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THE ROLE OF INDIGENOUS KNOWLEDGE SYSTEMS
AND INSTITUTIONS IN CONFLICT RESOLUTION
AMONG PASTORALISTS OF KENYA-UGANDA BORDER
AREA

BY

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The Role of Indigenous Knowledge Systems and Institutions in
Conflict Resolution among Pastoralists of Kenya-Uganda
Border Area.

By

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This is to certify that the thesis prepared by Tesfamichael Teshale entitle: *The Role of Indigenous Knowledge systems and Institutions in conflict Resolution among pastoralists of Kenya-Uganda border area*, submitted in partial fulfilment of the requirements for the Degree of Master of Arts in African Studies complies with the regulations of the University and meets the accepted standards with respect to originality and quality.

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ACRONYMS

AAU	Addis Ababa University
ACCORD	African Centre for the Constructive Resolution of Disputes
AU	African Union
CAR	Central African Republic
CBO	Community Based Organization
CEWARN	Conflict Early Warning and Response
CEWERU	Conflict Early Warning and Early Response Unit
COMESA	Common Market for Eastern and Southern Africa
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of Congo
FEWS NET	Famine Early Warning System Network
FM	Field Monitors
IGAD	Inter Governmental Authority on Development
IK	Indigenous Knowledge
IPSS	Institute for Peace and Security Studies
KISP	Karamoja Initiative for sustainable peace
LRA	Lord Resistance Army
NGO	Non Governmental Organization
NRI	National Research Institute
OAU	Organization of African Unity
OSSREA	Organization for Social Science Research in Eastern and Southern Africa
SALW	Small Arms and Light Weapons
SIDA	Swedish International Development Cooperation Agency

SNNPRS	Southern Nations and Nationalities Peoples Regional State
SNV	Netherland Development Organization
SPLA	Sudan People's Liberation Army
UNDP	United Nation Development program
UN OCHA	United Nations Office for the coordination of Humanitarian Affairs
USAID	United States Agency for International Development
VSF	Veterinaire Sans Frontiers (Veterinarians without border)

Abstract

This thesis discusses the role of indigenous knowledge systems and institutions in conflict resolution among the pastoralists of Kenya-Uganda border area and the central goal of this study is to show the role of indigenous knowledge and institutions in conflict resolution on the study area. Methodologically, since the research deals with the cultural aspects of the society under study, the researcher used qualitative research method and assessed data from different secondary literatures, documents, reports and interview. Triangulations were employed to make objective analysis, come up with sound findings and draw valid conclusions. In the course of discussion, geographical, ethnographic, historical background, the causes of conflict and indigenous conflict resolution mechanism is discussed in detail. The researcher identified indigenous knowledge system and institutions used in conflict resolution has been playing preponderant role however, different concerned bodies which are activated on Kenya-Uganda cross border pastoral areas more emphasized on the Western Approaches of conflict resolution rather than to look inward to the societies indigenous mechanisms which are tested and that were used for many years. Besides, conflict in pastoral study areas has long been linked to the need to gain control of scarce and strategic resources, particularly water and pasture. As a result, a different mechanism has been implemented to resolve conflict. However, there is still conflict in cross border pastoral Areas of the Horn of Africa region in general and on the study area in particular. Furthermore, conflict on the study area is exacerbated by commercialized cattle raiding and the emergence of war lords. This leads the youth to neglect indigenous institutions and engaged in conflict with their neighbouring pastoralists. Therefore, the study suggested possible mechanisms to overcome those problems.

Key concepts: Pastoralism, Indigenous knowledge, conflict resolution and cattle rustling/raid.

CHAPTER ONE

INTRODUCTION

1.1 General Background of the Study

Some of African societies are experiencing socio-political transformation, which involves changes in values, often reflected in “loss” of traditional reference points and adoption of western values. Such inclines to create psychological stress within individuals and societies. Conflict among the pastoral groups and between the elders and the youth has become more marked (Osamba, J 2001:9). There is strong competition and struggle for survival among these societies. Conflicts, therefore, appear to have become “endemic”. These developments may destroy the basic norms of social and ethnic cohabitation. The precursors and nature of these conflicts thus need to be identified and addressed (Francis (eds), 2008:30).

Horn of Africa has numerous pastoral groups in a broad geographical band that stretches from the Kenya-Somalia border northwards into Ethiopia; and northwest to encompass regions of Uganda, Sudan, the Democratic Republic of the Congo and the Central African Republic. The Kenya-Uganda border area is a largely arid and semi-arid area and so well suited to pastoralism. These regions have suffered large-scale intra-state and inter-state wars that have supplied pastoral groups with modern weaponry, which lead to protracted conflicts with numerous neighbours (Leff, J 2009:190).

