to help set up the focus groups. For the discussion groups in Uganda, either the local church or a local network arranged them. At the Karamoja Initiative for Sustainable Project, elders were instrumental. At least one accompanied the researcher wherever he went, as they had to give their approval for any interviews.

Apart from the elders, sometimes the author would randomly interview any adult in the village. Efforts were made to ensure that the interviews were gender balanced. Interviews with community leaders ranged from 1 hour to 3 hours. The interviews were either taped or videoed to ensure accurate recall. Additionally written notes were prepared immediately after each interview.<sup>48</sup>

### **Interview Guidelines.**

There were three types of interview questions. The first were general questions, and they did not follow any particular order. A checklist of questions ensured that all the issues were covered. The second types of questions were those designed for the focus group discussion. Finally there was the questionnaire that was given to district officers. Each respondent was given a standardized questionnaire, which required one to answer in specific categories.<sup>49</sup> In addition to the questionnaire, some of the district officers and district commissioners were also asked questions on human security, crime, illegal weapons and development.

### **1.5 Limitations and Challenges**

Any study on small arms is difficult, and this study is no exception. These research

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<sup>48</sup> All field notes, tapes, questionnaires, videos are available.

<sup>49</sup> See Appendix for the questionnaire.

methodologies are therefore limited by four problems that must be adjusted to while doing work in pastoral areas in North Rift.

The first is the genuine fear and risk to life due to high insecurity. The fieldwork unfortunately ran during a time when insecurity was extreme in pastoral areas. In Karamoja there were not only fights between government troops and warriors over surrender of guns, but thuggery, hostilities and banditry on the roads was high. This sometimes hindered and prevented access to people crucial to the study. When raids were in progress, no research was possible. To visit kraals, I moved around with elders and warriors. Insecurity on the roads meant that I travelled either during the night, when bandits are unlikely to attack, or travelled by air. Flying is expensive, and the only flights that operate in the areas are missionary aviation flights, only two to three times a week. Secondly, there are no roads in some areas, which make it impossible to access them except on foot. I have waded through rivers, which were once roads, for 16 miles, during the rainy season in Karamoja! Thirdly, the mobility of the pastoralists makes it logistically difficult to follow large samples. Fourthly, the study touches on security issues, which in the Horn of Africa are the concern of national governments. Hence anything to do with small arms tends to be seen as too confidential and a prerogative of the state only.

Despite these limitations, the study was able to reach useful and valid conclusions on the relationship between illicit small arms proliferation, pastoral conflict, and governance in Northeast Africa. Biases were overcome as much as possible by the methods mentioned. Moreover, the researcher's extensive fieldwork experience, his status as a lecturer in the area, and his acquaintances with local leaders, district officers, district commissioners, leaders of non-governmental organizations and community based organizations and security agencies, all helped in getting access to the needed information.



## 1.6 Study Areas and Their Locations

The whole region under study is in northeast Africa, and the specific areas chosen are: Karamoja in northern Uganda, and in Kenya West Pokot District, Laikipia, (Mukogodo, Dol Dol) and Samburu (Baragoi division) in northwest Kenya. My research extends beyond these boundaries though, as the pastoral conflict with small arms involves other neighbouring groups such as the Jie, Dodoth, Tepei, Teso, Sebei of Uganda and the Toposa and Donyiro of Sudan<sup>50</sup>. The entire area is commonly referred to as the Karamoja cluster, which consists of seven ethnic groups in total. Thomas (1965:9) notes of the cluster:

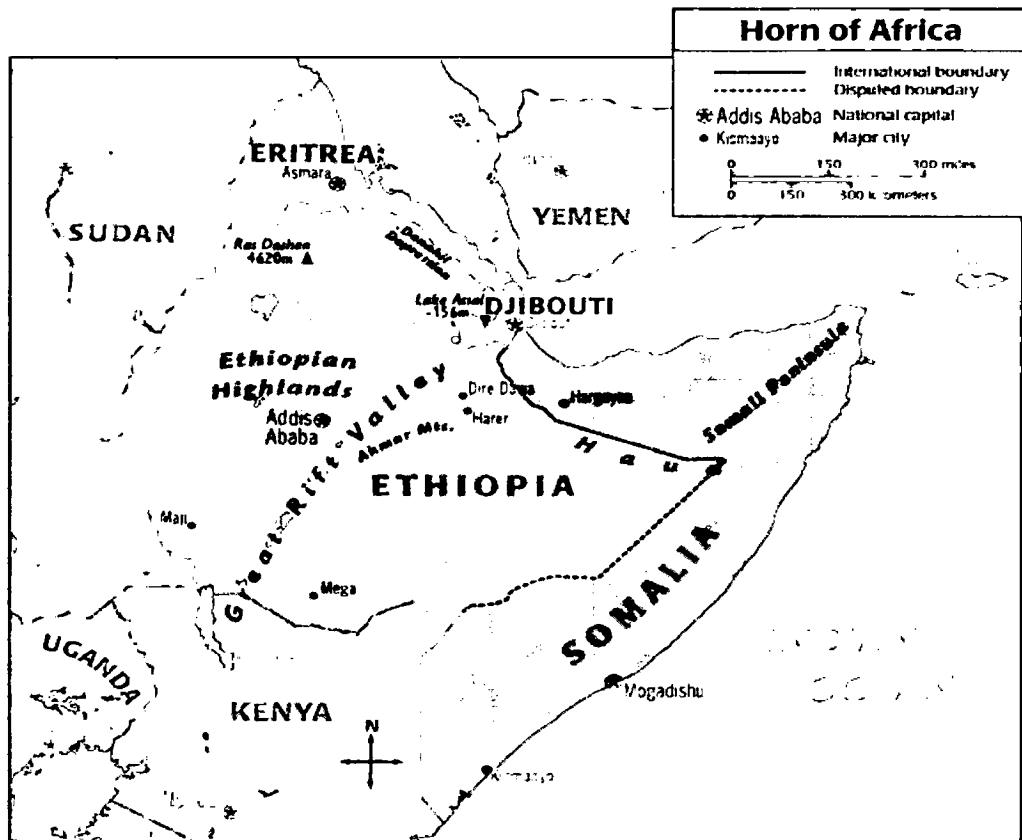
Even today there is raiding, the Karimojong and Dodoth against the Jie and Turkana, or any one of these people against some of the other less closely related pastoral tribes unfortunate enough to live within reasonable distance (see map of Horn 1.2).

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<sup>50</sup> See for example Daily Nation 23 April 2004 "Cattle raids hold sway in Turkana"

## 1.2

## Map of the Horn of Africa



So, it can be seen that information about the pastoralists' conflict and small arms in neighbouring districts as well as communities in the adjacent countries has been used. The aim is to understand how small arms impact on different communities in different locations and at different levels<sup>51</sup>. Data from the different areas is woven together to produce the dissertation.

### 1.6.1 Dol Dol, Laikipia

Laikipia is one of the 17 districts in the Rift Valley Province of Kenya. The district lies

<sup>51</sup> Regional, national, district, interethnic and local.

east of the Great Rift Valley and borders Samburu District to the north, Isiolo District to the northeast, Meru district to the southeast, Nyeri district to the south, Nyandarua and Nakuru Districts to the southwest and Koibatek and Baringo to the west. Laikipia district is predominantly a plateau, bounded by the Great Rift Valley to the west and the Aberdares and Mt. Kenya massifs to the south. To the northwest, this plateau descends to the floor of the Rift Valley, while in the north and east it merges into areas that extend to the north.

The rainfall patterns in the district differ but typically average between 400 and 750mm per annum. Mukogodo division, which is the focus of this case is occupied by the Masai community (1,100sq.km) of Laikipia District.<sup>52</sup> Mukogodo experiences the lowest rainfall, averaging less than 400mm. per year. The low rainfall increases the vulnerability to drought during the dry season.

Laikipia is a multi-ethnic tribal district with recent immigrants from among the Kikuyu, Samburu, Masai, Kalenjin, Boran, Turkana and Europeans (Mkutu, 2001). The Samburu, Kalenjin, Boran and Turkana occupy the semi-arid part of the district. The Kikuyu and the Meru occupy the urban and arable parts of district, while the Europeans are mainly ranchers and occupy 70% of the total land.

The total district population according to recent census figures is 332,000 (Housing and Population Census 1999) of which the Masai comprise only 10% (33,000 persons). They occupy only 10% of the land despite the historical reality that this was their ancestral land before the treaties of dispossession forced upon them by British colonial rule in Kenya in 1904 and 1911.<sup>53</sup> Over the last ten years the population of Laikipia district has increased 4.5% per annum (Laikipia District Development Plan, 1997-2001). Between 1967 and

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<sup>52</sup> Approximate 10,000 sq.km in the Rift valley province of Kenya

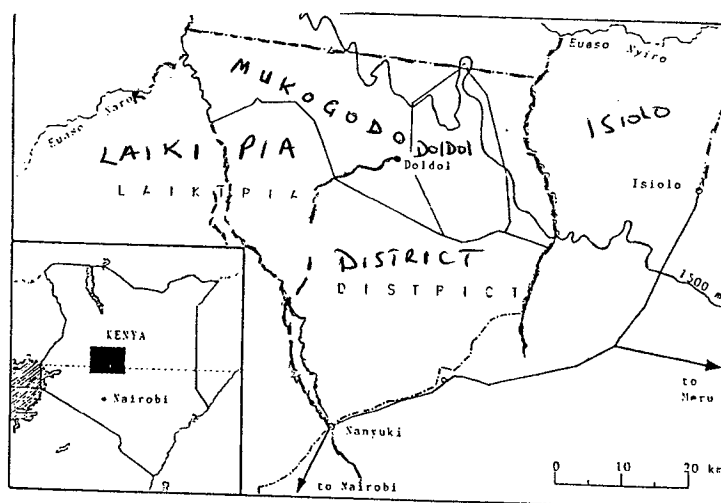
<sup>53</sup> See Kenya National Archive, Kenya Land Commission Report 1933-34:186-203. See

[Http://www.cs.org/newdirection/voices/kenya.htm](http://www.cs.org/newdirection/voices/kenya.htm); New Scientist 12 August, 2000 "Inventing Africa"

1979 the same area experienced annual population growth rates of 7.3%, 5.6% and 5.3% (1969 and 1979 population censuses). Between 1979 and 1989, Laikipia experienced annual population growth of 5.0%, 5.7% and 6.6% (ibid.).

The residents of Laikipia acquired arms only recently, and their acquisition of arms was related to conflict over access to water. Pastoralists, who are well armed, occupy all the lands bordering Laikipia. Mukogodo in Dol Dol division of Laikipia was chosen to study the small arms impact on resource-based conflicts in a multi-ethnic area. Lastly Mukogodo experiences human conflict with wildlife, and the presence of wildlife also attracts armed poachers to the area, though the human-wildlife conflict is not examined in this thesis.

### 1.3 Map of Laikipia District



Source: Laikipia District Development Plan 2001

### 1.6.2 Baragoi, Samburu

Samburu District is the triangular shaped district that lies at the southern end of Lake

Turkana within Rift Valley province in Kenya. Samburu is one of the 24 districts of Kenya that are 80-100% arid or semi-arid. The district borders Baringo District to the west and Laikipia District to the north. It covers 21,126 sq. km. and is administratively divided into six divisions namely, Leroki, Baragoi, Wamba Waso, Nyiro and Karisia.<sup>54</sup> There are two main rivers, Ewaso Ngiro (perennial) and Siya Barselei-Miligis (seasonal).

There are three main urban settlements, Maralal, Wamba and Baragoi, separated by between 120 and 180 km. Due to the primitive roads, it takes 4-5 hours for motorists to travel these distances. Most of the population in the district lives widely dispersed in small or nomadic communities across vast stretches of remote land. Samburu has 84% of its population living below the national poverty line.<sup>55</sup> It is one of the districts that are politically, economically and socially marginalized.

The Samburu are Plain Nilotes, closely related to the Masai and the Njemps of Rift Valley. Samburu has a population of 156,126<sup>56</sup> and it is home to Samburu, Turkana, and Rendile and Somali people. The study concentrates on Baragoi, which has a population of 19,884 with 10,010 being female (Ibid.) and an area of 4,078.1 sq. km. The small gender discrepancy rises from the district's rural nature, and from it having suffered from stock raids from Turkana. In all of Kenya, Turkana was among the earliest pastoral areas to be armed<sup>57</sup>.

The Samburu customary governance system is still intact (see preliminary PhD results 2001, 2003; Masinde et al., 2004), so it was worth researching how the study problem was handled in that context. Moreover, Samburu was picked to illustrate how arms escalate conflict in previously peaceful areas. Unlike Pokot and northeast Uganda, the

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<sup>54</sup> Samburu District Development Plan 2002-2008:4.

<sup>55</sup> Ibid: 8 with 131,196 persons living under absolute poverty. : See also Were and Ssenyonga, 1986, Lesorogol, 1998,2003; Masinde et al. 2004.

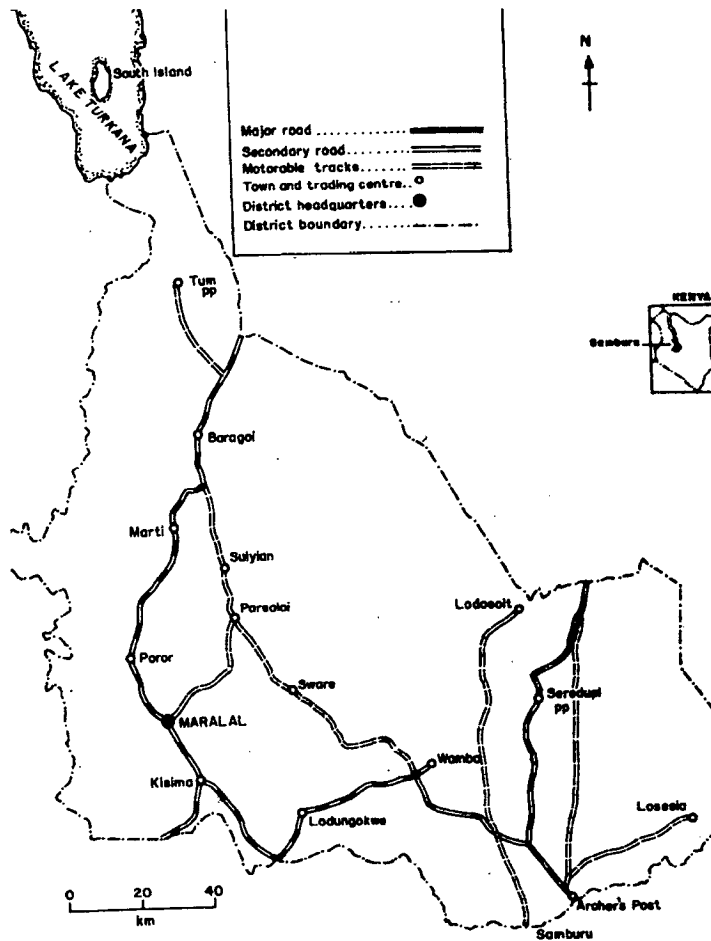
<sup>56</sup> 1999 Housing and Population Census, Samburu Development District Plan 2002-2008

<sup>57</sup> See Berber, 1968; Lamphear, 1976; Gulliver, 1966, 1972.

arms infiltration in Samburu is a very recent problem. Insecurity is perceived to have started in 1996, a year prior to the 1997 general elections. Violence has intensified, with cattle rustling and road banditry being the major manifestations. In addition, Samburu has been disarmed twice; therefore, it provides a good case to examine Kenya's policy of disarmament in pastoral areas and its attempts to manage the conflict.

Lastly, Samburu is chosen due to its location away from major towns. The study concentrates on Baragoi division, which is the epicentre of the intertribal violence that pits the Samburu against the Turkana. Baragoi is one of the historical seats of the Samburu and straddles the ethnic fault lines that divide the traditional grazing grounds of these two ethnic groups.

## 1.4 Map of Samburu District



Source: District Development Plan 2001

### 1.6.3 West Pokot and the Kenya-Uganda Border Area

West Pokot is a unique case. It is situated along Kenya's western border with Uganda. It is one of the 17 districts of the Rift Valley, and it borders Turkana to the north, the Karamoja of Uganda to the west, the Tugen and Marakwet to the east and northeast, and Transzoia District to the south, which is cosmopolitan. The Pokot and all their neighbours

except to the South are pastoralists. They are divided into two with the smaller group living in Uganda (Upe Pokot) and the major groups living in Kenya. However, they normally move freely across the borderline. They belong to the Kalenjin group of tribes. The other name for the Pokot people is the Suk.

The population of West Pokot is 337,870<sup>58</sup> with males being 166,139 and females 171,731. The district includes a sizeable area that was added to Kenyan territory in 1966. However, it was not until 1972 that the presence of the Kenya government was felt in the area which, until then, continued to identify with Uganda; hence the name '*Kenya mpya*' (new Kenya). West Pokot lacks infrastructure<sup>59</sup> and security and is adjacent to the porous 933 km international border with Uganda, which extends from Busia (Kenya) to Turkana. Through the border flow a great number of small arms from Turkana, Uganda and even from as far as southern Sudan. One of the reasons West Pokot was chosen to study was to understand better the transnational movement of small arms and light weapons into Kenya from Uganda and Sudan.

Cattle rustling in Pokot is often inter-ethnic between Pokot and Turkana, Pokot and Marakwet, Pokot and Karamoja in Kenya, as well as frequent violent raids across the border between the Pokot and Karamoja in Uganda. There also is raiding between Pokot and Sebei, Karimojong and Toposa in Sudan.<sup>60</sup> Of all the pastoral areas in northeast Africa, West Pokot is perhaps the most important for this study, due to its high insecurity and the volatile relationship, which has existed for years between the Pokot on the one hand, and the Karamoja and Turkana on the other. In the northern border area, among the semi-arid areas in Kenya, West Pokot has the second highest number of arms in

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<sup>58</sup> Housing and census population, 1999: West Pokot District Development Plan 2002-8:8. People under absolute poverty line are 108,160.

<sup>59</sup> As argued by in West Pokot District Plan (1979-1983:90) by Kenya standards, West Pokot is one of the most under- developed districts in the republic, having been a closed district during the colonial era. Except for Kapenguria Division, a large proportion of the economy remains significantly traditional.

<sup>60</sup> 'Kenya Mpya' means the new Kenya



circulation per capita.

West Pokot is significant also because the problem of insecurity and the infiltration of small arms into the district go back to before 1979, when the Kenya government first took official notice of the problem.<sup>61</sup> However, the Kenya Government decided, “Rustling areas must be avoided.”<sup>62</sup> Five different times (or more) the Kenya government have attempted to disarm the Pokot. The people have experienced massive security operations in the district involving the use of the army, the Kenya air force and the combined police forces in attempts to disarm the Pokot by force.

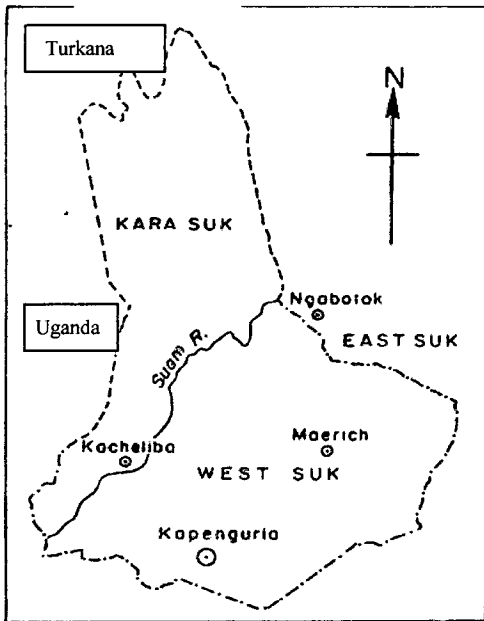
West Pokot is divided into 10 divisions; this study mainly examines Kachiliba and Alale divisions, which have suffered greatly from the small arms problem. They are also the largest divisions and close to the international border (see West Pokot map below).

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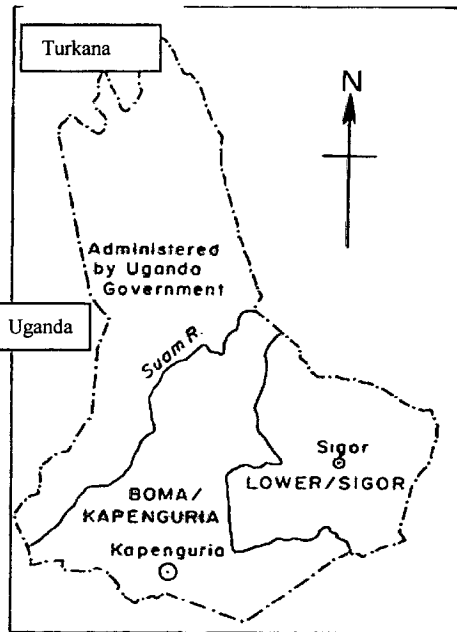
<sup>61</sup> West Pokot District Development Plan 1974-1979

<sup>62</sup> West Pokot District Plan 1979-1983:90

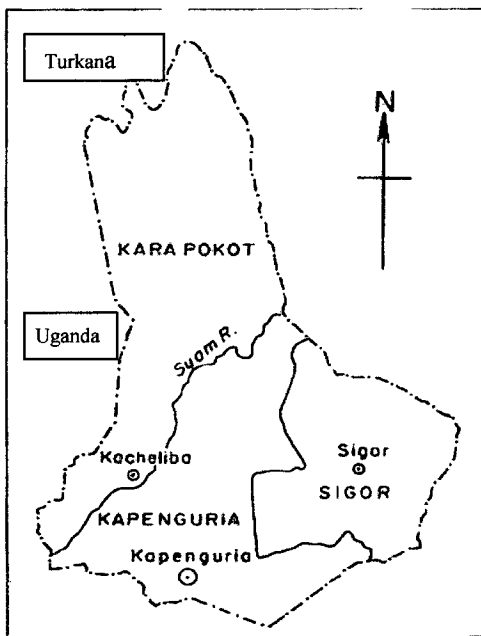
**1.5 Map of West Pokot administrative Divisions and Boundary changes 1910 to now.**



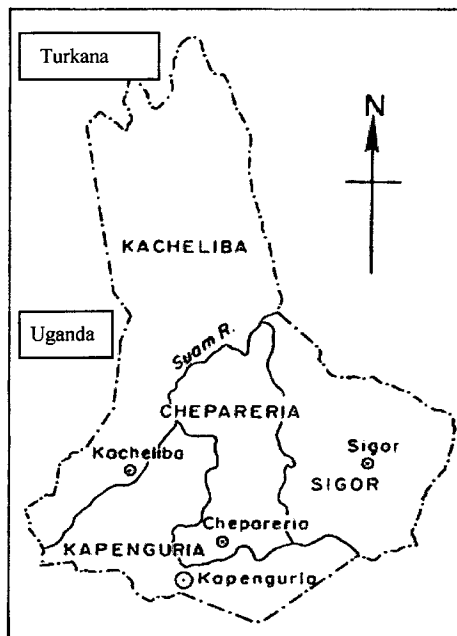
**Map West Suk/West Pokot Headquarters, 1910-1983**



**Map 1957-1970**



**1970-1979**



**Map Since 1979**

By Kennedy Mkutu 2005

#### 1.6.4 Karamoja Northern Uganda

Karamoja region is located in northeast Uganda. Internationally, it borders Sudan in the North, and Kenya in the East while the local neighbouring districts include Kitgum, Lira, Soroti, and Kumi in the West and Mbale and Kapchorwa in the South. The region occupies a total area of 27,200 square km, approximately equal in size to the country of Belgium. It has a semi-arid savannah, bush and mountainous area inhabited in the south by the Matheniko, the Bokora and the Pian. All are Karimojong, having close ties with one another. There are also the Jie, who are closely related with the Turkana in Kenya, and in the Southeast, there are the Suk (Pokot) who also have cousins in Kenya (West Pokot). Both these groups have poor relations with the Karimojong. Administratively, Karamoja is divided into three districts: Moroto, Kotido and Nakapiripirit.

The census figure for Karamoja in 1959 was 171,945, but more recent censuses show the population at 350,000 in 1980, and 370,423 people in 1991.<sup>63</sup> However, these counts were not accurate because most people in Karamoja were not enumerated within their localities, being mobile in order to seek pasture and water. Most recent figures give the total population of Karamoja to be approximately 954,773 (UBOS, 2003). The highest population growth rate was supposedly registered in Kotido district whose population grew from 196,000 in 1991 to 605,322 in 2002. Kotido district is divided into 3 counties (Dodoth, Jie, and Labwor) and 20 sub-counties. These figures suggest that between 1991 and 2003 the population has increased by over 570,000, an increase of nearly two hundred percent in twelve years. The 200 percent increase between 1991-2002 is questionable because of the researchers knowledge about the harsh environmental and many deaths due to the conflicts and child mortality rate, and also the fact that boundaries have remained the same. Inaccuracies in either the 1991 or the 2003 figures could have

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<sup>63</sup> Statistics Department, Ministry of Finance and Economic Planning, 1996.

been brought about by the following factors.

1. Pastoral mobility across local and international borders
2. Difficulty in access to the areas due to lack of infrastructure and insecurity (noted previously is that census was not done in 1991 due to insecurity).
3. High illiteracy of the people
4. Disarmament threats from 2000-2004 may have led to emigration to Kenya, or other Ugandan districts.
5. Population could have been increased to enable the districts to access more funds from the central government.

These figures therefore deserve further investigation before being taken as true, since they might have led to over or under estimation of the population.

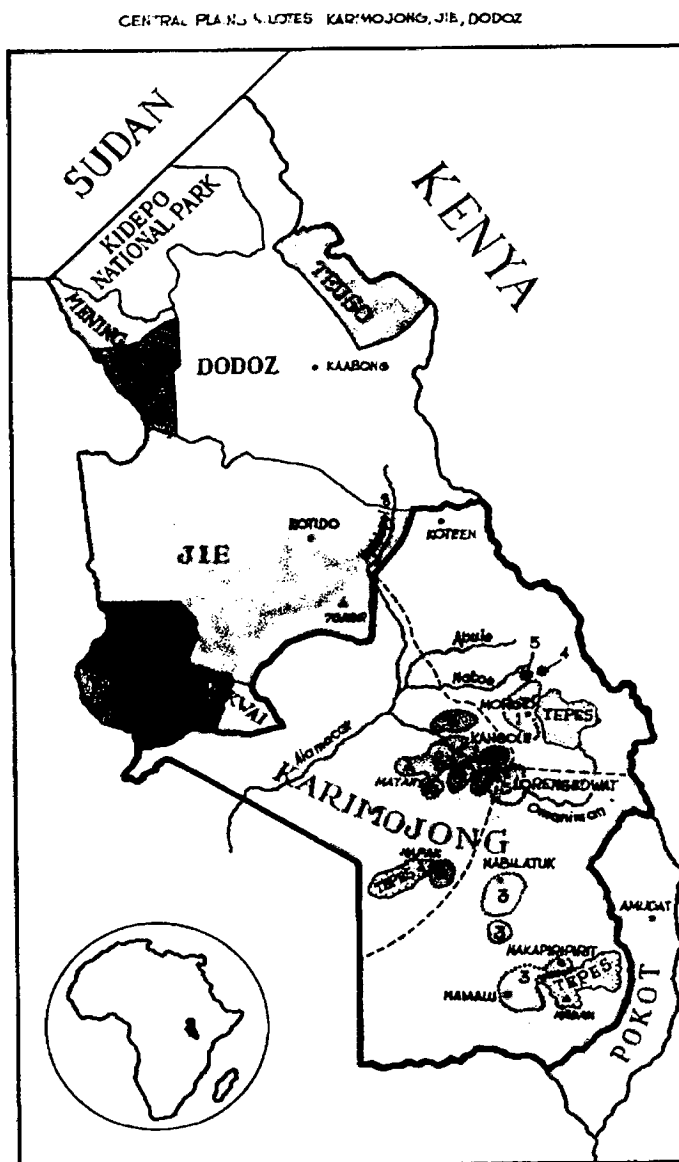
## 1.6 Map of the people of Karamoja

PEOPLES OF KARIMOJA

- 1- KARIMOJONG
- 2- JIE
- 3- DODOZ
- 4- TEUSO
- 5- NYANGWA
- 6- MENDING
- 7- LABWOR
- 8- NYAKWAI
- 9- TEPES
- 10- POKOT

TERRITORIAL SECTIONS  
OF THE KARIMOJONGS

- 1- MAZENIKO
- 2- BOKORA
- 3- PIAN
- 4- MOOZOZ
- 5- MUNO
- 6- PIJ
- 7- TOMR
- 8- MOZINSO
- 9- KOZOWA
- 10- KALEEGO



Source: Novelli 1988:12

Northeastern Uganda, Karamoja is an area where the relationship between animals and human beings has been largely determined by the limitations of terrain and climate. It is a dry area where livestock production provides the best form of land use, as noted by

Novelli (1999:267):

The Karimojong are pastoralists by necessity and by vocation. Due to irregularity and scarcity of the rain, their natural habitat simply does not guarantee a regular and sufficient yield of agriculture produce in order to assure their continued survival. The peripheral areas surrounding their territory do contain some good agricultural land; however, the close proximity of very hostile neighbouring tribes prevents settlement due to the constant danger of attack.

In the drier or semi arid areas, livestock are the only major form of production possible to sustain daily life. Hence animals are prized not only as an economic asset which guarantees their survival in a very harsh environment, but also the cattle have intrinsic value as the means on which the entire fabric of Karimojong society depends.

Dyson-Hudson (1966:101-102) summarizes the position of cattle in Karimojong society as follows:

When born, a child's most distinctive name is drawn from cattle, he founds and feeds a family of his own with cattle. His adult life centres on defending the cattle he has, and fighting to acquire more. When he dies he is wrapped in cattle hide and laid in a grave beneath his cattle corral. In short, to Karimojong, as individuals and as society, nothing is more important than cattle. For them, herding is more than a mode of livelihood; it is a way of life.

Like other pastoralists in East Africa, the Karimojong believe they have the right to own all cattle in the world, and cattle are their means of survival. According to Dyson-Hudson (1966), Karamoja society is dominated by three things: Age-set structural relations, cattle ownership, and territory acquisition for grazing. The people occupy an area that is harsh in terms of diseases, and that severely limits their relations to natural resources and makes existence in the area marginal. Diseases endemic to the area include redwater

fever, east coast fever, rinder pest, tsetse fly, and pleuropneumonia.

Karamoja comprises an area of approximately 320 km. from north to south and 160 km. from east to west. Most of the region is composed of large highland plain at an average 1200 m. altitude, from which a number of mountain masses raise, the most well known being Mt. Moroto with an elevation of 3,084 m. above sea level. In the districts of Nakapiripirit, Moroto and Kotido a few counties that are accessible were studied.

This cruel ecology in which they live is like that of their counterparts in Kenya. Karamoja is more interesting, however, because of the pressure created by weak governance, inadequate security, and a rebel group that wants to topple the central government in Uganda. The rebels are currently fighting nearby and are a source of arms. They also recruit Karamoja warriors to join their conflict. Additionally southern Sudan's civil war is currently a major source of arms to Karamoja, which is one of the reasons it was chosen for study.

Traditionally, the Karimojong do not recognize any external government. From colonial times till now the Karimojong have not recognized the central government, and the central government did not acknowledge the fact that the Karimojong continued to mainly recognize their own government of elders.

Although this study focused solely on Baragoi, Samburu, Mukogodo, Laikipia, Kachiliba and Alale in West Pokot in Kenya, and on Moroto, Kotido and Nakapiripirit in Uganda, the issue of pastoral conflict and small arms involves others. Occasionally, the wars involve the Jie in Uganda and Sudan. The Dodoth, Tepei, Teso, Sebei and Toposa people are also included in this work.

## 1.7 Thesis Outline and Summary

The thesis is organized into 8 chapters:

**Chapter two** examines three literatures: Pastoralism, governance debates, and debates and theories around the subjects of weapons and war, and weapons and society. Its purpose is to develop a foundation for the entire thesis and to establish where pastoralists fit into the overall picture of arms and the demand for arms. The chapter raises key issues in a general way.

**Chapter three** examines customary pastoral conflict and how pastoralism operates in the North Rift as a viable mode of life and livelihood, followed by the changes and challenges of the current era. It examines the historical and cultural background of the pastoral communities, patterns of conflict that have emerged in the North Rift, ranging from conflicts at the local level within and between pastoral communities, to the regional dimension of such conflict. The chapter describes the deepening political and economic marginalization of those communities since Kenya and Uganda attained independence in the early 1960s and addresses how and why conflict has become an endemic feature of life in the pastoral areas. The final part focuses in more depth on several new factors connected to conflict in the pastoral areas that have hitherto not received much consideration: racketeering, changing power relations between elders and youth, bride wealth and gender issues within pastoral communities.

**Chapter four** scrutinizes governance and the provision of security and safety to pastoralist communities in the North Rift during the colonial period, 1920-1960. It links issues of arms proliferation and expansion with general issues of 'security' and frames a discussion of this in terms of the political systems through which 'security' is or is not or



only partially guaranteed/maintained. It analyses the colonial recovery record of rustled cattle in both countries as an indicator of security. The chapter then looks at governance and post-colonial stock theft recovery in both countries. It looks at the origins and metamorphosis of vigilantes, militias, local defence units and home guards, and police reservists in both countries, tracing developments to the current volatile insecurity in the region. It ends by suggesting implications of using vigilante groups for security.

**Chapter five** examines how the influx of small arms and light weapons began in the region, with the story of Turkana and its links with Arab ivory traders and the Abyssinian conflict. There is then a large section on the cold war, the second stage in arms proliferation, and then the role played by arms in the localised postcolonial regional conflicts, which have diffused arms into pastoral areas. It then reveals sources, flows and costs. It examines different areas to show how the arms move from conflict areas to peaceful ones, which then become conflict areas. The chapter also shows the movement of arms from the borders to interior areas. It ends by providing the approximate prices of small arms and ammunition, which indicate to some extent, the demand and supply dynamics.

**Chapter six** explores the direct and indirect impacts of small arms proliferation. The chapter first examines the impact on health in Uganda then Kenya. Secondly it provides the small arms impact on livestock and lives using the police evidence on raids. Thirdly the chapter then gives indirect impacts, on families, livelihoods and development activities. The chapter argues that the proliferation of small arms in the North Rift has had a grave impact on the individual communities in terms of deaths, injuries, economy, infrastructure and agriculture and also at the domestic level.

**Chapter seven** first examines the evolution of the two governments' various strategies for addressing armed violence involving pastoralists. It then reviews current efforts by

the Kenya and Uganda governments, which have ranged from branding of livestock to voluntary and forced disarmament. The chapter also explores the challenges of disarmament in both countries. The main focus is on the Pokot and Samburu in Kenya and the Karimojong in Uganda. It also describes attempts at co-operation between the two states and examines attempts at protocols and agreements to enhance security in the area. It argues that a militaristic approach has never been, and will never be effective.

**Chapter eight** presents the multiple and complex linkages of small arms, governance and pastoralism and then offers concluding remarks. The chapter also suggests responses to the small arms problem where good governance at the local level has seen armed crime decrease. It ends with some suggestions for future research.

**Figure 1.2 Timeline on Events in Kenya and Uganda 1960 to 2004**

	Kenya	Local to North Rift	Uganda	Local to Karimoja
1960	Formation of KANU and KADU			
1961	Kenyatta released from prison			
1962			Uganda gets Independence	
1963	Independence under Kenyatta and KADU dissolved			
1964	Shifty war- Somali campaign		Karamoja Act	
1965	To claim N.E. Province of			
1966			Obote suspends the constitution and declares himself president Kabak over thrown and driven into exile- kingdoms abolished.	
1967	Shifty war ends			
1968				
1969				
1970	Kenya Mpya, Alale returned to Kenya			
1971			Army chief General Idi Amin takes power in military coup	
1972				
1973				
1974				
1975				
1976			Amin become OAU chair	
1977				
1978	Kenyatta dies and Moi becomes president		Amin Launches operation Magurugur on Uganda-Tanzania border. Tanzania –Uganda war breaks out	
1979			Tanzania/Uganda war continues. Idi Amin defeated and successive changes of powers: in Oct 1979 Yusuf Lule become president under UNLF, June replace by Godfrey Binaisa.	
1980	Wagalla and Malaka Mari massacres		May Obote returns to power with UPC. NRA established to fight Obote	Obote II twice attempts to disarm Karimojong
1981				
1982	Attempted coup by Air Force			
1983				
1984	Military operations in Pokot by Kenya security forces			
1985			Obote II government overthrown by Gen Olara-Okello July- Government headed by Tito Okello Nairobi peace process for Uganda fails in Kenya	
1986			January NRA comes to power, many rebellions break out	Massive increase in raids in Karamoja, with large scale arms trafficking in the region.
1987	Constitutional changes giving more power to Moi		UPDM/A in Acholi	

1988				
1989				
1990				
1991	Rift Valley Land Clashes			
1992	First national multiparty elections 1992			
1993				Karimoja pacification committee formed
1994				
1995			First presidential election under NRM	Vigilante programme starts
1996		Security operations to disarm the Pokot		
1997	Land Clashes at coast Multiparty election preceded by violence Moi wins			Debate on disarmament Magoro Agreement 1998
1998			Uganda deploys army to DRC	
1999		Major Drought in Laikipia Masai pastoralist invade ranchers/farms		LDUs created by government Kumi Declaration Mar 2000
2000				
2001	Constitutional debates			Voluntary disarmament Dec 2001
2002	Multiparty elections KANU defeated by NARCK under Kibaki Constitutional debates			Forceful Disarmament Feb 2002 to now
2003				Drought in Karamoja
2004	Masai 1904 agreement expires	Major Drought in pastoral areas in Kenya Masai pastoralists invade ranches again.		

2005 (Repealed)  
**Figure 1.3 Currency exchange rates 2001-2004**

	2001	2002	2003	2004
<b>Uganda</b>				
\$ to UgShs	1,760	1,838	1,960	1,750
£ to UgShs	2,522	2,840	3,377	3,157
<b>Kenya</b>				
\$ to KShs.	79	79	76	82
£ to KShs	100-112	114	121-130	145-148

Sources: Central Banks of Kenya and Uganda

Language was not a problem for the researcher except in Namalu and some parts of Jie, where most people did not speak Swahili. Here an interpreter was used, including in Focus groups with elderly people who did not understand Swahili well. But also most interviews and FGD were tape-recorded. The interviewers were then given a native speaker to translate to compare notes with my translators. I translated most of the other data and I take responsibility for any translation mistakes.

## Chapter 2

### Theoretical Framework

#### Pastoralism, Governance, Weapons: Debates and Theories.

” And ye shall hear wars and rumours of wars; ... for all these things must come to pass”<sup>1</sup>

#### 2.1 Introduction

This literature review looks at the key arguments and issues surrounding pastoral conflict and weapons. The first section takes a look at the way of life of pastoralists, the pressures facing them, survival strategies, and potential causes of conflict. The impact of governance and modernisation on pastoralists is then explored, with reference particularly to security and conflict. The current knowledge regarding the demand and supply of arms into pastoral areas is also given. The need or desire to accumulate arms is then explored in a section on weapons, violence and society, which identifies some new factors that have been a magnet for arms proliferation. This section also asks the question “Does the acquisition of arms lead to violence?” to provide possible insight into the pastoral conflict. The debate is then expanded to the level of weapons and war, outlining the schools of thought on the cause and effect relationship. The section on weapons and war looks for explanation of pastoral conflict in the North Rift.

#### 2.2 Pastoralism

This literature review considers what is entailed by Pastoralism as a viable mode of livelihood and the pressures and changes facing pastoralists, in particular those in the North Rift region (the Samburu, Laikipia, and West Pokot in Kenya, and the Karamoja in Uganda). The impact of the creation of states and the extension of capitalist relations of production are examined and why all these might lead to conflict. The questions guiding the section include:

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<sup>1</sup> Matthew 24:6 The Bible

1. What pressures are faced by pastoralists, which may lead to conflict?
2. How and why do pastoralists acquire arms?
3. Why are pastoralists seen as a threat to governance and what is the impact of sedentarisation?
4. What is the effect of weak/failing states on pastoralists' security?

The following section defines Pastoralism noting the difference between that and settled agriculture. It reviews the global distribution of pastoralists. The remainder raises key questions in a general way, examining the impact of centralising and extension of capitalistic relations of production on Pastoralism. It extends by examining impact of the new kinds of weapons and the demand and supply of small arms.

There has been increased interest in African Pastoralism, with regard to droughts, range-management, failure of development intervention, early warning systems, drought coping mechanisms and response to socio-economic activities<sup>2</sup>. However few studies have delved in to new problems facing the pastoralists in the end of the second millennium, particularly the change effect and impact of small arms, for which there is little empirical research.

### **2.2.1 Definitions and Geographical Distribution**

The pastoral lifestyle is nomadic, and pastoralists subsist mainly or largely through 'stock' keeping" or it is a mode of livelihood/relations to land and stock mobility (Van Zwanenberg and King, 1975:81). The species of animals vary with the region of the world.

All aspects of pastoralists' social and economic life are ordered in relation to their stock and their natural environment. It is mainly a mode of production adapted to harsh arid

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<sup>2</sup> See Dalby et al, 1977; Galaty and Douglas, 1990; Konczaki, 1978; Swift 1977; Niamir-Fuller, 1994; Behnke, 1994; Cappock, 1994; Helland, 2000; Sandford, 1983; Lane, 1997.

environments. In these societies livestock (cattle in Kenya's north Rift Valley) hold the 'central value' of a whole culture. Cattle are the basis of association in a complex of social, political and religious institutions (Konczaki, 1978; Short, 1974). Pastoralism as a mode of livelihood "puts into profitable use the scantily and sparsely distributed resources of the marginal lands without doing damage to the ecology"<sup>3</sup>.

Livestock held by pastoralists represent livelihood, income and employment; employment in the sense that labour for herding is secured by recruitment through family and kinship ties, through reciprocal exchanges, and through contractual agreements. In high-risk remote areas, males tend to do most of the herding, with sons and poor male relations recruited as labour assistance<sup>4</sup>. Pastoralism across the world is characterised by a variety of ecological, cultural and economic conditions. African Pastoralism is characterised by extensive cattle husbandry and mobility, as they have to continuously search for pasture and water. This takes place in dry marginal areas where no other alternative exists, though they may produce some crop species in wet seasons.

In Africa and the Middle East, nomadic Pastoralism tends to characterise distinct ethnic groups, who are organised along tribal lines. However, in India pastoralists are not ethnically different from the sedentary population, but there are certain castes whose traditional occupation is regarded as Pastoralism.

The table below shows where the world's main pastoral populations are found, the primary stock they keep and their habitat.

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<sup>3</sup> Odegi-Odegi-Odegi-Awoundo 1990:8

<sup>4</sup> See Brownman, 1993, Odegi-Odegi-Awoundo- Odegi, 1990: Awogbade, 1979

**Figure 2.1: Geographical distribution some of the worlds main Pastoral Groups**

Geographical region	Ethnic Groups	Primary stock	Habitant type
Mideast/E. Mediterranean-oldest pastoral zone	Turkoman, Baluch, Pathan, Bassri	Sheep, goats and camels	Hilly, semi-arid
North Africa and Arabia	Bedouin, Bedu	Sheep, goats, camels	Hilly, semi-arid, very arid
East Africa & Sahel	Masai, Turkana, Pokot, Karimojong, Marakwet, Tugen, Nuer, Somalis, Borana,	Cattle, goats, camels, sheep, donkeys	Dry Savannah Arid and semi arid.
West Africa	Fulani Tuareg	Cattle, goats, camels, sheep	Open savannah
Southern Africa	Himba (Naimbia) Khoisan (Namibia/Botswana)	Cattle, goats, sheep	Arid (Kalahari)
Central Asia Steppes	Mongols, Kazaks, Gujarat	Horses, sheep, camels	Rich grassland, severe winter (hay for fodder)
Tibetan Plateau	Ethnic Tibetans	Yaks, horses	Arid, low temperatures, high attitude
N.Eurasian herders	Sami (Iapps) Tungus, Chukchi	Reindeer	Taiga (Tundra & Boreal forest)

Source: Mkutu 2001, also <http://www.fao.org/DOCREP/005/Y2647E/y2647e00.html>.

It is difficult to determine how many pastoralists exist in Africa or worldwide. Some authors have argued that pastoralists have been declining in number (Tapper 1974; FAO, 1978:35), while others like Sandford (1983) strongly believe that their numbers may be increasing. He notes that reduction in mobility is different from reduction in numbers of pastoralists. Pastoral production in eastern Africa and the Horn of Africa is under a critical situation in that it is now unable to support the basic needs of pastoralists. Cattle are diminishing, not for climatological reasons alone, but due to increased raiding and lack of security and good policy making. Where authors have argued a population decrease, this could also be due to raiding violence.



## **2.2.2 Pressures and Coping Mechanisms**

Drought, epidemics and other calamities are common features among pastoralist communities. However pastoralists have developed coping mechanisms within themselves and with neighbouring communities to make Pastoralism the only viable livelihood in arid and semi arid areas. As Aronson points out,

Through their history.... Pastoralists have engaged in a multiplicity of economic activities, making use of a wide diversity of resources within their reach and often modify their animal production to the demands of other pursuits. ... they trade, they handcraft, they smuggle, they transport, they used to raid and make war on their own account or for others, they managed the labour of others working for them<sup>5</sup>.

## **2.2.3 Pressure Due to Climatic Variability.**

Arid and semi-arid areas cover half of the world's land area amounting to about 50 million square kilometres<sup>6</sup>. The harsh characteristics of the physical environment are a significant part of the pastoralist way of life. Climatic change and environmental degradation lead to increased pressure on available land water and pasture resources, which in turn leads to competition and conflict.

There have been nearly six major drought episodes on the African continent in the last three decades<sup>7</sup>. Among the Tuareg and Fulani in West Africa 2 famines have taken place since 1960<sup>8</sup>. Drought and famine has been a feature of life in Ethiopia throughout history, in more recent times 1972/1973 and 1984/5 were the worst. The latter was exacerbated by civil war between the Ethiopian government and Eritrea and Tigray. The Sahel

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<sup>5</sup> Aronson, 1980:173-184

<sup>6</sup> See ILRI, 1999:1; Livingstone 1984:2

<sup>7</sup> In 1965/66, 1972-1974, 1981/1984, 1986/1987, 1991/1992, and 1994/1995 and for the Horn 1999/2001. See ASARECA/ILRI, 2000; see Mkutu 2001. This year 2004 pastoralists in the Horn and specifically Kenya and Uganda are experiencing droughts.

droughts of 1960s and 1980s have been described many times and are a subject of many publications. Bovin (1992:37) notes that for the Sahel, drought has been a major pressure, affecting the entire population.

The 1981-84 drought was the worst ever recorded for the Greater Horn of Africa (GHA) countries and the 1991/1992 was the worst for Southern African Development Community countries (ASARECA/ILRI, 1998). In Kenya, huge losses of livestock occurred in the first three months of 2001 following the serious long dry spell of 1999-2001<sup>9</sup>. This year (2004) the drought in northwestern Kenya has claimed the lives of many Turkana and Pokot people<sup>10</sup>.

Elsewhere in the world pastoralists also experience harsh climatic conditions. Mongolia's economy is largely pastoral, and climatology is key to adapting to the harsh climate. The Rural Institutions and Participating Service of the UN Food and Agriculture Organization (FAO, 2001) argues that Central Asian pastoral production systems are important for their economies but currently face high levels of variability and risk from environmental, as well as socio-economic and institutional pressures. The most obvious pressure for Pastoralism comes from periodic snow disasters<sup>11</sup>, which cause high animal and human mortality. This is demonstrated in that the particularly severe blizzards of 1999-2000 and 2000-2001 caused losses of 2.4 million animals. Over 2, 370 herding households lost all of their livestock in the winter of 1999/2000. Snow (zud) disasters are almost as bad for Mongolia as droughts are for other pastoralist peoples. Humphrey (1978) remarks that from the 1950s, Mongolian authorities have worked to provide shelters and fodder for the herds in the winter blizzards, creating winter campsites with a source of water and shelter.

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<sup>8</sup> In 1968-1973 and 1982-1984. See Caldwell, 1975; Picardi, 1974; Suliman, 1994

<sup>9</sup> Mkutu 2001

<sup>10</sup> See East African Standard 16 June 2004 "Coast appeals for additional food"

<sup>11</sup> Zud is ranked as the greatest risk by most herders in central Asia. Zud is defined as snow cover of more than 25 cm, a sudden, prolonged snowstorm, 2-3cm. of frozen snow cover or prolonged extreme spells of cold.

In western Rajasthan, India, from 1980-1989, the state experienced nine years of below average rainfall particularly affecting the western districts<sup>12</sup>. Recent migration in India, however, is a development caused by reduced availability of grazing in the immediate vicinity of villages, such as Rajasthan's Pali district. Kavoori (1992) observes that the pastoralists are migrating due to "pull factors" such as the opening of grazing opportunities on the stubble of newly irrigated fields in neighbouring states, especially Haryana. New "non-traditional" pastoralists are also taking up migratory sheep Pastoralism, especially members of the Rajput, the traditional land-owning caste (ibid.). The recurrence of drought and famine in recent decades has lent support to the idea that Pastoralism is on the verge of extinction<sup>13</sup>. Following a drought, herds can take up to ten years to recover, and the greater the herd recovery time, the less able are the herders to cope. Yet pastoralists have managed to survive in the face of natural and man-made disasters, despite the gloomy predictions (Hogg, 1992:135).

#### **2.2.4 Human Population Pressure**

Marcel (1999:186) and Bollig (2003) attributes the cause of changes noted in pastoral regions above to population increase and stratification of livestock ownership in Africa. Blanch (2001) like Marcel notes the significant increase in resource conflict in semi-arid areas in Africa is due in part to human population increase. Boyazoglu and Flamant (1993:379) observed the pressures due to population pressure in the Eastern Mediterranean semi arid areas and argue that in Turkey, Tunisia, Morocco and Algeria, the result of the population bomb is an increase in small ruminant numbers linked to the preference for mutton leading to the expansion of animal forage production in arid and semi arid areas.

Brownman (1993:333) also observed the pressure from population increase in the Andes, while Barth, (1964a) noted the problem among the Bassri pastoralists of Iran. Pitaliya

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<sup>12</sup>The western districts were Barmer, Jodhpur and Jaisalmer. Statistics from Government of Rajasthan 1989

<sup>13</sup>Baker, 1967; Carr, 1977; Morton, 1988, 1993

(1993) observes Rajasthan experienced a 28.5% rate of population growth with the Western districts equalling or surpassing this figure.

There is considerable evidence to show that population pressure cuts across all pastoral areas around the world. This puts pressure on grazing lands, not only for food but also for firewood, causing land degradation. Population pressure also implies decline in community resources, which sometimes leads to violent conflicts. In other parts of the pastoral world it leads to changing production from larger animals to smaller animals.

### **2.2.5 Internal Relationships**

#### **Attack as Coping Mechanism**

Internal conflicts within pastoral communities used to be rare, with a preference for raiding cattle from outside the community. Many pastoralist peoples believe that the cow was created only for the pastoralists and those related to them, such that other ethnic groups must have stolen them. Therefore, it is a birthright for a pastoralist to repossess (steal) them back (Nyaba and Otim, 2001). Strong traditional mechanisms such as *laipai*<sup>14</sup> (compensation) existed to protect against a member of the same community killing another during these attacks. This consisted of the sacrifice of animals, a heavy penalty to pay for the deceased, ensuring that law and order was maintained.

#### **Segmental Social Structure**

The age set system is another social framework common amongst pastoralists, giving rise to "stratified relations between seniors and juniors and egalitarian relations among peers" (Kurimoto, 1998:48). Kurimoto compares the age set-system to the "institution of modern nation state" (ibid.). It functions as a military and political organization, which the elders used to control the excess of young. Circumcision, marriage, pastoral duties and

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<sup>14</sup> Laipai is the term used for compensation in Pokot.

punishment were coordinated with peers and managed through the system. Among the Masai, if a member of the age set committed a crime the entire age set could be punished.<sup>15</sup> The social organization of Pastoralism worked to preserve order and minimise internal conflicts.

Recruitment into the age-set system seems to have been an aspect of Pastoralism all over the world. Awogbade (1983; Bernus, 1982) observed it among the Fulani in Nigeria and also the Turaeg in Mali, while in the Northeast Africa, Quam, (1996) and others<sup>16</sup>. Negi observed the system amongst the Gujars in the Himalayas<sup>17</sup>.

Pastoral social institutions focus on inheritance (kinship/descent systems, usually patrilineal<sup>18</sup> in nature). In times of crisis communities have traditionally come together to support their weakest and most vulnerable members. A well-established culture of wealth redistribution ensured that the needy were helped and the community survived. This characterizes pastoral society all over the world.

Nearly all pastoralists around the world export their products abroad, though the pastoralists themselves do not assume the role of direct exporters; instead they act through middlemen. The sale of their cattle is the main source of income used to purchase goods like grains from other groups. The Fulani sold cattle to other communities<sup>19</sup>, as did the Kamba and Masai of Kenya. Tignor states "Although British officials frequently condemned Masai and Kamba pastoralists for their unwillingness to exploit their livestock as economic assets, in fact both peoples commercialized their stock-rearing economies successfully and rapidly."<sup>20</sup>

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<sup>15</sup> See Mkutu and Marani op cit

<sup>16</sup> Berber, 1968; Pazzaglia, 1982; Thomas 1965; Spencer, 1973; Simonse and Kurimoto, 1998; Lamphear, 1998

<sup>17</sup> R.S.Negi, [http://www.ignca.nic.in/cd\\_08004.htm](http://www.ignca.nic.in/cd_08004.htm).

<sup>18</sup> Most pastoral communities are patrilineal, implying property and status are inherited through their fathers line and belonged to the father's line.

<sup>19</sup> Frantz, 1978; Swift, 1979

<sup>20</sup> Tignor, 1976:323-329

The practice of bride wealth is another symbiotic relationship. In the Himalayas the bride price is 5 to 6 buffaloes<sup>21</sup>. There, if a young Gujar man cannot pay, he may serve in a family in which there is a marriageable daughter. He signs a contract to serve the family for one or two years, and at the end of the period, if found suitable, he may be married to the daughter. However this option does not exist on the cross border of Kenya and Uganda, and the high bride price with the destruction of the symbiotic relationship between wealthy and poor pastoralists, is leading to conflict and inequality in pastoral society.

### **Customary Governance Institutions (CGI)**

Elders dominate traditional pastoral societies. Most pastoralists have a distinctive clan-based governance system derived from a progressive age-set system. Elders decided pastoral matters, marriage, property distribution, social commitments, and the selection of grazing, leaders, defence matters and disputes. In Ethiopia among the Boran, the village council and *Gadaa* have far reaching political, social and economic functions<sup>22</sup>. Among the Masai, Nandi, Turkana, Marakwet and Pokot of Kenya, traditional institutions were and are still very important. Indigenous pre-colonial African institutions were generally democratic with strong in-built systems of accountability and popular participation<sup>23</sup>.

In Mongolia, the formal authority to allocate pasture rested in the customary traditional institutions. When the herding collectives in Mongolia were dismantled in 1992, the formal regulatory institutions for allocating pasture had vanished, and other customary institutions that used to be effective had been weakened. Though Mongolian pastoralists

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<sup>21</sup> For a majority of pastoralists, ranging from India to West Africa and from Southern Africa to North Africa and Arabia, exchange of bride wealth is normal. Generally bride wealth is quite high. For example, among the Gujar of Kashmir it used to be as high as Rs.10,000; but among the Gujar of the lower Himalayas and the Siwaliks it may now go up to Rs. 30,000 or Rs. 40,000. see Negi, [http://www.ignca.nic.in/cd\\_08004.htm](http://www.ignca.nic.in/cd_08004.htm).

<sup>22</sup> Tache and Irwin, 2003:15; Boku 2000:112

<sup>23</sup> See Quam, 1996, Hadley, 1997, Stenning 1959, Spencer, 1975, 1973; Awogbade. 1979; Shoup, 1993; Mkutu and Marani, op cit, Mkutu 2001 op cit., Niamir-Fuller 1999; Mkangi, 1997; Masinde et al, 2004; Lamphear, 1998, Ogot and Keiran, 1969.

have indeed been assisted by the state, new institutions are unable to completely fill the void, affecting their freedoms.

As a result of modernisation and some of the pressures mentioned there is a weakening of social organization across pastoral areas and power struggles between the seniors and juniors. This has ensured that the social security that once existed in pastoral areas is declining. The erosion of the traditional governance institutions among pastoralist communities has reduced effective control of conflict. In some places eldership can now be attained by wealth, and armed youth are adding new pressures, which the elders have not confronted before.

While governments have exerted control over some aspects of life, they have remained weak in pastoral areas.<sup>24</sup> In the past the presence of customary traditional governance institutions has compensated for weak state governance by regulating behavior, adjusting disputes and generally keeping people organized among all pastoral communities. Traditional structures are still vital for understanding pastoralists and such structures can be revitalized and used to resolve pastoral problems.

### **Labour as a Form of Internal Relationship<sup>25</sup>**

Odegi-Awoundo (1990:33-34) notes about the Turkana of Kenya "traditionally, Pastoralism was a full-time occupation for all<sup>26</sup>." Swift (1977) remarks that among the Kel Adrar Tuareg of northeast Mali, ...children as young as 5-9 years supervise goats.

Among the Fulbe of West Africa, "obtaining employment as herdsmen assisted the Fulbe to slowly build their own cattle herds (Bassett, 1994). The employment of pastoralists as watchmen in East Africa and western Africa is widely reported. Among the Andes Mountain pastoralists, labour is secured as with other pastoralists around the world, by

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<sup>24</sup> Lesorogol, 1998; Mkutu 2001, 2003 op cit. Mkangi, 1997; Knighton, 2003; ASARECA, 2003; Masinde et al, 2004.

<sup>25</sup> Labour among the pastoralists relates to the core tasks of livelihood. Livelihood is the way people acquire their means of survival. In this case herding is a form of livelihood.

recruitment through family and kinship ties, reciprocal exchanges, and contractual agreements.

According to Cossins (1983), pastoralists seek to optimize not profits but the human support capacity of the area upon which they depend, through the production of milk and sometimes with blood that they consume without killing the animal. Jannke (1982) observed that if countries like Mauritania and Somalia were to reorganize their land use on the basis of modern ranching, the numbers employed would be no more than one fiftieth of the present numbers supported. Unemployment is now one of the biggest pressures in pastoral areas due to the decline of the pastoralist economy.

### **Relationship Between Pastoralists and Other Communities**

Some have argued there is a continual feud between pastoralists and agriculturalists<sup>27</sup>. However, despite the contrasts, pastoralists have always cooperated in trade, as a form of interaction with other communities. Pastoral communities around the world exchanged their products and divided themselves into agricultural and pastoral groups as the most efficient way to utilize resources and support themselves. In times of scarcity, pastoralists have developed survival strategies by sharing resources between ethnic groups and across international borders.<sup>28</sup> These relationships enable pastoral groups to gain access to seasonally available resources.

The linkage between Masai and non-Masai is well documented.<sup>29</sup> The Masai traded with other ethnic groups and fought for themselves but were also allied to other communities. They also controlled caravan trade routes creating a toll system for travelling traders. They had close relationships with the Kikuyu, often built on inter-marriage and trade, which benefited both sides<sup>30</sup>. Odhaimbo et al (1969:44) note "Raids and intermarriage

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<sup>26</sup> See Sperling 1984 for Labour and Samburu

<sup>27</sup> Sutton, 1968

<sup>28</sup> See Muhereza 1997b:5 Turkana move westwards towards Karamoja border to gain access to water in the Kidepo valley. The Kenya Pokot move towards Kapachorwa border with Kenyan West Pokot and Trans-Nzoia districts. To the North, the Toposa (Sudan) move southwards into Kidepo valley nationally park.

<sup>29</sup> Spencer, 1973; Berntsen, 1979; Galaty, 1981; Spear and Waller, 1993, Mwanki, 1980: Waller, 1976:507.

<sup>30</sup> For example Mungeam, 1966:111-113 notes they were too powerful a body to be ignored.



took place between the people of Nilotic strain and the conquered hill men. The marriages assisted to reduce tension and conflicts." James (2002:139) argues that among the Gumuz of Wellega Blue Nile "intermarriage relationships brought promise of peace and security."

In other parts of Northeast Africa, trade flourished between the pastoralists and their immediate neighbours. The pastoralist's role in the trans-Saharan trade is a theme that has been well explored by several authors. Managed by the Fulani and Tuareg pastoralists, it created the basis for the economic interdependence between pastoralist and other groups. Tonah (2003:96) notes that in the 1950s and 1960s, the relationship between the Fulbe and the host population in both Cote d'Ivoire and Ghana was good in that they developed economic exchanges whereby the Fulbe rented themselves out as herdsmen, in exchange for milk from the cattle they were herding.

The Andean pastoralists also exchange or trade with their agricultural neighbours (Browman, 1982), while Rangnekar (1992) notes that the Gujarat and Rajasthan in India migrate in search of markets for animal products (ghee, wool, hair) as well as in search of fresh pasture for livestock. Among the Mongols, as well as other pastoralist groups in Asia, trade was vital for their survival.

The Gujarat and Rajasthan have good relations with farmers along their migration routes. One aspect of this is that the government has established migration routes. Farmers also pay pastoralists for herding services, and the pastoralists rent individual trees from farmers to use their pods and leaves for fodder. The Gujarat and Rajasthan migration system is an interesting interaction between farmers and pastoralists and illustrates the complementarity of the two systems and communities.

This relationship exists in some parts of the Horn of Africa, especially between Tanzania and Kenya, but not between Uganda and Kenya. Whether or not migration is supported may determine how long pastoralist communities will survive, since historically they

must move in order to trade, but also to seek good grazing pasture and water for their animals.

Due to the reliance on market exchange, pastoral populations are vulnerable, because of considerable seasonal oscillation in the grain prices as noted in recent years in West Africa, North Africa and the Horn of Africa. Toulmin (1995:99) notes:

These price movements provide an increasing tight squeeze on the ability to raise cash to buy the food needed by their families. Thus herders may be forced to sell animals far in excess of those required to bring animals numbers into balance with fodder availability.

However the potential for conflict in this relationship is also apparent as the majority of the population might not have the capacity to rebuild their livestock resources in the short term and many will never totally recover. A situation of inequality and resentment is created between the haves and have nots due to the drought and price oscillations, which leads to tension.

### **Relationship and Pressure from the Emerging New Bourgeoisie**

Modern times have seen the development of elite pastoralists in the roles of civil servants, businessmen, traders or even racketeers. Though worldwide data on wealth distribution among the pastoralists is lacking, in East and West Africa, North Africa and even Asia, civil servants and others originating from pastoral areas now reinvest their high salaries in the areas. In West Africa, for instance, the new local elite is finding it attractive to invest in cattle, which are looked after by Fulani herders. This reduces the herders to the status of "tenants" exacerbating the pre-existing inequality<sup>31</sup>. The emergence of poor herders working for wealthy herd owners especially in the Horn of Africa is now a norm<sup>32</sup>.

In Mongolia the same dynamics are producing negative ecological consequences since wealthy herders grab better pastures and force small herders to more extensive grazing practices (Neupert, 1996). In Gujar Himalayas there is a shift from subsistence to

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<sup>31</sup> See Hogg, 1976, Franz, 1979; Oxby, 1985; Shorter, 1973:30-48

<sup>32</sup> Example see Hogg, 1976

commerce using modern methods of transportation and changing the mode of migration. This means that buffalo meat and milk products are sold in the market through middlemen, the *bania*. The Gujars rarely get a fair price and sometimes instead of cash are offered credit support. The result is that the Gujar is heavily dependent on the *bania*<sup>33</sup>. Additionally in Asia in Rajput, non-pastoralists are taking up Pastoralism, aided by their socially and politically superior connections, compared to the traditional pastoralists who are less well connected and educated. A class system is emerging which is bound to cause impoverishment and lead to tension and insecurity.

### **2.2.6 Impact on Pastoralism of Centralising States**

The development of modern centralising states and socialist collectivisation and the incorporation of pastoralists has been a long process often negatively impacting on pastoralists. In West Africa, nomads led the 20<sup>th</sup> century jihads; some settled as rulers of the conquered people, while others continued life as pastoralists, with their military traditions, mobility and unwillingness to obey laws created by the nation state.

Blench (1996) notes that in West African States, though many of the settled populations depend on the meat and milk that pastoralists produce and profit from their opportunistic breaching of national borders, they condemn herders for not staying within a confined range. Throughout Central Asia many pastoral peoples have been split by the constitution of the states.<sup>34</sup> This section examines the creation of the states.

### **Colonialism and Settler Rule**

Most pastoralists around the world had no experience with state structures until colonial intrusion. Geographic borders did not exist for them, until they were created somewhat arbitrarily. Colonial officials had very little understanding of the relationship between African and European stock keeping. A major concern of colonial governments was to

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<sup>33</sup> Negi [http://ignc.nic.in/cd\\_08004.htm](http://ignc.nic.in/cd_08004.htm); Kavoori, 1992.

keep African and European stock apart so that the former did not infect the latter with disease. Later colonial governments created boundaries between ethnic groups, to "keep law and order"; however this also led to a static division of land and water resources. Giles and Gefu (1990) observe that boundaries were essential because mobility rendered close administration impossible. However it denied pastoralist access to much of their former high potential grazing areas and affected the quality of their herd management (Jacobs, 1975:407).

In West Africa, the Fulani and Tuareg were very powerful and headed 12th, 13th and 14th century jihads, and assisted in the jihad in Alwasa in 1804 (Hiskett, 1963). They not only helped to overthrow governments but also took leadership in local administration of Hausa land and Borno. Fulani rule in West Africa came to an end in 1903 when the British defeated the army of Sokoto and incorporated the Sokoto sultanate into the newly-proclaimed protectorate of Northern Nigeria, hence quelling their military strength. The large part of North West Africa, which they occupy, is now marginalized.<sup>35</sup> Due to population increases the Fulani and Tuareg now find themselves extending through four countries from Mali to Cote d'Ivoire. The crossing of borders triggers inter-ethnic tensions and insecurity

Traditionally, most of land resources in pastoral areas are held under a controlled access system, which is communal in form. 'Communal' land tenure relates to that system of tenure in which the tribe or clan or a group has access to land as opposed to the individualization of land as advocated by state legislation. Tenure is thus a social institution; a relationship between individuals and groups or tribes consisting of a series of rights and duties with respect to the use of land<sup>36</sup>. Modern states have attempted to introduce a form of private land tenure in pastoral areas. The effort was made to integrate pastoralists into the private property system through granting of private group title to limited areas. Having a group title gave security to the groups but it also circumscribed

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<sup>34</sup> See for example Tavakolian, 1984

<sup>35</sup> See for example Daily Nation 3 March 2004 "Government still ignoring NEP"  
[Http://www.eastandard.net/commentaries/column/col004\\_copy\(1\).html](http://www.eastandard.net/commentaries/column/col004_copy(1).html)

<sup>36</sup> Birgegard L.E. 1993

their ability to maintain reciprocal relations among their own communities and with others but also reduced their access to critical grazing and water resources outside the group ranches. The enforced changes in land tenure altered the way people relate to land and resources and has created uncertainty and tension. As a result of intensified increase in privatised land, pastoralist traditional grazing coping strategies have been disrupted<sup>37</sup>. “Privatization of resources can increase conflicts between wildlife and livestock and also increase tenure insecurity and gender discrimination.”<sup>38</sup>

### **Marginalization in Education Policy**

Pastoralists in many areas of the world have very little formal education. Evidence for this in Kenya is demonstrated in the 1999 population and housing census.<sup>39</sup> Access to education has been hindered by local customs, traditional hostility to change, mobility and insufficient attention by governments to alternative models of schooling.

Few politicians, when addressing pastoralists, mention that the pen and the book are their best weapons, and few again try to ascertain the causes for their resistance to education. Only the F.A.O (1967) seems to have specifically stressed the value of animal husbandry education in primary schools, particularly among pastoral societies. Low literacy levels are a consequence of their limited access to education, and reduce opportunities for influencing political decisions affecting their own lives. In Kenya people from pastoral tribes are underrepresented in influential government positions<sup>40</sup>.

### **Political and Economical Marginalization**

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<sup>37</sup> For the introduction of land tenure in East Africa

<sup>38</sup> Lane 1997, Birgegard 1993, Rutten 1993

<sup>39</sup> Mkutu 2001:3-4

<sup>40</sup> See Daily Nation, 1 July 2004 “The full cabinet following the reshuffle.”

Political, economic and social marginalization of the pastoralists is a phenomenon discussed by several authors<sup>41</sup>. Lesorogol (1998) observes that most pastoralists in Kenya and elsewhere live on the margins, yet in the pre-colonial period, the Masai in particular dominated the entire Rift Valley region of Kenya. She argues that pastoralists inhabit the entire border of Kenya, Uganda, Sudan, Ethiopia, Somalia and Tanzania. However most of the boundaries in the Horn were drawn through the lowland pastoralists' habitat, and many pastoralist ethnic groups found themselves partitioned among several states, which has now limited their access to resources.

Hogg (1997:13) notes for the case of Ethiopia:

The general attitude of Ethiopia policy makers towards these areas has been ambivalent at best; they have generally been regarded as troublesome border areas inhabited by 'primitive nomadic tribes' who have little contribution to the national economy. The defining characteristic of the relationship has been extractive and authoritarian. It is hardly surprising that the general attitude of pastoralists to the centre is one of suspicion and hostility. They tend to view government as alien and unrepresentative of their interests and concerns.

The once powerful Fulbe and the WoDaaBe pastoralists in Sahel are "not only facing change, they have become aristocrats facing death"<sup>42</sup>. They have been subject to marginalization along with impoverishment and proletarianization, sedentarization and agriculturization (ibid: 37). The situation has deteriorated due to the recurrent droughts where those who have lost most of their cattle are forced into jobs 'like beggars, cultivators, car-washers, hired labourers, house workers', water carrying etc. Due to the pressures exerted on the West African pastoralists, the Fulani have also been marginalized.

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<sup>41</sup> Lesorogol 1998, ASARECA: 2003; OAU/IBAR, 2001; Muhereza, 1997; Knighton, 2003, Markakis 1998:42; Porter, 1984; Makinda, 1992; Grebreselassie, 2001.

<sup>42</sup> Bovin, 1992: 37; Tonah 2003

The combination of inequitable policy, lack of understanding of pastoral communities, 'favour toward settled groups' and differential provision of public goods has resulted in the almost complete marginalization of the pastoralists in sub-Saharan Africa. It is striking that most of the armed groups in Southern and Western Sudan, and the Horn of Africa have been formed primarily among pastoral peoples. This stems from the economic marginalization, their independence from administration and their tradition of armed resistance. Most pastoral ethnic groups have been neglected in terms of receiving the benefits of economic development, which has benefited a class (in the case of the senior civil servants from the areas) rather than an ethnic group.

It is important to note however, in so far as their life and mode of livelihood are self-sustaining there are only 'marginalized' when seen from an external perspective. They may not need or want to be included in larger entities in which their freedom and autonomy is restricted or they might be required to pay taxes. Socially, their culture has been advantageous by enabling them to continue pastoral production and to keep intact many of the coping strategies and social networks, which helped them to survive historically<sup>43</sup>.

### **2.2.7 Impact on Pastoralism of Capitalist Relations of Production.**

The brutal and inhuman manner in which states respond to pastoralists' grievances and the risk of losing their entire livestock population due to droughts could lead to more conflicts between pastoralists and their neighbours as the pastoralists invade other areas to survive<sup>44</sup>. This section addresses development and governance as related to pastoral areas in selected sections of the world.

### **Development and Governance.**

Colonial policy towards pastoralist communities

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<sup>43</sup> de Waal, 1990.

<sup>44</sup> See Daily Nation 26 August 2004 "Masai seek Sh 10 billion for all their lost land" Guardian, Lagos, Nigeria 25 February 2004 [Http://odili.net/new/source/2004/feb/25/42.html](http://odili.net/new/source/2004/feb/25/42.html).

saw pastoralists as practising an uneconomic and irrational herding system based on accumulation for its own sake<sup>45</sup>. Policies pursued by successive post-colonial regime neglected pastoralists and focused on agriculture and urban dwellers. Most of those policies aimed at containment, pacification, sedentarisation, ranching and of late land tenure based on the free market, without putting in place laws to protect pastoralists interests. The impact of government policies on pastoralists worldwide has been well documented.<sup>46</sup> In modern times, previously inaccessible pastures have been made available through government interventions involving technology and capital expenditure, usually beyond the means of the pastoralists themselves.

### **Sedentarisation Policy**

Sedentarisation is the attempt by various states to settle nomads and reduce mobility. Sedentarisation started with the colonial regime but the policy has since been promoted further by the postcolonial states. The process is occurring in varying degrees in virtually all contemporary pastoral nomadic groups<sup>47</sup>. In semi arid regions of Asia, Africa and the eastern Mediterranean sedentarisation is a major government policy (Salzaman, 1980).

Sedentarisation was undertaken for several reasons. First was the realization that sub-humid zones can contribute to solving the problems of overcrowding in other parts of the country. Other reasons include a desire to bring the benefits of development, such as education and health care but also, to exert more political control and incorporate nomads into national culture. However, in the case of Nigeria, the purpose of sedentarisation was to protect pastoralists against encroachment by cultivators, by providing secured grazing areas (Livingstone, 1984:63), but it did not produce the intended result, as mobility is essential for survival of pastoralists.

For India, Boser (1975:10) notes pressures in the increase in cultivated areas and decreasing pastoral lands. In Central Asia, prior to the Soviet revolution, Kazakhstan, Kirgizi, and a large part of Turkmenistan were predominantly nomadic and

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<sup>45</sup> Manger, 1996:244; Oba, 1994a; Fratkin, 1998:123

<sup>46</sup> See Awogbade, 1983; Awad, 1959; Oxyby, 1993

<sup>47</sup> Swidle 1980:21



semi-nomadic.<sup>48</sup> For the economy to be re-organized sedentarization was essential and by 1937 all the farms were collectivised, despite protests, and Pastoralism declined.

In Saudi Arabia's *badia* (rangelands) the Bedouins maintained a flourishing culture in the past based on nomadic Pastoralism. Yacoub (1971) notes that nomadism in the Middle East has been on the decline for the last 150 years, as political control has been exerted, pastoralists have been forced to sedentarise, and agriculturists have been allowed to encroach on pastoral areas.

Sedentarisation frequently leads to competition and conflict among herders, farmers and ranchers, and leads to greater alienation of pastoral lands. However the creation of the state has impacted pastoralists differently and some have benefited.

### **Ranching Policies**

Stenning (1959) defines a 'ranch' as a demarcated area expected to support commercial cattle to sustain a number of inhabitants exercising exclusive rights to specific forms of land use. Ranching was introduced based on the assumption that migratory Pastoralism is no longer viable,<sup>49</sup> misunderstanding the symbiotic relationship between pastoralists and agricultural communities that had functioned for years.<sup>50</sup> Migration by pastoralists is vital in giving pastoralists access to diverse and unpredictable pasture resources, rather than relying on the hypothetical stability or uniformity of those resources.<sup>51</sup> Pastoralists have tended to rely on communal grazing rights, which are not protected by law, and they have lost access to water and pasture as privatisation of land tenure has proceeded. Tension and conflict is the predictable outcome.

Attempts were made to transpose the Kenyan ranching system to West Africa in Upper Volta. The goal was to first to offer security of tenure to the livestock keepers, secondly, to eliminate the need for transhumance by establishing self-contained areas with

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<sup>48</sup> Konczacki, 1978:58; Livingston, 1983.

<sup>49</sup> see Giles and Gefu, 1993; Oxby, 1985; Abdalla et al; Barth, 1964

<sup>50</sup> Dupire, 1962, Odegi-Odegi-Awoundo, 1990

<sup>51</sup> See Lane and Moorhead, 1994; Mace, 1991; Mortimore, 1998

sufficient pasture and water. Thirdly, it was meant to increase the degree of Sedentarisation among the semi-nomad Fulani. The expected result was a reduction in conflict between livestock keepers and cultivators by giving legal tenure, and to offer livestock-keepers the possibility of obtaining development loans and increased income. In Nigeria, as in Kenya this failed miserably<sup>52</sup>. Schneider (1978:42) argues "ranching changes the structure of land use making it more like agriculture, where, as a factor of production its inherent scarcity generates unequal control and social stratification."

There are similarities between the group ranches in East Africa and West Africa and even the Middle East. They have led to land grabbing by elites, reducing the land available for migration by the pastoralists. The result has been the conflict between the ranchers and pastoralists, and to some extent with farmers. Ranchers require huge tracts of land, while serving only a small number of people.

### **Free Market Economy and Privatisation of Common Lands**

Most pastoral land resources are held under a controlled access system of 'communal' land tenure by which the tribe or clan or a group has access to land.

Hardin (1968) sparked the Tragedy of the Commons debate, which argued that the pastoralists were responsible for environmental dilapidation in Africa's dry lands.

He suggested that pastoralists overgraze common pastures achieving a personal economic return at the cost of the community. He argues that donors should support private land management i.e. fenced ranches. Although his thesis is 36 years old, it still impacts negatively on pastoralists and is the excuse for continual land grabbing. It has justified policies of tenure reform; land Privatization, the registration of title deeds and formal land use planning (Lane, 1998:6-8). His assumptions also led to donors abandoning pastoralist sectors in East Africa<sup>53</sup>. The above viewpoint does not take into account the need for pastoralists to accumulate large herds as risk aversion from theft and drought,

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<sup>52</sup> Livingstone, 1983: 87

<sup>53</sup> See Manger (1996:243)

insurance against diseases, for prestige, for providing milk and meat and as an investment<sup>54</sup>. Currently as noted by Birgegard, (1993) and others<sup>55</sup> the introduction of new property rights tenure does not benefit the pastoralist community. Among other peoples, such as the Borana clans in Southern Ethiopia (zone IV), communal grazing land has been turned into privatised enclosures and has accelerated alienation of land by Somalis returning from abroad buying large tracts of land (Tache and Irwin, 2003:11)<sup>56</sup>. The Afar pastoralists in Ethiopia also have lived under the pressure of displacement from their land (Tache and Irwin 2003). The individualisation of the Borana land in Ethiopia and Kenya has curtailed community access to pastureland and herd mobility, (Boku, 2003), and led to competition for resources and tenure insecurity. Similarly, the Masai of Kenya and Tanzania have faced land alienation for decades and the process is intensifying<sup>57</sup>.

Rutten (1999), examined Masai in Kenya's Kajiado district, the land tenure process, and the changing patterns of the pastoralist, which is leading to former communal and public arid lands being privatised and the Masai being allocated individual rights. This process has seen the Masai once called "the most wealthy tribe in East Africa", diminish both in land and stock. Earlier, they were able to sustain themselves (KLC, 1933-34), but now their nomadic future is bleak.

From 1990, like the Former Soviet Union, Mongolia began a process of transition towards a free-market economy<sup>58</sup>. It embarked on the introduction of land tenure from a collective system to a privatised system, which included rural land<sup>59</sup>. Pomfret (2000) notes that collectivisation had disrupted Mongolia's pastoral economy and new industrial towns were created. Virgin lands programs increased the area under crops from 265,000 hectares in 1960 to a peak of 838 000 hectares in 1989.

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<sup>54</sup> Livingstone, 1977, and Odegi-Odegi-Awoundo, 1992

<sup>55</sup> See Constantantinos, 1999; Mkutu 2001 op cit; Mugerwa, 2001, Behnke, 1985

<sup>56</sup> See [http://www.iiied.org/docs/drylands/secur\\_comm4e.pdf](http://www.iiied.org/docs/drylands/secur_comm4e.pdf)

<sup>57</sup> Galaty, 1994; Fratkin, 1994

<sup>58</sup> Bawden, 1968; Milne et al, 1991; Economist 5 June, 2004

[http://www.economist.com/world/asia/displayStory.cfm?story\\_id=1487499](http://www.economist.com/world/asia/displayStory.cfm?story_id=1487499)

The traditional pastoral lifestyle was resilient to economic changes (Pomfret, 2000:2). The introduction of the market-based system in 1991-1992, reversed a two-decade decline in the pastoral sector due to initial investment and the number of animals increased from 25.9 million in 1990 to 31.3 million in 1997. Initially the traditional pastoral life style was seen to provide a reliable subsistence consumption level and some insulation from the collapse of the economy (Pomfret, 2000:3). Many families have since moved back to the rural areas to keep cattle as a defensive coping mechanism to deal with the vicissitudes of transition from communism. One consequence of moving to a market economy has been an increase in herds leading to adverse environmental consequences due to the pressure on pastureland, especially land close to provincial capitals. (Ibid: 4). However, despite the environmental degradation, a key element in the stability of the Mongolia economy in the midst of this change has been the cultural homogeneity and continued orientation towards traditional Pastoralism that was shared by most Mongolians through the communist era. Unlike sub-Saharan Africa, the Mongolian Government during the liberalization process eased the pressure by regulating prices in order to alleviate the short-term impact to the pastoralists. With regard to access to pastures, customary grazing rights continue to remain in controlled-access commons and there are identifiable norms that regulate their use.

In 1994, a law introducing title deeds and leases over campsites and pastures was passed by the Mongolian parliament. However, the government had not developed any adequate strategies to prepare for risk management (Asia Pacific Conference, 2001). As a result of increased levels of privatised land, the pastoralists' traditional grazing patterns and coping strategies have been disrupted. This has resulted in reduced and fragmented grazing areas and increased the impact of droughts and scarcity. In the case of absence of coherent national land policies, violence over land could increase.

### **2.2.8 Impact of New Kinds of Weaponry**

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<sup>59</sup> Nepert, 1996

## **Violent Conflict**

This section addresses the issue of violence by pastoralists. Pastoralists have often been successful conquerors. This has been especially true of Mongol horse pastoralists, the cattle herders of East Africa, Bedouins in North Africa, the Fulani in West Africa, the Tuareg in North and West Africa and Zulu in South Africa. The Mongol light cavalry based armies, with their powerful short bows, rapidly conquered China and Central Asia in the 13th century AD. During the 14th century they controlled Persia, Iraq, much of Russia, and the northern parts of South Asia. Many countries paid the Mongols tributes to avoid invasion. In east Africa, pastoralists controlled the entire Horn and Great Lakes region to even South Africa (Odhiambo et al. 1970).

The pre-colonial system in the Horn of Africa was based on open access and a state of practically constant warfare<sup>60</sup>. Pasture and grazing rights were continuous, kept by military force instead of laws. Cattle raiding was carried out, to build herds lost due to famine and droughts. The arms used were mainly inferior arms like spears, bows and arrows. Modern weapon technology is a major change agent; it has intensified the violence, but also changed the nature of violence, leading some to conclude that customary governance institutions are not effective in management of violence. That arms do not directly cause the conflict but are instruments is debated later in the section on weapons and violence in society.

Bovin (1992) studied the pure pastoralist WoDaaBe, (Fulani) in Niger and the Lake Chad Basin, whose history is one of escape and flight from centralized Muslim empires. The other group studied was the Fulbe Liptaako (Fulani) from Burkina Faso who are agro-pastoralist, and are hierarchical Muslims with social classes and castes. Bovin (1992) notes that the Fulbe of the TorroBe clan were the first to adopt Islam, They settled and became learned Muslims, and led the way in co-operating with the Soninke, Arabs and Berbers from North Africa. During the jihads, the Fulbe ToroBe used their military skills to become aristocrats. With the use of Islam, such powerful states in West Africa

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<sup>60</sup> Fukui and Turton, 1997; Markakis, 1993; Bollig, 1990; Bol Aken, 1991.

like Futa Jallon State (in present Guinea) was started by nine Muslim Fulbe with a jihad. Another empire, the Sokoto Caliphate in what is today northern Nigeria and Adamawa again started in 1804 with a jihad to become one of the greatest Muslim success stories in West African history. Usman Dan Fodio's jihad success was due to assistance from the pastoral nomadic Fulbe. So the pressure and changes in the West Africa pastoralists must be seen in this framework, which differs from Horn of Africa/Saudi Arabia and Asia, and in East Africa. The Fulani pastoralists have been militarised and armed since the 11 and 12th century.

The Horn of Africa and parts of West Africa are different to Asia, Middle East, Saudi Arabia, Mongolia and Asia, in the issue of the emerging threats and challenges of increasing violent conflicts. In recent years, peaceful pastoralists in the Horn of Africa have become violent. This has been due partly to governance as noted above.

Tonah (2000) wrote on the Fulbe nomadic herdsman and the Kassena of Ghana/Burkina Faso who are agro-pastoralists and neighbour each other. He notes that the relationship between the Fulbe and the government has been strained, because they see the international border as artificial. Throughout the 1960s and 1970s the relationship between the two groups was good. However in the late 1970s stock thefts caused the relationship to deteriorate. The Kassena accused the Fulbe that they were colluding with rustlers to steal cattle belonging to local people and driving them across the borders into Burkina Faso. The result is the escalation of conflict along the border, and depletion of Kassena cattle. The pressures that have contributed to the intensification of competition between the two ethnic groups include land degradation and erosion due to increased human and livestock population; droughts; famines of the 1970s and 1980s and the appropriation of land by the government for the production of cash crops on irrigated fields, all noted in previous sections (Tonah, 1991:30). There is also lack of political will by the Ghanaian government to address the border cattle rustling. There is increasing possession and use of small arms by herdsman for the security of their families and property, while moving through a hostile environment. The arms are further diffusing into the society with many farmers, who feel powerless and intimidated now carrying

arms, some illegal. At the centre of the Fulbe and Kassena conflict is the issue of protection, control and access to dwindling and deteriorating resources.

A difference exists between the East African, Mongolian and North African pastoralist to the West African and North African. Religion played a major role in the violent wars among the West African pastoralists and they have always been armed.

### **Demand for Arms**

Small Arms Survey (2001: 83) notes that

Today, small arms traffic is drawn overwhelming to the concentration of insurgent fighting in sub-Saharan Africa, especially to the Great Lakes Region and Sierra Leone, as well as Angola and Sudan, home to more than 60 percent of the world's fully active non-state combatants, the Great Lakes is the most likely destination for most of the world's black and grey market of small arms.

There are several facts that cause communities to demand arms. These range from corrupt behaviour and systematic violence by police and other government agencies, arming of communities by the states, lack of adequate public security, systematic brutality by police and other state agencies, marginalization and prejudices and stereotypes, distribution of arms by government to militias and other civilians. When the police are absent, slow, inefficient or corrupt, communities would normally demand for arms,<sup>61</sup> but also it can be attributed to failure of effective governance structures in developing states. This work is interested in pastoral areas in the North Rift forms part of the Greater Horn of Africa, where little is known why pastoralists acquire arms, which are not part of an insurgency.

### **Supply of Arms**

The pastoralists in West Africa and Horn regions and to some extent in Southern Africa (DRC) are now experiencing increasingly violent resource based conflicts. This is exacerbated by the easy availability of arms from regional conflicts in Africa and the spill

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<sup>61</sup> See for example <http://www.aug.edu/~sbajmb/paper-smallarms.PDF>

over from the cold war conflicts. Pastoralists now provide the largest market for small arms from local circulation and from areas in the region undergoing civil wars.<sup>62</sup> The greatest threat associated with illicit arms trade is the diversion of legal stockpiles known as the 'grey market' where states supply arms to non-state actors or to embargoed states. States have no control over where these types of arms are ultimately absorbed. It is such arms from states that are ending in pastoral areas. Nyaba (2001) gives the example of the Sudanese NIF Government (National Islamic Front) supporting and arming tribal militias (the Murle, Mundari, Toposa and Didinga, LRA) which led to the proliferation of arms among the population. The large numbers of SPLA laid off in 1993-1994 were given a pension, not of money but of weapons. Related, the SPLA was reported to have received sizeable shipments of military equipment from the National Revolutionary Movement in Uganda, just as the LRA was regularly supplied by the NIF Sudanese government and Sudanese internal security services. Though agreements between the two states have sought to reduce this support, it still continues. The current Darfur crisis has resulted from the same. Somalia, Ethiopia, DRC have all seen civil war in recent years, into which arms have been poured by foreign players, and are all sources of arms in the region.

### **2.2.9 Conclusion**

There are immense pressures on pastoralists around the world. Middle Eastern and Mongolian pastoralists have experienced large scale modernisation of their political systems, subjecting them to greater government control, and often economic pressures, not forgetting the decline in their traditional values, and the impact on the environment. African pastoralists have seen little in the way of modernization, and find themselves artificially restricted in terms of mobility and out of favour with the states because of their "uncivilized" way of life. The social, developmental, economical and political marginalization, for which colonial policy is partly responsible, has them trapped. Their culture has made them resilient, and they continue to survive, though resource based conflicts have made life very difficult. The recent injection of arms into the region, which has intensified pastoral conflict, and the role of governance in that process, is the interest

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<sup>62</sup> Mkutu and Marani, op cit.; Nyaba and Otim, 2001, Grebreselassie, 2001.



with which this research is concerned. The decline of Pastoralism and the conflict it has engendered constitute a human problem of the first magnitude that cannot be ignored. The new pressure on pastoralists caused by small arms has been overlooked, under researched and very scanty work exists.

## **2.3 Governance and Security**

### **2.3.1 Introduction**

This chapter examines the linkage between governance and security. The argument is that the total failure in governance in North Rift, northeastern Africa (Kenya-Uganda) is related to the arms demand by local communities. There is a demonstrable failure by the governments to guarantee security to local communities within which basic needs relating to growth and development can be addressed. Inadequate application and implementation of policies and laws and access to social institutions (general governance) is primarily responsible for the increase in arms acquisition to protect livestock and in ensuing conflicts noted above<sup>63</sup>.

As noted by Lindijer (2003:4)

The national authorities based in Nairobi, who are mostly representatives of farming highland tribes, don't understand the dynamics of savannah and desert life. They are more adept at oppressing than governing them.

The mistrust of government pushes individuals towards more localized loyalties and demand for weapons for self- protection. People resort to their customary 'traditional' system of governance that has been partially eroded, especially in regard to the administration of justice and peaceful conflict resolution<sup>64</sup>.

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<sup>63</sup> See Daily Nation 14 April 2004 on devolution promises power to the people. See also [http://www.nationmedia.com/dailynation/nmgcontententry.asp?category\\_id=25&newsid=6179](http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=25&newsid=6179)

<sup>64</sup> See Mkutu op cit. 2001;Masinde et al 2004

In some places states are willing to implement but not capable, however, in some places the state is capable (especially in Kenya) but there is a lack of political will<sup>65</sup>.

The situation has been further complicated by the state decision to provide arms to civilians who are not trained in their responsible use<sup>66</sup>. In both Kenya and Uganda governments have developed the Kenya Police Reservists (in Kenya) and in Uganda Local Defence Units (LDUs) and militias which are now operating in pastoral areas carrying out the everyday duties of policing.

Vigilante groups represent communitarian thinking given that the civilian is viewed as able to maintain order instinctively, representing community norms that are internalised and undisputed<sup>67</sup>.

Vigilantes in the pastoral areas, and here I use the term generically and without implication of criticism or approval<sup>68</sup>, are private citizens who work as volunteers. It has been argued by Johnston (1996), that they represent a form of “autonomous citizenship” that emerges when an established order is under threat. At the local level in North east Africa they are accepted as they address issues of security and moral order that are significant to the people living on the periphery reach of the formal state apparatus in pastoral regions. In pastoral areas, they are armed, which may lead to criminality.

Abrahams (1987:18) notes that they operate in shadows rather than the bright lights of consensus and legitimate authority, and the boundary between vigilante and criminal, like that between heroes and bandits or patriots and traitors, is both fluid and manipulable. The next section outlines the concepts of governance and security.

### **2.3.2 Concepts of Governance and Security**

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<sup>65</sup>One of the main reasons why Kenya National African Union was voted out was the overwhelming power of the president and decades of bad governance caused by entrenched authoritarian structures of personal dictatorship. See East African Standard 14 June 2004 “why they do not want the constitution they wanted”

<sup>66</sup> See Knighton (2003) also see East African Standard, 6 April 2004. See chapter 8

<sup>67</sup> Zedner, 2000 and Johnston, 1996: 2000:Abrahams, 1987; 1998-8-9

<sup>68</sup> The term vigilante is used alternatively with militia as they are all civilians armed by the state to do policing work.

This section gives a standard definition of governance and security and links the two terms together distinguishing how they relate to each other at community and at national levels. It briefly outlines why governance is an issue in developing countries and then identifies security actors in the North Rift identifying the role of the army and police and how they influence conflict positively and negatively.

Increasingly the two terms governance and security are intertwined, especially with the emergence of a unipolar world order since the late 1980s, and with new dimensions that challenge conventional understandings of national sovereignty, interests, and security.<sup>69</sup> No longer does security depend on a military, which defends only borders and institutions.

The impact of security on governance in general has been established, however; the link between governance and security is controversial. In general governance is the process by which government channels activities; commands flow, goals are framed, directives are issued, and policies are pursued and communicated.<sup>70</sup> The international financial institutions have frequently defined the term to serve their own narrow agenda.<sup>71</sup> Three years later they used the term to refer to the practical exercise of power and authority to conduct public affairs.

Though the United Nations Development Programme recently conceptualised governance with reference to security as a means of conflict prevention and peace building (UNDP, 2002:85-100), it can be defined as the sum of the many ways individuals and institutions, public and private, manage their common affairs. Governance is required where a group or groups of people, states or organisations gather for a certain purpose in order to maintain a certain order among the people, states or organisations. Thus, different institutions and organisations in society have their own governance. It is a continuing process through which conflicting or diverse interests may be accommodated and co-

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<sup>69</sup> Shapiro et al, 1996; Doty 1996, Kaldor, 1999, 2001.

<sup>70</sup> Rosenau 1995; Comer 1999: 120

<sup>71</sup> For example, in 1989 they defined it with reference to the exercise of political power to manage a nations affairs (World Bank, 1989).

operative action may be taken. It includes formal as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interests. Thus, governance does not necessarily mean governance by government. In any country, governance by government is important to sustain the country. In addition, governance is also required in civil societies to complement governance by government. Whilst government is supposed to provide national-scale economic, political and social frameworks civil society needs to have voices from micro-level or community based perspectives and also needs to function as a detector to ensure that the government provides the frameworks with legitimate, transparent and participatory manners. The so-called failed states perceived in many developing countries have weaknesses of governance by either one or both of them<sup>72</sup>. In observation and research on the ground, the author found that civil society often suffers from bad governance, and lack of capacity in conflict resolution and peace building, which is also escalating conflict instead of mitigating it<sup>73</sup>.

Governance as used in this thesis includes the ability by government to formulate, implement, evaluate, and monitor policies and directives and decisions without excluding or marginalizing any community or individual.<sup>74</sup>

The fundamental purpose of government is to maintain peace and security for the nation within the territory. To do so, the government needs to take measures for both domestic and international matters such as preparing laws or regulations for domestic order and establishing good relationships with other countries. Thus, any act by the government is supposed to protect all the nation and prosperity of the country. Though there may exist difference in precise contents of the methods of governance, the primary purpose of governance by government is to provide security for all nationals of the country. If governance does not treat all communities equally and provide security, experience has proved that it is a recipe for chaos and conflict. It is the alien nature of modern

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<sup>72</sup> Example in the Horn of Africa is Somalia.

<sup>73</sup> Review of capacity of NGOs to deliver. Gomes and Mkutu, 2003

governance and its failure<sup>75</sup> to include the entire community that is partially responsible for the development of paramilitary militias by communities, leading to anarchy and conflict. As noted by the special envoy to the Somalia peace process recently; "bad governance due to flawed constitutions that deny majority of citizens political space is the main cause of many conflicts that have plagued many African countries since attaining their independence in 1950s and 60s"<sup>76</sup>.

A permanent secretary in the Ministry of Labour in Kenya also echoed the same words for Kenya; "lack of good governance is the main cause of problems. Corruption, inefficient management of public resources, reluctance and failure to involve the poor in development process has contributed to the sorry state"<sup>77</sup>.

At a recent Commonwealth Parliamentary Association conference in Nairobi, conflicts on the African continent were blamed on bad governance and power hungry leaders. Conflicts are sparked by irresponsible and provocative utterances by politicians and their opponents<sup>78</sup>.

Governance is what glues communities and individuals together. Simply put, governance is "how people are ruled, and how the affairs of the state are administered or regulated (Hanggi, 2002:6)." Accountability and transparency in the exercise of state powers are

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<sup>74</sup> In Kenya, the formulation of policies is not the issue, but it is the implementation of policies on the ground. Kenya is known for having good policies on paper but not on the ground. In the case of Uganda, again implementation, evaluation and monitoring are issues.

<sup>75</sup> By failure here is implied weak governance, whereby the government cannot guarantee security for all people. Cannot distribute resources without excluding and marginalizing (bad resource management). Cannot block or control possible threats flow from other countries (e.g. small arms, drug, refugees), Cannot control political corruption (function to detect corruption). Cannot give fair opportunities for all people (regardless of ethnic, religious or ideological differences). Cannot provide or implement enough law and regulations to maintain order (domestic and international). Cannot implement long-term national strategies (e.g. conflict management, crisis management and development). Good governance implies that it can guarantee security for all. Participatory, transparent, legitimate and accountable for its decisions they make. It is inclusive (no discrimination nor marginalization) and has fair treatment. Recognizes minority and diverse customary systems in all its decisions and actions. Provides a certain standard for order (laws and regulations). Control its border (block any possible threat from other countries). Can have long-term perspectives and take measures for the prosperity of the country and the nation (Prevention instead of fire fighting). Good governance is an abstract concept, which different fields of study define in accordance with their focuses.

<sup>76</sup> Kenya Times 18th February 2004 "Bad governance to blame for conflicts plaguing Africa".

<http://www.kentimes.com/nwsstory/other3.htm> 1.

<sup>77</sup> See Kenya Times 5 March 2004. "A permanent Secretary explains the cause of economic decay"

fundamental principles of good governance. Others are legitimacy through democratic participation, respect for human rights and rule of law, and efficiency of public resources in delivering public service<sup>79</sup>. These apply to paramilitary and internal security forces as well as intelligence services and police border guards, which share in the exercise of the state's coercive power (ibid: 6).

Security, whether individual, national or international, ranks high among the problems facing the world. There is no universally accepted definition of security. As noted previously, since the genesis of the state, its security role has been to protect itself against internal and external threats<sup>80</sup>. Enforcement of law and order is the cardinal role of the states, thus by design the state assumes a monopoly on the use of violence. Protecting the state is important for individuals, since it is assumed that enforcing law and order has a trickle down effect to protect citizens and their possessions against damage, grievance or loss. The state<sup>81</sup> has been central to analysis of international relations. For a state, survival is about sovereignty, and for the nationalist, it is about identity (Waever, et al, 1993, ch. 2).

In the Westphalian conception of international society that developed in Europe and spread to other parts of the world, the state was the sole repository of both the right and the capability to use force (Buzan et al.1998: 52). However, since the end of the cold war and the collapse of the former Soviet Union, the national state has become more vulnerable to challenges from within and without. Three major developments from the cold war era impact the state and change the way it operates. First is the free market economy<sup>82</sup>. Second, especially in the developing world, is the growth of civil society. Last is the increased involvement of international financial institutions and donor agencies in encouraging peace building in areas of conflict<sup>83</sup>

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<sup>78</sup> Daily Nation 8 August 2003:6 "Commonwealth MPs discuss wars"

<sup>79</sup> See governance indicators D. Kaufmann A. Kraay, and M. Mastruzzi (2003)

<sup>80</sup> See Buzan 1991

<sup>81</sup> The state comprises the entire machinery of government, including its executive, legislative and judicial bodies. And the laws, procedures and norms by which they operate.

<sup>82</sup> Here also is globalization.

<sup>83</sup> International Monetary Fund, World Bank or the Bretton Wood Institutions.

Internal factors contributing to the failure of governance to provide security include porous borders, the weakness of states, armed conflicts, marginalization (see chapter 3,) and the exclusion of citizens from the formation and implementation of policy. Booth (1991) notes that the individual is now a factor in security. Since the 1980s, and especially the 1990s, security theory has moved to focus on the individual. Hewson and Sinclair (1999) notes that authority tends to be relocated in multiple directions. This has led to a greater recognition of the link between governance and “human security” (Hendrickson, 1999). Thus security is now defined to include that of communities and individuals as well as of states.

Governments operating in the North Rift and their security forces have been inadequate to the task of combating the unprecedented escalation of inter-pastoral conflict in what are becoming no-go zones. The response by state law enforcement bodies has been slow, ineffective, overly forceful, or non-existent. Often the police are complicit in violence. There are no effective policies to address insecurity, and the formation of vigilante groups and home guards (examined in this chapter) leads to additional threats to law and order and to the increased proliferation of small arms (chapter 5).

## **2.4 Violence, Weapons and Society**

### **2.4.1 Introduction**

Louis (1995) notes that the linkages between small arms and light weapons, globalisation and social disintegration have been greatly under-researched. The lack of research is the more significant because small arms continue to be used in the violent civil and ethnic conflicts of the post-cold war era. Additionally, too little is known about the international trade in these weapons and the true extent of their diffusion: therefore this section provides an overview of the current knowledge.

As noted by Howe (1981:16), small arms are no longer so mild as their name suggests, and are likely to become even deadlier in the future. In the global terms small arms and light weapons have become weapons of mass destruction, taking over a thousand lives each day, more than half a million each year (Small Arms Survey, 2001). In fact according to the recent surveys, there are 639 million such weapons in circulation (SAS 2003:57).

Furthermore, the fact that man created arms does not mean that he can manage them properly. This literature review attempts to address such questions as:

1. Do guns kill people or do people kill people?
2. Can criminals be violent without arms?
3. Can carrying weapons ever reduce crime?

The chapter provides a debate on the role of guns as it examines banditry, warlordism and other societal violence. It also notes the role of the state as a source of small arms and violence.

#### **2.4.2 Debate on Guns.**

In *Klein vs. Leis*,<sup>84</sup> U.S. Judge Robert Ruelman argued, "Where carrying concealed weapons is allowed, crime seems to go down." The argument continues that in the past, children in America routinely carried rifles and ammunition through towns on their bikes, and school shootings were unheard of; so it is not the gun in society that makes trouble, but people who misuse guns. Besides the above argument against gun control in the U.S., the second amendment of the constitution protects an individual's right to keep and bear arms. This reads, "A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed"<sup>85</sup> It is further argued that laws on guns will not be respected by people intent on committing violent crimes

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<sup>84</sup>*Klein V. Leis* No. A-0004340, Court of Common Pleas, Hamilton County, Ohio.

<sup>85</sup> U.S. Constitution Second Amendment, the right to bear arms by citizens.



because it is unlikely that persons whose morals allow them to commit murder, assault, or robbery would shrink at gun laws (Richman, 2001).

According to Richman, current legal restrictions on firearms have not prevented gun violence, including recent horrific shootings by teenagers. With the black market in guns for outlaws, citizens may be rendered defenceless by law in the face of well-armed criminals. So goes the argument, gun control is not only futile but it often makes things many times worse. The corollary is that gun ownership by law-abiding people makes things better.<sup>86</sup> Other groups assert the reason for the presence of the 'right to bear arms' in the second amendment is to provide the people the means to resist the government when it becomes a 'tyranny'. Additionally there should be no restriction on manufacture or sale, as this infringes on freedom<sup>87</sup>.

- Those in favour of gun control argue that more guns on the city streets can only lead to more violence and deaths. They contend that lack of gun control laws will transform the streets of America into a 'Dodge City' as previously law-abiding citizens take to settling arguments over fender benders and slights to their dignity with guns. Citizens' lack of training leads to unrealistic expectations about the usefulness of firearms, with the result that weapon owners take foolish risks (Snyder, 1997). The carrying of weapons by ordinary citizens also jeopardizes the safety of the police. Generally those who hold these views argue that the spate of shootings in America is due to the proliferation of small arms in society (Stohl, 1999).

After the Dunblane shooting in Britain in 1996, when a middle-aged man opened fire on a class of primary school children, Britain decided to ban ownership of handguns. However, some interested groups argue that despite the ban, the crime rate involving

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<sup>86</sup> In a lower court decision in *U.S. vs. Emerson*, the district court found that a federal law prohibiting an individual under a domestic restraining order from possessing firearms violates the second amendment 46 F.supp.2d 598 (N.D. Texas, 1999) our second amendment rights have not been eroded, but our understanding of them, however has. <http://www.gunlawsuits.or/defend/second/articles/erosion.asp>.

<sup>87</sup> Jonathan Cowan and Jim Kessler (2001) Changing the Gun Debate. Blue Print Magazine [http://www.ndol.org/ndol\\_ci.cfm?kaid=127&subid=170&contentid=3560](http://www.ndol.org/ndol_ci.cfm?kaid=127&subid=170&contentid=3560)

handguns has increased.<sup>88</sup> The Home Office acknowledge a recent rise but do not implicate the legislation as a cause<sup>89</sup>. It is argued that the contract between the public and their rulers is broken, and there is no political will to deal with the violation of the most fundamental liberty, the right of people to feel safe in their homes. Therefore it is time for the British government to confer a new right on the people, the right to bear arms.

Other researchers argue possession of guns (especially by youth) is for protection. The same authors observe that it could be a case of "replicative externalities" model in which adolescents feel less safe when their classmates carry guns causing them in turn to acquire guns (Page and Hammermeister, 1997). These arguments appear to concentrate only on cause and effect but lack a philosophical standpoint, since evil does not only come from society, but from within an individual, who with a gun in one's hand could carry out any impulsive harmful intent.

#### **2.4.3 Banditry, Violence and Arms (Warlordism)**

Warlordism is an ugly, pejorative expression that signals brutality and the suffering of civil communities. A warlord is a leader of an armed band, possibly numbering up to several thousand fighters, who can hold a territory locally and, at the same time, act financially and politically in the international system without interference from the state in which he is based.<sup>90</sup> African writers, to describe locally powerful individuals, controlling warriors and profiting from cattle raiding and small arms conflict in the North Rift of East Africa, have borrowed the term "warlord"<sup>91</sup>. Warlords can be categorised on the basis of their level of domination. The highest tier is organised, characterised by sophisticated external relations, and controls major areas approximating to state held territory. The organisation is non-bureaucratic but with in-built transnational links, and

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<sup>88</sup> See National Criminal Intelligence Service, "UK Threat Assessment on Serious and Organised Crime 2000", [www.ncis.co.uk](http://www.ncis.co.uk) See also BBC 16 July 2001 "Handgun crime "up"" despite ban. <http://news.bbc.co.uk/1/hi/uk/1440764.stm>

<sup>89</sup> <http://www.homeoffice.gov.uk/crime/guncrime/index.html#1>

<sup>90</sup> See Hill, 1997; Jackson, 2002,2003; Ratner & Helman, 1992-3; Reno, 1998: see also Mackinalay, J. [http://csdg.kcl.ac.uk/Publications/assets/PDF%20files/bulletin\\_issue%203.pdf](http://csdg.kcl.ac.uk/Publications/assets/PDF%20files/bulletin_issue%203.pdf)

personalised leadership.<sup>92</sup> This category of warlords mainly deals in illegal export of minerals and raw materials by means of exploitation of the local biosphere<sup>93</sup>. Tropical wood, gems, diamonds, ivory and minerals lead the list of products that enter the global market to sustain them. In Afghanistan and Colombia, drug production and trafficking are an important element in the survival and power maintenance of such warlords.

The second tier of warlordism is less organised, and they dominate territory less than the higher tier. They do however, use the local resources and tax local communities or companies to survive. The best examples are the Lords Resistance Army (LRA) in Uganda, Congolese Rally for Democracy and Mai Mai in Kivu in the Democratic Republic of Congo,<sup>94</sup> Revolutionary United Front<sup>95</sup> in Sierra Leone, and the Somali warlords.

The third tier, now being referred to as warlords includes businessmen, politicians, and traders, to strongmen with a wealth base, who employ armed men for their financial objectives. Sometimes they do not have political alliances, do not possess international clout, control no territory, but they are politically relevant because of their activities.

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<sup>91</sup> See Ocan 1992, Muhereza 1997b, Environmental Economics Association of Uganda, 2003, The Peacemaker 2003 June; Quam, 1996; Osamba, 2000.

<sup>92</sup> In this category are warlords like Charles Taylor and the late Jonas Savimbi. In his early years Garang could be included in this group.

<sup>93</sup> Duffield, 1997; Keen, 1998; Reno, 1998; Rich, 1996

<sup>94</sup> See <http://www.inshuti.org/miniere.htm>

Currently the warlords control the Colton production in the Kivu areas of Congo and run their own company called Somigl. Somigl officially provided RCD with much tax revenue, which they used to buy arms. The Colton trade is closely intertwined with the activities of all armed groups in the area.

<sup>95</sup> Foday Sankoh of RUF and his fighters forced the local people to sift through muddy pits for diamonds with which they bought more guns and ammunition. They became notorious for raping and chopping off people's hands, ears and feet in one of Africa's most brutal wars.

**Figure 2.2 Illustration of where warlords appear in the security sector in sub-Saharan Africa.**

Various tiers of security monitors	Formal sector in security services (FSSS)	Informal sector in security services (ISSS)
<b>Regional</b>	Peace-keeping forces	Guerrilla/Rebel alliances
<b>National</b>	Government Armed Forces	Rebels, militias and warriors
<b>State/local</b>	Para-military and Police Forces Private security companies	Militias and warlords
<b>Community</b>	Vigilantes Home Guards	Vigilantes, Home Guards and warriors

Many warlords emerged just before the end of the cold war, as local factions and leaders joined outstanding wars in such areas as Burma, Colombia, Cambodia, Afghanistan, and sub-Saharan Africa to confront the changing security atmosphere. Charles Taylor, the former Liberian president, rose to power in 1989 when he invaded Liberia with 100 irregular soldiers armed primarily with AK-47 assault rifles. Boutwell and Klare (2000)<sup>96</sup> observe that "within months" he had seized mineral and timber resources and used the profits to purchase more weapons, until in 1990, he toppled Samuel Doe. This is an illustration of the new violence where bandits and criminal gangs posing as rebels, come to control major territories, and sometimes they are capable of concerted military action against intervention forces. Easy access to small arms has assisted the process, and violence closely follows in the process.

In Angola, the late Savimbi and his National Union for the Total Independence for Angola (UNITA) forces raised billions of dollars from diamond mining and trade. Opposition by the new Angolan army, supported by an array of US based private mercenary companies was eventually able to defeat Savimbi. In order to fight, UNITA

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([Http://www.2.swissinfo.org/sen/Swissinfo.html](http://www.2.swissinfo.org/sen/Swissinfo.html)) and [Http://news.independent.co.uk/world/africa/story.jsp?Story=295199](http://news.independent.co.uk/world/africa/story.jsp?Story=295199).

<sup>96</sup> See <http://www.pugwash.org/reports/pim/pim11.htm>

acquired arms by trading in diamonds<sup>97</sup>, procuring most of its weapons in 1993-94 in Eastern Europe (Bulgaria and Ukraine). From 1992 until his death Savimbi consistently controlled 70% of Angola's diamond production, generating £3.7 billion in revenue, enabling his followers to maintain their war effort.<sup>98</sup>

Bad governance and a weak state are prerequisites for warlordism to emerge and grow strong (Jackson, 2002, 2003). Weak governments are incapable of stopping warlords from consolidating and controlling large territories. Weapons have been used to protect their territories and to gain access to resources. In some parts of sub-Saharan Africa and the world “ they are inheriting a power vacuum once inhabited by a state that has now ceased to exist, and this is the most common scenario within which warlords emerge; consequently warlords themselves have frequently taken over some functions of a ‘government’, notably tax and infrastructure<sup>99</sup>.” In the short term, they offer stability, security and rewards, which cannot be ignored.

### **General Crime**

Crime is defined as behaviour that is subject to legal punishment (Conklion, 1989:6). The four major types of violent crime are murder, rape, robbery and assault, which generally weaken the social fabric of any given society. This section examines general crime in societies around the world and links it to weapons use.

EU member states have recently experienced an increase in organised crime and petty crime activities, often involving the use of arms. British Home Office figures for 2001 state that gun crime has almost tripled in London during the past year and is on the sharp increase in other British cities<sup>100</sup>. A senior police officer warned that in parts of Manchester city guns were becoming 'almost a fashion accessory'<sup>101</sup>. This increase is creating a pressure in some groups to acquire illegal firearms to protect themselves. The

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<sup>97</sup> Madsen, Wayne 2002. “Report Alleges US Role in Angola Arms for Oil Scandal. Issue library: Money and Politics. Special to Corpwatch, 17 May.

<sup>98</sup> *ibid.*

<sup>99</sup> Jackson 2003: 133,138

<sup>100</sup> See Telegraph 24 February 2002

diffusion of weapons to the EU is attributed to terrorist organisations, especially by those struggling for secession from the state, and by criminal groups involved in profitable illegal activities such as drug trafficking, prostitution, smuggling of illegal immigrants, and extortion.

The massacre of 18 people in a school by a German teenager was the latest in a series of bloody gun crimes around Europe. (Hooper, 2002: 1) It came shortly after the slaughter of eight city council members in a Paris suburb, who were shot along with about 30 people who were seriously injured (BBC, 2002), and the killing of 14 regional legislators in Switzerland in September 2001.<sup>102</sup>

The weaponization and increase in general armed crimes and the availability of firearms has been particularly conspicuous in the Netherlands, a traditional hub for illicit goods in transit through Western Europe. Recent high profile firearms killings reflect the climbing murder rates in Amsterdam, a city whose illegal trade, "has moved from sex and drugs to focus on firearms; everything from machine guns to anti-tanks weapons"<sup>103</sup>. The Amsterdam police believe that Amsterdam is already awash with weapons; the fact that the Dutch-based gangs are "supplying Kalashnikovs and anti-tank guns suggests a different scale of operation." (Ibid.)

In Columbia weapons have been linked to increases in crime. Muggah and Berman<sup>104</sup> observe that nearly all violence in Colombia, whether massacre, homicide, suicide, domestic violence, robbery or petty crime involves use of weapons. Columbia has manufactured weapons since the 1930s and now the cottage industries are on the increase, mainly used by gangs, urban militias and various subversive groups.

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<sup>101</sup> See "Grange land shooting claims third victim in two weeks"  
<http://www.guardian.co.uk/print/0%2C3858%2C4393275-103508%2C00.html>

<sup>102</sup> See Rotella Sabastian "Rise in Weapons use Across Europe"  
<http://www.dawn.com/2002/04/30/int10.htm>

<sup>103</sup> Financial Times (London) 8 December 2000.

<sup>104</sup> <http://www.smallarmssurvey.org/SReports/SReport1.pdf>

In Cambodia the porous borders have limited the information on weapons feeding the illicit arms trade in the region. Furthermore, the Cambodian Freedom Fighters who operate along the Thai-Cambodian border are believed to transport weapons. Sinthaya (1998) and Bainbridge (2001) both note that more than 112,000 weapons have been removed from circulation since the Cambodian government began a strategy of weapons reduction in 1998. However, that was only between 10% and 20% of the weapons estimated to be in civilian hands.

Since transition from apartheid, South Africa has been steeped in violence; it has become a way of life and a culture that holds a dangerous attraction for today's youth. The political transition ushered in uncertainty and more crime. What makes crime easier is access to guns<sup>105</sup>. Out of an estimated 14 million guns in circulation, only four million are registered and licensed to legal owners. Guns are used in almost 75% of violent crimes. About 5,000 murders are committed in Gauteng Province (Johannesburg and Pretoria) each year. In the entire country from January to September 2001, there were 15,000 murders and 24,000 reported rapes<sup>106</sup>.

The illegal drug trade is notoriously linked to violent crime and use of arms, however the dynamics of the relationship are poorly established.<sup>107</sup>

#### **2.4.4 Transnational Crime<sup>108</sup>**

The UN (2000) define transnational crime as consisting of acts of laundering the proceeds of crime, corruption and obstructing justice, and serious offences which have ramifications in more than one state and in which an organised group is involved. More and more the arms trafficking in the Horn of Africa is taking a regional transnational nature. This section examines the characteristics of transnational crimes, the organised criminals traffic in small arms and ammunitions, and also drugs, expensive goods,

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<sup>105</sup> BBC 10 April 2002

<sup>106</sup> BBC 11 April 2002

<sup>107</sup> Fagan and Chin 1990

<sup>108</sup> Transnational crime has the characteristic of being cross-border and sometimes global.

endangered species and forced labour and sexual exploitation of smuggled illegal migrants.

Britain is witnessing the kind of cocaine-fuelled violence that burst upon American cities in the 1980s<sup>109</sup>. The cocaine, particularly from Jamaica, now floods into Britain, while the availability of weapons, many from Eastern Europe, is going hand in hand with the drug trade.

Transnational organised crime threatens the security and social stability of every country, developed or developing.<sup>110</sup> Increasingly the proliferation of small arms is a regional problem affecting the entire Greater Horn of Africa region, as 'transnational criminal networks' facilitate it.<sup>111</sup> These networks then feed into localised interethnic conflicts, making them much more violent and intractable. This relationship will be fully explored in the thesis.

Transnational crime shows the traits of formal organisation, division of labour, co-ordination of activities through rules and codes, and an allocation of tasks in order to achieve organisational goals (Cressey, 1969). The criminal organisation tries to preserve itself in the face of internal and external threats, often with the use of arms. According to the UN (2001) "transnationalisation of criminal activity has increased substantially", and the general process of globalization, increased economic interdependence, and the increase of economic exchange "make the transfer of goods and the movement of people across borders easier." Carter and Drinkwater (2002), argue that in the last ten years, organised criminals have 'dramatically increased the scope of their activities' and pose a significant threat to the economies and governance of states.

Ruggiero (2000) mentions the role of government officials in transnational crime. In countries like France and Britain, inspectors may turn a blind eye to quantities of arms

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<sup>109</sup> Telegraph 24 February 2002

<sup>110</sup> See also Findlay, 1999:127; Conklin, 1989: 46; Transnational crime was identified by the G-8 as one of the three challenges facing the 3rd millennium. See <http://archives.tcm.ie/irishexaminer/2003/07/23/story530200809.asp>



produced, in favour of economic benefits. Second, the illegality of arms could result from false claims regarding their destination (Phythian, 1997a: 43) and illegal practice may be adopted in the manner of payment for illegal sales and processing<sup>112</sup>. Ruggiero argues that (1996c; 2000: 102) in some war markets where international embargoes have caused the expansion of the clandestine market in arms, the services offered by organised crime are highly valued. An example is Rwanda, where Britain, France and other European arms producers sold their arms through criminal networks. This greatly escalated the genocide, although without arms it would likely still have occurred although on a lesser scale.

Organised transnational crime by its nature affects almost every area of the world, but some more than others. In the case of less advanced nations with weak structures or tenuous legitimacy, the power wielded by transnational crime syndicates can rival that of the state.<sup>113</sup>

#### **2.4.5 The State as a Source of Violence<sup>114</sup>**

The state is an important player in the small arms debate and conflict, firstly because of the question of who should provide human security, and secondly because the weakening of states and state corruption may itself contribute to insecurity and proliferation of small arms.

The state is a body, which has by definition a legitimate monopoly of the use of violence. It is legitimate because it represents the entire community, and when it does resort to

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<sup>111</sup> See Mkutu 2001 op. cit.

<sup>112</sup> Example of Nigeria in 1993. The British government, as part of measures agreed by EU, said it would withhold £64 million of civilian aid already agreed, but refused to halt the supply of weapons to the very soldiers who had staged the coup. In the light of Britain's long and close embrace of the Nigerian military through arms sales, military export credits and training, the move was unsurprising. Far from promoting good governments, Britain's arms sales have legitimised the Nigerians usurping power and violating human rights. Over many years, Britain's official arms sellers encouraged the squandering of hundreds of millions of pounds on British arms, which Nigeria could not afford, and for which the Nigerian people are still liable (World Development Movement, 1995: 75).

<sup>113</sup> Canadian Institute for Strategic Studies 2000.

<sup>114</sup> Violence is the psychological or physical force exerted for the purpose of injuring, damaging or abusing people or property. (U.S. Department of Justice, 1996, D-3)

force, it does so as the agent of the community expressing its will through constitutionally agreed processes. It is this monopoly, which has all too often been abused in civil conflicts, and in some 'peace time' contexts, the police have been perpetrators of violence. However, in many countries it is the failure of the police to act as enforcers of the law with respect to violence, which has attracted most criticism. As noted by Moug Khim, the first deputy of Phnom Penh municipal police, "The army surplus market is well known as the major weapons black market in Phnom Penh" (Bainbridge, 2001). Thus the lack of controls or regulations makes weaponization of society easy.

The 1994 Rwanda genocide where as many as one million Tutsi and moderate Hutu perished, many of them women and children, is a case in point. Before the killings, the Hutu-dominated government had distributed automatic rifles and hand grenades to official militias and para-military gangs. Thus the state empowered the militias to terrorize its own citizens.<sup>115</sup> The same mechanism has been used in the lead up to the violence against the Darfur people in Sudan, where thousands of women and children have lost lives<sup>116</sup>.

Sinthay (2001)<sup>117</sup>, argues that following the end of 30 years of conflict in Cambodia in 1999, high numbers of weapons still remained in the hands of civilians and in government supply stocks. It is estimated that between 500,000 and one million small arms are in the country and are equally distributed between armed forces and civilians.

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<sup>115</sup> Boutwell and Klare (2000) observe that most media accounts of the 1994 Rwanda genocide emphasized the use of traditional weapons- clubs, knives, machetes-by murderous gangs of extremist Hutu, but weapons distributed made a difference.

<sup>116</sup> Janjaweed militias who are mainly "Arab" supported by the Sudanese government had displaced thousands in Darfur. Though Sudan government denied support of the militias Human rights evidence show their support. See [http://hrw.org/english/docs/2004/07/19/darfur9096\\_txt.htm](http://hrw.org/english/docs/2004/07/19/darfur9096_txt.htm); see also Mother Jones.com 21 July, 2004 "Sudan Shame"

[http://www.motherjones.com/news/dailymojo/2004/07/07\\_821.html](http://www.motherjones.com/news/dailymojo/2004/07/07_821.html)

<sup>117</sup> See [http://www.bicc.de/weapons/events/unconf/workshop\\_texts/workshop\\_sinthay.html](http://www.bicc.de/weapons/events/unconf/workshop_texts/workshop_sinthay.html)

Virtually every household of soldiers, police officers, and civil servants has at least one gun<sup>118</sup>.

Van Hoya and Davis (2000: 5) argue that in the Caucasus (Armenia, Azerbaijan and Georgia) the state has contributed to proliferation of arms and violence in many ways. Firstly, the population does not trust police since they are seen as promoters of violence themselves. This fuels the demand for weapons, but cultural norms also play a part. Secondly, the states have armed militias that are also a source of arms diffusion into the society. Thirdly, corruption in security has allowed unauthorised sales and thefts from government supplies, and covert arms transfers, especially from Russia to Armenia. However, very little has been done in the Caucasus about the weaponization of society, or about the sources of weapons in the three states.

The Niger Delta of Nigeria is ridden with violence, with local people, not just youths, locked in a bloody contest with the government and the oil companies, as observed by Okonta (2000) and Ploughshares (2001). Weapons have diffused into the society over four decades of marginalization, repression and exploitation of the Niger Delta by multinational oil companies with assistance from the government of Nigeria. Marginalization and the fight for resources have prompted the youths to use criminal methods including kidnapping foreigners working with the oil companies, and using ransom money to buy arms, and they have also obtained arms by killing security and military officers. Oil companies like Shell continue to maintain their own private security outfits, and recruit local vigilantes in towns to 'protect' oil installations. This further arms the region, and the government responds with more troops, in an attempt to restore law and order. Governor Donald Duke of Cross-River State in Nigeria alleged the involvement of serving and retired military officers in illicit arms deals.

Lenneco (1996) writing on the Horn of Africa, notes the existence of unofficial state forces that the regional governments have from time to time supported with arms (except

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<sup>118</sup> They also note that Cambodia manufactures weapons and ammunition for both domestic and export markets. Cambodia has manufactured weapons since the 1930's. Cottage industries or homemade firearms

in Kenya). He shows how Sudan uses Arab militias to conduct frequent raids from their bases in Kordofan into adjacent areas of Southern Sudan for slaves and cattle. The other sources of weapons in Sudanese society have been the government's arming militias in the south and the Ugandan rebel group the Lord's Resistance Army (Nyaba, 2001) to fight the SPLA. The co-operation of some government officials and soldiers is an additional method by which weapons are transferred from the state to the insurgents' forces which leads to violence in the society. Since 1971 Uganda has experienced armed rebel groups fighting against the oppressive or ineffective regimes of Obote, Amin and Museveni. Outraged civilians have joined hands with rebel groups to dislodge the governments, and arms have been issued out by the state to "friendly" forces and civilian groups.<sup>119</sup>

The mechanisms of gun violence in societies around the world are complex and varied, typically involving historical grievances, economic deprivation, bad and corrupt states with an underdeveloped justice system, and an absence of democratic process. Although small arms and light weapons are not themselves a cause of conflict, their ready accessibility and low cost and the ability for the states to issue them directly or indirectly to support communal conflicts can prolong conflict and encourage violence. The result is local communities buying arms to defend themselves which in turn leads to a spiralling demand for, and use of, such arms.

#### **2.4.6 Feuding**

Feuding is defined as a contention, argument or bitter quarrel between families, clans or two parties; a deadly hatred only satisfied by blood<sup>120</sup>. It has been reported as a prominent feature over family land in the North Rift as families fight for the scarce resource, but it is also commonplace elsewhere.

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are on the increase, and gangs, urban militias and various subversive groups mainly use them.

<sup>119</sup> See Muhereza 1997b, Walker 2000

<sup>120</sup> <http://www.hyperdictionary.com/dictionary/feud>

The weaponization of Cambodian society created a situation where guns are often the first resort in disputes over land and resources, traffic accidents, family arguments, and disagreements with neighbours.<sup>121</sup> Consequently in whatever sector (political, economic, social), any conflict assumes much higher proportions because of use of weapons or the threat to use them.

Historically, feuding is common in the south of Italy. The Italian government has the monopoly on marketing tobacco. However mafia groups have built strong illegal channels in the South under its control. So feuds are between clan cartels for, first, control of the illegal market of tobacco; second, control of the construction business through building societies; and third, control of the drug markets, which unlike the first two, is transnational. Arms come into feuding in Italy in three ways: first to manage the feuds, second, to control arms sales to the different feuding parties, and last to defend the "families" from government, for the mafia fight with the government frequently<sup>122</sup>.

Forberg and Ulf (1999) did extensive research on small arms in Somalia, their role and diffusion. The bulk of the weapons in Somali society are rifles, AK 47, M14, M16 and SK. The weapons are mainly used in robbery, roadblocks, kidnapping and murder. However, the weapons play a major role in feuds and acts of revenge. In Ethiopia and elsewhere in sub-Saharan Africa<sup>123</sup> the warrior culture celebrates values such as heroism and strength, exalting those who win. The culture of revenge is also deeply rooted, often honouring retribution above reconciliation. In the event of the murder of a family member, someone from the murderer's family or clan must be killed before the burial ceremony so that the victim's family as well as the perpetrator's family will "weep together". Thus the spiral of violent conflict continues, and murder becomes a part of daily life. (Eshete and O'Reilly-Calthrop, 2000)

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<sup>121</sup> Rousseau (1998) notes that a quarrel at a wedding party between drunkards may end up with a dozen killed, instead of maybe one person stabbed. He says that easy access to weapons makes the difference between a quarrel and a murder.

<sup>122</sup> Interview 18 June 2002 with native of south Italy.

<sup>123</sup> Thomas 1965, 1966; Lamphear 1978

It can be seen that weapons play a major role in feuding, appearing to fuel the fire, rather than initiate violence. However the murders committed in hot blood are likely to result in revenge murders as seen above, and therefore the arms may add to the lethality of the conflicts.

#### **2.4.7 Social Violence**

This section examines various types of violence and the linkage with weapons. The definition of violence is disputed. The World Health Organization defines it as the "intentional use of physical force or power, threatened or actual, against oneself, another person or against a group or community, that either results in, or has high likelihood of resulting in, injury, death, psychological harm, mal-development or deprivation."<sup>124</sup> No single factor explains why some individuals behave violently toward others or why violence is more prevalent in some communities than in others. Violence can be explained as the product of factors at several levels of influence: individual, interpersonal relationships, community and the larger society.

The World Health Organisation (WHO, 2002) notes that one of the most common settings for violence is the home. Domestic violence is force or threat of force within close adult relationships in a way that causes harm or distress to victims. This may include actual or threatened physical or sexual assault or rape, psychological and emotional torture and suicide. Estimates of the extent of domestic violence vary, depending on the definition used. Domestic violence in Uganda was found to be high, according to a U.S. State Department report. It included raiders raping women during raids. WHO data from 1998 noted a worldwide rate of 38.4 deaths per 100,000 people annually was due to domestic violence. It is easy to imagine how arms in the home may escalate domestic violence into tragedy, but this link needs further investigation.

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<sup>124</sup> WHO 2002

There is a great variation in rates of violent death between countries. Hong Kong city reported a firearm homicide rate as a proportion of all deaths, of less than 0.01 per 100,000 in 1997. (Kostner, 2000). Cape Town, South Africa, reported a firearm homicide rate of 40.4 per 100,000 persons for 1999. The author suggests that in South Africa criminals arm themselves and their access to weapons is easier.<sup>125</sup>

Handguns are the predominant weapon of choice in committing homicides and suicides. WHO data suggests that over 60% of urban homicides are committed with handguns and presumably others with knives, clubs etc.

As noted above, violence is not distributed evenly across regions. The impact will also be variable in different parts of the world. In the United States, it has been calculated that for every person shot and killed with a firearm, three others are treated for non-fatal firearm injuries, but in developing countries this ratio is likely to be altered by the fact that a greater proportion of those injured will most probably die from inadequate access to healthcare. According to WHO's global burden of disease data for 1998, the rate of violent death in lower and middle income countries is more than double that in high income countries. However most studies have examined only cases among urban or city populations being affected<sup>126</sup>. This thesis examines African rural areas in the North Rift, which are inaccessible and have never been examined.

#### **2.4.8 Conclusion on the Role of Weapons in Societal Violence**

The literature suggests that guns certainly add lethality to existing conflicts, as demonstrated by feuds in Rwanda and Cambodia. Feuding is often resource related, and

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<sup>125</sup> Hennop et al (2001) researched crime in South Africa. Among the types of firearm-related crime investigated were robbery, murder, theft of firearm, pointing a firearm, contravention of the arms and ammunition act, and assault. Police stations selected were mainly in urban areas to ensure that a broad range of crime types could be sampled. Use of guns for robbery, such as car jacking, hijacking of trucks, robbery of cash in transit, and bank robberies, increased from 75.8% to 78.7 % in 1998. The researchers found that hand guns were the preferred weapons of both victims and offenders, in defending or taking property

worsened in situations of a weak state, but arms exacerbate the conflict. Warlords use arms to gain control, through the use of violence, wealth is also acquired, and making sure the supply of arms is maintained. The supply of arms may be maintained by transnational networks, which then causes escalation of violent disputes. States may also allow the arms trade to flourish, and are increasingly supplying arms to militias which are frequently not used for human security.

General crime in society has become more violent with the use of arms. Drug related violence is enabled by small arms, though the relationship is poorly understood. Domestic violence is a significant proportion of all violence, and the role of arms in the home is likely to be relevant here. This needs further investigation.

## **2.5 Weapons as a Cause of War**

In answer to the question “do weapons cause war?” there are two major arguments. Arguments in support of acquiring weapons rest on the assumption that armed readiness is an effective deterrent to would-be aggressors, and that armament sale is one of the capitalist's rights under free enterprise. In this context, the purpose for the weapons is to keep the “peace”. Human nature is such that without a strong defence, attack by others is possible<sup>127</sup>. *Para bellem* doctrine opines that if you want peace prepare for war.

The other side argue that the more arms a nation accumulates the more likely it is to go to war.<sup>128</sup> Arms aggravate regional tensions, promote instability, and increase the risk of open conflict (Ohlson, 1982). Pearson et al (1992:399) assert that arms prolong, escalate, intensify and exacerbate war, leading to suffering and destruction of property. Werner (1960:314) argues that citizens are prepared by states for warfare because there are real conflicts between states, which may have to be solved with violence. This makes citizens

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<sup>126</sup> Mkutu 2000; Stohl, 1999; Schmoke, 1994; Hennop et al, 2001; Canadian Center for Justice, 1996; Canadian Center for Justice Statistics; Centro de Referencia Nacional Sobre Violencia, 1999; Colletta and Kostner, 2000; US Department of Justice, 1997; WHO, 2000.

<sup>127</sup> Craft 1999

<sup>128</sup> See Hoffman, 1970, Singer and Diehl 1990, Bremer 1992, Sample, 1998



appear bellicose, and a threat to other states. Werner argues that as technical developments enable (in the future) even small states to possess weapons, the chances for violent conflict between two states hitherto geographically, politically and in every other way removed from each other increases.

Yanarella (1975) argues that with newer highly destructive weapons there no longer exists any efficient defence. Historical experience demonstrates that arms lead to catastrophe, so arms control and disarmament is vital. The counter argument to this is that weapons sales equalise military asymmetries between those states that have and those nations without and create a security environment where "deterrence can be enhanced" (Foster, 1978:77).

### **2.5.1 Arms Transfers**

Arms transfers are an early warning indicator of impending wars, and thus serve as a prelude to war or states arming in preparation for war<sup>129</sup>. The most prominent assertion based on anecdotal evidence is that there are indeed observable relationships between the two phenomena. Brozka and Pearson (1992,1994) and Crantz (1992) argue that the weapons trade exacerbates and intensifies conflicts, which are likely to lead to war and also increase the lethality, magnitude and duration of resulting wars.

There are some certainties in all these theories. Arms transfers can make wars bloodier by increasing the lethality of the rival forces, producing political instability, facilitating the outbreak of violence, prolonging fighting, prompting the spread of violence into neighbouring countries, and raising the costs of conflict resolution efforts. This means increased militarization could be related to increased severity of war (SPIRI, 1971,73; Silslin et al 1998:394). However, removing weapons will not necessarily prevent a conflict or war. Without empirical evidence, one can argue that in political conflict, armaments only play a secondary role.

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<sup>129</sup> Hoffman, 1970: Laurence, 1973, Singer and Diehl 1990,

Most of the data used for analysis is historical and does not demonstrate that weapons cause war<sup>130</sup>. Although the existence of armaments as the main cause of war is certainly mistaken, it could be argued that in some conflicts it is a catalytic element. Laurence, (1973:240-243)<sup>131</sup> has disputed the correlations between militarization and war and argues that this debate hinges on the definition of arms race. The most recent study by Sample (1997) on arms races and war does not resolve the overall debate on the arms race-war relationship. (Diehl & Cresciani, 1998: 11). As observed by Buzan (1987) arms racing connects to war through the widespread, though strongly challenged, hypothesis that the two phenomena are causally related.

With the rise of modern business, the private arms industry appeared, and free-lance entrepreneurs engaged in the manufacture and sale of small arms without which no war can be fought. They argue that armaments do not make for peace, but they do make it possible for peaceful nations to be as efficient as war-like nations. The more a nation builds its military power, the less chances there are for war to occur (Wells, 1967:197). The issue of arms entrepreneurs or businessmen has been under-examined.

Despite the lack of conclusion, the interest of the study is in how arms may influence, intensify and exacerbate conflicts and insecurities. Such study should also inform how the accumulations of arms complicate an already complex situation (Brozka 1994:5). The next task is to look at arms and escalation debate, which is the most critical controversy in the study of war and weapons.

### **2.5.2 Richardson's Action - Reaction Model**

The father of this 44 year old debate was Lewis Richardson (1960, 1951) who, in his action - reaction model tried to reduce the arms race to a small number of quantifiable variables that could be expressed in terms of equations. He presumed that nations increase their armaments primarily in response to the increasing arms expenditures of an

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<sup>130</sup> Craft, 1999; Pruitt & Snyder, 1969; Diehl, 1983; Intrilligator and Brito, 1984; Lambelet, 1975; Wallace, 1979, 1980, 1982.

identifiable opponent. He postulated that firstly revenge or hostility, and secondly fear, move groups to increase armaments. For Richardson an unstable arms race between two nations would inevitably culminate in war. Since then, Richardson's work has been the most debated and extensively studied<sup>132</sup>. The advantage of Richardson model is that it provides a systematic way of exploring relationships between discrete factors in the arms race dynamic (Buzan, 1987:122). However the model fails to identify real cases in the world to test it. Therefore, linking the model with real situations is problematic.

Secondly, the imperfection tied to the action-reaction model is the assumption that reaction is not only the driving force of arms racing but it is also the deterministic relationship (Busch, 1970:196-7). This assumption does not fit with the superpower observed behaviour, which proceeds from complicated factors. Also Richardson's use of defence expenditure as a measure of arms racing, though obviously correct, it is widely thought to be too crude for applied studies<sup>133</sup>. Finding specific measures has proved extremely hard<sup>134</sup> Reliable data is difficult to obtain for most countries, especially when it relates to defence and military expenditures and even purchases.

Lambelet (1974) argues there have been remarkably few systematic attempts at integrating the analysis of arms races, on one hand, and the analysis of causes of war on the other hand. Lambelet examines Richardson's view that unstable arm races can only end in war. Unstable arms race is defined as a situation in which the military capabilities of the two opposing sides are unreasonably or unnecessarily large. (Lambelet, 1974:124). At the extreme end he examines Saalty's (1968) view that arms races and hot wars are completely or at least largely independent. (Lambelet, 1971, 1973-1975). This hypothesis is boosted by the fact that there are some arms races that do not end in war. For Lambelet, unstable arms races, in the sense of high marginal propensities to react, need not lead to war as there is at least one natural barrier to open-ended escalation, namely economic resources. He further argues that failure by one side to arm sufficiently may in some cases lead to armed confrontation, which could have been avoided if a full-fledged arms

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<sup>131</sup> See others who have disputed like Diehl, 1983, 1985; Weede, 1980, Bremer, 1992:318-319

<sup>132</sup> See Bellany, 1975; Busch, 1970; Lambelet, 1975:122-4; Luterbacher, 1975; Smoker, 1964

<sup>133</sup> See Bellany, 1975:120-4; Luterbacher, 1975:200; Rattinger, 1976:502.

race had taken place. The example of this is the Korean War, which broke out not long after the United States had completed a process of large-scale unilateral disarmament. It follows that an arms race by both sides could also lead to peace. The major shortfall with Lambelet is that he theorises but does not provide empirical data to test the two hypotheses. Like other scholars, he simply assumes it is only states that race for arms; the domestic arms race by individual groups within a state is not discussed or even mentioned.

### **2.5.3 Wallace vs. Diehl debate 1979 to Date**

Wallace (1979) notes that very little data based research is available concerning the impacts of arms on international wars. Of the many works written virtually nothing could answer the central question they had addressed: does the existence of an arms race between two states significantly increase their probability of going to war? Wallace examined the two debates; that is on one hand, only strong military posture can deter an opponent's military adventurism, which, unchecked, would lead to armed conflict. On the other hand, there are those who argue that military expansion per se contributes to the danger of war.

Wallace defines an arms race to involve simultaneous abnormal rates of growth in the military outlays of two or more nations, which mainly results from competitive pressure of the military rivalry itself, and not from domestic forces exogenous to this rivalry (Wallace, 1979:5). Using correlates of war project data, Wallace examined 99 militarised disputes among the major states that 23 of the 26 disputes that escalated were characterised by an ongoing arms race. Only 4 % of the disputes, which had an arms race between both countries, resulted in war. The examples were wars that happened between 1816-1965 and only great power disputes were addressed. Wallace argued that pairs of nations that end up going to war are characterised by much more rapid military growth in the period immediately prior to the conflict than those which resolve their conflicts by other means. Wallace further argued that rapid competition and military growth is

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<sup>134</sup> See Bush, 1970:230-3, Gillespie et al, 1979: 261-7; Luterbacher, 1975:200-2

strongly associated with the escalation of military confrontation into war. When an arms race did precede a significant threat or act of violence, war was avoided only 3 out of 28 times. With this result, Wallace concluded it is difficult to argue, therefore, that arms races play no role in the process of leading to the onset of war (Wallace, 1979: 15).

Scholars have levelled many criticisms on Wallace's hypothesis. Diehl (1983:94) re-tested Wallace's work (1979, 1982). He argues that despite the central nature of military spending in national security decision-making, empirical researchers have generally ignored the effect of military spending on the initiation of war. This void in academic literature noted by Singer (1972,1979) in 1969, remains largely unfilled today. He levels criticisms against Wallace (1979) in a widely quoted article, which concluded that the presence or absence of an arms race between two rivals correctly predicated war/no war outcomes in over 90% of the serious disputes studied (Diehl, 1982:94). He criticised Wallace on many technicalities and assumptions in his analysis of the data. He also faults Wallace's definition of an arms race. As concurred by Bremer (1992:319) the definition of an arms race determines the outcome of the debate on the arms race. An arms race is conventionally described as a process involving competitive interaction, manifested by a rapid increase in military spending and weaponry. But in Wallace's case, it is only determined whether or not the disputants are rapidly arming themselves even if they are not going to war, what is referred to as mutual military build up rather than an arms race (Diehl, 1982:96).

Diehl (1982) re-tested Wallace's hypothesis, using a modified set of assumptions and indicators. He discovered that only one-fourth of the disputes preceded by a mutual military build up resulted in war, while ten of the thirteen wars occurred in the absence of joint arms increases by the dispute participants (Ibid: 102). Diehl found a moderate positive relationship between arming and war, but still has a group of 39 arms race disputes, which do not escalate to war. Wallace (1990), replicating Diehl's index found that out of 43 arms race dyads, 24 went to war, leaving 19 disputes unaccounted for. Wallace also fails to notice that of the 101 wars since 1889- 1996, only six were inter-state (Wallensteen & Sollenberg 1997).

#### 2.5.4 Sample's Work on Dispute Escalation

Sample (1997) purports to resolve the debate on the empirical literature over the effects of arms races on dispute escalation, which has remained inconsistent and inconclusive in the last two decades. She notes the three problems with Wallace (1979, 1982) studies: the indices, the methodology and the selection of cases. Using the arms race measures offered by Diehl (1985) and Horn (1987), she attempts to resolve the debate on arms and war. She focuses on the results obtained when one explores the relationship of two countries over a period of several years. The character of relations in the past between two countries naturally affects their behaviour in the present. If countries are engaging in repeated militarised disputes over a relatively short period of time, it may begin to appear to the decision-makers that the issues dividing them are unresolvable through normal political methods; the display of resolve evident in the militarization of previous disputes was unsuccessful in heading off future ones. She argues that disputes that are characterised by arms races but do not escalate are early disputes in rivalries that later become more volatile. (Sample, 1997:16).

Wallace and Diehl in their work examined the correlation between arming and escalation by simply investigating the number of arming disputes that escalated immediately. Sample (1997) adds a time lag and finds that 26 out of 28 or (93%) arms racing disputes in Wallace's 1979 study were between countries that were at war with each other within five years. Out of Diehl's total of 52 disputes between arms racing countries 62% (32 of 52) were at war within five years (including 47% of those disputes that did not escalate immediately. With Horn, the numbers were even more striking. Of the 29 disputes that are characterised by an ongoing arms race, 25 of them (or 86%) were between countries that were at war within five years, (77%) of those that did not escalate immediately, did so within five years. She concludes that arms races appear to be more closely associated with dispute escalation than the narrowly focused on going debate would suggest. Sample concludes that regardless of the measure used to determine racing behaviour, and

regardless of the dispute set used, the proposition that arms races are positively associated with the escalation of disputes to war is upheld.

She further argues that though it is impossible to resolve the debate completely whilst the Wallace index remains unperfected, it is clear that many of the criticisms against Wallace were misdirected. Her exploration of the issues using the measures offered by Diehl and Horn indicates that a moderate relationship between arms racing and escalation does exist (Sample, 1997:17). Also, her analysis indicates that disputes that occur later on in continuing rivalries are going to be more likely to escalate. She concludes that when two states engaged in ongoing arms build-ups confront each other in a militarised dispute or a series of militarised disputes, they are far more likely to end up at war than are disputing countries that are not involved in an arms race. (Sample, 1997:17). Sample resolves three things, first, she resolved Wallace problem of case selections, secondly, she resolves the methodology problem and lastly, she resolves the indices issue.

Diehl and Crescenzi (1998:11) responding to Sample's (1997a) article argued that the methodological issues due to case study selection is laid to rest by Sample (1997a), but the larger questions about arms races/ war remain. They argue for better theoretical specification of the arms race war relationship, and for empirical tests to sort out whether this relationship is direct, indirect or spurious. They advocate for some methodological changes including more longitudinal studies, a broader spatial domain to include minor powers, less reliance on military expenditure and multivariate rather than bivariate tests of the arms race-war relations. They ask how strong are the effects of arms races vis-à-vis the traditional correlates of war, such as power distribution or territorial issues? Can the findings on dispute escalation be generalised to broader patterns of international conflict? They also note that the arms -race war debate focused exclusively on major power conflict: it should also be applied to minor power conflict: and to all types of conflicts, and a broader spatial domain allows consideration of major-minor arms races.

Diehl and Crescenzi (1998) further observe that the debate on arms races has been fought on theoretical grounds. Very few of the authors since Richardson (1960) have developed

a well-articulated theoretical argument that directly connects arms races with war in a causal fashion. They reconfigure the debate giving three possibilities, firstly, arms race and war can have a direct as well as causal relationship, which is the claim made by Wallace (1979) and Sample (1997a). A second possible structure is an indirect and causal association. The third structure of relationship between arms races and war may be spurious and therefore non-causal (Diehl and Crescenzi, 1998:112). They further theorise by giving three possibilities, first arms can directly lead to war. Secondly, arms races influence the outbreak of war indirectly by affecting a given variable that in turn leads to war. One possibility is the power distribution, which is most affected in the short run by changes in military capabilities through rapid acquisition of arms. Finally, a third theoretical suggestion is that positive correlations between arms races and war are spurious.

Wallace (1998) critiques the Diehl & Crescenzi position; he argues that their re-analysis may have its own methodological problems. Specifically, by using the existence of a longitudinal sequence of serious disputes to operationalize enduring rivalry, essentially they deny the temporal independence of the disputes within these rivalries. Wallace (1998) reacts to Samples (1997a) article by accepting that two nagging issues have been put to rest, firstly, the issues of index to use for converting military expenditure data into a measurement of arms races. His original index (1979) was based on a multivariate linear approximation to a curvilinear function. Secondly, Sample makes a second contribution by sorting out the different criteria used to choose the test population of arms races in the various populations of the studies (Wallace, 1998:119). She demonstrates that these variations do not affect the result, as earlier writers had feared. Thirdly, she introduces the concept of a time lag.

If the Diehl and Crescenzi (1998) proposition that individual (local) arms races should be addressed, it would challenge Sample's (1996) findings that acceleration in arms growth during peace time is extremely rare in the raw expenditure data (Sample 1996: 157) This assumption is incorrect if the case of the Ogaden war (1977-1978) is anything to go by. (Brzoska and Pearson: 1992; Makinda: 1992; Porter: 1984). Both Somalia and Ethiopia



armed during peacetime. Therefore the thesis would only stand if looking at the state and not at the domestic level, given the new dimension in current conflicts, where the actors are not states but local groups<sup>135</sup> who are competing for arms during peacetime.

### **2.5.5 Expenditure as a Measure of Arms Racing**

While Wallace only addressed the wars by superpowers, the majority of the wars have not been fought on superpower ground but in third world countries. Sherwin and Lawrence (1979:362) argue that the most commonly used measure of military capability is defence budgets. The rationale for using this technique to measure capability lies in the belief that weapons capability is related to cost. Wallace employs the arms expenditure for each major power as a function of time as part of his unit of analysis. Buzan (1987:81) notes that when reliable data can be obtained, defence expenditure is perhaps more useful to indicate the difference between arms racing and maintenance of the military status quo, than it is to measure a specific action-reaction dynamic between states. Although using defence expenditure to measure arms races is obviously convenient, it is thought to be too crude for applied studies<sup>136</sup>. Rattinger (1976:502) criticizes the use of aggregate defence expenditure to measure military capability since it overlooks a lot of things. One being that weapons are sometimes acquired at bargain prices, and money paid for weapons may not reflect their military value especially in third world countries. Monetary value placed on weapons transfers may be a misleading indicator of military capability if the weapons are transferred as foreign aid or in return for other kinds of payment such as base rights and political support. Also, nations may misrepresent their defence budgets for security reasons (Sherwin and Lawrence, 1979:363).

The numerical-inventory approach is a better gauge of military capability. It is more reliable than the budgetary approach, particularly since highly visible weapons, such as aeroplanes and tanks, are difficult to hide and supply countries are usually known

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<sup>135</sup> Mkutu 2003

<sup>136</sup> Buzan 1987:124, Bellany 1975:120; Luterbaker1975: 200

publicly. Wallensteen and Sollenberg, (1979: 367) remark that sources of inventory data such as the International Institute for Strategic Studies (IISS) annual publication and Stockholm International Peace Research Institute (SPIRI) arms trade register make clear the limitations. The other main source of arms transfer data is the U.S. Arms Control and Disarmament Agency (ACDA). Brozka (1982) questions the accuracy and validity of such data, notes that technical aid is not included in some sources of data, and argues that the data can be open to manipulation. The question raised is whether arms transfers are based on foreign policy instruments, economic system, and military strength calculations. It is also important to note that the area of security which defence comes under is still in the domain of states, and data on military expenditure is viewed as a high security secret.

#### **2.5.6 Third World Arms Races**

Arms transfer in the past four decades has only addressed transfer to military and police within states. (Brzoska, 1982:79-80). This excludes the arms transferred to individuals in a country or to sub-national groups (*ibid*: 79-80). Yet these are the groups that are now a major security dilemma to most third world countries. Work on such groups has not been adequately addressed by social scientists.

Brzoska and Pearson (1994:3) and Harkvary (1984) have done extensive work on war and weapons and how armament led to escalation in the third world. Brzoska and Pearson argue that the relationship between arms transfers and war is similar to that between armaments and war, since weapons are the implements of war regardless of whether they are produced in the country at war or delivered after the beginning of hostilities. They argue that the stakes of arms acquisition diplomacy is higher when the die of war has been cast (*ibid*:8) and that arms transfers may be a contributing factor to war. In order to test their work, they postulate three hypotheses. Firstly, the arrival of new arms supplies tends to fortify recipients so that violence is most often averted or abated. Secondly, the arrival of new arms supplies tends to increase the likelihood of crises breaking into warfare, of escalation in on-going warfare, of third party military intervention, or of the

failure of negotiation. Thirdly arms embargoes or limitation of re-supply have pacification effects, similar to those in hypothesis one (Brzoska and Pearson: 1994).

The sources of data used by Brzoska and Pearson include newspapers, special arms-trade publications, and historical studies of particular wars, yearbooks, current affairs types, and trade statistics, journals on arms sales. They found that the answers were not straightforward. For some, availability or scarcity of arms had an impact on the decision to go into conflicts, but on others, agreements not to arm did not avert conflict. The transfer of arms adds an extra dimension to the complex perpetual relationship between wars and weapons, in that through the transfer of weapons outside actors become involved, and this sometimes intensifies, prolongs or even helps to initiate war.

Harkvary (1984) notes that the relatively assured uninterrupted arms supply has appeared to initiate preventative or rather 'window of opportunity' wars during periods when rivals have been engaged in major realignments of supplier-client relationships. The best example is Ethiopia. From 1972-1977 before the strain in relationship between the US and Ethiopia, Washington supplied arms to Ethiopia worth billions, to protect their interests in the ongoing conflict with Eritrea. The continual arms supply to Ethiopia went on even in 1977 after the Dergue took over<sup>137</sup>. Also since Somalia was armed by the Soviets, the US had to continue arming Ethiopia as a counter to Somalia, though the agreement with the Soviet Union ended in 1977<sup>138</sup>. In June of that year, Somalia attacked the Ogaden area exploiting the opportunity offered by the turmoil in Ethiopia. But they were also encouraged by Saudi Arabia to believe the west would come to their aid and supply them arms if they invaded Ethiopia. The ability of the combatants to sustain the wars was heavily dependent on the major powers' willingness and capacity to re-supply spare parts, provide advice and replace end item systems or failure to provide supplies.

As argued by Holsti, (1992) all the external use of forces in international relations since the end of the World War II has occurred in less developed countries, with the exceptions

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<sup>137</sup> This was based on the premises that if the US cut off aid, Eritrea would become independent and aligned with the Arab world, and that this would give the Arab states control over both shores of the Bab al-Mandeb, the narrow mouth of the Red Sea.

<sup>138</sup> Haliday, 1977.

of the invention in the Greek civil war, Soviet armed interventions in Hungary and Czechoslovakia and the Turkish invasion of Cyprus in 1974. Secondly, of the casualties from interstate wars and international civil wars since 1945, only 176,000 out of the total 809, 000 perished in Europe. The rest were from third world countries (Sivard, 1989b). Thirdly, most of the wars were liberation wars and not interstate. They started mostly as guerrilla wars. They did not have a declaration of war, nor uniforms and any standard strategic operation procedures (Holsti, 1992:37). Fourthly traditional wars did not involve the superpowers, except where they were the possessors of colonial territories. And finally, the wars that were not liberation types started as crises of domestic consensus. The three deviations make the less developed countries' war different from conventional understanding of war. However, most of the systematic and theoretical study of war is largely based on wars of superpowers or are Euro-centric and rooted in the cold war experience (Holsti 1992:39). In sub-Saharan Africa, the reasons for acquisition of arms are nationalism, internal and regional armed conflicts, the political role of the armed forces and lastly marginalization and bad governance.

The most important question regarding arms transfer is what effect do they have on causing war and the likelihood of intensifying the war and their general lethality? As noted above, the connection between arms and wars is not clearly established. However, arms are one of the factors that lead to outbreak of war. More work needs to be done on the weapons-war relationship, especially in third world countries and at the localized level. The next section addresses weapons and war where other factors contribute to intensify the situation before it breaks or during the conflict.

### **2.5.7 Weapons and War in the Horn of Africa**

Though not much empirical work has been done on arms races in the Horn, the race for arms has played a major role in intensifying and prolonging conflict. Superior military force as a result of assistance from both Cuba and the USSR led to Ethiopia's victory in the war with Somalia. Again in the Ugandan civil war, Tanzania's help assisted the guerrillas to win, though initially the government had superior weapons. The Sudanese

war has escalated due to the arms supplied to the different militias by the Sudanese government from external sources and the arms captured from the Sudanese government by the SPLA. The history of the conflicts in the Horn contributed by the cold war is looked at in more detail in chapter 5. As a result, arms are spilling into other areas in the North Rift, as will be demonstrated later. Slowly these arms have migrated to relatively peaceful areas where they have encouraged development of new low-level communal conflicts.

### **2.5.8 Meaning**

Sislin et al (1998:394-5) note that:

Systematic, rigorous analyses of the arms acquisition patterns of disputing ethnic groups are lacking. Mostly, this is the product of the shortage of reliable data. Also little or no corresponding attention is paid to cataloguing arms shipments to dissident groups, at least in public sources. Light weapons such as small arms which are thought to be the mainstay of ethnic conflicts, are not differentiated within the Arms Control and Disarmament Agency (ACDA) statistics and are intentionally not covered by SPIRI or the UN. Thus there are no comprehensive compilations of weapons information to aid scholars studying the cause of ethnic conflict.

Although not conclusive this literature review was interested in ways in which weapons can get into a situation and exacerbate the conflict. The view and theories given on war and causes of war are all western or Euro-centric models of war and its causes. Can we use the above concepts to apply to under-developed countries and especially Africa? Weapons are vital to corrupt military officials, self-proclaimed rebel leaders, brokers, bankers, shippers and other middlemen who feed off them. It is at the local and regional level and in war zones that the issue of arms races needs to be addressed not just the states or major arms supply.

## 2.6 Conclusion

This literature brings out strong and active connections between criminals, the weapons trade, and governance. There is also a correlation between governance, insurgencies and weapons, between provision of security and weapons proliferation in society and between criminal gangs' arms races and weaponization of society.

Bad governance, which allows the diffusion of weapons in society, further undermines stability. It is important to note that a large number of young people are involved in the possession of arms and their use for criminal activities. The disillusionment of these young people with elders, leadership, authority and the entire governance systems, is profound. Even if one demilitarises the youth, there is still a population that is angry, hungry and fed up with callous, useless, corrupt governments, ethnic discrimination and marginalization etc. They will find ways to express their discontent whether they have AKs or not. If they are angry enough, blood will be spilled, if not now, certainly later, and crime is bound to get worse if governance is not managed right.

Among the many unresolved questions regarding the determinants of violence is the role of small arms. The overwhelming presence of weapons in society sustains a permanent climate of fear and mistrust, and creates and exacerbates tension, which may lead to armed conflicts. No society can thrive in a weaponized society; where power rests on weapons, the state can only exert power on the weak.

Based on this literature review, it is imperative to note that little empirical research has been done in the proliferation of weapons in society, yet the phenomenon affects the entire world. Arms are producing a new type of war, a conflict prototype whose likely results are the escalation of conflict, the diffusion, circulation and re-circulation of weapons in the society, and the use of weapons by organised criminals. Lock, (1999: 4) has argued that the illicit small arms traffic, made possible by the availability of significant stocks of weapons and the activities of corrupt officials, bad governance and criminal groups, is a global threat to the sovereignty of states both at macro and micro

levels. The author's own work addresses the micro level that is under-researched and which the well developed weapons and war literature cannot explain. It is this gap that the present work attempts to fulfil.

The key objective of the study is to better understand the inter-relationships between pastoralist conflict, governance and the availability of small arms in the North Rift of Northeast Africa (Kenya and Uganda). The contemporary proliferation of small arms is part of the study, including how flows of arms feed off wider regional conflict and how the arms trade is commercialised. The study notes the issues regarding arms as a source of heightened insecurity, with a premium on who controls them and for what ends, and that arms are now beyond state control, which is itself corrupt.

It strives to understand the scope and magnitude of the phenomenon of pastoralist conflict and small arms at different societal levels (rural<sup>139</sup>, multiethnic, cross border, and transnational), exploring the trends, human costs, and changes induced in the chosen pastoral areas. It analyses the emergence of commercialised cattle raiding: how looted/raided cattle pass through chains of actors stretching from warriors employed to raid. The chain includes, elders prepared to lead them in pursuit not of cattle for subsistence but for cash accumulation, local police and administrators ready to turn a blind eye in return for *kitu kidogo* (a cut from profits), big merchants prepared to buy stolen cattle, and corrupt politicians who may be involved in any of the above or prepared to cover up for others.

It incorporates the relevance of small arms flows and availability to violence in the context of overlapping complex conflicts and to the ways in which different governance strategies affect those relationships. The research also attempts to understand the emerging linkage between Pastoralism and the complexity and dynamics of small arms conflict.

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<sup>139</sup> Rural area means an area that is not a municipal one.

In spite of increased interest in African Pastoralism especially as a result of the droughts,<sup>140</sup> few studies have been made by social scientists to examine the problems facing the pastoralists in the 1990s, especially the significant changes caused by small arms proliferation. Knighton (2003:431) notes, "relatively little has been published, whether anthropological, sociological, political, environmental or developmental, due to chronic insecurity". Even less has been published on why the pastoralists are demanding arms. The pastoralist communities have participated in the large-scale conflicts of their various governments by supplying personnel to the armies (KNA, 1914-1960, Quam, 1996).

For the last 100 years, the pastoralists have been marginalized, and most of the areas occupied by them have been closed to outsiders.<sup>141</sup> Without effective representation of their interests, pastoralists cannot articulate policies, which would work in their favour. With little understanding of legal and political systems, they are often unable to resist policies that are detrimental to their survival (Mkutu 2001,2003). With no viable economic activity, they are expected to be ignorant and "backward". However, they are currently the major arms traders.

The following research questions will guide this investigation.

1. How and why are pastoralists involved in small arms conflict?
2. What are the dynamics and consequences of the small arms problem in the study area?
3. What attempts have been tried by Kenya and Uganda governments to solve the small arms problems in pastoral areas?
4. Can the problem be solved by addressing small arms in isolation?

The study is guided by the following hypotheses about the pastoralism, governance and the proliferation of small arms in the North Rift. The first hypothesis suggests that cattle raiding is carried out both for subsistence and commercial purposes. Both of these play a

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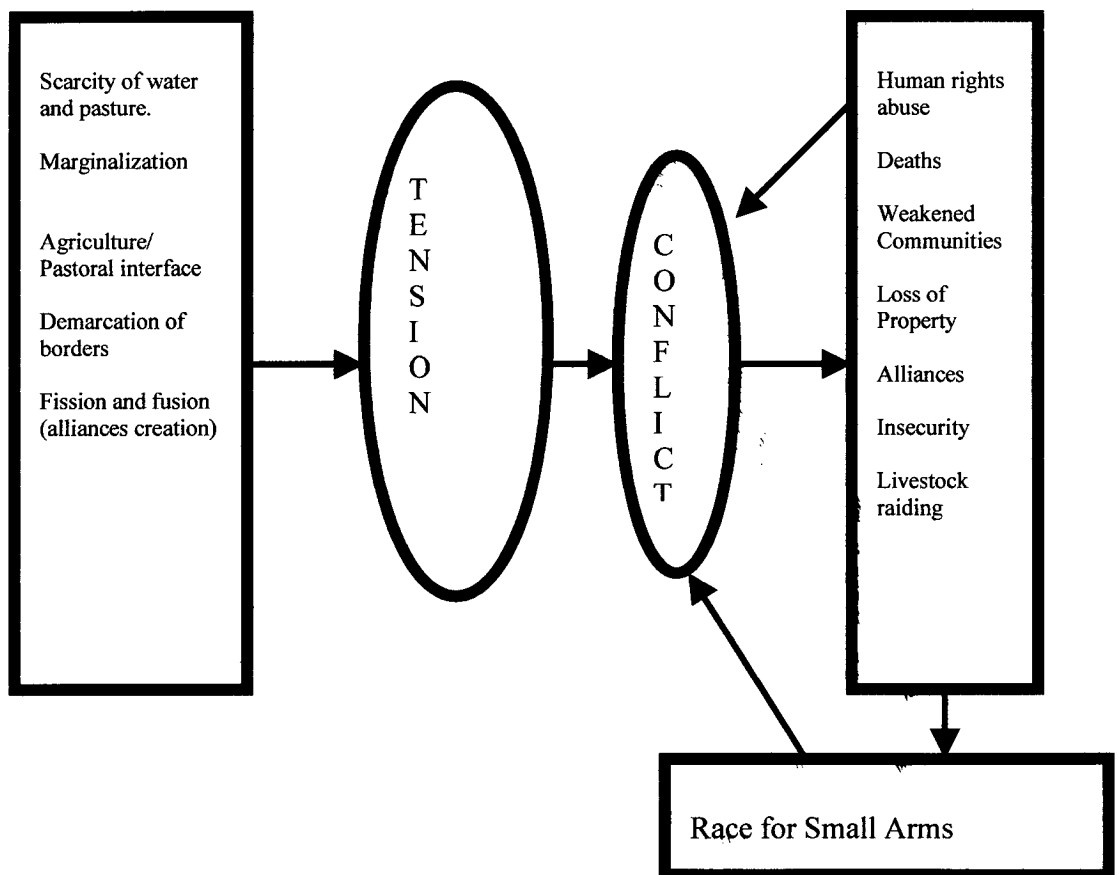
<sup>140</sup> Dalby et al, 1977; Swift, 1977.

<sup>141</sup> See Lesorogol, 1998, Mkutu 2001, 2003 op cit; Quam, 1996, KNA, WP, 1910-1963.



role in the demand for arms. Secondly, security and governance does not act in the interest of pastoralists, raising the question “whose security?” The last hypothesis is that diffusion of small arms and light weapons leads to a localised arms race. This increases violence and creates a black market and networks of criminal activity in which violence is the norm. This in turn affects and undermines governance<sup>142</sup>, development and the pastoralist way of life. The dynamics are explained by the figure below.

**Figure 2.3 Triggers and Effects of Pastoral Conflicts**



<sup>142</sup> The term governance is used to imply how people are ruled, and how the affairs of the state are administered or regulated by the government. See Hanggi, 2002:6. It is the ability of the government to formulate, implement, evaluate and monitor policies and directives and decisions without marginalizing any community or individual. It is also the ability of the government to provide security, and public order to border citizens. It is participatory, transparent, legitimate and accountable for its decisions.

## Chapter 3

### Pastoralism and Conflict in North Rift, Northeast Africa

#### 3.1 Introduction

This chapter examines customary pastoral conflict and then goes to examine the changes and challenges of the current era thus conflict and emerging links with small arms proliferation and violence. The first section looks at pastoralism as a viable mode of livelihood in an area of harsh ecology where agriculture is not viable. It demonstrates that all aspects of pastoral social and economic life are ordered in relation to livestock and their environment. In pastoral societies, cattle hold central value and are the basis of association in a complex of social, political and religious institutions. The system depends largely on the availability of water and the distribution, quality and access to pasture. Survival demands not just defence of pastures but sometimes the need to attack to access pasture or livestock to replenish herds. Cattle rustling has also traditionally been a mode of demonstrating the courage of new warriors and acquiring bride wealth.

However, pastoralism is under threat. Cattle rustling has undergone a major transformation in the last four decades, to an illicit, violent, cash commerce oriented business of cattle banditry precipitated and maintained by networks of small arms. The changes and causative factors are explored in the second section which covers inadequate land and resource management policies and political and economic marginalization of pastoral groups, beginning with the colonial governments' methods of dealing with pastoralists which have left their legacy on modern government. The section also discusses weak governance and increasing insecurity, resulting from cattle raiding fuelled by growing access by all sides to the new technology of small

arms and light weapons.<sup>1</sup> Despite efforts to mitigate the conflict, nothing is working due to its complexity and vested interest.

Pastoral conflict has now taken five dimensions: local, national, international, regional and global. It becomes a national issue when manifested in intra-community raids, when the pastoralists cross district borders and when raids impinge on the securities of Kenya and Uganda. It takes an international dimension when the pastoral Kenyan Pokot invade Ugandan Karimojong and vice versa, and then becomes regional when the Pokot ally with Karimojong in wars with Sudan/Ethiopia. The pastoral conflict takes a global dimension with the proliferation of imported small arms.<sup>2</sup>

### **3.2 Customary Conflict**

The major source of the conflicts in pastoral areas rotate around the cow as it is the source of livelihood, so it has to be “fought for or kept,<sup>3</sup>” though land to access pasture is another source of conflict.

#### **3.2.1 Pastoralism as a Mode of Livelihood in the North Rift**

The Horn of Africa, where arid and semi-arid areas make up 70 per cent of the total land area, contains the largest grouping of pastoralists in the world.<sup>4</sup> These areas provide an average of 20 to 30 per cent of Gross Domestic Product (GDP). At the local level, as much as 70 per cent of cash income is generated from livestock (ASARECA, 2000).

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<sup>1</sup> The phrase ‘small arms and light weapons’ has been shortened to ‘small arms’ in the rest of the thesis. Small arms and light weapons are defined to include revolvers, self-loading pistols, rifles and carbines, assault rifles, sub- and light machine guns. See UN document A/52/298 27, August 1997.

<sup>2</sup> The region has bullet factories in Eldoret, Kenya and at Nagasongola in Uganda

<sup>3</sup> Interview with a local council officer in Namalu, Uganda 3 January 2003.

<sup>4</sup> The term ‘pastoralist’ is used to describe a person for whom the herding of domestic animals on open bush land is the dominant economic activity.

Dyson Hudson (1966) described the pastoralists that occupy the Kenya, Uganda, Sudan and Ethiopia borders as the Karamoja cluster. This is composed of seven ethnic groups in all: Teso, Jie, Dodos, Turkana, Toposa, Nyangatom and Nyakwai who are closely related. Other groups found in the area include the Pokot of Uganda and Kenya, commonly known as Suk<sup>5</sup>, the Merille of Ethiopia, and the Toposa and Didinga of Sudan (OAU/IBAR, 1999).

However this study only examines parts of this area. In Northeast Uganda it covers Nakapiripirit, Moroto and Kotido districts in Karamoja; in Kenya, Alale and parts of Kachiliba (West Pokot), Baragoi (Samburu) and Dol Dol (Mukogodo Laikipia district). All the ethnic groups in this region keep large herds of cattle and value cattle. Cattle are wealth to pastoralists, the foundation of economic and social stability; when drought and diseases deplete their livestock, they respond by raiding each other.

Pastoralists get half of their food and income wholly from livestock (Swift, 1988).

During colonial times or even today, pastoralists faced major challenges from drought, causing shortage of pasture and water. This leads to competition for grazing, and stock theft (cattle rustling). However, they possessed organised drought coping mechanisms including: mobility, leaving land fallow; splitting families to better manage family herds; pooling resources; trade ties; diversification of domestic herds; raids that distributed the cattle from within the communities.<sup>6</sup> Such mechanisms were organised through the customary institution of the elders, regulating conflicts and administering justice.

The nomads' strategies to manage calamities are well known especially in the 1880s and 1890s during rinderpest and pleuropneumonia outbreaks<sup>7</sup>. These strategies were

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<sup>5</sup> The term "West Suk" was coined by the colonial administration. 'Suk' is said to be derived from the name given to the Pokot people by the Masai.

<sup>6</sup> See Ochieng, 1975; Odegi-Awoundo, 1990.

<sup>7</sup> See Lamphear 1976: 220; Kenya Land Commission 1933-34

based on the premise that control of a variety of resources was needed to provide access to pasture and water at different times of the year and particularly during droughts<sup>8</sup>.

Pastoralists had a highly diversified economy. Firstly, the land was vast and ranged from good agricultural soils to desert, with large herds of wild game. Secondly, they had the wide and peaceful contacts they established, which facilitated long distance trade (Spencer, 1973)<sup>9</sup>. The current borders did not exist in the pre-colonial era. As noted in chapter 2, the pastoralists were never organised on the basis of centralised state system structures, had no tradition of administrative or political loyalty to central governing figures, and in the immediate pre-colonial period operated a decentralised self-government based on territorial units. Colonialism added two significant variables important to understanding of pastoral conflicts; boundaries (discussed later) and military repression. The native practices though allowed pastoralists to hold back their animals from wetter areas keeping grass in reserve for the dry season.

### **3.2.2 Scarcity of Water and Pasture**

The primary cause for pastoral conflict is the competition over scarce resources in an arid land. There is an undisputed link between pastoral conflicts and the need for pastoralists to access grasslands and water<sup>10</sup>. The annual rainfall in most areas where pastoralists live is between 100mm to 500mm. In seasons of scarcity pastoralists migrate in search of pasture and water for survival. In this competition for grazing borders are crossed, which results in tensions with neighbours. Frequent droughts cause the drying up of dams, pans, springs and rivers.

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<sup>8</sup> Ocan (1992)

<sup>9</sup> For example, the Turkana were able to obtain ironware, grain, tobacco, gourds and pots, mainly from the Labwor of Uganda, the outstanding blacksmiths and traders of this region: see Gulliver, 1963:5.

<sup>10</sup> See for example Independent Saturday 17 July, 2004 "The Politicians may 'eat like gluttons' but Kenyan people face starvation."

Sometimes viral diseases such as rinderpest and other animal diseases, forcing survivors to seek refuge among more fortunate neighbouring communities, exacerbate the resultant famines. Sometimes pastoralists cross international borders, which was not a problem previously but now generates hostilities and tensions.

Droughts are common in East Africa. There have been six major droughts in the last three decades Mkutu 2001.<sup>11</sup> In 1999-2001 due to severe droughts in the cross border areas of Kenya and Uganda, Turkana moved to Jie County in North-eastern Uganda to graze their animals. In a meeting held in Uganda in May 2001 organized by OAU/IBAR, Loteng, a Jie elder from Uganda argued;

There is one issue I want to raise, general to all. Water, water, for livestock, water for people. They go into conflict because water is not available. If we had water we could start sorting out the conflict. A lot of fighting is over water availability. In dry weather we move to west, and then there is conflict with the Teso. Because of lack of water we drive our animals long distance, and they come in contact with animals that are sick.... If you don't provide the conflict will continue (OAU/IBAR, 2001)

During the dry season in prolonged droughts, pastoralists are forced to search for water across international boundaries. 1939 was a terrible year for Kenya – Uganda pastoralists. Rainfall was very inadequate and locusts finished what grazing remained. The result was a widespread migration by pastoral Suk (Pokot). The majority moved to Uganda, most of them staying in Karamoja, but some being reported even as far as the borders of the Teso District. Many more went as far as East Baringo (Kenya).<sup>12</sup>

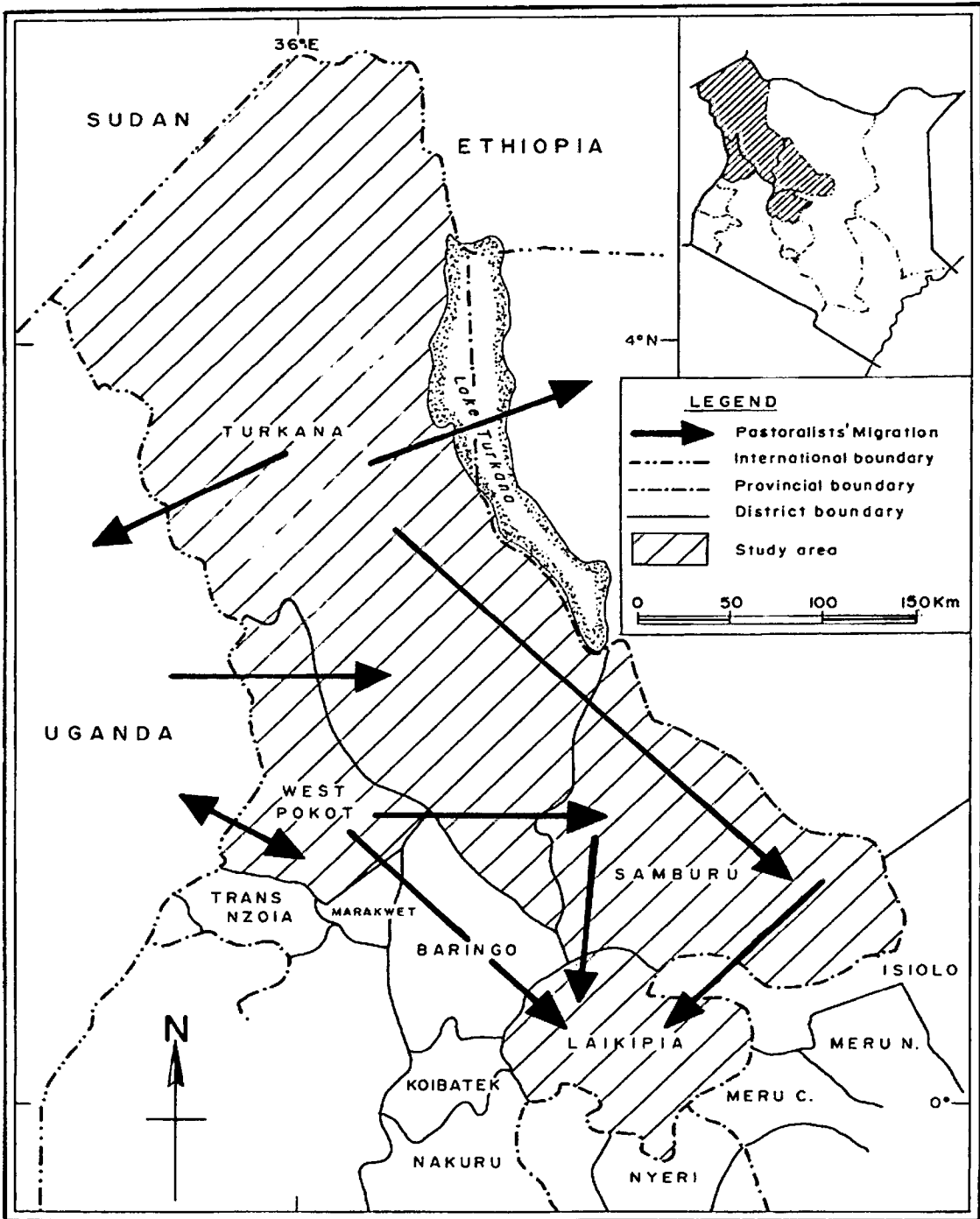
Tensions across national boundaries caused by scarcity of pasture and water can also better be illustrated by the following from Laikipia: in 1999-2001.

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<sup>11</sup> According to statistics in the Laikipia Research Programme droughts strike every 10 years (1960-61, 1973-78, 1982-84, 1994, and 1999-2001).

<sup>12</sup> Kenya National Archives, District Commissioner, West Suk, Annual Report, 1939, Nairobi

**Map 3.1 Movement of Pastoralists in Search of water and pasture 1999-2002**



**Fig. Pastoralist Migration into Laikipia 1999-2002 drought period**

Droughts resulted in scarcity of pasture and water, leading to mass loss of livestock in Laikipia. This led to the Mukogodo Masai<sup>13</sup> migrating from their familiar plains. As noted in an interview in Mukogodo Laikipia;

Our people move from place to place looking for pasture. Here there is nowhere people can cultivate. People only depend on cattle, but now cattle are diminishing due to drought. Also, if there was good soil for cultivation, people could cultivate. But it only rains once a year, or after two years. Therefore, this causes drought and people to move to where there is water. This affects families since they have to move in search of pasture.<sup>14</sup>

The headmaster of Dol Dol secondary school concurred:

The people are nomads, no water, no rain, it only rains once then misses for two years, and the only dependency is livestock. The lack of water makes the people move from place to place.<sup>15</sup>

In response to the 1999-2001 droughts, the Mukogodo Masai migrated from their familiar plains into private ranches. This was aggravated by the fact that it was not just the Laikipia Masai pastoralists who invaded European owned ranches,<sup>16</sup> but also pastoralists from Samburu. They forced themselves on European farms.<sup>17</sup>

A warrior interviewed revealed that, “this was a desperate move to save our animals from ravaging drought.<sup>18</sup>” As noted by another interviewee, Turkana, Samburu, Pokot and even Isiolo-Somalis had travelled from the West and East border areas in search of pasture and water. Heavily armed and with thousands of cattle they invaded private

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<sup>13</sup> See U. Herren (1987)

<sup>14</sup> Interview Matunge, John, Dol Dol, 3 September 2002; Chairperson of Manedelo ya Wanawake, an NGO also noted that due to the climate, the Mukogodo Masai cannot cultivate. Interview Dol Dol, Laikipia 4 September 2002.

<sup>15</sup> Interview, Kairab, Geoffrey, Dol Dol, 3 September, 2002

<sup>16</sup> About 70% of the traditional pastoral land in Laikipia is commercial ranching see Mkutu 2001.

<sup>17</sup> Focus Group Discussion with the elders, Dol Dol, Laikipia, 3 September 2002. Two years later the ranches have again been invaded see Daily Nation 1 September 2004 “Masai claims threat to national security.”

<sup>18</sup> Maasai Moran, Interview, Dol Dol, Laikipia, 3rd, September 2002.



ranches in Laikipia. They resisted removal by the police attempting to evict them forcing police to seek reinforcement.

Honourable Ole Kaparo<sup>19</sup> brokered a cessation of the conflict, and the ranchers agreed to share their pasture with the Masai, Pokot, Somalis and Samburu. The arrangement did not last and the pastoralists were given orders to move their stock to the slopes of Mt. Kenya. The herdsmen resisted, leading to the arrest of 125. They were jailed for one month and had their animals confiscated for invading ranches and damaging a fence worth Kenya shillings 2million.<sup>20</sup> After this some of the pastoralists moved to Mt. Kenya.

The overseer of the Roman Catholic Church (RCC) in Dol Dol (Mukogodo) told me:

During the 1999-2001 drought, the common pastoralists were forced to take their cattle to Mt Kenya. This was after forcefully invading the ranches. But Mt. Kenya was not a suitable area because of: high altitude with very cold climate and rough terrain. Many lost their already weak stock to wild animals or the indigestible grass.<sup>21</sup>

The herdsmen were trying to save their herds and flocks from certain extermination in the harsh conditions in ancestral pastures<sup>22</sup>. Laikipia is again discussed with regard to the effect of colonial land alienation, and the agro-pastoral interface in later sections.

The scarcity, mobility and competition aggravated by the climatic conditions lead to conflict within and across borders. It further leads to migration of pastoralists, risking conflict with settled peoples, and also diseases such as trypanosomiasis, tsetse fly and rinderpest. It also causes the terms of trade to turn against the pastoralists<sup>23</sup>. The

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<sup>19</sup> The Kenya National Assembly

<sup>20</sup> National Council of Churches of Kenya Update, 2000:8

<sup>21</sup> Father Joseph, Interview, Dol Dol, Laikipia 4 September 2002

<sup>22</sup> Interview Masai elder Dol Dol August 2002

<sup>23</sup> For example the current drought in Kenya, the Independent 17 July 2004 cit op. notes that the prices of livestock have tumbled since the rains failed.

price of essential grains rises markedly while the sale value of stock dramatically reduces. For, example during the droughts in the North Rift, the price of a goat reduced from 1600 Kenya shilling to 400 (GOK, 2000).<sup>24</sup> Competition within and among groups grows, causing raiding and tension. Such raids can turn violent.

### **3.2.3 Livestock Raiding**

Cattle rustling or raiding is a collective terminology loosely used in reference to illegal dealings in stock in both Kenya and Uganda, whether petty or thievery or large-scale. The terms rustling and raiding are used interchangeably to imply armed attacks by one group with the purpose of stealing a large number of stock and not usually territorial expansion (Markakis 1993:124).

Cattle raiding has culturally historical connotations among all plain and some highland Nilotic groups. It is not a new phenomenon, but has undergone major transformation in the last four decades. Traditional songs and dances highlight the existence of cattle rustling before the coming of the colonial government to the North Rift. Pastoral communities engaged in cattle rustling as a means of expanding lands, restocking livestock, obtaining cattle for bride wealth, demonstrating the bravery of new warriors, initiating boys into manhood and enlarging the community herds after drought, diseases, famine. Usually the raids were organised by the elders, and diviners were consulted to ensure that the raid would be successful. The victims of raids were normally neighbouring districts. When the warriors returned from successful raids, ululation and songs of praise welcomed them. Among the singers are potential brides for the warrior.

Cheboi observed that raiding is done for three purposes among the Pokot. Firstly, to secure basic needs of life and to regenerate the number of animals in the herd as a

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<sup>24</sup> Approximately twenty American dollars to five

response to drought. Secondly, raided cows allow payment of bridewealth<sup>25</sup> for many wives, which is a sign of wealth of a Pokot man. Lastly, it was for sacrifice of the animals for religious purposes and gained prestige for having killed an enemy.<sup>26</sup> Lamphear (1976,205-8) notes that successful raiders gained much prestige from their prowess, and apart from being the choice catch for unmarried women, could become potential organisers of future raids.<sup>27</sup>

Herskovits, (1926) uses the term “cattle complex” theory to emphasis “the very high social prestige and prominence attached to the possession of a great number of cattle and the glorification of homicide connected with its acquisition”. The aggrieved party may compound the act by non-involvement of official security apparatus. To them, they will have a better forum of settlement by retaliation/revenge or as its called in Karamoja: *ajore*. This compounds the conflict.

To pastoralists, raiding may not be perceived as a crime or socially unacceptable. It was both a cultural tendency and an economic coping strategy that was regulated by elders. The elders controlled and sanctioned all the raids and also made peace if it was necessary.

Research interviews in Pokot, indicated two kinds of raiding, the *luk* and the *setat*. The traditional form is the *luk*. This is well organised by a large group of warriors for retaliatory reasons or the need to acquire cattle, it was often blessed and backed by the elders and seers. The rustlers retained the rustled cattle in the local community as a source of wealth and payment of bride wealth, which was a redistributed amongst families, lineages and affirmed solidarities of cattle owing units. The second type of raiding, *setat*, is considered as stealing/theft or commerce. This is what is now

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<sup>25</sup> This was also confirmed in an interview with Bruno Novelli, He noted that for the warriors, raiding ensured they got the bride wealth.

<sup>26</sup> Cheboi, Florence, Interview, Amukuriate dispensary, Alale, West Pokot, 2 August, 2002

<sup>27</sup> See motives attributed for raiding by East African, Pastoralists Fukui and Turton, 1979: 9-10; Fuki, 1979; Jacob, 1979; Tornay, 1979. A cross border workshop by OAU/IBAR, *revealed similar purposes-*

referred to as commercialised raiding in this dissertation. It is a theft motivated by self-acquisition that does not wait for calamity to deplete the stock.

Interviews in Karamoja also identified two types of raiding, raids for repletion of stock after droughts and epizootic outbreaks (*areom*), and revenge raids (*ajore*); and commercial raids and cattle thefts (*akoro*) for cash<sup>28</sup>.

Livestock is a source of survival in pastoral areas. A man's position in society is recognised according to the number of cows, goats, sheep, camels and donkeys he possesses. A poor person cannot address a panel of elders or even eat the most valued meat, "meant for men". In an interview, the late Father Novelli informed me that:

Through raiding, pastoralists try to compensate losses of cattle due to sickness, drought, epidemics of cattle, raids, and confiscation by governments. These losses of cattle go against the tendency of the people which is to maximise their cattle in order to reach an ideal optimum, calculated to be about 4-6 heads of cows in order to have enough milk, blood and meat. Until this has not been reached they try to compensate since they do not know the techniques of cattle breeding nor have the ability due to the habitat they occupy, which is arid and semi- arid. So they try to do with quantity what they cannot do with quality. If a Karimojong bull dies, one may not understand why a Karimojong hangs himself.<sup>29</sup>

In the past, raids were a form of cattle distribution among the different communities; raided cattle remained in the neighbourhood or within the new community or they were used for bride wealth. In pre colonial times the weapons used during raiding were the spear, arrow and bow<sup>30</sup>. Muhika (2000:61-62) argues:

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restocking after shortage, revenge after skirmishes with other clans and proving manhood. OAU/IBAR 2001 cit op

<sup>28</sup> Field notes 2001-2002, 2003 and 2004 Karamoja

<sup>29</sup> *ibid.*

<sup>30</sup> Thomas (1965) notes about the Karamoja and Dodoth that 'The types of the weapons the Dodoth have are almost too many. The primary weapon is the nine foot spear, made with a metal fore shaft

Traditionally, under the chieftain era, the instruments of violence were mainly close combat instruments like the family spear, bows and arrows. The weapons were for personal or community defence against thieves or animals and strict age control existed. Nobody was allowed to handle such weapons until they reached of marriageable age. Gender control also existed: only men bore arms. None was allowed to apply such instruments on a clan-mate, least of all a member of the extended family. Social sanctions, e.g. banishment or death existed for any breach of this strict social code.

Mzee Lopumumoe<sup>31</sup>, an elder, notes:

It was considered cowardly to fight from a distance. You had to look into the eyes of the enemy as you did battle and when a combatant surrendered, you did not harm such a person. Old people, women, and children were ignored. Girls were often taken along with livestock. That was our way.

Traditional raids were under strict control of the elders, community healers and soothsayers. Everyone knew a raid was coming. The aspect of surprise in a raid involved only time and place. Attacks would only take place at dawn or in the evening (Thomas, 1965). Ichumer, a Karamoja elder, insisted that awareness of impending raids was made known to every one. A man in traditional war costume would alert the other clan. Former President of Kenya Daniel Arap Moi, who is of pastoralist background, notes, “Traditionally, cattle rustling does not involve killing people”<sup>32</sup>

The practice was considered a social and cultural occupation as opposed to a criminal activity. The aggressors may simply partake in the raids not out of any tangible

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and a sharp, lead- shaped blade, a short wooden centre piece, and a tapered metal tail, the spear straight and light and perfectly balanced. There are different kinds of bows and arrows, slingshots, axes; also sticks, clubs, and shields for different kinds of fights.”

<sup>31</sup> Mzee Lopumumoe (2001) one of the elders who attended the inter- Communal Meeting held in Mbale, Uganda, organized by OAU/IBAR May 19th- 25th.

<sup>32</sup> Daily Nation, 18 April 2001

justification but for the mere need of being socially occupied. Rustling aggression was generally conducted by the more active youths that felt obliged in the participation and preservation of their customary norms. This was concurred with in an interview with Mzee Mudongo a Karamoja elder, who noted:

Raiding was not just a means of restocking, but it was also an ancient form of wealth re-distribution among the Karimojong. It is a traditional and central form of re-stocking. Young warriors were compelled to accumulate cows in order to gain status. Their respect depended on the number of successful raids.<sup>33</sup>

#### **3.2.4 Fission and fusion of pastoralist conflict**

The importance of fission and fusion for waging war and survival was corroborated by Father Novelli, a long time resident of Karamoja, who argued:

It is a matter of making alliances when it is useful, when not useful they break them. Lord Palmerstone argued that 'nations do not have permanent alliances or enemies, they only have permanent interests'. The Karimojong are fully convinced of this. In 1999, Matheniko were allied with Turkana and together they were fighting the Bokora (section of Karamoja). Of course in order to defend themselves the Bokora allied themselves with the Jie, who are the enemies of Matheniko. After one year all the alliances changed. The Bokora made peace with the Matheniko, so they did not need the Jie. So the Bokora and the Matheniko went against the Turkana.<sup>34</sup>

In an interview, an eyewitness had the following to say;

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<sup>33</sup> Mudogo, Moses, Karamoja Initiative for Sustainable Peace chairman and elder, Interview, Moroto, 17 June 2001.

<sup>34</sup> Father Bruno Novelli cit. above

I come from Kaabong in Dodoth side, neighbouring the Turkana. When it is dry in Turkana, Turkana come and graze, make friends and then make alliances. They will go and raid, kill and bring animals and share the loot. But the problem with the Turkana is that when they are going back, they take Dodoth cattle and go<sup>35</sup>.