Hence, conflict and insecurity have devastating effects on the livelihoods and vulnerability of pastoralist societies in the Kenya-Uganda border area. Loss of human life and livestock, food insecurity, displacement, restricted or blocked access to key resources and to livelihood opportunities are among the most immediate outcomes of violence (Markakis, 2004 and AU, 2010:23).

Besides, conflict, in pastoral areas has long been associated to the need to gain control of scarce resources, especially water and pasture. However, the fundamental issues

here are not only scarcity, but also the increased inability to manage scarcity (Levine and Pavanello 2012:35).

Pastoralists' conflicts on Kenya-Uganda cross border area over the control, use and access of pasture, grazing land and water resources have existed since the history of these communities. Peace-building in Africa are, however, still predominantly being taught and practised through models originated from Eurocentric traditions (Werner, 2010:66 and Francis (eds), 2008:43).

However, Indigenous conflict resolution mechanisms are part of a well-structured, time-proven social system inclined towards reconciliation, maintenance and improvement of social relationships. The methods, processes and regulations are deeply rooted in the customs and traditions of peoples of Africa. The importance and utility of the processes lie in the fact that they strive "to restore a balance, to settle conflict and eliminate disputes" (Choudree, 1999:1). So, the researcher on this thesis posits that the devastating effects of the current conflicts among the pastoral communities in the borderlands could be minimised through the adoption of norms and values based on those of the indigenous cultures.

1.2 Statement of the problem

Violent conflict between pastoral communities in the borderlands of Uganda-Kenya has become unrestrained and violent to an extent that governments of Kenya and Uganda seem to be incapable to control inter-group warfare. More is needed than efforts by States to re-establish peace in the region. Effective handling of such conflicts necessitates more efforts than western methods of conflict resolution (Osamba, 2001:15). Pastoral communities comprise from 95 percent of the population in Somalia and Djibouti, to about 60 percent in Ethiopia and Uganda. In Kenya and Sudan, the numbers are between 20 and 25 percent. These communities are concentrated in semi-arid and arid areas and are spread along common borders of countries in the region. They often straddle long borders with their livestock in search of increasingly scarce water and pasture (Markakis, 2004, CEWARN 2004, Report and www.rural21.com).

The Kenya-Uganda border area is a mostly arid and semi-arid area and so well suited to pastoralists than agriculture. The Kenya-Uganda border runs through the territory of a number of mainly pastoral communities, including the Sebei, Teso, Pokot, Turkana and Karimojong. The Ugandan side of the border is known as the Karamoja region, which is largely occupied by a mix of Upe (Ugandan) Pokot and the Pian clan of the Karimojong, in Nakapiripirit district (Leff, J, 2009:189). The Kenyan side of the border is divided into West Pokot district, which is occupied mainly by Pokot, and Turkana district, which is occupied mainly by Turkana. At its northernmost point the border adjoins Sudan (Mkutu, 2003:9).

However, the causes of conflict between pastoralists are diverse, and include: limited access to water and pasture resources, loss of traditional grazing land, cattle raiding, diminishing role of traditional institutions in conflict management, political incitement, non-responsive governments policy and inter-ethnic hostility. The complexity of the conflicts is also heightened by the presence of international and regional boundaries that have affected pastoralist through creation of administrative units, which split communities that once lived together. This is true for example, between the Pokot and the Turkana who occupy parts of Kenya and Uganda. These boundaries have interfered with seasonal movements (Leff, 2009:192).

According to Mkutu, the borders set by colonizers did not only limit “free” access to grazing land and water but also seem to have increased social conflicts among the pastoralists. As access to land decreased and populations of people and livestock increased against available resources, there emerged acute competition for water and pasture. These, in turn, tend to intensify both intra and cross border raids and conflicts. Today, conflicts among pastoral communities have taken new unprecedented dimensions. They create misery, poverty, and insecurity among the populace (Mkutu, 2003:10). Besides, the greater part of academic research on peacemaking has a distinctively Western and Eurocentric bias. It is therefore necessary to correct this asymmetrical growth of knowledge as far as peacemaking is concerned (Francis, (eds) 2008:38). It is in light of addressing these outstanding research gaps the researcher decided to write the thesis on this issue.