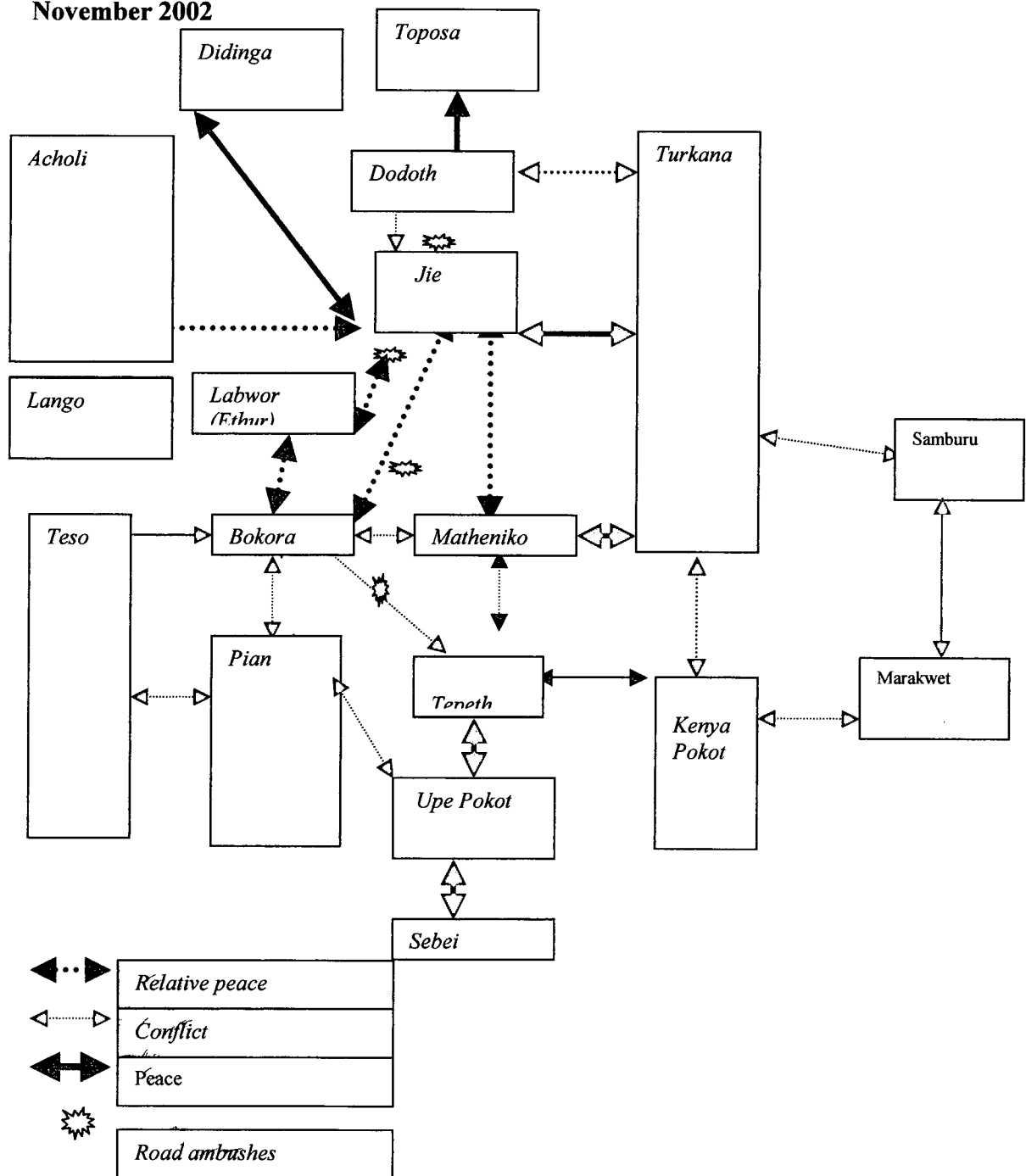
Interviews with both the provincial administration in Baragoi and the security indicated that local Samburu collude with the Pokot and Rendile to raid the Turkana, while the Turkana join forces with their brothers of Turkana district, to raid the Samburu and Pokot.<sup>36</sup>

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<sup>35</sup> Father Bosco, John, Amudat, Uganda 17 June 2001

<sup>36</sup> Police and Provincial Administration, Interview, Baragoi, 22 August, 2002

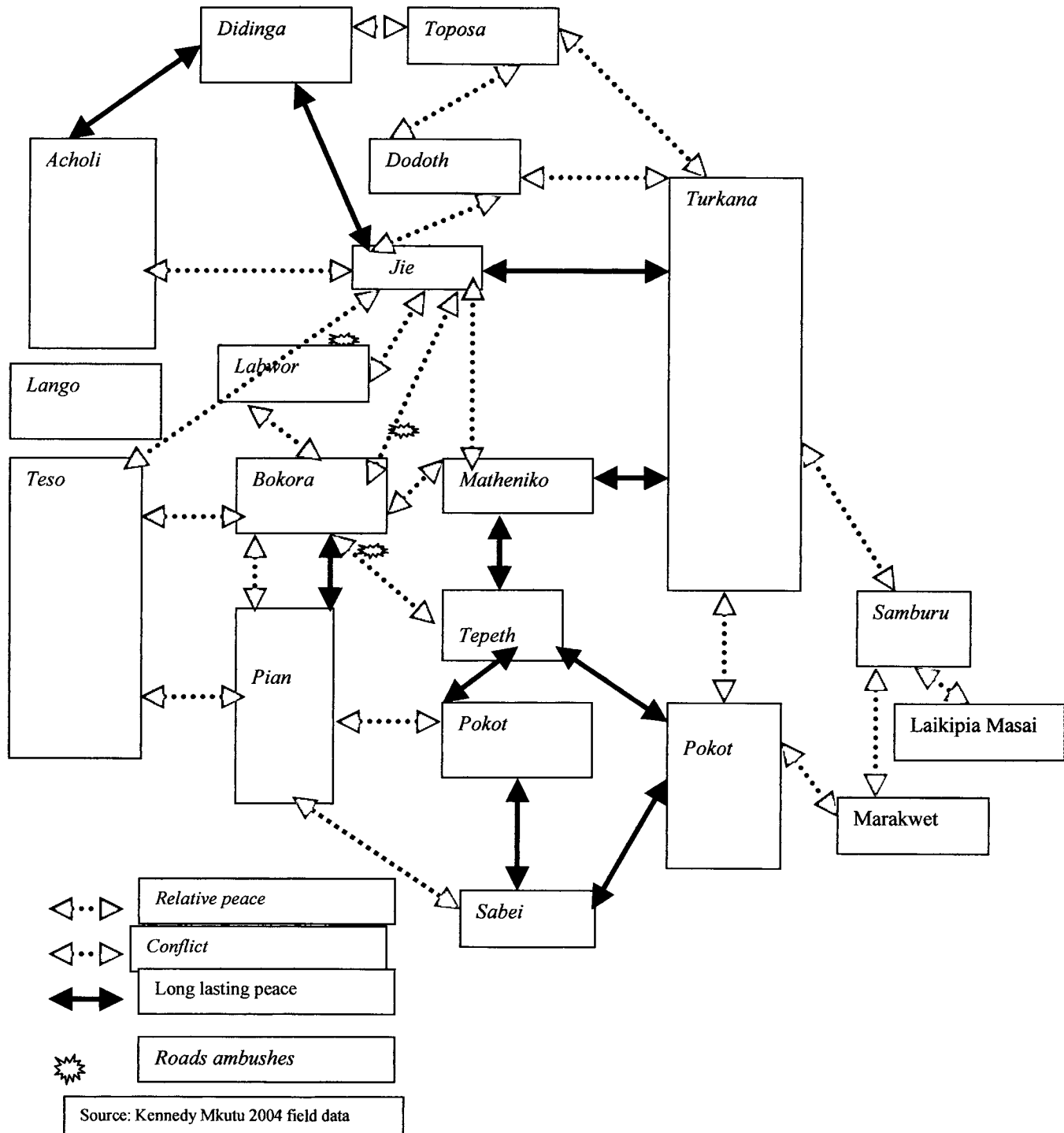
**Figure 3.1 Ethnic/tribal patterns of relationships as of November 2002**



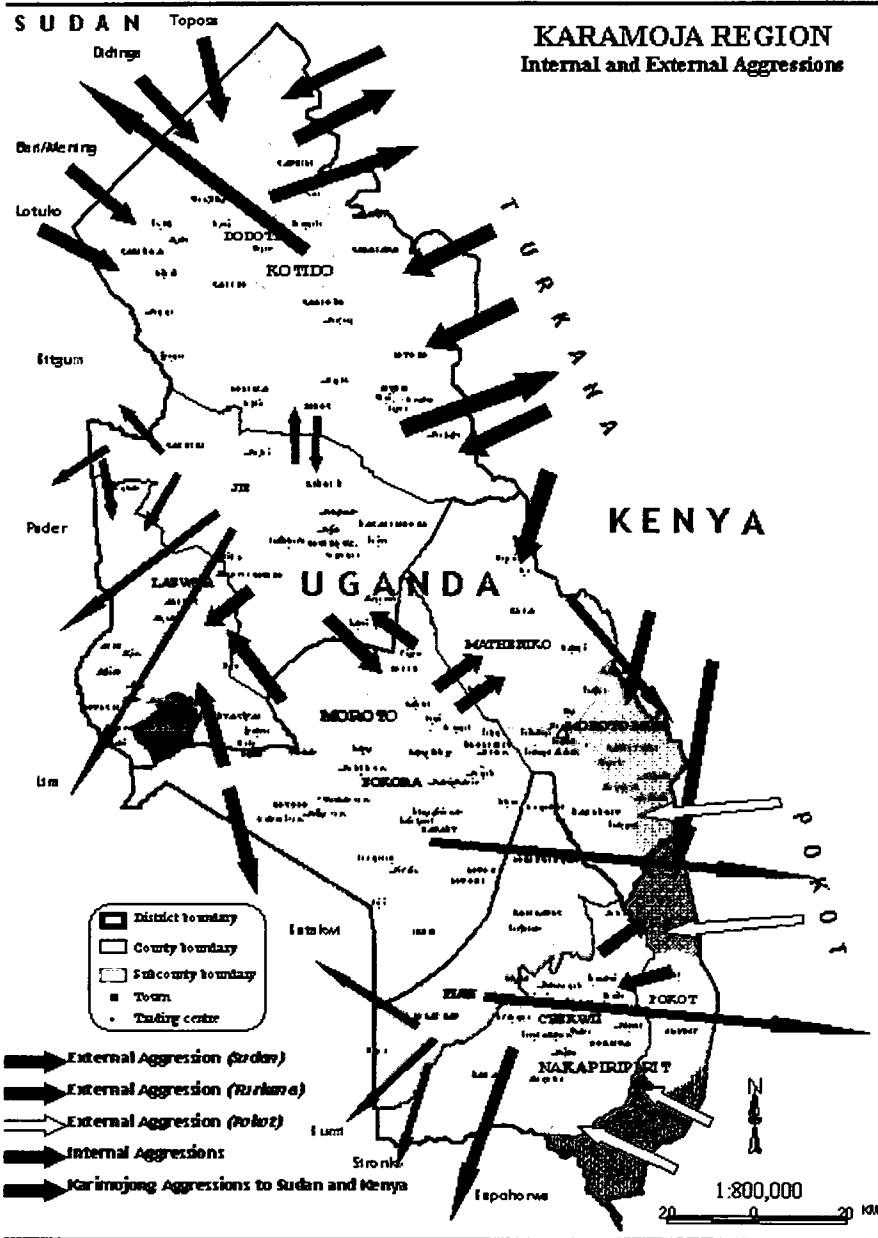
Kennedy Mjiritu field data 2002-2004



**Figure 3.2 Alliances Ethnic/tribal pattern of relationships  
October 2004**



**Map 3. 2 Cross border Sudan-Uganda-Kenya Aggression**



Source: Karamoja Data Centre (Modified October 2004)

### **3.2.5 Conflict and Pastoral Intergenerational Systems**

Different sectors of the communities continue to play different roles in raids and triggering pastoral conflict. This section examines the intergenerational conflicts of the communities and their consequences.

#### **Elders**

Pastoral communities were socially organised in to an age-grade system. Age-sets are an ethnic institution in the sense that all youths who have been initiated in a successive number of years. Prior to colonial rule, elders were collectively responsible for the governance of the community dominating the pastoral societies of the North Rift. They were the leaders, policy makers, decision makers and resource managers, and among them some had religious and mystical powers. There were structures for conflict resolution through councils of elders, traditional courts and peer or age-group supervision, where each individual or group had to meet certain social expectations. In Uganda, among the Karimojong, the elders made important decisions through discussions and debates and solved communal conflicts (Quam, 1996:15). While in the Pokot in August 2002, the elders took the researcher under a tree, and explained how all disputes the council of elders settled democratically. As noted in an interview with Rev. Kewasis:

The Pokot have governance based on the council of elders. Among the council of elders, there was always some one or group of people and they came from a particular clan that are highly respected ruling clusters of people. When they want to consult over matters affecting them, they would go to that clan. Roles were divided very distinctively. And these people acted as diviners. They would foretell, they would prophecy, they would give governance issues, for example if there was going to be an epidemic for that matter or raids were

coming they would prepare to take cover before any attack. If raiders were coming they would foretell ahead of the attack.<sup>37</sup>

Lamphear (in Eisei and Simonse, 1998:81) observes:

Age-class systems provide the elders with the means to retain control and limit the potential excesses of the younger men religiously and economically. As the ultimate links with the supernatural forces, the elders can threaten a curse, which is much to be feared. Family patriarchs, not age-sets or generation-sets, own livestock and regulate its flow through the community but as individual fathers postponed the marriage of their sons, so do the elders collectively control the bands of youth warriors. The dynamic provides a queue discipline, which encourages young men to wait for their turn. In instances, age and generations systems emerge as institutions to moderate and control the potential violence of the younger men, entrusted with the security of the society. The elders were responsible for settling land disputes in cases of killings and their decisions was final. In Pokot, the senior most elder would act as the leader in the case of Pokot. The senior most elder would sit on the throne. The age-set was based on circumcision. Pokot, hold seriously the age-set system, which was after every 10 years in the case of Pokot.

In Nilotic societies, and most African societies, elders were dispute handlers and lawyers in the community. When people go to raid, they consult elders. In Pokot as well as most of the pastoral communities, the elders (*Poy*) are vital in that they bless the raiders (*Kiyiltagy*). As noted in an interview with Novelli:

What the elders teach insistently is to go raiding cattle from everybody who is not a Karimojong, in order to marry and to live. The life of the Karimojong is to steal many cattle. Once found, they give them to their fathers, mothers and brothers.<sup>38</sup>

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<sup>37</sup> Rt. Reverend Bishop Kewasis, Stephen, Anglican Bishop of Kitale Diocese, Kitale, 31<sup>st</sup>, July, 2002

<sup>38</sup> Interview with late Father Novelli, June 19, 2001. Also see Pellerion, G. (1973) Karimojong text. Unpublished notes on the Karimojong, Comboni Missionaries, Verona.

Usually they select the time and the target for the intended raids. But also, they made peace with the raided through cleansing ceremonies and compensation-making (OAU/IBAR, 2001). What provides the elders their enormous power? All the pastoral groups under study believe in the power of the curse. There is a belief that certain activities will lead to good misfortune through the agency of supernatural forces. In the case of the Baragoi, Masai, Pokot, and Karamoja, elders can curse the entire age group that misbehaves.<sup>39</sup> In Baragoi curse is like poison from a poisoned arrow.

Novelli argued;

Elderly status puts them on the border as it were, between natural and supernatural. Their proximity with the supernatural world and with god is a result, not only of their age, but also of the concrete fact which in the mind of the Karimojong is the tangible proof that their power is real that if they managed to last so long amid the harshness and hazards of life in Karamoja, together with their families and herds, they knew, so to say, how to deal with god in order to obtain whatever was necessary for their life. From these comes the psychological power over those who are still struggling along. To have their advice is reassuring, their blessing is a pledge of god's pleasure and protection, and their curse is considered one of the most dangerous threats for their life.<sup>40</sup>

It is believed that these old men are capable of causing the death of young warriors who go against their will simply by pronouncing<sup>41</sup> a curse, which curbs the high-spirited moran. This instils fear in the other warriors who then become reluctant to accompany them in case death befalls them. They are forced to apologize to the elders in order to appease their ancestral spirits.

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<sup>39</sup> See for example Spencer (1965, 209).

<sup>40</sup> Novelli op.cit.

<sup>41</sup> see Spencer 1965:127, 184-209 Writing on the Samburu he notes the powerfulness of the curse, which the ritual leader can hold over members of an age-set.

Another factor in the influence of elders is their wealth. Wealth in pastoral societies is not considered as personally earned or owned but the rights to it come with lineage. It is redistributed not only via cattle raiding but also as bride wealth and on inheritance when herds are divided. Wealth is accumulated as much by good luck as good management as subjected to vagaries of weather and diseases, raiding, having many daughters thus it does not create a permanent 'class' of capital owners. Singer (1982:63) notes "wealth is both material and human". Money, cattle, women, and land are all symptoms of possessions of wealth in pastoral societies. Unfortunately, not all are wealthy and many elders do not use their influence or their wealth for the common good.

### ***Kraal* leaders**

*Kraals* can consist of up to 50 *corals* with between 50 to 100 herds of cattle.<sup>42</sup> Numbers of animals range from between 100-200 per *coral* hence one *kraal* can possess thousands of cattle. *Kraal* commanders or leaders are senior lineage/clan members who head each *kraal*.<sup>43</sup> The *kraal* leaders have a team who help with their work. These are the *warriors*<sup>44</sup> who are from the age-grade system together with the *shepherds* (under 15 year olds) who look after the animals and are responsible for the security of the homes.<sup>45</sup> A *kraal* leader is a man who commands respect and must be a good warrior/raider, mobilizer, decision maker and able to ensure cows get security, water and pasture.

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<sup>42</sup> A *kraal* visited in Namalu had nearly 800 cows and nearly 200 calves. One visited in Amudat owned by Lomgoin had nearly 3,000 cattle, and a large number of goats, camels, and sheep.

<sup>43</sup> Some *kraal* leaders are also elders. In Nakiloro, Lorot Koriatutinyo the *kraal* leader interviewed happened to be also an *Ekatukon* (elder). Elders in *kraals* are responsible for decision making and problem solving.

<sup>44</sup> Men of 16-36 years

<sup>45</sup> Interview Lorot Koriatutinyo *kraal* leader, Nikoloro, 29 January 2003

The role of a *kraal* leader includes, discussing with the youth and *warriors* making decisions, and coordinating with other *kraal* leaders and elders.<sup>46</sup> *Kraal* leaders are also now being appointed home guards and in Uganda they are equipped with arms by the government.<sup>47</sup> For one to be a *kraal* leader one must be rich in terms of many children and cattle. Owalinga informed me that his work as *kraal* leader is to guide, protect and determine each day where the animals would go to graze and also he was an overseer for the shepherds and *warriors*<sup>48</sup>. Lowogonie, a *kraal* leader, interviewed in Upe Pokot noted:

The work of the *Kraal* leaders includes seeing to it that the Warriors are looking after animals and patrolling.<sup>49</sup> Also ensuring that the cows get pasture, water and security where they are.<sup>50</sup>

The *kraal* leader is directly answerable to the elders. He is mediator between the elders and the *warriors*.<sup>51</sup> Most raids are planned in collaboration with *kraal* leaders, the commander for the *warriors*. It is very easy for leaders to manipulate warriors for their own political ends.

### **Youth and Pastoral Conflict**

The youths have different names in the pastoral areas. In Karamoja they are known as *karachunas* (warriors), in West Pokot they are known as *Ngidigidai* while in Laikipia and Samburu they referred to as *morans*. In the entire North Rift pastoral area I found that the initiated youth (8-18) are the backbone of pastoralists communities as they are the herders and also they manage the security. The “security” is based on animosity, enmity and revenge and is manifested in the form of violence especially in road

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<sup>46</sup> The *kraal* leader and elders have to come into a consensus. The elders are the decision makers. The *kraal* leaders are the implementers of the decision taken by the elders. The Warriors look after animals and look for pasture and water.

<sup>47</sup> For example Lomer Emurongole, a *kraal* leader visited in Namalu was also a home guard.

<sup>48</sup> *Kraal* leader Mariko Owalinga, Interview, 25 January, 2003.

<sup>50</sup> *Kraal* leader, Lomoryareng, David, Interview, Amudat, 27<sup>th</sup>, January, 2003

ambushes and cattle raids.<sup>52</sup> They are the ones that take the herds to graze and who protect them against any danger. The youth can fight; that is their work<sup>53</sup>. In Baragoi, the *moran* argued that “we are the security of the community, without us, the community would have been extinct.”<sup>54</sup>

### **Diviners/Seers and the Pastoral Conflict**

Novelli (1999: 108) observes, “The diviner’s influence on society is strictly linked with the success of his activity among the people.” While Bishop Kewasis argues:

Diviners were in every region and they seem to have known each other. And they possessed their own way of communicating with each other through dreams. They are very secretive.<sup>55</sup>

In Pokot the *Weroyon*; in Karamoja the *ngimurwok*; amongst the Maasai *laibon* are highly respected diviners with powers to tell the future and bless combatants. In Pokot the *Pkan*, those who read the innards of animals that had been sacrificed, determined what would happen in a raid. It is unlikely that a raid would be carried out against a community without being predicated by *an emurwon*, *ngimurwok* or *werkoy* (fortune tellers).<sup>56</sup> Dietz (1987) argues that the Pokot did not have diviners like other pastoral groups. It is incorrect, Pokot do have such people (*Weroyon*). As noted by the study done in Kerio Valley,<sup>57</sup> the blessings from the *emurwon* or *laibons* are “believed to increase the powers of raiders.” These special seers seem to have a penchant for raids since it is their main source of livelihood. After a successful raid,

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<sup>51</sup> Every morning the kraal leaders and elders gather to take stock of previous day and make decisions where to take the animals to graze.

<sup>52</sup> See for example De Koning 2003:95-97

<sup>53</sup> Matunge, John, op cite. Also noted by Lekoidipi, Maurice, Moran- Interview, Dol Dol 3 September, 2002

<sup>54</sup> Interviews Moran Dol Dol 3 September 2002

<sup>55</sup> Rev. Kewasis Nyorosok Stephen, cit. op.

<sup>56</sup> See Lamphear 1998 for the Ateker. Looking at the Ateker pastoral groups (neighbours to both Karamoja and Pokot), he notes the diviners rose to prominent places to the point of leading major armies. This gave them respect in the two communities he studied.

<sup>57</sup> Anderson, 1986:402



they are rewarded with some of the raided cattle.”<sup>58</sup> Among the Kalenjin the *Orkoiyot* or *laibon* (seers) also stood to benefit from stock raids and were able to instigate raids directly through their role as counsellors to the moran (warriors).<sup>59</sup> During interviews in *Kraals* in Namalu, I was told that one of the roles of the diviner is to read innards and detect danger or if it was safe for the warriors to go raiding. He would also proscribe which colour of animal to kill for protection; this guaranteed him a share if the raid was successful.<sup>60</sup>

Bishop Kewasis of Kitale Diocese noted that;

I grew up among the Pokot when their culture was still intact. In the 1950s and 1960s and even 1970s, the diviners would foretell, prophecy, give governance issues, would foretell to take cover in two months before the enemy arrives<sup>61</sup>.

Interviews with warriors in Kotido, informed me the diviners (*ekeryon*) are overpowering elders. Some of the youth admitted that they were now directly seeking advice from such *ekeryon* before a raiding party. The diviners would then sacrifice specific animals to make the raid successful. He would be rewarded with a part of the booty (10-20 cows)<sup>62</sup>. When I interviewed Ekore, a diviner since 1961, he denied this.<sup>63</sup>

Diviners act as the superpower class of people in the pastoral society and they are highly respected, obeyed and followed. Whatever they say, the elders and youth will accept, hence they play a major role in triggering pastoral conflict or mediating in conflicts.

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<sup>58</sup> See NCCCK/SNV and SARPEP, 2001:9.

<sup>59</sup> Anderson op cit: 402

<sup>60</sup> Namalu kraals, Focus groups interviews, 25th January, 2003

<sup>61</sup> Rt. Rev Kewasis Nyorsok Stephen, op cit.

<sup>62</sup> Interview, Chere an ex raider, Kanawat, 2 February, 2003

<sup>63</sup> Ekore, Raphel Interviews, Nabilatuku, 28 January 2003

### 3.2.6 Gender Relations in Pastoral Conflict

Women are part of the pastoral communities in which conflict is endemic. They share the cultural values and perceptions about raiding. While they do not go to raid or fight, they play instrumental roles in encouraging and inciting men to go raiding and revenging. Due to diminishing cattle due to raids, fathers do not have enough cattle to contribute towards their son's bride wealth, hence there is more raiding.

A woman doctor at Matany mission hospital in Bokora County with a private clinic in Moroto noted that "the man must pay my family cattle in order to marry me, without cattle he cannot marry me".<sup>64</sup>

As noted by De Koning (2003:96)

When being raided for a second or third time in a short period, a stockowner cannot expect any donations from friends or relatives and the only option left for his sons is to counter raid (so raids serve family and individual interests).

In an interview with Local Council Five <sup>65</sup>Helen Pulkol, informed me that, "Boys have to look for cows. Where can he get a bride without wealth? Here is where raids come in."<sup>66</sup> An elder interviewed noted:

Married women mobilise other women, sing songs of praise and ululate in celebrations when the warriors arrive with the spoils of war while at the same time deriding those who have failed. A woman wears a special cloth when her man is out on a raid. She taunts her man if he refuses to go on a raid, questioning his manhood.<sup>67</sup>

Sister Paulina, from the Roman Catholic Church in Moroto told me:

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<sup>64</sup> Source did not want to be identified. Interview, Matany, Bokora, 17<sup>th</sup> June, 2001

<sup>65</sup> Local council fives are directly elected by the people there fore very powerful.

<sup>66</sup> Pulkol, Helen LC 5, Interview, Namalu, 24 January 2003.

<sup>67</sup> Ichumer, Philip Ichumer, op cit. Also this was noted in Alale FGD with women who argued that women praise the young men after raids.

Women, especially the old ones, humiliate the men for not taking care of the family. They wear the *arapet* skin in a special way when they want to send their sons to raid. They smear them and they make them pass through their legs. When they return from revenge, they dance and sing songs of praise. They also perform the ceremony of *awatun* {water sprinkling}. But they also play an important role in peace rituals. For example, mothers from warring groups may swap babies and breastfeed them as a symbolic alliance between the two warring communities.<sup>68</sup>

In Baragoi, young women sing songs welcoming warriors and shunning those who do not raid. The young women have sexual relations with the warriors.<sup>69</sup> Karamoja and Pokot women wear a bead belt (*lakatia*). This is the charm that ties a son to the mother's womb even when grown up, as a sign of protection from evil. The *lakatia* is to be worn especially when sons and even husbands go raiding. Women also prepare food that the warriors carry on their journey, which can take days or weeks. On return the warriors find milk kept for them by their mothers and wives.<sup>70</sup>

The term bridewealth does not mean 'buying women' but giving wealth in exchange for her capacity to bear children for the lineage. What is 'bought' are rights to reproductive capacity and labour power. Bridewealth varies in pastoral communities, but is mostly paid in domestic cattle. Earlier in the traditional Karimojong society,<sup>71</sup> parents used to meet all the marriage obligations for their sons; beginning from engagement to marriage. They paid dowry and set up the couples with household goods.

Gulliver (1955:42) who made penetrating studies of the Jie and Turkana peoples of N.W.Kenya and Uganda argues that the mechanism of bridewealth is of paramount

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<sup>68</sup> Field notes January- February 2003

<sup>69</sup> Laskarite, James, Interview, Baragoi, 21st August 2002.

<sup>70</sup> Focus group discussion interviews with, Alale African Inland Church Women groups, Alale, 3 August, 2002

<sup>71</sup> Matheniko, Pian, Jie and Bokora

importance. Poorer pastoralists will add to their flocks through weddings of daughters and sisters. On the other hand, a wealthy man expends stock on his own and his son's marriages. The late father Novelli observed:

Cattle are transferred on the occasion of marriage to as many people as possible in the kinship of the bride, in order to have as many allies as possible on whom to rely, particularly in time of trial.<sup>72</sup>

This was also confirmed in an interview with Cheboi, a nurse at Amukuriate dispensary in Alale, West Pokot, Kenya who argued;

Another influence on raiding is that the cows are distributed to the uncles, aunties, sisters and people are grateful if they get a share. Marriage implies others are benefiting the clan. Bride wealth is an incentive for raiding.<sup>73</sup>

Christine Nachap the Local Council Five for Karita noted that at least the educated Upe Pokot can negotiate the numbers of cattle they pay.<sup>74</sup> Henriksen (1974) notes, "It surely remains the biggest expenditure of stock that a man has."

### **3.3 Changes and Challenges in Pastoral Areas in the North**

This section begins an analysis of the pastoral conflicts in the region. The argument is that the deep-seated sources of conflict are diverse. They result from the scarcity of water and pasture, the agricultural and pastoral interface, marginalization, demarcation of borders, livestock raiding and the fission and fusion of the different ethnic pastoral groups. It is also argued that the attempt to change pastoralist behaviour in favour of the agriculturists or urban dwellers is partly responsible for the pastoral conflicts.

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<sup>72</sup> Father Novelli, Interview, Moroto, 17 June, 2001

<sup>73</sup> Cheboi, Florence, Interview, Alale, West Pokot, 3 August, 2002

<sup>74</sup> Interview Amudat, 27, January 2003.

### 3.3.1 Colonial Incursion

The boundaries of the colonial East African Protectorate (1895-1926) were unclear especially south and north. Initially, East Africa was divided for administrative purposes into three provinces; Seyidie, Tanaland and Ukambani provinces. Each was further subdivided into districts named after its main settlement. No attempt was made to make the boundaries of these provinces or districts conform in any way to the ethnic composition of the indigenous population, let alone find a rational base.<sup>75</sup>

Early European explorers first entered Turkanaland at the end of the 19<sup>th</sup> century and contacts were made with British administration in 1903. The area was mainly managed by military forces, which by constant patrols and several major expeditions waged a lengthy campaign against the Turkana. The area was one of the last to be taken over by the colonial government. Meanwhile it was a refuge for ivory poachers and outlaws, some of whom had bases in or assistance from Abyssinia (Ethiopia). Gulliver (1963) observes that Turkana resistance, made possible by the wildness of their country, was stimulated by Ethiopian efforts to gain control of territory claimed by the British. Not until 1926 was administration established in Turkana. Even then, the military forces were retained.

Explorers, mainly elephant hunters, reached Karamoja at the end of the 19<sup>th</sup> century<sup>76</sup>. Although Uganda was declared a British protectorate in 1890, Berber (1968:117) remarks that the first direct colonial control in Karamoja though not part of the E.A Protectorate came through military administration beginning in 1911 under the King's Africa Rifles (KAR).

Because of the danger it posed to the other parts of the protectorate in terms of security against raiders and arms traders, the administration created was expected to disarm the Karimojong and 'pacify' the area using a three-pronged approach:

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<sup>75</sup> Ojany and Ogendo, 1973; Mungeam, 1966.

<sup>76</sup> Gulliver, 1963: 8; Ocan 1992:4-5

shooting them on sight, burning their huts and seizing their livestock. It was then considered that modern weapons were largely eliminated in Karamoja but the control of borders between two British territories by the colonial government was still insecure. A garrison was stationed in border areas until 1937 specifically to guard against Turkana traders<sup>77</sup>.

### **3.3.2 Divisive Borders**

The Colonial rule came with policies such as the creation of borders countries and communities. The drawing of boundaries interfered with the social system and ecology. It disrupted mobility, limiting access to grazing land and water and thereby increasing social conflicts. Borders are the impediments to pastoralists' ability to manage droughts confining them to one area. It becomes impossible to trace criminals, especially the cattle raiders, once they disappear into a different country, a problem experienced from colonial times.

One example of this is that the current Kenya-Uganda geographical borders did not exist in the pre-colonial era. What existed were a number of tribal kingdoms, chieftainships or ethnic groups headed by council of elders, that came to be incorporated into countries in a process starting in the mid 1850s to about 1926. The grazing area, which is now Turkana, was agreed and marked on the ground in 1938. This boundary, known as 'the redline,' is a fertile area but a no go zone due to frequent fighting between the Toposa pastoralists in Ethiopia and Turkana in Kenya for pasture and water.

Pokot extended from east Pokot (Baringo) in Kenya to the newly created district of Nakapiripirit in Uganda. Colonial authority in the 1920s permitted the Pokot to move

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<sup>77</sup> Op. cit. Gulliver

and live in Upe County in Uganda in compensation for the loss of some their best dry season grazing areas in the TransNozia District of Kenya<sup>78</sup>.

The modern administration of West Pokot District started in the late 19<sup>th</sup> century when Pokot became part of Uganda's eastern Province. In those years the British were attempting to assert their authority over the area to the north of mount Elgon and west of Lake Turkana. This was as a result of the Anglo-German Agreement of 1890. Through treaties with the leaders of the Sebei, Karamojong and Pokot, some administrative control was established.

In 1902 the Eastern Province of Uganda was transferred to Kenya. Until 1926, the Saum river, from its origins on Mt Elgon through the Turkwell to Lake Turkana formed the international boundary between Kenya and Uganda. It is a stretch of 933 km. The southern and eastern sections of the present Pokot district became part of Naivasha province of Kenya. The area to the north of Saum River, presently Kacheliba division became part of the province of Uganda<sup>79</sup>.

When the researcher visited the border area in 2001-2, it was observed to be very long, creating difficulties effective positioning of security to regulate the border-crossing activities. There are no customs points and no immigration checkpoints from Mt. Elgon to Lokichogio (Kenya). People are free to move easily across the border, as are their animals and arms. The only border locations with international border clearance points are Malaba, Busia and Lwakakwa<sup>80</sup>. Families straddle these borders. A former senior security boss and an MP in Uganda observed that; "the people on the border are akin to each other. They have the same customs, speak same language, they are same people, have same destiny divided by borders"<sup>81</sup>.

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<sup>78</sup> Focus group interviews with elders, Alale West Pokot, 2 August, 2002

<sup>79</sup> District Commissioner, West Pokot Annual Report, 1934.

<sup>80</sup> Observations 2001-2003

During the field research in the area, the researcher observed the only marker to indicate the border was a stone. When the researcher visited Alale, which is 20 minutes drive into Uganda, the police station had collapsed and there were only three policemen. A Somali home guard that had been living in the area for 40 years told me; "During the colonial period, the police were well equipped, but what can 3 policemen do with well-armed cattle rustlers?"<sup>82</sup>

The Pokot live on both sides of the border, crossing frequently as a matter of course, rendering the border meaningless. This was expressed by one of the respondent interviewed: "Pokot are Pokot and they extend from East Baringo (Kenya) to Upe (East Uganda). The border has no meaning because the government operates far away from the people".<sup>83</sup>

Father Romerio of Alale Catholic mission observed that: "Pokot do not know the border and also people from Nasule Pokot go to Uganda during dry season. During rainy season they return- go come go".<sup>84</sup>

On 27<sup>th</sup> August 1945, a joint baraza<sup>85</sup> was held at Kongelai attended by the two divided sections of the (Pokot). The provincial and district commissioners were present. The Karasuk (Pokot) from the Uganda side expressed contentment with their lot, but the Kenya Suk unanimously expressed the wish to be re-united with their brethren on the other side of the river, in one province under one district commissioner: whether in Kenya or Uganda was of secondary importance.<sup>86</sup>

In a focus group discussion with elders in Alale (West Pokot) the common view was:

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<sup>81</sup> Pulkol, David, Former Deputy Director of UNCIEF and External Security boss for Uganda, Interview, Moroto, 18 May, 2001 and 18 January, Kampala, 2003

<sup>82</sup> Home guard, Interview, Alale, West Pokot, 3rd August 2002.

<sup>83</sup> Pokot Elder, Interview 31 May, 2001

<sup>84</sup> Father Romerio- Interview, Alale, West Pokot, 2 August, 2002

<sup>85</sup> Open public meeting

<sup>86</sup> District Commissioner, West Suk Annual Report, 1945:2-3.



Pokot have been divided into two. The Uganda Pokot and the Kenya Pokot. All of them are Pokot; there is no single moment that the Uganda Pokot and the Kenya Pokot will kill each other or fight. The reason for the conflicts with Karimojong is the boundary. The Pokot are trying to keep their land, while Karimojong fight Pokot to try and take their land. The Pokot elders claimed Karimojong are trying to move them from Achirichori and Pokot have refused to move but stay and fight for their land.<sup>87</sup>

The borders were created to try and maintain law and order. However, they were fixed without due regard for the pastoralists' livelihood needs or future expansion. They were political tools to make control easy. This led to the start of migrations of the Pokot in search of pasture, water and security for their livestock (Ezati et al 1997).

Some of the border region is very fertile, but insecurity has prevented the Pokot from farming<sup>88</sup> it, especially since 1980, a key date known as the 'Dark Year' when over 10,000 Karimojong and the Turkana in Kenya formed an alliance, invaded the Pokot district, raided their cattle and looted their homes. This signalled a mass migration by most Ugandan Pokot into Kenya, though now, many have moved back. On January 3, 2003, the short-lived peace came to an end. A good number of Pokot from Karita ran to Kenya again. The Pokot raided Pian settlement in Namalu<sup>89</sup> and raided 200-600 cows<sup>90</sup>.

Attempts by the colonial government to stop the expansion of groups like Turkana migrating southwards into Samburu and Isiolo districts of Kenya create conflict. Currently the Turkana make up half the inhabitants of Samburu district near Baragoi. The result is tension and considerable conflict. In laying the boundaries between the

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<sup>87</sup> Focus groups with elders, Nauyapong, Alale, 2 August 2002. Among the people in the FGD included Arimot, the son of Loitamutachum, now 80 years old and one of the most powerful elders in Pokot in Nauyapong (Alale), which is 30 minutes to Uganda from Kenya. It must be noted that Achirichori is a watering point.

<sup>88</sup> Example is Karita, occupied by Upe Pokot (Ugandan Pokot)

<sup>89</sup> I visited this village on 26 January 2003, I witnessed buried bodies.

Samburu and Turkana, the Samburu lost their best grazing grounds. Both Kulal and Marsabit mountains were previously in Samburu, however, in 1909, they became part of Rendile. Northern Laikipia was alienated for European settlement. From 1912, the European settlers in Kenya were agitating for the alienation of Leroki plateau, the only dry season grazing preserve for Samburu<sup>91</sup>.

The creation of British-fashioned boundaries aggravated the relations between the Karimojong and their neighbours in Uganda. The pressure resulting from the demarcation of boundaries continued by the post-colonial administrations is discernible in the current cross border conflicts and is manifested by the inter-group raids along the borders. There are frequent land meetings between administrators and the people, a symptom of the spiralling of border conflicts. As noted by Ocan (1992), the borders changed land regimes. Borders were drawn without thinking of linkages between people. They are fluid, unrealistic and very artificially drawn without much consideration of the ethnic groups though drawn to bring law and order. They have failed to act as a buffer against hostilities as envisaged by the colonial government. Instead they raise the question of what rights pastoralists have vis a vis land through which to move in order to graze. For those that live on border areas, issues of citizenship need to be addressed. Understanding the issue of borders is vital to management of pastoral conflicts since it introduces an international and even regional perspective to conflict, complicating any mitigation mechanism. It is this regional dimension that feeds the arms and ammunition flows to both Kenya and Uganda.

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<sup>90</sup> This is noted in chapter 4 when I discuss the postcolonial governance relations to pastoralists.

<sup>91</sup> See KNA/PC/NFD4/2 Samburu Affairs Boundaries 1919-1930.

### 3.3.3 Marginalization and Land Alienation

In this section, we see not the powerful warrior like, wealthy, prestigious, pastoralists of the early 19<sup>th</sup> century<sup>92</sup>, but the cross border pastoralists who have been forcibly marginalized, displaced from their land and restricted in mobility.

#### Marginalization

The insecurity described in chapter 5, is one of the prejudices used to justify the marginalization of pastoralists in terms of development.<sup>93</sup> Both the colonial and postcolonial governments have marginalized pastoral areas. The colonial government acknowledged political and economical marginalization of the pastoralists. In his annual report of 1945, the District Commissioner (DC) of West Suk argued that:

West Suk, after 34 years administration, ranks as one of the most backward districts in Kenya. This is in no way the fault of the tribe who are in character and intelligence the equal of most and superior to many tribes who have passed them in the race, while the country is full of potentialities for development. This lag is attributable solely to the fact that geographically they are on the edge of the world and West Suk has come to be regarded as a Cinderella district where nothing much happens and to which no great attention need to be given so long as they behave themselves. This is in consonance with the policy which appears to have been adopted by Government, possibly without fully appreciating the implications, viz. 'To him that hath shall be given.' The inevitable result is that those districts which are called 'Advanced' because they are rich are given an ever increasing share in the social services and other good things which a bountiful government

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<sup>92</sup> Atieno Odhiambo et al (1977): 38-46, also see also Kenya Land commission 1933, which notes that Masai were a formidable power in East Africa. They successfully asserted themselves against the Arab slave trade, and required tax for those that passed their lands.

<sup>93</sup> Field notes 2003 in Karamoja noted this.

bestows, thereby ever widening the gap between the 'advanced' and the 'backward' areas<sup>94</sup>.

They are no longer "free pastoralists" managing their own life as their lands have been alienated. Current governance in eastern Africa is dominated by manipulation of ethnicity, patronage and a political culture of exclusion. This has continued from the period prior to independence. The governments of the east African region have made some efforts to include pastoralists, but they are still not adequately represented in political life and in decision-making organs.

Paullina Isura echoed this marginalization from the Upe Pokot community in a presentation in Mbale, Uganda:

Conflicts come because the people have been neglected since colonial times. It looks as though government is dividing people, because some areas are being developed and others neglected (OAU/ IBAR, 2001).

The two North Rift states of Kenya and Uganda have failed in facilitating equitable development among the various pastoralists communities and they rate poorly on aspects of governance. Their performances have resulted in marginalization of pastoralists from mainstream development. The needs of pastoralists are disregarded in the planning of national development.

An interesting viewpoint is that marginalization has enabled pastoralists to retain their culture, which has existed for centuries to ensure their mode of survival. Though some of the culture has been eroded, much is still intact. The framework that still exists can be exploited to manage the armed and resource conflict.

When communities encounter injustice and continual marginalization and the involvement of government officials in supporting criminal activity, tension and

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<sup>94</sup> District Commissioner West Suk Annual Report 1945.

conflict are created. The prejudice against marginalized areas and the attitude governments have is reflected when government sends security forces to these areas. They are already prejudiced and take actions that do not meet the reported insecurity situation.<sup>95</sup> This is further exacerbated by a combination of inequitable policies, lack of access to justice and lack of understanding of pastoral areas. Governments have always viewed pastoralism as a marginal economic way of life. The media in both Kenya and Uganda have argued that pastoral conflict is indirectly the communities' response to what is perceived as the two states' inability or failure to guarantee their security.

### **Land Alienation**

Karamoja is an area abundant in minerals and currently a growing commercial interest especially in Moroto district, Matheniko County, where there is rapid increase in granting of exclusive mineral prospecting license in Karamoja. Mining is currently a booming business. In Moroto district some of the areas alienated cover areas used for permanent settlement, dry season grazing and critical water points.<sup>96</sup> Muhereza and Bledsoe (2002:27) report that:

Every inch of land in Karamoja where there are minerals is now covered by an exclusive mineral-prospecting license issued by the Commissioner of the Geological Surveys and Mines Department.

Research indicated that six private companies owned by an Indian from Mombasa Kenya were exporting cement to Tororo. Exclusive prospecting licenses are given without consultation with the community, which is a major problem given that the communities see themselves losing out<sup>97</sup>.

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<sup>95</sup> Speech by Honourable David Ethuro, MP of Parliament from Kenya, given at the International conference on small arms held in Jinja, Uganda 8-13 November 2001.

<sup>96</sup> Interviews with Uganda Wildlife Authority, Nakapiripit January 2003.

<sup>97</sup> Interviews and observation January –February 2003, May, and November 2003. I also interviewed the Somali businessmen that own the mineral companies.

Laws have continued to restrict pastoralist access to other grazing areas. For example the constitution of Uganda restricts Karimojong access to water and grazing and their customary rights are not legally recognized. The Natural Environment Statute No.4 of 1995 that regulates the use and management of wetlands does not contain any provision regarding this issue. Furthermore, local governments prohibited their entrance to other districts using the argument of the insecurity caused by the Karimojong herders. The result is the confinement of herds in fertile areas around the mountains in Karamoja that are also used by Karimojong agriculturalists, protected by environmental conservation policies and recently targeted by private investors for ranching, cotton growing and mineral prospecting.<sup>98</sup>

In Samburu, there were attempts by the colonial government to deprive the pastoralists of the Leroki plateau, their most reliable grazing zone. Some land has today remained alienated for ranching and farming. The drive from Maralal to Baragoi is flanked by beautiful large European farms. However there were moves made by the post-colonial government to address the needs of the pastoralists for land<sup>99</sup>.

The European farms in Kenya's Rift valley were acquired by alienation during the colonial period. Before the British administration made Kenya a British colony in 1889, the Maasai roamed the rich plains of Laikipia, coexisting with wild animals<sup>100</sup>. On two occasions 1904 and 1911, the Masai were moved from their lands to create room for British settlers after signing separate treaties (Anglo-Masai) to move the community.

Some of the movement was done through treaties signed between local chiefs and Sir Percy Girouard; some by marching the population of entire villages

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<sup>98</sup> Interviews David Abaho and Andrew Orgoma, Uganda Wildlife Authority 27 January 2003; Also Rafi Atthiyou, Secretary of the District Investment Committee (DIC) Nakapiripirit. Local papers in Uganda in September-October 2004 indicated that land has already been given to Libyan investors.

<sup>99</sup> Were and Ssenyonga 1986

<sup>100</sup> See Mkutu 2001 op cit.

away from their most fertile lands in Laikipia and Rift Valley at gunpoint in exercises now known as the Maasai Moves<sup>101</sup>.

Sir Charles Elliot, commissioner of the Protectorate argued,

I cannot admit that wandering tribes have a right to keep other superior races out of large tracts of land merely because they have acquired the habit of struggling over more land than they can utilise<sup>102</sup>.

The agreements gave the British rights to use land traditionally occupied by the Masai.<sup>103</sup> The agreements signed by the colonial regime state that the Maasai would cease ownership of areas located next to the Kenya-Uganda border and leave it for exploitation by the colonialists. Since then, African commercial farmers have also alienated more land in the area. The agreements, “signed” 100 years ago, with the Maasai in terms of which the latter handed over their land to the British and now taken over by the elite Kenyans, were clearly immoral and fraudulent. An illiterate Maasai Chief lacked contracting capacity in law.

Since that time, ranchers, local investors and private landowners have acquired vast tracts of land, with ‘grabbing’ by the governing elite and aristocrats.<sup>104</sup> This has reduced the land available to the Masai, and other pastoralists for grazing and access to water.<sup>105</sup> As I drove from Rumuruti towards Sunguta, I saw enclaves of white farmer ranches on both sides of the road, electrically fenced. I wondered whether I was truly still in Kenya. At the same time the Samburu and the Maasai people are squeezed into reserves inadequate to sustain their animals in dry weather.

Interviews in September 2002 noted that some of the large ranches were on sale.

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<sup>101</sup> Kenya Land commission 1933-34 “The Masai Province: Some observations on the Agreements of 1904 and 1911 and their effects.

<sup>102</sup> Kenya Land Commission 1933-34 Part II: Chapter 1:185, paragraph 635 and 642

<sup>103</sup> See Kenya Land commission 1933-34

<sup>104</sup> See Mkutu 2001

<sup>105</sup> See Memorandum “The Pokot Land Claims in Trans Nzoia District (1895-2002). Also Karamoja

While European farmers own most of the ranches, some prominent Kenyan personalities<sup>106</sup> also possess them. This brings into the Laikipia question not a racial issue but a class issue, which demands more research.<sup>107</sup>

Leys writing in the 1970s in *Underdevelopment in Kenya* noted a new breed of ranchers referred to as 'telephone farmers' because they were said not to be very much involved in the actual digging and planting<sup>108</sup>. Over time, the ranchers have been able to build boreholes and hence have plenty of water as opposed to pastoralists who have to migrate during the dry season. With the alienation of more land traditional migration routes are interrupted and given that pastoralists depend on free movement for their animals, especially during drought, conflict was inevitable.

Ole Ntimama (2000), discussed the issue of returning land to the Maasai people:

If you look at the Kenya today, the people of central Province lost only small areas of land like Thika, Kabete, Kikuyu. They have already recovered them and settled on them. I don't know what compensation they would be looking for. The Kambas have got part of the east Athi River.... most of them are occupying those areas. But we (Masai) haven't got anything back. Nobody has considered us and this is because we have always been in the periphery and not near power like everybody else.<sup>109</sup>

Ntimama is half Masai, and therefore care must be taken in interpreting whose interests he represents. He has been in Parliament for years but has failed to consistently represent their interests.<sup>110</sup>

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<sup>106</sup> Some of the prominent Kenyans with ranches in Laikipia include: Former President Daniel Arap Moi, owns the Eland Downs ranch which is 17, 000 acres, Francis Ole Kaparo, Kenya House Speaker and MP, Simon Nyachae, MP has 8,000 acres Manyangalo farm, other include Njenga Karume.

<sup>107</sup> See Kenya Times 18 August 2004 "resolving the underlying issues in Laikipia land conflict" <http://kentimes.com/18aug04/nwsstory/opinion1.html>

<sup>108</sup> Leys 1975

<sup>109</sup> See East African Standard 18 May 2000 "Why I crusade for the indigenous land rights". Ole Ntimama is a former minister and currently a member of parliament.



In 2002 the Organisation for Survival of the Lilaikipiak Group Initiatives (Osiligi) presented petitions to the constitutions of Kenya Constitutional Review Commission with some claims.<sup>111</sup> Osiligi wanted the government to ensure that the lands revert to the Maasai as stated in the 1904 agreement. In an interview, Legei, a programme officer with Osiligi argued that the 1904 and 1911 agreements were “fraudulent in the first place and registration of title deeds should be challenged in law.”<sup>112</sup>

Ole Kaunga noted that: “the current buyer principle is unacceptable to the Masai and other marginalized groups because it is discriminatory.”<sup>113</sup> The Maasai Land Agreement of 1904 expires in 2004. Appendix IV of the agreement reads in part; “we the Masai would, however, ask that the agreement now arrived at shall be enduring as long as the Maasai as a race shall exist”. Mr. Powyse, a leading large- scale farmer and chairman of the vocal Laikipia Wildlife Forum, argues that the call by Osiligi for the abolition of title deeds is a recipe for chaos.<sup>114</sup>

On 13<sup>th</sup> August 2004, the Masai marched at the British High commission in Nairobi, demanding back their land<sup>115</sup>. Further to this, recent reports indicate that the pastoralists decided to invade the ranches and several of them have been charged in court for invading private lands.<sup>116</sup> However, one issue that must be addressed when examining the Laikipia conflict is the African commercial ranchers that have also grabbed land in Laikipia, otherwise this is understood as simply a 'racial'/ethnic question. What seems to be happening is that the African commercial

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<sup>110</sup> Care must be taken to differentiate between the elite pastoralists and the poor voiceless pastoralists.

<sup>111</sup> See Observer 8 February 2004 “Fight for the Forbidden Land”.

<sup>112</sup> Kaipai, Ole Legei, James, Interview, Dol Dol, 2 September 2002

<sup>113</sup> The current buy principal rests on willing buyer seller principal. Most of the land in Laikipia owned by pastoralists is communal land ownership, though a few Maasai's that were educated early managed to get individual ownership.

<sup>114</sup> Prof Ruth Oniang'o (nominated KANU MP) recently wanted to know in parliament when the leases would expire. See Daily Nation 29 July, 2004 “Private land ‘will not be taken back!”

<sup>115</sup> See Daily Nation 14 August 2004 “Masai demand ancestral land” Kenya Times 15 August 2004.

<http://www.kentimes.com/15augo4/nwsstory/news8.html>; See also East African Standard 14 August, 2004 “Masai Demand ‘their’ land from British ranchers

<http://www.eastandard.net/headlines/news14080421.htm>

<sup>116</sup> Daily Nation 24 August 2004 “50 Charged over land invasion”

ranchers/farmers are very happy to see opprobrium directed at the 'white' farmers. If the British/white farmers were to be persuaded to leave (say with British government financial support), then this would clearly leave a space for African commercial ranchers (rather than the Maasai ordinary folk) to move into. The Kenya "elitists" class is quite pleased to let the Masai make the space for them, even violently. The Laikipia ranches conflict seems more clearly appear as one of opposing class interests (pastoralist subsistence vs. commercial/capitalist interests) whereas now this is obscured by the competition between capitalists (African/British).

The section on scarcity earlier in the chapter noted the conflict between the Laikipia ranchers and Masai and other pastoralists. During the time of research in the field, interviews with elders in Dol Dol revealed that the cause of the crisis was not just drought. Ewaso Nyiro River and its tributaries are vital to the pastoralists in the various districts of Kenya.<sup>117</sup> The source is in the Aberdares Mountains, while its tributaries emerge from Mt. Kenya. There are four major economic activities in Laikipia district; commercial farming, traditional cultivation, pastoralism and ranching all competing for land and water. In Laikipia at present<sup>118</sup> nearly 38-40 commercial ranchers and commercial farmers own 70% of the land,<sup>119</sup> the farms range from 60 acres upwards amounting a total of 6260 square kilometres<sup>120</sup>.

The water needs of the commercial farmers have increased over the past seven years, as Laikipia has become one of the areas where large-scale horticultural companies have also alienated land and rely on irrigation. The high demand for water affects pastoralist communities downstream who compete for the dwindling Ewaso Nyiro River. The excessive consumption of water from the river by large companies

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<sup>117</sup> This are; Isiolo, Laikipia, Samburu, Garrissa.

<sup>118</sup> Dol Dol (Mukogodo division) occupies just (1,100 sq. km) of Laikipia district (app. 10,000 sq. Km) in the Rift Valley of Kenya.

<sup>119</sup> Muriithi, District Livestock research officer, Interview, Nanyuki, 4 September 2002. Also District Officer, interview, Nanyuki, 4 September 2003.

<sup>120</sup> See Mketu 2001

rendered the “river of God” dry. This was the argument of the pastoralists, though it is disputable.

Without it, pastoralists will not survive; hence they do whatever they can to get pasture and water. The way ranches upstream consume the water, to the detriment of those downstream water, is an issue needing a regulatory framework. The competition for these diminishing resources ignites pastoral conflict. There is a high risk of conflict unless arrangements are made to ensure access during droughts.

### **3.3.4 Agriculture- Pastoralism Interface**

Policy makers have always preferred agriculture as an economic activity to pastoralism. In 1914, C.M. Dobbs, the Nyanza Provincial Commissioner (PC), spelt out the policy of discouraging pastoralism;

The best interests of the natives are served when they are practically compelled to take to mixed agriculture. Among all African tribes excessive pastoral proclivities influence nomadic or unsettled conditions in their life.<sup>121</sup>

The then Governor of Kenya, Belfield, strongly agreed with Dobbs:

I deprecate in the strongest possible way the suggestion that pernicious pastoral proclivities should be encouraged by the grant of any right for grazing purposes. My policy is to discourage these proclivities by every legitimate means, not only because they are productive of nomadic tendencies but also because they inculcate in the minds of people distaste for any settled industry.<sup>122</sup>

Throughout the colonial period and in the postcolonial period up to 1970-1, the governments of Kenya and Uganda were mainly concerned with growth in agriculture

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<sup>121</sup> See Kenya Land Commission, 1933-34, Van Zwanenberg and King, 1975: 92.

<sup>122</sup> Ibid.

for marketing.<sup>123</sup> This denied any resources for the development of pastoral areas. The government's first aim was to 'pacify' the semi nomadic peoples and then merely to maintain law and order.<sup>124</sup>

Most of the pastoral areas were 'closed districts' and the maintenance of order remained the major goal of colonial government officials. The best hope was to transform pastoralists into agriculturists, which would be simple to manage.<sup>125</sup> From the 1950s, the colonial governments in Kenya and Uganda sought to introduce private land tenure. The 1954 Swynnerton Plan introduced the concept of title deeds in Kenya. There were efforts to integrate pastoralists into the new system through creating 'group ranches'<sup>126</sup>. Private group title gave security to these groups but also circumscribed their ability to access pasture and other resources outside the group ranch.

As pressure on land has increased in the "fertile" parts of North East Africa, arid and semi arid lands (ASAL) have become the focus for agricultural expansion.<sup>127</sup> in Kenya, 24 districts lie at least partially within this area and comprise 80 percent of the total area of Kenya, with approximately 25% of human population and over 50% of the country's livestock population.<sup>128</sup>

In Uganda arid areas cover nearly 43% of the total land area, with a population of nearly 6.6 millions. These areas are spread over several districts. The colonial government gazetted (government sanctioned) 25% of this land as protected areas or

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<sup>123</sup> See Van Zwanenberg and King, (1975: 87)

<sup>124</sup> *ibid.*

<sup>125</sup> In order for Sir Charles Eliot the first Consular -Commissioner General to obtain the acquiescence of the African tribes to accept the protection rule, between 1900-1908 a series of military expeditions were undertaken against recalcitrant tribes: expedition against the Nandi in 1901, 1905 and 1906 against the Kipsigisi in 1906. And the Masai were completely moved from their lands 1904 and 1911 agreements and moved into reserves destroying the entire pastoral life.

<sup>126</sup> Interview with elder Matunge noted that in Dol Dol unlike elsewhere in Kenya only a few people managed to get title deeds for group ranches, until recently.

<sup>127</sup> While, definitions vary, Arid and Semi arid lands are areas that get too little rainfall for cultivation.

<sup>128</sup> See Government of Kenya 2002:41: see also Government of Kenya 2001: 35, which notes that value of the livestock base in the arid and semi arid lands is estimated at about KSh.70 billion.

‘wildlife reserves’<sup>129</sup>. The most recent strategic meeting in Karamoja noted that according to government policy, the Karimojong do not have land (Karamoja Strategic Workshop, 2002). This is because the entire Karamoja green belts are gazetted.

During field research, interviews revealed that large-scale agricultural capitalists from Libyan and Italian investors had identified Nakapiripit as a potential area for investment. They requested the allocation of land to invest in agriculture, (sunflower, sim-sim and ranching). Honourable Lokeris, Minister for Karamoja informed the researcher that Karamoja MPs are currently advocating for the degazetting of the Pian-Upe Wildlife Reserves. He argued: “the land should be given to the African International Company, the rationale being that it would create local employment.”<sup>130</sup>

However, a letter from the office of the Minister for State of Tourism and Wildlife and Antiquities argued that the ministry felt that the Pian-Upe wildlife reserve should remain an environmental protected area.<sup>131</sup> Apparently, the Pian-Upe wildlife reserve was created in 1965 with the unofficial understanding that the Pian would be allowed to graze their cattle within the reserve in critical times. Pian-Upe wildlife reserve constitutes about 80% of their grazing area, providing potential grazing for 20,000 cattle. The excision, which commenced in the 1950s, has taken up huge tracts of land and crucial sources of water.

For the last three decades, the population of Kenya has grown from 6 million to nearly 30 million<sup>132</sup>. Between 1967 and 1979 districts such as Laikipia, Samburu, Kajiado and Narok in Kenya (all pastoralist areas), experienced annual population growths of respectively 7.3, 5.6 and 5.3 percent<sup>133</sup>. Between 1979 and 1989 the same districts

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<sup>129</sup> Mamdani et al, 1992; Mugwera-Kisemba, 2001

<sup>130</sup> Honourable Lokeris, Peter, Minister for Karamoja, Kampala. 21 January, 2003

<sup>131</sup> See letter Reference WC230/240/01 of 7 November addressed to The Chairman LCV Nakapiripit from office of Minister of state for Tourism, Wildlife and Antiquities.

<sup>132</sup> Housing and Population Census 1999

<sup>133</sup> Government of Kenya, 1969 and 1979 population and housing census

experienced annual population growth of respectively 5.0, 5.7. and 6.6 percent<sup>134</sup> based on migration not expansion. African subsistence and commercial agricultural farmers from the densely populated areas are now buying land in pastoral areas made available by the liberalisation of the land market. This forces pastoralists to graze their livestock on an ever-shrinking range of inferior quality land resulting in tension and conflict.

For decades, Sedentarisation has been preferred to pastoralism by both the colonial and postcolonial regimes. In both countries (Kenya and Uganda), privately owned ranches such as the Ankole/Masak ranching scheme in Uganda and in Kachiliba areas of Kenya were created. The changes reduced the pastoral areas available for herding cattle, and became a source of conflict, within cattle grazing areas and with neighbouring districts.<sup>135</sup>

However, due to insecurity and the high risks involved in pastoralism, many pastoralists are turning to crop farming. In Teso, Uganda, cattle raids from the Karamoja are resulting in the Iteso are becoming crop farmers.

### **3.3.5 Changes in Intergenerational System**

#### **Elders and Diviners**

Many pastoral writers are arguing elders have lost their power, see for example Hendrickson (1999), Masinde et al 2004. This is an incorrect assumption in most pastoral groups. Interviews with several elders and community members in Moroto, Nakapiripit (Karamoja) Uganda, Alale, Kachiliba and Kapenguria (West Pokot), Baragoi (Samburu) revealed that they still possess considerable power.<sup>136</sup> Pokot and

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<sup>134</sup> See Government of Kenya 1979,1989 Population and Housing census

<sup>135</sup> Ibid: 6

<sup>136</sup> Warriors raid and share the loot with the elders while some elders like the diviners bless the youth.

Hogg pointed out that the role of the elders has been affected by the fact that youth are now educated and able to operate in a different kind of arena. Elders can no longer operate the kind of sanctions they once could<sup>140</sup>.

In conclusion, the elders' powers originate from the control of access to resources and marital rights, they have access to networks that go beyond the clan and ethnic boundaries. In addition they possess supernatural powers reinforced by superstition and witchcraft. Finally they work as courts with broad and flexible powers to interpret evidence, impose judgements and manage the process of reconciliation<sup>141</sup>.

The role of diviners is also changing. Dr. Hogg, informed me;

There is insufficient literature on the role of *emuron* in providing the incentives for the young men to go raiding or giving them animistic security during raids. It is easy for that relationship to become corrupted in this modern day. There is a tendency for it to become a pecuniary type of relationship where young men and militias are being used as a way of getting money and livestock. Thus the whole commercialisation of the conflict area and the role of the *emuron* has become corrupted.<sup>142</sup>

Alliances made by elders and diviners are acquired for protection, or to add resources to the community through retribution. These undefined predictable and sometimes unpredictable alliances are "a real source of insecurity" complicating pastoral conflicts and making them more lethal. They are vital in determining the move of small arms, stolen cattle and ammunition across the borders. Unlike the past, this internally regulated conflict alliance is on the increase. It could be attributed to the scarce resources competition, increase in raids and also increase in population as compared to the past.

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<sup>140</sup> Interview, Hogg, Nairobi, October 2002,

<sup>141</sup> See Mkutu 2001,2003 also see Masinde et al.

<sup>142</sup> *ibid.*

## Youth

The role of young pastoralists is changing. In Baragoi, Mukogodo, Alale and Karamoja, it was revealed that young men are involved in violent cattle rustling and banditry because their livelihood is under threat due a general scarcity of livestock.<sup>143</sup>

Councillor John Lomering concurred and noted;

They are the raiders. They are the ones who raid, stealing in order to survive. Old men do not do it<sup>144</sup>. Today, due to raiding and famine, livestock is diminishing; the youth are idle with nothing to do.<sup>145</sup>

Previously, pastoralism was a full time occupation for all (Odegi-Awuondo, 1990:33). Division of labour was by age and sex, and there were no known idlers. Males were most economically productive when they were youthful, energetic and agile and could move fast and far over the difficult terrain as herders, scouts and warriors. Now, as Hogg informed me:

Employment in pastoral areas is complicated because you are not talking about formal employment. For young men, there is increasingly the issue of having gone through some minimal schooling and not being able to be absorbed in the pastoral sectors. Where do they go? Many of them have gone to look for employment in major urban areas as watchmen.<sup>146</sup> They cannot find anything that can gainfully employ them locally so they work as watchmen and remit money back and that keeps the local economy going. As regards to conflict, suddenly you have a lot of young men who do not have anything to do because the traditional avenue is closed. Livestock economy is

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<sup>143</sup> Paramount Chief Narenga, Joseph, of Samburu Interview, Baragoi, 21 August, 2002

<sup>144</sup> This is clearly not true as the elders do sometimes order the youths to raid.

<sup>145</sup> Counsellor Lemoyine, John, Interview, South Horr, 22 August 2001.

<sup>146</sup> Example Borana are employed as watchmen.



not as booming as it used to be, so not absorbing as many young men; the nature of herding has changed, as money is a factor; yet these young men cannot be absorbed in the economy. What do these young men do? Formal sector is small. Therefore, the young men will look for other alternatives and many of them are now being involved in banditry.<sup>147</sup>

Osamba (2000), talking about the pastoral youth in Turkana argues that they are available and ready for mobilisation offering service to the highest bidder.

More “unemployed” youth will join raids; others will be forced to become bandits on the roads. The youth are becoming more involved in violent occupations, with the cattle diminishing<sup>148</sup>; they are playing a major role in the system of racketeering and are easily manipulated to join militia groups. They are the principal perpetrators of violence in the pastoral regions and with the population on the rise, violence in the region is bound to increase as illustrated in the role they played in the 1992 and 1997 Rift valley clashes in Kenya.<sup>149</sup>

Youth is a period of great emotional, physical and psychological stress through which, in pastoral areas, there is no safe passage. Most of the adolescents have been dominated by war and the relationship between youth and the adult has not adapted adequately<sup>150</sup>. In addition young men in pastoral settings were obliged to be violent to protect cattle and people, to raid (defence/offence). Such violence had customary constraints, but those who wield them are no longer officially recognised. Violence is therefore less constrained and its impact is greater due to the new technology of small arms.

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<sup>147</sup> Interview, Dr. Richard Hogg, Nairobi, September, 19, 2002

<sup>148</sup> Most of the raided cattle are sold in the markets see De De Koning op. cit for Jie

<sup>149</sup> See Report of the Parliamentary select committee to investigate ethnic clashes in Western and other parts of Kenya, 1992; Akiwumi report, 2002).

<sup>150</sup> See Chapter 5

During fieldwork young people were found chewing *khat*,<sup>151</sup> (a wild drug similar to amphetamine) grown on both Mount Napa and Mount Kadam, on the border of Uganda. Chronic users develop some degree of psychological dependence; depression, anxiety and irritability while longer use may even lead to aggressive behaviour among the young people. With no other prescribed role the youth are now found to be idling in town centres drinking alcohol and chewing the *khat*. This is a new phenomenon in Karamoja as it is mostly Somalis who are known for this habit.

In April 2003, three girls from Lia Primary School on the outskirts of Moroto from Jie were on their way home when three shepherds decided to shoot them for no reason.<sup>152</sup> Apparently the shepherds obtained their guns from the warriors, their older brothers. This is a horrifying new dimension of the pastoral conflict where now some of the under 15 year olds are using arms. Interviews indicate that the youngsters were drunk<sup>153</sup>.

### **Conclusion on Traditional Power Structures**

The elders are still vital to understanding conflict in pastoral areas. Traditional governance retains an important part in responding to conflicts. The harmonization of administrative/ local councils are a good example of how synergy between traditional governance and modern public administration can be achieved which is lacking in the entire pastoral area in the North Rift. The erosion of the traditional structures for conflict resolution through councils of elders, traditional courts and peer or age-groups supervision, has rendered pastoralists' ability to control conflict more

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<sup>151</sup> *Khat* is a green literally brownie green leaf of a shrub, which takes five years to reach maturity then bearing fully for perhaps 10 years. This drug is indigenous to East Africa and the main active part is alpha-aminopropiophenone, cathinone. The effects of the cathinone are related to those of amphetamine, which is a stimulant drug. It has a wide range of names like Mirungi in Kiswahili, Mairungi in Kikuyu, *Miraa* by the Meru or Ol-Meraa by the Masai and also the widely used term Chat attests to it's widespread use and geographical distribution.

<sup>152</sup> Field note interviews January, 2003 Moroto, Uganda

<sup>153</sup> Interview Edision Achia, Moroto 2 October 2004

ineffective. Such structures can still be used if indigenous knowledge and culture are recognised and respected by modern public administration.<sup>154</sup>

It is obvious that the pastoral communities in the North Rift are undergoing a major transformation in all levels of the society. However, with the weakening of the role of elders and the emerging conflict with the young people, life in pastoral communities is bound to change. The direct roles of the kraal leaders and diviners and their relationship with the warriors could allow them to wield enormous powers.

### 3.3.6 Gender Relations Under Growing Tension

Nowadays, male youth, especially those from poor families, have to raise bride wealth by themselves, sometimes through armed cattle raids.<sup>155</sup>

The Deputy head teacher of Kaala girl school told me:

The girl is the one that causes the problem of insecurity. The man wants to marry and needs the livestock to marry, so he has to go livestock raiding... If a woman is not married with cows she is invalid, any man can collect you, and women are commodities to trade<sup>156</sup>

Data collected from areas of study indicate that bridewealth prices are high in the entire North Rift as compared to other non-pastoral communities. This is one of the major causes of the persistent raids by warriors. A KISP elder, argued “youths from poor families risk their lives by raiding in order to get cattle to pay for their bride price.”<sup>157</sup>

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<sup>154</sup> Interview with Father Paul op cit. noted that if you capture the elders, you will have captured 75% of the youths. Some of the people that raid on roads are the elder's sons.

<sup>155</sup> Father Paul Interviews, Namalu, 24 January, 2003

<sup>155</sup> See Mkutu 2003:15-16

<sup>156</sup> Rachel, Christine Deputy head Kaala girls school Interviews, Amudat, 15 June, 2001

**Fig 3.3 Bride wealth in terms of Livestock in the Study areas.**

Place and type of livestock	Laikipia Masai Dol Dol Mukogodo division	Samburu <i>Baragoi</i>	Karamoja <sup>158</sup>	Pokot- Kenya and Uganda
Goats	1-2	3		30
Cows	10-15	8-15	30-60 (Matheniko, Pian) 130-160 (Jie)	15-30 <sup>159</sup>
Camels	-	1		
Donkeys	-			
Sheep	2			
“Gifts” <sup>160</sup>	Ksh.4000-5,000 & shuka (sarong)	10,000ksh		

Sources: Interviews, Focus group Discussions, in-depth interviews, field research 2000-2002. Gifts, Sheep, Goats and Camels are required *in addition* to Cows.

Interviews in Samburu revealed it is not just bridewealth, which ranges from 8-15 cows, but also, they have to pay fees<sup>161</sup> for the negotiation by elders. This is similar among the Masai in Dol Dol Laikipia. The young *morans* must pay fees if the girl was made pregnant and removed from school, which is very common. For the Laikipia Masai, it is sufficient to note that the cows paid are few due to the diminished cattle in the division.<sup>162</sup> However, the price depends on negotiations. The cows given for the bridewealth are not just given to the girl’s parents but to others in the lineage/ clan.

Whilst it is possible to marry without bridewealth it is problematic, as noted by an elder:

You can stay with my daughter, if you get the first child, you pay! You come and say I have sinned! You compensate the blood of my daughter. You also

<sup>157</sup> Ichumer, Philip, op cit.

<sup>158</sup> The Karamojong pure refers to Matheniko, Pian and Bokora North-eastern Uganda

<sup>159</sup> Nachap, Christine LC5, Karita, Interview Amudat, 27 January, 2003, confirmed that bride wealth is 1-30 cows, but the education the lady has attained matters. Learned couples can negotiate for the dowry.

<sup>160</sup> Interviews with moran varied. In Mukogodo, Alale (Pokot) the morans complained that they have to pay fees especially food for the elders who negotiated. On the side of the women, the morans pay shuka (sarong) as fees.

<sup>161</sup> Focus group interviews with *Morans*, Bendera, Baragoi 21 August, 2002

say thanks! You pay 30 goats or 3 oxen. You stay with the girl and it's up to you. When you die the children come back. When it's time for initiation, the clan of the mother initiates the children.<sup>163</sup>

This demonstrates that without bride wealth reproductive capacities of women remain with their own lineage.

Therefore the bridewealth is a very important motivation and pressure to accumulate small arms and to go raiding, for the young warriors. The warriors use the small arms to raid and acquire the cattle for their own and make money. The youths are challenged to develop their own economic base revolving around animals so that they may be initiated into adulthood and be in a position of paying for the bridewealth. The transfer of wealth at marriage is also important to create alliances with extended families. Perhaps a major problem is the breakdown of collective responsibility for funding bride wealth.

### **3.4 Escalation of the Pastoral Conflict**

The change from customary pastoral conflict, and the inability of the state to contain this conflict has led to an escalation. The spate of killings, thefts and destruction of property especially cattle rustling seriously escalated from the 1980s.<sup>164</sup>

It is useful to view the conflict at different levels: local, district and international/cross border conflicts. The conflict levels may be analysed separately, but the levels are also complexly interrelated. This section describes examples of conflict at these different levels. Since the beginning of the 1990s, new factors have become evident in this escalation, including the technological change in weaponry, which has in turn

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<sup>162</sup> The dominant herds paid in Mukogodo are sheep and goats because of droughts and raiding.

<sup>163</sup> Interview elder Ichumar op cit.

<sup>164</sup> See Muhereza, 1997b

allowed the emergence of commercialised cattle raiding for profit, and criminality and corruption in pastoral areas.

### 3.4.1 Internal conflicts

Internal conflicts within pastoral communities are very rare. For example the killing of a fellow Pokot usually imposes a very high fine on the offender. They have to compensate for the killing through “*lapai*”. The high fine imposed on the offender and their family serves as a deterrent. This does not extend to when one kills an “enemy” from another tribe such as the Turkana or the Karamojong.<sup>165</sup>

The first group among the east African pastoralists to raid among themselves are the Karamoja pure (Matheniko, Pian and Bokora) from the same clan.<sup>166</sup> According to interviews in Karamoja,<sup>167</sup> in 1979, after the collapse of Idi Amin’s regime, the Karimojong broke into the military armouries at Moroto barracks, taking small arms and ammunition.<sup>168</sup> For the first time in their history the Matheniko used arms to terrorize their own kin. It was theoretically forbidden for a Karimojong to steal cattle belonging to other Karimojong or to fight other Karimojong with spears. A wrong (*akisek*) had to be punished by the elders in local tribunals (*akiwo*), compensated, or avenged. For homicide compensation has always been standardised at 60 heads of cattle.<sup>169</sup>

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<sup>165</sup> Interviews, elders, Alale op cit. Also, Nyongesa, John, a victim of Lapai compensation. Interview. 2 August 2002.

<sup>166</sup> Ichumer, Philip, KISP chairman Namule, Interview Namalu, 19 June, 2001 also confirmed by interview Mudongo, Moses, elder and KISP chairman Moroto, Moroto, 17 June, 2001

<sup>167</sup> Matany, Moroto, Namalu, Kangole and Amudat

<sup>168</sup> Discussed in chapter 5.

<sup>169</sup> Field notes January-February, May and November 2003.

Fighting between various Karimojong clans has however continued and in 1989 at Lorengdwat 300 people were killed in one such battle between the Matheniko and the Bokora who are 'cousins'.<sup>170</sup>

Pazzaglia (1982:77-89: 129-130) writes on division between Karimojong:

Whereas in the past, the three Karimojong sections, the Maseniko, the Bokora and the Pian were united against the common raiding foe, this unity has now been destroyed. The sections are quite ready to align themselves with former enemies to fight the Pian, the Maseniko against the Bokora, and so on, in diverse combinations. Once *nigkaitotoi*, (brothers) the groups are now *ngimoe* (enemies). It is true that from time to time attempts are made to secure peace, but the process of disintegration seems irreversible.

The fights between cousins implies that cohesion cemented for years by the elders has collapsed, though this phenomenon is not really so new when it is related to tribal expansion. Karimojong now suffer from an identity crisis. During the field research, the researcher learnt that now the Matheniko would rather be called Matheniko instead of Karimojong<sup>171</sup>

#### **3.4.2 District<sup>172</sup> Level Conflicts between Pastoralists and Other Communities Including "Non Pastoralists", Kenya and Uganda.**

Border conflicts take place not only between pastoral communities, but extend to non-pastoralist societies. The difference between pastoralists and non-pastoralists is that they practice mixed farming but also crop production using better equipment like

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<sup>170</sup> The New Vision (1989). December, Kampala.

<sup>171</sup> While the Pian would rather be called Pian. Apparently the most important ceremony, which involves all the Karimojong coming together to a single location, is the ceremony of power transfer from senior generation to a junior generation set. This is done at the sacred grounds at the Apule River in Matheniko country. However, it has not taken place due to the breakdown in the cohesion of the community.

<sup>172</sup> A district is geographical division of the nation state. It is an administrative district with an administrative centre.

tractors and ox ploughs as an economic activity. The following examples have been chosen to illustrate the various district level conflicts.

### Figures 3.4 Selected District levels conflict in the North Rift

Conflict name	Country
Iteso vs. Karamoja	Uganda
Pokot vs. Marakwet	Kenya
<i>Samburu vs. Turkana</i>	Kenya

Field interviews 2001-2004

#### Karamoja vs. the Teso- Northeast Uganda

In Uganda, the Karamoja warriors have often attacked the Teso and the Katakwi districts, which are completely agricultural districts. The Karamoja-Iteso conflict has been going on for the last fifty years. During a field trip, I went through Kumi and Katakwi, and noted many round huts in the area. I was told that they housed thousands of internally displaced persons (IDP) of the Teso community victims of cattle rustling conflict<sup>173</sup>. One of the largest of such camps is now situated in Katakwi. Egadu, an NGO official, noted that in the year 2000, the Iteso local council authorities of Katakwi and Kumi denied the Karimojong herders access to their pasture. In March 2000, a joint security committee ordered the Karimojong to leave Katakwi and the “Kumi declaration” was issued. Despite this, the cattle raids and resource conflict between the Iteso and Karamoja has escalated. This can be illustrated from one example (Pian/UPDF):

On 13<sup>th</sup> September 2001, at 01:30 p.m. a group of 200 Pian raiders from Nakapiripirit district, dressed in UPDF fatigues, attacked the Iteso camp of Ngariam in Katakwi district. They ran away with 600 head of cattle killing 17 people, 14 civilians and three soldiers. One group attacked the Local Defence Units and confined them in the barracks, the second stole cows that were

<sup>173</sup> See IRIN 3 October 2001 “Turkana accused of raids on Karamoja”



grazing and the third went to the camp, and shot indiscriminately, looting household properties<sup>174</sup>.

According to the Army and individuals interviewed, the attack was not anticipated. The raiders came stealthily after dark, killing indiscriminately with no regard to age or sex including an 80- year old man and a three-year-old child. The warriors destroyed homes, looted personal properties and relief supplies and carried off as much food as possible. What remained like, maize porridges, was destroyed by mixing it with sand and human urine.<sup>175</sup>

The cause of this indiscriminate massacre was partly ascribed to denial of access to Iteso territory for dry grazing and watering since 2000. An interview with Terrance Achia the Local Council 5 of Moroto, noted that when the Karimojong were expelled from Katawi, they left behind some of their stock. Hence the attack was maybe an attempt to recover their cattle.<sup>176</sup> Another reason was relational.

They were an annoyance. A Pian from Nabilatuku, had bought a tractor and had left it with his Iteso friend. He went to him to take it back. By the time Bokora had problems with Iteso, the Iteso refused to return the tractor.

This was also confirmed in interviews with the chief of Nabilatuku<sup>177</sup>.

The day following the Ngariam raid, on 14<sup>th</sup> of September, the Iteso took the law into their own hands. Nine people (7 Bokora and 2 Iteso) mistaken to be Karimojong were killed by an angry mob that barricaded the Katakwi- Moroto road in Katakwi town and Ocorimongin cattle market, Eastern Uganda. The crowd stopped a bus, dragged them out and killed them; the killings were in retaliation for the Ngariam raid.

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<sup>174</sup> Interview Romano Longole, Kotido Peace Initiative, Kotido, 2 February, 2003: Also John Bosco, Okore, and Karamoja Peace and Environmental Protection Service, Interview, Kotido, 3 February, 2003

<sup>175</sup> *ibid.*

<sup>176</sup> Achia, Terrance Local Council 5, Interview Moroto, 30 January 2003.

<sup>177</sup> *ibid.*

### **Pokot vs. Marakwet**

In Kenya Marakwet neighbours West Pokot, and both speak the Kalenjin language. The Marakwet population is fairly settled producing maize, beans, tea, Irish potatoes and vegetables; rearing cattle and goats for meat and milk. Sheep is reared for wool and meat. Insecurity is high<sup>178</sup> since the 1990s when raids from Pokot have increased. The immediate cause of the conflict is competition for the scarce natural resources of water and pasture. Pokot is characterized by a very arid and semi arid environment. They are compelled to venture to Marakwet in search of water and pasture. The Marakwet see such actions as aggressive and respond by violence.

Several peace meetings between the Marakwet and the Pokot have not improved the situation. The clans who have fallen victim to the Pokot cattle rustlers especially from Baringo east have started to move away from the common borders displacing the clans already settled.

### **Samburu vs. Turkana Baragoi (Kenya)**

Samburu form 75% of the Samburu district whose inhabitants occupy 90% of the territory. Both Samburu and Turkana tribes occupy Baragoi division with the former occupying the eastern part and the latter the west. I saw the road forming the boundary between the Samburu and Turkana. Livestock is the mainstay and pastoral conflict is not new.

When either of the communities meets its opponents in the grazing areas or at water sources, conflicts arise since these areas are under no authority. Nothing differentiates between Turkana and Samburu. However, since 1996, field research indicates that the conflicts are worsening, with Turkana raiding Samburu stock with

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<sup>178</sup> See Cappon 2003

devastating results. The seriousness of armed cattle rustling in Baragoi can be demonstrated by the raid of December 1996, when more than 600-armed warriors rustled over ten thousand (10,000) head of cattle and butchered more than fifty persons in North Samburu. According to interviews, this raid was revenge for the death of fifty Turkana including an assistant chief Julius Nakelo in a similar raid. In an interview with the District officer, he noted that once the cattle disappear into the Suguta valley, they are gone forever.

In the ensuing series of battles involving all sections of the Kenyan armed forces, the Samburu District Commissioner Mr. James Nyandoro and two security personnel were killed when his aircraft was shot down by local bandits taking cover in the Suguta Valley.<sup>179</sup>

In April 2000, a gang of 500 armed bandits invaded Baragoi and went away with 5,000 cattle, camels and donkeys. Five Kenyan armed personnel were hurt, 20 people were killed and 100 animals left dead.<sup>180</sup> The latest and most publicized attack happened in April 2001, when four workers of an NGO were ambushed and gunned down by bandits at Soitokokoyo about 10 kilometres from Baragoi town.<sup>181</sup>

As noted in an interview with Counsellor Thomas Lemogin:

Cattle rustling started in Baragoi increasingly around 1965. It was started by people rumoured to be *ngorokos*,<sup>182</sup> believed to have come from a neighbouring district. It started as stealing but later it grew into sporadic attacks between the Samburu and Turkana.<sup>183</sup>

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<sup>179</sup> Interviews in Baragoi August 2002 with several people including the paramount chiefs Joseph Nareng and Letele for Samburu and Turkana, the area district officer Hussein Noor, civil and religious leaders.

<sup>180</sup> East African Standard, 21st, 2000)

<sup>181</sup> [Http://www.nationaudio.com/news/DailyNation/Today/Features/Feature1.html](http://www.nationaudio.com/news/DailyNation/Today/Features/Feature1.html)

<sup>182</sup> The bandits that fought in the Somali's attempt to try and take parts of North-eastern, Kenya

<sup>183</sup> Counsellor Lemogin, Thomas, South Horr, 22 August, 2002. Thomas has been a civic leader for 15 years.

### **3.4.3 Larger Scale Conflicts Transnational/International Borders**

Pastoral conflicts have moved beyond the Kenya/Uganda borders into countries like Sudan and Ethiopia. In September 2001, twelve were killed during clashes between rival pastoralists on the international borders of Kenya and Uganda. One hundred Sudanese Toposa raiders armed with AK47 assault rifles in 2001 attacked Nanam village, 80 kilometres northwest of Lokichogio town. Ten Toposa (Sudan) and two Turkana (Kenya) herdsmen were killed during a battle lasting more than two hours. This happened less than a week after Toposa raiders killed eight Turkana in an attack at Kamutia, 160 km from Lokichogio.<sup>184</sup>

On the border of Kenya and Ethiopia live the Turkana and the Dongiro. These groups, with the Ethiopian Merrille and Sudanese Toposa, are pastoralists and have common cultures and values. The area under conflict is called the Ilemi triangle and was transferred to Kenya in 1968. It is an area of plain grassland with plenty of good pasture. The conflict can be traced from the time of European colonial rule; when the government established administration in the area. The Dongiro decided to move to the interior. They felt the Turkana had the support of the British colonial government. Three conflicts have affected the area, first, the conflict between the Dongiro and the Turkana for grazing pasture. The second kind of conflict is over water, and the third are indigenous cattle raids, which have escalated to major cattle rustling. The transnational border conflicts are bound to continue, given the frequency of droughts in the area.

### **3.4.4 Recent factors Intensifying Pastoral Conflicts**

New technology in weaponry, and the resulting power that this places in the hands of raiders, has led to a change from the customary raids after droughts or as inter-

communal revenge (*ajore*) to raiding for commercial purposes. Instead of cattle being retained for bridewealth and security they are being sold directly to the markets and the profits benefiting the individual few. With diminishing cattle and declining pastoralist livelihood banditry has emerged amongst the young men, characterised mainly by road ambushes making the region extremely insecure and hampering any attempts at investment and development. Finally there is the sinister finding of cattle raiding racketeers, who are believed to control groups of warriors, and benefit from the conflict and the arms trade. The new dynamics are intensifying pastoral conflicts and making conflict resolution mechanisms difficult.

### **Commercialisation of Raids, Technological Change and Pastoral Conflict**

The North Rift pastoralists have traditionally practised raiding with traditional weapons to acquire wealth, for prestige, retaliation, young girls, trophies, bridewealth and a desire to claim victims in association with the death of favourite oxen, heroism, and some times to get back stolen cattle, land and arms<sup>185</sup>. With the current economic realities, and pressures mentioned above, pastoralists have turned raiding into an easy option of resourceful commerce. Moni, who has been in the cattle business in Karamoja since 1963, informed me:

Before you even reach the market to sell your cattle, criminals, from either Bokora or Matheniko, hijack you on the way. In olden days, commercialisation of cattle raiding never existed, but now the chief traders buy animals from two sources, prominent well-known traders, or homes. The chief traders agree with one buyer, which never used to happen. Due to the {institutionalisation} of raiding, raiders bring cattle to the markets. If animals are raided in one place, they are sold in another market. The high demand for cattle does not assist the situation.<sup>186</sup>

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<sup>184</sup> IRIN (2001). Twelve killed in cattle raid in the Northwest. Nairobi.

<sup>185</sup> Anderson, 2000; Abraham, 1987; Fleisher, 2000, see Mkutu 2001,2003; Egesa and Mkutu, 2000, Cappon, 2003; Fukui, 1979

A former raider now a local chief in Karamoja interviewed told the researcher:

The raided cattle are now sold on parallel and hidden markets at a lower price and transported to towns like Mbale, Soroti in Uganda and even Kitale, Kenya. Some *karachunas*<sup>187</sup> do not wait anymore for the blessing of their parents and elders who are not informed about their plan<sup>188</sup>.

Some of the raided cattle are sold directly to markets as observed by a former raider “currently there are businessmen who are mounting raids to restock their business<sup>189</sup>”.

In Rupa, the Matheniko *karachunas* interviewed admitted they were stealing animals from the Bokora because of hunger: “if you have nothing to eat, you steal and then you sell on the market,” they noted it was “easy to steal and divide the money.”<sup>190</sup>

It has been said that livestock is the valuable commodity which oils the wheels of conflict.<sup>191</sup> Thousands of cattle are raided at a time. On April 21, 2000, more than 500 Pokot armed with AK47s, G3s and Mark 4 rifles attacked two Turkana (*kraals*) *manyattas* and made away with 5,000. The 11am attack began at Leilei and Soitokokoyo *manyattas* and the exchange of fire lasted for seven hours. The result was 10 bandits killed, and 5 army personnel critically wounded. During the fighting 100 animals were also killed and only 3,000 animals were recovered by security personnel at Soitokokoyo.<sup>192</sup> The limited extent of recovery indicates the magnitude of the situation. The terrain plays a major role but the question remains, how can such large number of cattle move out of a district without the security forces discovering where they have gone? Interviews with well-linked community members in Samburu claimed that raided animals were used for bridewealth, restocking and survival, but additionally it was mentioned that there was a likely possibility of some of the

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<sup>186</sup> Moni, David, Interview Namalu, 25th January 2003.

<sup>187</sup> Karamoja warriors

<sup>188</sup> Former raider, interview Rupa, Uganda 1<sup>st</sup> February, 2003

<sup>189</sup> *ibid.*

<sup>190</sup> Owalinga, *op cit.*

<sup>191</sup> NCKK/SNV/SARDEP *op cit.* see also Kenya Times 19 March 2004

raided cattle meat being sold as far away as a way South Africa and Saudi Arabia<sup>193</sup>. An intelligence officer interviewed argued:

It is well established that majority of rustled animals, which are dealt with commercially, are sold to other passive groups, i.e. animal brokers, who dispose of them in established slaughter houses and animal auction centres. These places are as far as Dagoretti corner in Nairobi, markets in Western Province, i.e. Bumala in Bungoma and the interior of Uganda, implying a well co-ordinated network of transitional business given its high profit margin.<sup>194</sup>

Similar trends were found in Baragoi in Kenya, where the cattle raided were again found in Dagoretti Corner market in Nairobi.<sup>195</sup> Additionally, at the height of cattle rustling in Kenya, Goldsmith (1997:21), notes that one riddle of the security situation is that conflict and insecurity rarely disrupt the cattle trade itself. Animals are still driven as far as Nairobi on the hoof. There are organised cartels stealing cattle, not to pay bridewealth or replenish their wiped stocks, but stealing purely for commercial purposes.<sup>196</sup>

Though research has not been done to ascertain the identity of the cattle merchants, it is rumoured that they are powerful and well-connected people in authority in Kenya, Uganda and the SPLA, who also have access to weapons. One of the customs officers affirmed that lorries have crossed the Kenya-Uganda border several times carrying cattle<sup>197</sup>. In research done in Baragoi, Samburu District of Kenya, it was revealed by the community that raided cattle had been seen transporting them in lorries.<sup>198</sup> This is

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<sup>192</sup> East African Standard 21 April 2000

<sup>193</sup> Field notes 2002

<sup>194</sup> CID officer, interview. Also see Hansard (1996:2315). The MP for Samburu Leshore told the Speaker of the house that Turkana had stolen 2,000 cattle since August 1996; another 11 raids had taken place since. More work needs to be done on the sources of the cheap meat currently sold in Nairobi and Kampala and some of the rural areas in Kenya and Uganda

<sup>195</sup> Mkutu, 2000 based on fieldwork and interviews done in Samburu.

<sup>196</sup> Ouko opt cit.

<sup>197</sup> Example see Nyaba, 2003;

<sup>198</sup> Ibid.

validated by a statement by President of Kenya, Mwai Kibaki in October 1996, in Parliament:

We have kept records over the last six months of at least five, six and seven instances, of cattle rustling where cattle was taken from one part of Kenya, whichever district, and the number of the cattle was identified and in once case, it was 2,000, and another case, it was 3,000 or 4,000. The Police established the direction the livestock was driven...in some places we are told the police used helicopters. Obviously, trying to track the livestock. For five days, they clearly established where the livestock went. They definitely did and the police know... when that livestock is driven from one part of Kenya to another, lorries transport it. It is sold to butcheries in Kenya. It is not exported out of Kenya. So, the police officers know that many of these thieves are protected.<sup>199</sup>

In 1999, a Provincial Commissioner for Rift Valley in Kenya was questioned about the commercialisation of cattle raiding. He replied:

I wouldn't want to commit myself on that. I cannot say no, but neither can I say it is there. This is the first time I'm hearing about it. But it certainly needs investigating.<sup>200</sup> However, he admitted, ' There were some traders who want to obtain animals cheaply. So, instead of buying a cow legitimately for say Kenya shilling15, 000 (£157), they buy a stolen one for Kenya Shillings 10,000 (£105) or even less'.<sup>201</sup>

Cheere, an ex raider and currently the chief of Rupa in Moroto Karamoja gave me the story of Keete, who originates from Bokora. Keete owned a business and would raid with the warriors. After raiding, he would buy all the cattle from the warriors. He

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<sup>199</sup> Daily Hansard 24 October, 1996:2334.

<sup>200</sup> Daily Nation 20 July, 1999

<sup>201</sup> *ibid.*



would then sell the cattle and use the money to fill his shop. Cheere noted that currently there are businessmen who are mounting raids to restock their business<sup>202</sup>.

The financing of raids originates from the urban areas, where the rich merchants in collaboration with some people at the local level organise the raids in rural areas. The merchants then organise to get the markets in urban areas. The current migration from rural to urban centres in Kenya and Uganda has led to the gradual depopulation of rural areas by people gravitating towards urban centres. The result is the increase in demand for *nyama choma* (roasted meat) from townspeople, implying raiding as a commercial activity is increasing in line with the rising demands. The commercialisation and intensification of stock raids can be largely linked to the mushrooming markets for livestock and the proliferation of small arms.

With the local economy in complete shambles and the entire border awash with small arms, and the absence of a regulatory body there is a shift towards the militarization of economic relations and the weaponization of the entire region. It is proving more dangerous to end cattle raids because of their organised nature. Those who benefit and whose interests and purposes are well served by the raids complicate the search for a solution.

In 2003 mobile phones were introduced in Karamoja. With the use of mobiles the commercialised pastoral conflict could escalate, as mobiles could assist in coordinating activities and sales.

The current ongoing peace process for Sudan in Nairobi promises two developments. Firstly, the formally planned pan-African road from Mombasa to Southern Sudan, though to West Africa completed. Secondly, the construction of the Nakuru, Kenya to Southern Sudan railway line, which has already been negotiated by a German company. If nothing is done to check the current security situation, commercialisation

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<sup>202</sup> Field Notes Cheere, James, Ahitania Interview, Rupa, January, 2003

of cattle raids could increase assisted by the new routes, with lorry loads of raided cattle leaving the region.

### **Banditry and Pastoral Conflict**

Insecurity in North Rift remains one of the most intractable problems in east Africa. Armed bandits continue to terrorise civilians and, sometimes even military personnel. Banditry is occasioned by conflict over cattle, and in many cases, helpless civilians who do not even own herds are targeted. Assaults on vehicles started with the killing of a World Food Programme (WFP) official by Karimojong demobilised soldiers in 1985.<sup>203</sup>

Pastoral youth spend most of their time looking after the cattle before getting married. Interviews in Samburu revealed that the youth previously took care of the cattle (cattle economy) but as increased raiding has depleted the community herd they are finding themselves idle and join so-called cattle gangs. The arms are not just used in raids any more, now they are used in banditry especially on roads. Similar findings were noted in Karamoja.

In Kotido since January 2000, a total of 15 victims died in 20 different incidents.<sup>204</sup> During the field study, some roads were impassable due to bandits. As noted by Father Bosco:

You can walk day and night in Pokot, all roads are safe, but once you join the Nakapiripirit–Moroto road, then your heart is divided. At any time expect a bullet to sound. The Kenyan side, none will shoot you.<sup>205</sup>

The diminishing of cattle through raids seems to be forcing the warriors to target innocent car travellers on roads as a means to survive. NGOs at present are advising

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<sup>203</sup> See chapter 6 for impact of small arms.

<sup>204</sup> Mr. Dradringa, Dani, former Resident Commissioner, Kotido District, Interview, Jinja, 12<sup>th</sup> November 2001.

<sup>205</sup> Father Bosco, in charge catholic diocese Amudat and victim of road banditry, Interview, Amudat, 27<sup>th</sup> January 2003.

their staff to avoid the Nakapiripirit-Moroto road, Moroto-Kotido road, and Moroto-Katakwi road, due to the incidents of banditry and other forms of aggression frequently experienced on these routes<sup>206</sup>. The impact of this increasing trend of banditry is explored in chapter 6.

### **Racketeers**

Some businessmen and traders involved in cattle raiding in the North Rift are taking some of the characteristics of racketeers. Some African scholars (Ocan, 1992; Olaka-Oyango, 1993:17; Muhereza, 1997ab;) have borrowed the term ‘warlords’ to equate them to these racketeers as they are making profits from the conflicts. Mirzeler and Young also used the same concept (2000) without attempting a hypothetical justification. Evidence suggests that the commercial cattle trader, the arms merchant and the ‘warlord’ are increasingly one and the same person.<sup>207</sup>

The competition for diminishing resources and the introduction of small arms is slowly introducing new players in the pastoral areas and especially on the border of Kenya and Uganda; these are cattle racketeers or “warlords’. Warlordism is a pejorative expression, evoking brutality, racketeering and the suffering of civil communities. Duffield (1997) defines a warlord:

A leader of an armed band, possibly numbering up to several thousand fighters, exercising political control through coercion, who can hold territory locally and, at the same time, act financially and politically in the international system without interference from the state in which he is based.

Jackson (2003: 137-138) notes that warlords: “appear when there has been a catastrophic collapse in centralised power, internal structure and norms, either at a

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<sup>206</sup> Field notes Sept 2004

<sup>207</sup> See Daily Monitor, 20 February, 20, 2002 “Bullets, Not Guns are the problem in Karamoja ammunition brought all the way from Congo to be sold in Karamoja; see Mirzeler and Young 2000; Kenya Times, 19 March 2004 “Enters MAPOTU”, what next in Cattle Raids saga.” Daily Nation 6 March 2003 “Four KANU MPs blame their party for banditry”; Daily Nation 24 March 2003 “Politicians funded rustling, say MP.

state or imperial level.” They “fight for wealth and position, exploiting personal relationships and their access to arms.” Hill observes that;

In the “20<sup>th</sup> century, warlord has been used to describe a man who is over lord of a particular group or geographical area by virtue of his control over some form of significant conventional military power obeying no higher authority than himself”. The main difference between the use of the term in the 1960s and its application in the 1990s lies in the scale of the activities so labelled, the weapons used, and the degree of international awareness (1997:36).

Many North Rift<sup>208</sup> authors associate commercial raiding with the emergence of Karimojong racketeers who control the cattle camps (*kraal* leaders) and order cattle raids without the approval of elders and challenging their authority through military strength.<sup>209</sup> Interviews with Cheere a former raider, informed me that most of the warlords/racketeers trace their origin to the army, active raids or trade.<sup>210</sup>

In chapter two, various levels of warlordism were provided. In the North Rift we find the level of warlords who are not highly organised, and do not control large territories. They use local resources (cattle) and tax local communities to survive and have not developed the international links of the first category. The best examples are Kony of the Lords Resistance Army (LRA) in Northern Uganda (Jackson, 2002) and the Somali warlords. Chapter two also mentions a lower level of warlord, or racketeer, including the businessman, *kraal* leaders, politicians, and traders making profit from a localised communal conflict economy. There are many of these in the North Rift. The activity is linked with an increase in banditry in that the average warrior who is sometimes employed by the big time racketeer in his raiding business uses his weapon to tax the local economy (road banditry) as part of his survival, since he is not normally paid.<sup>211</sup>

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<sup>208</sup> Especially in Karamoja, North East Uganda.

<sup>209</sup> Ocan, 1992, Oloka-Onyango et al., 1993:17; Mirzeler and Young, 2001.

<sup>210</sup> Chief Chere, James, Interview, Rupa, 1 February, 2003

<sup>211</sup> Especially on the borders of Northern, and North-western Kenya, North-eastern Uganda. Tanzania borders and even in West Africa Ghana borders with Cameroon, Chad etc.

Frequent fighting along the Kenya-Uganda border area has slowly brought about the development of these racketeers. Challenges to both states' monopoly of coercion and violence are evident in the privatisation of violence by the emergence of these groups for the purposes of predatory accumulation (Osamba, 2000).<sup>212</sup> The racketeers have the capability to recruit or draft people for campaigns such as raids on property, resources and territory.<sup>213</sup> The continuum below illustrates where they appear to fail.

**Fig 3.5 The different tiers of security in the Horn**

Various tiers of security monitors	Formal sector in security services (FSSS)	Informal sector in security service (ISSS)
Regional	Peace-keeping forces	Guerilla/Rebel alliances
National	State- owned armed forces	Rebels and Militias
State/local	<i>Para-military and police forces</i>	Militias and warlords
Community	Vigilantes/home guards/ Kenya police reserves	Warriors

In his work on the Turkana of Kenya, Osamba (2000) uses the term 'warlords' to describe wealthy men who control raiding in the region:

They appear to be the wealthiest among the Turkana and the Pokot and control all aspects of social and economical life, and even the political orientation of the people.

Evidence from three kraal camps visited in Karamoja in June 2001 and in the cross border areas of Alale (2002) in January and February, 2003 strongly indicated that some of the kraal leaders are racketeers, commanding large numbers of warriors and taking large numbers of raided cattle for themselves, not distributing it in the

<sup>212</sup> Osamba does not provide the rationale for his use of the terminology of warlords in North-western, Kenya. As noted, a big difference exists between a warlord in North Western Kenya, Somalia, West Africa and even in DRC. The term warlord is also a contested term.

community. However it is not true that they are the only wealthy people. One kraal leader visited had 300 warriors taking care of 3,000 cattle. He also had camels, which in an interview he indicated were raided in Turkana, Kenya. Another kraal leader visited, believed to be one of the most powerful racketeers, had 600 armed young warriors under him. Interviews as far as Kapenguria indicated that he got his wealth from raiding.

Further evidence from the field indicated that a number of army soldiers who fought in the Democratic Republic of Congo (DRC) came from the cross border areas of West Pokot and Karamoja. These men have become racketeers through raiding and are now employing and training young warriors.<sup>214</sup> A young wealthy racketeer interviewed had this to say.

After all my cattle were raided, I acquired a gun, joined one of the raiding groups. After going raiding 4 times, I managed to acquire cattle; I now stopped raiding and am employing 4 warriors to take care of my raided cattle<sup>215</sup>.

In one of the countries, border security discovered raided grade cattle from Kenya in the home of a wealthy and prominent man. However the man could not be prosecuted due to being “above the law”<sup>216</sup>.

Racketeers within Karamoja and in other pastoral areas within the Kenya-Uganda border region pose a significant threat to any kind of peace and stability. As long as they exist, cattle raiding will not cease and neither will the use of firearms. The positive factor keeping the situation from escalating is that pastoral groups have no permanent dwelling, but migrate from place to place, hence it is difficult to organise

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<sup>213</sup> Note should be taken that the cross border ‘warlords’ are not big time like those in Somalia, but they have power locally.

<sup>214</sup> More work needs to be done on the link between former army personnel who fought in the DRC for Uganda, in the involvement in the training of youths on the cross border areas. The issue was mentioned several times including by senior government officers in both Kenya and Uganda.

<sup>215</sup> A former warrior Interview Amudat, June 2001. He is now wealthy cattle owner- and racketeer.

them into a resistance group. The racketeers do not control any territory but are mainly localised though some of the pastoralists question their existence.

The racketeers are still emerging in the North Rift, where most funds needed for development are redirected to security. They are also contributing to the development of the trans-national sale of small arms. It is important to note that with political will and good governance of the security sector, the racketeers in the North Rift are easy to deal with.

### **3.5 Conclusion**

Chapter 3 has addressed the way of life of pastoralists and the reasons for customary pastoral conflict. Pastoralists have always been involved in conflict, as they sought to survive in their harsh environments of drought and disease. As well as livestock raiding, they formed relationships with neighbouring ethnic groups, both pastoral and settled. State initiated changes, which have disrupted these survival mechanisms, have included divisive borders, land alienation to settlers and political and economic marginalization. Cattle keeping is a way of life, with numbers of cattle defining wealth and status, such that raiding takes also place for revenge, honour, marriage and prestige.

Pastoral communities and practices are under severe pressures. Pressures of access to land and water have increased competition for scarce resources, bringing pastoralists into constant friction with other users including agriculturists. Another issue is the alienation of land and appropriation of pastoral resources. The rate of land expropriation in pastoral areas is severe. In Laikipia (Kenya) most of the land has been expropriated for ranching by European settlers. This is different to Karamoja in that most land in Karamoja was appropriated as state land (gazetted), which is now

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<sup>216</sup> Field notes 2001-2004

being de-gazetted by the Government of Uganda to private foreign investors.<sup>217</sup> Both mean that the pastoralists do not have fertile land to graze their animals, and in Karamoja if the land is allocated to investors for any period of time it will ultimately be lost land. In the absence of coherent national land and resources policies, violence over land may increase.

Due to these disruptions the conflicts are now visible not only at local levels, but they also act at district (national), international and regional levels. Spurred on by the flow of small arms, and the further weakening of the state, the last 2 decades have seen an alarming increase in the conflicts. Governance and security is addressed in chapter 4 and Small Arms flow in chapter 5.

The issue of cattle raids has become embedded in wider criminal networks. It has increased enmity, animosity and revenge. The wider and easy availability of small arms and light weapons has the potential to transform raiding into a commercialised enterprise leading to the escalation and intensification of pastoral conflict. The greatest impact the gun is having is on cattle raids and banditry on roads, and this is dramatically changing the character of traditional raiding.

The post-independence period has seen a further weakening of traditional governance institutions in pastoral areas. This is partly due to the failure of the Kenyan and Ugandan governments to recognise the role of the traditional institutions in management at the community level, and also to changing property rights regimes.

Indigenous institutions are no longer significant mechanisms for resource management as they have been weakened, though they still exist. The erosion of traditional governance institutions among the pastoralist communities has weakened the ability of community elders to exercise control over young men. Indeed,

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<sup>217</sup> Terrace Achia, LC5 Moroto, noted that over 65% of fertile land is gazetted in Karamoja, while the rest is dry areas that cannot be utilized. Comment at the Breaking the circle of violence: The challenges of Small arms, capacity building and development in Karamoja. Mbale, Elgon Hotel, May 14-16, 2003.



'eldership' can now be attained by wealth, and armed youth are often well positioned to attain wealth if they can gain access to guns. Elders now have to 'negotiate' with such youth. However one important fact that must be understood is that some of the elders continue to encourage their sons to go raiding, because of the benefit, which they can reap, while others see the involvement of their sons in raiding as causing misfortune on their own people and hence try to discourage raiding.

At the same time, official governance structures since independence have usually been either entirely absent or weak. Police on both sides are poorly paid and unable effectively to control movements across the Kenya-Uganda border. Co-operation, collaboration and co-ordination are relatively uncommon unless a raid takes place. The authorities have undermined traditional structures without effective 'modern' alternatives being established. Though the power relationship has shifted as small arms become available, within traditional and relatively non-hierarchical pastoral communities, the right to rule still belongs ultimately to the elders.

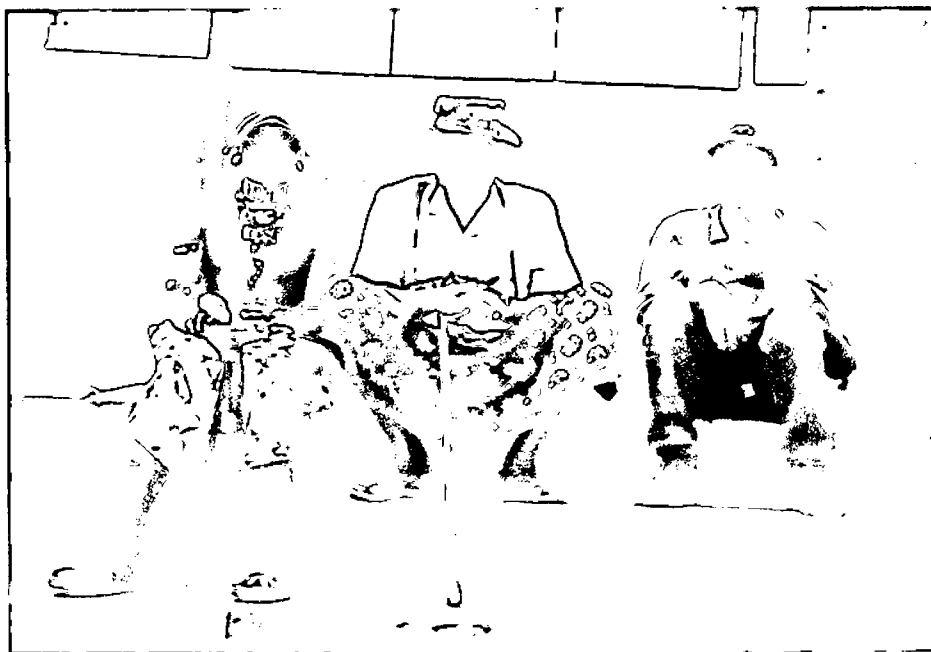
More conflicts should be expected as the area occupied continues shrinking due to overpopulation, alienation of land, increasing competition for the limited natural resources. The diminishing resources, which includes cattle, leads to the young people getting arms and continuing the circle of violence in the local community.

It is clear that the new technology of small arms has been a major factor in intensifying previously controlled and regulated conflicts. This chapter has thus brought in the issues of commercial elements and racketeers (warlords) cashing in on the existing conflicts and fuelling the fire by ultimately taking the scarce resources from pastoralists, offering them in return a militarised culture.

The subject is clearly complex but discrete issues have been identified for further analysis with examples of useful and unsuccessful ways that have been used to manage the intensifying and escalating violent pastoral conflict. The following

chapters will follow the theme of the violence generated by pastoral conflict, consider the role of governance and examine the small arms dynamics further.

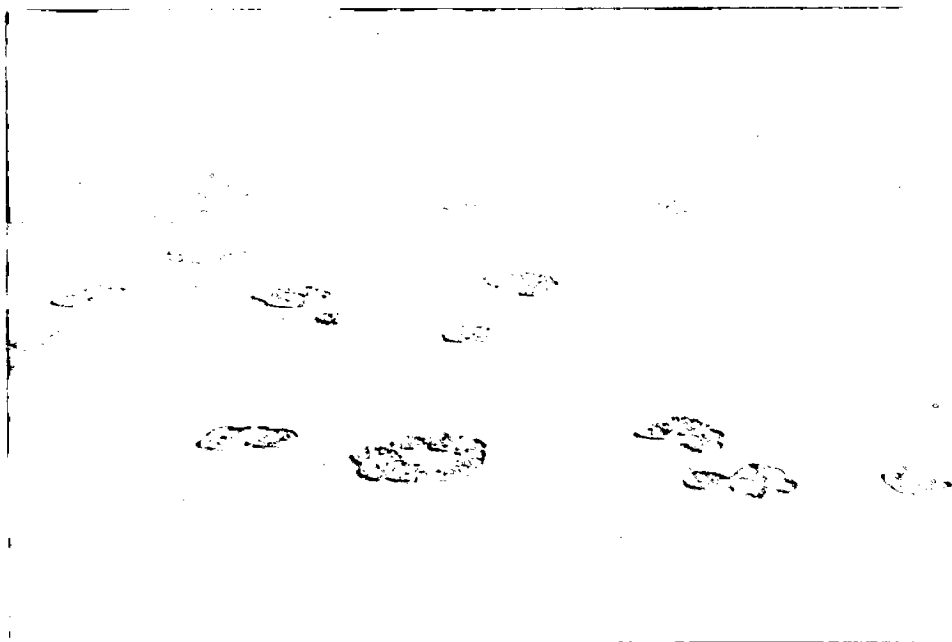
Participatory observation: talking to women while they milk camels in Upe Pokot, January 2003.  
Below: Samburu Paramount chief in Baragoi, August 2002.



The researcher standing on a dried river in Alale 2002 during the fieldwork! Droughts lead to complete drying up of rivers. Below: Kraals are pastoral homesteads.



Aerial view of *kraals* near Moroto Karamoja. Mkutu 2003 ,The lack of development is striking.



## Chapter 4

### Issues of Governance and Security in Pastoral Areas in the North Rift

#### 4.1 Introduction

Chapters 2-3 alluded to flawed governance at all levels, as one of the root causes of pastoral conflict, though not the immediate origin. This chapter continues to examine this relationship, arguing that effective security hinges on good governance both in general and in the security sector. The relationship between governance and security is intricate, and there has been little study of the linkage in pastoral areas.

This chapter examines this relationship and provides more empirical evidence that the failure in governance in North Rift (Kenya-Uganda) has intensified the pastoral conflicts and is related to the arms demand by local communities.

There is a demonstrable government failure to guarantee security of local communities so basic needs relating to growth and development cannot be addressed. Inadequate application and implementation of policies and laws and access to social institutions (general governance) is primarily responsible for the increase in arms acquisition to protect livestock and in ensuing conflicts<sup>1</sup>. The confidence of the pastoralists in the ability of government to do anything to restore security is eroded and the governments (Kenya and Uganda) are accused of failing to take preventative action to stop the raids, despite adequate advance warning. Additionally governments are accused of failing to put a stop to illegal trading in guns and ammunition, since state structures are not able to control and regulate the supply

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<sup>1</sup> See Daily Nation 14 April 2004 on devolution promises power to the people. See also [http://www.nationmedia.com/dailynation/nmgcontententry.asp?category\\_id=25&newsid=6179](http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=25&newsid=6179)

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and demand of small arms and light weapons<sup>2</sup>. As noted by Lindijer (2003:4)

The national authorities based in Nairobi, who are mostly representatives of farming highland tribes, don't understand the dynamics of savannah and desert life. They are more adept at oppressing than governing them.

The mistrust of government pushes individuals towards the more localized loyalties of powerful men or racketeers, and demand for weapons for self- protection. People resort to their customary 'traditional' system of governance that has been partially eroded, especially in regard to the administration of justice and peaceful conflict resolution<sup>3</sup>.

In some places states are willing to implement changes but not capable. However, in some places, especially Kenya, the state is capable but there is a lack of political will.

The situation has been further complicated by state decisions to provide arms to civilians who are not trained in their responsible use<sup>4</sup>. In both Kenya and Uganda, governments have developed the Kenya Police Reservists (in Kenya) and in Uganda Local Defence Units (LDUs) and militias which are now operating in pastoral areas carrying out the everyday duties of policing.

Vigilante groups represent community thinking given that the civilian is viewed as able to maintain order instinctively, representing community norms that are internalised and undisputed<sup>5</sup>.

Vigilantes in the pastoral areas, and here I use the term generically and without implication of criticism or approval, are private citizens who work as volunteers. The term is used

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<sup>2</sup> For the case of the Kerio valley in Kenya see Cappon, 2003:10-12

<sup>3</sup> See Mkutu 2001 op. cit.; Masinde et al 2004

<sup>4</sup> See Knighton (2003) also see East African Standard, 6 April 2004. See chapter 8

<sup>5</sup> Zedner, 2000 and Johnstone, 1996: 2000:Abrahams, 1986; 1998-8-9

alternatively with militia, as they are all civilians armed by the state for policing. It has been argued by Johnstone (1996), that they represent a form of “autonomous citizenship” that emerges when an established order is under threat. At the local level in North East Africa they are accepted, as they address issues of security and moral order that are significant to the people living on the periphery of the formal state apparatus in pastoral regions. In pastoral areas, they are armed, by government, which may lead to criminality.

This chapter outlines the concepts of governance and security. It then examines those concepts in relation to the colonial and post-colonial systems of safety, security and accessibility to justice including inefficiency in recovering of raided cattle. The civilian security forces in Kenya<sup>6</sup> and Uganda<sup>7</sup> are examined with regard to their metamorphosis over time, and their merits and demerits<sup>8</sup>. The chapter also addresses post-colonial governance in both countries. The questions examined include:

1. What was the colonial governance system in pastoral areas?
2. Is a vigilante system the best security system of governance in pastoral areas or is it a failure of governance by the state?
3. How do vigilantes relate to long-term security and what are the risks, advantages, disadvantages and implications of vigilantism?
4. Can vigilantism sustain good governance, safety, security and the rule of law?

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<sup>6</sup> The home guards or Kenya police reservists. Kenya Police Reservists is organized by the government of Kenya (under the constitution) and the community to provide security to the people.

<sup>7</sup> The local defence units and vigilante/ militias

<sup>8</sup> It is very difficult to differentiate between vigilante groups, warriors and the local defence units in most pastoral areas. This section will use vigilantes and home guards, local defence units and Kenya police reservists interchangeably. For more on vigilante see chapter 2.



## 4.2 Pastoral Governance, Security and Safety in the Colonial Period 1920-mid 1960s

There have been attempts from the colonial times to deal with the plethora of issues in pastoral areas noted in chapter three. These include: alienation of land, vulnerability to droughts, degraded resources conflict, insecurity, and poor services. However, policies seem to have lacked careful thought, planning and execution. Since independence, successive governments in the North Rift have not only failed to enforce the rule of law and the practice of good governance principles in pastoral areas, but also have a dismal record in providing credible protection to the pastoralists from external raiders, let alone inter-clan raids and conflict noted previously in chapter 3.

This section provides both a descriptive and analytical view of interventions undertaken to manage and resolve the issues of cattle raiding by governments in colonial Kenya and Uganda. Their policies emphasised the recovery of cattle because firstly it demonstrated that state security was active in the areas but also that the main immediate trigger of pastoral conflict was community revenging their cattle being raided. For example, Berber (1968:34) notes that frequent fighting between the Pokot, Sebei, Karimojong and Turkana led the British government to push them to conduct a peace ceremony, but hostilities only reduced for six months. Cattle recovery was a form of deterrent in the prevention of cattle theft.

Cattle raiding was a major security puzzle that the colonial administration in pastoral areas of East Africa grappled with from the start. Pastoral communities in North Rift have customarily demonstrated both need and greed for livestock. To deal with the problem of stock theft, governments had to deal with a people's culturally defined way of life. In the words of one colonial administrator, "In the tribal code it is an honourable act rather than a crime to steal stock from other tribes."<sup>9</sup> I suggest that livelihood imperatives are rationalised

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<sup>9</sup> KNA- PC/NZA/3/52/1 Letter dated 15th December 1926 from Senior Commissioner Nyanza to Hon. Chief Native Commissioner.

as 'honour'. This clash of civilizations made it difficult to regulate the problem in both pre-colonial and colonial periods.

The colonial government wanted to encourage productive livestock farming among pastoral communities by ensuring that there was high productivity per unit of land. The livestock rearing practices of most pastoral communities were deemed less productive for the market as cattle kept by these communities were hardy but neither high meat nor milk producers. Additionally, the colonial administration wanted to settle pastoral communities so that they did not need large tracts of land for their nomadic way of life. In the thinking of the colonial administration, they were also to be settled in order to pave the way for white settlers to farm without interference from nomads roaming the area<sup>10</sup>. Native Reserves were created within which pastoralists were to be confined in order to limit unnecessary competition for land between them and the white settlers. The Mukogodo Masai reserve in Kenya, discussed in this work, was one such reserve. From the onset of colonial rule, in the Northern Frontier Districts of Kenya, within the territory of the Laikipia, Samburu and West Pokot, and in the territory of the Karamoja in Uganda, the maintenance of 'law and order' to protect the colonial regime, took precedence over all other considerations. As expressed by Sir Geoffrey Archer, the first district administrator of the region and the founder of the first government post in Samburu:

There is only one way to treat these Northern Territories, the home of nomadic camel, cattle and sheep owning people, and that is to give them what protection one can under the British flag and otherwise to leave them to their own customs, as far as possible, and under their own chiefs. Anything else is uneconomic (quoted in Barber, 1968:415-416).

This policy never changed during the colonial period as noted by Trench (1964:4)

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<sup>10</sup> See chapter three

who served in both Garissa and Samburu districts in Kenya:

For a nomadic population inhabiting a desert, there are only two essentials- law and order and the livestock industry, which was used to feed the military and civil administration.

The nomadic pastoralists were left on their own as long as they obeyed the law. The colonial government practised indirect rule or government to manage them. Towards the end of 1928, the colonial government experienced a great deal of trouble. One lesson learnt was the urgent need to involve the local “traditional” institutions in the maintenance of order. The colonial government came to rely more and more on decisions made by the councils of elders. The chiefs and headmen attended these councils in their capacity as elders, not as colonial agents, but they reported their decisions to the colonial government. The administration attempted to restructure the traditional institutions in order to impose an overriding control and thereby regulate and contain intertribal conflicts. The colonial government ensured that in addition to the police station at Kapenguria, police posts were located at Keringet, Kanyarwart, Kongolai and Sigor all equipped with wireless communication systems. One sergeant, one corporal and eight constables manned each. A platoon of the General Service Unit gave periodic assistance in patrolling the border of Karasuk<sup>11</sup> and their appearance in Riwa and Sook locations undoubtedly helped to reduce the activities of stock thieves.<sup>12</sup> In addition to the above, each country devised laws to deal with the criminals and communities that violated them.

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<sup>11</sup> Pokot

<sup>12</sup> District Commissioner/West Pokot/13 Annual Report 1962:2

#### 4.2.1 Governance and the Recovery of Rustled Animals in Kenya

Cattle raids were the biggest challenge colonial government faced in relation to security in Kenya. The crime of cattle rustling was such a serious offence and so prevalent in colonial Kenya that special ordinances were passed to deal with it. There were two main ordinances that touched directly on stock theft. The first was the famous Stock and Produce Theft Ordinance of 1930.<sup>13</sup> This was retribution in the form of a fine, imposed when someone was convicted of theft of stock or produce. Alternatively, there was the Collective Punishment Ordinance.<sup>14</sup> When an offence could not be brought home to any individual, a communal fine was imposed that the family of the offender shared out amongst themselves. These two ordinances were used effectively in almost every case of stock thieving.

Under the Stock and Produce Theft Ordinance, the magistrate, a colonial officer, was bound to inflict a fine of at least ten times the value of the stolen livestock. The fine, when raised to ten times actual value, would often be too much for the individual to pay. The senior commissioner would endorse a warrant to be levied on the offender's family or sub tribe, or on the inhabitants of a village where stock was hidden. In this case, the individual fine became a communal fine.<sup>15</sup>

When a stock theft was reported to the local district commissioners' office, every effort was made to follow the tracks at once by local police supervised by the District Commissioner. Speed in tracking was always emphasized, and nothing deterred the police from carrying out the search to the furthest limit possible. Local people were often summoned to assist the recoveries and administrative officers of the area to which the stock were traced were

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<sup>13</sup> Cap. 79, laws of Kenya

<sup>14</sup> Cap. 77, laws of Kenya

<sup>15</sup> Memorandum on Stock thieving written by C.M. Dobbs, Provincial Commissioner, Nyanza, 22 January, 1930. Also see KNA- PC/NZA/2/5/29 Stock Thefts-General Matters 1929-31 for ordinance.

informed in order to cooperate in finding “impartial witnesses to testify in court.”<sup>16</sup> and perhaps also in protection for members pursuing thieves.

The collective punishment for stock thefts was applied when no individual accused person was found. Representatives of the community were cited as accused persons and were called upon to show cause why a collective punishment should not be imposed on the community, which they represented<sup>17</sup>.

The procedure followed for collective punishment was similar to that in ordinary criminal cases. It was the duty of the prosecution to prove that a theft had taken place, that the tracks had been followed into some particular village, area or district, that the inhabitants there had been shown the tracks and given every opportunity to restore the property stolen and had neglected to do so, or had failed to follow the tracks beyond their area.

The inhabitants of that particular area should be recorded as if they were accused persons in a criminal case and they should be given an opportunity of calling witnesses in their defence. The representatives of the village, area or district should have an opportunity given to them of cross-examining.<sup>18</sup>

If the magistrate who presided over the inquiry was satisfied that a punishment be inflicted on the particular area, he was to record his finding, and give full reasons for it with recommendations of what fine should be imposed. The case file (six copies) was to be sent for sanction to the provincial commissioner, who in Nyanza, Northern Frontier and Turkana Provinces, had the governor’s delegated powers. In other provinces, the magistrate had to forward the case file with his recommendations to the Colonial secretary in London.<sup>19</sup>

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<sup>16</sup>Dobbs, op.cit.

<sup>17</sup> For details see PC/NKU/2/15/48 Collective Punishment Ordinance- stock Theft Inquiry Report 1934-51

<sup>18</sup> KNA-PC/NZA/2/5/59 Memorandum on Stock thieving written by C.M. Dobbs, Provincial Commissioner-Nyanza- Dated 22nd January, 1930

<sup>19</sup> KNA-PC/RVP.6A/3A/8 Letter, 21 March 1932 from Mr.O.F.Watkins, Provincial Commissioner, Nzoia to Honorable. Chief Native commissioner. Also Interview, Egesa John, former District Commissioner,

The main objectives of the Collective Punishment for Stock thefts were first to compensate the victims who lost their stock, and secondly to create a public opinion antagonistic to crime within a given community.

The point of view of an administrator is not quite that of a magistrate. It is his concern to build up a public opinion antagonistic to crime, and particularly to crime of an inter-racial or inter-tribal aspect. Between border raiders hereditary and traditional feuding is always ready to burst into flames at each and every instance of cattle lifting and the bereaved, white or black, will take the law into his own hands if he does not get back his cattle or their value. Thus, compensation is perhaps the first consideration. It is, however, equally essential for the safety of our public ways, to create a public opinion, which holds that crime, whether against persons or property, is the concern of the local authority and the local resident.<sup>20</sup>

Great emphasis was placed on building public sentiment against stock thieves by making natives in the relevant area responsible for policing their areas and arresting suspicious persons. If they did not do so, they would be subjected to heavy fines. The success of this policy rested on the responsibility of the administrator to maintain an effective police force by special local taxation as well as from general revenues and fines levied for stock theft. Of these, the fine imposed on the neighbourhood involved was an additional source used.

From the above, it can be argued that the colonial concept of community policing and ensuring cooperation between the police and community, was effective to a degree in Kenya with a considerable amount of stolen stock being recovered. The police were able to deal

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Mombasa, Mombasa, Kenya. 16 September 2002. Hon Abdulahi Aden a legislator with the East African Cooperation also mentioned this at the African Peace Forum/International Resource Group regional conference on Security Sector Reform. 26-27 2003, Leopard Beach Hotel, Mombasa, Kenya.

<sup>20</sup> KNA- PC/RVP.6A/34/8 Letter, 21 March, 1932 from Mr. O. F. Watkins, Provincial Commissioner, Nzoia, to Hon. Chief Native Commissioner.

with the crimes and police posts were maintained and functional. Though there was frequent resentment, the view of police as upholders and custodians of the law was appreciated<sup>21</sup>.

#### **4.2.2 Governance and the Recovery of Rustled Animals in Karamoja, Colonial Uganda**

The colonial government in Uganda resorted to cutting Karamoja off from other parts of Uganda. Permits were required to enter and leave in order to alienate its “vices” from the rest of Uganda.

A system of collective punishment for raids was imposed where raiders were not specifically identified and this would be executed by confiscation of cattle to pay a raided neighbouring district (‘blood tax money’). This section examines the record of colonial government in recovery of raided cattle.

In Karamoja, a worsening colonial governance system saw increased cattle raids.

The annual report for the years from 1955 to 1962 indicate increased cattle raids between the Karamoja, Teso, and Mbale district in Uganda<sup>22</sup>. Cattle raiding between Suk, and Karimojong (Pian, Bokora and Matheniko) saw twenty people killed and 2,000 cattle stolen<sup>23</sup>. On 23-24 May 1962, 107 men, women and children were murdered in one night from a revenge raid by Pian raiding Suk (ibid: 100). Therefore as Uganda was approaching independence in 1962, lawlessness had increased in Karamoja.

Knighton (2003:435) concurs and notes that “the colonial administration had failed to meet its top priority of ‘law and order’ even when they had forced a preponderance of spears over guns, and ruled that one of those should be carried”.

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<sup>21</sup> See for example East African Standard 1 June 1949.

<sup>22</sup> See Cisterino (1979: 79) Also see Weatherby, 1962:2000. He notes that “Mount Elgon, which borders Karamoja was the scene of intense cattle raiding warfare during the 19th and early decades of the 20th century, when the Sebei-speaking semi-pastoral tribes living on the mountain were involved in conflict with cattle-raiders from the surrounding tribes”

<sup>23</sup> Clayton and Killingray, 1989:94

### **Colonial Laws Related to Cattle Raids in Karamoja.**

Laws were devised specifically for Karamoja just before independence in 1964.<sup>24</sup> These were made after exhaustive sociological studies of the area, with the support of the Karimojong themselves.<sup>25</sup>

The Karamoja Act of 1964 abolished the presumption of innocence for accused suspected raiders. Under the law, any suspected raider was presumed guilty until proved otherwise. These questions were debated in the Bataringaya report of 1961 just before independence in 1962. As far as administrative powers were concerned:

The Karimojong elders dealt with “ameto” which involved the community searching for the evildoer and dealing with him. Though this system still exists, their administrative authorities have been taken over by appointed Chiefs who have been imposed on the tribes. They cannot therefore claim, and actually do not get, spontaneous loyalty from the tribes. The strong chains of custom have been removed and replaced by strange strings of local administration, which are too weak to hold tribesmen away from raids (Bataringaya Report, 1961).

Regarding justice, the intricacies and the finer details of the Criminal Procedure Code and Evidence Ordinance were condemned. The report said:

They cannot understand why there should be a delay of anything from one to six months between the commission of a crime and the passing of a sentence, and why a person who raided cattle and killed someone in the transaction should be released or only sent to prison for a short time, fed and dressed, and

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<sup>24</sup> See The Administration of (Karamoja) Act Chapter 26 revised edition, 1964

<sup>25</sup> Iteso, Karamoja seek peace in Uganda Political, letter from Cuthert Obwangor to the New Vision, ref KTB/2001, 24/04/2001.



then returned to society only to do some more raiding and killings.

The report also assessed the special laws of 1958:

The Special Regions Ordinance was a wrong step in the right direction. Right direction because we feel that Karamoja needs special legislation to suit unique conditions and circumstances and to enable the Government to establish law and order and force the pace to development. Wrong step, because the legislation has not proved the deterrent it had been hoped it would prove (ibid.).

The following observations were made: Firstly, the seizure of cattle by the government reduced the number of animals possessed by individuals, thus making their desire to acquire cattle more acute<sup>26</sup>. Secondly, the punishment of the innocent and the guilty alike made the innocent feel that it does not pay to be law abiding and therefore inadvertently encourages them to go raiding. Thirdly, by limiting inter-tribal contact, the only means of inter-tribal influence and opportunity for an attempt at inter-tribal co-operation was removed. It gave the raiders a sense of security because they knew that once they crossed certain boundaries, enemy tribesmen, who were only as tough and mobile as they, would not chase them. There existed shortfalls in punishment for stock thefts, which undermined the application and efficiency of colonial policy on these issues. Though, opinion was often expressed that much of the efficacy of the remedy was lost owing to the delay in securing its enforcement.<sup>27</sup>

Under The Stock and Produce Theft Law, if the members of a tribe succeeded in catching a thief by their efforts and he was convicted, they thereby rendered themselves liable to pay a large fine unless the senior commissioner ruled otherwise. If they adopted a passive attitude with the result that no one is arrested, in nine cases out of ten they got off scot-free and the

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<sup>26</sup> See for example Etengu, Nathan, BBC Moroto, 6 October. Elders expressed anger and vowed to hunt down cattle raiders after the government confiscated 1,238 head of cattle from them. Colonel Andrew Guti the commanding officer of the Uganda Peoples Defence Force, third infantry division noted more cattle would be confiscated from ethnic Pian Karimojong in Nakapiripirit to make the required number of 2,057.

tribe was enriched by the addition of stolen stock. The result of this is that there was no real public opinion among the Lumbwa (Masai) against stock thieving<sup>28</sup>. The arrest of a fellow tribesman brought tribal opprobrium on the man who gave information and may also entail a fine on other members of the same tribe.<sup>29</sup>

In conclusion, in both countries the colonial administration ensured that livestock raiding was minimized. Punishment options existed but varied in application from tribe to tribe. It served as a check on stock theft and effectively managed conflict, even if the legal system did not function well. Noor, a former District officer for Baragoi, noted that the colonial system with all its faults, managed cattle thefts through communal punishment<sup>30</sup>. Moreover, he wondered if the modern legal system could be successful for this purpose if solely and uniformly used in all pastoral areas in East Africa.

#### **4.3 Postcolonial Uganda: Governance and Cattle Recovery**

Athio (75years old) who experienced the colonial administration noted in an interview:

The colonial government built police posts near kraals. Currently all those police posts have been destroyed. There was at least means of communication during the colonial times, Landrovers existed, and there were police in Karamoja called the Track Force. Today, all that was developed by the British is finished.<sup>31</sup>

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<sup>27</sup> KNA- PC/NZA/3/52/1 Letter from Senior Commissioner, Nyanza, 26 August, 1926

<sup>28</sup> Ibid. Lumbwa was part of the eastern Province of Uganda which Karamoja came under before 1926.

<sup>29</sup> KNA- PC/NZA/3/52/1 Letter, 15 December 1926 from Senior Commissioner, Nyanza, to Hon. Chief Native Commissioner.

<sup>30</sup> Interview Hussein Noor, former District officer, Baragoi, Kenya, field notes August 2002.

As noted previously, the Karimojong adopted a military style of engagement with the colonial government and with all those they considered enemies, so that even after independence and the departure of the colonial army, the postcolonial government was viewed in the same way. The Karamoja have never ceded their right to violence, or corporately acknowledged that they constitute part of any state.

The military and confrontational relationship between the Karimojong and the state has continued to this date, so that insecurity has continued to haunt the Karimojong. Initially insecurity was manifest in cattle rustling, but recently, because of widespread possession of small arms, there is increased banditry, road thuggery and unnecessary killing.

This section examines post-colonial cattle recovery in Uganda, arguing that it has been repressive. Efforts by the Uganda army and local defence units to manage local conflicts have displaced people. Their response in animal recovery is too hasty and authoritarian, creating conflict and blood shed between government forces and local communities over stock theft. As stressed by the various people interviewed, “they never use the right channels.” The following subsections document instances of conflict and bloodshed between government forces and local communities over stock thefts.

### **1960s and 1970s and the Militaristic Approach in Karamojong.**

According to the MP for Upe Pokot, in the 1960s and 1970s cattle rustling was not as rampant and sophisticated as today, and there was better containment by the government who were on the ground during these years<sup>31</sup>. Other reliable interviews indicated that President Idi Amin was very ruthless, and that seemed to have controlled the Karamoja raiders and

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<sup>31</sup> Athio, Lorika, Edward, Chairperson, District Service Commission- Nakapiripirit, Interview, Moroto, 21 November 2003. See KNA/WP1/13 West Pokot District annual Report 1962: 5

<sup>32</sup> Interview, Hon Lolem Mika, Moroto, 22 November 2003.

reduced raiding. As noted in a speech by Aliero Omara who served in the Obote II regime:

Raids went down between 1971-1979 because law was law. The Idi Amin regime saw less raids by the Karimojong because they feared to test Amin's ruthless resolve to crush any raids especially after the Amin decree forcing the Karamojong to wear clothes was enforced ruthlessly resulting in the deaths in Namalu and Matany. Obote II government of the 1980s took a militaristic approach by deploying tribal militias. Much as this deterred raids against the neighbouring districts, it did not change the attitude and outlook of the warriors, who instead acquired more arms and attempted raids in Lira and Soroti districts. The peak of cattle raids came with the Tito Okello regime in 1986 when the raids reached proportions never seen before. The Karimojong made incursions reaching as far as Pallisa district, and the River Nile at Masindi Port and Karuma Falls without any government interventions. This was to create bitter enmity and xenophobia against the Karimojong and government and to some extent justifying rebellion against the government that was fought in Teso and Lango.<sup>33</sup>

With the coming of the National Resistance Movement (NRM) government in 1986, Karamoja was included in a ten-point program. This was followed by the inauguration of the Karamoja Development Agency (KDA) and a Minister for Karamoja affairs. Other projects were designed specifically for Karamoja, but all these efforts failed to bring peace and security to Karamoja. Cattle raids continued, generating more conflict. Pressure has mounted on government to disarm the Karimojong. But also the military confrontation between the Karimojong and the army has increased as illustrated by the cases below.

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<sup>33</sup> Aliero, Omara, speech given at the Sustainable disarmaments and Development in Karamoja workshop in Moroto, 22-23 November 2003.

### **The Lomaratoit Massacre: Bokora/UPDF 2000**

In 1995, as raids escalated, a faith-based NGO named Christian Initiative for Peace Services (CHIPS) began to promote mixed resettlement of Iteso and Bokora from the Central Plains in Lomaratoit and Apetolim to the regional border (Lomaratoit being located inside the current administrative limits of Katakwi district). Due to the escalation of raids, the Army had been brought to guard the settlements. The Uganda People's Democratic Army temporarily abandoned these new settlements after attacks in 2000.

On 13/03/2000 and 03/04/2000, the Army attacked Apetolim and killed 85 head of cattle and one warrior, using helicopter gun ships. On 14/01/2001 Iteso Anti Stock Theft Units and UPDF killed 17 persons and stole 200 head of cattle in Lomaratoit. They justified their action by claiming they were searching for Karimojong cattle rustlers. Witness accounts claimed the villagers were murdered in cold blood with no obvious reason.<sup>34</sup>

The case of Lomaratoit was reported to the Uganda Human Rights Commission (UHCR) on 21, March 2001. They were requested to investigate the arrest and detention at Soroti military barracks of Lt. Owen George Bada. Lt. Col. Sam Kavuma, Brigade Commander, 306 Brigade, Soroti, related the incident as follows:

The suspect, together with other officers and men of the UPDF mounted an operation in Karamoja in a place called Amoloton at the border of Karamoja and Iteso. The motive of the operation was to weed out suspected cattle rustlers in the area. Apparently, the Army reached a camp called "CHIPS" run by some Christian NGO where they sighted a wanted felon called "Luuka" and in the ensuing attempt to apprehend him, overreacted, and in the process killed 17 people including the wanted

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<sup>34</sup> Awas Samuel, Interview, Lomaratoit, 24 April 2001.

felon's women and children. Preliminary investigations carried out by the UPDF authorities found that the civilians had been killed in cold blood and thus arrested the suspect together with two other officers, who were produced before the Unit Disciplinary Committee (UDC) on 26<sup>th</sup> February 2001. The offence being capital, the matter was to be heard before the Divisional Court Martial.<sup>35</sup>

The case was out of the jurisdiction of the Uganda Human Rights Commission as the Uganda Peoples Defence Force was handling it. It clearly shows those expected to protect the civilians may be the same agency harming them. It also shows why the Karamoja have less confidence in the ability of the army to protect them.

#### **Pangyangara shoot-out: Jie and UPDF 2002**

The community identified the cause of this incident as having been a disagreement arising from discussions with the army over animals reportedly stolen by Jie from Bokora. Gunfire reportedly broke out on 3 May 2002. Fire exchanges continued between the warriors and UPDF for the next three days. In the ensuing battle, the UPDF burnt any structures in their path. By the end of the third day, the warriors unilaterally declared a cease-fire and vanished from the battlefields. The aftermath left several villages, shelters and granaries burnt, household items looted, people and animals burnt in houses and some animals driven away by elements of the UPDF. Widespread displacements occurred<sup>36</sup>. Anger and mistrust between the local community and the UPDF now runs deep. "The community reported fear of continued harassment by soldiers. The women fear most being intercepted on their way to collect firewood for sale or going to the market or well."<sup>37</sup>

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<sup>35</sup> UHRC, Internal memo from Solomon Ossiya, HRO chairperson, UHC/S/01/33, 21 March 2001.

<sup>36</sup> By the time of this research, families had begun to return to their locations, and were rebuilding shelters.

### **Karita Uprising: Pokot vs. UPDF (cross border incident) 2003**

Karita is situated on the border of Kenya and Uganda. On 3 January 2003, the Pokot raided a Pian settlement in Namalu and took 200 cows. They targeted a new settlement of Pian from Namalu that hosted some Pian cows from Nabilatuk. Other Pokot from Kenya assisted the raiders. In the evening of 6 January, a group of UPDF based in Karita moved to the village where the footprints were leading. On the way, Pokot warriors ambushed them and a lot of soldiers were killed. Interviews with an elder who is also a Local Council 3, noted that over 70 UPDF and Local Defence Units (LDU) were killed.<sup>38</sup> (LDUs are former vigilante, ex Anti Stock Theft Units now based in barracks with the UPDF). The Local Council 3 Chairman Lokim and LC3 Secretary education for Karita confirmed the incident but Lokim noted,

I was still waiting for them (the army) to call me so that we can dialogue, I was not informed, no meeting, no consulting leaders, they just attacked. The army was overpowered and most of the army men died. When they returned on 7<sup>th</sup> January to check and collect the bodies of their colleagues, again, there was a fight with the warriors and LDUs. They were overpowered and forced to go back to the barracks<sup>39</sup>.

On a visit to Amudat mission hospital, interviews revealed that eleven injured UPDF soldiers were admitted from the raid. The former Resident District Commissioner of Nakapiripirit told me that he was not informed of the UPDFs decision to attack Karita although he is responsible for security in the entire district.<sup>40</sup> Interviews with Father Paul of Namalu revealed that the Pokot LDUs had united with the community warriors to fight back the UPDF and Pian home guards (a phrase borrowed from Kenya). Different eyewitnesses on

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<sup>37</sup> Pangyangara Assessment Report (minutes of May 2002 by District Disaster Management Committee).

<sup>38</sup> Interview elder and Local Council 3 did not want to be named

<sup>39</sup> Interviews Lokim, Amadi, Local Council 3 Karita and Maruti, Ibrahim, Local council 3 Secretary for education. Moroto, 20 November 2003.

<sup>40</sup> Interview Peter Ken, Resident District Commissioner Nakapiripirit, Nakapiripit, 27 January 2003: Confusion of responsibilities is a recipe for conflict

the ground indicated that between 60-72<sup>41</sup> soldiers were killed. Father Bosco noted, “ that the warriors were now 72 guns richer<sup>42</sup>” The Pokot only lost a few warriors.<sup>43</sup>

### **Morulem Forceful Disarmament vs. Iteso-Bokora**

On 12 January 2003, Jie raided both Iteso and Bokora in Aheket (Katakwi district) and went away with 75 animals. The same night, Jie raided three Bokora herds in Kirik and killed four people. A joint team of Teso LDUs and Bokora warriors traced the footprints of the animals as far as Morulem in Labwor. In the evening, they reported to the detachment so they would not be confused with raiders and so they might be given help.

The military asked the warriors to surrender their illegal guns<sup>44</sup>. They even disarmed the Teso LDUs. When two warriors ran to the barracks to take their guns back, they were shot dead. In the confusion, nine other warriors and LDUs were killed<sup>45</sup>.

However, based on observation from the ground, one cannot blame the army for moving swiftly. Stolen cattle are speedily re-sold. Father Michael Apurio of Nabilatuku noted, “What I have realized is that if animals are raided in one county, they are immediately sold locally or taken to the market.”<sup>46</sup> This indicates levels of commercialization, against customary norms. Sometimes, UPDF soldiers are involved in grabbing cows from locals and selling

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<sup>41</sup> Father Bosco, John, Interview, Amudat, 27 January 2003. Father Bruno an Italian lived in Karamoja from the 1970s till his death in 2002.

<sup>42</sup> Ibid.

<sup>43</sup> Interview, Father Paul, Namalu, 23 January 2003. Also confirmed in interviews with Lomoryareng, David, Kraal leader Amudat, 26 January 2003: also LC5 Karita name with held. Interview, 26 January 2003.

<sup>44</sup> Interview Longole, Romanao, Kotido, 3 February 2003.

<sup>45</sup> Ibid. The army interfered in a joint effort of the Bokora warriors and the Iteso LDUs to trace the footprints of cattle stolen by the Jie. The soldiers tried to disarm them instead of assisting them.

<sup>46</sup> Father Apurio, Michael Nabilatuku, 29th, January 2003.



them.<sup>47</sup> At the time of the fieldwork, an army captain was in prison for his alleged misdeeds. Certainly not all the UPDF personnel are corrupt, but those who are have created serious problems.

Father Paul noted that army versus community wars were partly attributable to the manner in which the government handled the community. In the process of cattle recovery, brutality and force are used. The government may even fail to return recovered cattle so that the community viewed the army as raiders and enemies towards which retaliation was due.<sup>48</sup> For example during the Ngariam raid of 13 September 2001, 502 head of cattle rounded up by the army from the Pian never reached the owners.

In conclusion sometimes the UPDF has adopted harsh measures to recover raided animals even when peaceful negotiations would have been possible. Faced with large number of sophisticated weapons in the hands of warriors, the UPDF sometimes act with excessive force to contain such situations, which lead to civilian casualties<sup>49</sup>. The army rarely consults local government or customary authorities (senior elders), which in January 2003 resulted in the breach of a peace agreement between the Jie and Bokora that was noted above. It has been noted by Longole that the current means of addressing pastoral conflict is just an emergency measure to contain the raids.<sup>50</sup> What is needed is peace building by good governance.

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<sup>47</sup> See Knighton (2003: 449) had even argued that the Uganda state was also a raider because of such incidents.

<sup>48</sup> Ibid. Interview, Namalu 24, January, 2003

<sup>49</sup> As stressed by almost everybody interviewed in Karamoja: 'they never use the right channels to peacefully trace perpetrators of raids'.

<sup>50</sup> Interview, Longole, Romano, Kotido Peace Initiative, Kotido, 3 February 2003. In an interview with chief Administrative officer for Kotido- Irama Walter 3 February 2003, Kotido, he noted that current peace building initiatives are just "fire brigades, they only appear when there is a problem then fizzle away"

#### 4.4 Post-Colonial Kenya: Governance and Cattle Recovery

Between 1963 and the mid-1980s, Kenya was a haven of peace with an expanding economy and one of the most stable countries in the world. Economic growth in the first 15 years of independence mitigated resource and economic conflicts. The decline in Kenyan security started around the mid 1980s, contributed to by a number of episodes including the 1982 coup attempt, land driven conflicts, 'tribal clashes' in 1992 and 1997 and instability in neighbouring countries as seen in chapter 3 and 5. The major cause however, was bad governance in general and in particular in the security sector<sup>51</sup>. In the late 1980s and early 1990s, violent crime was directed mainly towards foreigners and slowly extended to cover everyone<sup>52</sup>, and in the pastoral areas there was escalation of cattle rustling.

In December 2002 following introduction of multiparty democracy, the opposition party the National African Rainbow Coalition (NARC) defeated the Kenya National African Union (KANU), the single party that had ruled Kenya from the colonial period. In his inaugural speech, President Mwai Kibaki outlined the role of government as among other things,

to maintain law and order, provide social services that can enhance the quality of life, defend the country against internal and external aggression, and generally ensure that peace and stability prevails.

Yet two years to date since the inauguration, there is very little evidence of government efforts to improve security, rehabilitate infrastructure or economic reconstruction in pastoral areas.<sup>53</sup> Most insecurity is linked with pastoralist areas. This section examines the recovery

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<sup>51</sup> See East African Standard 13 January 2004 "District Commissioner calls for disbandment of the Provincial Administration.

[www.estandard.net/archives/january/tue13012004/headlines/news1301200407.htm](http://www.estandard.net/archives/january/tue13012004/headlines/news1301200407.htm). "He notes let us admit, we have completely failed to live to our expectations and they (public) are right by calling for the scrapping of the Provincial administration." He for instance noted how they allowed themselves to be used wrongly by politicians to help them settle scores with their opponents.

<sup>52</sup> See Daily Nation 6 March 2004 "Insecurity in city Alarming"

<sup>53</sup> See Kenya Times 8 April 2004 <http://www.kentimes.com/editorials/comm1.htm1>: Daily Nation 8 April 2004. Devolution won't solve our problems. See also East African Standards 6 April 2004 Thorny issue of thugs in Uniform.

of cattle and argues that post-colonial governance has not been effective at managing raiding, which is partly responsible for the increased incidence of cattle raiding.

### **Structure of Provincial Administration**

To effectively manage national affairs at the grass roots level in Kenya, the colonial government developed a system popularly known as provincial administration. The postcolonial governance was indigenised with continuity of colonial policies. Provincial administration remained the same except now it was not white faces but black faces.

The mission of provincial administrators is to maintain law and order, to provide leadership and policy guidance, and to set the agenda for social, economic and political development. This administration is expected to effectively control activities and manage conflict. When the provincial administration was developed, it was charged with maintaining law and order. However, due to the challenges of a growing and more educated populace, the role of provincial administration has broadened and expectations have increased. Nowadays the provincial administration is charged with interpreting, implementing and coordinating government policies, activities and programs. The goal of these governance systems is to ensure that government services reach the entire population of Kenya, both rural and urban. Consequently, the country is still divided as in colonial times into 7 provinces<sup>54</sup>, which are further divided into 68 districts. The districts are sub-divided into divisions, locations and sub-locations.

The duties of co-ordinating provincial administration lie with the Office of the President (OP) where a Permanent Secretary (PS) is appointed to oversee activities at the national level. His responsibilities are to implement the various programmes and take charge of

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<sup>54</sup> Western, Nyanza, Rift Valley, Nairobi, Eastern, Coast, Northeastern.

internal security, overseeing the role of the Kenya Police to ensure maintenance of law and order. He also presides over the finances for the entire ministry.

His office's goals are achieved through the provincial network. Provincial Commissioners are in charge of their provinces and responsible on behalf of the President for the progress and welfare of the people. They are also responsible for good governance through interpreting government policies. The District Commissioner then exercises similar responsibilities within districts under his general supervision and control. District Officers (DO) take responsibility for sub-districts under the general supervision of the District Commissioner. So the provincial administration structure is expected to provide representative government authority from the village level, leading up through a simplified and well defined hierarchy of assistant chiefs, chiefs, district officers, district commissioners, provincial commissioners, permanent secretary, to the president himself.

The significance of provincial management has been examined for the period of early independence.<sup>55</sup>

Goran, Hyden et al, (1999) and Ruseyemamu and Hyden (1982) argue that with the departure of colonialists at independence, it was expected that there would be a change in leadership style to make provincial administration more people friendly, especially since it now permitted Africans (Kenyans) to lead their fellow Kenyans. This was not the case, however, as their role in the co-ordination of development activities quickly brought them into conflict with politicians, department heads and the general public. Kenyans from all walks of life complain about provincial administration and the various ways in which it has contrived to oppress them since colonial days till today.<sup>56</sup>

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<sup>55</sup> Not much has been written on the provincial administration in Kenya.

<sup>56</sup> They also state that politicians, even in the period right after independence, claimed that provincial administration had lost its relevance with the achievement of independence, for it had been the basic instrument of colonial oppression

### **Frequent Turnover of Administrative Officers**

Governance and the frequent turn over of administrative officers is a scenario that puzzles everyone in pastoral regions.<sup>57</sup> In Kenya, only one District Commissioner stayed for six years in West Pokot, thereafter the longest time served was two years; after a year or two most were reassigned. This also applies to the Resident District Commissioners (RDC) in Uganda who like the District Commissioners in Kenya are responsible for the entire security, development and governance of the Districts.

Two schools of thought exist about this scenario. Firstly, the politicians have an influence over the transfer of District Commissioners/Resident District Commissioners. If a politician disagrees with them the politician may ring Statehouse or the office of the President to demand their transfer. Frequent transfers are clearly linked with local politics. Another District Commissioner interviewed gave an example in which he argued strongly against chiefs who colluded with cattle rustlers. When he spoke about it, the politicians demanded he be transferred. Secondly, it is believed that if they stay in pastoral areas for too long they will be compromised or lose track of the administration, a thinking that goes back to the colonial period. Long before new District Commissioners acquaint themselves with the people, their culture and traditions, they are transferred and a new one is brought.

This has complicated governance operations. An interview with a former District Commissioner of Kitale, Macagoya noted, “development does not occur well. You have initiated a project but because of the short tenure in the area, the project stalls because whoever replaces you, takes a different approach”.<sup>58</sup> If the public cannot see the District

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<sup>57</sup> The transfer of most District commissioners is always linked their failure to toe the line with politicians see for example Daily Nation, 22 June 2004

[http://www.nationmedia.com/dailynation/nmgcontententry.asp?category\\_id=1&newsid=10143](http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=10143)

<sup>58</sup> Macagoya, George former District Commissioner Kitale, Kenya. Interview, Kitale, 29 July 2002.

Commissioners/Resident District Commissioners as individuals authoritatively upholding of security, law and order then they will not cooperate with go to them unless they have problems.

### **Failings of Provincial Administration**

With the growth of multiparty politics in Kenya from 1992, provincial administrations are still accused of partisanship, corruption, power grabbing and rudeness in their dealings with pastoralists, and they were linked to the 1992 Rift Valley clashes<sup>59</sup>. Evidence and information available to the committee to investigate the clashes indicated that generally the Kenyan public had few words of praise for the role performed by the security personnel comprising the Kenya police, administration police and general service unit during the clashes. Various witnesses recounted instances showing that some of these officers compromised their expected role by either remaining inactive or disinterested, facilitating the activities of the fighters and instigators, or did not simply act as would have been expected of them.<sup>60</sup> On some occasions, the security personnel assisted the warriors in their activities; on other occasions government helicopters belonging to security forces were used to assist the warriors<sup>61</sup>. Some of the officers however, acted admirably despite the currents around them.

The provincial administration is the pillar of Kenya's governance process, and administrators are government appointees, in contrast to the elected councillors. The administrators are the main link between the grass roots and central authority. In Kenya the provincial administration has taken on devolved political roles despite its lack of accountability to local

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<sup>59</sup> See Government of Kenya (1992) Report of the Parliamentary Select committee to Investigate Ethnic Clashes in Western and other Parts of Kenya. See Akiwumi Report of 2002.

<sup>60</sup> [www.nation.com](http://www.nation.com) 23 October 2002 Akiwumi report. See also details see National Assembly, Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western Kenya and Other Parts of Kenya, 1992:71-73; Akiwumi report, 2003:63.)

<sup>61</sup> *ibid.*

people. It is therefore expected to be effective, efficient and transparent so as to inspire confidence and trust among the communities. In many areas, these public servants have been the only government that people have known<sup>62</sup>. Unfortunately, in the past, they have given the government a bad name due to their corrupt and coercive practices, often regarding themselves as either the law or above it.<sup>63</sup>

In 1996 in Parliament Honourable Murungi notified Parliament that Samburu warriors had stolen 6,000 head of cattle from the Meru. However in reply another Member of Parliament said it was not true that the Samburu had stolen the Meru cattle, but that it was the District Commissioner and his askaris (security) that stole them. That is, the District Commissioner and security people were the raiders<sup>64</sup>.

Honourable Kibaki, who later become President in the NARC government, revealed in his contribution to the insecurity debate:

We have kept records over the last six months of at least five, six and seven instances of cattle rustling where cattle were taken from one part of Kenya, whichever district, and the number of the cattle taken was identified as 2,000, 3,000 or 4,000. The police established the direction the livestock were being driven. We are told that the police took action. In some places, we're told that the police used helicopters, obviously to try to track them. For five days, they clearly established where the livestock went. They definitely did and the police know it. But, ...up to today, the livestock have not been recovered and nobody has been arrested. Therefore, those who took the livestock by force have been allowed to keep them... Government has no will or determination. (Ibid: 2334).

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<sup>62</sup> During my fieldwork in Alale West Pokot, the chiefs were highly respected.

<sup>63</sup> See Daily Nation 14 January 2003 "Lets rethink issue of PC's". Noted in other sections were the 1996 parliamentary debates on large numbers of cattle stolen in Samburu- Baragoi.

<sup>64</sup> See Daily Hansard 24 October, 1966:2316

Recovery by Kenya's postcolonial government has been worse than the colonial administration. Evidence for this is provided in Chapter 6, where police data on recoveries is provided. It is evident from this discussion that the inability or unwillingness of the government to provide security or to disarm raiding communities and the collusion of some government officials with the raiders has led to diminished trust in government. The next section shows how the result of this is the arming of civilian vigilantes to provide security.

## **4.5 Security and Governance in Pastoral Areas**

### **4.5.1 The Vigilante Concept in North Rift**

States have the mandate to protect citizens and their properties and therefore possess the monopoly of the legitimate use of force. In Karamoja, this mandate has been partially relegated to paramilitary institutions with vigilante and Local Defence Units and militia not being embedded in the constitution. In Kenya, the Kenya Police Reservists are the modern incarnation of the tribal police that were used by the colonial authorities to maintain law and order in African rural areas since 1927. This is arguably security on the cheap. This section specifically examines the role played by paramilitary units in peace building first in Kenya then in Uganda.

The areas concerned in this study are extensive, arid and wild, with weak state presence. Administration is further made difficult by lack of communication; officers seldom visit some areas. There is low morale and negative attitudes amongst government personnel due to



low salaries and lack of personal security. The loss of trust in government to provide security has created the demand for vigilantes, mentioned in chapter 2, in the pastoral areas, a move towards the involvement of local populations in security management. The growth of the vigilante system in Uganda can also be attributed to uneasiness with state agencies (Kibandama, 2002: 9), the failure of policing, and to an absence of the rule of law. Another factor is the 'military solution' "high-handedness with which the army dealt with the security issues, which alienated the Karimojong communities even more"<sup>65</sup>. In many areas no courts exist,<sup>66</sup> especially at the parish and sub-county levels<sup>67</sup>.

When local people find that the state does not protect them or their concept of order and justice differs from that of the state, they may organise independently of the state to impose order and security. A growing desperation has gripped both Kenyans and Ugandans due to the escalation of insecurity in the North Rift, and the feeling has spilled over into most rural and urban areas alike<sup>68</sup>. The police fail to contain crime, and a number of them have been implicated in violent crimes themselves.<sup>69</sup> Every level of society hunts for practical ways to deal with soaring crime. Some have formed private security companies (PSC) or vigilante groups. The chairman of Kenya Private Sector Foundation (KPSF) argues that vigilante groups allow communities to play a bigger role in security and police work.<sup>70</sup> In the context of this section, privatisation of security means provision of security by non-state actors, by

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<sup>65</sup> Muhereza 1997a

<sup>66</sup> Rosenau (1995:13-43) says governance is "Systems of rule that can be maintained and their controls successfully and consistently exerted even in the absence of established legal or political authority".

<sup>67</sup> For details see also Recommendations of the Workshop on Security for the communities of Karamoja. Organized by Pax Christi, Karamoja Agro-Pastoral Programme and Kotido Peace Initiative. Held at Mount Moroto Hotel, Moroto 20-21 November 2003. Also see Sustainable Disarmament, Peace and Development in Karamoja workshop. 22-23 November, 2003, Moroto, Uganda.

<sup>68</sup> East African 5 April, 2004; Kenya Times 8 April 2004; For Uganda see East African 22 March, 2004 Uganda 'Could Slide into Genocide'

<sup>69</sup> *ibid.*

<sup>70</sup> Mwaura, Samuel (2002), remarks at the proceedings of the International Resource Group Regional Annual Conference on Good Governance and the Rule of Law in the Horn of Africa. 11-13 September. Held at Leopards Beach, Mombasa Kenya.

civilians who are armed by the state for protection of their communities. Though again it must be understood that the pastoralists have to some extent enjoyed their isolation and lack of central control.

This shifting of responsibility then raises the questions:

1. Why can states not protect people?
2. Is there a vigilante concept of order and justice different from the state?
3. Who organises the groups and who becomes a member?
4. Where do resources originate?

Organisers and members of vigilante groups are most likely to be those with local power or others whom they authorise to act on their behalf. Warriors<sup>71</sup> are a pool of ready-made social category labour for this purpose in pastoral areas. States may on occasion, and due to their own weakness or lack of resources, exploit this vigilante activity, turning vigilantes into local defence units, people's militia or voluntary police and incorporating them into state structures and regulations<sup>72</sup>. Other parties may also attempt to do the same including guerrilla armies, criminals and commercial interests.

The term is contested.<sup>73</sup> The consequence of conflict has been the production of aggressive, courageous warriors and vigilantes. The term 'vigilante' implies action taken to control violence outside official systems. Little and Sheffield (1996: 226) define vigilantism as an 'establishment [of] violence', designed to create, maintain, or recreate an established socio-

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<sup>71</sup> In the case of pastoral areas among the Masai, they noted that there was favouritism in recruitment of the local militias

<sup>72</sup> See for example East African 24 March, 2004; Daily Monitor 4 October, 2003

<sup>73</sup> See Johnstone 1996, 2001; Abraham 1986, 1998:8-9. "Who note they are Social movements that give rise to premeditated acts of force and corporal punishment or the threat to use violence or corporal punishment; activities that arise as a reaction to transgression of relatively well established, sometimes institutionalized, norms: acts that focused upon crime and/or social control in for the form of providing security to participants and members of established orders; and groups that are seen as constituted outside legal frameworks enforced by the state"

political order'. Vigilantes can be state officials or private citizens. Higgins (1991: 8-9) argues further that they can include on-duty policemen engaged in extra-legal violence (1991: 8-9), members of 'quasi-official death squads and paramilitary/para-police groups.' The terms 'vigilante' or 'militia' are alternately used in this section as both are community based and organised and sometimes they are the same bandits that prey on the same community. (See Figure 4.1)

**Figure 4.1: Security Actors in the North Rift**

Uganda tiers of security	Kenya tiers of security
Uganda Peoples' Defence Force (UPDF)	Kenya Army
Police	Police/ General Security Unit/ Anti Stock Theft Units
Anti Stock Theft Units (Talibans)	Home Guards/Kenya Police Reservists (KPR)
Local Defence Units (LDU)	Militias
Local Administration Police	
Militias	
Lords Resistance Army	
Allied Defence Force	
Patriotic Reformed Army	

Source: Field interviews 2002-2003

Inter-clan, cross-border incursions in the North Rift have always required intervention by central government forces. In Uganda, the UPDF has been used to restore peace and security in the region from time to time. Auxiliary forces in the affected districts are most often mobilized to address security problems in Karamoja. The arrangement between militia and Local Defence Units (LDU) is part of wider security measures there. The current tiers of security in Karamoja are: the Local Defence Units (LDUs) composed of ex-vigilantes who were warriors and ex-anti stock theft people who were originally warriors, retrained in 2002 and nicknamed the 'Talibans'.<sup>74</sup> There is also the militia, but they are being used to fight the

<sup>74</sup> This is because their training coincided with the Afghan war with the USA

Lords Resistance Army in the North of Uganda.<sup>75</sup> In some places, especially in Pian County, warriors have been re-armed as home guards. The LDUs are now based in barracks while the home guards are expected to move with the animals and are based in the *kraals*. There are also local administration police (LAPs) but they are very few.

LDUs have no central command and in the case of Uganda they have no legal status. As noted by Honourable Lokawua:

There is no statute that covers the LDUs. We are currently using a certain Police Act, which I think has expired. The tribal militias are answerable to the elders as much as they are answerable to the police.<sup>76</sup>

In Uganda the diversity of actors complicates the governance and security situation. It is also acceptance by the Ugandan government of its inability to provide security to its own citizens.

In Kenya the tiers of security in pastoral areas include the home guards or KPR, and the warriors. Theoretically, the army is available, but it is based in barracks and only interferes in cattle rustling conflicts when they escalate. Normally the Kenyan government uses the General Service Units (GSU), and the police, which are very thin on the ground. The anti stock theft unit, which was formed in the 1970s exists, but one wonders what work it does, given the escalation of cattle rustling.

In Kenya, KPR are embedded in the constitution. However they are still lacking clear recruitment and disciplinary procedures, which has allowed the provincial police officers the powers to hire and fire at will. There is no clear chain of command, a situation that has allowed them to create their own cartels, perpetuating crime in pastoral areas<sup>77</sup>.

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<sup>75</sup> IRIN 8 September 2003; see also Daily Monitor 8 September 2003.

<sup>76</sup> Interview, Michael Lokawua, Kampala 16 May 2003.

<sup>77</sup> See Daily Nation 6 April 2004. <http://www.eastandard.net/headlines/news06040402.htm>.

#### **4.5.2 Security and Governance in Karamoja, Uganda.**

The Uganda Army and the Local Defence Units who are not embedded in the constitution have worsened the security situation in Karamoja, retarding peace and development efforts and displacing people. As noted earlier, their response in animal recovery is too fast and authoritarian. In a recent security meeting in Moroto, the majority view was that there should be village security force in Karamoja to protect the people<sup>78</sup>. This sub section examines the origin of vigilantes, which are relatively new in Karamoja and how they have now metamorphosed into LDUs and militias.

##### **The rise in Vigilantes in Karamoja**

The creation of vigilante groups was a response to the increase in cattle raids and banditry in Karamoja<sup>79</sup>. People initially wanted to create camps where vigilantes would live, so that from the camps they could follow the stolen cattle.<sup>80</sup> The vigilantes' duty was mainly recovery of stolen animals by tracking them, and errant warriors responsible for raids, down. The vigilantes were also supposed to convince the people to stop raiding, hand in and register their guns and become vigilantes<sup>81</sup>. Although these groups tried to contain the cattle-raiding problem, it became evident that they could not do so without the aid of the government, whose support was not initially forthcoming.

At first a small force of ten vigilantes was formed. Abura Pirir got support from non-

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<sup>78</sup> See Workshop on Security for the People of Karamoja and its Neighbouring Districts: The Way Ahead. Workshop organized by Paxi Christi Netherlands, in partnership with the Karamoja Agro-Pastoral Development Programme and Kotido Peace Initiative (KOPEIN) Mt. Moroto Hotel, Moroto, 20-21 November 2003.

<sup>79</sup> See Mkutu 2003 op cit.

<sup>80</sup> Interviews, Father John Bosco, Amudat, 17 June 2001.

<sup>81</sup> Interview Peterken former Resident District Commissioner for Nakapiripirit and a founder member of the vigilante Nakapiripirit, January 2003.

governmental organizations (NGOs) and churches.<sup>82</sup> They first started by securing the roads, which the Ugandan army had not been able to accomplish, even when travelling in convoys. The vigilantes were effective in greatly reducing insecurity on the roads<sup>83</sup>.

President Museveni was pressed to address the problem of cattle raids and insecurity caused by Karamoja warriors. On a visit to the area, he decided to support the concept of vigilantism. He appointed a minister for Karamoja, as the president's representative on security, who spoke the language and understood the problems. The president put the vigilantes under the Uganda Peoples Defence Force (UPDF). The vigilante force was then increased from its initial 10 to 1000 people in each of 8 counties in Karamoja.<sup>84</sup>

In the beginning the idea seemed to work well, since the vigilantes were able to stop cattle raids and highway robberies for a while.<sup>85</sup> As in the words of Father Bosco;

A friend of mine... would ride a motorbike from Moroto to Namalu for 80-90 km distance, and he was never ambushed<sup>86</sup>.

Interviews revealed that in the beginning, the efforts of these groups were embraced by the community. The people were part of the community, so it was assumed they could understand their own people. They were paid for their work by the government to encourage them to use their weapons for the right purposes, and not to settle internal conflicts. To qualify as a vigilante, one had to register his firearm. Retired men and women were not required to register their guns, the rationale was that if they had firearms, they had bought them from the government and must have registered them at the time<sup>87</sup>. Some women were

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<sup>82</sup> Other researchers attribute the vigilante conception to the "Karamoja Pacification Committee" (KPC) headed by a Divisional Army Commander comprising mainly security personnel in the Region and mandated to find a solution to the military problem in Karamoja.

<sup>83</sup> See Mkutu 2003 op. cit

<sup>84</sup> Field notes June 2001-2002 and 2003

<sup>85</sup> Interview Father John Bosco, Amudat, 17 June 2001 and January 2003.

<sup>86</sup> Ibid. The Church of Uganda backed the vigilante concept as a people's initiative and at one time even bought uniforms for the recruits.

<sup>87</sup> Field notes June 2001, January- February 2003 and November 2003. See also Mkutu 2003 op. cit.

also hired as vigilantes, mainly being used as informants. Retired elders, prison wardens, policemen and soldiers also became vigilantes. The warriors that agreed to register their guns were paid 10,000<sup>88</sup> Ugandan shillings each month by the government<sup>89</sup>. In recent times that amount has been increased to 30,000<sup>90</sup>. The money is distributed by the UPDF on behalf of the Ugandan government. In Namalu, warriors I interviewed said that the money is not reliable. Sometimes the government is in arrears by as long as three months.<sup>91</sup> This angers the warriors who will sometimes go on the roads and rob motorists in lieu of payment.

Father Bosco, a victim of vigilante attack, informed me:

As I talk, I am carrying a bullet in my leg. I was travelling, taking school children to Kangole, and when we neared Moroto they shot at the van. Luckily, I was the only one wounded.<sup>92</sup>

Father Bosco also mentioned that a friend of his managed to overcome a bandit, and when the attacker's gun was recovered it had a vigilante registration number<sup>93</sup>. When I talked to the vigilantes, they defended themselves, claiming that they did not engage in violent robbery but said other warriors with non-registered arms were the bandits and cattle rustlers<sup>94</sup>. Evidence from the ordinary citizen acknowledged that the vigilantes, despite doing a very good job initially, now threaten the very security they are supposed to protect. The people interviewed said that the unrestrained use of small arms by vigilantes was alarming, and the rise in civilian casualties and domestic violence was causing many to question the validity of these

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<sup>88</sup> Equivalent to £3.80

<sup>89</sup> By the end of 1995, the government was spending 60 million Uganda shillings per month to pay vigilantes in Karamoja Daily Monitor 9 October 1995 "Government Spends Shs.60m on Karamoja Vigilantes.

<sup>90</sup> Equivalent to £13 in 2001

<sup>91</sup> Ibid. This was also confirmed in interviews in November 2003.

<sup>92</sup> Interview, Father John Bosco, Amudat, St. Joseph, 14 June, 2001

<sup>93</sup> Ibid. Field notes January 2003

<sup>94</sup> Field notes January-February, May and November 2003.

groups. The late Father Bruno, informed me that:

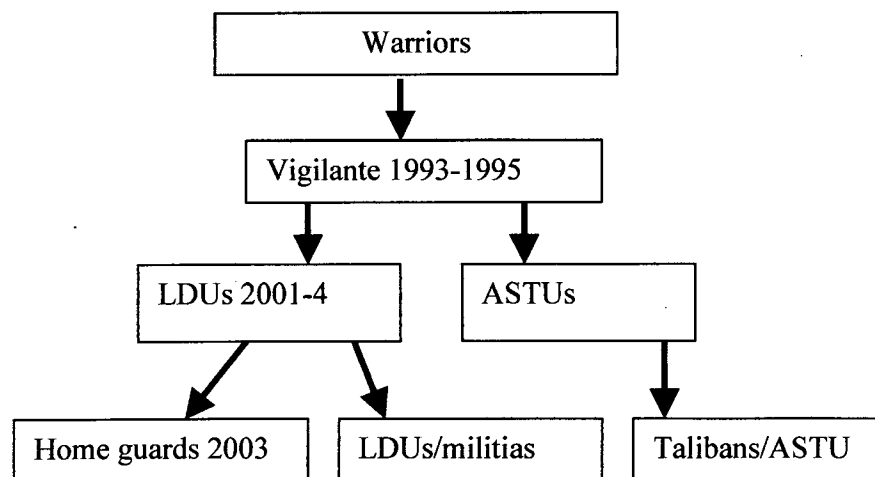
They are using the bread [payment] from the government without helping the government; they are milking the cow without feeding it.<sup>95</sup>

Another respondent said; “The warriors are earning salaries and yet still killing people.”<sup>96</sup> This state of affairs seems mainly due to ineffective payment and corruption<sup>97</sup>. Evidence from the field indicated that with the introduction of disarmament in Uganda (chapter 7) in December 2001, the vigilante groups were not dissolved but their formal contract with the government ceased to exist, though their guns were not retrieved<sup>98</sup>. The same guns are now used for general crime (banditry and road ambushes). It is worthy of note that not all areas in Karamoja had vigilante groups.

### Metamorphosis of LDUs

The chart below shows the metamorphosis of the vigilante groups from the early 1990s to the present.

**Figure 4.2 Metamorphosis of Vigilante to current status in Uganda**



<sup>95</sup> Interviews, Father Bruno, Novelli and Moroto, 16 June, 2001

<sup>96</sup> Field notes January-February, May and November 2003

<sup>97</sup> Interview Honorable Michael Lokawua, former MP Moroto Central and Assistant Kampala, 17, May 2003.

<sup>98</sup> Field notes January and February 2003.



Warriors are community members, appointed by the elders to protect the cattle of the community against raiders. Most have been armed for many years. Vigilantes were former warriors, responsible for protecting the wider community and later paid by the state through the army, as mentioned above. The LDUs are mostly former warriors and vigilantes, which have moved through the processes above. They are trained for one month, are under the 'command of the UPDF' and are paid between 30,000 and 60,000 Uganda shillings, which sometimes takes months to reach them. Unlike the former vigilantes, the LDUs are given guns by the government to help the UPDF. It is not very clear if these are arms they originally owned as vigilantes or if they were re-armed. They share the same barracks as the UPDF and mix with them. In addition to being in this chain of command, they are also under the authority of the elders, and receive instruction from them.

Problems with creation of such paramilitaries include the fact that there was no legislation establishing LDUs. The non-legality of the LDUs as well as their welfare has been a subject of debate from Ugandan parliamentarians<sup>99</sup>. There is no clear definition of their chores, term of office, and command structures.<sup>100</sup> In an interview with Lokawua he noted "the tribal militias are answerable to the elders as much as they are answerable to the UPDF". He also said "To me, the LDUs should have been under the command of the police, because they have been changing from the police to the army and vice versa, which I do not understand."

<sup>101</sup> Other major problems are decision-making, communication, and lack of evaluation. The

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<sup>99</sup> See New Vision 17 May 2003 "Defense grilled over LDUs"

<sup>100</sup> Furthermore, the RDC does not have powers over the commanders of the military. The commanders usually receive orders from higher-ranking commanders and are supposed to communicate orders to the people. The RDC is the President's security man in the districts.

<sup>101</sup> Interviews Honorable Michael Lokawua, Presidential Assistant on Disarmament, former MP for Moroto municipality (1996-2001) and chairman Moroto District Local Government (1991-1995). Kampala 17 May 2003 and 22 November 2003. On 21-22 November 2003 during a workshop in Moroto on Security for the people of Karamoja and Neighbouring Districts. A question raised was: who should control community

creating and disbanding of the various paramilitary institutions has caused severe confusion.

LDUs are recruited from among the warriors. The recruitment criteria are not clear, and their training does not instil responsibility. The Dodoth, the Jie, the Bokora, the Matheniko and even the Upe Pokot still behave like warriors and are not ready to work as a national army but only as a tribe. In the training of LDU, they are not mixed with other tribes, hence they are not encouraged to become nationalistic but remain tribal.

The activities of the LDUs and of warriors are sometimes similar in many respects, especially as their activities can sometimes be classified as illegal or extralegal.<sup>102</sup> The LC5 Kotido noted:

In most cases recovery of rustled animals by UPDF/LDUs has become a source of contempt as they missed targets, hurt more 'innocent' people than criminal elements, took advantage e.g. rustled cattle were sold as fast as possible. UPDF/LDUs are 'suspected' of selling recovered cattle.<sup>103</sup>

As noted by the Inspector General for Police in Uganda, "Whereas some LDU\`s have demonstrated their worth, some have done the opposite...They continue to engage themselves in violent crime"<sup>104</sup>.

While in the field, it was mentioned that the LDUs were being trained and taken to fight by the Lord's Resistance Army in the North.<sup>105</sup> In one instance, two men jumped off an army lorry because they were being taken to Lira to fight. The Members of Parliament wanted to

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based security forces and how? Given that the Uganda government has failed in providing security to the Karimojong.

<sup>102</sup> Note early they are involved in the sale of arms and ammunition, and in cattle raids. See Knighton, 2003

<sup>103</sup> Hon Adome Lokwii Callistus LC V Kotido *ibid*.

<sup>104</sup> Mr. Katumba Wamala, Speech given in workshop in Kampala, 2001

<sup>105</sup> This was confirmed in an interview with Alerio Omara, the Uganda Human Right Commissioner, interview, Moroto 21 November 2003, who noted that they have complained to President Museveni about the use of Local Defence Units to fight Kony. See Also IRIN 9 September 2003; IRIN 8 September 2003; Daily Monitor 8 September 2003.

know from the Minister of State about the deployment of LDU personnel in military combat, arguing that LDU were being used as cheap labour.<sup>106</sup> Deployment of LDU in combat was problematic, since they were not yet covered under existing law. What happens to their casualties in war? Also, without the LDU embedded in the constitution, the government can use them to abuse human rights, and government cannot be held accountable.<sup>107</sup> Similar abuse can be noted when corrupt officials built houses using their LDU allowances.

In field interviews, the LDUs said that when they were recruited, they thought they would be protecting their communities while living in them, being paid a salary to benefit their families and being able to direct family affairs, but they were disappointed in their restrictions. One mentioned that he had three wives, yet was required to stay in the barracks. When cattle raids occur, even those involving their own cattle, they are not allowed to respond promptly but must follow the UPDF command, something they are not used to. So people violate the rules or leave the LDU.

Because of dissatisfaction with their treatment and pay, the men in LDU are deserting. Interviews indicated that the well-trained and armed Karimojong desert with their arms and return back to the society, then train other warriors. But an interview with one of the UPDF revealed that LDUs and other paramilitary units have been subject to military law, though it could not be produced in writing. Desertion contravened section 38(1) of the National Resistance Army Statute of 1992, and constituted the commission of an offence, and upon conviction, one was liable to either suffer death or life imprisonment. The fact that LDUs still deserted meant that either they had been left with no option, or they were aware that nothing would happen to them when they deserted.

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<sup>106</sup> New Vision 17 May, 2003 "Defense Grilled over LDUs"

<sup>107</sup> Hon. Ruth Nankabirwa recently said, while defending the creation of paramilitary units, that their existence was justifiable under Article 17(1) and (2) of the Constitution. See Namutebi, J. and H. Mukasa, "Arrow Group militia to get sh11b facilitation", New Vision, 3 September 2003.

At a Moroto Workshop in 2001, it was suggested that the LDUs should be properly facilitated. At the security meeting in Moroto in November 2003, it was noted that LDUs should be at village level where they can provide security to the communities instead of being turned into an army reservist. However, in the field in 2003, those interviewed said that they were not given food regularly and had not been paid for two months, and this forced them to go raiding<sup>108</sup>. The inconsistent and poor pay, along with inflation, makes for an unreliable local defence system open to bribes and corruption. They are deserting from serving the “states” with their arms without being traced by the states; this further perpetuates the banditry and road ambushes, leading to more arms in the communities. Some of the deserters are responsible for training the warriors, which provides them with better skills to be even more violent. It in turn contributes to the weak governance as they turn against the governing bodies that arm them. This is also a breeding ground for future racketeers, which have already caused problems in Karamoja.<sup>109</sup> The civilians concurred with the LDUs saying that the LDUs involvement in raiding is partly due to their low salary, but lack of human security is making the communities demand the vigilante back claiming that at least they are community based as opposed to the LDUs<sup>110</sup>.

### **Creation of Militias to Fight Alongside the Army**

In Uganda, militia groups are emerging as the security of the communities. Some of these are armed civilians who volunteer to assist the Ugandan Peoples Defence Force (UPDF) to fight the Lords Resistance Army. They are mainly unemployed youths who have nothing to do. They have been created with the argument that UPDF could not cover the whole conflict as the recruitment into the army has been constrained by the relatively small defence budget,

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<sup>108</sup> When I visited the field between 18-23 November 2003 the Local Defence Units had still not been paid.

<sup>109</sup> Again as noted early the term warlord is contested, but for more details see Muhereza, 1997, Ocan, 1992, Mkutu, 2003

<sup>110</sup> Field notes, Moroto November 2003.

which is under constant scrutiny by both the donor community and the country's opposition.<sup>111</sup> In the Langi area, the government of Uganda has created over 8000 militias to fight the LRA (Wax, 2004). Recently the Uganda government admitted that its technique of arming militia groups in the eastern Teso region is succeeding in weakening the LRA rebel group. The army spokesperson noted "in the last few weeks, slowly but surely, we are neutralizing (LRA) Kony in Teso."<sup>112</sup>

The development of militia groups like the Kenya Police Reservists (formed by the Government of Kenya, as discussed in the next section) and Local Defence Units, the Arrow boys<sup>113</sup> and Rhino groups in northern Uganda who are armed by the states, leads to the weaponization of society, putting arms into hands of people poorly trained in their use.<sup>114</sup> The main interest of the militia groups is just to defend their tribes from those seen as 'enemies'. The Ugandan government's decision to arm home guards in Pian even resulted in the arms being used to terrorize their cousins, the Bokora.

#### **4.5.3 Security and Governance in Pastoral Areas of Kenya**

From their very historical beginnings, the Kenyan police never enjoyed a comfortable interaction with Kenyan citizens. The history of the Kenyan police force goes back to the incorporation of Kenya into the British colonial Empire and the construction of the Kenya Uganda railway (Mombasa to Uganda). The first formal police structure dates back to 1896

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<sup>111</sup> See East African 22 March, 2004 "Uganda could slide back into genocide"; Also East African March 22, 2004

<sup>112</sup> IRIN, Kampala, 8<sup>th</sup> September 2003.

<sup>113</sup> See Daily Monitor, 12 February 2004, "Arrow boys a security threat"  
<http://www.nationaudio.com/News/EastAfrican/22032004/Regional/Regional2203200439.html>  
<http://www.monitor.co.ug/news/news02128.php>.

<sup>114</sup> The cattle rustlers have struck a deal with the rebels. They get guns, the LRA take the animals. This new twist intensifies the proliferation and sales of arms and makes the conflict more complicated.

in Mombasa where a force comprised of a British Assistant Superintendent, two inspectors and Indian personnel was established.<sup>115</sup> With the hostility that the British faced in the construction of the railway from various African communities, especially the Masai and Nandi, security was of paramount concern. The genesis of the police force then was tied to the security of the colonial officers and the protection of their property. It became then the weapon of punishment and 'pacification' of communities. At its colonial beginning, the police force carried the marks of a punitive force to ensure law and order rather than a crime investigating and customer service oriented body. At independence in 1963, the structures of the colonial regime were transferred, in their entire state, to the new government. No retraining of the police was undertaken and the only sign of change was the rapid promotions of African officers to the top (Ruteere and Pommerolle, 2002). The repression of any who opposed their purposes continued. The police's tactics, philosophy and attitude have been the subject of various condemnatory studies by Kenyan and international human rights groups, the media as well as other civil society organizations<sup>116</sup>.

Unlike the other states in the Horn of Africa, Kenya has not had a tradition of allowing vigilantes to develop in non pastoral areas until recently. The appearance of localized, semi-political, largely informal militias first surfaced during the return of multiparty politics in 1992 as part of an effort to counter political liberalization and reform movements through violence. Discussions with Kenyans from different parts of the country, together with media reports, have identified over a dozen of these groups, the most prominent of which is the Nairobi based Jeshi la Mzee (Army of the Old Man); others include Mungiki, Jeshi la Embakasi, Baghdad boys, Chinkororo, Amachuma, Taliban, Sungu Sungu and Kaya Bombo

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<sup>115</sup> For a fuller discussion on the beginnings of the police force in Kenya, see Clayton and Killingray (1989). Ohio, 1989.

<sup>116</sup> See, for instance, Kenya Human Rights Commission (KHRC), Quarterly Repression Reports (1994-); African Rights, Kenya: Shadow Justice, London, 1996; African Rights, Destroying Soweto: The Burning Issue of Land Rights, 1997; US State Department, US Country Reports on Kenya, 1999. See East African 6 April 2004 [www.eastandard.net/headlines/news06040402.htm](http://www.eastandard.net/headlines/news06040402.htm).

boys. Several of these groups are associated with individual politicians associated with different parties. This section describes their emergence with a bias in pastoral areas.

### **Increasing Insecurity and Lawlessness in Kenya<sup>117</sup>**

The infusion of weapons from Uganda, Somalia, Sudan and Ethiopia, the competition for scarce water and pasture, and the increase in cattle raids (all noted earlier), combined with limited security, persuaded the Kenya government to use the Kenya Police Reserve<sup>118</sup>. They are similar to the Ugandan vigilantes mentioned earlier.

Firearms are now to be found in rural areas where in the past, criminals only had access to crude weapons. In pastoral areas the problem is so serious the government has been forced to allow the worst affected in the North Rift to arm themselves with guns as a means of self-protection from cattle raiders. The government has had to similarly issue guns to police home guards and reservists to augment mainstream security efforts in the more remote parts of the country. The plan was basically meant to allow locals to be involved in underwriting their own security.

This section examines the ongoing development of the vigilante home guards (KPR) in Kenya, with their merits and demerits.

### **Origin of the KPR/Home Guards in Kenya**

During the colonial era, the government saw little need to provide for the security of pastoralists. The policy adopted in regard to the pastoral communities in this region was one

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<sup>117</sup> See East African Standard 21 April 2004 “the dangers of run way crime now facing Kenya”

<sup>118</sup> For increasing insecurity see Daily Nation 3 April, 2004, Kenya Times 3 March, 2004.

of “observation only, while efforts were to be made to establish native courts and to build up a force of tribal police.”<sup>119</sup> In 1953, the entire police force in Kenya was 5,288 officers of whom 166 were Europeans, 60 Asians and 4,962 Africans (1953 Police Commission Report). They mainly operated in the settled areas.

Outside of the regular police there was the tribal police force, constituted by the tribal police ordinance, 1929. This had originated from District managers who needed to carry out police duties, and used local people to do so. This maintained closer touch with the people than the regular police drawn from all parts of the colony. The Kenya Police Reserve, a body of unpaid volunteers, was established in 1948 to bridge the gap between the regular police and the civilian population. In 1953 constables in the home guard received KSh132 per month plus housing and uniforms. They were under the care and supervision of district officers, were to assist the regular police to enforce control of movement, and also could be called out for other local duty.

The home guard was a strong base from which the colonial government carried out offensive action against any group that tried to terrorize or in any way interfere with the labour force on the farms. At first the home guards were mainly used as guides, trackers and collectors of information. Soon they were able to undertake night patrols to enforce government curfew or other regulations. Later they played a role in collection of communal fines imposed under the provisions of the special districts ordinances, but again, they worked with military protection.

By March 1953, the home guards’ total strength in just the Kikuyu districts of Nyeri and Kiambu had risen to about 15,000. On March 3rd, at a meeting chaired in Nairobi by the Deputy Director of Operations, Major General Hinde, it was tentatively agreed that 20 per cent of the home guards should be armed, with European officers to command them. They

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<sup>119</sup> KNA/PC/NFD7/1/1: NFD Handbook, (1917.106) “The Northern Frontier, Its Boundaries, Districts and Inhabitants”



were well trained and there was a well-organized force in settled areas. On 20 April 1953, Hinde issued a directive formally establishing an African home guard named the Kikuyu Guard; a large part of its responsibility was to resist the activities of the Mau Mau, the nationalist militant group pushing for Kenyan independence.

Kenya Police Reservists (KPR) now operates under the Police Act Cap. 84 laws of Kenya (1970, revised in 1998). They are civilian volunteers employed to assist in the maintenance of law and order, the preservation of peace, the protection of life and property, the prevention and detection of crime, the apprehension of offenders, and the enforcement of all laws and regulations. Owing to a shortage of security officers<sup>120</sup>, the government uses the Kenya Police Reservists to supplement the work of the police, especially in marginal areas.<sup>121</sup> Currently, there are about 5,000 reservists in Kenya. Nearly 2,000 of these are in North Rift and North Eastern Province pastoral areas. They tackle insurgents and cattle rustlers from the neighbouring countries. In Nairobi, there are about 500 reservists trained in rapid response in case of bank robberies and carjacking.<sup>122</sup>

The reservists have hierarchical rankings ranging from corporal to sergeant and discipline is supposed to be as any other force<sup>123</sup>. As security personnel they are entitled to possess firearms. However these arms are supposed to be inspected, controlled and accounted for. A question that arises here is why would people do such a risky job for no pay?

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<sup>120</sup> The current number of police in Kenya is listed at 30,000 in the nation of approximately 30 million people. That means currently unfavorable police-to-citizen ratio of 1:1150. Far below the United Nations recommended ratio of 1:450.

<sup>121</sup> Pastoral areas like Samburu, Turkana, West Pokot, Wajir, Marsabit and others. The total number of KPR in pastoral areas is believed to be 5,000.

<sup>122</sup> See Kenya Times 21 April, 2004 "Reservists were becoming the antithesis of law itself" see also Sabala and Mkutu, 2004

<sup>123</sup> Cap 84, section VII, 1988: 20-21

It is worth noting that in urban areas the KPR force was disbanded as of 18 April 2004.<sup>124</sup> The reasons included the fact that officers had become a threat to national security instead of defending it. In some areas the officers commanding police divisions did not know the number of men they had even though they were issued with firearms, ammunition and walkie-talkies<sup>125</sup>.

### **Merits and Demerits of KPRs**

Provincial administrators are the organizers of local security efforts, and they work in collaboration with the administration police to maintain law and order. Between January 2001-January and November 2003, a questionnaire was administered to District Officers in various parts of Kenya. Among other things, the questions aimed to learn their views on disadvantages and advantages of KPR as an effective security organ in Kenya. Out of 180 questionnaires, 79% were returned.

The responses reveal a number of things. Firstly, the District officers felt that KPR had an advantage in protecting the community, their animals and resources since they were within reach when needed to counter attacks from external aggressors. Secondly, their familiarity with the local people and the local terrain allowed them to get wind of an impending attack, and to respond quickly and effectively.

An Officer in Charge of Police (OCPD) who was interviewed concurred with this:

Home guards play a very important role; they scare away Karimojong. The issue of using home guards is not good but due to border conflicts it is good to guard

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<sup>124</sup> Daily Nation 10 April 2004 "Kenya Police reserve force is disbanded"; Daily Nation 21 April 2004 "Police reserves 'were a threat to security'; Kenya Times 21 April "It is worthy to point out here that there are two types of KPR in the urban areas, the Asian based one that they use to terrorize Kenyans and normally Kenyans who are also KPR. They work does not address either of these two groups but examines the village KPR.

<sup>125</sup> Daily Nation 21 April, 2004 "Police reserves were a threat to security"

themselves against Karamoja and other tribes of neighbouring countries.<sup>126</sup>

Owing to the few police posts in marginal and border areas, KPR supplement and support the work of the Administration Police and the Kenya Police, saving money (since they are not paid). Use of vigilantes/KPR is an acknowledgment by the government of the scale of insecurity in the region. Since the government provides arms to the vigilantes, someone becomes officially accountable for their use. Therefore, from the state's perspective, using KPR is a cost effective security method.

Despite the merits of the Kenya Police Reservists, there are problems. First, they contribute to insecurity by misusing the arms in their possession. This was recently confirmed on his tour in the North Rift, when the Minister for Internal Security, Chris Murungaru, said that all the 5,000 police reservists would be disarmed, accusing them of being partisan in the war against crime: "The government would no longer entrust the security of its people [to] non-uniformed officers and armed civilians."<sup>127</sup>

The vigilantes are prone to use illegal guns on pretext of official use. In some cases government weapons have been used to raid neighbouring communities. While in West Pokot during fieldwork in 2002, a government official interviewed told me that the Kenya Police Reservists colluded with rustlers to go raiding. From January-August, 2002, five arms that were recovered in raids belonged to Kenya Police Reservists.<sup>128</sup> Also it was noted that in March- February 2002, people went to raid in Uganda, and a G3 was confiscated by the Uganda security. On checking the source, it was discovered it belonged to a KPR. Sometimes arms are given to untrained KPR personnel. Evidently some police reservists

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<sup>126</sup> Interview OCPD 8 June 2002. Did not want his name quoted.

<sup>127</sup> Daily Nation. (2003). All 5,000 Police Reservists to go, says Murungaru. Nairobi. Daily Nation. Nairobi.

<sup>128</sup> Interview, government official, name withheld, Kachiliba, Kenya, 2 August 2002.

compromise their security role and contribute to the diffusion of arms in the society and the race for arms among the different ethnic groups<sup>129</sup>.

KPRs are not forced to follow orders, as the police are, hence it is difficult to control and discipline them. This has allowed the provincial police officers, the only ones with powers to fire and hire reservists, to abuse the process with impunity. Because KPR are not directly answerable to a clear chain of command, they have created their own cartel that perpetuates crime<sup>130</sup>. Some even hire or loan out their weapons for criminal activities.<sup>131</sup>

The laws of Kenya Cap.14, section 5, (1) states that all firearms are issued by a firearms' licensing officer. However, in practice reservists obtain their firearms from the senior police officer in the district, after they have successfully completed an interview and have been found to be of good character. This is in contradiction to the above law (Kenya Cap 14, section 5, 1). It is exactly against this backdrop that the move by Police Commissioner Brigadier Mohamed Ali Hussein to disband Police Reservists in all urban areas should be seen. However, in pastoral areas and rural areas they were not.<sup>132</sup>

#### **4.6 Implications of Using KPR and Vigilantes (LDUs) for Security**

The vigilante groups used to supplement the police have consequences for governance and democratic accountability. Falling outside full recognition of government authority, they live independent of other parts of society. Kampala and Nairobi pass the laws, but the people in North Rift decide which laws to obey and respect.

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<sup>129</sup> See for example East African Standard 18 August 2004 "State told to disarm home guards"  
<http://www.eastandard.net/headlines/news18080413.htm>

<sup>130</sup> East African Standard, 6 April, 2004

<sup>131</sup> For example in April, 2000, security personnel in pursuit of bandits driving away stolen cattle from the Lorogon reserve in Turkana district, exchanged fire with the bandits and in the process recovered a registered KPR rifle.

<sup>132</sup> See Kenya Times 21 April 2004.

Semi autonomous security groups affect governance and democratic accountability in that, firstly they are the main focus of arms proliferation as I shall show in chapter 5, and secondly they challenge the official military, thus weakening the structures of governance, as noted in later sections. In case of political change, they might weaken governance further, since the LDUs are tied to both rebels and warriors<sup>133</sup>. In Uganda, as President Museveni comes to the end of his term, these semi-autonomous units could split into smaller factions or merge with the rebels with devastating effect on the governance of the entire country. Such groups also undermine the effectiveness of the police.

The involvement of KPR/militias/vigilante in raids, in renting their arms, and in diffusion of arms to society, indicates a lack of discipline and a system infected with corruption and mal-administration, one that seriously threatens effective border control and security. There is mortal danger in having a large number of unpaid, ill-disciplined but armed people who can easily be on hire and be turned into private militia to serve even political ends. This has been experienced before in Kenya when such groups were used in the Rift Valley clashes of 1991-1992 and the 1997 clashes in Coastal areas of Kenya. Using the KPR in the short run saves the government much money, but in the long run it increases the potential for conflict and terrorising of innocent citizens.<sup>134</sup> The shortage of personnel dictates that everything possible should be done to improve the knowledge and skills of the KPR, if they are to be effective, especially when located in border areas.

The cases of the Local Defence Units, militia and the home guards, clearly illustrate how weapons and bullets begin legally then enter the black market through inadequate documentation, irresponsible stockpile management, or unscrupulous arms trading. Without

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<sup>133</sup> See for example Daily Monitor 4 October 2003 "Saleh angry over Ugandan shillings 4bn project.

<sup>134</sup> See for example Daily Nation 28 May 2004 "Home guards sacked after torture claim".

standing orders they cannot be easily controlled. These groups sometimes take the law into their own hands and use government weapons to settle personal scores.

The vigilantes exacerbate inter-tribal cattle rustling and communal conflicts because each tribe has its own vigilante “police”. They reinforce the self-destructive/defensive pattern of cattle raids and counter raids, causing alarming rates of unruliness and suffering by innocent citizens. The use of vigilantes has increased insecurity and destabilized the states, making security expensive to implement, monitor and control.

Further, arming one community leads to others demanding arms for protection, legitimising misuse of both legal and illegal firearms. It causes suspicion of favouritism toward certain communities, and as a result, different ethnic groups which are friendly and peaceful, become hostile both to each other and to the government.

#### **4.7 Conclusion**

In conclusion it is worth returning to the questions asked at the beginning of the chapter. What was the colonial governance system in pastoral areas? The colonial government mixed both modern public administration and a customary system of justice (council of elders) to reduce raids and force fair settlement of disputes. They made maintenance of law and order the first priority. They gave pastoralists what protection was possible under the British flag, but otherwise left them to their own customs and chiefs, as far as possible. As a result, the pastoral areas remained neglected and unaffected by other aspects of colonial governance.

A second question was, if governance were strong would pastoralists still demand arms to protect themselves? As noted in previous sections, the only proper purpose for seeking arms is protection. The state is the authoritative political institution that is sovereign over a recognized territory. The weakening of one function drags others down with it, though it is

hard to determine an absolute threshold of collapse. At present, the state is unable or unwilling to implement its policies. And when it responds to insecurity through the police, they inflict punishment as much as protection. This situation is central to communities' demands to protect themselves. The result has been continued marginalization of pastoral communities and increased cattle rustling, so that they demand arms to protect themselves and their property (examined further in chapter 5). The failure of governance has produced inter-ethnic confrontations in the form of cattle rustling, and the loss of much life and property. The failure of governance is the main cause for this internal arms race, which is examined in the next chapter.

Thirdly, is vigilantism the best system in pastoral areas, and can it sustain good governance, safety, security and the rule of law? The prevalence of vigilantes in the North Rift demonstrates that the two states (Uganda and Kenya) are no longer the only entities citizens rely on for security. Moreover, it reveals that states no longer have a monopoly on the legitimate use of violence. The arming of citizens has not and will never eliminate crime. Instead it intensifies the problem beyond control and fosters anarchy. The rise of semi-autonomous security forces is at the centre of bad governance and the inability of the state to fulfil their responsibilities.

The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights, prohibits states from undertaking or permitting a range of abuses. Some of the arms being given to home guards end up being used for criminal purposes. Government's failure to ensure that these arms are not improperly used makes it partially responsible for abuses forbidden under these covenants. By using vigilantes, states abdicate their role of protecting life and property. The lack of policy to regulate the paramilitary forces creates problems of coordination, command, and control, which compound the current security dilemma in North Rift. The management and handling

of the local communal conflict has intensified and exacerbated the pastoral cattle raids and small arms proliferation, creating a conflict between the states and the community.

Finally, the deserting of the LDUs and the use of militia in fighting the Lords Resistance Army has major implications. Firstly, there are now more arms in the community that cannot be traced. Secondly, the deserting LDUs are now trained and can organise and train others in major groups for raiding.



## Chapter 5

### **The Proliferation of Small Arms and Light Weapons in the North Rift**

“The gun is looked at as convertible currency. With a gun one can get cash; from cash, cows; from cows, guns; from guns, other general merchandise.”<sup>1</sup>

#### **5.1 Introduction (SALW dynamics)**

Chapter 2 noted the schools of thought on the cause and effect relationship between weapons and war. It concluded that although weapons may not be the root cause of war, they could be seen to exacerbate a volatile situation. However, it was noted that there was insufficient literature on the phenomena with regard to pastoralist conflicts.

Availability and proliferation of arms in the North Rift contribute toward intensifying and escalating localized communal conflicts by increasing the lethality and duration of violence. Any localized communal conflict over pasture and water can lead to arms being used for self-defence to repel a supposed criminal assault that threatens imminent danger of death, or to raiding for profit. The weaponization of society may lead to the use of arms by different local groups to destabilise governance. This would result in further insecurity and weakened states, and if not checked, in anarchy. More small arms in the community lead to more violence and death, as previously law-abiding citizens take arms to settle arguments over small offences. The widespread carrying of guns in the North Rift jeopardizes the safety of both the police and citizens without weapons, and it leads to false confidence in the safety provided by small arms. The easy availability of arms from wars in the Horn of Africa and their low cost is responsible for their diffusion in pastoral areas.

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<sup>1</sup> Interview, Peter Lokeris (Minister for Karamoja, Government of Uganda) Kampala 22 February, 2003

The proliferation of small arms and the competitive race to acquire them is clearly demonstrated in these words of a former District Commissioner of West Pokot in Kenya:

Initially it was the Turkana who possessed arms because of their exposure to Ethiopia, and they used to raid Pokot, so Pokot decided to arm themselves and defend themselves. It was overdone, and the Pokot are fully armed. Later as the Pokot used their arms to molest their neighbours, the Turkana and Marakwet, the Marakwet decided to arm themselves in order to hit back. Now as we stand the Marakwet may be more armed than the Pokot. They may not be good fighters but they are well armed. This is because their armament has taken place in the past 5-6 years. They have deliberately armed themselves, so that they can hit the Pokot. They are not innocent. It is just that the Pokot are better fighters and are brave.<sup>2</sup>

The proliferation of small arms is associated with the increased communal resource conflicts by pastoralists. The only livelihood option for most pastoralists is herding cattle. This is no longer viable without arms to protect them from potential raiders and to restock.

Apart from intensifying and exacerbating the conflict within the larger region, the spread of the AK47 has made it hard to distinguish between conflict and criminality. Small arms lead to a syndrome of lawlessness, which now characterizes the North Rift. Finally, with proliferation, small arms themselves become convertible currency.

The diffusion of arms in the North Rift starts with the story of Turkana. It then links to a regional perspective on conflict, which led to the spill of arms into peaceful areas. It also links the entire conflict to the cold war, where arms were brought to the region from opposing parts of the globe. The Disarmament in Uganda 2001-2004 is also mentioned in this chapter, though the process and its impact are addressed in much greater detail in

chapter 7. The objective is to demonstrate the dynamics of accumulation and flow from a global perspective.

## 5.2 Background to SALW Accumulation and Flows Among Pastoralists in the North Rift.

This section examines the wider history of the development and build up of arms availability between 1900-1980 in North Rift, starting with Turkana and then in the 1950s with the cold war. As reported by Ali Omar a Somali in November 1913, “Abyssinians are selling rifles to the Northern Turkana, the price for one being 70 sheep, 1 donkey and 1 bullock.”<sup>3</sup>

Although Turkana land was generally dismissed as useless wasteland and not fit for colonial exploitation, it was a hotly contested area in East African colonial history until about 1921. Turkana is located in northwestern Kenya and is the second largest district. It shares international borders with Ethiopia, Sudan and Uganda. Turkana’s first contact with the outside was through the Swahili, Arab and Ethiopian (Abyssinian) ivory and slave traders<sup>4</sup>. European explorers, hunters, adventurers and colonial agents then followed with their trained soldiers. This period saw the introduction of small arms and light weapons for hunting wild animals. This destabilized the power balance in the northwestern region where the Turkana had been the dominant power.<sup>5</sup> The Turkana first obtained arms in the fallout from British-Abyssinian war of 1866, in which the British government sent an army to intercede on behalf of Charles Cameron and his staff, (Fabb1987: 15). However, its proximity to Ethiopia played another role in diffusing arms into Turkana land. In November 1913, the Abyssinians (Ethiopians) were said to be

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<sup>2</sup> District Commissioner (name withheld). Interview, Kenya, 25 May 2001. Also see KNA/DC/RVP report 1913; for a similar dynamic on how arms have spread in Acholi, Uganda, see Daily Monitor 18 April 2004 “Genesis of gun-power in Acholi”

<sup>3</sup> KNA DC/RVP / Annual report 1913; Another Somali trader Mohammed Yusuf reported a large number of tower muskets or Legras rifles, 450 near Kobua and the price was 50 sheep, 1 donkey, 1 bullock for a rifle with 20 rounds. 50 rounds of ammunition was being purchased for a donkey, the marks on the cartridges were said to be F.S.M or S.F.M. Capt Leek 4th, KAR in Dodos, confirmed this.

<sup>4</sup> Knighton (2003:433) notes that “they were business people after ivory and hides, and they killed with guns.”

<sup>5</sup> Awuondo- Odegi, 1990; Barber, 1968; Lamphear, 1976; Pazzaglia, 1982; Fabb, 1987

selling rifles to the northern Turkana<sup>6</sup>. In 1932, another report was received of Abyssinians selling weapons and ammunition to their Merrille neighbours at a higher price.

The current circulation and re-circulation of arms in the Horn of Africa has some of its roots in the Italo-Ethiopian (Abyssinian) war of 1866. The draconian manner in which the colonial government later subjected the Turkana led to the acquisition of more arms for protection but also to match those of the colonial state. In order to build a strong resistance they sent well-drilled warriors into Pokot, Karamoja, Samburu, Dodoth, and Toposa areas. Collins (1961) notes that the political effects of these raids were far reaching. Not only did the southern Turkana, who were under partial administration, join their more warlike brothers to the north, but also the inability of the administration to check Turkana warriors spread disaffection among the tribes hitherto loyal to the government. From 1884 to 1886, conflicts between the different groups from Britain, Ethiopia, Egypt, and Arabia who were hunters, explorers and traders, gave the Turkana opportunity to stage what later turned out to be the longest resistance to European colonialism anywhere in Africa (Lamphear, 1982).

The first group to acquire small arms in the region was the Turkana due to their proximity to Ethiopia. This inevitably led to demand for arms by neighbouring ethnic communities and supply was sustained by ongoing war in the region.

### **5.2.1 Cold war, and post cold war civil conflicts and arms accumulation and flows in the Horn of Africa.**

During the Cold War period, though conflicts existed in the region, very little was talked about arms. However, as the Cold War came to an end it was discovered that there had been a slow but steady accumulation of arms in the Horn of Africa, which was a

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<sup>6</sup> The price for one rifle was 70 sheep, one donkey and one bullock, according to a report by Ali Omar, a Somali (KNA/ DC/RVP/ report 1913). With firearms, the Turkana were able to raid the Pokot, Samburu, and even the Karamoja. In 1932, Turkana warriors were estimated at 2,000, with over 1,600 rifles (KNA DC/Turk/3/3/ History of Turkana, 1951).

battleground between the superpowers. With the end of the cold war in 1991, many states experienced internal wars in which arms were used, and this in turn attracted more arms.

Between 1989 to 1993, the majority of the disputes around the world were minor armed conflicts or localised (internal) wars, caused by multiple factors ranging from oppression, marginalization, unequal distribution of resources, dictatorial government policies, cultural and historical factors, religious or ethnic divisions, territorial issues and border disputes and insurgencies. Wallensteen and Sollenberg, (1998) note the regional distribution of armed conflicts for 1989-1997. Asia and Africa was the scene of most of the conflicts. Only in 1992 and 1993 can Europe be included. Goulding (1999: 157) shows that all the conflicts in Africa since the end of the cold war have been localised wars or "new wars"<sup>7</sup>, in which small arms have played a major role. This section reviews that progression on arms races/transfers and war at the domestic or localised level in the Horn of Africa.

### **The case of the Ogaden War 1977-1978**

During the colonial period, Somalis found themselves being the victims of the partition and the scramble for Africa. The Berlin conference of 1884-5 split ethnic Somalis into five states; French Somalia (now Djibouti), Ethiopia, Kenya, Italian Somalia and British Somaliland. Italian and British Somaliland united to form Somalia. In the 1960s Somalia campaigned to create one Somalia called Greater Somalia, a move that led to the war with Kenya and Ethiopia in 1977, commonly called the Ogaden war<sup>8</sup>. This was a turning point in arms availability in the region.

Prior to the war, weapons purchases authorised to Ethiopia under the foreign military assistance (FMS) sales program reached an absolute peak of almost \$63 million in 1976,

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<sup>7</sup> Duffield 2001 and Kaldor 2001: The three most salient examples were Somalia's claims on the territories of Djibouti, Ethiopia and Kenya from the early 1960s to the 1980's, the Eritrea conflict from 1961-91 and 2003; and the civil war in Sudan 1956-72 and 1983 to 2004.

<sup>8</sup> Markakis 1998, Makinda 1992

\$25 million of which was financed by the US governments at commercial rates (Brzoska and Pearson 1994: 182). (See figure 5.1).<sup>9,10</sup>

**Figure 5.1 US military Assistance to Ethiopia 1970-1976**

Year	Grants in US\$, 000s	Sales in US\$, 000s	Personnel Trained in US
1970	10,494	6	
1971	11,763		140
1972	10,645	10	159
1973	9,439		156
1974	11,719	7,440	147
1975	12,999	22,127	130
1976	7,277	135,339	192

Source: US arms policies in the Persian Gulf and Red Sea Areas, 172,175

In 1975 after a renewed request by Ethiopia to the US, \$7 millions in small arms was supplied. In early 1977, with the Carter Administration emphasis on human rights and with the change of US policy, the new military regime in Ethiopia turned to the Soviet Union and other suppliers getting F-5s from Iran and arms worth \$100 million to Ethiopia<sup>11</sup>. In May 1977, another larger agreement of deliveries ranging from \$350-500 million was concluded and also a declaration on the foundation of friendly relations and co-operation (Patman 1989:204).

It is estimated that from 1977 to 1980 the Soviet Union provided \$11 billion worth of arms to Somalia before changing sides to Ethiopia (Lefebvre, 1992). In actual fact, between 1967 and 1976, before the relationships were strained Mogadishu had imported \$185 million worth of arms, of which \$181 million had come from the Soviet Union. In early 1977 with the declining relationships with USSR, Somalia turned to the West for arms<sup>12</sup>. In July 1977, Somalia attacked Ethiopia; the Soviet Union decided to back Ethiopia with more arms. Additionally, Cuba sent 15,000 soldiers and technical assistance, and Soviet Union dispatched 1,250 experts to Ethiopia (Pierre1981: 272: Chiland, 1978). Ethiopia also received small arms from Czechoslovakia and Yugoslavia,

<sup>9</sup> With the defeat of Haile Selassie in 1974, the US policy towards Ethiopia dramatically changed consequently the Americans were forced to leave under the foreign military assistance sales continued to supply military assistance to Ethiopia.

<sup>10</sup> US department of defence, 1986:234-5.

<sup>11</sup> See Brzoska and Pearson 1994: 186, Haliday: 1977; Lefebvre: 1992:42; Chaliand: 1978

<sup>12</sup> See Haliday, 1977; Lefebvre, 1992:44; Porter, 1984

though it was believed they bought on the open market (Lyons1978: 11). These measures guaranteed its success, but left 26,000 Ethiopians and 8000 Somalis killed.<sup>13</sup>

IUCN (1991:61-62) estimates that from1967 to 1976, Ethiopia's arms purchases in the ten years to the outbreak of the Ogaden war amounted to \$190 million, during the period covering the war this increased to \$4,895 million. The US-Soviet rivalry, led to the over-supply of arms between 1970-1993, which helped to fan regional escalation and intensification of conflicts in the Horn (Makinda, 1992). By the Soviet Union arming Somalia between 1963-1977 and building the strategically located port of Berbera, a naval installation and an air base, including a 15,000-foot runway and a control tower (Makinda, 1982:100) the Soviet Union had provided the means to carry out the first attack triggering the war. The ability to exploit its Islamic ties throughout the Middle East<sup>14</sup> and the arms build up made Somalia to feel comfortable to attack Ogaden. The creation of artificial borders by western powers, years before, was also a factor.

As remarked by Lefebvre (1992:35-36), after the 1977-1978 Ogaden war, Ethiopia began to providing support to insurgency movements seeking to oust the Siad Barre government, including the Somali Salvation Democratic Front (SSDF) and the Somali National Movement (SNM) whose military successes in 1988-1989 placed Somalia in a state of civil war leading to a failed state, and resulted in the diffusion of arms in the region.

Unfortunately the insecure situation spread to other pastoral areas, engulfing the whole of northern Kenya up to the Uganda border. To date, this entire corridor is insecure with the situation made worse by the prevailing semi arid climatic conditions.

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13 Matthies, 1987:244; Pierre, 1981:272; Lyons, 1978:10-11

14 With those countries that were seeking confrontation with Israel

## **The case of the Tanzania-Uganda War, and overthrow of Obote II 1978-1979, 1980-1985**

The level of weaponry involved in the Tanzania-Uganda confrontation remained relatively rudimentary, though they played a role in the domestic equation of insecurity.<sup>15</sup> In 1978, Tanzania did not have an army except peoples' militias. Before the war, they had received arms from China, UK, USSR and US. In the course of the war major arms were shipped by UK and USSR<sup>16</sup>. The Ugandan forces were superior to those of Tanzania. Between 1975-1978, Uganda had received arms from Libya, USSR, US, Iraq and Switzerland and during the war Libya had continued to supply both arms and manpower.<sup>17</sup> Equipped with arms, Amin decided to push for his irredentist policy by demanding parts of Tanzania, Kenya and Sudan<sup>18</sup>.

In October 1978, Amin invaded the Salient (Kagera area) of Tanzania<sup>19</sup>. But bad governance had led to insurgency amongst exiled Ugandans in Tanzania and the formation of the Uganda National Liberation Front (UNLF). In January 1979, President Nyerere of Tanzania attacked Uganda and eventually deposed Amin, in league with UNLF. Their task was made more difficult by Uganda's MIG-21s fighters and Tu-22 bombers. However, Brzoska and Pearson, (1994:208) note that Uganda suffered from the lack of weapons and spares and the economic boycott which eroded their military power and that Tanzania won due to their tactics of capturing barracks and enemy equipment and also recovered weapons of fleeing soldiers.<sup>20</sup> Additionally Libya did increase the supply of troops before Amin fell. This illustrates how much of a role small arms can play in prosecuting a war.

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15 See Brzoska and Pearson, 1994; Khadiagala, 1993

16 Brzoska and Pearson, 1994:205

17 Ibid:201

18 According to Amin the whole of Southern Sudan extending right up to the present border with Ethiopia, was under the administration of Uganda until 1914. He argued that it is this land that had produced all the wealth in Kenya (FIBs, East Africa, 1976).

19 Brzoska and Pearson, 1994, Khadiagala, 1992; Kum, 1990:450 See also

<http://www.monitor.co.ug/specialincludes/ugprsd/amin/articles/index.php>

20 Pascal, 1998; Brzoska and Pearson, 1994; Mazuri, 1980; Tindigarukayo, 1988



After the 1980 Uganda elections, Obote II <sup>21</sup> returned to power. Between 1980-85 he improved the economy but his inability to improve the domestic security situation and governance frightened potential investors. The President's favouring of the Langi community and the death of Ojok the commander in chief of the army made the regime extremely fragile. Human rights abuses were on the increase and Amnesty International estimated that 300,000 were killed (Tindigarukayo, 1988: 617). There was growing unrest amongst guerrilla groups including the Uganda National Liberation Army (UNLA) and Museveni's National Resistance Army (later the Movement (NRA/M)). The failure of the Nairobi peace agreement between UNLA, NRA and Obote II saw continued fighting. In 1986, Tito Okello easily overthrew Obote II, and in the same year, Museveni then took over.

The 1980 war between Obote II and Museveni can also be considered a war of small arms and guerrilla warfare. Since 1970 Uganda was a society that had known nothing but war, and by 1980 every household had arms, the society was awash with them, and would freely offer them to any liberator.

The strategy used by both Tanzania and later Museveni was attacking barracks and getting the arms! By 1980 Museveni knew all the barracks in Uganda and knew where arms were kept. As a defence minister in Geoffrey Binasisa's government he had the opportunity to build a power base. In November 1979 Museveni was fired and relegated to the inconsequential ministry for regional co-operation<sup>22</sup>. However despite his demotion, he retained a strong base inside the army itself. Further Museveni was still linked to FRELIMO guerrillas in Mozambique. In January 1980 when he launched his war, Museveni's military men numbered at 5,000 Banyankole<sup>23</sup>. The boost by Libya to the NRM with weapons cannot be underrated. Like the Ogaden war mentioned before, the Tanzanian-Uganda war diffused arms into civilian pastoral communities in the North Rift, contributing to arms build up and spread in the region.

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21 Obote II is used to refer Milton Obote's second come back to rule Uganda after Amin's fall.

22 Africa Confidential No.24 28 November, 1979:5

## **The case of the Holy Spirit Movement and the Lord's Resistance Army 1986-2004**

From 1986, war continued in the North of Uganda due to Museveni's inability to establish good governance and to manage arms in the society, such that the splinter groups continue to wage war against each other. First there was the Uganda People's Democratic Movement/Army (UPDMA/A) in Acholi (1986 to June 1988), which took weapons to fight NRA, then Alice Lakwena's Holy Spirit Liberation Movement (HSLM) from January to December 1987 and also the West Nile Bank Liberation Front, loyal to Amin<sup>24</sup>. Joseph Kony founded the Lords Resistance Army (LRA) in 1993 after a complicated metamorphosis of the HSLM and mergers with other groups, spurred on by a situation of anarchy in Northern Uganda.<sup>25</sup>

Alice Auma Lakwena founded the HSMF after the Tanzania Peoples Defence Force (TPDF) and UNLA troops ousted the government of Amin<sup>26</sup>. Later civil war broke out between Museveni's NRM and the UNLA, which NRM won in 1986, overthrowing Obote. With the defeat, thousands of Acholi soldiers who had formed the majority of Obote's army filed back to their villages in the North, hiding their weapons and trying to lead a normal life. But only a few were successful in regaining a livelihood.<sup>27</sup> After the NRM took over Gulu and Kitgum, the NRM soldiers were brutal, took revenge, murdered and raped. NRM then ordered the disarming of all Acholi. This gave rise to the HSMF.

Lakwena stressed moral rehabilitation of her soldiers. She was able to address the internal terror reigning in Acholi. She responded by first cleansing all the soldiers. She issued the Holy Spirit safety precautions, which went against theft, looting, lying, killing, sex, rape, smoking cigarettes, drinking alcohol and other sins. These precautions served to

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<sup>23</sup> African Confidential, Vol. 21. Number 3 13 February, 1980:6

<sup>24</sup> Omara-Otunnu 1992, Watson 1988

<sup>25</sup> Part of the HSLM became the Uganda Christian Democratic Army in 1989, and in 1991 it merged with Uganda People's Army to form the Union for Democracy (UFD). It eventually renamed to LRA in 1993. In Teso, there was the Uganda People' Army (UPA) from December 1986 to October 1992. In Lango, there was Cel-ibong in the early 1990s, the short -lived Citizens Army for Multi-Partism (CAMP), which was started and defeated in 1999. Others included the Ninth October Movement/Army (NOM/A) which operated in Tororo district between 1989 and 1993 See IGAD,2001:23-26;Muhereza 1997b:18.

<sup>26</sup> in a rigged elections often termed as Obote II

<sup>27</sup> see Behrend, 1998, 108; Vlassenroot and Doom, 1999, Jackson, 2002

reconstitute the moral order and also create consciousness. Lakwena claimed to receive power and guidance from spirits. The HSMF did not fight a guerrilla war, but a more or less conventional war: its military wing was organized according to the British colonial pattern (Behrend, 1998:110). The HSM acquired its weapons from the community, from UNLA that joined them, and also the National Islamic Front (NIF) in Sudan (Jackson, 2002).

In the course of her March to take over Kampala, Lakwena was defeated and fled to Kenya in July 1987, where she still lives in Kakuma refugee camp. However, the HSMF did not die. It was taken over by her father Severino Lukoya and renamed the Lords Army. Unlike Lakwena, his army was more decentralised and became a guerrilla movement which fought mainly in Kitgum. Lukoya was caught by government soldiers and imprisoned until 1992. Lakwena's cousin, Joseph Kony, continued the movement. Renaming it the Lords Resistance Army (LRA). Kony combines Lakwena spirit tactics, claiming to be possessed by seven demons, with modern western military techniques and like his uncle, he fights a guerrilla war from Southern Sudan against the Uganda Government.

While neither Alice nor her father got support from other countries. Kony has received support from the Sudan government, in retaliation for the support, which the Ugandan government had given Sudan People's Liberation Army (SPLA)<sup>28</sup>. The Western Nile Bank Front (WNBF), led by Amin's former minister Juma Oris, has also supported Kony. The participation of outsiders has prolonged the war; Kony has also accessed the world of global media for support and published the LRAs Ten Commandments. As argued by *Africa Confidential* (Jackson, 2002), the National Islamic Front regime has quartered and supplied Kony's rebels from their inception to counter Uganda's long-standing support for the SPLA. With weapons from Sudan, and with planting of land mines from the early

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<sup>28</sup> See East African 1 March, 2004 "Massacre; Where did LRA Get Guns"  
[Http://www.nationaudio.com/News/EastAfrican/current/Regional/Regional010320047.htm](http://www.nationaudio.com/News/EastAfrican/current/Regional/Regional010320047.htm) Humanitarian agencies say that the "war zone is becoming more saturated with automatic rifles so that among farmers in northern Uganda, the AK47 is replacing the spear"

1990s, the war has moved to a more brutal level.<sup>29</sup> The participation of outsiders was noted by President Museveni recently, when he acknowledged Khartoum's support for the Lords Resistance Army<sup>30</sup> as well as the presence of al-Qaeda operatives in Southern Sudan supporting and supplying arms to them. This has prolonged the war in the North. The Ugandan government's attempt to destroy the links between the LRA and the local population led to the building of militias and local defence forces, the ones that were really fighting the LRA. In addition, the Acholi in some areas were forced to arm for self-defence. This led to further militarization of northern Uganda, and to escalation of the war in the north, with the most recent brutal massacre being over 200 although the president disagrees. Museveni put the toll at 80 civilians and four *Amuka* militia fighters.<sup>31</sup>

Although Museveni has done much to improve the security of Uganda, the democracy which Ugandans felt they were fighting for is not yet fully realized. These along with the presence of many insurgencies, militia, paramilitary and warrior groups, all well armed and supported by third parties or the government, creates a security dilemma which could plunge Uganda back to war.<sup>32</sup> Additionally the conflict has become a major point of accumulation and dispersal throughout the entire North Rift Valley, as the other sections will show.

### **The case of Sudan**

Since 1956, Sudan has known peace for only 11 years. The war has brutalized Sudan off and on for most of the past half-century, making Sudan's the oldest current civil war in

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<sup>29</sup> The most obvious change in the LRA has been the intensification of violence many people being massacred such as at Atiak (1996 (an estimated 170-220 dead, 22 April, 1995); Karuma (50 deaths, 8 March, 1996); Acholi refugee camp (100 deaths, July 1996) Lokung Palabek (over 400 dead, January 1997) the victims were hacked and clubbed to death (Vlassenroot and Doom, 1999:25).

<sup>30</sup> Associated Press, 13 June 2003.

<sup>31</sup> IRIN, 23 February, 2003 "Gov't Forces Pursue Rebels in Uganda"; IRIN, BBC, 22 February 2004, "Rebels massacre Uganda civilians" <http://news.bbc.co.uk/2/hi/africa/3511109.stm>

<sup>32</sup> With Uganda recently training and arming militia to fight the Lords Resistance Army. Militias like Arrows boys, Rhino and Amuka. See Agence France-Presse (AFP) 1 March, 2004 "Uganda bishop warns against use of ethnic militias to fight rebels" <http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c1256f6004c8ad5/cee4268a6b07>; Daily Monitor, 12 February, 2004 "Arrow Boys a security threat" <http://www.monitor.co.ug/news/news02128.plp>;

the world<sup>33</sup>. The numbers of internally displaced peoples and Sudanese refugees all over the world make it the longest and most destructive current conflict in the world (Mogire, 2003).

The war has mainly been waged by small arms, though the government of Sudan has sometimes used more powerful conventional arms. The Sudan government has armed ethnically based militias, other armed groups and rebel groups in the South.<sup>34</sup> Groups which have direct arms support in the south include the Toposa on the border of Kenya, Uganda and Ethiopia; the Lotohus in Equatorial Province, and the Mandaris from the Terkeka area north of Juba, and the latter two both in Uganda. Riak Machar before defecting back to SPLA in 2002, was supported by the government. The Sudanese government has also supported Ugandan rebel groups like the Lords Resistance Army and the West Nile Bank Front. Meanwhile, the Sudanese Peoples Liberation Army has received arms from both internal sources (by capturing the governments arms) and external military assistance especially Ethiopia during Mengistu's regime, and the Ugandan Government. This has exacerbated and intensified the Sudan conflict, claiming two million lives in the past two decades and displacing more than 4 million people (IDPS) with refuge all over the world (Reeves, 2002). Sudan is now one of the major sources of arms into the entire North Rift, and especially amongst pastoralists.

In conclusion these dynamics of cold war, succession wars and liberation wars after the end of colonial era in the Horn of Africa have ensured that at the dawn of the 1990s, a large stock of arms had built up in the North Rift, and the area was beset by armed conflict. The next section looks at the continuing process of accumulation until 2004.

### **5.2.2 Accumulation of Arms in the North Rift**

Why be interested in the flows, transfers and accumulation of small arms? If as Sislin argues, arms produce political instability, facilitate the outbreak of violence, prolong fighting and increase its severity, prompting the spread of violence into neighbouring

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<sup>33</sup> Verney et al, 1995, Reeves, 2002

countries, which raise the costs of, and thus deter, conflict resolution (1998), then increasing numbers of arms exacerbate the problems and we need to trace their paths of proliferation. As noted previously, conflicts in the North Rift region are now more lethal than a half century ago. It is estimated that in eastern Africa 5 million small arms are in circulation (Africa News Service, 2002a). In conflict prone areas of Kenya alone, there may be 150,000 small arms and 1.5 million rounds of ammunition with an estimated 60,000 illicit arms from Somalia finding their way into Kenya since 1991.<sup>35</sup> In Karamoja alone, it is estimated that 80,000-200,000 small arms, mainly AK47, are in circulation.<sup>36</sup>

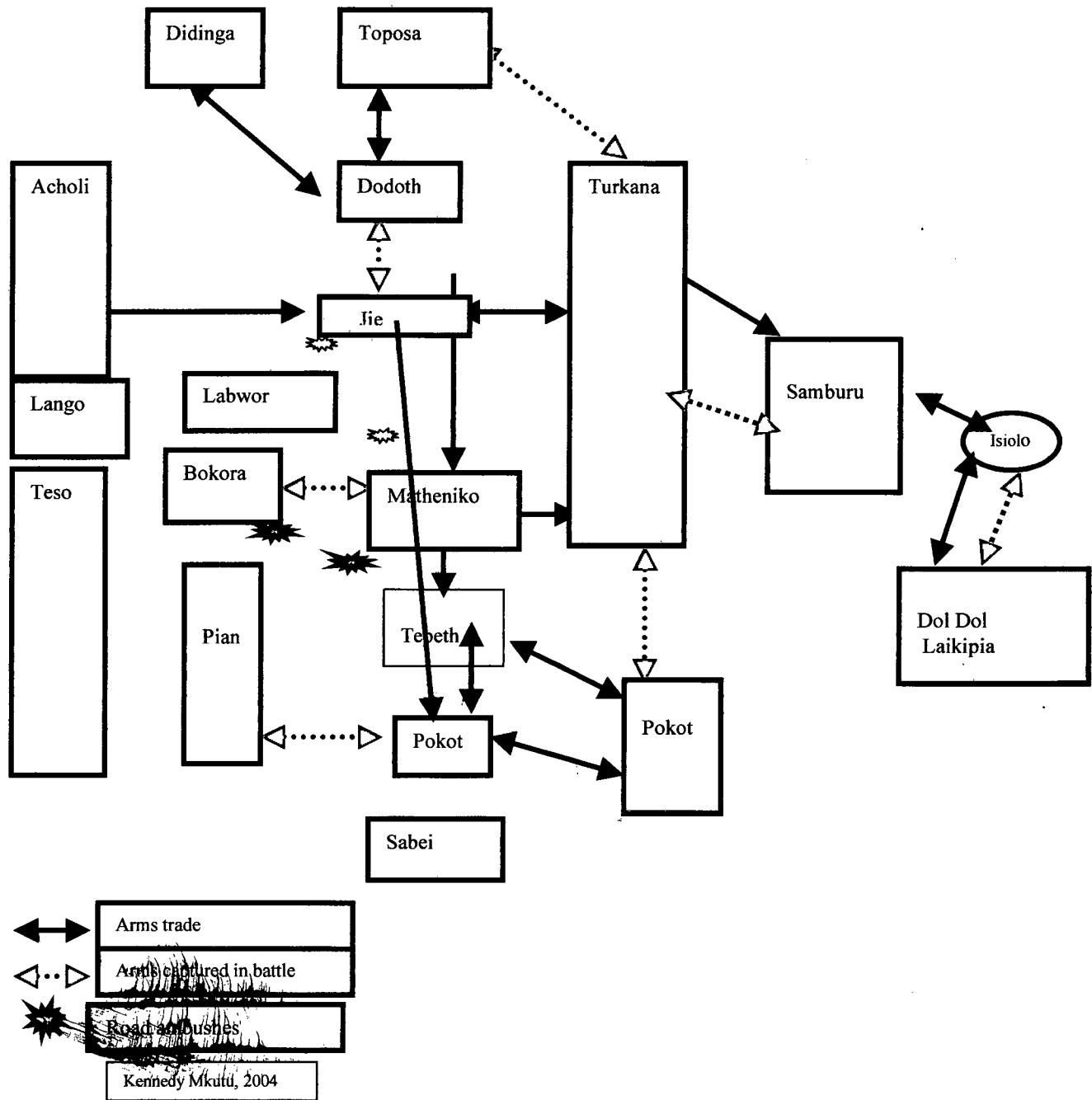
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<sup>34</sup> This include the Toposa on the border of Kenya, Uganda and Ethiopia; Lotohus in Equatorial, the Mandaris from the Terkeka area north of Juba and the Janjweed in Darfur

<sup>35</sup> Kenya Times, 22 April, 2004 <http://www.kentimes.com/editorials/edtorial1.html>

<sup>36</sup> Muhereza, 1997b; Walker, 2002; Mkutu 2003: Also see East African 12 November 2001 "Karimojong Arms; Govt Drops \$2m Plan"

Figure 5.2 General picture of arms movement as of October 2004



### 5.3 SALW accumulation in Karamoja Northern Uganda

Karamoja is not only part of Uganda, which was beset by civil war in the 1970s, it also shares an international border with Sudan, which has experienced continuing violence political turmoil and internal civil strife, the origins of which are mentioned in the previous section. Sudan is the major source of arms into Karamoja.

In pre-colonial times pastoralists were armed with crude traditional weapons to ensure protection against predators. However with the increase in commercialization of cattle rustling, road ambushes and the lack of provision of security by the State, the Karimojong have acquired sophisticated weapons, which have become vital for their survival in a pastoral economy.

Initially, hunters and ivory traders introduced small arms into Karamoja from Egypt and Abyssinia and later from Arabia through the East Coast of Africa around 1880. Like the Turkana situation previously, Karamoja experienced a massive influx of Arab, Ethiopian, Greek, British, Swahili and American ivory hunters starting from 1897, coming via Turkana and Ethiopia. By 1903 the Karimojong had established 56 ivory markets across Karamoja, and traders taxed arms and cattle at the markets. By 1909, the ivory trade accounted for 10 percent of total exports from Uganda and earned the colony about £10,000 between 1903 and 1906.<sup>37</sup> The Karimojong exchanged their animals for arms and also received cash payments in exchange for ivory. Barber (1968: 100) also argues that by 1910, the Karimojong were exporting arms and ammunition to other parts of Uganda with whom they traded, particularly the Bunyoro, Acholi, Bukedi, and Teso. The threat of arms diffusion in Karamoja led the colonial government to establish its presence in the Northeast of Uganda in July 1912, but also to intervene in the arms trafficking.

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<sup>37</sup> Barber, 1968: 60-90



However, this made the colonial government uneasy. Barber (1968:9) captures the concerns of Mr. Stanley Tomkins, the acting governor of the protectorate, whose correspondence to London in 1910 stated,

I hardly need to point out the grave consequences, which might arise from allowing the Karamoja district to become stocked with weapons of modern type.

On 27 March 1911, the Provincial Commissioner of Northern Province sent an urgent correspondence to Entebbe.

The matter is of the utmost importance as there is little doubt that in the near future considerable force will be necessary to deal with the natives when they gain confidence in the use of their weapons, as the number of breech loaders in their possession, I am informed, already far exceeds, by some hundreds, those of our police, and the position becomes more dangerous every day unless prompt measures are taken<sup>38</sup>.

As noted in an interview with Honourable Ael Ark Lodou, he concurs with early arms entry into Karamoja:

External economic and political forces started to impinge upon the Karamoja area in the later half of the 19<sup>th</sup> century. Mercantile networks extending from Khartoum, Ethiopia and Zanzibar reached the region, with ivory from Karamoja as the main attraction. Some traders found the exchange of guns for ivory attractive, as it raised the efficiency of elephant hunting and hence their access to ivory. Thus began the first diffusion of weapons more lethal than spears<sup>39</sup>.

Interviews for this study with elders, warriors, women, businessmen, administrators, doctors, *kraal* leaders etc., revealed that initially the Karimojong were unarmed. Mudongo of the Karamoja Initiative for Sustainable Peace (KISP) in Moroto noted “all the Karimojong had were spears, arrows and bows while the Turkana had guns”.<sup>40</sup> Arms diffused from Turkana into Karamoja through the ivory traders. The elders interviewed could remember suffering under the Turkana of Kenya. The KISP chairman for Namalu said,

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<sup>38</sup> Quoted in Barber, 1968:100

<sup>39</sup> Interview Honourable Ael Ark Lodou MP

Our homes were under siege, and the Turkana, who got their guns early while we had spears, rendered us totally helpless. From 1950 to the 1970s, the Turkana depleted our livestock through raids. The government could not protect us. It was only when we managed to get guns that we were able to stop the Turkana from raiding us and the other neighbours.<sup>41</sup>

According to the Bataringaya Report of 1964, between 1958 and 1961 the police in Moroto reported 407 cattle raids, with 405 persons killed and 69,420 cattle stolen, out of which 7,713 were recovered. After independence, cattle raids continued but with reduced efforts made to tackle the problem. Things got even worse after the 1971 coup bringing President Amin to power in Uganda. During this period there were no checks on the trade in small arms, and their possession became widespread. The Bataringaya report shows the continuity of the issues from 1964<sup>42</sup> to now. Father Novelli in an interview said:

The check on possession of small arms practically ceased, and a constant flow of arms into the region became a common feature. Traders, trans-border dealers, soldiers and other interested groups kept supplying the Karimojong with arms, which the Karimojong wanted in order to counteract the Turkana and other neighbours who were using them to raid.<sup>43</sup>

In the early 1960s, armed Turkana from Kenya, Toposa and Didinga from Sudan who had early acquired their arms from Ethiopia were raiding Karimojong. Due to state failure to provide security to the Karimojong from external attacks, they resorted to making homemade guns (*ngamatidae*), which the military State attempted to prevent.<sup>44</sup>

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<sup>40</sup> Mudogo, Moses, KISP elder. Interview, Moroto, 18 June 2001.

<sup>41</sup> Ichumer, Philip, KISP Chairman and Co-coordinator. Interview, Namule County, Uganda, 21 June 2001.

<sup>42</sup> Dietz, 1987:72 notes that in 1966 when Uganda got independence there were 740 killed in raids including police raids.

<sup>43</sup> Novelli, Bruno. Interview, Moroto, 21 June 2001.

<sup>44</sup> Interview Cheere James former raider and now Chief of Rupa. Rupa 1 February 2003

The Karimojong do not manufacture arms, though small craft industries exist for making homemade arms.<sup>45</sup> Ammunition is manufactured in factories in Uganda, Tanzania and Kenya. The introduction of modern small arms is the biggest change agent in Karamoja magnifying the traditional pastoral communal conflict. The changes mainly began in the 1970s but in 1980s they intensified and have persisted till the present.<sup>46</sup> The primary source of arms in Karamoja is southern Sudan, as noted in an interview with Peter Lokeris. He said, “The closer you are to Sudan border, the less expensive are the arms and ammunition.”<sup>47</sup> But the Karamoja case also shows that whilst governments may profess concern about private and “rogue” suppliers such as insurgent groups, they themselves are by far the most important sources of small arms to local communities<sup>48</sup>.

When Idi Amin was overthrown in April 1979, the Matheniko Karimojong broke into the Moroto barracks and looted the guns that had been left behind by Amin’s retreating soldiers. It was during this time that the Karimojong acquired a substantial number of weapons for themselves. Novelli further revealed,

1979 was the turning point when Amin was toppled. His fleeing soldiers left behind the armouries of their barracks full of newly acquired guns and a lot of ammunition. Karimojong carried them on donkey loads.<sup>49</sup>

Paula Wangoola (1999:4) also depicts how the Karimojong obtained their arms:

For decades the Karimojong were brutalized by the state. They always longed for modern guns to defend their cattle and to defend themselves better against the state {brutality of the state}. Their chance of a lifetime came with the defeat of Idi Amin's army in 1979. The army fled, leaving unattended an armoury of sophisticated weapons, which Amin had been proud of. It took weeks before United National Liberation Army and

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<sup>45</sup> See Mkutu 2004

<sup>46</sup> Muhereza, 1997b; Mkutu 2003 op cit

<sup>47</sup> Lokeris, Peter, Minister for Karamoja, Interview, Kampala 21<sup>st</sup> January, 2003

<sup>48</sup> See Knighton, 2003, IRIN 8 September, 2003; IRIN 9 September, 2003; Daily Monitor 8 September, 2003; Daily Monitor 4 October 2003; Mkutu, 2003

<sup>49</sup> Ibid.

Tanzania Peoples Defence Force reached Moroto; by which time the armoury had been emptied....

Then in 1985 after the overthrow of Obote II, thousands of Karimojong are reported to have joined the UNLA. When the National Revolution Movement/National Revolutionary Army took over, the Karimojong withdrew; this time with yet more modern weapons, particularly AK47s. In the meantime, yet other opportunities provided more small arms supplies: the Lord's Resistance Army, the Sudanese Peoples Liberation Army, the insurgency in Teso, etc. By 1998, papers gave an estimate of 15,000-35,000 guns in civilian hands in Karamoja<sup>50</sup>.

Dadriga, the former Resident District Commissioner of Kotido, estimated the number of arms to be about 80,000<sup>51</sup> in civilian hands in 2001. Contemporary media reports estimate that the Karimojong had 160,000 small arms in civilian hands, but they do not indicate how they arrived at the figures.<sup>52</sup>

To date, the supply of arms has been continuous. Some have equated it to the flow of the Nile. Externally, guns and ammunition flow in mainly through Sudan either from the local tribes of Southern Sudan, the Didinga, Toposa and the SPLA forces, or directly from Eastern Europe. This demand is high because out of a family of say, ten, which is quite typical in pastoral areas on the border, three are often men and each is in possession of a firearm, with boys as young as fourteen having guns.<sup>53</sup> This could make the number of arms even higher than these estimates.

Abenyo of Intermediate Technology Development Group asserted that currently, there are two types of guns among the pastoralists. First each family's inherited gun. It is this gun that enables the pastoralists to survive from generation to generation. This gun is customarily owned for security purposes and often kept secret. It cannot be sold as it has

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<sup>50</sup> Knighton, 2003:438; though Muhereza 1997b gives the figure of 60,000 stolen during the raids on the barracks.

<sup>51</sup> Dadriga, Dan. Interview, Jitja, 12 November 2001.

<sup>52</sup> See for example *Weekly Uganda Confidential*, 17-23 March 2000.

<sup>53</sup> Interview, 19 June 2001, with a victim of small arms.

a special status, and each of the family's warriors identifies with it.<sup>54</sup> The second gun is one the warrior buys, usually on the open market, with his own money or cattle. In addition, there are homemade guns (*ngamatindei*). Therefore, in every household there are at least 3 guns. This makes it impossible to quantify arms in pastoral areas. One can only guess how widely these weapons have diffused in the community.

The government of Milton Obote decided to arm and recruit tribal militias in all the districts neighbouring Karamoja, in order to keep the Karamoja at bay<sup>55</sup>. The fall of Obote's regime in 1986 brought the end of these forces, but before his fall in 1986, hordes of Karimojong joined the Uganda National Liberation Army to fight for the state. When NRA defeated the UNLA in 1986, the demobilized Karimojong soldiers fled to Karamoja with all their weapons. During this period between 1987 and 1989, the herds of the Iteso were seriously depleted by the Karimojong and by fights between the forces of President Yoweri Museveni and those of his opponents. Militias in neighbouring districts had been disbanded; the result was widespread Karimojong raids that left those areas virtually without livestock. Tremendous localized raids erupted in Karamoja between 1986 and 1989, and cattle rustling reached an intensity never seen before in the region (Muhereza, 1997b: 44).

In 1995, the Uganda government sought to control the use of weapons in Karamoja by having them registered with a group called a vigilante force.<sup>56</sup> Some Karimojong have also joined various armed factions that have jostled for political power in Sudan, especially the National Islamic Front (Nyaba, 2001). Evidence from Kotido in February 2003 during fieldwork, showed that, although at the beginning of Operation Iron Fist<sup>57</sup> attempted to negotiate peace with the Lords Resistance Army, the LRA fought fiercely against the Sudanese armed forces, it seemed that they had reconciled. Eye witnesses said that Kony was receiving substantial supplies from Sudan, and the same interview sources

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<sup>54</sup> Abenyo, Jacinta, Pastoral Field Co-coordinator, Intermediate Technology group-Lodwar. Interview, Jinja, Uganda, 11 November 2001.

<sup>55</sup> Field notes 2001-2003 Karamoja; Achol, Joshua Acholi. Interview, Iridi, Uganda, 19 April 2002: Muhereza, 1997b: See also Daily Monitor <http://www.monitor.co.ug/specialincluds/agenda/rd04151.php>.

<sup>56</sup> Bosco, John. Interview, Amudat, 17 June 2001, and 27 January 2003.

<sup>57</sup> An attempt to negotiate peace with the Lords Resistance Army.

also claimed that during the battle for re-capture of Torit from the SPLA later in November 2002, LRA forces commanded by Tabuley fought alongside the Sudanese army against the SPLA<sup>58</sup>.

Other forms of arms accumulation have included capture of weapons from opposing military forces and capture from rival militias.<sup>59</sup> Another example is the fight between UPDF and pastoralist Pokot on the border of Kenya and Uganda in 2002 in which the UPDF lost 28 people. A focus group discussion with the elders in Naupong, Alale, a border town between Kenya and Uganda, revealed that they captured many weapons. As evidence, the elders took the researcher to the site and quickly collected over 20 empty shells. In the absence of effective government and security in Karamoja, government soldiers have also sold arms to the Karimojong.<sup>60</sup>

The accumulation and proliferation of arms have also been through purchase by sale of cattle or in the course of cattle raiding. As noted by one senior elder from Matheniko,

As you raid, lives are taken; the number of guns in the area is reduced due to the several deaths. But in the county of the raiding, the arms are increased, hence the movement of arms.<sup>61</sup>

The accumulation of arms in Karamoja has therefore been a long process, starting in the colonial period and continuing, due to conflicts in the Horn of Africa and the Great Lakes, to weak governance, and to failure of the Uganda government to provide adequate security to the Karimojong. Regional instability, civil strife, welfare conditions and indiscipline in the army, inadequately prepared/equipped Uganda Peoples Defence Force soldiers, desertion from the army by local defence units, rearming of the communities by the Uganda government and affordability are responsible for the proliferation of arms in Karamoja. The Karamoja accumulation of weapons cannot be de-linked from the other

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<sup>58</sup> It will be difficult to convince the LRA to negotiate a peace agreement while Sudan periodically renews their supplies of arms and ammunition.

<sup>59</sup> Interviews with Amudat hospital personnel, January 2003, and interviews with several members of the community, concurred that the warriors killed nearly 70 UPDF and obtained their guns.

<sup>60</sup> Interviews with a cross section of the community, 2001 and 2003

<sup>61</sup> Elder and kraal leader Koritantoyo. Interview, Nakiliro, 1 February 2003.

dynamics in the region and neither can it be totally be de-linked from the operation of the state.

#### **5.4 SALW Accumulation in Kenya**

This section examines the continuing diffusion of arms on the Kenya side among the Pokot, Baragoi (Samburu) and Maasai (Mukogodo, Dol Dol). The minister for foreign affairs recently told a conference on the proliferation of small arms in the Great Lakes that since the collapse of Somalia an estimated 60,000 arms have found their way into Kenya.<sup>62</sup> Unlike the Uganda side, in Kenya the government appoints and pays the chiefs, so the government has some authority at the grassroots level. The diffusion and accumulation process here includes home made arms sold by the Luhyia, and arms issued to the Kenya Police Reservists by the government for self-defence. The case of Mukogodo shows small arms accumulation but linked to the competition for resources and livelihood<sup>63</sup>. The accumulation of light weapons in the area is also associated with the collapse of various regimes and civil wars in Sudan, Somalia, Ethiopia, and Uganda. Lastly, as with Karamoja, there are inherited guns that have passed from generation to generation.

##### **5.4.1 Case Study: West Pokot**

The Pokot have not always possessed arms. Frequent attacks by the Turkana on the Pokot, or on Karimojong who later acquired arms and attacked Turkana and Pokot led the Pokot to join the demand for arms as discussed in an earlier chapter. Initially, similar to other pastoralists, the Pokot only possessed crude weaponry such as spears and bows and arrows. The introduction of small arms among them is a fairly recent phenomenon.

Field discussions held with elders in Alale, noted that Turkana terrorized both Pokot and Karimojong. The Europeans came and carried out a major operation on Turkana land, recovered animals stolen and gave them to the Pokot. Since being given their raided cattle

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<sup>62</sup> See Kenya Times, 22 April, 2004 "Move to decisively to mop these 60,000 illicit arms"

<sup>63</sup> See Daily Nation 29 July, 2004 "Arms Trade booming in northern Kenya"

back, the Pokot stopped the raids. Another generation followed among the Turkana that came saying the “white man took the cows to Pokot and Karamoja”.<sup>64</sup>

The neighbouring Luhyia community manufactured homemade guns that were exchanged for cattle from the Pokot. In an interview, a young Luhyia man who grew up in Kwanza district, which is next to Kolongolo, revealed,

Kolongolo borders West Pokot and it's in Kwanza constituency in Trans-Nzoia district. Some of the people made guns. The skill had been learnt from the Kenyans who had moved into Uganda and also the Bagisu who had moved into Kenya from Uganda. The Pokot used to come to Kamkuywa where a big stock market existed. They would bring their big bulls and exchange for heifers. The Luhyia would use the bulls as oxen for farming.<sup>65</sup>

Ncherepu, a Pokot and former educator noted:

This was a business fetching as many as 40 cows, and this encouraged the Luhyia who are agriculturists to sell firearms to Pokot. Pokot traded their oxen for guns.<sup>66</sup>

Bishop Kewasis confirmed this and said,

There are Luhyia who came to Kolongolo and they had a small gun manufacturing plant. These were the first guns in Pokot. I even saw it with my eyes 20 years ago. It became a booming business between the Luhyia and Pokot. But immediately the real firearms came after the fall of Amin, it collapsed immediately.<sup>67</sup>

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<sup>64</sup> Focus group discussion with elders in Alale, 3 August 2002.

<sup>65</sup> Odongo, Pero. Interview, Kitale, Kenya, 31 July 2002. Pero grew up in Lunyu, which is 10 kms from Kolongolo.

<sup>66</sup> Interview May 31, Kapenguria, 2001. The Luhyia benefited in the sense that they used the oxen for agricultural activities (to plough).

<sup>67</sup> Rt. Rev. Kewasis, Stephen, Bishop of Kitale, ACK, Interview, Kitale, Kenya, 1 July, 2002



The Bukusu (Luhya) at times embittered the Pokot by selling them guns, which would not function. This brought about conflicts.<sup>68</sup> That the Bukusu had the knowledge to make guns was recently confirmed by the Akiwumi report (2002): “The Bukusu did not take this lightly. On April 12, they raided the home of one of the Sabot killing a member of his family.”<sup>69</sup>

Modern arms proliferation in Pokot accelerated with the overthrow of Amin. The Karimojong used the weapons gained to raid and take the property of Pokot and Sebei. They also decided to market the arms to Pokot and Sebei.<sup>70</sup> A former District Commissioner for Pokot confirmed this, saying:

There are two types of arms circulating in West Pokot. Those given to the people by the government for self-defence. These are the arms issued to Kenya Police Reservists, for protecting livestock<sup>71</sup>. A Kenya police reservist is under the officer in charge of police districts, but some of them have been changing sides and have been arrested. A few of the arms have been found. Secondly, due to the arms race, they have been buying arms from Southern Sudan.<sup>72</sup>

The proliferation of arms in Pokot was confirmed by the 1979-83 West Pokot District Plan<sup>73</sup>, which mentioned the problem of small arms in Pokot as a concern to the government of Kenya. But apparently, the government of Kenya did nothing.

Instability in Uganda was a major factor in the diffusion of arms into West Pokot. The Pokot area straddles the Kenya-Uganda border, and the instability in Uganda forced many Upe Pokot (Uganda) to flee to Kenya as refugees, taking their arms with them.

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<sup>68</sup> Loreto, Stephen, former district officer Kesai division in West Pokot. Interview, Kapenguria, Kenya, 28 May 2001.

<sup>69</sup> *Daily Nation/Special Report* (2002:27-28) “Akiwumi Report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya. Part III Nyanza and Western Province”. *Daily Nation* [www.nationaudio.com/News/DailyNation/Today/News/Akiwumi\\_Nyanzawestern.pdf](http://www.nationaudio.com/News/DailyNation/Today/News/Akiwumi_Nyanzawestern.pdf)

<sup>70</sup> Luyunala, Christopher, former mayor of Kapenguria. Interview, Kapenguria, Kenya, 31 May 2001; Rev. Londiyo, John. Interview, Karita, Uganda, 31 May, 2001, and 4 June, 2001, Nairobi; Kawtiot, Samuel, Pastor Baptist Church, Kunyao, Interview, Karita, Uganda, 31 May, 2001. Warriors during the 1984-1995 disarmament in Pokot victimized him for supporting disarmament.

<sup>71</sup> The Kenya government has given guns to home guards in West Pokot, Turkana, and Samburu and also among the Marakwet and Baringo

<sup>72</sup> Did not want to be named a former District Commissioner, West Pokot. Embu, Kenya, 25 May 2001.

<sup>73</sup> West Pokot Development Plan 1979-83

The Kenyan West Pokot pastoralists used the opportunity to join the arms race to expand pasturelands, rustle more livestock to compensate for lost cows used to purchase guns, and to revenge for earlier raids by Turkana and Karimojong.<sup>74</sup>

Bishop Kewasis concurred with this:

Pokot got a lot of firearms due to alliances from Karamoja. They will make alliance with Matheniko or Dodoth in the north, and they will bring the guns, then fight the Pian in the south that is their common enemy or fight Bokora. They will ally with Sebei and fight the Pian while the Turkana will make alliance with a section of Karamoja to fight another section of the Karamoja.<sup>75</sup>

During raids in West Pokot the warriors kill the 'enemy'<sup>76</sup> and seize their guns (see figure 5.3 arms captured p.272).<sup>77</sup> In interviews with the different groups in Kangole, Namalu and Iriri, it was said that the warriors in Karamoja were instituting the AK47 as their official weapon, ambushing soldiers on the roads, killing them, and taking their AK47s. An interview with a top Kenyan security officer revealed that in May 1998, three *askaris* (security officers) were killed and the raiders stole two G-3s and one HK11. The police never recovered the arms.<sup>78</sup> One of the *warriors* interviewed said, we get some guns in raiding. The people killed are sources of guns'.<sup>79</sup> Another source has been the sale of guns during peacetime. Even at the time of field research, purchasing a gun was not a problem. Kenya Police Reservists or home guards have been given guns by the government, and some have also managed to purchase guns privately. They are sometimes involved in

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<sup>74</sup> Field notes from elders in Alale, West Pokot, Kenya, 3 August 2002; Also interview with Lomogoinie James Interview, Amudat, 27 January 2003 who noted "There are no guns flowing from Kenya. In 1979-1980 there were arms from Somalia through Lodwar to the Pokot. We don't get guns from the Turkana because they are our enemies; arms in Upe-Pokot are coming from the north in Moroto and the Jie. The Matheniko are now at peace with the Pokot, and they bring them guns. We are not on good terms with Pian and we don't get guns from them".

<sup>75</sup> Kewasis Stephen. Interview, Kitale, Kenya, 1 August 2002.

<sup>76</sup> The enemy here includes the official security personnel and neighbours with whom they are in conflict.

<sup>77</sup> Similar dynamics were also experienced in Uganda.

<sup>78</sup> Interview with security officer. Kapenguria, August 2002. The killing of security personnel by raiders is common, and no data exists on how many security people are killed by bandits or raiders and their arms stolen.

<sup>79</sup> Name withheld. Interview, Kangole, Uganda, June 2001.

cattle rustling, and several times guns have been recovered, later being traced to Police Reservists.

#### 5.4.2 Case Study: Laikipia (Dol Dol-Mukogodo)

Laikipia District in Northern Kenya provides an opportunity to examine resource-based conflicts and the accumulation of small arms. Small arms are not the cause of the conflict with ranchers, farmers and horticulturalists but their use is often extended from conflict zones to non-conflict zones to exacerbate the situation. Pressures on water and land resources have increased greatly in recent years, with increased farming activities, rapid population growth and periodic drought.<sup>80</sup>

The problem of small arms and cattle raids in Laikipia can be illustrated by the following two cases:

In January 1998, armed Pokot stole 15 goats in an attack on the home of Esther Njeri Mburu. The assailants were followed by a group of Kikuyu who, unable to catch them, attacked 54 animals belonging to other Pokot. This increased tension in the area and as a result, the District Officer of Ngarua Division, Mr. Soi, organized a peace meeting on 13<sup>th</sup> January between the Kikuyu and the Pokot communities. However, shortly after the meeting ended, raiders who had come from the Pokot and Samburu communities, supported by some Turkana, retaliated, killing four people in Laikipia. They also burnt and looted houses in Olmoran. This was followed by a series of attacks in the area on different homes. As a result, nearly 2,000 people fled their homes taking refuge at the Catholic mission at Olmoran and the NCCK Compounds. On January 17<sup>th</sup>, the Kikuyu organized a response to the attacks and over 100 men armed with *pangas* (machetes) and *rungus* (sticks) confronted the raiders at Rum-Rum valley, Mutamiayu.<sup>81</sup> The majority of raiders had guns. Almost all the deaths in Laikipia district were from bullet wounds. The availability of weapons and the insecurity means that many Pokot and Kikuyu have to

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<sup>80</sup> Mkutu 2001 op cit.

acquire arms to protect their lives and assets. Such conflicts led to Maasai arming themselves and to a demand for home guards.

Interviews in the field in Dol Dol, Mukogodo division in revealed a more aggressive invasion of Laikipia ranches (private commercial enterprise) occurred in June 2000. Heavily armed herdsmen from Samburu, Turkana, Isiolo (Somalia) and Pokot with thousands of their cattle invaded several private ranches. In response the government sent the police to try and resolve the situation. The police alone could not manage, therefore, the General Service Unit was sent and the government armed the Dol Dol Maasai home guards.

Research revealed that in 2001 during the drought period, migrant pastoralists brought over 50,000 heads of cattle, 5,000 camels and 19,500 goats from the 6 districts in northeastern and northwestern Kenya (this included Samburu, Turkana, Isiolo, Marsabit, and Garissa).<sup>82</sup> Assuming that there were two armed guards for every 100 head of cattle and 10 camels, Laikipia district received an additional population of around 1000 herders, all armed. This further increased the number of small arms in the district, placing the figure slightly above 500 illegal automatic weapons and 500 licensed small arms. Interviews in Dol Dol indicate that the ranchers are also armed and they employ armed guards.

The pastoralists were demanding that the government either protect them from raiders or give more arms to the home guards to protect them from the cattle raiders and ranchers who sometimes shoot their animals.<sup>83</sup> As noted by Leakey and Morell (2001:31), only white farmers were allowed by the colonial government to have guns.<sup>84</sup> However as private individuals, home guards were also issued with arms. Native Kenyans took a much smaller share of game with their bows and arrows, spears, and traps. The government tended to regard this kind of killing as “poaching.”

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<sup>81</sup> See Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and other parts of Kenya, 1992

<sup>82</sup> Matunge, John op cit. Elders focus group interview, Dol Dol, Laikipia 2 September 2002; Kaipai Ole Legai, James, interviews, Dol Dol, Laikipia 3 September, 2002.

<sup>83</sup> Marijo, Laban, Interviews, Laikipia, Dol Dol, Kenya, 3rd September 2002 where did the rancher get the arms to shoot the dog? He must possess either illegal or legal arms.

It is because of the proliferation of arms that regular police and General Service Unit (GSU) found the task difficult to accomplish. It is vital to mention that the police station in Dol Dol does not have the same quantity of sophisticated firearms in its armoury, as do the pastoralists. As noted by one of the interviewees:

Small arms are plenty but not easy to find. Here people of Mukogodo were encouraged to have them, by the Samburu, Turkana, Pokot and the Somali from Isiolo. But the raiders have better arms than the police.<sup>85</sup>

The accumulation of small arms in Laikipia has resulted from the state arming the home guards, which is an increase of arms into untrained hands, secondly the purchase of arms by pastoralists from Pokot, Samburu, and Isiolo<sup>86</sup>, and lastly we have arms owned by the ranchers and their guards.

#### **5.4.3 Case Study: Samburu**

Pastoralism is the main economic activity in Baragoi. Livestock supports 80% of the division's population with approximately 75% of the residents of Samburu district being nomads. Like the Turkana, Samburu experienced early threats by bandits from Abyssinia and Italian Somaliland in the late 19<sup>th</sup> century. The insecurity was aggravated by the use of small arms, which found their way into the region from Abyssinia. By 1909 the proliferation of arms had "already assumed alarming dimensions and there was a grave danger that the possession might incite tribes, hitherto friendly and peaceful, to set themselves against each other and the Government."<sup>87</sup> In addition the spread of small arms was leading to the depletion of game, particularly elephants and rhinoceros, killed for their tusks and horns. The greatest threat to Samburu security from colonial times emanated from the Turkana, who had acquired arms.

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<sup>84</sup> I still think even the post colonial government

<sup>85</sup> Rev. Moire, John, Anglican Church of Kenya DOLDOL Parish, Interviews, Laikipia, Dol Dol, Kenya, 4th September, 2002

<sup>86</sup> Isiolo forms the triangle of arms dynamics in Kenya as all arms from Somalia and even Ethiopia end up in Isiolo before being distributed to other parts of Kenya.

<sup>87</sup> See KNA/PC/NFD7/1/1:NFD handbook, 1917:93

The history of cattle rustling is age old in Samburu. In Baragoi Division it is recorded in 1893 during the *Iterito* age set (though it dates long before this) when the Samburu raided and exchanged donkeys and small stock for cattle with the Turkana (Spencer, 1973:87). The warriors (*moran*) carried the heaviest responsibility in the community and they performed most of the challenging and dangerous tasks with regard to acquisition and protection of essential communal resources such as livestock. In 1914, the *Lmerisho* and *Iterito* age sets joined the King's African Rifles, which enabled them to go raiding neighbouring tribes for compensation. In 1917, the Turkana bandits *Ng'oroko* invaded Samburu *manyattas* (*Kraals*) in Baragoi when the *Lmerisho* ages set were warriors. After the raid, the Samburu retaliated by invading Lochotom, Kerio, Naliyo and Turkana. Many animals were taken, together with girls, and many others killed.

In the early years of independence (1969), the *Ng'oroko* invaded the villages of Lekupe and Lesokoyo at Tuum in Baragoi Division, injuring one and stealing several livestock. In 1970, the *Ng'oroko* raided Baragoi area killing Lentoimaga of the *Lmekuri* age set. In the same year they raided Lepatoiye in Simale taking livestock. In 1972, the raiders invaded Tuum where eighteen of them were killed. In 1980, the bandits raided Lengees and Uaso-Baragoi *manyattas*<sup>88</sup> injuring many people. In 1986, the government of Kenya noted that insecurity both within Samburu and neighbouring districts contributed to increased out-migration (Were and Ssenyonga, 1986). The progressive militarization with modern weapons acquired from neighbouring countries by the Turkana, Somali and Pokot was noted to have rendered the Samburu, with few weapons due to their remoteness from supplying 'chains', very vulnerable and radically and redefined the role and scale of the traditional stock raiding.

For fifteen years, (1980-1995) there were no incidents of *Ng'oroko* cattle rustlers. But on 27th August 1996 a big armed gang invaded the Sigira area of Baragoi Division taking 5,000 heads of cattle and killing nineteen people. Since then cattle rustling with use of arms has become common and very lethal. The technology shift from spears to small

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<sup>88</sup> Homes steads.

arms has totally altered traditional stock raiding, turning it potentially into a commercial activity. Arms accumulation in Baragoi has been primarily through purchase or smuggling from neighbouring districts.<sup>89</sup> In addition the government has issued licit arms to civilians' home guards, which later disappeared. Lastly figures suggest that there are 16, 478 illicit arms in the community held mainly by Samburu warriors (Masinde et al., 2004:83)<sup>90</sup>.

The reason for the high rate in purchasing and smuggling guns is due to overall insecurity. As stated by Counsellor Lemoyin of South Horr:

Police force is not very visible: they should be present where rural communities are proximal to borders. This invisibility leads to smuggling of arms.<sup>91</sup>

In conclusion the need to protect wealth (cattle) and to restock in case of drought is responsible for arms accumulation in Baragoi. The survival equation is complex and only the natives know how to balance it. The gun has become an important factor in the survival of the Samburu. Commercialization of raids makes it difficult to determine the parties to the conflict.

## **5.5 Weapons Flows**

Early sections of the chapter establish the main sources of arms in the region, and demonstrate their accumulation in the study areas. This section shows in greater detail the sources of arms flows, provides a brief methodology on how the data on flows and cost was obtained. It then examines the routes, methods and costs of arms and ammunition in the North Rift between 2001-2004.

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<sup>89</sup> Interviews with various members of communities in Maralal and Baragoi, 19-25 September 2002.

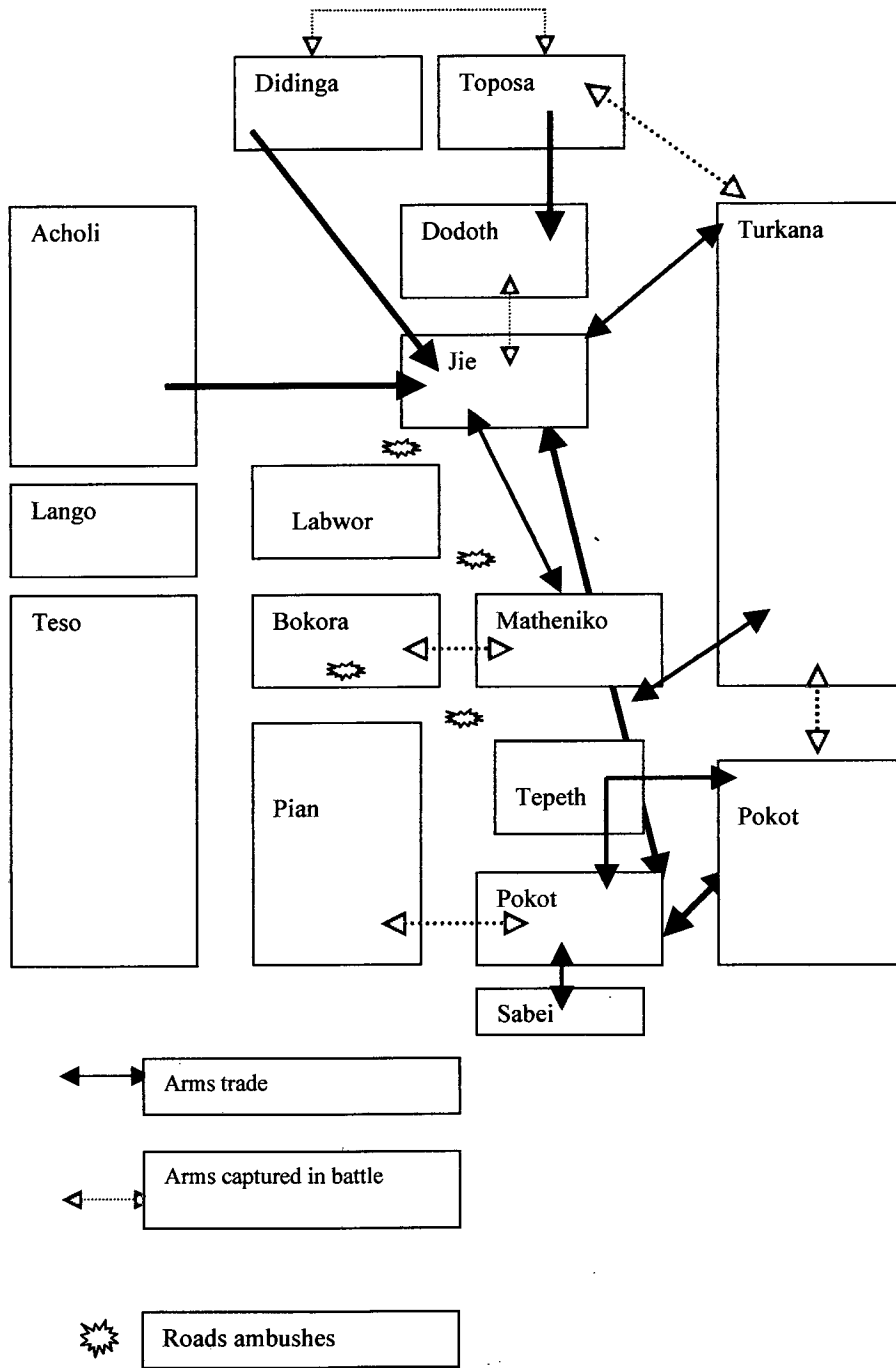
<sup>90</sup> It is very difficult to determine the arms in a community; hence the above figure is questionable, as the authors do not state the methodology they used to come at the figure. As noted elsewhere, an arms market used to exist in Parao, Samburu; hence the figure could be much higher.

<sup>91</sup> *ibid.* Worth to note is that arms into Baragoi are also coming from the Oromo Liberation Front rebels.

Over 500 people were interviewed. Interviewed personnel included: warriors, government officials (civil servants), border guards, elders, members of parliament, administrations, resident district commissioners, and their counterparts in Kenya; district commissioners, religious leaders, business men, arms 'traders', and former cattle raiders who normally operate on these routes. Those who were literate were provided with a map of the Horn and told to draw the routes. The claims were discussed with security agents, and in the case of Kenya with District Commissioners and district officers who are the chairmen of the District Security Committees. Figure 5.3 below shows the pictures that emerged from this exercise, of regional arms trafficking dynamics across the border of Sudan, Kenya and Uganda.



**Figure 5.3 Arm trafficking across the Border of Sudan, Kenya and Uganda  
October 2004**



Source: Kennedy Mktu, Field interviews 2003

## 5.6 Routes and Personnel involved in Movement of Arms (Trans border Sudan, Kenya-Uganda)

Map 5.1 below shows the routes used by traders and arms traffickers to move small arms into the Kenya-Uganda area as of January-February 2003 during the fieldwork. It is important to note that routes change as circumstances change, including the level of official security.<sup>92</sup> This is particularly the case on the Kenyan side, where the security forces regularly mount checkpoints and patrol randomly. Any sale of arms by soldiers on the Kenyan side is subjected to heavy punishment, including dismissal.<sup>93</sup> However, on the Ugandan side, security is laxer and the routes are changed less regularly, and indeed when the security forces have gone, the routes are re-established to some extent.

Those involved in small arms trade range from racketeers to vigilantes, from warriors,<sup>94</sup> to small traders to wealthy businessmen, and personnel of the Uganda Peoples Defence Force on the Ugandan side, Kenya Police Reservists on the Kenyan side<sup>95</sup>. The law in both countries prohibits arms sales where those involved have no license. Bollig (1993) notes that members of parliament and other such 'big men' may act as market intermediaries for both livestock and armaments. Women too are involved, mainly trading in ammunition independently from the trade in guns. It is easy to carry bullets in food bags, milk gourds or water jugs. Security forces rarely check women, making it relatively easy for them to carry loads of ammunition across the border. Women evade security checks more easily than men, since they arouse fewer suspicions, and it is difficult for men to carefully search women.

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<sup>92</sup> Mkutu 2003:24

<sup>93</sup> *ibid.*

<sup>94</sup> In Uganda, Karamoja the warriors are called *karachunas*, while in West Pokot they are referred to as *Nigidigidai*

<sup>95</sup> Mkutu 2003 *op cit*; Muhereza 1997b; Cappon, 2003

The racketeers are now major players in the arms markets.<sup>96</sup> This was clearly pointed out by a former warrior who stated that cattle raiders came to his home and stole all the cattle. So he became a warrior employed by one of the local racketeers and was issued with an AK47. After obtaining a gun, he joined a gang of 200 raiders, who from time to time would go to raid cattle from *Kraals*, and the ring leader (racketeer) would sell proceeds and give them a share. Being a warrior already he had the necessary 'experience'. After raiding several times and getting enough money, he purchased his own cattle and returned the gun he had initially been loaned. Thereafter, he left the gang and formed his own to acquire cattle for himself through raiding.<sup>97</sup> He now employs more than four armed warriors to take care of his own cattle. He, however, stopped going raiding as he felt it was risky.

Through raiding, racketeers, businessmen, and traders have become significant owners of livestock, especially cows. They use cows as a form of exchange for guns. Racketeers then employ warriors, provide them with weapons, and send them out to raid more cattle and camels. The racketeer thus acquires more cattle, which are sold for more guns, thereby allowing more warriors to be hired to raid more cows, and so the vicious cycle continues. Racketeers are now among the biggest arms sellers and wealthiest pastoralists, and they control some of the arms markets. Cattle are now concentrated in the hands of a few wealthy herders.<sup>98</sup>

The Kenyan and Ugandan governments have acknowledged the significant security challenges in northwestern Kenya and Karamoja. While some attempt has been made to address small arms problems in the region, a truly effective and comprehensive strategy addressing the multiplicity of demand and supply factors has yet to be introduced. Tracking the nature of the small arms trade in the region and in particular the trading routes by which small arms and ammunition reach the regions are of particular importance to tackling this issue.

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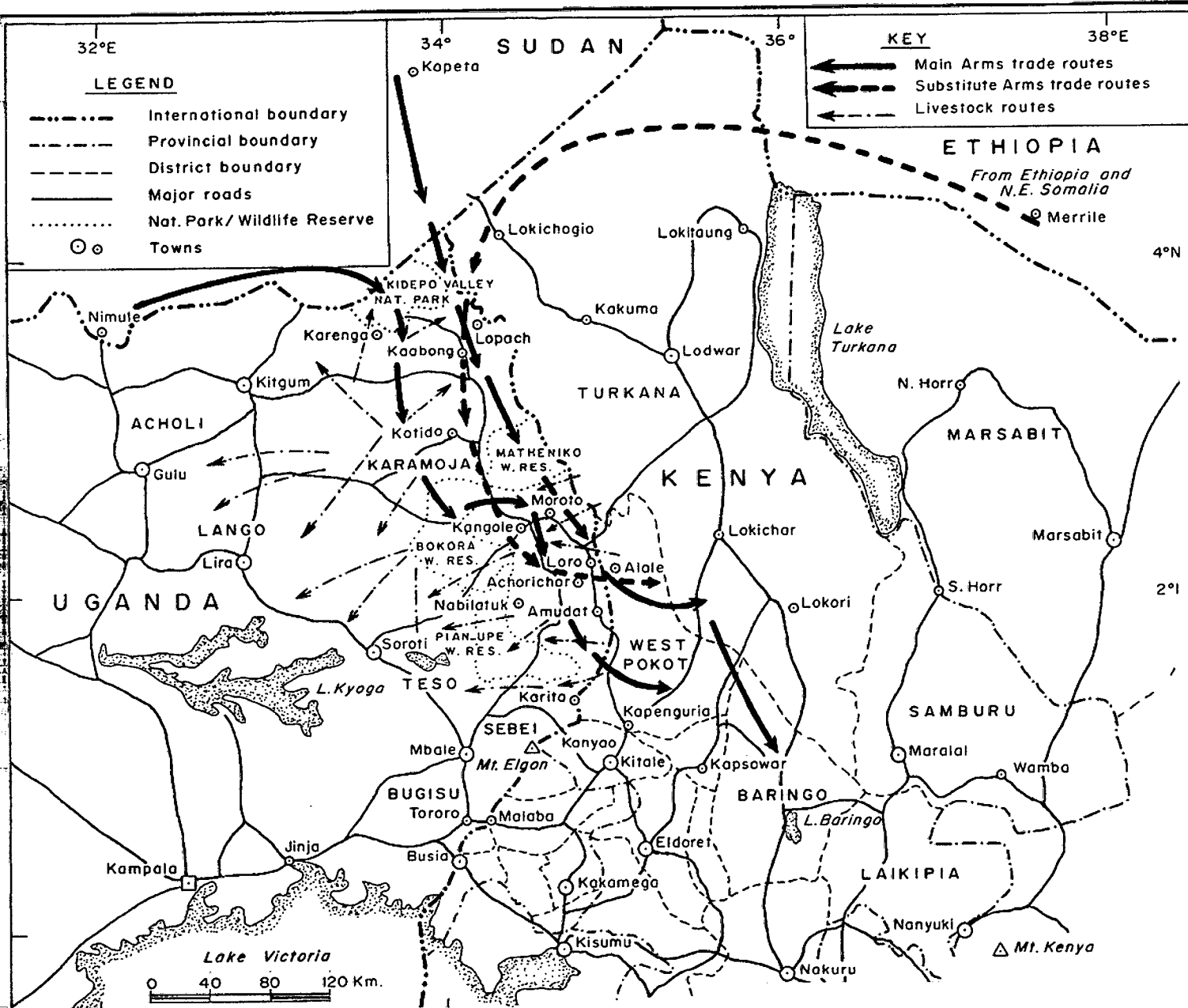
<sup>96</sup> Mirzeler and Young 2000:422; see Nyaba 2001; ADOL, 2001; Mkutu 2001

<sup>97</sup> Former raider, name withheld. Interview, Amudat, 14 June 2001

<sup>98</sup> Field notes Karamoja and West Pokot. A well-placed politician confirmed and noted that racketeers are now the big time owners of cattle especially on the cross border areas of Kenya and Uganda.

It is worthy of note that barter for consumable products (use) is different from exchange for profit (accumulation) as social relations and outcomes are different. There is a difference between legitimate trade (for profit) in legally acquired goods, barter for consumption goods and trade in goods acquired illegally- by raiding, banditry, looting or where trade itself is illegal (drugs). Some of the participants only sell, not buy (i.e. the bandits who ambush cars). All these processes are existing in the trade in arms. These dynamics are different from states or militias supplying arms freely to promote stability or instability. The fact is that arms are exchanged for food/goods and the arms further sold for a profit, which makes it very complex to differentiate between genuine and corrupt traders.

Map 5.1 Arms Flows in the Northeast Africa- Sudan-Kenya-Uganda border



Source: Modified from Macmillan Sec. Sch. Atlas, 1999  
By Kennedy Mktu, 2004

Map 5.1 shows five main routes for the movement of small arms into the Sudan-Kenya-Uganda border areas. It only gives the cross border flows as the Kenya internal flows are shown elsewhere (maps 5.3,5.4 and 5.5 below).

The first and most commonly used route is into Karamoja from Sudan. The second is the 'north-eastern route' into Kenya from Somalia. The third is the route from Sudan into Lokichogio in Kenya (that route is not indicated on map 5.1). The fourth is the Sudan-Karenga-Lopoch-Kotido route; lastly is the Southern Sudan-Uganda-Kenya route. There used to be a sixth originating in Ethiopia and connecting to Uganda via Sudan, but the eviction of the SPLA from Ethiopia has led to the decline of this route (Mkutu, 2003: 24).

### **Sudan-Karamoja Route**

This is currently the main route for arms into the Karamoja region. Large quantities of small arms are brought across the Sudan border to Kotido district (see map 5.2 below). From there, some are taken to Pokot and Samburu in Kenya. Others are taken on to Moroto and Nakapiripit districts in Uganda<sup>99</sup>. It was claimed in interviews that a very wealthy businessman has also been involved in transporting arms illegally and *miraa* (khat) from Kotido district in Uganda to Kachiliba town, West Pokot district, in Kenya<sup>100</sup>. Evidence from interviews with Sudanese refugees and with high-placed sources have revealed that during 1993-94, the SPLA laid off several hundred officers, giving them varying quantities of small arms as a 'retirement package'. The officers sold many of the arms to sustain themselves at gun markets on the Ugandan side of the border. The SPLA itself has also regularly traded guns in Karamoja region for other items, as evidence from the field confirmed.

[The] SPLA come into Uganda with donkey loads of ammunition and guns and they exchange them for grain and livestock.

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<sup>99</sup> Interview with several people, Amudat, Pokot Uganda, 16 June 2001. Also field notes with elders and community focus group interviews in Kanawat, Jij Kotido January 2003. Interviews with ex- cattle raider Cheere op cit.

<sup>100</sup> With the current disarmament ongoing in Uganda, interviews in the field revealed that he is now cooperating and helping with the disarmament.

Livestock captured with the use of arms are sold or exchanged for arms, which actually increases the quantities of small arms in the hands of traders/warlords or warriors. The arms are then traded for more cattle. The SPLA army needs food, and that is how they are getting part of their food.<sup>101</sup>

Depending on the type of AK-47 (Chinese or Russian), the rate of exchange in Ugandan Villages is 2-3 cows for one gun. The major mode of payment is through barter. The SPLA denies that it trades arms for food, including cattle, arguing that they have no link to the arms traders moving through its areas into Uganda.<sup>102</sup>

#### **North-eastern Route from Somalia directly into Uganda**

The North-eastern arms trafficking corridor operates between Mt. Morungole and Kidepo National Park through Ik territory into Kaabong, and is one of the oldest arms trafficking routes in the region<sup>103</sup>. This route begins in Somalia, moving through the Merrille area in Ethiopia and then onto the Karamoja region in Uganda. From there, small arms move through Upe Pokot areas in Uganda and cross the border into Turkana and Pokot areas on the Kenyan side. This route is very costly because the arms have to pass through a series of brokers over a long distance. For this reason, relatively few arms currently come through this route. In addition, the trademark gun of the Karimojong is the AK-47, while the guns that come through this route are G3 rifles. This rifle is considered outdated. However, if the Sudan-Karamoja route was to be more effectively policed this route could quickly become more important.<sup>104</sup> The Somali involvement in the small arms trade may also be facilitated by the fact that they operate the main bus transport system from Sudan to Uganda. One respondent asserted;

The best arms smugglers are Somali; they carry guns on donkeys and they exchange them for oxen. They do not follow roads. They take *miraa* (khat) to

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<sup>101</sup> Interview, Moroto, 20 June 2001. Source did not want to be identified.

<sup>102</sup> Ibid.

<sup>103</sup> Muhereza, 1997b: 26; see also Mkutu 2003; 2001.

<sup>104</sup> Somalis are very influential in the Kenya-Uganda border area.

Kachiliba in Kenya, Irii, Karenga, Namalu in Uganda. Sometimes they transport the guns hidden in *miraa*.<sup>105</sup>

When warriors were interviewed they noted, “We go to the mountains to get the *miraa*.”<sup>106</sup> *Miraa* chewing in pastoral areas is a new phenomenon.

A local prominent individual who is knowledgeable on the small arms problem, argued:

Somalis inhabit the eastern province of Kenya. The Somalis are known for their close-knit family clans; ties which can stretch from Kampala to Kotido to Mogadishu, the Somali capital. The ties are vital for long-term survival in the Somali harsh climate, and they provide an underground network that protects the small arms traders. They are in touch with Somalis in Somalia who are armed to the brim.<sup>107</sup>

Surprisingly, Somalia traders are often ‘strangers’ not local. The main reasons are that they adapt easily to arid environments. Traditionally, their economic occupation has been associated with trading and exchanging goods. They were especially linked to the Arab trade (barter) mentioned earlier. A District Officer interviewed in Kapenguria also noted, “The Somali would bring guns to East Baringo; they would in turn reach West Pokot.”<sup>108</sup> As noted above the problem with this route is that it was a small source and the guns very expensive.

### **Sudan-Lokichogio Route**

Traders from Sudan sometimes pass through the *Kraals* or local villages and bring arms directly to the Turkana in Kenya without passing through Uganda. Arms entering Kenya along this route are then sold to Karamoja and from there they are sold back into Kenya.

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<sup>105</sup> Interview, 20 June 2001. Source did not want to be identified. *Miraa* grows wild on Mount Kadama and Mount Napa in Irii, Uganda. Karenga, Amudat, and Namule.

<sup>106</sup> Interviews, Karachunas, Namalu Market, 24 January 2003.

<sup>107</sup> Interview. Source did not want to be named. Namalu, 21 June 2001.

<sup>108</sup> Interview with District Officer. Name withheld. Kapenguria, 31 May 2001.



While the Turkana and the Pokot in Kenya have a volatile relationship, this enmity does not stop Turkana traders and racketeers from bringing arms to sell in Pokot. This trade occurs mainly during periods of peace between the two communities. While arms along this route often go via Kenya to Uganda and are then returned to Kenya, those that end up in the Samburu region of Kenya often come directly from Sudan through Lokichogio.<sup>109</sup> These arms in the Samburu region are mainly sourced from the Borana.

### **Sudan-Karenga-Lopoch-Kotido Route**

This trafficking route, dominated mainly by the Toposa, a Sudanese pastoral ethnic group which speaks a dialect akin to Ng'akarimojong, runs from Southern Sudan into Karenga, entering Karamoja via Mt. Zulia in the extreme North to Pirre, then Kathile and finally to Kaabong gun market.<sup>110</sup> These arms are brought to Kaabong from Nimule, Kopeta or Juba in Sudan. The arms and ammunition from both transit routes filter further southwards into Jie territory and beyond. Interviews indicate that this is one of the main routes to bring arms to Jie County. In interview Jie informants told noted that there are several other sources of arms flow to Jie. Arms from Sudan come through Labalagit and Dodoth County. Some of the guns come through Sudan to Nyangia-Karenga to Dodoth and Jie, and then they percolate to various parts of Karamoja. As noted by a Matheniko former raider, Cheere, who is now chief of Rupa, "As a raider, we used sometimes to buy guns from Dodoth. During the time of Amin when the guns first came to Matheniko, the type of gun I managed to get was the SLR rifle."<sup>111</sup> The Jie, who seem to be major distributors of arms to other areas, have several secondary sources. The first is the western axis mainly involving arms trafficking from conflict-afflicted Acholiland (Acholi-Padar-Adilang route and the Longor-Alerek route). Another route goes through Lango (the Langi), specifically Olimi-Otukei sub-county in Labour county.

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<sup>109</sup> In a questionnaire given to 120 households in Baragoi-Samburu district of Kenya (2000) and to twenty home guards, respondents indicated that arms came directly from Sudan to Lokichogio.

<sup>110</sup> This route has also been referred by ADOL (2002), which argues that significant arms markets exist along the Kotido-Sudan border.

<sup>111</sup> Cheere, James. Interview, Rupa, Karamoja, 2 February 2003.

There are two main types of arms that go through these routes. First, old guns, as noted by Lobugret;

Currently, Acholi provided the Jie with guns. In the past, there were no arms from Acholi, but now they are coming. They bring them to be sold. The guns apparently are not new but are rusty, implying they have been buried for some time.<sup>112</sup>

The Jie believe that these arms were buried during the civil war in Uganda and are now being sold due to the high demand for arms, especially after failed disarmament (see chapter 7) and also due to the current conflict between the Jie and the Bokora. The second source of arms on the Acholi route to Jie is probably the Lords Resistance Army of Kony. It is believed that Kony's<sup>113</sup> men are bringing arms to their own people (Acholi), and the arms are resold to the Jie. Deserting Lords Resistance Army rebels are also selling their arms to Jie openly, in the *kraals* in Acholi. They further exchange them for cows as ADOL (2002: 100) notes, "Guns are believed to be abundant among the former rebels, who do not use them because of security vigilance." It is also believed that cattle rustlers have struck a deal with the rebels. They get guns, and the LRA take animals in exchange.<sup>114</sup> This is presumably for food. The other source is the "enemy". It was noted that warriors kill the "enemy" and get their guns. During raids when Jie go to Dodoth, they can kill ten or more Dodoth and get their guns and vice versa. This told by a current active raider "We raided Kiamion a big kraal and got over 1000 cattle. In the fight many people were killed and that is how I got my first gun."<sup>115</sup> But lastly you can hire a gun. Kangole an active raider noted "if I hire your gun, I return back with one cow, its sold and the owner of the gun gets a higher share"<sup>116</sup> Map 5.2 below shows the movement of arms into Karamoja.

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<sup>112</sup> Lobugret, Andrew. Interview, Kanawat, Kotido, Uganda, 3 February 2003.

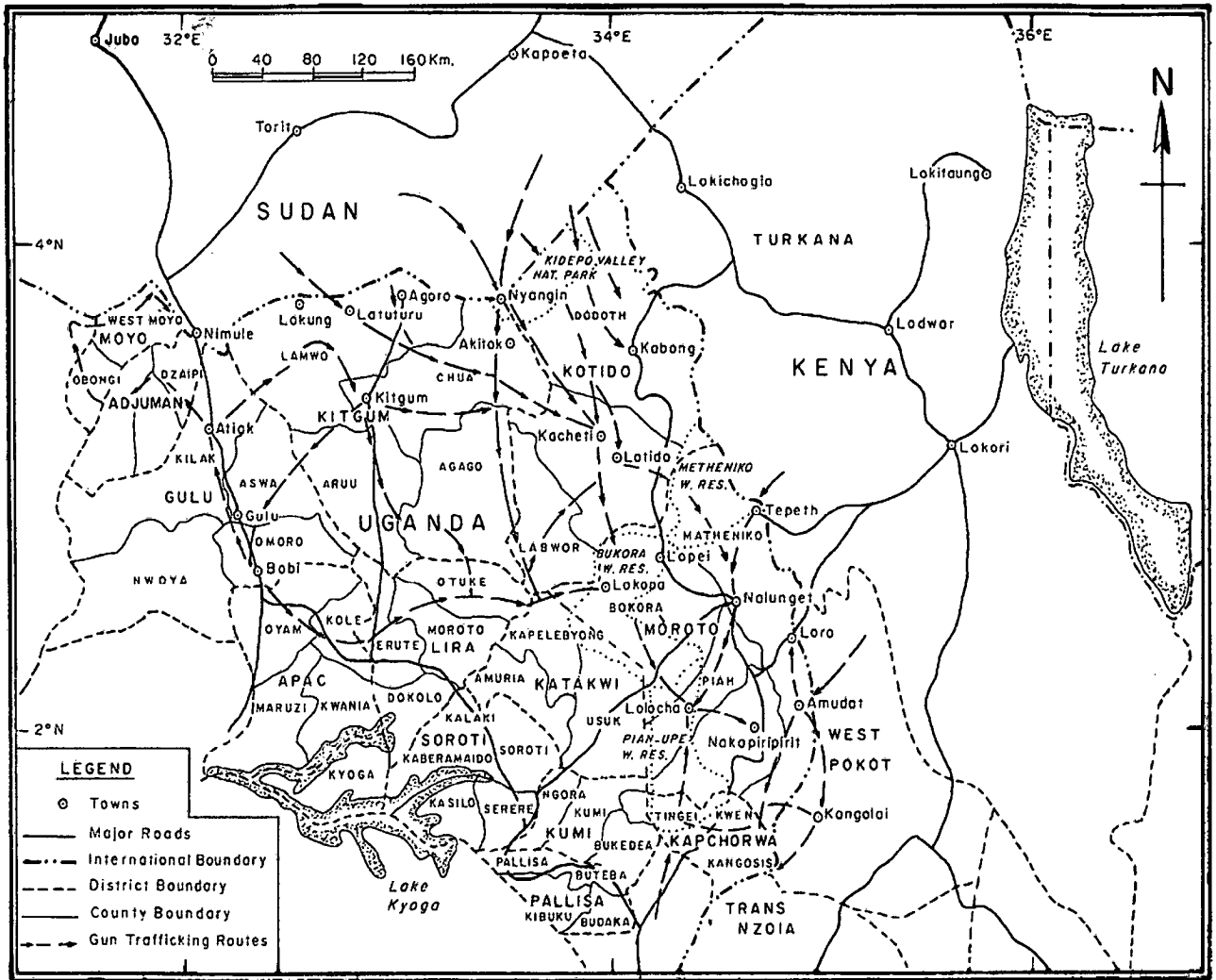
<sup>113</sup> Elders in Jie also indicated that Kony was recently seen in Acholi, in Lira. Interviews in Kotido with various people, including Akore (KAPAPAS), Local Councils, (KOPEIN) in Kanawat and Kotido 1-4 February 2003. See IRIN, (2003) Army claims Successes over LRA, 19 January- local leaders in Lira warned that LRA still has a presence in LIRA.

<sup>114</sup> Field notes 2002 and 2003: see also Daily Monitor 4 October 2003  
<http://www.monitor.co.ug/archives/2003main/oct/news/1004/news1.php>

<sup>115</sup> Interview Active 16 year old raider Nakapelimoru, 6 October, 2004

<sup>116</sup> Interview Kangole (not his real name) Nakapelimoru, 6 October 2004

**Map 5.2: Gun Trafficking into Karamoja**



**Figure Gun Trafficking Routes into Karamoja 2003.**  
 Source: Designed using data from the field by Kennedy Mkuu

The secondary sources were government soldiers. In January, a UPDF soldier was caught selling a dismantled AK47, in Kotido town. The soldier had come from Lira and sold the gun to warriors in Kotido Sub County. Secondly a member of the Local Defence Unit, a Teso but based in Kotido Sub County, sold a gun to one of the *warriors* in Kotido.

Arms and ammunitions are brought to Kaabong (see map 5.2 above) by the SPLA in donkey loads and exchanged for grain and livestock. The donkeys pass through Kraals carrying the arms.<sup>117</sup> Stock is exchanged for arms. The arms are then brought to Kangole and Moroto. On Mondays, arms used to be sold in Moroto and on Thursdays in Kangole. However, with the recent disarmament, the traders are now very careful. Disarmament has made the arms invisible, but it is claimed that trading has actually increased.

The difference between Kangole and Moroto and other locations is cash payment. The reason is that the traders need money to buy goods<sup>118</sup> that are in demand in source areas (borders of Sudan and Uganda) to exchange for arms. One source told me that traders often have orders for goods to buy when coming to major towns like Mbale, Jinja and Kampala.

Somalis control the main public bus from Nimule on the border of Sudan and Uganda to Kampala. Passenger and goods transports were linked to the traders in Mbale and even Jinja, where one can obtain foreign exchange dollars or sterling easily, through unorthodox means. The researcher managed to exchange dollars for Uganda shillings after only a few minutes in Mbale.<sup>119</sup> The limestone and marble mining in Moroto and Tepes is managed and monopolized by Somalis. Mineral exploitation is currently a growing commercial interest, especially in Moroto District, Matheniko County. If security improves in the long term, mining activity could increase. Mining raises a new type of conflict of interests with the pastoralists. The mining and exploitation of pastoralist labour in mining could cause them to get more arms to defend their wealth, as they are educated on the value of the minerals.

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<sup>117</sup> In the *kraals* they have assured sources of food

<sup>118</sup> Radios, electronics, shoes, clothes, etc

<sup>119</sup> Evidence indicated that the Somalis made their money through the Karamoja connection, selling gold obtained from Karamoja and also trading in arms. In January 2003, I interviewed the Somalis who have been given the permits for mining in Karamoja.

Since 2002-2003, the Karenga route is being policed by the UPDF; hence only minimal arms are coming through. Labwor does not supply guns and ammunition to the Jie but they used to get them from Labwor people who had deserted the forces in the early 80s and 90s. There are no established markets for guns and ammunition, but the business continues.

### **Southern Sudan-Uganda and Kenya route**

Arms are also entering both Uganda and Kenya from southern Sudan. The government of Sudan has supplied arms to the Merrille, Toposa and Didinga ethnic groups as a means of destabilizing the rebel SPLA movement. The large quantity of arms that are available has led to trade across the borders of Uganda and Kenya (Nyaba, 2001:84). Southern Sudan is well known for lawlessness and insecurity, making small arms prolific. As argued in the *Daily Monitor*, 20 February 2002, “ There are three possible factors that make the Southern Sudan a major arms source; the government of Sudan, due to its active support of various militia groups in Southern Sudan, the Lord’s Resistance Army, and the Sudanese Peoples Liberation Army (SPLA).”

The above represent the arms routes into Karamoja and into Pokot in Kenya. It is perhaps also worth mentioning the now largely defunct Ethiopia-Sudan route, along which President Mengistu supplied arms during the 1980s to the SPLA, helping establish them as an effective fighting force. With the fall of Mengistu in 1991 this route declined in importance.

### **5.7 Small Arms flows and routes: the Kenya Dynamics**

The proliferation of small arms across international borders was a problem identified in 1979 by the Kenya government as noted previously.<sup>120</sup> The large number of small arms circulating in Kenya is partly a result of the civil wars in the Horn of Africa, particularly

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<sup>120</sup> See West Pokot Development Plan 1979; GOK, 1986:8

the disintegration of Somalia. Kenya alone cannot address the problem. As solution to the problem of SALW must be embedded in a regional framework. Adirizak Juma recently said, "A fire is burning in Somalia, and as long as there is a gap here, any efforts elsewhere will be useless, as arms will continue to pour into Kenya."<sup>121</sup> It appears that wars in Southern Sudan and in Uganda also contribute a great deal to the flow of weapons, their wide dispersal, and their cheap cost in Kenya<sup>122</sup>. Most arms flowing into Kenya originate from conflict areas and Kenya is the market for SALW in the region.

To understand the dynamics I administered a questionnaire to 200 administrative officers from all over Kenya. This included the following questions:

1. Why are Kenyans, especially pastoralists, suddenly demanding arms?
2. How has the problem of small arms and cattle rustling manifested itself in your division or district?
3. If you have worked on the border towns, what is the nature of border security (customs officers, immigration)?
4. Is the trafficking of small arms on the border regular, occasional, or is the supply of arms becoming organized and why?
5. In your last station do you know of weapons caches?
6. What are the routes of arms into Kenya?
7. If you were to draw a map of the routes weapons take in Kenya, what would be the start off points, transit areas and arrival points<sup>123</sup>?

Observation was also used in areas visited by the researcher. The questionnaires were also given to security and District Commissioner's seasoned administrators who have served for over 10 years in various parts of Kenya. They were also given to border and customs officers who the researcher could access. Out of the 200 questionnaires that were returned, over 30 drew maps. The data was checked with in-depth interviews in the various areas. The information was then used to draw the arms mapping dynamics and routes for Kenya.

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<sup>121</sup> FECCLAHA and NCA workshop, 2002

<sup>122</sup> Mkutu 2003 Op. cit.

Map 5.3: Mapping Arms Flow Dynamics into Kenya

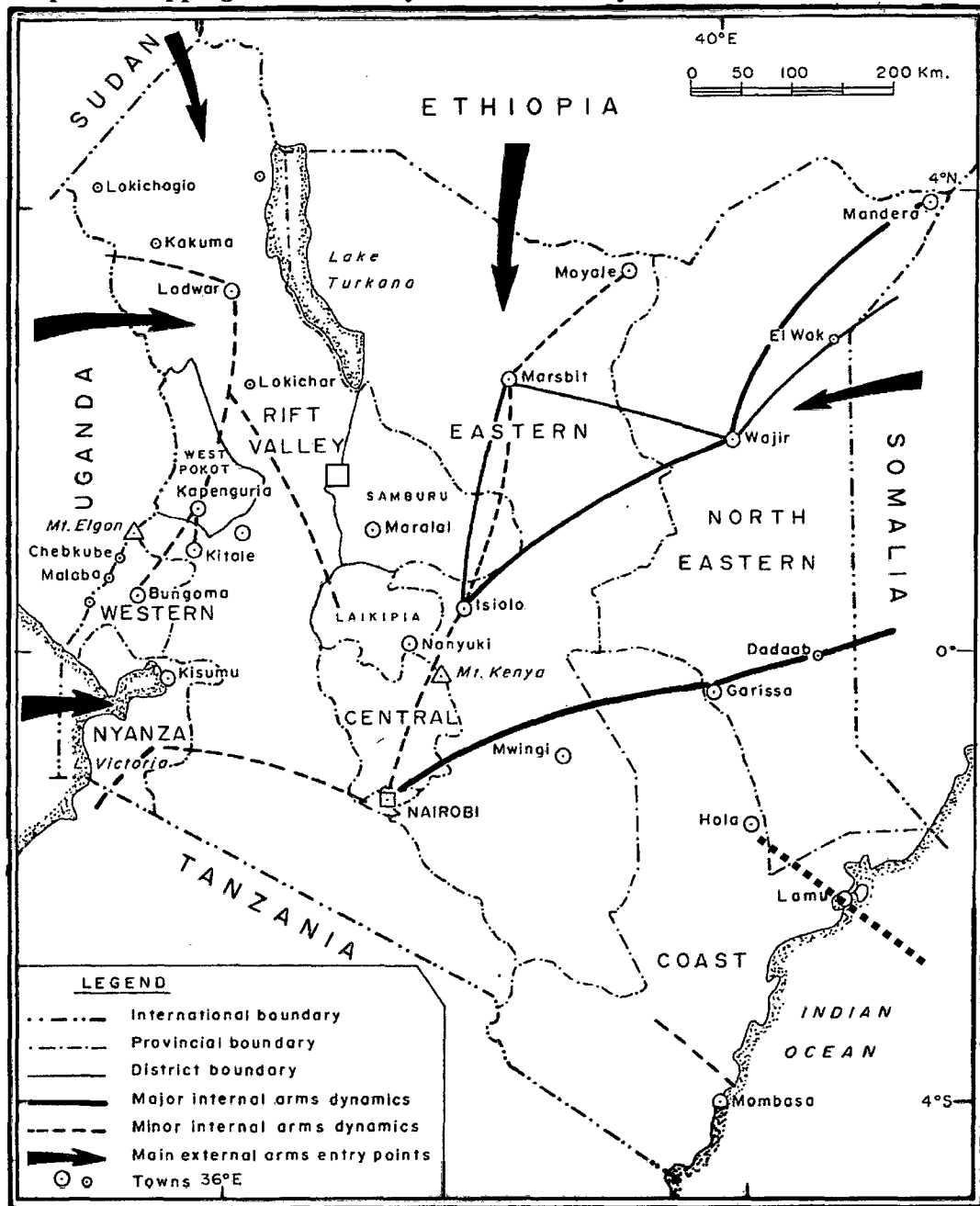


Fig. Mapping Arms flows in Kenya

<sup>123</sup> See questionnaire in the annex

### 5.7.1 Primary Routes

There are four primary arms routes into Kenya. The Somalia route, which has three major branches, the Somalia-Dadaab-Garissa-Nairobi path being the best known. The second is the Somalia-Mandera-Elwak-Wajir-Isiolo-Garissa-Nairobi path. The third is the Elwak-Wajir-Isiolo path. In 2001, one of the interviewed administrators and his security team managed to intercept 17 guns in an old house. The arms were said to be in transit to Nairobi on the Elwak-Isiolo route.<sup>124</sup> Once arms arrive in Isiolo some are diverted to Meru. In an interview, a Kenya Wildlife Service warden observed:

The push for arms to Meru is due to the Meru National Park, east of Mt. Kenya, which is one of Kenya's largest parks covering 870 square kilometres (340 square miles). It has suffered heavy poaching especially that supplying the ivory trade.<sup>125</sup>

Interviews with the elders in Samburu indicated that arms are also brought into East Pokot from Wajir, Kenya. Pokot go to Wajir and return with loads of arms carried on donkeys, especially the new model AK-47 from Russia, which is common in East Pokot. They also noted arms coming from Ethiopia via Marsabit. According to Police reports on the types of arms used in cattle rustling in Baringo, the Russian Kalashnikov was very heavily used, followed by the G3, while the HK21 and HK11 rifles were moderately used.<sup>126</sup> This suggests the Wajir arms route as the source. The first two routes converge in the arms triangle of Kenya, (Marsabit/Isiolo and Wajir) which is the main source of arms used in many crimes in Nairobi and Mombasa or the eastern part of the country. It is divided into two. Those arms entering directly from south Sudan to Turkana then flow through Kalapata and Lokitanyala and Akoret (see Map 5.4). The second arm is directly through Upe Pokot into West Pokot.

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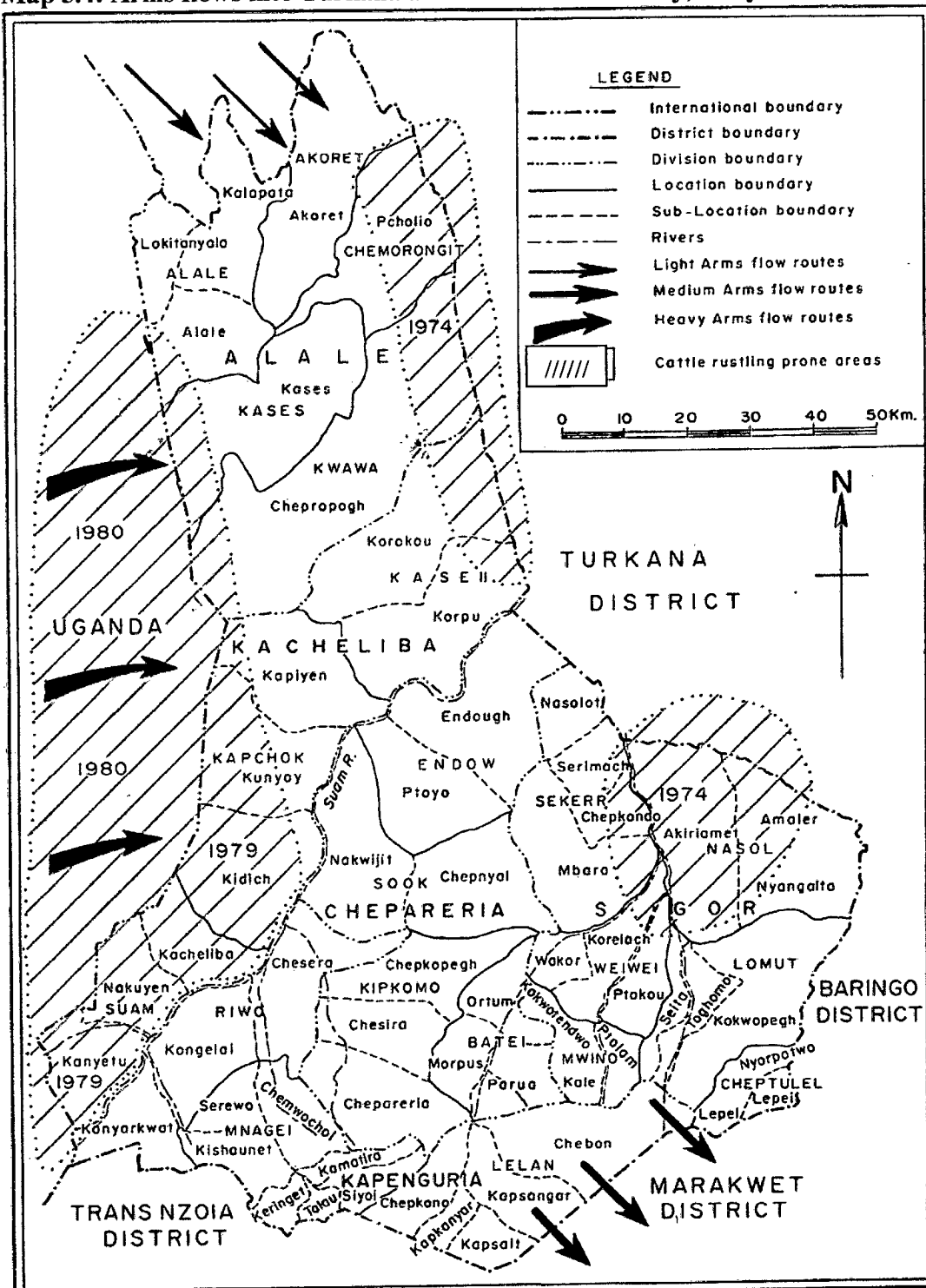
<sup>124</sup> District Administrator, Maragua District, September 2001, questionnaire no. 11, name withheld.

<sup>125</sup> Name withheld. Interview, Kenya Wildlife Service headquarters, Nairobi, September 2002. This route is also served by the arms from the Indian Ocean through lungalunga border area and Tana River via Garrissa.

<sup>126</sup> Police headquarters, Vigilance House, Nairobi; also police headquarters, Baringo Police Division.



**Map 5.4: Arms flows into Turkana and Pokot in Rift Valley, Kenya**



**Fig. The Administrative boundaries of West Pokot district in the North Rift, Kenya**

The second route comes directly from Karamoja to Upe Pokot (Uganda Pokot) to West Pokot, Kenya, then into Marakwet Rift Valley and other parts of Kenya.

### **Loki-Lokitung-Lodwar route**

The fourth primary route is commonly called Loki (Lokichogio) and Lokitaung-Lodwar route. From Sudan the arms come to Loki, Kakuma, Lorugumau, Lorengipi, and Loya in Turkana. These derive mainly from the Sudan civil war, the SPLA play a major role.<sup>127</sup> Also, there is the Ethiopia- Kibish-Todonyang route into Turkana and Moyale.<sup>128</sup>

Interviews with well-placed sources in Samburu indicated that the collapse of Kopeta in Sudan in 2002 had a major impact. The SPLA launched a surprise attack on the Sudanese barracks at Kopeta. However they were not adequately prepared and did not get control of the barracks quickly, and the Toposa managed to get into the barracks and seize many small arms. This spawned high arms traffic from Sudan to Turkana in Kenya, and especially to the refugee camp at Kakuma. Hostilities existed between the Turkana and the refugees, due to rights over for resources, and the Toposa cashed in by selling arms both to the refugees and to the local Turkana. Some of those arms found their way to Pokot.<sup>129</sup> Additionally, the arms moved from Pokot to Marakwet, and though the Marakwet are fighting the Pokot, the sources of arms into Marakwet are paradoxically via Pokot.<sup>130</sup> Interviews also indicated that this route is a source of arms into Samburu.<sup>131</sup>

### **5.7.2 Minor Routes**

The Ethiopia-Marsabit-Isiolo path, though a minor route, joins the Wajir route and forms a triangle the Marsabit-Wajir-Isiolo triangle- making the area a triangle of small arms

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<sup>127</sup> Field notes 2001,2002 and 2003

<sup>128</sup> Advanced Public Administration questionnaires, 2002, 2003.

<sup>129</sup> Field notes 2002

<sup>130</sup> Interviews in Alale West Pokot, Kenya, August 2002. Also SPLA, Interviews with senior officers, in Nairobi and also ICRC staff operating the Hospital in Lokichogio. The tension between the refugees and the local Turkana led to a meeting between top government officers and some of the local UNHCR and ICRC staff.

<sup>131</sup> Some traders are bringing arms as far as Samburu on this route.

conflict in Kenya. The triangle feeds the Nairobi Eastleigh area with arms. The second minor route is the Lake Victoria route. The arms come from Democratic Republic of Congo via the Mufangano Islands in Lake Victoria and then pass to Trans-Mara and Nairobi. The arms used in cattle raids in Transmara originate on this route. The third minor route is the Tanzania-Tarime-Isabania route. The route was primarily used during the Tanzania-Uganda war and the Great Lakes conflict (Egesa and Mkutu, 2000:17-18). A large part of the Tanzanian forces that invaded Uganda and toppled the Amin regime were from Kuria, and the arms traffic on the route has now decreased. The arms enter Kenya through Isabania-Migori and some make their way to the Trans-Mara conflict. More research is needed on these routes. The final minor route is the Zanzibar-Lamu (Lunga Lunga) route. Interviews with Kenya Wildlife Service people indicated that the main feature of this route is that the arms are for poaching game in Taveta and Voi areas.<sup>132</sup>

On 28 November it was reported that “al Qaeda” had blown up the Israeli Paradise Hotel at Kikambala Beach near Mombasa, and synchronously launched a missile attack on an Arkia Airlines Boeing 757, taking off from Mombasa Airport en-route for Tel Aviv with 264 Israeli passengers on board<sup>133</sup>. This Lunga Lunga route is thought to have been used by the terrorists to bring in the missile to Kenya. Because of these routes, Kenya is a major destination of arms from all the surrounding countries that are experiencing conflict.

### **5.7.3 Arms Flow Dynamics: Baragoi and Mukogodo**

Most of the previous cases of arms flow and dynamics were in border areas in the vicinity of civil wars. Baragoi and Mukogodo are located in the interior of Kenya. Thus it is important to understand how arms make their way to non-conflict areas. The current arms circulating in Baragoi include AK47s, G-3s, M16s, Mark4s, and 303s.<sup>134</sup> Arms started

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<sup>132</sup> More work needs to be done on this minor route.

<sup>133</sup> [http://english.people.com.cn/200211/29/eng20021129\\_107657.shtml](http://english.people.com.cn/200211/29/eng20021129_107657.shtml)

<sup>134</sup> Interviews, Samburu, 2000, 2001, and 2002.

getting to Baragoi en-masse in 1996. The progressive militarization of Baragoi is linked to the conflicts in the Horn and to cattle rustling. This has thoroughly redefined the role and scale of traditional stock raiding in Baragoi. The Samburu Baragoi are the most vulnerable as they had no access to arms till recently. The arms routes into Baragoi are interesting. Baragoi is right in the middle of the flourishing trade in small arms from Isiolo. All the primary routes feed into Samburu because a cross section of people lives in Baragoi, including the Somalis.

The primary arms route into Samburu is first, the Sudan-Turkana- Pokot, including the Marakwet route. The second route is the Ethiopia-Moyale (Marsabit), which comes to Isiolo and down to Nairobi with some arms diverted to Samburu. While I was in South Horr thirty miles north of Baragoi, Councillor Lomogin informed me that Marsabit was less than one hour away, and it was a major source of arms flow into South Horr. The arms then make their way down to Baragoi 40 kilometres away. Thirdly, there is the Somalia-Garrisa- Mwingi-Nairobi route, which also diverts arms to Samburu. Fourthly, there is the Marsabit-South Horr route. The route is referred to as the Rendile route. The Rendile are said to descend from the Samburu, and they have close kinship and economic ties with them. In 1996, Rendile were the main source of arms into Baragoi. They lacked water in that year and hence moved to Samburu. When they moved, they were well armed. During the Rendile and Samburu vs. Turkana cattle rustling conflict, the Rendile were able to arm the Samburu. Fifthly, there is the Uganda-Pokot-Marakwet-Samburu route.<sup>135</sup> The possession of heavy arms by the Marakwet was confirmed in an interview with a former District Commissioner for Pokot.

Lastly, there is the Turkana-Suguta Valley-Baragoi route. This route, apart from supplying arms to the Baragoi area, also allows Somali and Turkana arms traders to bring guns to sell at Porro (Parao) every Monday on market days. Security officers know of the Parao market, but it has been ignored by the system.<sup>136</sup> Donkeys mainly transport the

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<sup>135</sup> Interviews, March, 2000 Maralal; focus group discussions, Samburu, August, 2000, Baragoi, Samburu, 2002, Baragoi and Maralal, in-depth questionnaire to APA, warriors, elders, civil leaders.

weapons into Baragoi; however, the Somali often uses camels. As noted in an interview, “The communities are mobile; it’s very easy to transport arms and ammunition.”<sup>137</sup>

Interviews with Somalis residing in Baragoi confirmed that the main suppliers of arms and ammunition to Baragoi are the Somali from Marsabit. They bring the arms on donkeys and camels and sell to the local people. Most of the guns are like the G3 and the AK47, which can be easily assembled and concealed in camels without anyone knowing that they are arms.<sup>138</sup>

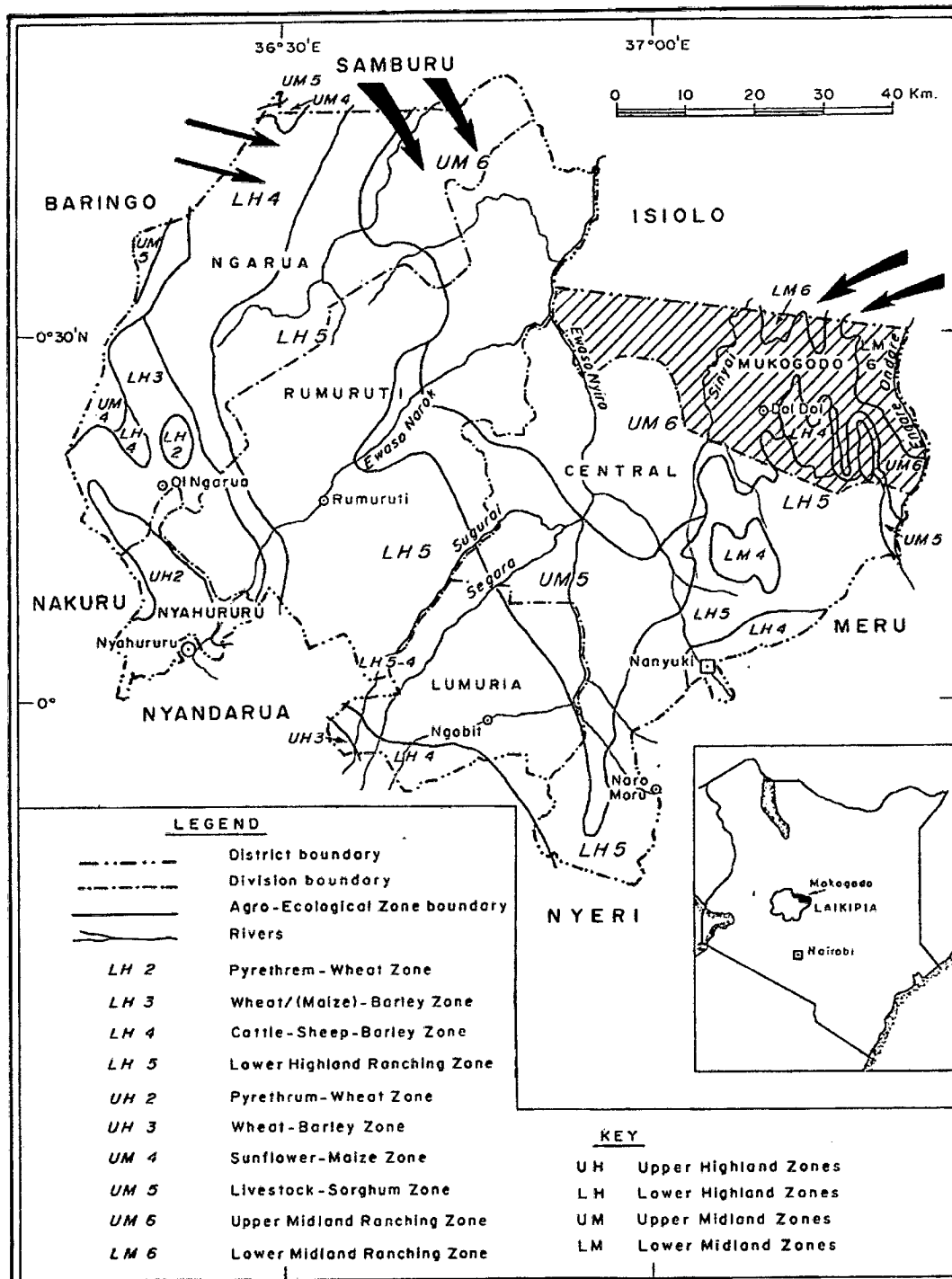
It was also noted that arms are sometimes stitched into goat’s carcass. This smuggling method used to be very common, but since the security forces discovered it, traders use it only occasionally. Arms from Baragoi and Isiolo and Baringo have made their way into Dol Dol. Like Baragoi, Dol Dol is located in the interior and the arms dynamics can be observed below:

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<sup>137</sup> Kulus, Marit, of NCCCK. Interview, Maralal, 19 August 2002.

<sup>138</sup> Mohammed, Ali Osaman. Interview, Baragoi, 21 August 2002.

**Map 5.5 Arms Dynamics into Dol Dol**



**Fig Arms flow and Agro-Ecological Zones**

The arms mainly find their way from Samburu, Baringo and from Isiolo (Map 5.5). The main routes noted in all feed into Mukogodo.

## **5.8 The cost of SALW and ammunition**

A growing body of evidence makes it possible to gain some understanding of the barter and cash value of the arms entering the North Rift area from 1970s to 2003. From this evidence, it is clear that we must distinguish between guns and ammunition. Without ammunition guns are useless. Additionally ammunition is specific to makers of guns and local factories do not produce for all guns.

This section first provides the methodology used, examines the costs of guns and ammunition in Karamoja and then examines the Kenya-Uganda border region, before examining the same in Kenya. The price of small arms is one of the best guides to their availability. “Prices convey a general sense about demand and supply, demonstrating whether or not they can be easily obtained.”<sup>139</sup> Prices also indicate which arms are commonly circulating in an area. Ammunition prices are also important, but quantifying ammunition costs is difficult as the trade is often through bartering.

The main method of trading in small arms in pastoral areas of Northeast Africa and the Horn of Africa is barter, though in some places cash is paid. Interviewees were all asked the same question what is the cost of arms and ammunition both at the source and the interior. The information was aggregated for each area.

### **5.8.1 Cost of Arms and Ammunition in Karamoja, Uganda**

Various reasons explain why gun prices have dropped. First is the high saturation rate and easy access. Second, at one time several open arms markets existed in Karamoja, and one

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<sup>139</sup> See Small arms Survey 2002: 65

could just walk to the market and buy guns. Further, when the Lord's Resistance Army and the Sudan People's Liberation Army, needed food, they sold their arms for low prices. The prices of arms have come down enormously since the late 1970s in Karamoja Uganda, due to increased supply and less demand. At that time, a gun could cost up to 70-150 cows. During the 1990s the cost of a gun dropped to between 20-30 cows. At one point, it reached 10-15 cows. In my first fieldwork in the area May-June 2001, in a saturated market, guns were being exchanged for 5-10 cows in Upe Pokot.<sup>140</sup> In Karamoja, the original Russian AK47 was worth 3 bulls. Interviews with the elders and ex-raiders in Kanawat parish revealed that before disarmament (1990-2000), the price of an AK47 in cash was between 300,000- 500,000 Uganda shillings or 3-5 cows per gun.<sup>141</sup> Currently (October 2004) the cost of a gun has reduced to between 200,000 and 400,000 Uganda shillings per gun or for an AK47, 2 bulls. The SAR (a Chinese made gun) is cheaper, costing 150,000- 200,000 Uganda shillings or 1-2 cows.<sup>142</sup> The price of the gun depends on the amount of bullets it takes. The Chinese AK47 takes 10, AK47 which is Russian, takes 30 bullets and the G3 takes 20<sup>143</sup>. However, the G3 is still more expensive, because it is rare, to the credit of the Kenya government, which is its main source, and also it doesn't get as hot. These figures show that the cost of a gun has dropped nearly 33% between 2000 and 2003 in Karamoja. As noted in interviews, conversion of arms into currency made them cheaper.

According to the Local Council 2 of Kanawat parish, there is a new dynamic in arms buying in Jie. Previously guns were valued in cattle, but now the price is not fixed and is in the form of cash. One sells animals and then purchases a gun with cash.<sup>144</sup> If this is true, a cash economy is being introduced into the small arms trafficking. An informant in Jie said, "When my family got our gun, we paid 25 head of cattle. Then the guns were very rare; we bought from dealers from Lobelagit. Before 1979 Moroto barracks

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<sup>140</sup> Uganda Pokot

<sup>141</sup> Bosco, John. Interview, Akore, Kanawat Parish, Kotido, 1 February 2003.

<sup>142</sup> Interview Lobugret, Andrew, Local council 2 Kanwat parish, Kanawat, Kotido, Uganda 3 February, 2003

<sup>143</sup> Interview Active raider Nakapelimoru 6 October, 2004

<sup>144</sup> Interview, Kanawat, Kotido, Uganda, 3 February 2003.



intervention, we used to get the guns from the Turkana during peacetime at 150 cattle. When Amin was defeated, people just stole the guns.”<sup>145</sup>

**Figure 5.4 Costs of Guns in Terms of Cattle in Karamoja 2003**

County	Before 1979	1979	1990	1999	2000	2001	2003
Jie	40-60	20 - 25	10	5	3-4	2	1-2
Bokora	N/A	N/A	N/A	N/A	N/A	N/A	
Pian	N/A		N/A	N/A	5	3-4	3-5
Matheniko	N/A	20	10	8	4	3	2 or UG 300,000
Upe Pokot	60	30	12	10-12	8-10	5-10	5-6

Sources: in-depth interviews and focus group discussions with warriors, reformed raiders, kraal leaders, local paramilitary, 2003.

A Jie interviewed noted, “We are very happy to buy the gun at two cows because it makes it easy to own a gun”. Cheere, an ex-raider and now chief of Rupa, noted:

Currently, the guns have become so many, no one wants to buy them, and also disarmament has made people afraid to buy, and this has pushed the price lower and [created] a demand for markets....<sup>146</sup> The high cost of guns before 1979 was because of scarcity, and the Matheniko did not know where to get the arms.<sup>147</sup>

Ael Ark<sup>148</sup> revealed that during the early days, the Karimojong sold guns for between 20 and 60 cows. Other interviewees noted that before 1979 barter trade dominated the scene and people exchanged their cattle for firearms. At that time, a gun could fetch up to 70 cows.

<sup>145</sup> Op. cit.

<sup>146</sup> Cheere. James, ex-raider, chief of Rupa. Interview, Rupa, Uganda, 2 February 2003.

<sup>147</sup> Ibid.

<sup>148</sup> Member of Parliament for Dodoth county

Before disarmament, a gun in Pian County<sup>149</sup> was expensive. A former Local Council three interviewed indicated that he bought his AK47 through a friend who had travelled from Kaabong in the north near the source. The cost was 300,000 Uganda shillings.<sup>150</sup>

Interviewees said that guns are bought and sold for 3-4 cattle in Pian, though a good gun was said to cost 5 cows. The high cost of small arms in both Pian and Upe Pokot as opposed to Jie is because of the distance to the source. The nearer to the source, the cheaper the arms.

In conclusion the cost of small arms in Karamoja has drastically gone down, depending on whether the area has proximity to the border or interior. Around Jie Kotido, which is near the source (borders) the small arms price has reduced to nearly 1-2 cows per gun. While in the interior towards Pian one can obtain a small arm with 3 cows. The most expensive place to buy a small arm is Upe Pokot with 4 cows though that has also drastically reduced.

By contrast, the cost of bullets has risen drastically. A decade ago one paid three Ugandan shillings for one bullet. However, by 2001 the price had shot up to 50 Uganda shillings<sup>151</sup> Interviews in Jie indicated that bullets could be bought from wholesalers at 100- 200 for one bull or one heifer. Wholesale ammunition prices have now dropped to 50-100 bullets for a small cow and 100-200 for a large bull. Before disarmament, one could get single bullets for between 200 and 500 Uganda shillings (in Jie which is near the source) or 10-20 bullets for one goat and 50-100 bullets for a small cow.<sup>152</sup> Currently ammunition is selling for 500-1000 Uganda shillings per bullet, though soldiers sell their ammunition at 100 Uganda shillings for one bullet, for their short term needs. Recently a UPDF member was arrested in Kotido with 700 rounds of ammunition in a *waggire* (local brew) container.

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<sup>149</sup> In the interior of Karamoja

<sup>150</sup> Former Local council 3, name withheld. Interview, Nakapiripit district, 27 January 2003.

<sup>151</sup> Op cit. Mkutu 2003

Before disarmament, bullets were used as currency.

You could buy brew with a bullet. If you went to a shop and you had a balance left, you could top the money using bullets.<sup>153</sup>

The buying of beer with bullets is prevalent in rural areas especially by warriors. A father interviewed noted the surprising fact:

Once or twice we have had bullets in the church collection, but also as a down payment for using the mission car to bring a patient to the hospital. But we would make an agreement to either exchange them with shops in the area or we would ask them to come back with cash and we would give them their bullets the next day<sup>154</sup>.

The prices for bullets in Kotido are fluctuating. A reformed cattle raider interviewed in Kanawat, said:

I was getting my bullets by killing other raiders and some from traders. From traders, we could buy 1000 bullets for one bull. One bullet went for 500 shillings. We could use the bullets as money for drinking, and even buying things in shops, medicine etc. The shop could even take bullets for less money. This was mainly for the AK47 SMG, which is the common gun in Jie.<sup>155</sup>

**Figure 5.5 Costs of Ammunition in Karamoja 2001-2003 (Per round)**

County	Before 1979	1979	1990s	2001	2003
Jie				200	200-500 and 500-1000
Matheniko				200	500-1000
Pian					600-1000
Upe Pokot				200	700-1000

Sources: Interviews and FGD with warriors, kraal leaders, former raiders, local defence unit personnel; 2003.

<sup>152</sup> Longole, Romano, Interview, Kotido, Uganda, 2 February 2003; also Akore John Bosco. Interview, Kotido, Uganda, 2-3 February 2003.

<sup>153</sup> Romano, Alongo. Interview, Kotido, 3 February 2003.

<sup>154</sup> Interview name with held, Catholic father 6 October 2004

<sup>155</sup> Apue, Aregenta, rehabilitated raider. Interview, Kanawat, Uganda, 3 February 2003.

In Matheniko, the going price for ammunition was between 500-1000 Uganda shillings per round. It was noted that during great abundance, they sell for 500 Uganda shillings. Since 2001 costs have increased by 500 percent (from 200 to 1000 Uganda shillings). This could be attributed to the ongoing disarmament, which has increased insecurity in Karamoja. Ongoing disarmament in Jie since 2001 has seen a rise in cost from 200 to 500 Uganda Shillings per round. Towards the interior Matheniko, Jie, Bokora, Pian and even Upe Pokot, the price was rising from 200 to 1000 Ugandan shillings.

**5.8.2 Cost of Arms and Ammunition on the Kenya-Uganda Border.**

The Pokot straddle the border. The greater distance from the source of arms makes them more expensive. Though the cost of guns depends somewhat on their model.

**Figure 5.6 Costs of guns in terms of cattle in Upe Pokot, Uganda, 1971-2001**

Year	1971	1979	2001
Cost in number of cattle	N/A	60	10-12
Cheapest	N/A	N/A	4

Source: Interview with Chief Shaban Mururi, KISP elder, Karita Pokot (Upe) June 2001

This information is based on an elder and a former retired chief’s memory that served both in Kenya and Upe Pokot. However, it is supported by interviews in Alale in 2002 with elders who provided data summarized in the following table.

**Figure 5.7 Cost of guns in terms of cattle, Alale Pokot, Kenya 1970-2002**

Years	1970-1971	1979-1980	1990s	2000	2002	2003
Cost in number of cattle	60-100	30-50	15-30	14-16	5-10	3-7

Source: Focus group discussion with elders, Alale, West Pokot, August 2002

The figures also agreed with those collected in 2001 on the cross border areas of Kenya and Uganda (figure 5.8).

**Figure 5.8 Cost of guns in terms of cattle, Kenya-Uganda Border, 1979-2001**

Years	1979	1985	1990s	2001
Cost in number of cattle	30	15-20	10-13	3-5 cows + 2-5 goats

Sources: interviews and observation, Kenya-Uganda border area, May-June 2001

In his research Dietz (1986:190) found the cost of arms to be between 10-20 cows in 1986 in Pokot. Ncherepu noted, “Earlier with 40 cows one could get a gun. Now it is 10 cows in Pokot.”<sup>156</sup> The elders play an important role in negotiating the exchange of arms and cattle, for cattle cannot leave a homestead without sanction of the elders, however, more and more the racketeers also play a major role.

On the costs of ammunition, one administrator noted, “For ammunition, it is now 50 Kenya shillings for one round of live ammunition, though they are not readily available.”<sup>157</sup> Seven months later (2002) when the researcher visited the cross border areas of Alale, bullets were selling for between 20 and 50 Kenyan shillings. Ncherepu agreed. “For ammunition it is 50 Kenya shillings for one live round. Though they are not readily available, the source of ammunition is the same as the source of guns”.<sup>158</sup>

The prices have fluctuated with the intensity of the civil wars and cattle raids. A warrior from Upe Pokot noted, “Ammunition is now a problem. It is scarce and as a result very expensive, whereas the cost of guns is drastically reducing. In 1990 ammunition was as cheap as 3 Kenya shillings but now they are 50 shillings.”<sup>159</sup> Chief Shaban of Karita also noted that the cost of bullets is rising. “It’s because they are rare. It is a problem, but the gun has gone down”<sup>160</sup>

In Kenya, bullets are nearly twice the cost of those in Uganda. This may be partly due to the drying up of the supply initially raided, by the Karimojong from the Moroto barracks.

<sup>156</sup> Ncherepu, Kamonye. Interview, Kapenguria, Kenya, 31 May 2001.

<sup>157</sup> Name withheld, did not want to be quoted. Interview, 31 May, 2001

<sup>158</sup> Ncherepu, op. cit.

<sup>159</sup> Respondent did not want to be identified. Interview, Amudat 16 June 2001.

<sup>160</sup> Shaban, Lomada, chief of Karita. Interview, Amudat 19 June 2001. Shaban is now an LC3 for Karita

Also disarmament in Uganda has played a major role in the increase of prices. Further, the area's location in the interior affects the costs of ammunition. A factor working in the opposite direction is the strength of the Kenyan shilling compared to the Ugandan shilling, which makes the bullet less expensive than it would have been. The reduction of ammunition could be a short-term solution to the problem of small arms. Some evidence in chapter 7 suggests that reducing the supply of ammunition could be a step to solving the problem, but more research is required.

Interviews with Kenya police reservists also revealed that ammunition is not available. Hence they were demanding more live rounds from the Kenya government.<sup>161</sup>

Although prices have fluctuated with conflict in the region, the overall trend during the last ten years has been for the cost of ammunition to increase by nearly 80 percent. Price increases from 2001 to 2003 in Uganda are explained by the scarcity of ammunition. During this period the Dodoth would bring ammunition due to proliferation in Kaabong area, and then on reaching Matheniko the price would increase by 500 percent. In Pian, ammunition came from Kaabong, and during the disarmament exercises, ammunition increased to about 1000 Uganda shillings per round. At the time of research, ammunition was going for 600 Uganda shillings per round. Before the disarmament process, a round of ammunition cost 500 Uganda shillings. An additional reason for the increase in the ammunition prices is to do with demand, which is related to the escalation of the conflict between the security and the communities noted in chapter 4.

The high cost of ammunition has led pastoralists to use the available supply carefully. Moreover, their sources for ammunition are not stable. On the Ugandan side, interviews revealed that the Uganda People's Defence Forces and the Local Defence Units are known to sell ammunition to some pastoral groups, especially warriors. A warrior interviewed in the Karita area of Uganda, said that apart from ammunition being provided by the defence forces for official purposes, the People's Defence soldiers would sometimes sell them. Sometimes they would use bullets as payment to buy local beer; one glass was equivalent to one round. Five or ten rounds of ammunition in their pockets

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<sup>161</sup> FGD KPR Alale, 2 August 2002.

guaranteed them plenty of beer for the evening. Father Bosco elaborated. “At one point, the Ugandan soldiers were not paid but had access to the armoury. This made the soldiers sell arms to their people, partly for survival.”<sup>162</sup>

### 5.8.3 Cost of Arms and Ammunition in Kenya (Baragoi)

The preferred method of buying arms in Baragoi is barter. The arms are exchanged for cattle. Due to the fluctuation of prices of cattle and the fluctuation in the currency values, the figures below must be taken with caution.

**Figure 5.9 Cost of guns in terms of cattle/money, Baragoi, 1990-August 2002**

Type of gun	1990	2000	2002
G3	5-6	KShs 50,000	4
AK47	4	KShs 35,000	4
Mark4	4	KShs 30,000	4

Source: Focus group discussion and interviews with users, dealers, civic leaders, warriors, women, government officers, security officers, NGO officers, religious leaders, and elders in 2000, 2001, 2002.

From data collected in Samburu in 2000, based on a survey of 150 people, 83.4 percent of the respondents indicated that an AK47 sold in Baragoi for 15,000-20,000 Kenya shillings, while the G3 cost 40,000-60,000. With two to three cows,<sup>163</sup> one could easily acquire a gun, though gun types varied. They include the FN, which was not popular due to lack of ammunition. The most popular gun was said to be the AK47. In a focus group discussion, a civic leader stated, “The AK47 was now as popular as Coke.” In Baragoi, the warriors interviewed noted that the AK47 was popular, but most people preferred the G-3 since it is efficient and unlike the AK47, it does not get very hot while in use.<sup>164</sup>

Interviews also revealed that the availability of AK47's fluctuated depending on the security situation. It was noted that in times of conflict, it went up, but during my

<sup>162</sup> Bosco, Moyo. Interview, Amudat, Uganda, 19 June 2001.

<sup>163</sup> The work done by ILRI found that the market price for adult male cattle between Marsabit and Nairobi, Kenya, in 1997 fluctuated between KSH 4,000 and 20,000. The figure of ten to twenty thousand per head of cattle is obtained from this data. (See *Summary Proceedings of First National Research and Outreach Workshop for Ethiopia and Kenya*, “Improving Pastoral Risk Management in East Africa,” 1999.)

<sup>164</sup> Morans, focus group discussions, Bendera, Baragoi, Kenya, 23 August 2002.

fieldwork, the situation was calm. The ammunition costs of the older guns were more expensive as the ammunition was difficult to obtain.

In Baragoi as elsewhere, interviews revealed that ammunition was scarce. In fact the home guards (KPR) complained bitterly that the government does not give them enough.

**Figure 5.10 Cost of ammunition, Samburu 1990-2002**

Type of gun	1990	1998	2000	2001	2002
G3	50	130	40-50	N/A	50
AK47	N/A	130	100-150	80	80
FN	50	170	40	170	30
303	N/A	150	N/A	150	50
M16	N/A	100	70	N/A	70
Mark4	80	N/A	50	120	120

Source: Survey of 150 people in 2000, and interviews in 2002 with elders, government officers, security personnel, home guards, and *morans*.

The ammunition prices ranged from as high as 170 shillings to 40 shillings per bullet.

The price for the AK47 ammunition (the most popular gun in Samburu) was not constant; it fluctuated based on the security situation.

The dealers, mainly the Didinga, bring large quantities of ammunition to Baragoi from Sudan. In an interview with Kenya Police Reservists in Samburu, they claimed, “We do not steal ammunition but buy from crooked police and other people, and then use it for raiding.”<sup>165</sup> Other people who did not want to be quoted indicated that the distribution of ammunition to home guards in Baragoi by the government was very imbalanced; some clans got more than others, and those that got more ended up using it for raiding.

Small arms proliferation in Samburu is driven largely by individual, household and communal perceptions of economic and physical insecurity. Good governance by the local administration was largely responsible for the reduction in arms and ammunition sales as evidence shows in chapter 8. The assurance to the community

<sup>165</sup>Kenya Police Reservist, name withheld. Interview, Baragoi, Kenya, 20 August 2002.



that their raided animals would be returned made the people less likely to bother about buying arms or ammunition.

## **5.9 Conclusion**

Proliferation of arms has a genesis in the ivory trade in the early 20<sup>th</sup> century, which was followed by the stockpiling during the cold war. The region was battleground for the major superpowers, as arms played a major role. Since the end of the cold war the major conflicts changed to localised communal wars, where the former arms are now playing a role. However there has also been a proliferation of arms, with new arms flowing in. The security problem is not only due to the pool of arms purchased by warriors and communities, but also the absence of effective government and security management of arms. In the case of Uganda the LDU and UPDF are active in selling arms and ammunition provided by the states.

Though conflicts have always existed, the proliferation of small arms and light weapons explains the intensification of violence at the localized levels in pastoral areas. The Karamoja, Pokot, Samburu and Laikipia pastoralists in the North Rift in the last 25 years and continued to engage in conflict, and changes brought by the gun culture are visible. The proliferation and trafficking of small arms is now part of the micro economy.

There are various ways arms diffuse in the communities in the North Rift. Study shows that accumulation is through several mechanisms. There is external licit supply to official governments in the Horn, which owing to conflict or bad governance, are then diverted to illegal private owners, insurgents groups, militia groups and private security companies. There are illicit external sources, which feed directly to militia groups and which then are distributed to warriors and vigilantes. Some weapons have found their way to militias and vigilante groups due to conflict. Arms also come from insecure government stockpiles.

The borders in the North Rift region are vast, and the capacity for effective policing by state organs is minimal. This further complicates the problem of small arms flows. Unscrupulous businessmen and middlemen exploit weak border security to

sneak arms into the region. Supplies maintained in these pastoral areas, or diverted from the ongoing wars by the different combatant armies, also sustain a parallel market in arms. The conflicts in Somalia, Sudan, and Ethiopia divert arms into both Kenya and Uganda. The accumulation of small arms in the North Rift region has implications for the immediate bordering areas as well as for the entire region. In any strategy for management of light weapons, improved border control must be a central theme.

The more arms are diffused at every level into civilian hands, the more likely is further, decline in security and increase in intertribal tensions, hostility and violence. Further the more one ethnic group feels that the states are favouring their opponents and arming them, the more arms they will also purchase. Continued diffusion of these arms could lead to further subversion of state sovereignty in the region. The spread of the AK47, apart from intensifying and exacerbating customary conflicts within the region, has made it hard to distinguish between conflict and criminality. It appears that small arms set off a pattern of lawlessness, leading to weak governance, which is now characteristic of the North Rift. Once peaceful communities seem trapped in a spiral of rising violent crime and insecurity that is fed by the flow of small arms.

The legitimate transfer of legal arms to illicit or unauthorized recipients parties also escalates the conflict. The legal traded arms issue must also be addressed and the government must re-examine their policies and practices that lead to perpetuation of the SALW problems.

More weapons in an area do not guarantee security but create insecurity and instability. Weapons used in a conflict can move to stable areas and create instability there if not checked. Even if arms are limited by law to legitimate sources, without efficient governance and effective policing, the flows will continue as the pastoralists continue to seek weapons to preserve their autonomy, traditional politics, religion, identity and interests.

Better laws and more effective regulation are essential. A legal framework of norms and standards is vital to prevent the trade in and accumulation of modern light weapons. However, addressing the demand is essential, too, through provision of security, good governance, and non-monetary incentives such as tools and schools, construction materials, health care services and roads. Inevitably the flow of arms is likely to undermine relationships between the countries in East Africa unless efforts are made to combat the problem. Not only does the illicit flow of arms give opportunity for violent conflict to begin or grow, it also presents a formidable obstacle to the cessation of cattle rustling and banditry. When conflict seems to be resolved, the availability of arms can undermine cease-fires, peace agreements, and peace-building programmes. It makes it easier for demobilized combatants later to resort to banditry, crime, or insurrection, and it increases the risk that a quiescent conflict will resume. Arms transfers can neutralize disarmament programmes across borders or between regions. Thus, there are numerous conditions that facilitate the illicit trade in small arms and light weapons in the North Rift, and they have serious security implications for the region. The trade in modern light weapons could undermine the entire fabric of security in the region and any hope of creating stability.

Main causes underlying the demand for arms are the absence of security provided by states and the struggle and competition for livelihood. Various communities, therefore, have joined the arms race in the name of self-protection or economic security. The arms race is therefore not just by super powers but different ethnic groups as they make alliances for protection. While the acquisition of arms may provide an increased sense of security in the short term, in the long term it feeds a cycle of increasing insecurity, banditry, violence and escalation of tribal conflict in formerly peaceful areas such as Baragoi and Laikipia.

As one gets to the interior arms get more expensive, though in all the research areas the costs of arms have drastically reduced from 1970 to now. The reduction of arms prices reflects their easy availability. The costs of ammunition also differ. On the

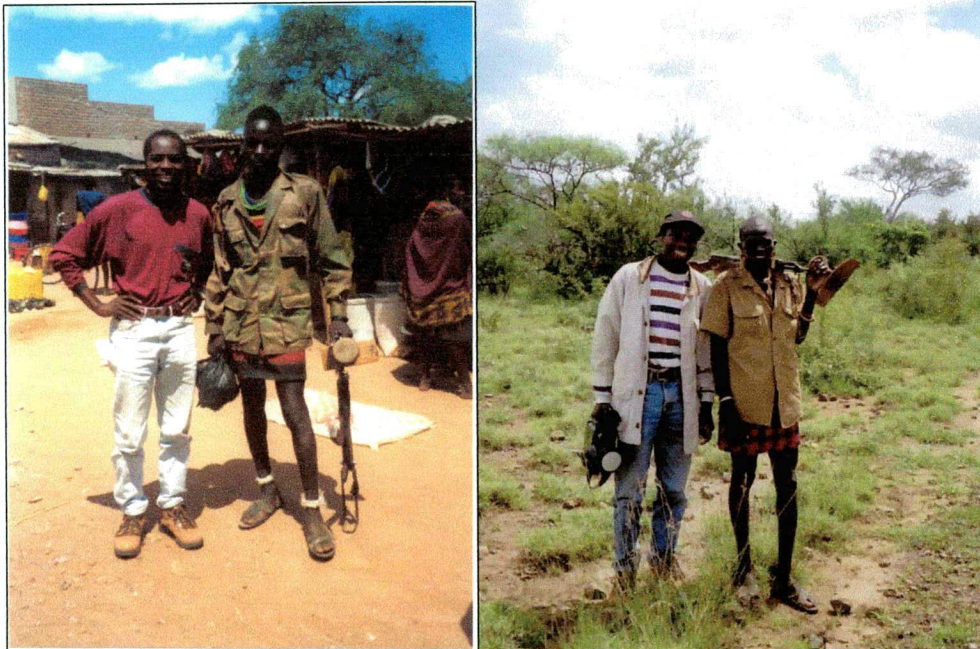
Uganda side, the prices have gone up by 80 percent from 2001 to 2003. They are cheaper on the borders of Uganda and Sudan and among the Jie who are close to the source but as they get to the interior, the prices have drastically increased. On the Kenya side, the ammunition is more expensive than in Uganda. As one gets to the interior of Kenya (Baragoi) it is even more expensive.

The high price of ammunition reflects its relative scarcity. Given that small arms are valueless without ammunition, it may be that a coordinated strategy to control its supply and use could be a valuable interim measure to reduce violence and insecurity while longer-term efforts to promote complete and sustainable disarmament are pursued. The question raised by these studies is; why has the short-term solution not been addressed by targeting the bullets and allowed the pastoralists to keep their arms? Without bullets manufactures the arms cannot work. Therefore, some research needs to be done on the major sources of ammunition with the aim of controlling its supply and use. A suggested source is the SPLA. If that is true, then it complicates the entire situation given that anarchy is the order of the day in southern Sudan and it also complicates the identification of ammunition, since the SPLA use their own supplied ammunition, and those captured from the Government of Sudan.



Warriors crossing the Kenya-Uganda border at Kachiliba in 2001, 60 of them all armed with small arms.  
Photo by Kennedy Mkutu, 2001

The researcher with warriors and their AK47s in Karamoja





A picture with the warriors and their AK47s in Karita, Uganda, 2001. These warriors are the security of the community, but are not visible as such. The guns they are carrying are illegal.



The beginning of warrior hood, this child's sister was killed in the Namalu -Pokot raid noted in the text in Chapter 4. Photo by Kennedy Mkutu 2003.



## Chapter 6

### Impact of Small Arms and Light Weapons in Pastoralist Areas

While it has been generally accepted that the proliferation of small arms has a very damaging impact on people, little research data has been available to show the linkage between human suffering and the spread of small arms (Oxfam, 2001: 2). Building on previous chapters, this chapter first examines the public health impact by looking at evidence from clinics in Uganda and Kenya. Secondly, the chapter examines the impact of small arms using evidence from the police; though such data was only available from the Kenya side. The police data shows that indeed, small arms are an issue. The chapter examines the general impact of small arms proliferation, arguing that this has been profound for the individual communities in terms of deaths and injuries, economic disruption and destruction of infrastructure. Also at the domestic level, small arms have caused starvation, displacement, insecurity and misery. As observed by the Small Arms Survey (2002: 155), “Amidst all of the debate about controlling the proliferation of small arms, there is a glaring, fundamental omission - the human face.”<sup>1</sup> Additionally, “Most published analyses of deaths from conflict have relied on press reports or eyewitness accounts and official announcements of combatants”<sup>2</sup>.

The World Health Organisation notes that data from public health institutions on small arms injuries is still not available.<sup>3</sup> While Cukier (2002:275) notes that “it is surprising that there has been so little on its dimensions and effects,” the main reason why it is not available is because of the sensitivity of patient information in health and social care.

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<sup>1</sup> Research and policy tends to focus on supply-related issues such as the production and the mismanagement of stockpiles, inter-state transfers and illicit trade, technical aspects of weapons tracing, marking, collection and destruction, and on legal or normative regimes designed to stop the flow of weapons. See Small Arms Survey, 2002: 155

<sup>2</sup> Seybolt, 2001; Wallensteen, 2001; Murray et al 2002:347.

<sup>3</sup> According to information extrapolated from the World Health Organization's World Health Report Database, in 1998 an estimated 2.3 million people worldwide died as a result of violence. Among people aged 15-44 years, interpersonal violence and suicide ranked third and fourth, respectively among the world's leading causes of ill-health and premature mortality, while war-related injuries ranked sixth. A large proportion of these occurred through the use of small arms (WHO, 1998). The WHO data for 2002 had more research.



This concern is acknowledged here in the following section and whenever practicable, references to personal names are removed to reduce the chances of anyone being identified.

This chapter highlights the devastation from SALW in the North Rift by attempting to provide a quantification of losses and damages, which is rarely presented in the literature<sup>4</sup>. It considers in particular the plight of people wounded by small arms.

It was difficult to quantify this information due to problems in obtaining the data. Most areas occupied by pastoralists are difficult to access because they lack infrastructure. Additionally, information related to crime and other matters related to state security is in the custody of the two countries' security institutions and generally remains classified and confidential. Only a handful of people are privy to the relevant deliberations, which has inhibited researchers and seriously hampered careful analysis of the information to inform policy. The first section below utilizes data that has never been exposed in the public domain, particularly police and medical data. As noted by May (2001:71) the amount of material routinely collected by governments and their agencies provides a rich source of data for the social researcher. However, there is much debate as to how official statistics should be used.

Bulmer (1984c) notes that though such records are problematic because they can be distorted by state interest, official statistics produce interesting perspectives on contemporary society that, despite their shortcomings, have been used by radical and realist researchers alike. Official statistics such as police data are criticized for their limitations in accuracy and reliability, but in the absence of other data on the incidence of arms violence they do suggest the size of the effect on communities as perceived by the authorities. Additionally in these official statistics, it is very difficult to differentiate commercial raiding (for the market) from raiding for livelihood.

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<sup>4</sup> Osterle and Bollig, 2003: 13



## 6.1 SALW and Public Health

Section 6.1 uses hospital records. The data was obtained by perusing hospital records for each day, week, month and year and extracting all the patients admitted with any gun related injuries.

On May 31, 2001, on the border of Kenya and Uganda, I witnessed a patient with a gun wound being carried from Karita, which has no modern means of transport, to Kachiliba 37 km. away, on an improvised stretcher carried by four people. This exposed what this section explores, the impact of small arms from a public health perspective in the absence of infrastructure. I investigate the frequency of small arms injuries, the mortality and morbidity of those injured; the paucity of medical services to deal with victims, and the likely scenarios of injury, raising issues of gender, domestic violence and injuries in children.

Various authors have commented on the significance of small arms related injuries, referring to the problem as a “scourge” (Boutwell et al., 2000:48); a “global epidemic affecting civilians” (Robin, 1996:450-41); as a “preventable health problem” (WHO, 2001,2002); and an “international public health hazard” with violence as pandemic (WHO, 1996).

I focus here on particular pastoral areas in the North Rift, first Karamoja (Nakapiripirit and Moroto) in Uganda, and second West Pokot and Baragoi (Samburu) in Kenya. I chose these areas because they are “hot spots” of violence, where one would get the most pronounced evidence of impact. Other areas might be less affected. Karamoja and West Pokot are border areas, and Baragoi is a new centre of violence but located on the periphery away from major urban centres. Two hospitals in the border area were visited, one in Kapenguria in Kenya, and the other in Moroto in Uganda. In addition, two missionary clinics were observed, one in Amudat in Uganda, and the other the Alale dispensary in West Pokot, Kenya. Two other missionary clinic sites were also visited, but they were not in operation. Smaller private clinics existed but they did not keep records.

There are also government clinics in these areas, but they have no resources. In the 1990s, a wave of neo-liberalization swept Africa, and most hospital services were privatised by the state. The privatisation of health services in Kenya also led to understaffing in government hospitals. The state expected private sector providers to meet the shortfall and to act as self-regulators. However, given the remoteness of pastoral areas with the infrastructure, the only providers who went to these areas were missionaries. What is described here, therefore, is what is actually available to the population in these violent areas, not what supposedly is available.

Some valuable qualitative evidence can be found by looking at medical records on those who are admitted, their demographic details, types of fatalities and the circumstances of their injuries. The impact of the accumulation of small arms can be measured from the number of gunshots or casualties or fractures in hospitals. It is not possible to differentiate aggressors from victims admitted with gun wound injuries, though interviews with public health care workers in the institutions suggested that most admissions were aggressors, however it is clear that a person could occupy both roles.

**Figure 6.1: Statistics of Gun related injury in All Hospitals and Health Centres Visited 2001-2003**

	1996	1997	1998	1999	2000	2001	2002	2003
<b>Moroto (Referral Centre)</b>								
Female adults	N/A	N/A	N/A	N/A	N/A	N/A	7	0
Deaths	N/A	N/A	N/A	2	3	1		
Total	N/A	N/A	N/A	47	40	22	46	61
<b>Matany Mission Hospital (Referral Centre)</b>								
Female adults	N/A	N/A	9	8	16	N/A	N/A	10
Children	N/A	N/A	0	2	3	N/A	> 248 <sup>5</sup>	13
Deaths	N/A	N/A	15	0	5	N/A	N/A	N/A
Total	N/A	N/A	87	73	163	N/A	1237	94 by Feb
<b>Amudat Mission Hospital</b>								
Female adults	N/A	N/A	2	1	3	N/A	N/A	N/A
Deaths	N/A	N/A	N/A	N/A	2	N/A	N/A	N/A
Total	N/A	N/A	9	10	17	11	N/A	12 by Feb
<b>Small Clinics<sup>6</sup> in Karamoja (dispensaries)</b>								
Total	N/A	N/A	N/A	N/A	N/A	2420	4226	N/A
<b>Amukuriate Mission (dispensary)</b>								
Female adults	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A
Children	1	1	N/A	N/A	N/A	1	1	N/A
Total	3	7	5	9	2	11	5	N/A
<b>Kapenguria (Referral Centre)</b>								
Female	0	6	3	1	2	N/A	N/A	N/A
Children	1	3	1	0	0	N/A	N/A	N/A
Deaths	0	1	0	0	0	N/A	N/A	N/A
Total	6	19	9	5	9	N/A	N/A	N/A
<b>Baragoi Health Centre</b>								
Female adults	N/A	4	3	0	0	0	N/A	N/A
Children	N/A	13	6	1	0	1	N/A	N/A
Deaths	N/A	2	0	0	0	0	N/A	N/A
Total	N/A	25	26	1	8	6	N/A	N/A

Matany Mission hospital, DDHS Nakapiripit, Moroto Hospital, Kapenguria district hospital, Alale Mission Hospital and Baragoi health Centre 2001-2003

Figure 6.1 collates data from all the centres over 8 years, giving data on total number of patients. It demonstrates where possible total injuries, mortality, children (under 16) affected and women, although it is not certain whether all the women were adults (this is noted where available). Data from Kapenguria, which was available from 1990, is given later. From the data given, there is no obvious increasing trend, at least in the last 8 years. However, there are some ‘hotspots’ seen particularly in Matany in 2002 (despite data on children being difficult to confirm) and on Karamoja clinics, which have

<sup>5</sup> The ‘>248’ figure means that it was difficult to confirm.



astoundingly high figures. This has to be questioned but the data was collected first hand from the centres and may be accounted for by the dangerous locality. The researcher was not aware of any reason why figures should have been doctored and I requested the staff in various clinics/hospital to verify. It should be noted that people in larger centres may be counted twice since many of them were referred from smaller health centres and some female children may have been counted twice as both children and female.

### 6.1.1 The Cases of Moroto District Hospital, Amudat Mission hospital and Matany Mission Hospital in Northeast Uganda

#### MOROTO

Moroto is a district hospital in the Karamoja region of Uganda, 30 km. from the Kenyan border. It is a government hospital, poorly equipped and staffed by nurses and a doctor. The next nearest hospital is Matany Mission, which is 80 km. away. There are three other substantial hospitals in Karamoja, which has a population of around 950,000 (UBO, 2003). The original data indicated the date of injury for the years 1999-2000, which is valuable information since injuries frequently occur in clusters and indicate when raids took place. Additionally the data demonstrates hot spots by indicating the village from which victims originated. See Figure 6.2.

**Figure 6.2: Areas of origin of Moroto patients**

Village	Year gun injuries most problematic	Approximate distance from Moroto	Number of patients
Rupa/Army Barracks	Throughout the year	3 km.	15
Nabilatuk	2000- 2001	80 km.	14
Nakimisitae	1999	10 km.	10
Lorengdwat	1999- mid 2000	40 km.	8
Nadunatau		Unknown	7
Nadunget		Unknown	6
Tokora		100 km.	
Kidepo		?	

<sup>6</sup> Source DDHS Nakapiripirit,2003

Raiding and banditry in Lorengwat declined due to the creation of vigilantes in 1995; however, it has begun again recently. The Resident District Commissioner Peter Ken's car was ambushed and burned in 2002, and on November 21, warriors attacked two army detachments near Moroto. In the exchange of fire, the military people were defeated and several soldiers were killed.<sup>7</sup> One soldier told the researcher in an interview that he only just survived by the mercy of God.<sup>8</sup> Rupa seems to have many patients, despite being located 2 km. from the army barracks and near the police station, but the high number of patients seems due to its proximity to Moroto. Nabilatuku and Lorengwat, which are both a long distance from Moroto, with insecure roads and only a single bus per day, provide still a number of patients.

The original data gave names of those admitted from which it was clear that two of the patients were treated twice, with a few months between admissions. This shows how hospital data might identify ringleaders but also key victims. Interviews with hospital staff in another area noted that many victims are also perpetrators<sup>9</sup>. Hospitals are not required to submit data on criminally related injuries to identify villages where there is trouble, though this could serve as an early warning mechanism. Of course it would be unethical to submit data on individuals, since impartiality and confidentiality are overriding principles of medical care and this would deter people who need medical help. From the original data, it is noted that only two women's names are mentioned. This may be an underestimate, and begs the question whether women are actually getting to hospital when they are injured. It more likely indicates that parties to the conflict are largely male.

## **MATANY**

Matany hospital is a mission hospital about 120 km by road from the border. It is supported by the Italian government and is well equipped. The Matany data demonstrate

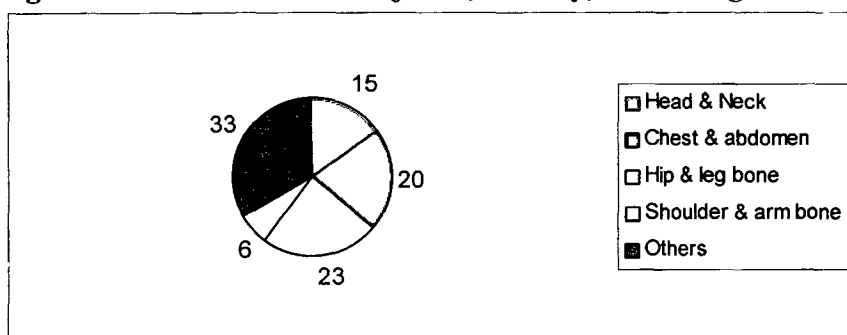
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<sup>7</sup> Observations in the field, 19-23 November 2003.

<sup>8</sup> Peterken. Interview, Nakapiripirit, Uganda, 26 January 2003.

the exacerbation of the problem with small arms, as there is a dramatic rise in admissions in 2002, indicating a rising tide of conflicts in this area. Although there is no data for 2001, when the researcher visited Matany in June,<sup>10</sup> there were 17 gunshot victims in the hospital.<sup>11</sup> It is extremely disturbing to note the proportion of children injured, some of whom are warriors under 16, and others are children caught in crossfire. The original data also gave details of the types of injury seen.

**Figure 6.3: Site of Gunshot Injuries, Matany, Jan. – Aug 2003**



Source: DDHS Moroto, 2003

Figure 6.3 shows the range of injuries sustained. Bone injuries are likely to be disabling, and chest, abdominal and neck injuries may be life threatening. One head injury was to a child who was shot in the face. A child of 15 was injured in both femurs.

Serious injuries constitute an estimated two thirds of the total but this can be accounted for by the fact that many are referred. However, it can be seen that Amudat has a similar proportion of serious injuries, suggesting that many less serious injuries are just not counted in the data.

<sup>9</sup> Dr Kaadu, Stephen, former Doctor at Amudat mission hospital Interview Amudat, 18 June 2001. Also Dr. Motanya, David, former Ministry of Health in charge, Kapenguria District Hospital, Interview, Kapenguria 29 May, 2001.

<sup>10</sup> Due to a road ambush of the supervisor at Matany, and because a big raid had just taken place, she was so upset that she refused to release any data.

<sup>11</sup> Superintendent of Matany Hospital. Interview, Matany, 20 June 2001.

## AMUDAT

Amudat Mission Hospital (AMH) is a small clinic located on the border of Kenya and Uganda. It has two medical doctors seconded by Medecins Sans Frontières plus a local doctor. There is no operating theatre. More serious cases are referred to Kapenguria. Twelve people with gun injuries were admitted in January and February 2003, and interviews with the medical personnel indicated that they were UPDF soldiers from the Karita (Pokot) fight.<sup>12</sup>

Details of the injuries sustained showed that a quarter of the patients had fractured bones. Interviews revealed that of those admitted in 2002 and 2003, most had limb fractures. Such injuries have long-term implications for mobility and livelihood.

Interviews with the superintendent of Amudat Mission Hospital indicated that due to high payment costs for those admitted,<sup>13</sup> many preferred to go to Kapenguria hospital across the border in Kenya, as it is free and has better facilities. Transport for those referred to Kampala or Mbale is problematic due to the costs of travel. Air travel is safest but costs 78 Pounds Sterling to Kampala. Interviews with doctors from Medecins Sans Frontières indicated that those who travel by road have to go via Kitale in Kenya to get to Kampala due to the insecurity of the Namalu-Mbale and Namalu-Nakapiripiriti roads.<sup>14</sup>

## CLINICS

The data from 13 health clinics was collected from July 2001 to December 2002,<sup>15</sup> in Nakapiripiriti district, Karamoja. Most of the clinics were small dispensaries run by the Catholic Church, the Church of Uganda, the government, or non-governmental organizations. None had doctors. Those run by the government of Uganda had no medicine. For instance, the researcher visited Tokera in Nakapiripiriti, which is the

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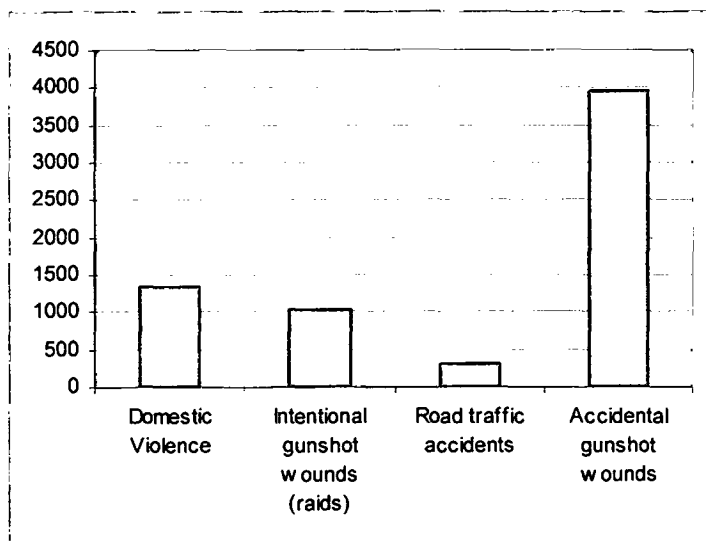
<sup>12</sup> Lokwang, Peter. Interview, Amudat Hospital, 27 January 2003.

<sup>13</sup> The hospital charged 20,000 Uganda shillings before they would touch any one admitted with a gunshot wound. The purpose was to discourage cattle raiding.

<sup>14</sup> Interviews in June 2001, and also interviews at Amudat, 27 January 2003.

headquarters since 2002, and no medicine was available. One can imagine the plight of the other clinics. Different hospitals kept different kinds of records. Only the clinics shown in Figure 6.4 kept such records.

**Figure 6.4: Causes of Trauma in 13 Health Clinics in Nakapiripirit District, July 2000-December 2002**



At Matany hospital, which is in the vicinity of the current conflicts, between 1998 and 2000, there was an increase in small arms injuries from 72 to 161. But in 18 months the number of victims recorded with gunshot wounds in the clinics in Nakapiripirit was an astounding 5000 persons with 1041 sustained during raids (see Figure 6.4),<sup>16</sup> yet it is not even a centre of pastoral small arms conflict. The staff provided several explanations. They claimed that the ‘accidental’ gunshot wounds were often domestic incidents where arms were used. However, when the people came to the clinics they claimed, “It was an accident.” Far fewer were prepared to say the cause was domestic violence. Notes from field observations, mainly in Nabilatuku, revealed that domestic violence involving arms was often related to the brewing of local beer<sup>17</sup>. Interviews in the community confirmed

<sup>15</sup> Ognon, Moses. Interview, DDHS Nakapiripirit, 23 January 2003.

<sup>16</sup> Records of District Health Office, Nakapiripirit, July 2001-2002.

<sup>17</sup> Various sources from Kangole, Moroto, Namalu and Amudat, Uganda. Note that the Lutheran World Relief is trying to assist women in Nabilatuku to buy grain to sell. But most of the women invested their money in local brew as it gives them better returns. See for example Daily Monitor 2 June 2003.



that sometimes shootings were caused by ‘a small quarrel’, which resulted in the warriors using their guns, especially when under the influence of alcohol. This was clearly confirmed by the medical superintendent for Kapenguria Hospital in Kenya who noted that

Often, I think, it is just squabbles at home and they happen to use guns in their squabbles accidentally. Or a person will be fiddling with it and it goes off and probably injures somebody<sup>18</sup>.

This is a new understanding of the impact of small arms and how the presence of arms in the home and community can lead to indiscriminate disordered violence. This incredible figure serves to demonstrate how the arms problem can rapidly escalate. It shows the picture in local areas, since many would not travel to a major hospital due to distance and the criminal nature of the activity that produced their injuries. Novelli speaks of one of the fights between Karamoja and the UPDF after which he saw 300 dead bodies left for the vultures. As noted in an interview with the Local council Chairman for Kotido “in Karimojong culture men killed in battle are not buried but left to in the bushes to rot”<sup>19</sup>

#### **6.1.2 The Cases of Amukuriate Mission Health Centre (Alale), Kapenguria District Hospital in West Pokot, and Baragoi Health Clinic in Samburu, Kenya**

Having examined in the preceding section the public health impact on the Uganda side, this section examines the public health impact in the areas visited in Kenya. Two health centres (Amukuriate) and Baragoi health centre, one mission clinic (Alale) and one District hospital (Kapenguria district hospital) were visited.

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<http://www.monitor.co.ug/archives/2003main/jun/news/0602/news8.php>. It notes that *waragi* (local beer) drinking has heightened insecurity is and therefore a cause of deaths in the area.

<sup>18</sup> Motanya, David, Interview, Kapenguria, 22 May 2001

<sup>19</sup> Adome, Lokwi, Interview, Moroto, 22 November 2003.

## AMUKURIATE

Amukuriate Mission Health Centre is located 20 km. from the Kenya-Uganda border. Data for Amukuriate Mission Health Centre was extracted from the Amukuriate dispensary and mobile clinic in Alale, West Pokot. The centre was well staffed with nurses, being a missionary centre, but an interview with the nurse revealed that they did not have a doctor<sup>20</sup> or operating theatre. A mobile clinic used to go out on Tuesdays and Thursdays, but due to the migrating nature of the Pokot, it reduced its services. The church runs the centre, and as a result the local bishop is well respected and influential in the area.

The original data gave the dates of admissions. Clusters of admissions would probably indicate raids. Interviews indicated the factors leading victims to attend. "Sometimes they come, and some times they do not, due to fear of explaining the cause of gunshot wounds." However, when they realize they are in danger, they end up coming for treatment. Some periods of the year during droughts, admissions of people with gunshot wounds increase drastically, which implies that more raids are taking place.<sup>21</sup>

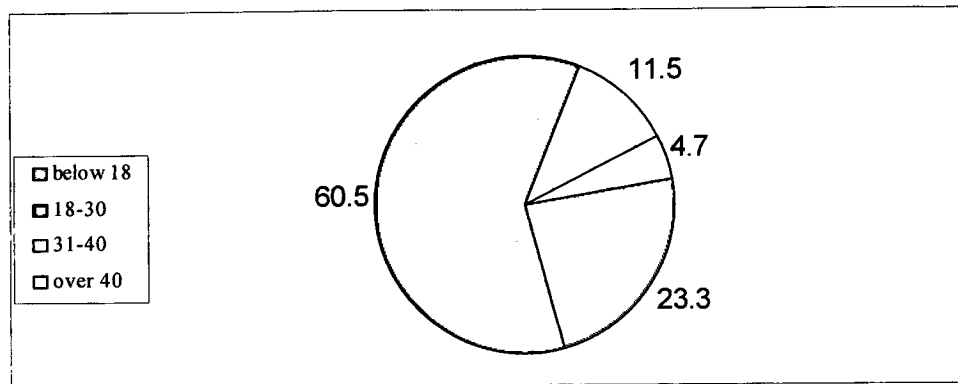
Out of the total 43 admissions to Amukuriate Mission Health Centre, 60% were between 18 and 30 years old, and 23% were under 18 (see chart below), typically young males.

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<sup>20</sup> The ratio of doctor to patient in West Pokot is 1:84, This is 528 in a population of 337,870 people. WP annual report 2002-2008, 2002:8

<sup>21</sup> Amukuriate Dispensary staff. Interviews, Alale, West Pokot, 2 August, 2002.

**Figure 6.5: Ages of gunshot wound patients in Amukuriate**



Information from an in-depth interview with the bishop of Alale Catholic Mission, Father Romerio, agreed with the public health data showing a majority of the injured people being aged 18-30. “In the past, it involved a lot of people and families who assisted in organizing the raids to Karamoja, but now it is just young people.”<sup>22</sup> The nurses noted that they treat many people with gun wounds, but the most serious wounds are referred to Kapenguria district hospital (KDH), which is 173 km. away. Father Romerio said, “The area is completely cut off, and it is difficult to get essential services or important things to survive.”<sup>23</sup> Florence, a nurse who has worked with the clinic for eight years, noted, “The local dispensary does not have a surgery to operate on serious cases; it is forced to refer them. By the time the patients arrive in Kapenguria, they are probably dead.”<sup>24</sup> It was also mentioned that if local people were needed to give blood, it would have to be carried in refrigerated cars, which are not available, or be donated on site in the remote areas.

## **KAPENGURIA**

Kapenguria is a district hospital 30 km. from the border with Uganda. It serves West Pokot in Kenya, a region with a population of 350,000. There are other district hospitals in the region. Kitale is 30 km. away, and Eldoret is 80 km. Kapsowar is about 60 km.

<sup>22</sup> Romerio, op. cit.

<sup>23</sup> Ibid.

<sup>24</sup> Cheboi Florence, op. cit.

away, and it is 40 km. to Orotum, but the terrain is very difficult in most of West Pokot. Kapenguria is able to deal with most admissions.

Data for this centre is from 1990-2000. Although only the recent figures are in the main table, in fact the figures for the previous 5 years are worse in terms of numbers of victims<sup>25</sup>. Therefore these figures do not prove an increase in gunshot violence in recent years in this area, though the problem is still evident.

## BARAGOI

Baragoi Health Centre is a small clinic staffed by nurses and has neither operating theatre nor doctors. Neighboring Tuum, 35 km. away, is without a facility at all, so patients travel to Baragoi, which gives an indication of the scarcity of resources in the area. There are hospitals in Maralal and Wamba, 110 km. and 160 km. away respectively, but Baragoi division's population of around 40,000 is largely clustered around Baragoi. As noted in chapters 3 and 5, Baragoi's people were armed only recently. The data shows how the entry of arms into a relatively non-violent community has escalated the violence and injury rates.

The Baragoi Division is the worst in Kenya for transport with very poor roads and only two petrol stations, both in Maralal. In such circumstances, those who are seriously ill or losing blood are significantly less likely to survive the journey to hospital<sup>26</sup>.

**Figure 6.6: Distance and Number of Patients Travelling to Baragoi Health Clinic from Surrounding Areas**

Residence	Main problem years	Number of patients	Distance from Baragoi
Tuum	1997	7	35 km.
Bendera	1998	6	2 km.
Lesirikan	2000	6	Unknown
Nchola	1998	11	20 km.
Marite	-	1	70 km.
South Horr	-	1	50 km.

<sup>25</sup> The data was too much but it is available upon request.

<sup>26</sup> In addition, the ratio of patients to doctor in Samburu is 1:76,600 in a population of 156,126 SDDP 2002-2008 Annual Report 2002:8

Figure 6.6 summarizes the main problem years for each area. The Nchola figures can probably be explained by the fact that the army barracks were placed there in 1997. Conflict there is between Samburu and Turkana living in Samburu. Most small arms victims are referred to other hospitals. As noted by the local district officer, “Most of the patients with bullets were referred to Wamba, Maralal or Nairobi (serious cases). They are never charged any fee for treatment since they only are given the first treatment while waiting referral.”<sup>27</sup>

It is notable that the original figures include seven (10%) adult women and 22 (33%) children, most of whom were girls. From Baragoi it is notable that there were 22 (33%) children, mostly girls, and this, with the seven women injured, suggests a large number were injured in cross fire. This clearly indicates that innocent people are injured in cross fire who are not involved in fighting. Baragoi like Matany indicates the sites of injury.

**Figure 6.7: Site of Gunshot Injury for Baragoi Victims.**

Site of Injury	Number of Victims	Percent
Head and neck	2	3
Chest and abdomen	1	1.5
Hip and leg bone	8	12.1
Shoulder and arm	7	10.6
Multiple fractures	2	3
Excessive bleeding	8	12.1
Minor/ not stated	38	57.7
Total	66	

Once again it can be noted that a significant proportion suffered serious injuries.

In Baragoi many victims feared attending clinics and instead attended ‘traditional’ health workers. These workers can be characterised into two groups. The first can bring harm and injury, and the second consists of herbalists, surgeons, bonesetters, circumcisers, psychosocial therapists and physiotherapists. The latter are often called *muganga* or seers. The victims of small arms would rather seek the services of a *muganga* whose services are utilised regularly by pastoral communities. I was unable to obtain

<sup>27</sup> Achuka, Wilfred, registered nurse. Interview, Baragoi Health Centre, 21 August 2002.

information from any *Muganga*, though attempts were made in all areas. I did interview one in Amudat; however, he was unwilling to provide any information.

### 6.1.3 Conclusions on Medical Data

Gunshot injuries are a potent indicator of the humanitarian impact of small arms.<sup>28</sup> This data demonstrates substantial numbers of people attending the hospitals and clinics in recent years with a huge number recorded in the local clinics of Nakapiripit. However the data does not consistently demonstrate an increase over recent years in all areas. There may be underestimation of the rise in violence due to lack of data from previous years, and missing data more recently.

There are other reasons why hospital data does not give the full picture. Alternative medicine is still strong. Deteriorating safety of roads plus staffing of health facilities deters people going to hospitals. Lastly there is the introduction of fees noted in Amudat and Matany, to discourage raids. In Alale, the interviewer noted that an explanation must be provided to the hospital as to the cause of the injury. Given that many injured are themselves raiders they would rather not divulge this. In the hospitals studied, deaths range between 3% and 15% of those attended. Patients that have already died in the conflict are clearly not likely to be brought to hospital. The late Father Bruno Novelli along with elders and chiefs noted that in Karamoja, corpses are often left for the hyenas and vultures to eat.

Most patients are young men, suggesting that raiding is the main cause of injury. This was confirmed by interviews with hospital staff, and data point to possible dates and locations of raids. Some of the data show a worrying number of women and children injured. Some children are combatants but the large numbers of female children suggests cross fire. It is notable that the AK47 is a very easy weapon to use, such that it can be wielded by a child and lethal shots rattled off in an arc of destruction.

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<sup>28</sup> See for example WHO (2001b) which argues that they are among the top five contributors to the global health burden among people aged 15-44.

Baragoi and Kapenguria show a decrease in injuries since 1996-1997, which may be attributable to the government sending in the General Security Unit and the Army, stationing them in these areas. But also, as will be noted in chapter 8, good governance at the local administration unit was also responsible for more stability. In West Pokot the people saw the church as responsive to local needs but not the Kenya government. The government responded to the annual malaria outbreak by sending medicines too late, and then to an understaffed government dispensary.

The data highlights the sparse medical facilities in these insecure regions, exacerbated by the fact that insecurity dissuades all but the most determined workers from going there. Some of the data on the nature of injuries may suggest which would be the most valuable and lifesaving interventions. Many of those who survive an injury will suffer long-term disability. Particularly vulnerable are children whose limbs are still growing, a process that is impaired by fractures. Disability would negatively impact families by diverting scarce family resources and limiting the capacity to work and to survive.

The cost of hospital admission is impossibly high for many pastoralists. Matany Hospital started to charge 60,000<sup>29</sup> Uganda shillings to discourage raids while Amudat is now charging 20,000 Uganda shillings. In Amukuriate pastoralists are charged 250 Kenya shillings for dressings. Government facilities are free, but many are completely without resources. Even aspirin is hard to come by. The major impacts of neo-liberal structural adjustment can be clearly seen in pastoral areas. Without a doubt the health service is heavily reliant on missionary and church help, and the church organisations are well respected in the region. Working with them to build up existing facilities is a sensible way to improve available health care.

Transport also is a significant problem in the areas studied and may be the reason why the local clinics in Nakapiripirit saw so many more injuries than the district hospitals.

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<sup>29</sup> Interviews in November 2004 indicated that before you are operated it is now 100,000 and if wounded while in a raid it is 200,000 Uganda shillings.

## 6.2 SALW Impact: The Police Evidence on Human and Economic Costs

The police data on deaths during cattle raids, rustled cattle and their value is utilized. Police data illustrate the human and economic impact of small arms misuse and also demonstrate the trends in rustled animals and human lives lost. The data was obtained by perusing the police data, by going through the records for each day, week, month and year and extracting data on cattle rustled and on people reported injured or killed.

### Limitations and Considerations

Taking the figures at face value ignores the dynamics underlying their collation. Only a quarter of all offences are detected by the police, meaning that the public voluntarily reports the remaining three-quarters. However, reporting a crime does not ensure it will be recorded. Police officers may consider no crime was committed or decide to take 'no further action', in which case there will be no record. Police recording practices also vary, so the same act may be recorded differently in different areas. Additionally pastoral areas suffer from inaccessibility hence the data presented below is indicative rather than representative. The areas chosen are divisions and not districts; figures for the whole district will be significantly higher. Police data also suffers from lack of logical investigation to conclusion; political interests may influence this. The failure by the police to recover cattle from *kraals* of merchants/criminals is likely to reflect corruption by the police who would rather cooperate with the big man.

However with all these limitations police data can be subjected to statistical analysis so as to play a crucial role in intelligence decision-making. Because of their vast network, data from the police is likely to cover all forms of crime. Also the police data is detailed at the national, provincial, district, and probably even to the local village level. It provides evidence of the nature of crimes committed and the parties involved, which makes it very valuable. Information in daily papers is actually gleaned from police records, as



journalists do not access these difficult areas. The police are also knowledgeable in identifying particular types of gun and possible sources of guns e.g. illicit /licit.

Open access to the data is impossible, since police are extremely wary that data will be used to unjustly accuse them of corruption. I managed to gain access to the police occurrence records, which give dates of all raids, recoveries, and human injuries or deaths. These were then summarised to give yearly totals, and financial losses were calculated from the market value of the animals. Due to the sensitivity of the issue, the police data was only available from the study areas in three districts in Kenya but not available in Uganda.<sup>30</sup>

It is valuable to consider police records alongside interviews with local community leaders, politicians, security forces and civilians, which adds to the accuracy and breadth of information.

### **6.2.1 The case of Laikipia**

In interviews with administrators who have served in Laikipia,<sup>31</sup> they noted that prior to 1979, cattle raids in Laikipia were relatively few and the cattle that were stolen were often recovered. However, since 1979 there has been a dramatic increase in both the number of cattle stolen and unrecorded, as well as of human casualties. The table gives police information on cattle raids from 1993 to 2000.

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<sup>30</sup> The police in Moroto were unwilling to provide data on the issue.

<sup>31</sup> Field observations, 2001- 2003.

**Figure 6.8: Cattle Raids in Laikipia: Arms Used, Injuries and Deaths**

Year	Arms Used	Arms Recovered	Animals Stolen	Animals Recovered	People Injured	People <sup>32</sup> Killed
1993	0	0	Cattle 152 Goats 95 Sheep 152 <b>Total 399</b>	Cattle 120 Goats 60 Sheep 130 <b>Total 300</b>	8	3
1994	0	0	Cattle 260 Goats 96 Sheep 153 <b>Total 509</b>	Cattle 8 Goats 10 Sheep 141 <b>Total 159</b>	1	3
1995	1	0	Cattle 250 Goats 589 Sheep 43 <b>Total 882</b>	Cattle 66 Goats 137 Sheep 30 <b>Total 233</b>	3	4
1996	0	0	Cattle 78 Goats 302 Sheep 9 <b>Total 389</b>	Cattle 28 Goats 28 Sheep 0 <b>Total 56</b>	15	5
1997	0	0	Cattle 200 Goats 50 Sheep 95 <b>Total 345</b>	0	5	14
1998	0	0	Cattle 285 Goats 39 Sheep 142 <b>Total 468</b>	Cattle 67 Goats 60 Sheep 14 <b>Total 141</b>	0	0
1999	0	0	Cattle 146 Goats 137 Sheep 258 <b>Total 541</b>	Cattle 97 Goats 15 Sheep 82 <b>Total 194</b>	0	0
2000	1	0	Cattle 99 Goats 420 Sheep 143 <b>Total 662</b>	Cattle 73 Goats 92 Sheep 65 <b>Total 230</b>	0	0

Source: Mkutu 2001

Many raids are not known to the police due to remoteness and the difficult terrain, which hinders police or those reporting to them. Interviews in the field indicated that often, even if raids are reported, nothing is done, as people see little point in involving police. In some places, police posts do not even exist. The data is therefore incomplete, and moreover, the figure zero is likely to represent under recording in many cases. The fact that guns are barely recorded in the above table is due in part to the fact that Masai often use indigenous non-lethal weapons like spears, bows and arrows in customary raiding.

<sup>32</sup> Note that the number of people killed and injured is for Rumuruti alone and not for the other divisions or locations.

However interviews suggested that there is a significant under-reporting of the use of weapons. People are afraid to report anyone in possession of arms.

An analysis of economic costs shows that over eight years, a total of 858 cows, 1487 goats and 595 sheep were lost as a result of armed cattle rustling. This equals a value of £210,276 (pounds sterling) in the eight years<sup>33</sup> and is a great loss to the pastoralists of Laikipia who depend entirely upon livestock. Although some would have simply changed places between tribes, many would have been lost to racketeers with little return. In terms of human costs, at least 44 people were injured and 16 lost their lives in the eight years. Additionally it is common knowledge that many deaths as a result of cattle rustling go unreported.

### **6.2.2 Baragoi**

The data from Baragoi police occurrence book in Figures 6.9 and 6.10 was obtained for the period from 1991 to August 2000. First the loss from raids by Turkana is presented, followed by raids by Samburu.

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<sup>33</sup> During the normal season when there is no drought, a cow sells for about Ksh 20,000 (167 pounds), and a sheep or goat for about Ksh.2, 000 (33 pounds)

**Figure 6.9: Cattle Lost by Samburu in Baragoi to Turkana Raiders 1991-2000**

Year	Arms Used	Arms Recovered	Type of Animal	Number Stolen	Number Recovered	People Injured	People Killed
1991	-	-	Goats/Sheep	13	0	-	-
1992	-	-	Goats /Sheep Camels	3 13	0 4	-	
1993	-	-	Cattle Camels	1 10	0 0	-	-
1994			Cattle Camels	1 10	0 0		
1995			Goats/Sheep Camels	2 6	0 6		
1996			Cattle Goats/Sheep Camels Donkeys	17749 21747 2422 313	320 0 0 0	4	54
1997			Cattle Goats/Sheep Camels Donkeys	937 2194 14 4	0 2 0 0	1	7
1998			Unspecified	Appr. 1000	5		1
1999			Cattle Goats/Sheep	50 23	0 0	2	
2000			Cattle Goats/Sheep Camels Donkeys	2691 4361 20 87	0 510 20 0	1	13

Source: Police Occurrence book 1991-2000

Data from the police occurrence books indicate a dramatic increase in stolen livestock in 1996. In that year a large number of people were also killed and the security lost 8 homeguards whose arms were also taken by bandits. In the same year the District commissioner was also gunned down from the air. In interviews with community members, they explained the great loss in Samburu from 1996 until 1998 by the fact that the Samburu were armed only with non-lethal weapons such as spears and arrows, which encouraged the Turkana, who were well supplied with guns, to raid them. Interviews also noted that it was because of lax government security that their herds were being raided. The Turkana had acquired arms from neighbouring countries that were in conflict. The Samburu have better grazing grounds than the Turkana, so during drought, the Turkana forcibly occupied Samburu pastures. The raiding during drought exemplifies raiding for livelihood in this situation as opposed to raiding for market.

**Figure 6.10: Cattle Lost by Turkana to Samburu 1991-2000**

Year	Arms Used	Arms Recovered	Type of Animal	Number Stolen	Animals Recovered	People Injured	People <sup>34</sup> Killed
1991	-	-	Goats/Sheep	3	0	-	-
1992	-	-	Goats/Sheep Camels	10 10	0 0	-	2
1993	-	-		0	0	-	-
1994			Unknown	Unknown	Unknown		
1995			Cattle Goats/Sheep Camels Donkeys	6 Unknown 8 2	6 200 5 2	2	
1996				None recorded but violence noted by Turkana (see table above)			
1997			Cattle Goats/Sheep Camels	79 1058 9	0 0 0		10
1998			Cattle Goats/Sheep Camels Donkeys	6 2 7 15	0 0 0 0		
1999			Cattle Goats/Sheep Camels	183 1726 4	145 0 0		11
2000			Cattle Goats/Sheep Camels	424 5384 14	0 0 0		7

Source: Police Occurrence book 1991-2000

### Arming of the Samburu

Figure 6.10 shows the animals the Turkana lost to the Samburu. There was a rise in raids beginning in 1997. The increase at this time can be explained by arms accumulation in Samburu. In interviews, elders and local leaders told the researcher:

“Due to frequent raids, the Samburu decided to arm themselves by acquiring arms from the Pokot and the Borana from Marsabit.<sup>35</sup> “Samburu were begging to buy arms from neighbouring districts since we had been totally made poor by rustlers. The Somali and

<sup>34</sup> Note that the number of people killed and injured is for Rumuruti alone and not for the other divisions or locations.

<sup>35</sup> Focus group discussions with elders and local counselors from Laikipia and Samburu, Maralal, 22 February 2000.

Marsabit sold us the guns, Samburu heard about the guns when they were on the Somali border. The guns then came to the Borana and now they are with us; more guns are coming.”<sup>36</sup> Interviews also indicated that Samburu<sup>37</sup> were assisted with arms training by their clansmen who have served in the military to be able to revenge, a point that requires more research to ascertain.<sup>38</sup>

Interviews revealed that the arming of the Samburu, who traditionally are good warriors, has helped them to keep the Turkana at bay and also protect their animals from being raided. However, arming a community may ultimately be false security since it leads to unsustainable arms races between neighbours. The decline in losses in 1998 can also be explained by the fact that the government opened an army operation camp in Baragoi and situated a General Service Unit (GSU) security camp at Nchola in addition to the administration police that were already in the area. The government also decided to increase the Kenya police reserves to assist in security restoration at home in addition to conducting operations that aimed at flushing out the bandits<sup>39</sup>.

### **Possible Inaccuracies of large figures**

Police and community inaccuracy in reporting should be considered when the number or raided cattle reported is very large or a rounded figure as in one report of 5000 in 2000. However the number of people killed confirms the violence at that time, and also some good recoveries confirm the initial loss. This is demonstrated in the episode of 180 cows stolen from Turkana and 145 recovered on 20 October 1999<sup>40</sup> and also the 500 goats/sheep stolen from Samburu and all recovered in 2000.<sup>41</sup> The majority of the time however, it appears that none are recovered (the tables do not show this). Newspapers reported the big raid by the Samburu that occurred on 21 April 2000 when 5000 heads

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<sup>36</sup> Ibid.

<sup>37</sup> Traditionally, Samburu have served in the security since colonial times. However, traditionally they have always been very loyal to the government.

<sup>38</sup> The Samburu have always been well represented in the army. See for example Were and Ssenyonga (1986; 78) Samburu Socio-Cultural Profile.

<sup>39</sup> *Daily Nation* 21 April 2000:6 but also column 2 op cit.

<sup>40</sup> Baragoi Police Occurrence records, 20 October 1999.

<sup>41</sup> Baragoi Police Occurrence records 10 June, 2000

were stolen and 3000 recovered by security at Soitokovoiyo.<sup>42</sup> This might be under-documenting of recoveries, (as it is not mentioned in the table) but good work by the police. Inadequate police capacity could account for both poor recovery from raids or under-documentation.

### **Monitoring Recovery of Arms**

In 1996, 8 arms were seized from the bandits by police responding to a raid but the police killed over 32 people. There are no reports of any arms recovered at this time, which leads one to question what happened to the arms of those criminals gunned down by police? One would expect the police to have a procedure for dealing with weapons captured, as recovered arms could be sold or kept by the individual police. The marginal nature of the area, and lack of police capacity influences this issue, which needs more work.

### **Police Effectiveness**

One method of measuring police effectiveness is to examine statistics on cattle stolen, cattle recovered, number of arrests, and arms recovered. A rise in seizures of illegal small arms does not necessarily imply that there are increased numbers of these weapons available, but it may mean that the police are stepping up their attempts to uncover them and are improving their effectiveness.

Newspapers have reported that the police do nothing about this problem. For example the *East African*, 15 September 2003<sup>43</sup> states:

Few think police are capable of responding to a distress call; most say they do not think the police hotline '999' works any more and that the police are incapable of recovering stolen goods<sup>44</sup>.

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<sup>42</sup> *East African Standard*, 21 April 2000:5. "Baragoi massacre toll hits 30" col. 2. Also see *East African Standard* 21 April 2000:6. "Hit the bandits hard" Editorial

<sup>43</sup> Care must be taken using press reports in Kenya on which to base conclusions. The press is based in Nairobi, far away from where pastoralists live. Furthermore, the inaccessibility of the areas makes it impossible for journalists to go there.

However, the data make clear that there are some government attempts to keep records and recover stolen stock.

### **Media Reporting**

During the raids in Baragoi in 1996, the local media reported an incident in December when more than 600 armed warriors from Turkana rustled over 10,000 head of cattle and killed more than 50 people in a single incident. In May 1999, bandits armed with AK-47 and G3 rifles, sprang on a group of herd boys and their grazing cattle in Baragoi and made away with 200 cattle.<sup>45</sup> In April 2000, a gang of 500 armed bandits invaded Baragoi, and went away with 5,000 cattle, camels and donkeys. 30 people were killed.<sup>46</sup> These figures differ somewhat from the Baragoi police data. The question raised here is where do they get their data? It is likely that the police data illustrates the problem more accurately. However the reporting of 3000 recoveries in April 2000 is likely to be true, because the media<sup>47</sup> does not easily credit the police with good work. Therefore there are possible inaccuracies in the police data.

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<sup>44</sup> See also *Daily Nation* 2 February 2004. "Government has failed to Protect the Turkana"  
[Http://www.nationaudio.com/News/DailyNation/Today/Letters/Letters0202200411.html](http://www.nationaudio.com/News/DailyNation/Today/Letters/Letters0202200411.html).

<sup>45</sup> *Daily Nation*, 17 May, 1999:3.

<sup>46</sup> *East African Standard*, 21 April 2000.

<sup>47</sup> In Kotodo interviews from the ground by people that did not want to be named indicated that media have been bought by the army to be politically correct. More research need to be done on the issues of media reporters being bribed.



## Impact on Various Divisions in Samburu District

**Figure 6.11: Frequency of Raids in Baragoi**

Location	1996	1997	1998	1999	2000
Baragoi	8	11	2	2	-
Nchola	3	3	-	1	-
Suyan	5	3	-	-	-
Elberta	3	5	-	1	-
Martie	7	8	1	3	-
Ndoto	2	3	1	-	-
Latakweny	-	3	1	-	-
Total	28	37	5	7	-

Source; Baragoi police station Occurrence Book 1996-1999

From the above, it is apparent that the most affected area was Baragoi, followed by Martie, Suyan, Nachola and Ndoto locations. When the researcher visited the field in 1999, the situation was severe because the Turkana had invaded Samburu, and most of the Samburu had moved to Baragoi township creating more problems there. Most of the residents of Nchola and Marti had fled to Baragoi. (Nchola and Marti are mainly Turkana and Samburu areas.) The movement created other conflicts due to overcrowding in Baragoi and in other receiving areas. During the researcher's visit in September 2002, some places like Marti were too insecure to enter.

## Economic Losses

Figure 6.12 lists the losses incurred by Samburu and Turkana between 1991 and 2000 in pounds sterling.

**Figure 6.12: Cost of Stock Lost from Samburu by Turkana and from Turkana to Samburu Raiders 1991-2000**

Types of animals	£ Per unit	Samburu total animals raided	Total Value £ Pounds	Turkana total animals raided	Total Value £ Pounds
Cattle	165	18,738	3,091,777	547	90,255
Goats/sheep	33	28,826	951,258	7,125	235,125
Camels	191	2,465	470,815	38	7,258
Donkeys	127	404	51,308	15	1,905
Total		50,433	4,565,151	7725	334,543

Total animals raided in Samburu by the Turkana between 1991-2000 were 50,433, which amounted to £4,565,151 net gains. The livestock the Turkana lost to the Samburu in the same period totalled 7,725, which is £334,543 net gains, most raided between 1998-2000.

The total amount lost by the two communities was nearly £4,899,694, which is equivalent to over 636,960,220 Kenya shillings. However, it should be noted that many of the herds were going to each other, although many would also end up in the hands of racketeers on the way to markets. The cost to each community seems not to have evened out over time, even with the attempts at revenge by the Samburu mainly since 1997 onwards. Clearly the impact is overwhelming; the significance of the loss of one animal to a pastoralist may be a matter of life and death.

### Human Loss

The human loss from raids in Baragoi between 1991 and 2000 is illustrated below.

**Figure 6.13: People Injured and Killed in Cattle Rustling in Baragoi**

Year	Injuries	Deaths
1991	0	0
1992	0	0
1993	0	0
1994	0	1
1995	0	1
1996	33	230
1997	23	68
1998	-	1
1999	19	19
2000	1	22
Total	76	342

Source: Baragoi Police Occurrence books 1991-2000

The table indicates that between 1990-2000, 342 people were killed and 76 injured in Baragoi. In the previous tables a total of 105 people from Samburu and Turkana were killed and 10 injured. However, other data available from police sources led to the above table, which probably reflects underreporting in the earlier data<sup>48</sup>. Interviews with local security people revealed that police were killed also, but this data only gives civilian

deaths. For example in the August 1999 shootout, six police officers were killed, while in the April 2000 raid five police officers were injured.<sup>49</sup> But these do not make up part of the figures obtained from the police records.

These casualties were directly linked to the cattle raids, and they exemplify the gravity of the effects of cattle rustling. From interviews with communities there is evidence of underreporting likely to be due to lack of police capacity and possible poor record keeping. The many dead and injured greatly impacts both the local community and the state itself.

### 6.2.3 West Pokot

In West Pokot, data was obtained from 1997 to 2000 using similar methodology as used in Baragoi. Colonial data was available for West Pokot. Just before independence in 1956, 21 heads were stolen, in 1957 the number was 16, and in 1958, 27 heads were stolen.<sup>50</sup> The increase of raids from 1956-1958 was attributed to the close proximity of the Pokot to Uganda where concealment of stolen property was easy. Farmers located on the borders continued to sell stolen stock to the local Nandi people (who are mixed farmers) without enquiring where the stock was going. The 1959 annual report noted that the most prevalent crime in West Pokot District was stock theft. In 1962, 62 herds were stolen, and the large number was blamed on the drought in 1961. Many livestock were stolen suggesting that the police were able to cope with the increase in crime, and arrests and convictions showed satisfactory figures. Many stolen livestock were recovered, suggesting that the colonial regime was to some extent effective in recovery of raided animals as compared to the post-colonial regime.

The table below shows the number of cattle stolen from West Pokot in more recent years. The animals had an average market price of 10,000 to 20,000 Kenya shillings.

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<sup>48</sup> Interviews, names withheld Field notes 2002 and 2003. The officers noted that they have lost many officers in the field fighting bandits.

<sup>49</sup> See *Daily Nation*, 24 August, 1999, 'Bandits Kill Six Policemen.' See also *East African Standard*, 21 April 2000.

<sup>50</sup> Kenya National Archive/District Commissioner/West Pokot 1/8/1957 Annual Report.

**Figure 6.14: Number of Cattle Stolen Less Cattle Recovered: Monetary Total Value in £ sterling**

Year	Herds rustled	Total value
1997	1040	171,600
1998	2352	388,080
1999	12,439	2,052,935
2000	10293	1,698,345
Total	26,124	4,310,960

Source: Kapenguria Police Station, 1997 and June 2000

There is a clear and progressive increase in the number of cattle stolen from 1997 to the year 1999, with figures remaining high in 2000. The above table shows that between 1997 and June 2000, the District lost livestock to the value of over four million pounds sterling (Kshs.520 million). In 1999, the worst year for herds stolen but not for human deaths and injuries, over 12,000 cattle were lost whose approximate value was 2,052,935 pounds sterling. Even 1997, the best year on record for the area, recorded a loss of more than 171,600 pounds sterling. These figures only suggest the overt economic impact, for most rustled cattle are never reported to the police, according to interviews. Elders noted that often by the time the police come all the way from Kapenguria, the raiders have gone.

West Pokot is at the epicentre of the conflict with increasing frequency of violent interethnic confrontations. It experiences raids from all sides, Turkana from the north, Karamoja from the west and Marakwet from the east, and lies between Pokot and Kapachorwa districts in Uganda. The government security system in the area is simply inadequate for such a challenge, through lack of resource and motivation<sup>51</sup>.

The conflict is manifested through raiding and revenge raids, which is largely a response to drought. It is organised along the lines of lineage/clan tribe by the process of fission and fusion. Increasingly, however, commercial raiding is also being organised along the same lines, which is making it difficult to differentiate between the two types of raids. One difference is that the former are not normally sold in the market and the community

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<sup>51</sup> See for example *Daily Nation* 20 August 2004 "Clans war puts local elders in sharp focus."

is aware about them. Another difference is that during the drought periods, one can possibly assume the raids are customary.

In the year 2000, there were more recoveries than in prior years, according to police records and interviews with security and community people. Interviews with one of the longest-serving District Commissioners in Pokot indicated that the efforts of security personnel to recover stolen cattle helped reduce losses in the year 2000.<sup>52</sup> The reduction in Samburu was again attributed to beefing up security, which means with improved security, cattle raids can be minimised.

**Figure 6.15: West Pokot Human Losses 1997 to 2000**

Year	Men	Women	Children	Total
1997	115	12	6	133
1998	114	1	4	119
1999	35	18	13	66
2000	180	12	11	203
Total	444	43	34	521
Percent	85	8	7	100

Source :Occurrence police book: Kapenguria police station

Figure 6:15 shows that a total of 521 people were reported killed by small arms fire related to cattle rustling from 1997 to 2000. Eighty-five percent were men, 8% women and 7% children. Under reporting is likely again because pastoral peoples consider it bad luck to retrieve their dead<sup>53</sup>. The highest number of such deaths (203) occurred in 2000. This happened in the last seven months of the year, probably due to an increase in cattle raids for livelihood. The year 2000 was a drought year such that the Pokot must either migrate in search of pasture or raid to restock.

Women and children made up 15% of the deaths; they may be unaware of an impending raid and be caught in crossfire. When raiders strike, children and women get injured even from their own peoples' weapons in the darkness, for cattle raids usually take place at

<sup>52</sup> Interviews May 2001, A former District Commissioner, West Pokot. He noted that the reason for the recovery was that cross border peace initiatives between Uganda and Kenya were being encouraged by the District Commissioners of the two countries. As he noted, "Pacifying the community occupied most of my time."

<sup>53</sup> Interview Chairman Kotido Local Council five, 22 November, 2003

night. Interviews and data, especially from Baragoi and Karamoja in the previous sections, indicate that male children are more vulnerable to intentional killing by raiders because they are viewed as future raiders.<sup>54</sup>

#### 6.2.4 Conclusion on Police Data

In conclusion, the police data demonstrate the great human and economic impact on the community from the use of firearms. However, the gravity of the problem is almost certainly underestimated due to underreporting by the community and police, and possibly by inadequate record keeping<sup>55</sup>.

From the human perspective, many lives have been lost due to the use of small arms in raids. The rates of small arms death and injury are related to the scale of the raid. Those most affected are males who are usually the perpetrators of the raids, in the 15-30 age range. Women are increasingly becoming the victims of violence in raids.<sup>56</sup> They are targets when they go collecting water and firewood, and are sometimes targeted because they are known to alert the entire community when they see the raids (by ululation). Traditionally women and children were captured and assimilated into the raiding community.

From the economic perspective, people have suffered greatly. For example, the Samburu in the short term suffered imbalance in security and resource since the animals raided were worth millions of shillings. Moreover, as pastoralists they have no other livelihood except their animals, so raids leave the survivors destitute.<sup>57</sup> However, revenge raids may prevent destitution as the 'losses' cancel out (example of Samburu and Turkana) though there may be considerable imbalance at any one time. The possibility of

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<sup>54</sup> Field notes interviews from Alale and Karamoja, 2001-2003.

<sup>55</sup> The problem with reporting should not be blamed on security as the remoteness and inaccessibility of the areas, coupled with lack of equipment (vehicles, fuel) hinders the security from doing their job.

<sup>56</sup> Field notes interviews in Namalu, Rupa, Nabilatuku, Alale, Dol Dol 2001-2003, noted that women are not vulnerable than before.

<sup>57</sup> See for example the *Human Development Indices* (HDI) for Karamoja.

retribution raids does not depend only on resources of those victimised as others might support their revenge raid.

Ocan (1992) found in fieldwork that out of 160 pastoralists interviewed in Karamoja, 47 had lost all their cattle. One spin-off from the problem of diminishing cattle due to raids that are immediately sold afterwards is the creation of a pool of young warriors with no employment who see raiding as a livelihood strategy. As noted in Chapter 3, traditionally a majority of the youths were occupied as herders, but currently they seek employment among businessmen, traders and administrators who originate from same communities,<sup>58</sup> who are wealthy enough to own cattle. In Karamoja, some seek survival in rebel militias like the Lords Resistance Army<sup>59</sup>. This is creating a two-tier society made up of haves and have-nots. The have-nots are a growing reservoir of unemployed, uneducated youth with no source of income except raiding, and who can be recruited by groups with sinister and even terrorist aspirations. For example, interviews in the field in January and November 2003, noted that the cattle racketeers in Karamoja struck a deal with the Lords Resistance Army. They get guns, and the LRA takes the animals. This is a new twist which is intensifying the proliferation and sales of arms and complicating the conflict in Karamoja<sup>60</sup>.

Unlike some neighbouring countries, Kenya has not been at war, but the number of people killed in the five years in the three districts studied is enormous and cannot be viewed as resulting from just a minor conflict. Further, the figures do not include police officers killed in the area. For example, between 1998 and 2000 over 70 police were killed in gun related incidents in Kenya alone (Egesa and Mkutu, 2000:7). This situation poses a challenge to the Kenya Government. There is a need to strengthen security systems and to establish police bases to provide security. The case of West Pokot

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<sup>58</sup> Hogg, David, interview, September 2002, found similar dynamics in Marsbit where he has done extensive research.

<sup>59</sup> See IRIN 19 March 2004; see also Kenya Times, 19 March 2004, where Ruto, the World Vision Director of Marakwet, Pokot and Turkana (MAPOTU) project notes that the hidden hands in pastoral conflicts are big-time merchants who profit. Their hot money has spurred desperate young men to the risky and often-fatal warrior style combats. Their link to security and corruption makes it very difficult to know who they are. More research is essential in this area.

<sup>60</sup> Interviews Kotido and Moroto, January and November, 2003

suggests times when the communities are especially vulnerable to raiding. These times could be periods when the price of cattle is high or when the rains fail. Such trends are an early warning to the government when they should strengthen security. Police records could also serve as an early warning system to help government and other parties interested in controlling SALW and in relieving their impact.

If nothing is done, cattle raids by one community lead to the other community acquiring arms to retaliate and to recover their animals. The result is a vicious circle of violence and increased weaponization of the communities, making conflict resolution increasingly difficult.

### **6.3 Indirect Impacts**

After examining the direct impacts of SALW, this section examines the indirect impacts, which are harder to identify. Beyond deaths, injuries, and loss of livestock, there are problems such as the creation of ‘no-go’ buffer zones and interruption of economic activities, administration and development work. There is also massive displacement of people and the margins of tolerance within and between communities have considerably diminished. There is an increase in widow inheritance and breakdown of inter-tribal marriage patterns. This last section examines these issues looking particularly at the growing salience of cultural factors and changing gender roles.

#### **6.3.1 Inequitable Distribution of Livestock (Karamoja)**

The impact of drought and epidemics, which have intensified especially in much of Karamoja over the years, has been exacerbated by armed conflict, so that currently, the ratio of livestock per person has decreased from 6 to 2<sup>61</sup>. The current distribution of cattle

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<sup>61</sup> Field interviews in Nakapiripirit, Amudat, Moroto, Kotido and Kanwat, Karamoja between December, 2002- February 2003 and May and November, 2003 in which several respondents indicated that raids had intensified especially after the disarmament. See Recommendation of the Workshop on Security for the Communities of Karamoja. Organized by Pax Christi, Karamoja Agro-Pastoral Programme and Kotido



is so uneven that only a few people in the entire Karamoja region can still afford to keep a few cattle, let alone live off them<sup>62</sup>.

In Rupa and Nabilatuk in Karamoja, many villagers claim to have lost their herds completely. With the changing nature of cattle raids, the animals are now sold by the raiders and cannot then be recovered. This affects the family, since there is now less milk available, which is a staple of the pastoralists' diet. In an interview, the Minister for Karamoja told the researcher that:

A long time ago there was an almost even distribution of cows. Everybody had some cows before the tragedy of raids started. As time went by, the cows became unequally distributed. Those who had cows are now losing them. Some are growing old and have no sons to replenish the stock. Some societies, e.g. people of Labwor who have not acquired guns and do not have a fighting culture, have been greatly dispossessed, as is the case along the borders of Acholi, Teso, etc. Some people still have cows, but their riches cannot be compared to older people who had cows some time back. The cows have remained with those who have the means to keep them, the guns.<sup>63</sup>

In an interview the late Catholic priest, Father Novelli said,

In Karamoja, one needs 5 to 6 head of cattle to satisfy his or her basic necessities. The present ratio....makes the competition for animals extremely high. The possession of cattle is a matter of life and death.<sup>64</sup>

He further noted that currently the distribution of cattle is so uneven that only a few can actually live off their cattle. Others, in order to live, must become clients of the rich. However it must be noted that there is not a clear divide between those who own guns

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Peace Initiative (KOPEIN), Held at Mount Moroto Hotel, Moroto, 20-21 November 2003. See also Workshop on Sustainable Disarmament, Peace and Development in Karamoja 22-23 November 2003. Organized by Pax Christi and Uganda Human Right Commission, held at Moroto Mount Hotel. See Daily Monitor, 25 November 2003, Insecurity worries Karamoja NGOs. <http://www.monitor.co.ug/archives/2003main/nov/news/1125/news9.php> See Peacemaker 2003 Issues 1 and 7.

<sup>62</sup> Field notes Karamoja January-February, 2003, May 2003 and November 2003.

<sup>63</sup> Lokeris, Peter, Minister of State for Karamoja. Interview, Kampala, 22 January 2003.

<sup>64</sup> Novelli, op cit.

and cattle and those who do not, but the systems which used to sustain the population, kinship obligation, collective ownership and security have broken down to some extent.

### 6.3.2 Out-Migration and Internal Displacement in Uganda

Armed conflict has interfered with traditional survival and coping mechanisms leading to an exodus of the Karimojong, into agricultural areas that they would not normally use. This has especially affected the Bokora who have moved to various places outside the region<sup>65</sup>. The Iteso were amongst those who suffered as a consequence from Karimojong raids and were forced to change their settlement pattern for purposes of security. The local councillor of Magoro sub-county, Iteso, Victor Odile, estimated that due to Karimojong raids 75% of the population of his area had fled in the short term to places like Kumi, Soroti, Serere, Pallisa, Busoga, Bunia, Magonoga, Bugerve, Makelama, Masindi and Kampala<sup>66</sup>.

According to Ocan's census in 1997 there were 37 camps and 54,891 internally displaced people in the sub-counties of Obangala, Kapelebyong, Acowa, Usuk, Ngariam, Katakwi and Magoro. It indicated that most of the people started coming in the early 1980s. At that time the Karimojong had been affected by a severe drought. Heavily armed with newly acquired weapons, they carried out the biggest raids in the history of the region. Other terrible raids occurred in 1995 and 2000. On 6 August 2001, a Katakwi district emergency meeting unanimously declared Katakwi 'a disaster-struck district'<sup>67</sup> due to refugee influx'. More recently UN World Food Programme figures have shown the total number of internally displaced people in the above sub-counties stood at 1.2 million.<sup>68</sup>

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<sup>65</sup> Field notes Karamoja January-February, 2003, May 2003 and November 2003.

<sup>66</sup> Chief Administrative Officer, Katakwi, Interview Katakwi 5 June, 2002

<sup>67</sup> In accordance with article 176, section 2 of the 1995 Constitution of Uganda, and subsequently second schedule part 1, No. 2 of the 1997 Local Government Act.

<sup>68</sup> See IRIN, 29 September 2003, "More Than a Million Displaced People." Before the incursions of the Lords Resistance Army on 15 June 2003, the number of displaced is estimated to have been around 800,000. Others estimate it at 700,000, most recent put the number at 1.4 million. See *Monitor*, 23 December 2003. *Monitor* 22 March 2004 <http://www.monitor.co.ug/news/news03223.php>. See "The Council Declaration of Katakwi as a Disaster-Struck District," 13 August 2001.

During the researcher's field visit, a few miles north of Olilim, an Iteso woman named Malissa Oliga was rebuilding her house. Itesos are agriculturalist peoples. She told me her story:

The Karimojong raided 12 cattle in 2000, around May, during the night. It was some Bokora from Kangole. My husband Alfred traced the footmarks to Napak and was killed there. No compensation was demanded and no revenge was undertaken. Last dry season, around February, they came and uprooted cassava and sweet potatoes at night. We were scared to go out of the hut because they were armed. They took also chickens and goats and requested us to throw clothes out of the huts. We then went to the camp of Mulinga near Olilim and near the military detachment but decided to come back to plant cassava. We will sleep in the farm but in case of any threat, we will go back to the camp.<sup>69</sup>

In Baragoi (Kenya), interviews indicated that over 10,000 people were displaced between 1996 and 1998. Interviews and observation in September 2002 showed that most displaced people had not returned to their homes.

### **6.3.3 Impact of Small Arms on Women of Karamoja and Pokot**

In many African societies, widow inheritance is institutionalised. Amongst pastoralists, at the death of the owner of the herd, the eldest son will take over the responsibility of managing the whole herd.<sup>70</sup> Another important aspect of rights acquisition at the death of a person is the fate of his widow(s). Interviews noted "A woman does not marry an individual but a clan. The children and wife belong to the clan. So when the husband dies, she has to procreate with the brothers of the deceased family."<sup>71</sup> If they are still of child bearing age, they will be inherited by a member of the group, normally by one of the brothers of the deceased, but it can be even by one of the sons of a younger co-wife.

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<sup>69</sup> Cited in Gomes and Mkutu, 2004 a report done for Netherlands Development Organization and Pax Christi in Uganda.

<sup>70</sup> I.e. he will use cattle for his own marriage first, then, as soon as it is feasible, for each of his brothers if still unmarried in strict order of seniority.

<sup>71</sup> Interview Edison Achia, Moroto 2 October 2004.

(Novelli, 1999) Widow inheritance was a means of survival for women, not only economic, but also social and religious.<sup>72</sup>

Currently, there are many widows in North Rift pastoral communities due to the high death rate among the warriors from small arms conflict. Women interviewed said, “We are tired of being inherited by the brothers of our husbands.”<sup>73</sup> Widows also complained that unlike the past, they are not being treated well. A former councillor of Karita, Uganda, Elizabeth Chepsok, noted,

Often when the husband dies, the brother will inherit the woman. In some situations the women face mistreatment and abuse. They will not be taken care of the way the husband used to.<sup>74</sup>

Additionally, unconfirmed sources indicated a significant presence of HIV positive people in Moroto, so that widow inheritance could have disastrous effects. The issue clearly needs more research.<sup>75</sup>

Some women are married many times. In one of the peace meetings, a woman who had been inherited at least five times, came to the meeting crying and saying that the women were tired of sleeping with dying men. She said, “The women have lost the meaning of love because of all the battles, beautiful people dying, husbands, wives, girls, boys and children dying, and women being inherited without their wish.” She noted that women have agreed to stop buying firearms, because these were the cause of death. (IBAR/OAU Mbale Workshop, 2001) Women may acquire arms after the death of their husband, to give to their sons to protect the family. Women may also be convinced by their sons to buy arms for them, selling their own cows (contrary to some beliefs, women often own a small number of their own cows).

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<sup>72</sup> Interviews with several informants in Karamoja, Pokot, and Samburu, 2001-2003.

<sup>73</sup> Focus group discussion, Alale, 3 August, 2002.

<sup>74</sup> Mkutu 2003 op. cit.

<sup>75</sup> More research is urgently needed in HIV/AIDs and pastoral areas such as Karamoja.

Given the increasing use of guns, some women informed the researcher, “You are not assured if your son or husband will return alive when they go for raids.”<sup>76</sup> The current ratio of men to women on the cross border area was said to be 75:100, It is true that warriors have been killed in raids, however this figure is highly disputed and difficult to prove as a result of poor record keeping. In 2003 Jie Karamoja lost nearly 60 warriors to raids.<sup>77</sup> As a result of the deaths widows get new roles in managing homesteads and taking over the entire workload. As they said, “We work like donkeys.”<sup>78</sup> When the man is killed, the woman is left with managing the home and taking care of her own children and often other orphans of the conflict.

When women are told that their sons or husbands have been killed in raids, the first thing some of the cross border women will request is the deceased’s gun, since the gun can be used to protect the home and is also a convertible currency.<sup>79</sup> As noted by the Minister for Karamoja, in an interview, “With a gun, you can exchange with cattle, with a gun you can raid.”<sup>80</sup> It was even alleged that widowed women buy guns for their sons, so their boys will get cows, and the security of the homestead will be assured.

Karimojong and Pokot women have always spent very little time with their husbands. Warriors spend about two weeks every month in the bush, spying on the enemy to learn where the cattle are living. With increasing loss of lives of warriors, and warriors travelling longer distances to raid, and the need for increased vigilance to protect against raids, the women become even more the managers of the home. Families are rarely all together and young men grow up undisciplined and prone to join raids. Focus group discussions with women in Alale Pokot (cross border) revealed that the frequent raids have conditioned the Pokot women to believe that death is normal and the cow is the only

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<sup>76</sup> Mkutu 2003 op. cit.

<sup>77</sup> Karamoja Strategic Planning Workshop, Moroto Hotel, 17-19 May 2002. and see IRIN 19 March 2003.

<sup>78</sup> Mkutu 2003 op. cit.

<sup>79</sup> Field notes, West Pokot and Karamoja 2002 and 2003 Interview with Hon. Lokeris, Peter, Minister for Karamoja. Jinja, Uganda, November 11, 2001. Also Interview with Lokeris, Kampala, 22 January, 2003

<sup>80</sup> Interview Lokeris Peter Minister for Karamoja. Jinja, Uganda 11 June 2001. Also interview with Lokeris Kampala, 22 January 2003. Again in Mbale, 16 May 2003.

means of livelihood. The women argue that "it is better to die in war than die in the village with diseases since you are not honoured<sup>81</sup>."

Kellerman et al, 1992 argue that the risk of death increases substantially if arms are in the home. Small arms have changed relationships in the home making domestic violence more dangerous. When warriors get drunk, which is common, they shoot randomly. One woman told how they would come home and demand food. If they are not given food they just shoot. As argued by Odhiambo (2000:31) a woman faced with a *rungu* (stick) has a better chance of survival than a woman faced with the barrel of a gun.

Another social effect of the raids is that intertribal marriage has decreased. For example Iteso and Karimojong used to intermarry. Due to increased cattle raids in the 1980s, the bride wealth of the Iteso dropped down from 60 head of cattle to 4 or 5. Bollig (2003) also noted the decline in cattle per capita in East Pokot of Kenya from 14:1 (1920s) to about 8:1 in 2003. However, the Karimojong still demand 60 head of cattle for a daughter. The result is a progressive decline in intermarriages till by 2000 they almost completely ceased. There has to be more to it than this since bride wealth varies over time and according to the parties involved. Clearly the issue needs more research.

#### **6.3.4 Abolition of the "Friendship System"**

Chapter 2 describes the establishment of relationships with other communities for barter and/or trade as a survival strategy by pastoralists, especially with regard to food production. Muhereza (1995: 95-96) notes that some Karimojong have established cordial relationships with their neighbours, which enables them to complement each other's needs, especially for food. Some men, upon returning to Karamoja after the rains, leave a few oxen with their friends in the hope that the gesture of goodwill will be reciprocated when they return in the dry season. In exchange, the friends would plant cassava and millet and share the harvest. These informal contracts were practised until recently in the bordering sub-counties, especially in Kapelebyong and Magoro. However,

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<sup>81</sup> Field notes, Alale West Pokot, Discussion with African Women Church Group, Alale August, 2002.

Iteso from Usuk (Ugandan Pokot) and Ngariam have become wary of the idea, saying, “We have to cultivate and feed them for the animals they stole.”<sup>82</sup> This socio-economic relationship or “friendship system” has been shattered by violence associated with arms, although there is collaboration of other kinds.

The proliferation of small arms has led to the breakdown of non-violent traditional ways of settling disputes in Karimoja (both violent and non-violent), such as use of fines or compensation payments. However in Kenya the system of compensation payments is still effective due to the presence of the elders, though this is not utilised by the state.<sup>83</sup> The chief administration officer for Katakwi, Nicolas Ocakaro, admitted that the local administration is now discouraging this practice because of previous manipulations. He said that the Karimojong steal animals from other Karamoja and hide them with their friends in Iteso, and then they steal the same cattle, and return as “friends” to demand the cattle that they had previously loaned.<sup>84</sup> On their side, the Karimojong pointed out the frequent confusion between raiders and friends. “In 2000, a Bokora came to harvest cassava in the garden of his friend and the Iteso local defence units shot at him.”<sup>85</sup>

### **6.3.5 Interruption of Economic, Development and Administrative Activities in Karamoja (Uganda) and Samburu (Kenya)**

During my field research, I noted the creation of *Awasia* ‘no-go’ zones from Laikipia to Karamoja. The raiders create these buffer zones for their own security purposes. As noted by Achia, “These are lands dedicated to insecurity.”<sup>86</sup> Several fertile areas here cannot be cultivated due to insecurity, especially the southern slope of Mt. Napak where Pian confront Bokora in Nabwal, and in Karamoja and the eastern part of Pokot country, especially in Loroo and Karita.<sup>87</sup> A large stretch of valuable land along the border, from

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<sup>82</sup>Field notes December, 2002-February, 2004 from Karamoja.

<sup>83</sup> Masinde et al 2004; Mkutu 2001, 2003 op.cit.

<sup>84</sup> In 2000, Bokora raided Matheniko who sought refuge in Iteso.

<sup>85</sup> Ibid.

<sup>86</sup> Interview, Terrace Achia, Local Council 5 Moroto, Uganda 21 November 2003.

<sup>87</sup> Ibid. Achia noted that if joint communal grazing were encouraged as in the colonial period, it would increase cohesiveness and allow the Karamoja to rediscover their identity. It would also reduce the distance for cattle thieves and reduce the no go-zones. However, security would need to be provided by the state.

Magoro district to Adacal up to Kapelebyong and Obwin, ceased to be cultivated or used for grazing. The large tracts of 'no-go zones' are basically used as an early warning for defence against hostile raiders, which is an important precaution. In Samburu there was a stretch of deserted land starting from Mariti.<sup>88</sup> The commercialised stock raiders have also made 'no-go' zones that are off limits for grazing, further contributing to scarcity of food and to malnutrition in an area with only limited resources. This has been possible due to no policing of the areas by the states. Although it could be argued that insecurity has made it possible for the natural environment to regenerate in insecure areas, armed conflict has led to concentration of both human and livestock populations in relatively secure but overcrowded areas. Those areas are then subject to environmental degradation because of pressure on resources in fragile semi-arid ecosystems.

A driver for the Karamoja Agro Pastoral Development project who was interviewed, has been a victim of road ambush on both the Namalu and Moroto roads. People drive at very high speeds to avoid ambush, for the high speed is thought to reduce the chances of the car being hit. The driver said, "I know my ambushers, and they are known locally. Several times they have met me and told me 'it's your speed that has saved you.'"<sup>89</sup>

Relations between the three tribal clans, the Matheniko, Bokora and Pian remain poor to this day, and violence continues to erupt periodically. Leaders of one clan cannot visit the areas of other clans without fear of attack. In June 2001, January and February 2003, and November 2003, I observed that the roads in Karamoja area were indeed unsafe.

With the introduction of the disarmament programme in Karamoja, described in chapter 7, the government instituted a deadline for the voluntary handing over of guns by warriors to the Uganda army. Up until the deadline 2002, Karamoja was relatively calm and peaceful and, as noted in chapter 7, some guns were handed over. However since the

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<sup>88</sup> Contrary to expectations, the new pattern of settlement of the Iteso into "camps" did not really affect district crop production. It might be due to the fact that the Iteso managed to continue cultivating their fields while based in the camps. However, insecurity in Katakwi district impacted on land use.

<sup>89</sup> Interview, Karamoja Agro Project Development op cit



end of the deadline, there have been increasing incidents of road ambushes, lynching, and shootings.

The insecurity has also threatened the administration. One of the worst is the story of Father Declan, a Catholic priest, his driver and the mission cook, who were shot at point blank range and killed by soldiers on the way back into Kotido. Interviews with various people in Kotido and Moroto claimed that Father Declan had witnessed something that the army did not like and it is likely that the shooting was related to this incident. His two murderers were executed publicly by a firing squad.<sup>90</sup> Since the disarmament process slowed in January 2003, security has deteriorated further in Karamoja. Moroto did not celebrate Labour Day because a World Vision official, Davis Chelangat, was killed the day before on the notorious Lorengwat<sup>91</sup> Nakapiripirit road, while on his way to Kapchorwa.

Oxfam suspended their activities outside Kotido town from 2 November 2001 to 21 November 2002, after one of their vehicles was shot at on the road from Kotido to Moroto. The road crosses the Dodoth-Jie battlefield. MSF-Swiss ambulances referring patients to Matany Hospital in Uganda have been ambushed, and patients are no longer referred to Matany but to Kitale (Kenya) and Mbale.

In Samburu, Kenya, Oxfam suspended its services in 1999, due to road ambushes and small arms violence<sup>92</sup>. In 2002, the Intermediate Technology Development Group suspended its services in Baragoi and moved to Maralal.<sup>93</sup> A highly publicized attack in Baragoi happened in April 2001, when four aid workers of a non-governmental organization were ambushed and gunned down by bandits at Soitokokoyo about 10

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<sup>90</sup> Interviews with various people in Kotido, and Moroto, January and November 2003.

<sup>91</sup> Lying at the central police station in Moroto is the wreckage of the Nakapiripirit Resident District Commissioner's official vehicle, which was burnt by the warriors. He survived but the vehicle did not.

<sup>92</sup> See also the murder of another Italian missionary. The Daily Monitor 5 April, 2004 <http://www.monitor.co.ug/news/news040511.php>

<sup>93</sup> Observation and visit, Intermediate Technology Development Group office in Maralal; also interviews with Wayama, Maralal, 19 August, 2002.

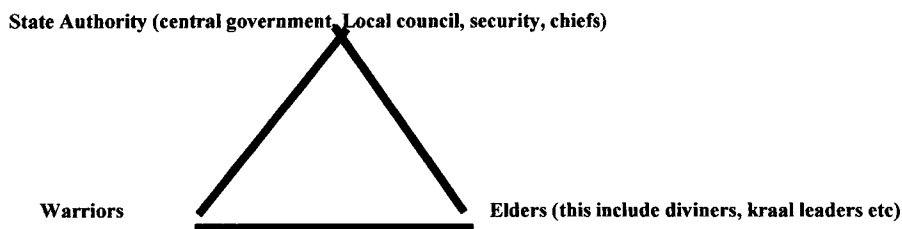
kilometres from Baragoi town.<sup>94</sup> However, reliable sources on the ground said that one person gunned down in another incident on the Maralal Baragoi road was an arms trader.

In conclusion, the impact of the current insecurity is most clearly manifested in the voluntary sector, upon which this community greatly depends. However it is also affecting government personnel including the Resident District Commissioner, in fact himself the head of the security for the District, Additionally it is threatening the tourism industry which might have otherwise been a viable alternative livelihood for those affected by the depletion of cattle in the region.

### 6.3.6 Changing Patterns of Leadership in Pastoral Areas

At the moment, the authority can be viewed as tripartite; (see figure below)

**Figure 6.16 Tripartite leadership**



For the pastoralists, wisdom belongs to the aged and understanding to those who have lived many years. The pastoral areas in the North Rift are still very rural. In some of the places, the influence of national government has not been felt and the customary traditional governance institution is still dominant as discussed in Chapter 3. However the power of the elders is being eroded.

Father Joseph, a Catholic priest in Dol Dol stated,

Influence and ability of the elders to take issues has weakened. This is attributed to the double structure, (government system and traditional system). When it is a hot issue, it's pushed and not dealt with. Traditionally, the Masai had a strong

<sup>94</sup> <http://www.nationaudio.com/news/DailyNation/Today/Features/Feature1.html>

egalitarian system. You behaved according to your stage in life. Something has slipped out of the hand, some roles have deteriorated.<sup>95</sup>

The elders in Dol Dol noted that “youth are now a problem, there is the problem of the gun which has challenged the power of the elders.”<sup>96</sup>

Father Bosco of Amudat mission concurred, “In the past, the elder said, do not move, the youth could not move. But today, the youth will point the gun and the elder will keep silent.”<sup>97</sup>

This was attributed to modern development, which has brought the vices of theft, indiscipline, disobedience and murdering of parents by the young people.

The elders in Alale told me that,

Civilisation has spoilt everything. The problem is that young people do not listen any more. A long time ago the young men could not try and kill their father or mother. Currently, before you make a decision, they kill you with gun. The gun has retrogressed and destroyed our thinking. People with the guns do not want the elders to marry.<sup>98</sup>

Chief Alexander noted that:

Elders sit and talk to the youth and negotiate peace. In the past the *morans* (warriors) would herd cows until they were between 25 and 30 years and they would be given a wife, but now the 15 and 16 year olds want wives and if they are not given, they use their guns to go and raid or torture the elders<sup>99</sup>

In Namalu, Nakapiririt district, I learnt of a son who shot and murdered his father who had been reluctant to release his contribution to the bride wealth of his son. During the fieldwork the said young man had been reluctant for the researcher to take any pictures, his uncle then revealed the reason for his cautiousness. I learned also that he had been in

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<sup>95</sup> Father Joseph Cit. Opt

<sup>96</sup> Focus groups discussion. Elders Dole Dole, September 3, 2002.

<sup>97</sup> Father Bosco Interview, Amduat, 19<sup>th</sup> June, 2001 confirmed by Father Novelli, op. cit.; Philip Ichumer, Moses Mudong, and Hon Lokeris. Interviews, 2001-2003.

<sup>98</sup> Alale elders, Focus group interviews, Nauapong, 3 August 2002. The elders raised the issue of the young men not wanting them to marry more wives. While interviews in Karamoja and even Upe Pokot, the young people were forcing the parents to marry for them, if they refused, so parents were being killed.

<sup>99</sup> Chief Alexander of Kongolai, Interview, 31 May 2001.

the army, and deserted, likely taking with him his weapon. In most cases murder demands sacrifice of bulls to the elders for forgiveness. I learned that the elders had refused as it would allow other young people to follow suit in what was a growing problem<sup>100</sup>.

This is collaborated by Ntende and Mworozzi (2000:80) who observe that long ago elders were people with power and youths consulted them. But today, the young men and racketeers are controlling the power of elders with the guns. Possession of weapons and an army of warriors is now a major determinant of authority. Keter, a Karimojong businessman under the age of 35, who was killed leading a raid in Bokora, had 100-armed warriors under his command.<sup>101</sup> The authors refer to it as the “gun factor.” When the state presence is also weak, this allows the youth to increase their relative power through the barrel of the gun (power of coercion).<sup>102</sup>

### **Enduring Power Of Elders**

Scholars argue that elders have lost their power. However, though on the decline, the customary governance system still persists across North East Africa.<sup>103</sup> Pastoral society is still patrilineal. That is, people inherit property and status through their father’s line and belong to their father’s family community. The patrilineage with its senior men is still the social core of life and livelihoods. The elders play a significant role in sanctioning alliances and overall management of the community and resources. When warriors go to raid, they generally consult elders and elders negotiate peace with the raided through cleansing ceremonies and compensation making.<sup>104</sup> They can also invoke the power of god and curse the youths.

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<sup>100</sup> Interview with KISP Chairman, Namalu, June 2001

<sup>101</sup> Fieldnotes Jan and Nov 2003

<sup>102</sup> See *Daily Nation* 20 August 2004 op cit.

<sup>103</sup> Masinde et al, 2004 Mkutu 2001op. cit.

<sup>104</sup> OAU/IBAR, op cit.

As noted by Rt. Rev. Kewasis, among the Pokot, “The youth and elders can never contradict. But the contradiction will come because now we have youths who act as thieves and go on their own accord to steal, but they are always punished”.<sup>105</sup>

Although the elders have lost power in the physical sense, due to the coercive means of violence by the youth, when it comes to certain essential issues in the community, the elders project themselves in a powerful way particularly where youth and the community still believe in the rituals and traditions of the community.<sup>106</sup> Modern public administration has not collaborated with the elders in their role, which could be valuable in peacemaking.

It was the elders who gave permission for my visit and interview to cross sections of the communities and especially visit the *manyattas/kraals*. It is true to say that elders, in some areas and at some points in time have lost some of their authority. However some elders are using their legitimate power as a bargaining chip. Some seemed to know who is in possession of guns and in fact were partly in control of the arms. As argued in the workshop in Mbale, some of the raiders are the elders’ sons<sup>107</sup>. It also indicated that due to their long suffering under youth with arms, they have managed to amass a lot of small arms slowly and regain control. Thus, there is a new problem in that some have been compromised by having significant economic interest in raids, verging on warlordism, discussed in Chapter 3.

### **Decline in succession ceremonies**

Additionally in Karamoja, small arms have led to the breakdown and loss of ethnic identity. People now identify at the sub tribe level, ‘we Pian’, ‘we Jie’, etc., instead of ‘we Karimojong’. Due to this breakdown of the broader ethnic identity, customary governance is affected. For a succession ceremony to take place, all the Karamoja must unite and agree, but this unity has been broken so there has been no succession. Whilst in

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<sup>105</sup> Right Rev. Kewasis op cit.

<sup>106</sup> See recent research from pastoral areas in Kenya Masinde et al, 2004.

the field the researcher found that the current generation of senior elders in Karamoja is from the age-set of *ngimoru* (mountain). Several decades have passed without initiation ceremonies being held at which the senior elders pass on power to the junior elders from the age-set of *mngitetei* (gazelle). As a result, in most communities there are only a few senior elders living.

#### 6.4 Conclusion

So what are the consequences of small arms proliferation? The aims of this chapter were to describe the social impact of SALW. But it must be borne in mind that these are by no means exhaustive findings. It is obvious that the spread of small arms and light weapons in the North Rift since the 1980s has negatively impacted the communities in many ways. Small arms injuries can be counted like the incidence of any disease, and from the figures above, it is clear that a health crisis is building, given the scale of the violence.

Whilst the medical data does not consistently demonstrate an increase in small arms injuries in all areas, there are clearly some alarming statistics, especially in small clinics in Nakapiripirit and Matany, both in Karamoja, Uganda. For several reasons the statistics are likely to underestimate the problem of both injuries and deaths. There is a suggestion of disordered violence in and around homes caused by increased prevalence of weapons and alcohol. This warrants more research.

The paucity of medical facilities is evident with these hospitals providing care for huge areas. Small arms injuries are a preventable drain on resources. The large number of small arms additionally dissuades medical intervention, as the area is so insecure.

The police data show great human and economic impacts to the community from the use of small arms in raiding though the problem is underestimated due to underreporting by the community and police and possibly by inadequate record keeping. The rates of small arms deaths and injury are related to the scale of the raids. Those most affected are males

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<sup>107</sup> Workshop on “Challenges of Conflict and Small Arms Proliferation on Capacity Building for Development in Karamoja N.E. Uganda”. Organized by SNV/Pax Christi. Mt Elgon Hotel, Mbale, May,

who are usually the perpetrators of the raids in the age range of 15-30. From the economic view, the people have suffered greatly. The cost amounts to millions of Kenya shillings, although it is conceded that what is lost by one group is often gained by another. However, the most vulnerable or less armed groups will lose the most. An example is the Samburu mentioned earlier who from 1999-2000 were unarmed, and therefore lost their stock to the armed Turkana. Additionally, with commercialisation of cattle raiding the cattle leaves the community and the riches end up in just a few hands. Moreover, as pastoralists they have no other livelihood except their animals. A possible spin-off from the problem of inequitable distribution of cattle due to raids is the creation of a pool of young warriors who are idle and can become a menace.

The armed conflict has interfered with the traditional survival coping mechanism causing a rise in internally displaced persons. It has also led to the creation of no-go zones, which have interfered with economic development and the contribution of NGOs.

Widow inheritance is increasing among the pastoralists, as a result of the high death rate of warriors and this also creates an increase in dependent children. This has implications for the spread of HIV. More in-depth studies on widows and their survival strategies are needed. For women, gun violence is leading to new roles of managing homesteads and taking over entire workloads including security of the homes. But with the gun in the home, domestic violence is on the increase.

Other traditional systems and values have been eroded with the use of guns including the increase in the authority of the youth vis a vis the elders. However, the elders still have *legitimate* power and this may be utilised by peacemakers.

The true extent of suffering from the spread of small arms probably will never be known. What is certain is that the costs in impoverishment, wasted lives, orphaned children, widowed women, and shattered communities are potentially huge and dismal. An example of such a community is found in Katakwi where the Iteso are living in refugee camps in their own district, having been displaced by the Karimojong. Due to high

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14-16<sup>th</sup>, 2003.

insecurity they cannot return to their homes, and they currently survive on food aid. Those still in their homes rarely keep cattle and when they do, they may be seen chained and padlocked in place.



## Chapter 7

### State Interventions in Pastoral Conflict Zones in the North Rift

#### 7.1 Introduction

In the last twenty years the governments of both Kenya and Uganda have made it a policy goal to end raiding and resolve conflict in the pastoral areas, and to address the problems of insecurity. However these measures have largely failed increasingly as the communities acquire arms for protection, thereby increasing their alienation from central governments. Attempts have been inconsistent, poorly coordinated and executed; too often taking a narrow definition of security that has focused on coercive disarmament without focusing sufficiently on the root causes of the pastoral conflict. In an interview with the chief administrative officer for Kotido on civil society “They have invested huge amounts of money in organizing peace meetings between warring groups, but they have just been fire fighting and not addressing the root cause”<sup>1</sup>

The result has been the intensification of insecurity, violence and tension, and the weaponization of pastoral communities.

This chapter examines attempts to mitigate the conflicts noted in previous chapters. This section reviews related efforts by the Kenyan and Ugandan governments, firstly examining the evolution of government strategies for responding to violence involving pastoralists in relation to small arms, then examining other efforts which have ranged from amnesty<sup>2</sup>, the branding of cattle, and the disciplining of local government officers who condone insecurity in their respective areas, to specific weapons collection programmes. The main focus of this chapter is on the Karimojong in Uganda, and on the Pokot and Samburu in Kenya<sup>3</sup>.

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<sup>1</sup> Interview, Walter Irama, Chief Administrative Officer, Kotido District, Kotido, 2 February, 2003

<sup>2</sup> See Daily Nation 11 January, 2002

[www.nationaudio.com/News/DailyNation/11012002/News/News16.html](http://www.nationaudio.com/News/DailyNation/11012002/News/News16.html)

<sup>3</sup> Regional organizations, the organization of African Unity (OAU- now African Union) and the Inter-Governmental Authority on Drought (IGAD) have attempted other minimal interventions. The failure of the Early Warning System started by IGAD see Mkuu 2003 op cit. also see Muhereza 2003b

## **7.2 Evolution of Government Strategy for Addressing Armed Violence involving pastoralists**

The pastoral areas of east Africa were viewed as having little potential or economic value to the colonies and were confined in native reserves (Leys, 1925:125). The policies of postcolonial governments led to the further marginalization of the pastoral people. Nyaba and Otim, (2001) note that:

There is no policy framework for the management of the pastoral conflict. At the state level, there is no policy for the transformation of the pastoralists' conflict. The main thrust has been attempts to resolve symptoms of conflicts or what may be called the indices of conflict<sup>4</sup>.

### **Colonial Period**

During colonial times the regime's policy in pastoral areas was to pacify the pastoralists. In some places disarmament was attempted. In Samburu, between 1928-1936, the colonial government experienced problems with the Samburu in relation to cattle raiding. In 1935, government attempted to disarm the Samburu of their spears. By February 1935, 1,800 had been collected. In the end 5,000 spears were collected<sup>5</sup> and a ban on carrying spears was imposed. After 1936 cattle rustling continued but the colonial government made all attempts to ensure that law and order existed in Samburu.

The most recent approaches to be examined in both states are disarmament, branding, amnesties and peace meetings in Kenya. Weapons collection is the most direct response to the problem of small arms proliferation. It confronts directly and simply both the fear and many of the problematic elements. It is seen as a relatively easy option for addressing conflict and insecurity. Disarmament and weapons control are increasingly a part of peace efforts (SAS 2003: 278). Since weapons create the problem, the solution is to get rid of them. Efforts in the 1980s were heavily dependent upon the use of force to disarm

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<sup>4</sup> This includes drilling from water wells, and construction of dams, provisions of relief, drugs etc; also see Mugerwa 2001.

<sup>5</sup> KNA/DC/Sam/3/3/political records Baraza 1936-1951 Samburu a Problematic district "lawless" 1934-5)

pastoralists, but relatively few arms were seized.

### 7.3 Government Polices And Responses In Kenya

This section first examines Kenya's strategy to respond to the proliferation of small arms and light weapons. This strategy built on colonial patterns but with an 'Africanist' veneer, which is why colonial policies must also be explored. The first case of illicit firearms was reported in Turkana district in 1928. Demand was driven by the communities' need to defend themselves against Sudanese raiders targeting their animals.

Small arms in Kenya are largely an outcome of the inability of the postcolonial state to extend its legitimate institutions of governance to marginalized areas. In West Pokot, the elders argued "the government has forgotten us, we only see it when it carries out security operations in the area"<sup>6</sup>. The elders noted part of Pokot district was seen as part of Uganda even long after independence. "Until 1971, we were administered from Uganda, hence the name "*Kenya Mpya*"(new Kenya)<sup>7</sup>. The elders and people interviewed felt that the Kenya government continued to ignore them and treat them as foreigners, while the Ugandan government had since given them up as Kenyans. The elders stated 'Only missionaries have brought development to the area.'<sup>8</sup> Observation also confirmed that Alale does not have any secondary school, the primary schools in the area were all missionaries, though the Kenya government had seconded teachers to the schools. Missionaries ran all the water in Alale and even the functioning medical dispensaries.

The absence of state presence has resulted in lack of trust and confidence in the public security apparatus in the pastoral regions. The result is the 'zones of insecurity'<sup>9</sup> noted in chapter 6. Over the years these regions have disproportionately borne the brunt of the state's draconian policies, witnessed in the Northern frontier district and Pokot-Turkana areas<sup>10</sup>. For instance, following the outbreak of the *shifita* war of the 1960s the government imposed a state of emergency on the northern frontier district, which lasted until 1992. In

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<sup>6</sup> Elders interviews Alale, West Pokot, 3 August, 2002

<sup>7</sup> *ibid.*

<sup>8</sup> *ibid.*

<sup>9</sup> No men go zones.

Kenya, in 1960, the preservation of public security ordinance was enacted. This was intended to give the postcolonial administration the powers to pre-empt subversive movements without proclaiming a state of emergency as was done in 1952 with the Mau Mau. Since then the province has continued to experience banditry, low-level insurgency and general insecurity.

After independence Jomo Kenyatta, the first president, announced an amnesty to Mau Mau fighters, but there was no follow up on those who did not surrender their arms. However, in general small arms were not an issue until after 1980<sup>11</sup> in Kenya.

Kenya has one of the most rigorous arms control laws in the Horn of Africa forbidding unauthorized civilian gun possession.<sup>12</sup> Yet these laws have not prohibited the spread of small arms throughout the pastoral areas, rural areas and urban towns. Pinkney (2001:95) notes “Kenya seems remarkable for the ease with which civilians obtain guns and for their willingness to use them, whether in robbing shops and banks in broad daylight...”

While the government of Kenya has condemned armed raids and called for pastoralists to disarm, it seems unable to bring the situation under control<sup>13</sup>. The predominant attitude of government toward the pastoralists has been “pacifying” them to maintain law and order.<sup>14</sup> This was similar in Karamoja. However, in the 1970s the antistock police was created to deal with the insecurity. Home guards also increased to deal with the issue. However, since 1980 the problem has increased with the flows of small arms and no policy for control. To manage the challenges caused by the proliferation of small arms, Kenya has swerved between different methods, including use of force by security personnel<sup>15</sup> and presidential amnesties<sup>16</sup> to persuade voluntary surrender of arms and

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<sup>10</sup> See Dietz, 1987

<sup>11</sup> See for example Leenco Lata (1996:6) who notes “that use of modern arms appears to be minimal, however the worry in 1996 was more the sowing of distrust between communities than arms diffusion from the State to the society” <http://plougshares.ca/content/BUILD%20PEACE/lata96.html>. See also the Wagalla massacre in 1984 in which nearly 5,000 people were killed in Wajir in an operation by government. The only thing Ruto admitted on behalf of the Moi administration was that “security standards were flouted” during the operation. East African Standard 15 February, 2004, Wagalla Massacre: the sore that refuses to heal”

<sup>12</sup> See Laws of Kenya “The Firearms Act” (revised, 1982). For legislation on arms see Kizito and Mkuu, 2004.

<sup>13</sup> See for example Daily Nation 23 May 2004 “Cattle raids hold sway in Turkana”-

<sup>14</sup> Interviews in 2002 with some of the District Commissioners in Kenya this policy still existed.

<sup>15</sup> Operations in Pokot noted in previous sections, see also Daily Nation 11 February, 2004 “Wagalla massacre to be probed” <http://www.eastandard.net/headlines/news11020411.htm> thousands of people were killed and maimed during the 10 February, 1984, botched operations to smoke out alleged bandits from

peace meeting strategies. These stratagems originate from the states' temporary conflict crisis management due to the amplification of conflict especially in pastoral areas and lately in urban areas.<sup>17</sup> In September 2003, the Minister for Internal Security was interviewed "Our borders are porous and difficult to interdict to be able to seal routes that are used by weapons smugglers. Increased border patrols are in place to check this, [as well as] enhanced intelligence-gathering and inter-country disarmament programmes."<sup>18</sup>

A long-term policy on how to deal with the armed flows and conflict situation does not exist. There are several contingents of security personal, including the army, the general service unit, the regular police, the anti-stock theft unit, the administration police, and the Kenya Police Reserve, that have been deployed in the rustling-prone areas.<sup>19</sup> How raiders can attack in the face of such considerable security forces is a puzzle that no government official, including the former head of state, has explained. The issue of illegal trade in ammunition has been relayed to the government, but not much has been done to address the issue. Initiatives<sup>20</sup> have yielded little result<sup>21</sup>.

An integrated, holistic effort has yet to be articulated at the national level. This section examines these attempts in Pokot and Baragoi in Samburu District. of Kenya. However in West Pokot and Samburu the government's attempts to collect weapons have achieved very little success.

### **7.3.1 Efforts to Promote Disarmament between the Kenyan Pokot borders and Samburu.**

Small arms control policy has not been clear in Kenya, though the issue has always been

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Wajir.

<sup>16</sup> Daily Nation, 17 March "Kenya issues Amnesty on Small Arms".

<sup>17</sup> See Mkutu and Sabala, 2002; Daily Nation 21 April, 2004 "Police reserves 'were a threat to security'

<sup>18</sup> East African Standard, 1 September 2003 "Murungaru admits we are under-policed and that the force is ill-equipped. <http://www.eastandard.net/headlines/news01092003010.htm>

<sup>19</sup> However, the menace continues, See for example Daily Nation 2 February 2004 "Government has failed to protect the Turkana" [Http://www.nationaudio.com/News?DailyNation/Today/Letters/Letters/022200411.html](http://www.nationaudio.com/News?DailyNation/Today/Letters/Letters/022200411.html).

<sup>20</sup> The civil society, including churches, NGOs and Community Based Organizations, have invested huge amounts of money in organizing peace meetings between warring groups. However, they have just been firefighting and not addressing the root cause.

<sup>21</sup> The cries for disarmament are rampant everywhere See recent calls East African Standard 18 August 2004 "State told to disarm home guards" <http://www.eastandard.net/headlines/news18080413.htm>

controlled in joint efforts between the army and the police. The Government of Kenya has attempted to disarm pastoralists on the Kenya-Uganda border several times since 1979. Dietz (1987) provides the background to operations in Pokot. By 1984, it was estimated that the Pokot had 3,000 arms. Insecurity and raids were on the increase. Raiding had spilled into Trans Nzoia (Kenya) and Sebei (Kapachorwa) district in Uganda. The Kenyan and Uganda authorities decided that the weapons on the border of Kenya and Uganda were a continuous threat to peace and security. In an interview with Brigadier E.T. Tonui, a former Chief of Operations based at the Department of Defence in an interview told me: "Helicopters were used and I led the operation."<sup>22</sup> Omara Olara, the current human rights commissioner in an interview said: "I was then serving in the Obote's government at the time and we used helicopters."<sup>23</sup>

In 1984 the rains failed in Karamoja, and this led to death of cattle and increased raiding within Karamoja and between Karamoja, Kenya and Sudan. As a result, a joint military operation between Kenya and Uganda was undertaken in the affected areas. Dietz (1987:191) notes that:

In February 1984, both armies launched a military action to force the people to surrender all their guns, including the ones given to home guards by Kenya government in 1980. The government recovered more than 300 firearms. To achieve this goal, many cattle were confiscated as 'hostages'.

Local people told me that by using helicopters about 8,000 head of cattle were driven together in the main camp. Some of them were sold in Kitale, some were eaten by the military, but most of the animals died from lack of water, as it was a dry year<sup>24</sup>. People were also killed, among them an assistant chief. The Pokot did not fight back. A local politician informed me that "the operations were done by use of force, and it was done in an inhuman way".<sup>25</sup> Security personnel were then used to collect the firearms that the Pokot had obtained illegally. The aim of the Kenya government was to retrieve weapons from young Pokot warriors, many of whom refused to co-operate.<sup>26</sup> They did not give them

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<sup>22</sup> Interview Brigadier E. K. Tonui, Chief of Operations of Kenya, Jinja, 12 November 2001.

<sup>23</sup> Interview Omara Olara, the Uganda Human Rights Commissioner, Moroto, 20 November 2003.

<sup>24</sup> Field notes Alale, August, 2002

<sup>25</sup> Source did not want to be named. Inhuman in that people were put in a hole so that they could state where arms were kept in the community.

<sup>26</sup> He admitted that helicopters were used and that he was part of the operation. Also confirmed in an interview with Omara Olara, the Uganda Human Rights Commissioner who was serving Obote's government at the time.

arms in nor fight the government for confiscation their animals.

The local community viewed this operation negatively.<sup>27</sup> On the other hand, the international community felt that the Kenyan government had violated international humanitarian law, which provides for the protection of non-combatants. For the local population, it brought a terrible loss of life and property. Many felt that the operation could have been more successful if it had been carried out differently. The local people told me:

We would have co-operated and removed the guns and returned to the spears. It's easier to control spears. With spears you have to fight at a distance of 100 metres; it's a javelin kind of fight where one throws the spear not more than 100 metres.<sup>28</sup>

Interviews revealed that the government managed to retrieve only 200 guns from the area.<sup>29</sup> For six years after the operation there was relative peace between the Pokot and their neighbours (Marakwet and Turkana) in Kenya (though not with the Karimojong of Uganda). A second attempt to disarm the Pokot took place in 1986. The police force and the General Service Unit were excluded from the operation, which was jointly launched by the Kenyan army in Karamoja in Northern Uganda and in Karapokot (West Pokot) in Kenya. The Karimojong had attacked the Teso. However, as Dietz (1987) notes, due to the problem in the North, the Ugandan army was withdrawn. The Kenyan army operated on both sides of the border. It started as a small operation to look for cattle raided from Turkana, but it turned into a major operation. This time, the Pokot fought back, they could not stand another loss as happened in 1984, but also they had acquired enough arms to hit back. The operation was stopped due to the intervention of the Provincial Commissioner for Rift Valley. The Pokot felt the military forces were being used to harm them rather than to retrieve firearms. As a result, very little was achieved. The third attempt to collect weapons was in 1998. However, that disarmament effort only produced one gun (Mkutu, 2001: 6).

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Interview, Moroto, 20 November 2003.

<sup>27</sup> See *The New Vision*, 15 February 2002. [http://www.newvision.co.ug/detail.php?story\\_32737](http://www.newvision.co.ug/detail.php?story_32737) notes that the joint Kenya-Uganda disarmament exercise flopped in 1984 when the soldiers involved in the programme indiscriminately killed several Karimojong and raided several head of cattle.

<sup>28</sup> Field notes from Pokot, Karamoja and Samburu, May-June 2001, July-August, 2002, January -February 2003, November 2003; September- October 2004

<sup>29</sup> Source did not want to be identified. The sources differ with Dietz and either way the results were small. Also it should be noted that local officials in the countryside often do not (may not) keep as precise records as are

In March 2003, several members of Parliament addressed Pokot professionals at a meeting organized by the Pokot Moi University Students Association. The MP for Kachiliba, Mr. Honourable Pogishio, called on the Kenya government to disarm the Turkana and Marakwet to end cattle rustling.<sup>30</sup> The National Rainbow Coalition (NARC) pledged itself to security for pastoralists, but when security action is taken, it must be immediate to be effective and that has not been the experience in northwestern Kenya, where cattle raids have escalated. Just as the Minister for Internal Security, Chris Murungaru, had scheduled a high-level peace meeting in the North Rift<sup>31</sup>, three people were killed and bandits raided the home of the MP for Kapenguria. The MP appealed to the government of Kenya to intensify security in his constituency and the district. He noted, "This attack shows the magnitude of insecurity we have been talking about in West Pokot."<sup>32</sup> In another incident three people were killed in Lokichogio when bandits armed with AK47 rifles stood in the middle of the road and opened fire on a vehicle on 27 April, 2003. Reacting to demands by MPs to have the Pokot, Sebei, Turkana and Karimojong disarmed, the MP for Kapenguria, Mr. Moroto, said that operations would not achieve anything.<sup>33</sup>

The Samburu have been disarmed twice, in January and August 1997. The areas affected were mainly Baragoi and Nyiro divisions. The number of arms collected totalled 84, most being AK-47's.<sup>34</sup> The government's justification was that the Samburu had illegal arms, which they had been using for unlawful activities. As the number of cattle raids rose along with the number of people killed and injured, the government was under pressure to do something. They hoped that by disarming the Samburu, they would reduce cattle rustling in the area.<sup>35</sup> The arms taken from civilians by the government were returned to the Baragoi Police Station and later reissued to the Kenya Police Reserve as legal additional arms in the area.<sup>36</sup> However, interviews indicated that the guns collected were obsolete and not functional. No automatic guns were gathered except for a few 303s, which are useless and fetch little money on the market. AK47s and G3s are seldom seen in the area.

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expected in Europe or North America.

<sup>30</sup> Daily Nation, 24 April 2003.

<sup>31</sup> Turkana, West Pokot and Marakwet

<sup>32</sup> Daily Nation, 29 April 2003. "Three killed as minister plans tour of region"

<http://www.nationaudio.com/News/DailyNation/29042003/News/News2904200319.html>

<sup>33</sup> Daily Nation, 27 June 2003.

<sup>34</sup> Counselor Aloose of Bendera Baragoi. Interview, 20 August 2002.

<sup>35</sup> Chief Security officer from Samburu. Interview, Kenya Institute of Administration, Nairobi, 13 October 2000.



Counsellor Alose noted, “Disarmament/Amnesty are not very successful; as soon as the government starts operations, the cries by politicians and community force government to abandon.”<sup>37</sup>

The second approach by the Kenya government has been amnesty for turning in illegal weapons. Amnesty is the least complex of arms collection programs. Following the signing of the Nairobi Declaration, former Kenyan president Moi announced an amnesty, “. . . Warning those trafficking in firearms to surrender all illegal firearms to the authorities within one Month.”<sup>38</sup> In 2001 and 2002 he ordered the residents of West Pokot, Marakwet and Baringo to hand over arms in exchange for amnesty. Pokot elders argued,

“It was difficult for the Pokot to live without guns, while their neighbours, including the Karimojong of Uganda, were allowed to use guns like walking sticks<sup>39</sup>.”

The amnesty period expired with no arms being recovered<sup>40</sup>. As a result, a public education campaign was launched to persuade the Pokot to surrender their weapons. Local leaders, in particular the chiefs, were used to educate their communities on the importance of giving up their arms. The government threatened to seize arms by force if co-operation was not forthcoming. In January 2002, the acting District Commissioner of West Pokot announced that the government was offering a further three-week amnesty period to West Pokot and Turkana residents to surrender all illicit arms, after which there would be a military crackdown<sup>41</sup>. However, this crackdown appears not to have materialized<sup>42</sup>. The most recent operation to disarm the Pokot took place in January 2004. Again, no arms were recovered.

The third strategy used by former President Moi was peace meetings with the pastoral communities. He hosted delegations from the affected areas to persuade them to stop

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<sup>36</sup> Field note interviews in Baragoi and Maralal March and August 2000 and August 2002.

<sup>37</sup> Ibid

<sup>38</sup> *Daily Nation*, 18 April 2001. “Moi offers one-month arms amnesty” See also *Daily Nation* 17 March 2000 “Kenya Issues amnesty on small arms”.

<sup>39</sup> Interviews Alale elders, Alale 3 August 2002. On 18 April President Moi gave a decree to all pastoralists in Kenya to surrender their arms. See also *Daily Nation*, 17 March 2000, “Kenya Issues Amnesty on Small Arms.”

<sup>40</sup> See for example *Daily Nation* 11 May 11 “Firearms amnesty ignored”

<sup>41</sup> See *Daily Nation* 11 January 2002 “State issues three week amnesty for illegal arms”

<sup>42</sup> This was due to the election which brought the National Rainbow Coalition (NARC) government to power

raiding. He gave amnesty to all who would surrender their guns. Amnesty was not very successful because it was rarely followed with more forceful action. The government backed off when politicians and community leaders complained. If people were certain that arrests would follow the amnesty period, they would yield, but if they think the threats are empty (and history has supported that view) they will not comply. But also it seems that elders would mostly prefer police and the state out of their lives, but when their authority is flouted by warriors or commercial elements they may be keen to involve police or soldiers against their 'enemies' therefore it is not a clear cut situation as it is ambivalence on both sides.

The policies of forceful disarmament, amnesty and peace meetings have failed, yet they continue to guide current national debates on the management of small arms. The use of force by the state widens animosity between pastoralists and the security or military forces, which in turn increases the vicious circles of violence and demand for arms.

The Kenyan Government has sought in recent years (since 2001) to develop a more sophisticated framework for co-operation with pastoral communities in pursuit of disarmament. To this end, it established a National Steering Committee on Conflict Resolution, which is still in existence. The aims of the committee are as follows:

To establish co-ordination, collaboration, and networking between government and civil society, with a view to strengthening and institutionalising effective national peace building and conflict resolution strategies and structures.

Its responsibilities includes: creating a database on actual or potential sources of conflict; developing a national policy on conflict resolution with an emphasis on integrating peace-building into development programmes; and organizing public consultation processes. The committee includes representatives from the Office of the President, from NGOs and religious organizations, and from the UN and donor agencies. An interim secretariat was created to serve the committee, which had the potential to lay a foundation for a more systematic and coherent approach to conflict management. The fact that it had the backing of the Office of the President meant that it could have played an effective role. To mark the third anniversary of the signing of the Nairobi Declaration on small arms, in March

2003, about 8,000<sup>43</sup> guns recovered from gangsters and cattle rustlers in various parts of Kenya were torched by the Kenyan Government.<sup>44</sup> The Nairobi Declaration on Small arms was on March 15, 2000 Government delegates from the Horn of Africa and the Great Lakes region concluded a four-day conference addressing the problem of the proliferation of small arms and light weapons. The representatives of Burundi, the Democratic Republic of Congo (DRC), Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Sudan, Tanzania, and Uganda signed the Nairobi Declaration, which attempts to tackle the problem.<sup>45</sup>

#### 7.4 The Case of Northern Uganda

This section considers past and more recent policy attempts to manage armed violence in Northern Uganda. The colonial administration had little impact on Karamoja until 1916 when the first police stations were established.<sup>46</sup> The aspiration of the colonial government was to limit migration by limiting access to dry grazing areas, by the creation of ranches, and by fixing district and local borders to prevent migration. The policy was to settle the pastoralists, which alienated the Karimojong. The Administration of Justice (Karamoja) Act introduced permits for anyone entering the areas. Olara Otum noted the consequences:

every time a government of the day made a deliberate attempt to alleviate the Karimojong problems the gun was not far off resulting in more conflict and the need for Karamoja to arm themselves.<sup>47</sup>

In the postcolonial 1960s and 1970s, lawlessness was seen as the principal bottleneck affecting the Karamoja region. The priority of colonial and postcolonial governments of Uganda was the establishment of law and order and respect for the state.<sup>48</sup> Just prior to independence, the Bataringaya security report of 1961 concluded that what was needed in Karamoja was a general showing of the flag in order to recover the lost prestige of

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<sup>43</sup> Daily Nation, 10 October, 2003 “8, 000 illicit firearms are destroyed in crackdown”

<sup>44</sup> However, given the soaring in armed crimes in Kenya one can only guess that many guns may still exist in civilian hands in Kenya. See Daily Nation 31 May, 2004 “High rate of crime causing jitters”  
[http://www.nationaudio.com/dailynation/nmgcontententry.asp?categirt\\_id=398newsid=88](http://www.nationaudio.com/dailynation/nmgcontententry.asp?categirt_id=398newsid=88)

<sup>45</sup> See <http://www.ploughshares.ca/CONTENT/BUILD%20PEACE/NairobiDeclar00.html>. On the Nairobi Declaration.

<sup>46</sup> As noted in chapter 3

<sup>47</sup> Olara Omara Kenya note address for the workshop on sustainable disarmament and development in Karamoja 22-23 November 2003.

<sup>48</sup> The Bataringaya Security Report, 1961 observed that “we are not dealing with men and cowardly thieves who know that what they are doing is morally wrong and is not admired by society they live in, we are dealing with determined brave warriors who will stop at nothing to achieve their aim... the only force that they respect is that

Government. The aim was to strike ‘holy terror’ among the people and show them that the Government has enough ‘warriors’ to combat their own and that they can reach any part of the District if and when need arises.

Therefore, the policy undertaken to address security in Karamoja was a military strategy<sup>49</sup>. This colonial militaristic approach involving seizures of livestock seems to have continued into postcolonial Karamoja. Okudi (1992) describes the 1970s.

The coercive arm of the state [the army and police] was taken to Karamoja to tame the pastoral society. In the process of exacting their dues, they acted with impunity and in disregard of the pastoral societies.

Under Amin’s regime, the Karimojong were forbidden from wearing their traditional dress of the skins and hides. The 1970s were times of continual raiding in Karamoja, and disarmament efforts were sometimes successful, which left Karimojong defenceless to external attack. In 1973 after refusing to obey an order to disarm, issued by the central government, over 300 people were killed (KWMP, 1997). During Amin’s overthrow (1979), fleeing soldiers looted and killed Karimojong creating fear.<sup>50</sup> During Obote’s first and second regime, he also used the militaristic approach and seizure of livestock.

After coming to power in 1986, the National Revolution Movement (NRM) government supported the development of the vigilante system. The vigilante/warriors were allowed to keep their guns for self defence, for protection of the communities and to patrol the roads by foot. Detachments were established at “black spots”, improving security to some extent.<sup>51</sup> The government also increased the presence of the army in Karamoja from one army barracks at Moroto to several barracks including the establishment of barracks at Abim and Irii and setting up detachments in several areas.<sup>52</sup> Shortcomings in the strategy existed. The detachments became the targets of warriors looking for ammunition and arms. The UPDF army also became the target. The army decided to respond by use of excessive force to solve the problem, which could have been solved with negotiation and

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only superior to their own and the only authority, that which can defeat them.”

<sup>49</sup> See for Amin’s times <http://www.monitor.co.ug/specialincludes/ugprsd/amin/articles/index.php>

<sup>50</sup> See chapter 4.

<sup>51</sup> Observation and interviews in 2001 May and June.

<sup>52</sup> The Ministry of Karamoja Affairs was also created.

meditation<sup>53</sup>. The army itself became the source of insecurity in the region by failing to link up properly with the local communities and acting on the basis of incorrect information provided by informers who were beneficiaries of past confusion.<sup>54</sup>

The result was loss of confidence in the UPDF by the communities. While the use of army and warriors provided an increased sense of security in the short term, in the long term it spiralled into a cycle of increased insecurity and violence. The increased violence led to crimes as it spread to Teso, Katakwi and Soroti areas. In brief, Uganda has attempted to deal with the pastoral crisis in the north through military force.

On 21 November 2003, warriors attacked two army detachments near Moroto, and in the long fight, the UPDF lost many men. On 22 November, the Uganda government responded by sending gun ships and a major operation was expected.<sup>55</sup> The situation raises doubts about the Uganda government's policy and its capacity to provide security for property and humans to Karimojong.

### **Branding**

The Uganda government has made substantial efforts to brand the pastoralists' animals. The programme started slowly in 1999 with sub-county brands, but there are problems. A Karimojong who steals Iteso cattle can say that he bought them in the market, as there is no efficient control mechanism. Interviews with cattle traders indicate that the warriors sell the cattle outside the market. Moreover, if they are taken to a different county, control is not guaranteed because of corruption. So branding as a control mechanism is largely ineffective.<sup>56</sup> The local council five Chairman of Kotido, told me that, "The branding exercise got stalled for lack of money to pay field workers."<sup>57</sup>

### **Disarmament.**

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<sup>53</sup> Field notes 2003 Interviews with elders, MPs and even the warriors and women noted this.

<sup>54</sup> See A New Vision 23 May, 1989; See also Muhereza 1997b

<sup>55</sup> Researcher's observations, 19-23 November 2003, in Moroto, Uganda.

<sup>56</sup> Fieldnotes from cattle traders, Interview Namalu, 24 January, David Moni 2004 and also Owalinga, John, Interview, Nabilatuku, 29 January, 2004

<sup>57</sup> Adome, Lokwii Callistus. Interview, Moroto, 22 November 2003.

The main government response has been voluntary and forceful disarmament, and the creation of paramilitary institutions to achieve security and peace in Karamoja.

Disarmament attempts in Karamoja have been the concern of both colonial and postcolonial administrations. The first attempt at disarming Karamoja was in 1962 in the widely publicized campaign named “*mukuki*”<sup>58</sup> which flopped. Ocan (1992:16) revealed that extreme brutality was used in 1966 and 1968. In 1973-1979, Obote used repression, and the Karimojong became bitter and mistrustful of the Government. Between Amin’s fall (1979) and Obote II (1985) two further attempts were made to disarm the Karimojong. In 1983-84 when Obote returned to power he received help from the Kenyan military, including use of helicopters, and he again tried to disarm the Karimojong using force and brutality. In all these attempts, the Karimojong managed to defeat the army.

President Yoweri Museveni tried to disarm the Karimojong in 1986. An attempt by his government to disarm Karamoja failed miserably even after many elderly Karimojong were captured and tortured. Concerning Museveni’s attempt at disarmament, an eyewitness said:

The soldiers gathered the old men and took them five kilometres away in order to find out where the Karamoja had hidden the arms. The elders told them that the arms were with the warriors, on the other side of the river. There are six thousand warriors with arms all of them waiting for you. The soldiers were beating old men with their hands tied behind their back, in an effort to find out where the arms were hidden. All they said was, the arms are with our sons.<sup>59</sup>

Some of the adults who were tied up had to have their arms amputated. Many died from the serious injuries inflicted on them by the soldiers.<sup>60</sup>

In recent years there have been periodic offers of amnesty to those who gave up their guns, but these initiatives have still been heavily based on coercion. As noted by the Uganda Human Rights Commission in a workshop in Moroto, “Force became the accepted method to settle the problem of Karamoja.”<sup>61</sup> These efforts have also been

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<sup>58</sup> Spears

<sup>59</sup> Field notes November 2003

<sup>60</sup> *ibid.*

<sup>61</sup> Aliero, Qmara, Uganda Human Rights Commission, Speech opening the workshop on Sustainable Disarmament and Development Stakeholders Workshop, 22-23 November, 2003. Mt. Moroto Hotel, Karamoja, Uganda.

overwhelmingly unsuccessful; though one can argue that. Carrying guns in public, which earlier was widespread, has ceased, as observed in the field in November 2003. The use of force instead of solving the problem has further alienated the Karimojong from the government of Uganda.

#### **7.4.1 The Weapons Collection Exercise from 1999 to 2nd December 2001**

Insecurity and atrocities rising from cattle raids by armed warriors sparked an outcry among the neighbours of Karamoja. In response to the violence on 2 October 1999, President Museveni set up the Karamoja Parliamentary Group to investigate the situation in Karamoja and make recommendation for the reduction and control of firearms in the region. This was done between 18 and 29 October. Among the overall recommendations of the group was:

1. A process of voluntary and participatory disarmament by the vigilantes to be preceded by a conscientization programme, supervised by independent observers. Individual gun owners were to be rewarded with a 'resettlement package'
2. A re-organization of the security system with complete overhaul of the existing infrastructure in Karamoja, and that the UPDF be deployed at border crossing points to secure Karamoja against infiltration from Kenya and Sudan;
3. The establishment of a more adequate judicial response to cattle raiding, and a Presidential Peace and Development Commission to coordinate peace and development in Karamoja;
4. The disbanding of the concentrated kraal cluster system of settlement by replacing with a more dispersed mode of settlement as to prevent the organization of large-scale raids; and finally the construction of dams to limit the migratory movement of cattle<sup>62</sup>.

In March 2000, a motion was tabled in parliament that later was incorporated in recommendations for security and disarmament in Karamoja. Parliament, in April 2000, resolved that the Karimojong were to be disarmed. In July 2000, a seven-month community-based initiative was announced which contained some innovative measures.

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<sup>62</sup> Interview Honorable Lokeris Peter, Kampala January 2004.

In addition to offering amnesty to those who gave up their guns, the Ugandan government agreed to compensate them. By doing this, government acknowledged that guns are an important economic asset, as well as crucial for security. The initiative also sought to turn those who did surrender their guns into ambassadors for disarmament by using them in sensitisation activities<sup>63</sup>. The authorities also tried to tackle the counter-productive activities of vigilante and Local Defence Units. It was decided to reduce the number of vigilantes on the Ugandan side of the border from the estimated 8,000<sup>64</sup> to 146 in each sub-county and provide them with training.<sup>65</sup> This involved demobilizing 854 vigilantes in each sub-county from the previous complement of 1000. The remaining vigilantes were to be placed under much closer supervision by the UPDF.<sup>66</sup> These steps were accompanied by the most sustained efforts yet to close off the routes into Uganda used by small arms traders. The Uganda/Sudan and Uganda/Kenya borders were supposed to be sealed. Disarmament was delayed until December 2001, when phase 1 of the initiative began.

The exercise was supposed to be in two phases. Phase one was a voluntary disarmament period from 2 December 2001, to 2 January 2002 (later extended to 14 February)<sup>67</sup>. The second phase, forceful disarmament followed from February 2002, to date. President Museveni himself went to Karamoja and spearheaded the sensitisation process before launching the programme. The incentives provided were ox-ploughs and one bag of maize flour for those that relinquished a gun. The mobilizers mainly the kraal leaders were supposed to be given iron sheets. Interviews with members of Parliament and other local leaders disagreed why about disarmament started when it did. They argued that Museveni was under pressure from the Teso and Acholi members of parliament to address the insecurity caused by the Karimojong.<sup>68</sup> Being an election year, and being under pressure, he decided to go ahead and disarm, despite not being sure that disarmament would succeed.

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<sup>63</sup> Field note Interviews Nakapiripirit, Moroto and Kotido districts June 20001, 2002 and 2003.

<sup>64</sup> Discussed in chapter 4

<sup>65</sup> Father Bosco, interview, Amudat, Uganda, 16 July, 2001

<sup>66</sup> Lokeris Peter op cit.

<sup>67</sup> And now being renewed afresh again see Monitor 9 July, 2004 "Kayanja heads to Karamoja  
<http://www.monitor.co.ug/specialincludes/mplsups/rwandagen/gen4.php>

<sup>68</sup> In the run up to the first Presidential elections under the movement system in 1996, the Karimojong warriors had wreaked so much mayhem in neighbouring districts that cattle rustling was to become a critical electoral issue among the opposition who wanted to discredit President Museveni. The President pledged in his manifesto to end cattle rustling by the Karimojong.



Museveni was under pressure to disarm the Karimojong but also, afraid that human rights organizations would complain. He included NGOs, human rights organization and faith based organizations to be involved in the disarmament in an attempt to improve civil/military relations and restore the confidence of ordinary Karimojong. Also the Uganda government needed money from donors. The first step to disarmament was the formation of Civil Military Operation Centres (CMOCs), independent of the military and government which followed a workshop hosted by the Moroto NGO Forum (Riamiriam), the Uganda Human Rights Commission (UHRC) and Human Rights Development Programme (HRDP). It was attended by civil society organizations, religious and political leaders to discuss the way forward during the disarmament process. These CMOCs were information points and centres, established to assist the population displaced during the disarmament process. CMOCs had the following mandate: (a) to co-ordinate with district teams of civil society, local government and traditional leaders; (b) to assist anybody displaced by the disarmament; (c) to receive complaints against the military and take remedial actions including referral, and; (d) to gather information for all stakeholders including media (UHRC, 2002). The concept clearly emphasized human rights and required fresh mechanisms within which to operate.

The CMOCs were intended to forestall situations that threatened human rights, and to build confidence in the disarmament process. They would provide legitimacy to the disarmament programme as an exercise to rid the region of danger. They would provide a basis for the continued involvement of the army and civil society in solving conflict on a common front. They would enhance transparency in issues of human rights, especially concerning the army's involvement. The final advantage was the link with ordinary citizens and the issues affecting them. The CMOCs were initially planned to function for the duration of disarmament (Ogwang, 2002: 1-2). However the spirit of the CMOCs changed when disarmament switched from voluntary to forceful methods, as everything was a promise and not a reality. Active members such as churches, donors (HRD-Dandia/EU) found it impossible to continue their cooperation when the disarmament efforts changed to use force.

According to interviews, in the initial stages of disarmament CMOCs had relative success. They created good relations between the public and the security and increased community

awareness regarding the illegality of carrying small arms. In June 2001, when I first visited Karamoja, carrying guns in public was common, but in February 2003 only a few warriors could be seen with guns, and in November, 2003, the carrying of guns in public was not common. Recovery of small arms was considered good as nearly 10,000 arms were recovered with no bloodshed during the voluntary phase of disarmament. Though it is not clear if the arms handed in were in working conditions. This was the first time in 100 years that arms were handed in voluntarily, so this was an important achievement. This was attributed to the sensitisation work of the CMOCs whose mere creation was evidence that the highest officials in Uganda were aware of the problem of human rights abuses in the Karamoja region.

Despite the achievement of the CMOCs, numerous challenges and constraints led to their failure. The former Resident District Commissioner for Nakapiripirit told me that they failed because of weak co-ordination at all levels between the Uganda Human Rights Commission, the office of the prime minister and local governments. “They are no longer functioning as of 2003”.<sup>69</sup> One senior government officer interviewed said, “CMOCs was only on paper. It was never practiced. The disarmament was being talked about in the offices, but the main stakeholder was the army.”<sup>70</sup> Women who were asked to comment on CMOCs said that the communities did not understand their importance.<sup>71</sup>

Problems with the CMOCs included inefficiency, a vague mandate, and lack of sufficient funding. The budget included operations, staff salaries and allowances, transport, centre activities, capital development.<sup>72</sup> The funding turned out to be insufficient. In Nakapiripirit the CMOCs received money from Lutheran World Federation already allocated to different activities. And a struggle developed by the various parties to control the funds, which undercut the smooth operation of the CMOCs, implying in general, that

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<sup>69</sup> Lochap Peter Ken, Resident District Commissioner Nakapiripirit, Interview, Nakapiripirit, 26 Sunday, 2003. Also Honourable Lokawua, Michael. Interview Kampala. 17 May 2003. Also, Interview with a Member of Parliament who did not want to be named. Kampala, 18 May 2003

<sup>70</sup> It included the personnel of centres, and representatives of Lutheran World Federation and consultants.

<sup>71</sup> Recommendations of the workshop on security for the communities of Karamoja. Organized by Pax Christi, Karamoja Agro-Pastoral Programmed and Kotido Peace Initiative (KOPEIN). Held at Mt. Moroto Hotel, 20-21 November 2003.

<sup>72</sup> Each item was costed and a total of Uganda Shs. 111,622,000 per year was budgeted, of which capital items amounted to Uganda Shs. 58,950,000 and in-kind contributions amounted to Shs. 8,760,000, leaving a recurrent cost of Shs. 43,912,000. The funding came from international donors, and was channelled to the Uganda Human Right Commission, which in turn channelled it through the Lutheran World Federation in Moroto.

accountability was poor. However, the question remains: If the CMOCs had been better managed, and if the donors had diversified their support, would they have been effective? One is left to wonder, was the disarmament meant for the donors, Uganda central government, NGOs, faith based organizations or the community?

A further problem was that seconded staff did not have terms of reference, and no procedures for their engagement were in place. Planners assumed that the military would share facilities, such as transport and offices, with civilians, which never worked. At the time of their conception, it was assumed that civil society would play a large role in running the centres. However, during the disarmament operation, civil society was not strong enough to provide the level of participation or capacity that was needed, and community based organizations could not handle the task due to lack of training.<sup>73</sup> Hence the UPDF ended up running the CMOCs.

The CMOCs were not gender friendly; women felt most uncomfortable (Ogwang, 2002). No single CMOC had a woman representative,<sup>74</sup> yet they play a major role in the pastoral conflict and suffer most due to insecurity. This was unfortunate, for women played an effective role in convincing their male partners and sons to deposit guns at collection centres.<sup>75</sup> Kuskus of Karamoja Agro Pastoral Development (KAPD) noted, “We had a lot of women complaining of violations of their rights.”<sup>76</sup> Warriors, who are the arms users and perpetrators of crimes, were also excluded, especially in Nakapiripirit.<sup>77</sup> Furthermore, there were only 3 CMOCs located at district levels. No CMOC was located at the sub-county levels where a majority of the community lives and arms exist; this adversely affected operations at community level.

The relationship between CMOCs and local government started well but it later

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<sup>73</sup> Field notes interviews January- February 2003, May and November 2003 also for details see Gomes and Mkutu, 2004, Mkutu 2003.

<sup>74</sup> Several different women confirmed this during researcher’s visit to Moroto in November 2003.

<sup>75</sup> See for example ADOL, 2002:22 “The (women) expressed willingness to continue persuading their husbands and sons to voluntarily surrender the guns. They contended that wars have disrupted family life. The misuse of guns has created a large population of widows and orphans and emphasized that they would rather not be widows and have orphans as a result of the continuing armed conflict. While the (girls) continued to persuade their brothers and fiancées to surrender the guns. They argued they would not want to have absentee husbands or being widowed while young”.

<sup>76</sup> Kuskus, Michael. Interview, Moroto, 30 January 2003.

<sup>77</sup> Interviews with warriors during researcher’s visit 19-23 November 2003. They confirmed that they were not included. The elders and kraal leaders interviewed also confirmed this.

deteriorated. The local government leadership accused the CMOCs of running independently.<sup>78</sup> Coordination with the Resident District Commissioner was weak. In Kotido, people complained that the Resident District Commissioner was persistently unavailable, though during a workshop in Mbale he denied this was a problem<sup>79</sup>.

The CMOCs mandate and responsibilities were not clearly spelt out. This led to a lack of proper training for personnel. Moreover, the relationship between the CMOCs and other institutions was not clearly defined. The responsibilities of UPDF were also said to be confusing, as the military took over the day-to-day running of the CMOCs, which undermined their civilian character especially in Nakapiripirit and Moroto. As funds dried up, all other civil society organizations disappeared, leaving the army to do the work.

Another criticism of the CMOCs was the absence of liberty at the centres for granting victims of human rights abuses the privacy to speak freely. When these violations are of a sexual nature, such privacy is essential if the victim is to avoid re-traumatization. No procedure was put in place to monitor and evaluate the performance of the CMOCs, to enhance planning and to ensure that lessons were being learned.

#### **7.4.2 Voluntary<sup>80</sup> Weapons Collection Phase**

The process of disarmament had two phases, the first voluntary and the second coercive. Meek (2000:168) notes “little research has been done on voluntary weapons collection as a means of reducing firearms... there is also little material available for research or evaluation.” Weapons collections have a lot of controversy. This section examines their success in North Rift and some of the challenging issues. During the first phase of disarmament many arms were turned in. Figure 7.1 shows the number of small arms collected per county by June 2002.

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<sup>78</sup> Achia, Terrance, LC5 Moroto. Interview, 30 January 2003.

<sup>79</sup> Workshop on The Challenges of Small arms, Capacity Building for Development in Karamoja. Organized by SNV/Pax Christi 15-17 May 2003, Mbale Uganda.

<sup>80</sup> Voluntary has been attempted in several countries, Albania, US, Australia, South Africa, El Salvador, by the US army in Haiti and the United Nations in Eastern Slavonia. Most recently in Sierra Leone and Liberia.

**Figure 7.1 Arms Recovered 2 December 2001–15 February 2002**

Counties	Units	SMG Ak47	SAR	SLR	G.3	LMG	U2 gun	She gun	M4	NATO	Pistol	Home made	RL <sup>81</sup>	Total
Labwor	67	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	67
Jie	67	1026	170	0	182	2	8	4	49	6	2	N/A	0	1516
Dodoth	75	1614	191	12	186	5	9	4	31	17	0	4	1	2149
Kotido		2640	361	12	368	7	17	4	80	23	2	4	1	3519
Matheniko		967	125	10	170	N/A	10	2	28	9	2	4	0	1327
Bokora	61	1337	110	70	47	1	20	3	14	0	4	3	1	1671
Pian		820	112	60	49	N/A	21	9	16	7	0	2	0	1096
Chewii		608	103	50	130	N/A	7	3	30	5	0	8	0	944
Pokot		744	140	42	82	N/A	9	11	22	10	0	N/A	0	1060
Moroto		4,476	590	232	478	1	67	36	110	31	6	17	2	6046
<b>Total</b>	<b>270</b>	<b>14232</b>	<b>1902</b>	<b>488</b>	<b>1792</b>	<b>16</b>	<b>168</b>	<b>76</b>	<b>380</b>	<b>108</b>	<b>16</b>	<b>42</b>	<b>5</b>	<b>9,640</b>

Source: 405 Infantry DDE headquarters. Also see Mkutu 2003:30-31

In Kotido County 3,519 small arms were turned in, while in Moroto, which included the new district of Nakapiripirit, 6,046 small arms were voluntarily surrendered. The AK47 was the most fashionable gun, followed by SAR and G3. During the voluntary disarmament 42 homemade arms were also turned in, which confirms that the community has the capacity to manufacture their own guns, as the pastoralists have local gun makers. Only the Jie and Pokot did not hand in any home made guns, but that does not mean they do not possess the skills. It is worth noting that the Jie and Dodoth possessed the most sophisticated arms. These tribes are located closest to Sudan and have easy access to belligerents in the Sudanese civil war that are believed to supply weapons.

### **Forceful Weapons Collection to Date**

In interview Honourable Lokawua Lotee<sup>82</sup> said,

Today, if you ask the UPDF, they will tell you that the disarmament is still going on, both voluntary and forceful, but mostly forceful. According to us, it collapsed, and we need to resume.<sup>83</sup>

<sup>81</sup> Rocket launcher

<sup>82</sup> Lokawua is the Presidential Advisor on disarmament.

<sup>83</sup> Interview Honorable Lokawua, Michael. Kampala, 18 May 2003. Observation in the field in November 2003,

Figure 7.2 accounts for the arms that have been collected since forced disarmament began.

**Figure 7.2 Forceful Weapons Collection 15 February 2002 to April 2004**

Counties	Units	SMG	SAR	SLR	G.3	LMG	U2 Gun	She GUN	M4	NATO	Pistol	Homemade	RL <sup>84</sup>	Total
Labwor	67	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	36
Jie	67	172	17	N/A	1	N/A	N/A	N/A	2	3	N/A	N/A	N/A	195
Dodoth		237	10	1	9	2	N/A	N/A	4	1	N/A	1	N/A	265
<b>Total Kotido</b>		409	27	1	10	2	N/A	N/A	6	4	N/A	1	N/A	496
Matheniko		203	10	3	1	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	220
Bokora	67	193	8	1	4	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	208
Pian		123	9	4	3	N/A	N/A	N/A	4	N/A	N/A	1	N/A	144
Chewii		182	3	8	2	N/A	N/A	N/A	3	2	N/A	3	N/A	203
Pokot		72	3	1	3	-	-	-	-	-	-	-	-	79
<b>Total</b>		773	33	17	13				2		9			854

Source: 405 Infantry DDE headquarters.<sup>85</sup> Also see Mkutu 2003:30-31

Compared to the voluntary weapons collection period, coercive weapons collection in the region yielded 854 weapons to date.<sup>86</sup> By comparison, not much has been achieved with forceful disarmament. In total, approximately 10,494 guns have so far been recovered from Karamoja. Again, though small, the 40 homemade guns collected is significant. The target for total guns removed from circulation was 40,000.<sup>87</sup> Efforts at forcible disarmament continue at the time of writing. In January 2003, the UPDF stated that the number of weapons collected as of April 2004 was 10,494,<sup>88</sup> or only about a fourth of the target. It is surprising that despite this number of arms being collected, overall misuse of guns is said to have increased<sup>89</sup> and now the state security personnel are victims<sup>90</sup>. An issues that must be noted is that the disarmament meant to collect the arms that were

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and even September – October 2004 confirmed this to be true.

<sup>84</sup> Rocket launcher

<sup>85</sup> See Action for Development for Local Communities (ADOL).

<sup>86</sup> Some interviews indicated 1949 arms.

<sup>87</sup> UPDF, 'The Security Situation and Disarmament Programme in Karamoja Region' (briefing to participants at the National Strategic Planning Workshop for Karamoja, 24 January, 2003). Available at <http://www.karimoja.org>.

<sup>88</sup> UPDF. Op. cit.

<sup>89</sup> See Olara Otum, Uganda Human Rights Commission, Keynote address for the workshop on Sustainable disarmament and Development in Karamoja, 22-23 November 2003, Moroto hotel. See Daily Monitor, 23 April 2003. "K'jong raid Lira, hundreds displaced" <http://www.monitor.co.ug/archives/2003main/apr/news/0420/news3.php>. See Daily Monitor 25 November 2003. "Insecurity worries Karamoja NGOs" <http://www.monitor.co.ug/archives/2003main/nov/news/1125/news9.php>

<sup>90</sup> See Olara Otum, Uganda Human Rights Commission, Keynote address for the workshop on Sustainable disarmament and Development in Karamoja, 22-23 November 2003, Moroto hotel. See Daily Monitor, 23 April 2003 "K'jong raid Lira, hundreds displaced".

already in the hands of pastoralists but the supply side was not addressed, for arms reduction to operate the supply side must be addressed. In addition, reliable sources indicated that the weapons that returned were the unwanted or non-operational guns, in order to get something back. Lastly most of the arms collected in Karamoja were not destroyed but some have been re-circulated back to the community.

### **7.4.3 Challenges of Weapons Collection in Uganda and Kenya.**

The limited degree of disarmament failed to reduce violence and insecurity for several reasons. First was the northern security threat from the Lords Resistance Army. Just as the disarmament process started, the Lords Resistance Army hit, and the security forces were taken to the north to fight. Secondly the pastoralists lost confidence in the ability of the government to protect them; law and order failed. As argued by Honourable Lokawua:

A Karimojong is very intelligent. When Museveni came up with disarmament and said he'd protect the Karimojong if they gave in guns, the Karimojong gave him time. He came and in the first round most of the guns collected were archaic arms, those no longer useful, those that were not firing etc. The second lot was good. The people were still studying whether what he (Museveni) said would still happen. When they saw that the situation was not in their favour they started saying they'd better be patient with this because for them they don't come for raiding just at once e.g. 20 cows. They start with one then they see whether you'll follow and recover or not. When they take one today, tomorrow they'll come for two, the next day three and by the next month everything. So they were still at liberty because what was promised wasn't in place. The Local Defence Units they talked of were not in place. Because Local Defence Units were starving, there was no motivation for them; they were suffering in the same way the warrior does. So they didn't do anything. When the army especially chased the Bokora from the Katakwi side, they thought that the government would do as it had been saying. Everybody gave in guns. Some people had many guns, e.g. if you have three women, each with around six mature sons. It means all 6 of them have guns. So I pick one and take to Museveni and I'm given a certificate. How about the others that remain at home? Thus the surrendering was also not genuine. They were strategic in giving and they

wanted to test the government.<sup>91</sup>

During the Mbale workshop a participant noted that most disarmament in Karimojong has been half hearted. Instead of taking guns, the army has taken cattle. The Local Council 5 chairman of Kotido noted, "Collection of guns was priority, leaving cattle rustling unabated."<sup>92</sup> The situation is getting worse, with more raids."<sup>93</sup>

The pastoralists are re-arming, especially the Pian. During interviews in the field, the owner of one of the largest *kraals* in Amudat said,

The people of Lorengwat called on the Pokot to have peace with them. All their guns were taken during the time of peace disarmament, and they revenged by raiding Lorengwat, and the people of Lorengwat hit back. With this incident, the disarmament slowed as people started refusing to turn in their guns.<sup>94</sup>

For the purpose of building confidence among the Pian, home guards that were considered vulnerable to attack from neighbouring ethnic groups were re-armed to protect them. This was done because of constant attacks of one clan by another without response from government forces would undermine the disarmament programme.<sup>95</sup> However, instead of using the guns for the purpose they were meant for, they turned them against the Bokora and Matheniko in the region, altering the balance of forces in favour of Pian<sup>96</sup>. Interviews indicated local politicians encouraged this, in retaliation for what they went through before the re-arming of the home guard. For example, on December 29, 2002, Pokot clashed with Pian and murdered 10 people in Namalu sub County, of whom two were children.<sup>97</sup> Therefore, one cannot pursue disarmament in isolation from the factors that prompt people to use guns. The lack of a mechanism to control the arms flows intensifies raids.

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<sup>91</sup> Honorable Lokawua. Interview op. cit.

<sup>92</sup> Adome, Lowkii Callistus LC5 Chairperson Kotido, Interview, Moroto, 22 November 2003.

<sup>93</sup> Participant, "Breaking the Spiral of Violence: Building Local Capacity and Development in Karamoja, Uganda." Mbale, Uganda. 15-16 May, 2003. In November 2003, "Security for the people of Karamoja and its Neighbouring Districts: the Way Ahead," workshop organized by Pax Christi Netherlands, in partnership with Karamoja Agro-Pastoral Development and Kotido Peace Initiative. Mt Moroto Hotel, 20-21 November 2003. Observation indicated that the insecurity situation in Karamoja had worsened with the warriors openly attacking the army detachments.

<sup>94</sup> Lowogonie, James, kraal leader. Interview, Amudat, 27 January 2003.

<sup>95</sup> The Pian, for example, would lose confidence in the ability of the UPDF to protect them

<sup>96</sup> In mid November, the army carried out a three-day operation against the Pian to crack down on warriors who killed 21 people and raided cattle in three separate incidents in Ngariam sub-country, Katakwi in September. See Etengu Nathan, 2003, "K'jong kill 26 rustlers" New Vision 1 December p.9

<sup>97</sup> During site visit in January 2003, investigator saw the graves of the children. The raid reportedly was a revenge



The incentives to disarm were inadequate and some were impractical. Initially people were optimistic about disarmament, some even expecting the incentives to transform their livelihood from dependence on cows to other sources of income. They were hopeful for a “Marshall Plan” by the Ugandan government to make up for years of marginalization. In interviews in June 2001, people in the affected communities talked about tractors<sup>98</sup>, micro-enterprise projects, roads, electricity and security, to open up the area<sup>99</sup>. The Minister for Karamoja Affairs thought that the Karimojong should receive adequate compensation for the guns they would surrender during the voluntary disarmament program. The Karimojong consider the gun a currency that they can use to acquire other utilities as well as for guarding their wealth. The cry of the Karimojong is, “If you take them away, what shall we remain with? Give us *entandikwa* (money) so we can do arable farming and general commercial activities.”<sup>100</sup>

The views of the minister coincide with opinions held by many of the Karimojong interviewed. Chepsok argued that they did not steal the guns; they bought them as an investment and to protect themselves, so it would be justified if they were compensated when the guns were surrendered.<sup>101</sup> Comments from elders, women and warriors, indicated that the people are tired of having the guns around, but many of them stated that guns are an investment. “We bought them using our cows.” Though willing to hand them in, they were not willing to hand them in free. The lack of jobs to occupy youths who might voluntarily hand in their guns instead made them revert to raiding. Further, they claimed that security must be guaranteed by both states (Kenya and Uganda) before disarmament. As noted in a *Daily Monitor* ;

The Karimojong behavior can be attributed to the failure of successive national governments to protect them from the Toposa, the Turkana, the Pokot and to a certain extent inefficient NGOs.<sup>102</sup>

The incentives given fell short of what was needed; many people sold the ploughs given

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raid.

<sup>98</sup> In areas like Namalu, Napak, Irimi agriculture is possible.

<sup>99</sup> Mkutu 2003 op cit.

<sup>100</sup> Lokeris, Peter. Interview, Jinja, 12 November 2001.

<sup>101</sup> Chepsok, Christine, op. cit.

<sup>102</sup> Daily Monitor, Bullets, not guns are the problem in Karamoja, 20 February 2002.

them because those living on mountains, the plough was hopeless. Honourable Lokeris informed me;

For the Pokot, it is sacrilege to tie a plough to an ox. They may have sold their ploughs. The Tepesi on the mountains may also have sold theirs because the mountain terrain doesn't allow the use of the plough. However, those who are selling are selling them within, e.g. from Pokot to Pian.

They are not selling them to outsiders.<sup>103</sup>

The giving of ploughs was also problematic as it reminded the pastoralists of past failed policies which focused on agriculture and attempts to settle them which the pastoralists resisted. Moreover, the ploughs were not equivalent in value to the guns surrendered, and the criteria for their distribution did not make clear who should receive them.

As weapons collection proceeded, raiding intensified, commercial raiding increased, and efforts to stop the raiding failed.<sup>104</sup> In May 2002, Karimojong fighters resisting disarmament reportedly killed 19 soldiers. The UPDF retaliated by setting fire to several Karimojong homesteads. At least 13 warriors were killed and the UPDF captured several weapons. A few days later, UPDF soldiers stripped and paraded over 50 Karimojong in Moroto town. The move followed the passing of a by-law prohibiting Karimojong men dressing in *sukas*.<sup>105</sup> The by-law was justified on the grounds that warriors were hiding weapons under their *sukas*. The order was also intended to enforce moral sanity in the Karimojong whose men walk naked to this day.<sup>106</sup> This in turn led a group of women from Rupa and Nadunget villages to protest in Moroto town, chanting songs critical of President Yoweri Museveni.

On 3 January 2003, at the apex of the disarmament process, the Upe Pokot with the assistance from their cousins in Kenya raided a Pian settlement in Namalu. It was reported that they took 600 cows (my sources indicated 200) and killed two warriors and two shepherds.<sup>107</sup> Apparently, it was a revenge raid undertaken after the Pian from Nabilatuk attacked Pokot *kraals* in Achirichori on 12 December 2002, and took 60

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<sup>103</sup> Lokeris, Peter, Minister for Karamoja. Interview, 22 January 2003.

<sup>104</sup> Hon. Adome, op. cit.

<sup>105</sup> Sheets of cloth wrapped around the body

<sup>106</sup> *New Vision*, 14<sup>th</sup> May 2002.

cows.<sup>108</sup> Three weeks later, on the evening of 6 January 2003, a group of UPDF, Local Defence Units (LDUs) and elders from Namalu moved to the village where the footprints were leading. On the way, a Pian diviner foresaw problems, and the elders did not continue. As the elders retreated, Pokot warriors ambushed the UPDF and the LDUs, and 12 UPDF were shot dead. Eleven soldiers were injured, and eight taken to Amudat hospital.<sup>109</sup> These events amongst others show that weapons collection did not help transform the livelihood of the Karimojong but intensified inter-ethnic conflicts between neighbours and created a new dimension.

Further, disarmament did not succeed because of the porous borders; the ethnic groups straddle the border and can move from one country to another when disarmament is taking place on one side.<sup>110</sup> When the situation is bad in Kenya, they move to Uganda and vice versa. For example, there were many temporary displacements of Karimojong from Jie County and Pokot from Loroo and Karita. Some Dodoth were reported to have fled to Kenya with their livestock and arms to avoid disarmament. "These Pokot do not trust that the disarmament is for real; they think it is a trick from the government to take guns away from them and leave them at the mercy of their perennial Karimojong enemies."<sup>111</sup> "You cannot determine a Kenyan Pokot and Ugandan Pokot. When the situation is bad in Kenya, they move to Uganda and vice versa. This makes it impossible to manage them."<sup>112</sup> The result is insecurity and tensions in the receiving areas.

A further problem was identified by Peterken, who noted: "Disarmament failed because it did not have a structure".<sup>113</sup> Disarmament actually increased insecurity, according to interviews with Pokot elders, who said, "We gave Ugandans guns in exchange for peace and pasture."<sup>114</sup> The UPDF had increased its military on the border areas from 150 in 2001 to 600 by 2 August 2002, especially at Karita. As a result, the Pokot noted that they could not access pasture because of the UPDF's presence. On the Kenya side there is not enough water and pasture. Grass and water is at Achirichori in Uganda. The elders argued, "We

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<sup>107</sup> Visit site of raid and interviews with the bereaved, warriors and elders, Namalu, Uganda 17 January 2003.

<sup>108</sup> Field notes from Amudat interviews January 2003 and interviews in Moroto November 2003.

<sup>109</sup> Field notes January, 2003

<sup>110</sup> See for example Kenya Times 19 March 2004.

<sup>111</sup> *New Vision*, 18 December 2001; *Daily Nation*, 30 December 2001.

<sup>112</sup> Nyogesa, Joseph. Interview, Alale, West Pokot, 2 August 2002.

<sup>113</sup> Interview, the former Resident District Commissioner for Nakapiripirit, Moroto, 22 November 2003. op cit.

<sup>114</sup> Investigator's field notes, 2002.

have been lied to, and now we need more guns to protect ourselves.”<sup>115</sup> One of the Pokot elders most wanted by the Uganda government said:

UPDF crossed recently and we got together [fought them] and kicked them back. We are the security of the border. I am wanted in Uganda because of the recent fights in Uganda between the Uganda People Defence Force and Kenya Police Reservists. We hear they want to come and steal our cows. The Uganda Peoples Defence Force is beating common *wanachi* [citizens],<sup>116</sup> who are not army, non-combatants, fighting them with bombs. Our cows are in Uganda because of pasture and water. We need government to intervene for pasture so that the UPDF do not interfere. Our cows are in Uganda. Talk to the officers in Uganda. When my cows move into Uganda I do not want to fight with anyone.<sup>117</sup>

Interviews in Alale, West Pokot indicated that in the battle between the UPDF and Pokot, referred to above, the UPDF lost 28 men and arms to the Pokot<sup>118</sup>.

In conclusion recent weapons collection efforts in Uganda and Kenya are a source of spreading insecurity and tension as the armed pastoralists migrate from insecure areas to safe areas to avoid disarmament; thus insecurity spills to other areas. A half-hearted process of disarmament in one community while arming another community creates an arms demand and imbalance as the disarmed community looks for arms to avenge and protect itself. Most of the arms turned in are obsolete, not semi-automatic rifles or handguns. Uganda lacks a transparent disposal mechanism for relinquished small arms. There is need for a system of arms disposal to assure the pastoralists that weapons collected will not return in the hands of enemies to terrorize them. Women are heavily involved in the conflict and greatly influence their husbands and children, but the weapons collection process seems to ignore them. Furthermore, measures seem to focus only on gun control, though the proliferation has already occurred, so this needs to be reversed and at the same time incoming supply quelled. For any weapons collection to succeed, enhanced security provision and political will by the central states (governance) is a key.

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<sup>115</sup> Ibid.

<sup>116</sup> The LC5 Moroto Lokwii, op. cit, confirmed this.

<sup>117</sup> Mr. Armoit, elder. Interview, Naupongy, Alale, West Pokot, Kenya, 2 August 2002.

<sup>118</sup> Interviews, Alale, Kenya, August 2002

## 7.5 Co-operation Between the Two Governments

One outcome of widespread insecurity in the Horn of Africa has been the growth of regional groupings to address the problem, though no formal sub-regional mechanism exists. The purpose of such groupings is to enhance human security through building strategies to the advantage of each of the member states and harmonizing security, foreign and trade policies at a regional level. In this regard Kenya and Uganda are members of the Common Market for East and Southern Africa (COMESA), East African Co-operation (EAC) and Intergovernmental Agency for Development (IGAD). The overlap of sub-regional groupings makes it difficult for any one of them to formulate a coherent policy, though the most potentially significant is the East African Co-operation.<sup>119</sup> A key focus in these developments is the relaxation of restrictive border and customs controls. This change aims to increase legitimate mobility of goods and people, but the situation can be exploited for arms smuggling.

Since 1997, both Kenya and Uganda have made attempts to develop a more co-ordinated approach to peace and security on their common border. In May 1997, they organized a joint peace meeting between the Turkana and Pokot from Kenya and the Upe Pokot and Karimojong from Uganda. Mr. Yusuf Haji, then the Provincial Commissioner of Rift Valley Province, headed the Kenyan delegation. Hon Peter Lokeris, the Minister of State for Karamoja, led the delegates from Uganda. There were three main outcomes from the meeting. Firstly, in order to improve security co-operation, it was agreed to increase border patrols and establish or reopen border posts. It was also agreed that there should be improved exchange of intelligence. Operational responsibility was given to the Provincial Police Officer (PPO) and the District Commissioners for Turkana and West Pokot on the Kenya side, and the Anti Stock Theft Unit, the UDPF and Resident District Commissioners of Moroto and Kotido districts on the Ugandan side.

Secondly, various development programmes were identified as priorities, including the building of link roads, water development, development of human and animal health services, and access to basic education and telecommunication service. Lead responsibility

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<sup>119</sup> Often countries are members of different overlapping regional groupings pursuing similar goals, which create competition for the meager resources available.

on the Kenyan side was assigned to the chairmen of the District Development Committees and District Education Boards who are the District Commissioners for Turkana and West Pokot. On the Ugandan side lead responsibility was given to the Chief Administrative Officers and to the Local Council 5 chairmen of Kotido and Moroto districts, working with the Permanent Secretary to the Minister of State for Karamoja.

Thirdly, it was agreed that there should be regular follow-up meetings and monitoring.<sup>120</sup> Important as these agreements were, vital questions of governance, marginalization, the weakened authority of elders, and the broader relationship between security and development, were barely addressed. Despite agreement that there be regular high-level meetings to co-ordinate actions, relatively few have taken place. The Ministry of State for Karamoja has continued to liaise with the Kenyan Government, and this has produced occasional positive results. In May 2002, with clashes intensifying between the UPDF and the Karimojong, the Kenyan Government agreed to disarm pastoralists crossing into Kenya from Karamoja region and return their weapons to the Ugandan authorities. This produced little in practice. There were also reports that Kenyan government officials had encouraged Upe (Ugandan) Pokot to flee over the border with their weapons in December 2001.<sup>121</sup> Most recently (in 2003) both the Resident District Commissioners (Uganda) and District Commissioners (Kenya) have met over raided cattle, and Kenya's Minister of Internal Security met with President Museveni of Uganda. Despite these attempts between Uganda and Kenya and the efforts to disarm the pastoralists, cattle rustling along the border persists, causing heavy human suffering.

On April 12, 2003, Kenya's Pokot community reportedly attacked three villages in Kapachorwa district of eastern Uganda, killing over 30 people and torching 300 houses. They also stole cattle and left over 2,000 people homeless. Local leaders in Kapchorwa blamed the attack on the Uganda Government's decision to remove some 400 home guards to join the Uganda army, leaving the area vulnerable to attack. This caused the communities to demand arms for protection. However, Resident District Commissioner Tezira noted that the attack was in revenge for a similar raid by the Sabiny from Uganda

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<sup>120</sup>“Kenya-Uganda Joint Peace Meeting between the Turkana, Pokot of Kenya, the Karimojong, Pokot and Their Immediate Neighbors of Uganda”, Moroto, Uganda, May, 1997.

<sup>121</sup> IRIN, 10 January 2002.

on the Pokot earlier in the month, in which they stole 200 heads of cattle.<sup>122</sup> The most recent peace attempt between Pokot of Kenya and Sebiny of Uganda at Chepchoina Primary School in Trans Nzoia on Monday 21<sup>st</sup> April 2004. The meeting was chaired by the District Commissioner West Pokot<sup>123</sup> and Resident District commissioner of Kapchorwa,<sup>124</sup> which among other things resolved that communication between security forces and administration be improved to assist recovery of rustled animals and arrest of suspects. It also agreed that security personnel be deployed in Kanyerus, Katikomor and Nkuyen areas, which were the areas targeted by rustlers. This illustrates once again the difficulties that have plagued efforts to establish effective co-operation between the two governments.

Evidence from the field indicates that the pastoralists, who purchased their guns using their livestock, could not comprehend how ownership of these unlicensed weapons is a crime. Additionally, small arms are used for economic empowerment. Several people interviewed as well as legislators and other representatives of the area, felt that substitution was imperative small arms must be replaced with equally lucrative commodities. They also noted that since the area is insecure, security must be established before people surrender their guns.<sup>125</sup> Therefore the need for the two countries to address security as a development issue is essential.

## **7.6 Protocols and Agreements.**

Political leaders in Kenya and Uganda have agreed on many declarations and protocols since 1998. The most recent is the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa. It was signed by ten countries in March 2000, and calls for states to strengthen national mechanisms to deal with the illicit arms problem.<sup>126</sup> As of 2003 Kenya, Uganda, Tanzania, Rwanda, Sudan, DRC and Ethiopia have established national focal points.<sup>127</sup>

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<sup>122</sup> IRIN, 14 April 2003.

<sup>123</sup> Kenya

<sup>124</sup> Uganda.

<sup>125</sup> Field note Interviews with MPs, elders, warriors and LC5, Moroto, Uganda 19-22 November, 2003

<sup>126</sup> See His Excellency Honorable Daniel T. Arap Moi President and Commander-in Chief of the Armed Forces of the Republic of Kenya: On the official opening of the Great Lakes Region and the Horn of Africa Conference on Proliferation of Small Arms and Light Weapons 14 March, 2000.

<sup>127</sup> Operationalization of the focal points has been an issue due to lack of resources and capacity.

By adopting the Nairobi Declaration, the Great Lakes and the Horn of Africa region has made important progress in articulating a collective framework for tackling the small arms issues. The declaration emphasizes a regional determination to imitate similar initiatives in Africa and elsewhere to evolve common strategies for dealing with problems of arms proliferation.

The key strength of the Nairobi Declaration lies in its organizational principles that recognize that the prevalence of small arms is inextricably linked to civil conflicts, fragile state structures, economic deprivation, and social decay. This recognition has, in turn, compelled a search for strategies that span national, regional, and international domains. (Khadiagala, 2002)

To reaffirm commitment to the Nairobi Declaration, ministers and representatives of the parties met in Nairobi on 7-8 August, 2002, for the first ministerial review conference on the implementation of the Nairobi Declaration. During the conference, they reviewed and approved operational guidelines and a working plan for 2002-2003 for the Nairobi secretariat. Among the priorities agreed was the urgent establishment of national focal points, or strategies for meeting the challenges of illicit small arms. At the regional level, the Nairobi Declaration proposes the creation of effective monitoring and control of transactions relating to small arms and strengthening sub-regional cooperation among security and intelligence forces to curb small arms trafficking. The meeting also agreed to the adoption of the Eastern Africa Police Chiefs Committee (EAPCCO) on the Draft Regional Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons. To meet these goals, it was also agreed to strengthen law enforcement agencies by developing common training curricula and proposals for joint cross-border operations.

The Nairobi Declaration's ambitious blueprint nonetheless faces disconcerting impediments to implementation, given the weakness of the states in some areas and the different levels of development, resources, institutional capacity, legal traditions and expertise. As former President Moi of Kenya noted in his speech to the March 2000 conference,

The governments in the region had the inability to successfully police their borders and the clandestine nature of the trade in small arms, it would be difficult for any



one state on its own to curb the flow of illicit arms with any reasonable measure of success.<sup>128</sup>

Lack of resources, and the resulting impracticality of some of the priorities hinder implementation of the document. The declaration is unclear on how to accomplish its goals. Implicit in the declaration is the assumption that its priorities be in staged so as to resolve the multiple political problems that impede economic development. It is worth noting that the Nairobi Declaration recognizes the essential links between human security and economic prosperity, and the regional obligation for comprehensive development measures to stem small arms proliferation (Khadiagala, 2002). Consequently, most of the provisions that underpin the Nairobi Declaration emphasize the resolution of ongoing conflicts and establishment of national regulatory frameworks to reduce small arms flows.

The absence of development strategies in the Nairobi Declaration stems fundamentally from the fact that these concerns are better articulated in the existing regional economic institutions. The problem with the Nairobi Declaration lies in its failure to specify how the priorities can be incorporated into the mandates of the Inter-governmental Authority on Development (IGAD), and the East African Cooperation (EAC). Most importantly, implementation of the core strategies ultimately depends on national efforts envisaged under the framework of National Focal Points. In this respect, the Nairobi Declaration is, but an initial step. The principles of the Declaration would immensely benefit by being integrated into the mandates of either the Inter-governmental Authority on Development and the East African Community, thereby providing a solid institutional anchor, but in its current form, it does not possess any impact.<sup>129</sup>

Bilateral mechanisms that would serve as essential building blocks for a strong regional arms control regime are missing in the Nairobi Declaration (Khadiagala, 2002). In the absence of National Focal Points to ability to develop policy and institutional content to

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<sup>128</sup> Honorable Daniel Arap Moi "The official opening of the Great Lakes Region and the Horn of Africa conference on Proliferation of small arms and light weapons. 14 March 2000. See also Daily Nation 8 March 2004 "Kibaki announces plans to increase police officers" [Http://www.kentimes.com/nwsstory/news4.htm](http://www.kentimes.com/nwsstory/news4.htm)1. The President pointed out that the current ratio of police compared to the total population was overwhelming and far below the recommended UN standard of 1:450. The current Kenya police ratio stood at 1:1,150.

<sup>129</sup> It would be very near to impossible for the Nairobi Secretariat to be in corporate into the two bodies as they only represent East Africa and the Horn of Africa and not Democratic Republic of Congo and Rwanda and Burundi.

regional aspirations, the Nairobi Declaration will remain merely a set of declaratory principles. So far, the Nairobi Declaration has not been fruitful; most of the declarations were good but not practical. However, the Nairobi Declaration was a vital milestone, which followed four days of talk on small arms, and it led to the establishment of the Nairobi Secretariat in Kenya.

Some bilateral mechanisms exist to respond to the problem of SALW, such as border security commissions. The Intergovernmental Agency for Development is one example. In 1996, it was revitalized to broaden its mandate from simply addressing the problems of drought and development to addressing conflict management. In this line, the Conflict Early Warning and Response Mechanism was established at its summit in early 2002. Among other things, its vision aims to give civil society organizations an important role in addressing conflicts in the Intergovernmental Agency Development (IGAD) countries. The fact that countries in the region hold memberships in overlapping regional groupings raises concerns whether the mechanism and structures replacing individual country controls will facilitate or escalate the illicit flow of small arms across national borders.

As with the Nairobi Declaration, however, little progress has been achieved. Major problems facing the various initiatives include lack of communication, collaboration, coordination and cooperation. They also fail to include the main victims, the pastoralist communities. Both South Sudan and Somalia are at war and major sources of arms, to pastoral areas, which makes the regional groupings fail before they start. These countries are among the main sources of arms, but are not part of the Secretariat. Another issue is the vague and unsure relations between civil societies, national governments and the Secretariat. Tensions seem to exist between the groups and the Secretariat, which makes it very unstable, needing the support of all civil society.<sup>130</sup>

## **7.7 Conclusion**

Neither Kenya nor Uganda has a stated policy strategy to deal with small arms proliferation. Though Kenya has one of the most rigorous arms control laws in sub Saharan Africa, the laws have not prevented the proliferation of arms. A policy on small

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<sup>130</sup> The tensions clearly came out in the IRG/APFO Conference in 2002 held in Mombasa.

arms control has not been clear in Kenya. Stemming the spread of small arms in Northeast Africa must start with the premise that government protection, the establishment of police posts and patrol bases in pastoral areas, the replacement of informal voluntary security sector which are currently the official security at the community level, must take place. The absence of these steps remains the main impediment.

Providing sustainable security is imperative in any weapons collection programme because the culture of self-protection and preservation that is endemic in pastoralist communities grew out of the government's marginalization of the pastoralists and the coercive militaristic operations by the two states against the people.

The response used by the two states is not holistic and integrated, one that tackles the multiple causes of the conflict and offers practical alternatives; instead the states have merely tried to get rid of the guns. The methods have focused on proliferation of weapons yet the proliferation has already happened, which creates another problem of not just addressing proliferation but also reversing and controlling incoming arms. It does not address the security of property; issues of livelihood, governance etc. Further, the main goal should not be to end gun dependency and violence but to bring about social and economic transformation, which is likely to alter attitudes.

Both states pursue policies of arming civilians, which is a short-term solution to the problem of small arms proliferation, and which ultimately leads to intensified insecurity, tension, and diffusion of more arms into society. As a policy, disarmament leads to heightened tensions and insecurity as people are forced to move where there is greater security, and they bring insecurity to those areas to which they move. Collecting weapons in an insecure area does not in itself therefore create peace and security. If badly handled, it exacerbates the security situation and leads to an arms demand, which is unlikely to result in reduction of arms and violence.

Since the disarmament programme slowed, there has been an escalation of insecurity, especially in Karamoja and the border area of Kenya and Uganda. Cattle raids, road ambushes and unexplained murders are now common. The pastoralists have lost confidence in the state's ability to protect them, and law and order has totally collapsed.

Planning of any future disarmament effort needs to incorporate the community i.e. community based organization, women and even faith based organizations and all its leaders who will be affected by the operation. Disarmament needs to incorporate provisions for “giving something back” to the communities as well as individuals who surrender weapons. Compensation is essential since many guns are an investment in family security.

Disarmament needs to be carried out in co-operation with the local people and should go hand in hand with public awareness-raising programmes. The role of women as agents for peace needs to be fully recognized and women should be employed in developing, building, supporting and implementing disarmament initiatives. Finally, the programme must include regional collaboration in order to succeed.

The policy of disarmament in both Pokot and Karamoja is defective, as it does not take a regional approach to disarmament. The programme has been inconsistent, and at times brutally coercive, without commitment to see the programme through to success. Imbalances have resulted, and the disarmed ethnic groups have become targets. While the Kenya government worked to disarm the Pokot and the Samburu, the neighbouring Turkana, Karimojong, Toposa, Dongiro and Merrille still kept their firearms. This is one reason why the disarmament efforts failed. For disarmament efforts to succeed, the entire border region must collaborate. It is necessary that the disarmament process go on simultaneously so that no one group can threaten others not yet disarmed. So far, most Karamoja leaders have expressed fear that disarmament will leave their people vulnerable to attacks from their neighbours, a sentiment shared by other pastoral communities.<sup>131</sup> Therefore Kenya, Uganda, Sudan and Ethiopia must collaborate.

Instead, the root cause of conflicts must be tackled. Disarmament will require reintegration of the demobilized warriors and their provision with sustainable livelihood, along with a system of tracking them to ensure they do not return to raiding and banditry. This lack of alternatives means that disarmed young men gravitate to the racketeers who need private

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<sup>131</sup>See Recommendations of the Workshop on Security for the Communities of Karamoja. Organized by Pax Christi, Karamoja Agro-Pastoral Programme and Kotido Peace Initiative, Held at Mount Moroto Hotel, Moroto 20-21 November 2003. See Workshop Report on Sustainable Disarmament and Development in Karamoja, held in Mount Moroto Hotel on 21-22 November, 2003

militias for illegal activities and who can provide pay or some other economic benefit.<sup>132</sup> In Uganda, current measures to reduce the number of vigilantes could simply play into the hands of the racketeers. Some disarmed young men may even find their way into the Lords Resistance Army<sup>133</sup> and terrorist groups.

There is an urgent need to create sustained day-to-day cross-border co-operation. Such collaboration should address more than just security issues as traditionally conceived. It is crucial that co-operative efforts tackle the root causes of conflict, especially the endemic competition over scarce resources and the wider lack of development in the peripheral areas.

Evidence shows that communities invest in small arms partly for self-protection from raiders and from violent government forces. Karimojong note that the governments of both Kenya and Uganda believe in using force against them,<sup>134</sup> and this creates more mistrust in the disarmed people.

The Kenyan and Ugandan governments also need to co-operate with the governments of Sudan and Ethiopia, whose territory has been used as routes for the illicit livestock and small arms trade. A regionally co-coordinated disarmament initiative is vital if the arms that are picked up in one part of the region are not simply to be displaced to other areas. Such co-ordination should also embrace community-based initiatives, which are currently lacking. If all communities are not disarmed simultaneously, those that have been disarmed will inevitably be vulnerable to attack, as the ongoing disarmament in Karamoja has proved.

To address these issues effectively, institutional mechanisms for co-operation and dialogue are required. The traffic in small arms in the region destabilizes everyone and needs international agreements linked to regional and local initiatives all pulling in the same direction. Until now, day-to-day efforts at co-operation have depended heavily on committed local officials, who have too often been transferred just as they were beginning

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<sup>132</sup> Kenya Times 19 March 2004.

<sup>133</sup> This is happened to many of the 36,000 soldiers demobilized from the UPDF during the 1992-1995.

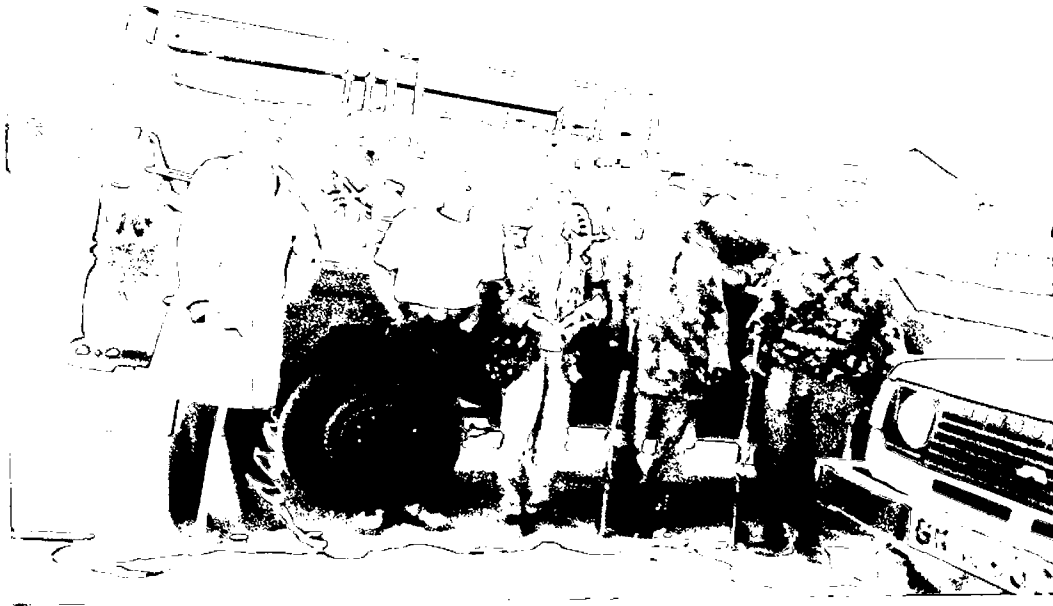
<sup>134</sup> Field notes, January-February, 2003, and confirmed with interviews, November 2003, including with Aliero Omara, UHCR Commissioner, Moroto, 21 November 2003.

to make a difference.

The Nairobi Declaration was noble but does not include issues like militia concerns, which is a growth industry in the region. Weak governance, which is a major obstacle in the path to sustainable security in east and northeast Africa, is not addressed.

The modern state need not ignore the rich contributions of the customary governance can offer. It is clear that pastoralists do benefit from government operating in good faith and service. If the overall goal of arms management is peace, security and economic participation of pastoralists, the strategies used should reflect this goal.

Home guards and chiefs in Dol Dol Laikipia, The guards are well dressed and visible as security, and have a car. This is what the government with private cooperation can do, August 2002



## **Chapter 8**

### **Conclusion**

Chapters 3-7 have built a comprehensive understanding of factors in violent conflict in pastoral regions. The impacts of the conflicts and attempts at management have also been analysed in detail. Chapter 8 reviews conclusions from chapters 3-5 and their inter-relationships and the conclusions from chapters 6-7. It then returns to the major hypothesis and the big questions and good practices, and ends by providing areas for further research.

#### **8.1 Customary Pastoral Conflict**

Chapter 3 explained how pastoralism is the main viable form of livelihood amidst the fragile ecology of the areas they occupy. Over the years, pastoral peoples have evolved an intimate relationship with their environment, with coping strategies that place a high value upon cattle. One of their coping mechanisms is raiding, which has been an integral part of pastoral life for centuries. The harsh environment meant that parties would raid their neighbours in order to redistribute cattle. Survival issues are intertwined with other cultural practices, as cattle are not only a means of security but also a sign of status, and a means of alliances and marriage agreements, which also contribute to stability within communities.

Chapter 3 also looked at the social structures of pastoral societies, with regard to their influence on raiding. Traditionally elders and diviners instigated raids, and young men were the main raiders. But the elders also sorted disputes when they escalated and were policy makers and resource managers. Women played their part in encouraging young men to raid. Thus raiding was a community affair and raided cattle were retained in the community as wealth.

In the last century there have been many changes in the traditional conflicts. The first of these began with the colonial administration that created borders, limiting the vital



mobility of pastoralists. They marginalized pastoral areas and encouraged sedentarisation, as it was easier to administer. Fertile pastoral lands were alienated as ranches and private farms. Thus competition for scarce resources became even worse.

The colonial and post-colonial administration has been insensitive to the customary governance system. Therefore there is a social breakdown as the power of the elders is eroded, although in many places it is still stronger than the modern public administration. Young people are now more likely to raid of their own accord. Additionally, with the depletion of cattle in the region, the disenchanted youth have lost their traditional livelihoods and are more inclined to banditry and violent crime. The requirement for bride wealth is a further pressure on young men to go raiding, and in many areas the bride price has escalated.

The customary conflict has escalated at regional, district and community levels, potentiated by the injection of the new technology of small arms as opposed to spears and arrows in the past. The traditional unity among pastoralists has been replaced by raiding, in which many lives have been lost. There have been violent conflicts at district level, and pastoralists have invaded settled areas, displacing other communities. There is also escalation of the conflicts into Sudan and Ethiopia, and arguably in the other direction too.

Chapter 3 left us with some new and sinister developments in cattle raiding, again potentiated by the new technology of small arms. Cattle raiding itself has changed from being a means of survival to a commercial enterprise. The commercial raids are believed to be motivated by racketeers, many of whom may be well respected businessmen who now control the warriors and the arms trade in pastoral areas. As a result the cattle in the region have been depleted and the conflicts intensified further.

## 8.2 Governance

### Marginalization

The range of policies pursued by colonial and successive post-colonial governments has led to the marginalization of pastoralists in the Horn. Colonial government policies which sought to alter, rather than build upon, the pastoral production system have been continued. The failure to appreciate the logic of pastoralism means that security and development are defined on the basis of erroneous assumptions.

Pastoralists have little representation in political life or in high-level civil service jobs. They are never included in the participation of initiatives, projects or programmes that affect them. They have the greatest difficulty to be heard and involved. Due to their physical and social isolation, and migration, there are limited government services available to them. They also have limited access to formal education and exposure to modern ways of doing things, in comparison to agriculturalists.

Karamoja region in Uganda is the lowest in terms of literacy. Only 12% are able to read and write as compared to national average of 60%. Only 6% of women can read and write<sup>1</sup>. Access to education is hindered by several factors; local customs and gender inequality, hostility to change, nomadic lifestyle; and insufficient attention by the two governments to alternative models of schooling. Additionally the small arms problem has further served to increase pastoral mobility and reduce access to school. Many schools have closed in pastoral areas, due to insecurity.

In economic terms, pastoralists inhabit the periphery of the periphery. Most investment is channelled to those areas perceived as having more potential or importance in national development. Pastoralists remain isolated because of limited economic integration with their national economies.

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<sup>1</sup> See Karamoja Strategic Planning Workshop, 2002

Infrastructure, which is the government's role, is also markedly limited. The North Rift districts have some of the poorest transport services in the region. Road transport is erratic. The self-perpetuating problems of bad roads, irregular means of transport and fuel shortages severely curtail the movement of the majority of the pastoralists for whom most journeys, no matter how long and arduous, have to be made by foot. This constrains the attempts of security to contain the cattle raids.

### **Attempts at Development by the States**

Approaches in the 1990s assumed that policies linking privatisation, land registration and titling with the provision of credit would lead to the take-off of pastoral development. The assumption was that ranching based individual control of land and resources would lead to more efficient production. These assumptions are flawed, deriving as they do from the belief that indigenous tenure systems impede productivity and development for some 'if productivity and development is defined as maximising profit'. The policies take no cognisance of the native population's indigenous knowledge and understanding of the local environment, and their solutions to practical problems of herd and security management.

### **Management of Conflict**

Chapter 4 noted the way in which colonial and post-colonial governments managed cattle raiding conflict. Though heavy handed, colonial systems were seen as quite efficient and effective in minimizing raids. One important policy was that of tracking raided cattle and recovering them to their owners. The community was involved in recovery and community policing, which was seen as positive. Laws were created, such that individuals, and in some areas, communities were fined for stealing cattle. The failing of this system was the lack of discrimination between the innocent and the guilty, which reduced support for the administration among the community. Additionally the community resented the "stealing" of their own animals to satisfy the demands of the military and the administration, leaving them depleted and encouraging them to raid for more. Lastly, the justice system in pastoral areas did not keep pace with the policing,

which again reduced confidence in the administration as a whole, since guilty individuals did not receive timely punishment and remained as troublemakers in society.

Post-colonial policies were expected to be more “people friendly”; however, they altered very little. For the Karimojong, who had always resented state interference, there evolved a confrontational relationship with the state. This led the state, beginning with Amin and followed up by Obote, to decide on a militaristic approach, which has been largely unsuccessful in managing conflict within the region. There may have been some opportunities for peaceful negotiation and dialogue with the customary governance institutions, which remain powerful in Karamoja, but these have been inadequately pursued. It must be said however, that Museveni has attempted this to some extent. Once again, the state, in the form of the military, has been seen to take for themselves Karamoja cattle, leading to more resentment and confrontation.

The legacy of the British, upon leaving Kenya, was peace for many years. The efficient systems remained in place, keeping a lid on cattle raiding for a time. However there is evidence that the provincial administration, which was supposed to act in the interests of the communities, remained oppressive and corrupt, as was the central government. Additionally the areas were marginalized further and policing was under-resourced, such that stock theft recovery began to fail, and raiding to escalate. There was lack of consistency and fairness amongst many but not all provincial administrators, and well-connected individuals were implicated in cattle raids. It must be noted however that provincial administrators cannot be blamed entirely for the misdeeds of central government.

### **Paramilitary Institutions**

The increase in insecurity among pastoralists has made the states support the development of vigilant groups and local defence units. These groups have been armed by the states. Some of the arms being given to these autonomous groups end up being used for criminal purposes. Instead of providing human security, it fosters anarchy. The

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rise of semi-autonomous security forces is at the centre of bad governance and the inability of the state to fulfil their responsibilities to pastoral communities. By using vigilantes, states abdicate their role of protecting life and property. Though the states have formed the paramilitary institutions, the legality of the paramilitary institutions is questionable. Even in Kenya where the home guards are embedded in the constitution, they are not treated with justice, and are not paid, which leads to their involvement in raids.

They also lack clear command structures, which are not defined and there is a lack of communication between them and the state, which readily arms them. The lack of policy to regulate the paramilitary forces creates problems of coordination and control, which compound the current security predicament in North Rift.

Elders in Uganda permitted their sons to join the LDUs in order to protect communities. Now LDUs live in barracks and fight the LRA while the place they are needed is the *kraals*. Due to the corruption in the military and the inability to pay their salaries they are now deserting. Those who desert leave with arms, ammunition and military expertise leading to more proliferation of illegal arms in the community, and training of fellow warriors to fight the UPDF.

Apart from the vigilantes the emergence of and development of militia by the state is a worry. The development of militias by the Uganda government is a breeding ground for future warlords, which is already problematic in Karamoja.<sup>2</sup> Therefore, while the acquisition of arms and the creation of vigilante and paramilitary security structures provide an increased sense of 'security' to the pastoral communities in the short term and saves the exchequer, in the long term, it feeds a cycle of insecurity and violence, militarises the region and escalates the proliferation of arms and pastoral conflict in the North Rift. Arming civilians to fight rebels turns civilians into rebel targets and increases violence in the communities. They may also heighten inter-ethnic tensions.

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<sup>2</sup> Again as noted earlier the term "warlord" is contested but for more details see Muhereza, 1997, Ocan, 1992, Mkutu, 2003

### 8.3 Small arms Dynamics

Colonial history, Cold War politics, and poor governance have all been identified as factors causing or inflaming conflicts in the region. Throughout the colonial period, arms were brought into the region in vast quantities in order to protect the colonial regime and their interests. Later, during the Cold War era from the end of WWII to the collapse of the Soviet Union in 1991s, arms were used as a key instrument of diplomacy on the Horn of Africa. Arms sales in essence became a substitute for the traditional means of securing influence through alliances and deploying forces to protect “like-minded” nations. However, arms delivered during this period not only served the ideological struggle for supremacy, but they also enhanced regional hostilities and increased internal instabilities within Horn nations.

Weapons brought in during this period have become difficult to account for and very challenging to control. Numerous countries in the region have experienced tensions and wars. It is a fact that, except for Kenya and Djibouti, all of the countries in the region have had leaders who assumed power through the barrel of a gun. These wars reached climaxes with the overthrow of Mengistu Haile Mariam by Meles Zenawi (1991) in Ethiopia, the defeat of General Tito Okello’s military regime by Museveni in Uganda (1985), the toppling of Siad Barre by clan based factions in Somalia (1991), and the ousting of Sudan’s elected government of Sadiq el Mahdi by General El Bashir’s forces (1989). The recent wars between Ethiopia and Eritrea, Sudan, Somalia and Northern Uganda remain unsettled to date. All these conflicts have led to the arms flowing into pastoral areas where state security is absent or minimal.

Regions in conflict are not the only source of arms to pastoralists. Arming by the state is mentioned in the above section on paramilitaries, and there are also flows of arms via corrupt military officials. There are official traders and racketeers selling arms in the region, a risky business, but with great financial return. Finally, a major source is acquisition by killing other warriors or the military.

On a local level pastoral communities are arming themselves for several reasons.

1. The need to protect themselves and their animals against being plundered by hostile groups or other armed pastoral communities. The state police that are supposed to provide security are not often visible. If visible they are frequently corrupt or lacking basics such as fuel, equipment and adequate vehicles.
2. Arms are used forcefully to steal stock from other pastoral communities. This has always been the case, which is why pastoralists were armed and organised with spears.
3. Arms are now in demand to protect pastoralists against state security forces who misuse their power. In Karamoja, most police stations and barracks are in appalling conditions; thus police often resort to corruption to improve their lot by raiding pastoralists animals and selling them.
4. Small arms and ammunition have now become a convertible currency to barter for animals and food.

Most of the areas affected with conflict in the northeast Africa lie on the periphery of the Kenya, Uganda, Sudan, Ethiopia and Somalia borders. These are mainly pastoral areas that get little state attention unless there is an insecurity problem. For the last 120 years, in the absence of state security, people living in these regions have been taking care of their own security. During the Mbale Workshop held between 15-16 May 2002 on small arms it was noted by a participant that there are only five police officers in Moroto.<sup>3</sup> Most police stations are located many kilometres away from the *kraals* (homesteads). Access to the areas by administrators and security is difficult: hence the weakness in local administration and lack of law and order. Local Defence Units and homeguards have failed to effectively take on the role of the police in ensuring law and order.

The affordability of the small arms and ammunition has increased the flow of arms. Prices have dropped from as many as 60 to 150 heads of cattle per gun in the mid 1970s to the current two heads of cattle per gun. The closer the proximity to the source, the

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<sup>3</sup> This seems an exaggeration; in reality one hardly sees any police, even in urban areas such as Moroto municipality, Kotido town, and other upcoming trading centres like Namalu, Amudat and Nakapiripirit.

cheaper the arms. Ammunition in pastoral areas is now a convertible currency frequently used to buy the local brew mainly sold by women. The prices of ammunition have increased from 200 Uganda shillings in 2001 at the sources to the highs of 1000 Ugandan shillings in remote areas in October 2004. The increases in ammunition can be attributed to firstly, the failed disarmament, which started in December 2001 and ended in 2003 and the most recent re-launch in September 2004 by President Museveni, and secondly, to the increase in raids and tension in the last year in the region.

#### **8.4 Small Arms, Governance and Pastoral Conflict: Inter-relationships**

This section seeks to link together some of the factors summarised above, providing analysis of relationships between pastoralist conflict, governance issues and small arms. It is the issue of governance, which seems so often to influence the other two issues, though it must be said that good governance is certainly made more difficult by the existence of so much violence in the area. Governance<sup>4</sup> refers to the method of producing order, justice and peaceful management of relations in dealing with the complex problems encountered in a rapidly changing nation.<sup>5</sup> In chapter 4 governance questions emerged which were central to any hope of reducing numbers of small arms. The diagram below shows some important cause and effect relationships in the complex problems of the North Rift. The relationships are summarised and then certain governance issues examined further.

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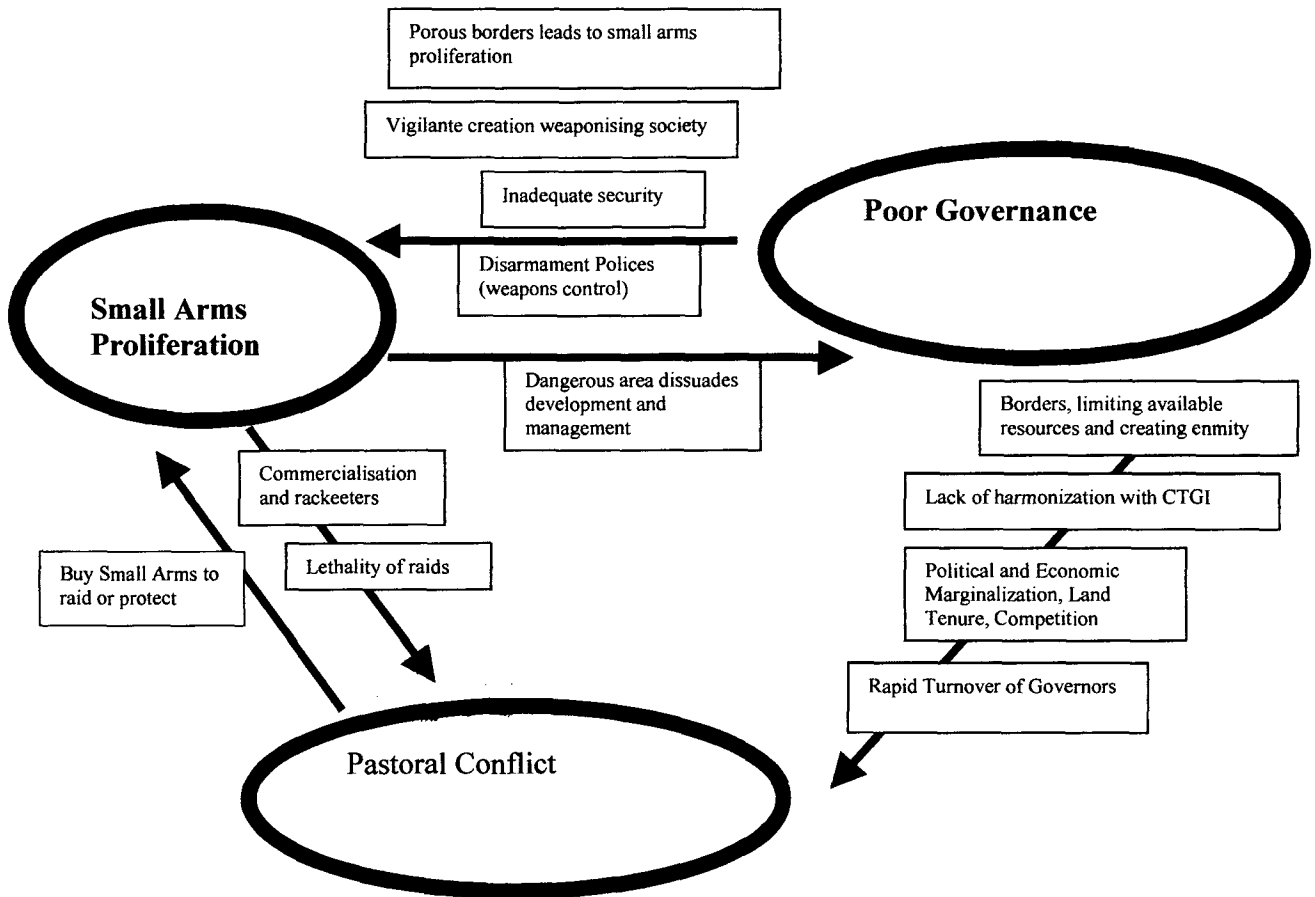
<sup>4</sup> The promise was that Kenya would henceforth enjoy a culture of good governance and economic revival. Poverty would be eradicated. Jobs would be created for tens of thousands. The totally dilapidated infrastructure would be rehabilitated. Restoration of law and order and observance of human rights practices would be prioritized and security saw the old party being voted out. See *Kenya Times* 11 April 2004 <http://www.kentimes.com/11apri04/nwsstory/opinion1.html>

<sup>5</sup> See for example

[http://www.irinnews.org/report.asp?ReportID=39849&SelectRegion=East\\_Africa&SelectCountry=KENYA](http://www.irinnews.org/report.asp?ReportID=39849&SelectRegion=East_Africa&SelectCountry=KENYA)  
A. The report by United Nations Development Program/University of Nairobi identified lack of “effective, participatory and good governance” as one of the major causes of underdevelopment in Kenya.



**Figure 8.1 Cause and Effect Relationships**



The relationships above can be summarized as follows. Firstly, pastoralist communal conflicts are fuelled by competition for scarce resources and also cultural factors, exacerbated by a long history of history of economic and political marginalization by colonial and post-colonial governments. There is a demand for arms for protection and also for revenge against other raiding communities, such that raiding has been exacerbated to become a lethal business. Additionally there is a failure of government to provide adequate security such that the pastoralists take the law into their own hands. The gun is now viewed as necessity for livelihood in ensuring access to resources and human

the government, armed and given certificates to operate, but that they lacked equipment. The donors decided to provide a vehicle (a Jeep, able to run in the difficult terrain), and also bought the Kenya Police Reservists uniforms, boots, Motorola radios and batteries and even managed to arrange for a small salary. The donors gave funds for sponsorship to the community members willing to go for further studies. During the interview with the home guards in Dol Dol, they informed me that they have now decided to request another vehicle and binoculars to assist in security.<sup>28</sup> The ranchers employ rangers who have guns, and who, together with the Kenya Police Reservists and the Europeans that own the ranches, work in cooperation to repel cattle raiding. Attacks from Samburu and Isiolo have drastically reduced.

The home guards are doing a good job because they have not been compromised to go raiding, since their welfare is well catered for. They are using their arms not for individual benefit but to protect the community. On the side of the Kenya government, the police have a radio connection with the home guards, but the government also provides daily monitoring and check-up for the issued guns and ammunition. The result of good governance and the cooperation of security with donors and local community is that pastoral conflict and cattle raids have been reduced.

### **8.7.2 Good Administration**

#### **Recovery of Cattle**

Chapter 5 noted the increase by cattle raids in Samburu as Samburu acquired arms from 1996 onwards.<sup>29</sup> After years of the Baragoi community being terrorized, a District Officer Hussein Noor was appointed. Being of pastoralist origin and comprehending the value pastoralists place on cattle, he realized the importance of providing good retrieval of cattle in reducing revenge raids. He ensured that all the Kenya Police Reservists were well supervised; they were not allowed to move with their arms from one location to another. He told me,

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<sup>28</sup> Currently a Chief in Dol Dol. Interview 3 September, 2002.

<sup>29</sup> In the interview with the community, the great loss in 1996 was attributed to the fact that the Samburu were not armed but had inferior traditional weapons like arrows and spears.

When there is a raid, I ensure that I go with the home guards. Being pastoralist myself I understand the pain one goes through when their cattle is raided. The high return rate of raided cattle has convinced the Samburu that their cattle will be returned.<sup>30</sup>

In the case of both Samburu and Laikipia where governance was good, the small arms conflict has been minimized, given that the communities are sure the authorities will respond so that someone will follow and get their stock back. This prevents revenge raids, which escalate violence. However the frequent transfer of administrators from one area to another does not encourage this kind of tailor made governance.

### **Disarmament**

Wajir in Kenya gives us another good example of administrative success, this time in disarmament<sup>31</sup>. As noted in chapter 5, it is a major route of arms feeding the Kenya arms triangle. Interviews with local administrators from the areas indicated that mobilization of the community depended on effective provincial governance and its capacity. Interviews with state officials who served the region noted that “Wajir succeeded because of the Provincial Commissioner and local leader’s ability to create trust with the community contributed to peaceful weapons collection.”<sup>32</sup> The provincial administration convinced people of the negative impact of small arms, but also enforced local security. They assured the community they were safe without guns.<sup>33</sup> Sadly, despite the successful arms collection in Wajir, without Kenya patrolling the 1500-mile long Somalia border, arms will still continue to flood into Kenya.

The above successes were possible because of good governance by the administrators on the ground, investment in the security sector (facilities and salaries) by both government

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<sup>30</sup> District officer Baragoi, Interview, Baragoi August 2002.

<sup>31</sup> See <http://institutions.africadatabase.org/data/i12886.html>

<sup>32</sup> District officer who served the area, interview, Kenya Institute of Administration, August, 2002

<sup>33</sup> District officers who served Wajir, interviews, Kenya Institute of administration, August 2002.

and the local NGOs, which ensured cattle raided were returned, hence no need for revenge, and lastly involvement of the local people and their elders.

## **8.8 Conclusion.**

The study is guided by the following hypotheses about the pastoralism, governance and the proliferation of small arms in the North Rift. The first hypothesis suggests that cattle raiding is carried out both for subsistence and commercial purposes. Both of these play a role in the demand for arms. Secondly, security and governance does not act in the interest of pastoralists, raising the question “whose security?” The last hypothesis is that diffusion of small arms and light weapons leads to a localised arms race. It increases violence and creates a black market and networks of criminal activity in which violence is the norm. This in turn affects and undermines governance, development and the pastoralist way of life.

### **The Role of Cattle Raiding and the Demand for Arms**

With unreliable rainfall in the pastoral areas, and the population continuing to increase pastoralists are forced to compete, like animals subjected to forces of natural selection. It is the responsibility of the state to manage scarce resources including wood, fuel, pasture and water, and ensure equitable distribution. However, reversing the history of marginalization and exclusion is a challenge for the states.

As noted in an interview with Juma John a Senior Deputy Secretary with extensive experience as an administrator with the office of the Ministry of Home Affairs in Kenya:

Small arms are just a subset of the conflict. Among the root causes is the competition for resources, resource distribution, resource utilization and sharing the scarce resources. Small arms are intertwined with development and decision making by governance, which exacerbates the conflict.<sup>34</sup>

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<sup>34</sup> Juma John, interview, Office of the President, Nairobi, Kenya 22 September 2003. John is a former District officer who has served most pastoral areas in Kenya. He was also the Chairman of the National Steering Committee on conflict in Kenya.

There is also competition between the pastoralists, the state and the private investors for the exploitation/conservation of the natural resources<sup>35</sup>.

The communities' perception of cattle and their dependency on the same for livelihood and income is a major root of the pastoral conflict. Cattle are also seen as a status symbol and playing a key cultural role as dowry and the creation of alliances essential for survival. These mechanisms remain intact today, owing to the harsh environment from which the pastoralists scratch a living. Small arms have become a necessary part of these traditions.

The transformation of cattle raiding into a commercial and entrepreneurial activity has increased the intensity of raiding and is leading to major changes in economic, social and political structures in the pastoral areas in Northeast Africa. It is creating a black market for commercial cattle trading that straddles the localities, urban areas and the wider region. The new technology of small arms as opposed to the traditional spears has become essential to successful commercial cattle raiding.

Pastoralists are therefore accumulating arms for cattle rustling protection and revenge raids, but also now arms are a convertible currency. A gun enables one to work as a militia or a vigilante, and is a prerequisite for joining in the cattle raids. Moreover it allows access to illegal incomes from road ambushes or other crimes. The change brought by small arms in the traditional raiding complicates any conflict resolution mechanisms by the states in that they have also to address the problem of racketeers who are now entrenched and are benefiting from the conflicts. The situation is made more multifaceted with the involvement of government officials in the commercial benefits.

The solution to managing the conflict then rests in bringing in policies to develop these areas through the provision of alternative livelihoods, e.g. bee keeping, gum Arabic harvesting, tourism, mining of marble, gold or ruby and others. Economic activities need to be suited to the environment and to the culture and lifestyle of the pastoralists, without

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<sup>35</sup> Interviews between 12 September to 12 October 2004 indicate that the Upe/Pian Wildlife reserve has

demanding of them too much change. However, without security, sustainable development will be untenable. But without development, security too will prove elusive. So they must go hand in hand.

It is vital to develop pastoral areas to ease the internal and external pressures especially during drought periods. The states could do this by allowing mobility but also stopping the alienation of pastoral lands.

### **Security and Governance in Pastoral Areas**

The clock cannot be turned back to the customary style of raiding; therefore the state must do everything possible to stop raiding. It is only after the broader problems of governance are addressed that small arms can be managed. Any other mitigation mechanism will just be short term. The state is the purveyor of the policies that define resource management, security, development, what is morally acceptable, and forms of competition and co-operation. It is clear that the Kenya and Uganda are dealing with similar problems from different directions but the issue of governance must be tackled before small arms can be controlled.

The governments of Kenya and Uganda often dismiss pastoral conflict as nothing more than a misguided tradition and this has been used to justify government inaction. This is another way of marginalizing pastoralists as people who are “difficult and backward”. Unequal distribution of resources is another aspect of marginalization, which acts as a trigger to conflict and hence small arms proliferation. The negative impact of conflict on the socio-economic condition of a community results in further exclusion, as they are denied access to goods and services; hence the situation is compounded.

Lack of security by the states is an important cause of pastoralists changing from using traditional weapons to small arms, with which they must protect themselves and their cattle, and also provide for themselves by raiding and ambushing. Provision of human

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already been given to investors from Libya by the Uganda government.

and property security from attacks from neighbours and also control of small arms is essential.

As it relates to the North Rift, violence is no longer the monopoly of the state, as the concept would make us believe. On one hand the state has the duty to protect its citizens and provides security against the arbitrary violence of others; for this purpose it needs a monopoly of violence or a way to deter the violence. However the state has abdicated its role and allowed the warriors to terrorize citizens. This has allowed others to gain access to arms or the means of violence. This then has established the links between the sale of small arms and light weapons, governance and conflict, which is becoming a major security dilemma for the entire Horn of Africa.

Unless the mitigation of conflict and insecurity is approached from the regional level or addresses the different levels, little impact will result. It is the regional aspect of the conflict that introduces the global aspect of the conflict. It is also the regional dimension that supplies and feeds the different communities competing for arms. Collaboration will be essential among the different peace building organizations at the different levels. The vastness of the borders, the Kenya-Uganda, Kenya-Ethiopia, Kenya-Sudan and Uganda-Sudan borders, implies that mammoth amounts of resources are needed to police the borders, which the states cannot afford. The Uganda-Sudan border is complicated by the current civil war in Southern Sudan.

The routes of small arms flows are very complex and states will need to understand the dynamics for effective control. One cannot tell the difference between herders and arms traders. The nature of the problem calls for the use of local informants to assist better understanding of the patterns and root causes of armed conflict. Similarly for the two states to keep ahead of rustlers, they will need to identify how they operate and the tactics used. They must remember that the community is the eyes and ears of the security forces and unless their cooperation is sought, attempts at managing the small arms and rustling could prove elusive<sup>36</sup>.

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<sup>36</sup> This will need real time intelligence, human intelligence, and technical equipment by the police.

In the early 20<sup>th</sup> Century, in order for the British colonial government to address the problem of arms and ivory trade in Southern Sudan they first addressed the issue of ammunition.<sup>37</sup> Current attempts to address proliferation have only addressed the issue of guns. The cost of guns in Uganda has come down, averaging 1-2 cows near to the source and between 3-5 in the interior. On the other hand over the period May 2001 to Nov 2003, the cost of a bullet has increased from nearly US\$200 to US\$500 at the source, a rise of 150% in Uganda. In the interior it has multiplied from US\$200 to US\$1000, an increase of 400%. In Kenya the increases are even greater. Ammunition control could be a short-term mechanism to tackle the problem of small arms proliferation. This calls for more research on sources of ammunition in the region.

Another important move is reforming or strengthening institutions of legal systems and regulation (which cannot be addressed without proper central governance) and introducing development considerations into weapons collection and destruction programmes. At the African Union meeting on the prevention and combating of terrorism in Africa held in Algeria from 11-14 October, 2002 a plan of action called for measures such as: strengthening border controls and combating the illegal imports, export and stockpiling of small arms, ammunition and explosives. The United Nations Office in Nairobi is working on conferences as a component of its campaign for sub-regional awareness, and working with sub-regional police chiefs' organizations (EAPCCO) on small arms. The United Nations at Nairobi in conjunction with EAPCCO is also developing a training manual and curriculum for law enforcement officers in the region.<sup>38</sup> Other approaches have been through pushing for reform in the security. All these issues fall in the broad area of governance.

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<sup>37</sup> Discussion with Douglas Johnson, Oxford, 31 January 2004. Douglas served as the Assistant director for the National Archive in Juba Sudan. See his work on imperial Ethiopia in Southern Sudan- trader, arms, attempts at control, the complexity of arms control in a govern less area etc in the early 20<sup>th</sup> century 2002:219-245

<sup>38</sup> See <http://www.smallarmsnet.org/docs/saaf11.pdf>



The two states must now broaden security beyond just state and territory to include individual and property security. As declared by J. Stuart Mill, security is “ the most vital of all interests’ and that ‘security of person and property are the first needs of society” (Acton, 1972) enhancing the capability and opportunities of the community to improve their own social and economic conditions. Security is ultimately achieved by state governance, which has the power to implement the policies.

Good governance stops the racketeers (mafia etc) and power brokers accessing arms and the influx of small arms from countries in conflicts. Borders need to be better guarded, intelligence needs to be collected on the ground and communicated efficiently. In order for this to happen, the security sector should be transparent and accountable. This of course necessitates proper remuneration of those citizens that provide security.

The absence of a legal framework for security and arming of vigilantes or civilians adds to the problem of SALW races in pastoral areas. A key issue in management of security is governance that will ensure that licit arms do not diffuse into illicit hands, as is the case now. There is an acknowledgement that the vigilante/paramilitary/militia are a reality of policing in pastoral areas. Their existence is dependent on the social, economic and political situation that led to their creation (bad governance). The worrying possibility is that if not checked they can metamorphosise into rebel groups, or encourage the proliferation of other similar social groupings, which increase small arms and violence.

With good governance a paramilitary should not exist. Security could be achieved through community policing, which does not imply communities providing security or creation of police, but good relationship/co-operation between police and local people and leaders. When policing becomes more effective to provide human and property security, this would mean the role of LDU/KPR would be outlived. The Uganda and Kenya governments may argue that it is too expensive and difficult to have police in pastoral areas, due to mobility of the people and with cross border movements. Therefore home guards may be decided on. If this is chosen as a long-term solution, they should be trained, paid and equipped by the governments. They could become a mobile police unit,

which moves with pastoralists. However, they should have a code of conduct. They should also have powers of arrest, but hand the criminals to relevant authorities. Again, these will require good governance and in the case of LDUs a legal framework in the constitution is essential, which again only the central governance and parliament can perform.

There is lack of confidence in the security, creating mistrust, misunderstanding and hatred. Reform is priority, to ensure a peaceful and secure environment and to improve standards of training and professionalism in crime investigation and in dealing with pastoralists and other communities. A better equipped and more professional law enforcement agency could, to a certain degree, reduce the demand for small arms provided that this agency is impartial and can provide security for all. However, governance as a whole is the key to the security sector reform. The consequences of doing one without the other can be seen in the problems arising from disarmament. Both security and development are embedded in governance.

Addressing the problem of small arms merely in the context of security reform, disarmament, and legal reform is limited and short sighted. SALW must be addressed with understanding of the multi-factorial nature of the problem. Supply and demand form a key component noted in the work that must be addressed. At every level, numerous players operate. Brokers, insurgents, criminals, racketeers government officials, youth, women, elders or organized groups. The study shows how due to unemployment the youth will be used and that unless something is done to put the youth into active employment, small arms will continue to proliferate. The inability of the Kenya and Ugandan economy to integrate the young generations in pastoral areas into the labour market, as they reach the age of normal entry, will continue to provide a teeming boost to illegal and criminal economic circuits and an unlimited reserve army for intra-state armed conflicts that are now a feature in the pastoral areas.

It is vital also that governors (district commissioners, resident commissioners and security) understand the eccentricity of pastoralists who have resisted military approaches

in the past and are ready to do it again. Disarmament is essential for sustainable peace but the important questions this study raises are, how are the community engaged in it, what are the incentives, and for who is it taking place, the NGOs, the donors, the government or the community?

Effective and efficient governance at the central and local level ensures valuable policies are formulated, and implemented, and that pastoral communities participate in decisions that affect their destiny especially as relates to development and security. The study shows that there is a problem with the way in which individuals and groups are included. Genuine participation is less about the particular structures of governance and more about how people feel the system works for them and how much they can change. Closely related to this are a number of other factors and efforts to address gross disparities in the distribution of wealth in the society are key. Good governance understands the need to progressively remodel its institutions to be more in tune with the traditions, beliefs and structures of its component societies.<sup>39</sup>

This is the duty of those in governance. However, this cannot solely be blamed on the current governments as some of the people, namely the Karimojong themselves have a historical confrontation relationship with the states, referring to them as *anyang* which means “the enemy”. Two parallel governance systems have emerged, the modern public administration and the customary governance system. If harmonised, these systems could provide a valuable mechanism for peace building, peace making and arms control.

### **The Downward Spiral**

One of the main emphases of this analysis has been to recognize the multifaceted nature of the conflict and players. The research found that it is local resource-based conflict due to lack of water and pasture, but it has national, regional, international and global linkages. Small arms are not the root but symptoms of a wider problem. However, arms

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<sup>39</sup> See East African Standard 20 June 2004 “Ours is a government of mass deception” <http://www.eastandard.net/intelligence/intel20060403.htm> Development in Kenya. Any evaluation of performance and governance shows clearly how governance can deter development in all sectors.

have become entwined in the conflict making the conflict more lethal due to the high power of the arms and their easy availability and use. 'Governance' is heavily implicated in potentiating and failing to curb small arms proliferation in pastoral areas.

The major symptoms of the small arms problem are:

1. The breakdown of law and order with the emergence of racketeers (commercial enterprise)
2. The declining power of traditional governance
3. Injuries and misuse of arms with no-go zones and road ambushes
4. Increased cattle raids and declining numbers of cattle.

It is a tragic untold story, that these communities have suffered so much loss of lives, livelihood, identity and dignity. The acceptance of crime and large-scale death as a normal part of life, the training of a 12-year-old boy to carry a gun and shoot, without understanding the value of life is appalling. The stealing and mismanagement of a wealth of resources, including human resources, who could enrich the local populations, is a tradition that should be reversed. The resulting insecurity has already spread across borders within the Horn of Africa, and may further destabilize the region unless action is taken.

Both the Uganda and Kenya regimes have failed to live up to this expected standard resulting in loss of lives and property, and great psychological trauma for the affected. This is "actionable state negligence." though the states cannot be held wholly to blame, and some of the difficulties they face have been mentioned.

Good governance requires the rule of law, legitimate leadership, transparency and responsiveness. Democratic governments implicitly guarantee law and order and the proper functioning of government institutions. The inability to implement law and order is the main problem of insecurity but on the other hand, the state's weakness is due in part to the breakdown of law and order. However, experience shows that institutional instruments work better under good governance and democracy, since democracy is

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4. Increased cattle raids and declining numbers of cattle.

It is a tragic untold story, that these communities have suffered so much loss of lives, livelihood, identity and dignity. The acceptance of crime and large-scale death as a normal part of life, the training of a 12-year-old boy to carry a gun and shoot, without understanding the value of life is appalling. The stealing and mismanagement of a wealth of resources, including human resources, who could enrich the local populations, is a tradition that should be reversed. The resulting insecurity has already spread across borders within the Horn of Africa, and may further destabilize the region unless action is taken.

Both the Uganda and Kenya regimes have failed to live up to this expected standard resulting in loss of lives and property, and great psychological trauma for the affected. This is "actionable state negligence." though the states cannot be held wholly to blame, and some of the difficulties they face have been mentioned.

Good governance requires the rule of law, legitimate leadership, transparency and responsiveness. Democratic governments implicitly guarantee law and order and the proper functioning of government institutions. The inability to implement law and order is the main problem of insecurity but on the other hand, the state's weakness is due in part to the breakdown of law and order. However, experience shows that institutional instruments work better under good governance and democracy, since democracy is

responsive to the needs of all the people including minorities. Policies of exclusion from government are one cause of the downward spiral. When groups are pushed out of the governance process, they seek to literally fight their way back into recognition. Governments must be challenged to be inclusive, transparent and fully participatory.

The supreme method to mitigate pastoral conflict and small arms in the long term is to develop the institutions of governance that give people confidence that their differences can be resolved through peaceful means, a representative legislative process, a legal system that delivers justice without marginalization of any tribe, local government that is responsive to its citizens, and the honest and efficient delivery of social services.

### **8.9 Future Research**

A number of areas have been identified as warranting future research. One area of further research is emerging issues of racketeers and their relationship with politicians, traders and warriors and small arms. The involvement of racketeers brings in to focus the issue of arms funding and the networks of arms trade across the regional borders.

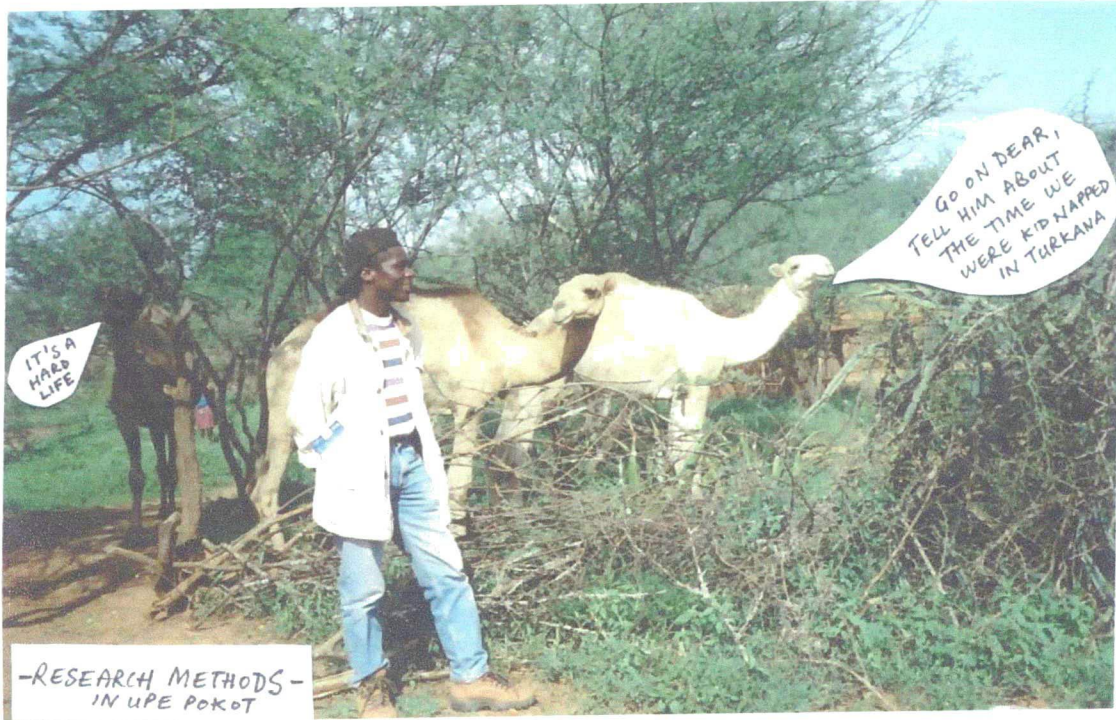
The research found that gender is a major issue in the pastoral conflict and small arms. Though the majority of the people being killed are male, women are also greatly impacted directly, by violence, and indirectly, by changes in their work and family lives as a result of the conflict. Women are deeply involved in the ammunition sales as a survival strategy, and themselves are custodians of the arms in the home. A study that focuses directly on the relationship between pastoralism, gender and small arms is essential to understand their role and how the conflict is affecting them. The phenomena of involvement of women could be due to survival wartime strategies but more investigation is needed and could yield some valuable insights into the main role gender plays in conflict and peacemaking in pastoral areas.

Another area for further research is the pastoral warriors and small arms. The age set system which warriors come under, functions as the agent of military and political action.

Age structure has fascinated many anthropologists due to their regulation and structures. It is only by understanding the organizations, the functions and sources of arms to these groups that one can develop policy on managing small arms. The age-set and specifically warriors provide a systematic framework for generating communal identities from enmity and belligerence. Also the role of diviners and elders in conflict and peacemaking deserves fuller understanding, given that the informal governance system remains strong.

Lastly, a dilemma about the commercialised cattle rustling is that it does not interrupt the cattle markets. This is because of its links with the political leadership, implying a well co-coordinated network of transitional business crime given its high profit margin.

Individuals, particularly political leaders remain key in the efforts to stem the small arms problem. They must provide favourable environment for the implementation, enforcement of domestic laws and measures to stop the arms problem. However, no study has examined the role of governance in the flows of arms.



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security in the absence of good state control of raiding. The power afforded by arms has allowed some to amass cattle and weapons and so cash in on the conflict.

The main supply of arms in the pastoral regions is from the spill over from the countries undergoing civil wars in the Horn and Great Lakes.<sup>6</sup> There are countries in the Horn supporting insurgencies in other countries in the region. Pastoralist areas do not manufacture any arms, such that the arms that proliferate are a consequence partly of the inabilities of the regional governments to address their supply and demand, taking a regional view. On the supply side it is difficult to control the activities of neighbouring countries but there is also a distinct lack of resources put into policing the area and properly patrolling the borders at national levels.

Attempts to control insecurity in the region by providing paramilitaries have been poorly resourced and managed and have often led to further arming of the region, with subsequent anarchy for some and organised crime for others. Any prospect for good governance, observance of human rights, law and order and economic development are then undermined due to the existing insecurity. Clearly some do not have an interest in pursuing peace.

The combination of small arms, poor governance and pastoral conflict results in trans-national criminal networks in the entire Northeast and Horn of Africa region, forcing the states to divert the little available resources to security, instead of using the money for development. The final result is mistrust, hatred and impoverishment of the communities.

### **Further Discussion with Reference to Governance**

From the above analysis it can be seen that governance is a key mechanism for addressing inequity, marginalized communities, cultural factors in conflicts, security, arms demand and supply and issues of alternative viable livelihoods. Kenya's special envoy to the Somalia peace process recently highlighted:

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<sup>6</sup> Southern Sudan, Somalia and Northern Uganda, Ethiopia and even Democratic Republic of Congo.

Bad governance due to flawed constitutions that deny majority of citizens political space is the main cause of many conflicts that have plagued many African countries since attaining their independence in the 1950s and 60s.<sup>7</sup>

A Permanent Secretary in the Ministry of Labour in Kenya also echoed the same words for Kenya: “lack of good governance is the main cause of problems...Corruption, inefficient management of public resources, reluctance and failure to involve the poor in the development process has contributed to the sorry state.”<sup>8</sup>

Recently at the Commonwealth Parliamentary Association conference in Nairobi, conflicts on the African continent were blamed on bad governance and power-hungry leaders. Conflicts are sparked by irresponsible and provocative utterances by politicians and their opponents.<sup>9</sup> This is also directly linked to corruption and lack of transparency in military in the case of Uganda soldiers and in the Kenya Police Reservists, characterized by the theft of weapons and bullets, which are then sold to cattle raiding groups.<sup>10</sup>

For a long time, the customary Council of Elders in pastoral areas served both the political functions of public administration as well as the judicial functions of a court of law, adjudicating, sanctioning, and enforcing the sanctions. In many circumstances, it still operates effectively. The modern legal system has not been yet fully implemented and integrated in pastoral areas, whilst modern public administration does not recognize the customary traditional governance system. This weakness in governance has intensified

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<sup>7</sup> *Kenya Times*, 18 February 2004 “Bad governance to blame for conflicts plaguing Africa”.

<http://www.kentimes.com/nwsstory/other3.html>.

<sup>8</sup> See *Kenya Times* 5 March 2004. A permanent secretary explains the cause of economic decay <http://www.kentimes.com/nwsstory/others4.htm1>. See also East African Standard 24 March 2004. The chairman of the just ended constitutional review for Kenya gives a brief background of the 40 years in dismantling of freedoms and democracy following independence; the establishment of one party rule; enactment of draconian laws like preventive detention and the intimidation of those who dared to criticize the government; the emergence of a highly personalized system of rule, with heavy reliance on patronage, corruption and plunder of the State, the decline of the rule of law, the transformation of the police from being protectors of the people to becoming their oppressors; the subordination of the Judiciary to the Executive; marginalization of social groups and communities; and the suffering of extreme poverty.

<sup>9</sup> *Daily Nation*, 8, August, 2003:6 “Commonwealth MPs discuss wars”

<sup>10</sup> See for example in Kenya *Daily Nation*, 23 July 2003. “Police pay rise not enough” Noted that cases have been reported of police officers operating lethal gangs or renting out guns and communication gadgets to criminals.



conflict. Pastoralists have common wet and dry season communal grazing areas, where access is 'free' for all. Scarcity of resources has always necessitated negotiations with other ethnic groups. With customary institutions not being recognized by the states a potential peacemaking and peace building mechanism is being neglected.

Neither police nor the army are even able to arrest criminals. When they do, armed warriors often overpower them.<sup>11</sup> For example on 23 August 2004 warriors mobilised against the Kaabong police station, breaking into the cells, freeing all the prisoners and destroying all files. They took charge of the entire police station, looted the guns and paraded through the town where they lynched one LDU commander and killed him. They then went to the UPDF barracks and wanted to attack it. They took charge of town. All the people in the town ran and gathered in hospitals for three days without food. They looted the town until the government sent helicopter gun ships to intervene.<sup>12</sup>

The lack of policing in the area is illustrated again by an incident observed during the field trip on the way to attend a peace meeting held at Karita (Uganda) in May 2001, between the Karamoja, Sebei and Pokot warriors. The lorry carried 60-armed Karimojong warriors past the Kachiliba police station (Kenya) without being stopped by the security. It entered Kenya, and then exited into Karita in Uganda. After the peace meeting, the armed warriors took the same route back to Karamoja in Uganda, without security or any of the local governors from either side of the states stopping them.<sup>13</sup> If animals and people can cross the border at will it is not impossible to smuggle anything across the border.

The fact that in most cases the raiders plan, prepare elaborately for the raids, mobilise themselves, attack and take away stolen cattle without security counter is a further indicator of the reduction of the power of the states or a crack in the intelligence system.

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<sup>11</sup> Field observation 23 November 2003.

<sup>12</sup> Interview Mark, KOPEIN, Moroto, 1 October 2004. Also interview with Hon. Michael Lotee Lokawua the Special Presidential Advisor Moroto, 29 September 2004. He noted that Karamoja have no mercy for the army

Injustice creates tension and hence conflicts demand for arms by the communities.<sup>14</sup> One of the Karamoja Initiative for Sustainable Peace elders argued;

Crime is committed and the criminals are identified, even arrested and handed over to the authorities, they are kept in the cells for a short period, and then they are released. When they return to the communities, they seek revenge against those who reported them to the authorities. So, in the end, we all know that it serves no useful purpose to report a crime or a criminal; and we keep quiet even when we see crimes being committed. Otherwise we solve the problems ourselves; and that only leads to more killing<sup>15</sup>.

Field interviews revealed cases where a rustler was caught, but because he was connected to a powerful politician, businessman or chief, the police would let him go. In such a case the actual legitimacy of the state may be in question.<sup>16</sup>

Although judiciary and police are in place in the case of Kenya and in Karamoja, lack of enforcement, border posts, police posts, and lack of political will, with favouritism of certain groups and harsh treatment of others are major problems. Lack of information on what is really going on, and a general lack of respect for law by the pastoral communities, render them ineffective.

When the state responds to insecurity through the police, they inflict punishment as much as protection. This situation is central to communities' demand for arms. The result has been continued increased cattle rustling. The failure of governance has produced inter-ethnic confrontations in the form of cattle rustling, and the loss of much life and property.

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<sup>13</sup> Ibid.

<sup>14</sup> Respondents alleged bribery and corruption of local leaders; it is quite difficult to confirm such allegations.

<sup>15</sup> Interview, author did not want to be named, Namalu, 27 January, 2003

<sup>16</sup> A motion calling for an amendment the law to make cattle rustling an offence punishable by life imprisonment was shot down in Parliament in Kenya recently. See Daily Nation 10 June, 2004 "Its No to stock theft motion" Hon. Peter Munya claimed that rustling had graduated from a small time activity to big business, sponsored by prominent people in the society.

Marginalization on a background of scarcity, lack of security, and influx of arms exacerbating raiding has served to impoverish the region and diminishing cattle. Thus warriors lose their herding livelihoods and have to search for alternative employment in order to survive; in some areas crooks and entrepreneurs in others the racketeers are the only employment agencies<sup>17</sup> in the areas. Thus the only gainful employment for the youth is security for racketeers, businessmen and traders or joining militias groups.

The racketeers in Northeast Africa though still emerging, have helped to contribute to further state weakness since the funds needed for development are channelled to security. The power of racketeering must be addressed in any peace or conflict management attempts. The patronage and networks built by racketeers must be dismantled to create peace and sustainable development. Additionally any initiative in the areas must address rewards that such people offer the warriors, traders, politicians that they are linked to. There is a major potential for the development of warlords like the LRA if the racketeering is not addressed.

### **8.5 Impacts of the Small Arms Conflict**

The spread of small arms and light weapons in the North Rift since the 1980s has negatively impacted the communities in many ways. Small arms injuries can be counted like the incidence of any disease, and it is clear that a health crisis is intensifying given the scale of the violence. There are clearly some alarming statistics, especially in small clinics in Nakapiripirit and Matany, both in Karamoja, Uganda. The rates of small arms deaths and injury are related to the scale of the raids. Those most affected are males who are usually the perpetrators of the raids in the age range of 15-30, though there are worrying records of injuries to children, some of whom are likely to be young boys learning to raid. For several reasons the statistics are likely to underestimate the problem of both injuries and deaths. Small arms injuries are a preventable drain on resources. The

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<sup>17</sup> In the New Vision, 28 January 2002, President Museveni noted that most of the recruits into the ADF rebels were young people who did not have skills to secure jobs. (Wasike, Alfred, Museveni defends Gaddafi ties, New Vision, 28/01/02 <http://allafrica.com/stories/200201280513.html>). The high number of young people without employment skill makes easy recruitment for abuse.

large number of small arms additionally dissuades medical intervention, as the area is so insecure.

The police data show great human and economic impacts to the community from the use of small arms in raiding though the problem is underestimated due to underreporting by the community and police and possibly by inadequate record keeping. From the economic view, the people have suffered greatly. The cost is enormous although it is conceded that what is lost by one group is often gained by another. However the most vulnerable or less armed groups will lose the most, and with commercialisation of cattle raiding there is diminishing cattle and the concentration of wealth in a few hands. A possible by-product from the quandary of inequitable distribution of cattle due to raids is the formation of a pool of young warriors who are idle and can become a menace.

With the high rate of mortality of warriors, there is an increase in dependent children and more widows. For women, gun violence is leading to new roles of managing homesteads and taking over entire workloads including security of the homes. But with the gun in the home, domestic violence could increase. Other traditional systems and values have been eroded with the use of guns including the increase in the authority of the youth vis a vis the elders. However, the elders still have *legitimate* power and this may be utilised by peacemakers.

The armed conflict has interfered with the traditional survival coping mechanism causing a rise in internally displaced persons. It has also led to the creation of no-go zones, which have interfered with economic development, the potentially lucrative tourism industry and the contribution of NGOs. The data presented in chapter six reinforced the evidence that the cost of the small arms conflict in impoverishment, wasted lives, orphaned children, widowed women, and shattered communities are potentially huge and dismal.

## 8.6 State Armament and Disarmament

There are two major interrelated sources of insecurity in pastoral areas in the North Rift. Firstly there is the insecurity due to regional conflicts in the Horn. This leads to lawlessness and spilling over of arms to civilians forcing the pastoralists to arm for self-protection. Secondly there is the insecurity due to underdevelopment and marginalization of the areas. The commercialization of cattle raids, and the arming of communities by the states intensify these insecurities. It then tries to control the weapons but uses coercive force, which results in increased demand for arms through different sources.

Chapters 4 discussed the state weaponization of communities in order to control armed cattle raiding conflict, whilst chapter 7 showed how disarmament was used for the same purpose, though at the same time armament took place. The following section gives some examples of the complexity of this picture of arms management.

1. The Uganda government is recruiting Karimojong warriors to fight the Lord's Resistance Army in eastern Uganda. This could reverse the work being done to limit the gun culture in the region.
2. In response to increasing violence against the Mukogodo Masai by armed groups from Isiolo, Turkana and others, the government of Kenya took a decision to arm home guards for the protection of the communities. The same strategy was used for the Samburu, who having no access to weapons had found themselves victims to the armed raids from Turkana. Similarly, in Karamoja, Uganda, the escalation and intensification of road ambushes and insecurity saw the birth of vigilante groups supported by the state. And in January 2003, the Karamoja Pian were re-armed as home guards were given 650 guns by the state. This was for the purpose of 'confidence building' since they were vulnerable to attacks from neighbouring ethnic groups.<sup>18</sup>

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<sup>18</sup> Interviews in Namalu, Uganda January-February, 2003 and also 21 November, 2003

3. The states are therefore primary contributors to small arms proliferation in the region. The state's need and use of arms and the existence and efficacy of institutions and procedures for regulating their distribution to civilians deserve attention.
4. Legal control is now an issue contributing to further small arms proliferation. According to the law of Kenya, the only person allowed to issue guns is the Chief Licensing Officer, so that for District Commissioners to issue arms to home guards is actually illegal. Yet the District Commissioners do issue arms to the home guards.
5. Arming one clan or community against another by the state creates imbalance and triggers the race for arms as deterrence by the other communities.<sup>19</sup>
6. There is an increase in sophisticated weapons in the region, and, particularly in Uganda, a level of specialization and differentiation in the ownership of guns has developed. A class of weapons and owners has also developed which tends to concentrate most weapons in the hands of a group of chief warriors, racketeers and *kraal* leaders.
7. The truth is that there are small arms linkages from the state's armouries to groups within the states and also from neighbouring states. For Kenya, the habit of issuing arms to groups is very recent. And again Kenya is very different from Uganda and the other states in the region, because it is only in Kenya where armed rebellion by at least one group does not exist, though the communal cattle rustling in pastoral areas is rampant.

There have been three approaches to curbing the proliferation of small arms and light weapons. Firstly, those directed to establishing legislation that would control the supply

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<sup>19</sup> As in the case of Pian noted above, when armed they decided to retaliate over what they went through before being re-armed.

of weapons. Secondly, those that focus on the reason for demand and lastly, those aimed at disarmament or weapons already in circulation. Weapons collection should be the desirable goal for the two states. However, without first providing human security (not just from other raiding communities, but also from the state security agents who raid pastoral animals and sell them) and economic development and livelihood, eradication of the small arms trade through weapons collection or disarmament will not succeed. As noted by Masinde et al 2004:98,

The disarmament of pastoralists is a pressing policy question for the governments in the Greater Horn of Africa region. A broader approach to conflict management based on understanding the forces behind the emerging gun culture in pastoral areas should be considered.

The proliferation of arms is likely to persist and to undermine the gains of disarmament, as confiscated weapons are replaced with new arms from conflict zones in the Horn of Africa and Great Lakes. Moreover as shown in chapter 7, it is noted that the people have the knowledge and skills of making home made guns. Therefore even if the AK47 is taken away, without providing security and reasons for armaments, the people will make guns. Chapter 7 showed that weapons collection is undermined by the fact that borders with Southern Sudan, Somalia and the Great Lakes region are not fully under government control, but also by corruption in the security themselves. Additionally disarmament on one border creates insecurity and tension on the opposite side, as the people not disarmed attack those who have surrendered their arms. It does not make sense to disarm one community while leaving its hostile neighbour, sometimes from across the border, fully armed. Disarmament also creates displacement as people flee to secure areas.

Additionally, security operations and disarmament fail because the political arm of governance puts obstacles in the way.<sup>20</sup> For the case of Kenya with the most rigorous arms control legislation in the region, but with weak governance and enforcement, control is impossible. Attempts to continue reducing small arms by mercenary designs

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<sup>20</sup> See Daily Nation 18 June 2004. Kenya Times 18 June 2004 Attempts at flushing out OLF rebels from Ethiopia.

(see Chapter 7), through amnesty or cash purchase will continue to be ineffectual if there is continuing re-arming by the states of some sectors of the community.

On September 21, 2004 President Museveni decided to revive the failed disarmament in Uganda noted in chapter 7. He noted that the “disarmament was suspended to attend to the LRA problem, but given that the LRA banditry has now been totally defeated, attention is to be refocused on the disarmament programme in the region.”<sup>21</sup> The disarmament programme starts on 1st November 2004 with peaceful means and forceful starts on 1st December 2004 as per a military programme supposed to be completed by 28 February 2005<sup>22</sup>. However, interviews on the ground noted that the reasons for the re-launch are political. Firstly, local papers confirmed the alienation of the Upe Pokot wildlife reserve discussed in early chapters was truly alienated to the Libyan government who are demanding security before investing. Secondly, President Museveni has decided to run for the 2006 election (his third term) and the population of Karamoja is only one million compared to 5 million people those from the neighbouring regions whom those from Karamoja have been raiding<sup>23</sup>. In order to get these votes, he must be seen to be doing something about the Karamoja and the guns. The majority of the leaders interviewed are not prepared to talk due to the painful experience of the disarmament as seen in chapter 7, as poor methods were applied by the UPDF, no security was guaranteed to life and property, though the majority of the Karamoja would want the gun to go.

In summary, firstly, the governments cannot expect the pastoralists to hand over their arms when their security is not assured. Secondly, without addressing the issue of alternative livelihood there is just a continual demand for more arms, to acquire and protect cattle. Thirdly, weapons collection requires a regional approach given the nature of the small arms diffusion in pastoral and border areas in the Horn region. Disarmament results in increased arms demand among the different ethnic groups and makes the arms

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<sup>21</sup> Interview Hon Michael Lotee Lokawua the Special Presidential Advisor to the disarmament in Karamoja, Moroto, 29 September 2004

<sup>22</sup> ibidi : Email communication 27 November 2004



trade business very lucrative. It brings lack of confidence and ill feeling towards the state, rather than peace.

## **8.7 Good Governance as a Solution.**

Though it seems that pastoral conflict and small arms are out of control in North Rift, best practice found in the field indicates that good governance in security and administration is the key to managing pastoral conflict and small arms proliferation.

### **8.7.1 Good Security**

Evidence from Dol Dol Laikipia indicates that good governance in both security sector and local administration has reduced and curtailed home guards being privy to raids. The senior chief of Dol Dol insisted that home guards (KPRs) are working with the community.

Two communities, Seku and Iingwesi decided to get together and have a joint security system. The two locations each decided to contribute five Kenya Police Reservists. With the help of some NGOs organization; Laikipia Wildlife Forum (LWF)<sup>24</sup>, Borana and Lewa Wildlife Conservancy<sup>25</sup> and in collaboration with the local Member of Parliament,<sup>26</sup> chief, and other leaders they developed a joint security network. They selected one individual as a commandant and one assistant.<sup>27</sup> A proposal was put to different funding agencies, arguing that they were members of the community, trained by

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<sup>23</sup> Interviews with several MPS, and local leaders in the fields who did not want to be quoted, Moroto and Kotido September-October, 2004

<sup>24</sup> It brings together all the different interest groups who are involved in wildlife, including ranchers, pastoralists from group ranches, representatives from small farming communities, the government and Kenya wildlife services. See at LWF <http://www.laikipia.org/laikipia-forum.htm>

<sup>25</sup> The Borana and Tassia lodge are ecotourism projects managed by Masai themselves- see [http://www.laikipia.org/hotel\\_borana.htm](http://www.laikipia.org/hotel_borana.htm)

<sup>26</sup> Francis Ole Kaparo the Member of Parliament for Laikipia West has been the National speaker for three terms. Even former opposition leaders held him in high esteem while he was in the Kenya National African Union, which lost the election in 2002 after 39 years. He used his governance skills to steer Kenya through the ethnic clashes noted earlier, the budget fiascos of 1997 and in 1998 and also the invasion of ranches by pastoralists in 2000-2001.

<sup>27</sup> The commandant has 8 years of experience working for the Kenya Navy and is currently a Chief

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## Appendix 1: Workshops and Conferences Attended 2001-2004

- Towards a Coherence EU Conflict Prevention Policy in the Horn of Africa. Enhancing EU Capacity to foster peace and stability in the Horn of Africa. 7<sup>th</sup>-9<sup>th</sup> March Ethiopia- EU Conference- Addis Ababa
- Small arms demand reduction and human security towards a people centred Approach to small arms. Toronto March 14-17, 2001
- Small arms trafficking in the border regions of Sudan, Uganda and Kenya: determining the issues and setting the strategies, held in Jinja, Uganda 9-13, November, 2001
- Improving law enforcement and operational capacity to tackle the proliferation of small arms and light weapons in the Great Lakes region and the Horn of Africa, 28-29 June 2001, Nile Hotel, Kampala. Uganda
- The International Resource Group/IRG Regional Conference on Good Governance and the Rule of Law in the Horn of Africa, 11-13 September 2002, Leopard Hotel, Mombasa. Kenya.
- Security meeting organized by Moroto Resident District Commissioner for NGOs and local administration, Moroto 31 January 2003.
- Breaking the circle of violence: the Challenges of Small arms, Capacity Building and Development in Karamoja. Mbale, Uganda, 14-16 May 2003.
- Workshop on “challenges of Conflict and Small arms proliferation on capacity building for development in Karamoja, N.E. Uganda” Mt. Elgon Hotel, Mbale, Uganda 14-16 May 2003. Organized by SNV-Uganda and Paxi Christi Netherlands.
- ACACIA- Conference University of Cologne, Konigswinter- Germany 1-3 October 2003.
- Security for the people of Karamoja and its neighbouring Districts: the way forward. Workshop organized by Pax Christi Netherlands, in Partnership with Karamoja Agro- Pastoral Development Programmed and Kotido Peace Initiative, Mount Moroto Hotel, Moroto, 20-21 November 2003.
- Sustainable Disarmament and Development in Karamoja Stakeholders Workshop Organized by Uganda Human Rights Commission and Paxi Christi Netherlands, Mount Moroto Hotel. 22-23 November, 2003
- Controlling the demand for small arms: The search for strategies in the Horn of Africa and in the Balkans Ibis Hotel, Scheveingen, Organized by Paxi-Christi Netherlands.

The Hague, 8-9 December 2003. Pastoralism, conflict and small arms in the North East Africa: The Challenges of Insecurity and Attempts at management (the 2001-2003 disarmament) in Karamoja, Uganda. A seminar done at St Atoney's college Oxford University, 31 January 2004.

## **Appendix 2: General Question Guide for all Respondents**

### **Goal**

1. Understand the problem
2. Get useable data-facts on the trans-border dynamics of arms movement, costs, impacts
3. Assess the nature of governance in the areas? Is there governance in terms of institutions of law and order- police, judiciary courts etc

### **Security questions explored.**

1. Has insecurity increased in the area?
2. What security problems do the communities in the study areas experience?
3. What in your opinion is the cause of the insecurity?
4. What do you consider to be the major security risk in Karamoja, Pokot, Baragoi and Dol Dol
5. How has the problem of insecurity presented itself?
6. In what ways has the security affected the people?
7. What activities are most affected?
8. What is being done to address the insecurity by the government, the community, religious organizations and others.
9. What are the tiers of security in the areas?

### **Disarmament**

1. How many times has the government tried to collect arms from the community?
2. Why did the government decide to collect the arm?
3. Was any gun-buying back problem initiated, if so how did it work?
4. Has the government been successful in disarmament if not why
5. What happened with the guns collected?
6. What organizations are involved in peace in the area?
7. What are these organizations doing?
8. How long have they been involved?

### **SALW, Demand, Costs, Sources etc**

1. Why are pastoralists demanding arms?
2. Trans-boundary pattern of arms movements?
3. Trans-boundary dynamics of interactions.
4. What security problems do the people find?
5. What are the costs of arms and ammunition, border areas and interior?
6. Cross border nature of the small arms conflict

### **Customary Traditional Governance and Dispute Management System.**

1. Customary traditional governance institution system is visible?
2. Are they intact or have arms affected them?
3. What is their role in the small arms dynamics?

### **Governance**

1. Is there Government on the ground and are service provide by the states?
2. What is the nature of roads?
3. Does the area have state security, what type of security exists, militia, vigilante, and army?
5. How long do the local governors District commissioner/Resident District? Commissioner's stay?
6. What is the relationship between the local council, the DC/RDC with the community?
7. Are the institutions for justice on the ground i.e. courts, police if not why and how is justice ensured?

### **Response by the state**

1. Policies of the States
2. Attempts at the management of insecurity.
4. Challenges of Management.
5. Cooperation

### Appendix 3: Questionnaires to Administrative and Senior Officers in Kenya

1. Last District \_\_\_\_\_ Last Division....
2. Last Name----- First Name \_\_\_\_\_ Sex \_\_\_\_\_
3. If border town name it.....
4. Designation.....
5. How long did you serve in the district.....
6. Name the nature of conflicts in the District according to the highest to the least
7. Is there an increase in the conflict or intensity, if so, explain
8. What security problems do people in your district experience?
9. When did this problem start to cause concern (period).....
10. Why are Kenyans, especially pastoralists' suddenly demanding arms?
11. Has a chairman of security committees we have been arming home guards or KPR, what is the advantage and disadvantages of home guards?
12. How can the problem of small arms and cattle rustling be turned into opportunities?
13. How has the problem of small arms and cattle rustling affected the division, district you come from (it is a problem).....
14. If you worked on the border towns, what is the nature of the border?
  - a. Security wise.....
  - b. Customs officers.....
  - c. Immigration.....
  - d. Other.....
15. Does the border make a difference? If not explain... explain.....
16. Is trafficking on the borders regular, occasional or is the supply of small arms becoming organized, why do you say so.....
17. In Samburu and Pokot disarmament has been done was it voluntary?, what were the incentives given to the local people.....
18. Why has Pokot been target for small arms disarmament?
19. Has the disarmament programs been successful? If not why? How should be done to succeed?

20. What can be done to address the problem of small arms in Kenya.....
21. What initiatives are being undertaken in your last division to address the small arms problem?
22. What concrete results have these initiatives yielded.... ..
23. In your last station do have any knowledge of the existence of weapons caches (which).....
24. What are the routes of arms into Kenya?
26. If you were to draw a rough map of the routes weapons take into Kenya, what would be the start off points, transit areas and arrival points.....
27. The pastoralists are currently the most militarised groups in peacetime Kenya, what is the implication to the security of Kenya?

#### Appendix 4: Glossary of Vernacular Terminology

<i>Ajore</i>	: Revenge raid
<i>Akicul</i>	: Half marriage
<i>Akiriket</i>	: Traditional council of initiated elders (juniors and seniors)
<i>Akoko</i>	: Small theft
<i>Alokita</i>	: A group of women united for the purpose of communicating messages to the community through songs, poems, dances and speeches
<i>Alomar</i>	: Group of cattle camps (kraals)
<i>Ameto</i> :	: Customary punishment by the elders
<i>Areom</i>	: Big scale livestock raid
<i>Asapan</i>	: Initiation
<i>Ekeduara</i>	: Dreamer who predicts successful raids in Kotido
<i>Ekuron</i>	: Insecurity
<i>Ekicule</i>	: Full marriage
<i>Emuron/Ngimurok</i>	: Seer in Turkana and Karimojong
<i>Laibon</i>	: Seer in Samburu and Laikipia Masai
<i>Karachuna</i>	: Young herdsman/warrior/raider in Karamoja
<i>Lokit</i>	: East Coast fever
<i>Lopit</i>	: Anaplasmosis
<i>Ngidigidai</i> .....	: 16-25 warriors in Pokot
<i>Moran</i>	: Warriors in Masai
<i>Chinkororo</i>	: Vigilante in Kisii- Masai border
<i>Amachuma</i>	: Vigilante in Kisii