1.3 Research Questions

Accordingly, at the end this study attempts to answer the following questions:

1. What are the main causes of conflict and methods of conflict resolution among pastoralists of Kenya and Uganda borders?
2. How are indigenous conflict resolutions mechanisms applied and resolved conflict on Kenya-Uganda cross border pastoral areas?
3. Why are Indigenous conflict Resolution mechanisms important?

1.4 Objective of the study

The study focuses on Indigenous conflict resolution and peace building mechanisms among the cross border pastoralists of Kenya and Uganda.

1.4.1 General Objectives

The overall objective of the research is:

- i. To analyze the roles of Indigenous Knowledge in understanding causes of conflicts and its role for peace building, and
- ii. Examine the relevance of Indigenous knowledge systems and institutions of pastoralist groups for promoting sustainable peace among pastoralists.

1.4.2 Specific Objectives

Besides the above general objective, the proposed studies also have the following specific objectives:

- i. Understand the nature of intra and inter-pastoral conflicts among Kenya-Uganda border areas.
- ii. To research the indigenous knowledge systems and their functions in contribution to conflict resolution or management efforts among the pastoralists of Kenya-Uganda Border area or region.
- iii. Assess the effectiveness of Indigenous knowledge systems and institutions in bringing long lasting solutions to conflict among the pastoralists of Kenya-Uganda bored area.
- iv. To suggest research based ideas that help particularly of the two governments to minimize inter and intra-pastoralist conflict in the study area.

1.5 Significance of the study

The study of Indigenous conflict resolution mechanism among the pastoralists of Kenya-Uganda border area could be important from the following perspectives:

1. The study will be an additional contribution to works that have already been done on conflict resolution in the region. It serves as a useful input for those individuals interested to carry out in-depth studies on similar topics.
2. Results obtained from the Study will help for action and provide better and appropriate ways of conflict resolution. It also Provides a framework for peace practitioners in Africa, and elsewhere, to analyse and Examine conflict causes and remedies.

1.6 Research Methodology

This study is a qualitative research and the methodologies employed in the study use multiple tools, which were designed to triangulate with one another for maximum data reliability. As a result, relevant information for this study has been collected from both primary and secondary sources with the following set of methods:

1.6.1 Study Design

This study on the role of indigenous knowledge in conflict resolution among cross border pastoralists of Kenya and Uganda is a qualitative research.

The reasons for selecting this approach in this study are first, the study begins without hypotheses but only a general question because its research problem or issue needs to be explained (Creswell, 1998; Dooley, 2003). Second, with regard to feasibility this study also uses qualitative research due to the fact that quantitative measures and statistical analyses simply do not fit the problem under the study or the research problem has no adequate measure, or difficult to capture with precise yardstick. Third, being an explanatory and descriptive research, qualitative approach is selected as pertinent in order to grasp a detailed understanding of the issue in order to explain the role of indigenous knowledge systems and institutions in conflict resolution.

1.6.2 Instruments of Data Collection

With regard to data-gathering method, this study involved use of a qualitative method of data collection based on primary and secondary sources.

1.6.2.1 Primary Data

Among primary data, interviewing is a valuable assessment tool because it allows the participant to share their experiences, attitudes, and beliefs in their own words. The use of direct quotations in the assessment findings helps the researcher present an accurate depiction of what is being evaluated.

A major means of gathering qualitative information is through in-depth interviewing. This involves open-ended questions, where interviewees can answer questions on their own terms and in as much detail as they like. There are a number of approaches for collecting interview data. Interviews can be structured, semi-structured or unstructured. However for this study the researcher mainly used semi-structured and unstructured in-depth interview. This gave the researcher freedom to raise questions depending on the context of the situation and background of the interviewee. Unstructured in-depth interviews were held with six officials at Kenya Embassy, officials at Uganda Embassy, CEWARN/IGAD and AU.

The tool that the researcher has used to select his informants is purposive sampling, where respondents are selected on the basis of certain predefined purpose. The researcher has chosen institutions that are working on the area of two countries and conducted semi-structured and unstructured interviews.

A semi-structured approach to interviewing represents a compromise between standardization and flexibility. Here, an interview guide is used, which is basically a checklist of the issues explored during the interviews. There is no set order to the topics, and specific questions are not necessarily worked out ahead of time. However, before ending the interview, the interviewer makes sure all the items have been covered, through the natural course of the conversation. Any topics not yet covered can then be addressed. As with the structured interview, this method ensures that the same type of interview data are gathered from a number of people.

Besides, the unstructured interview is conducted which more like an informal conversation, where questions are generated during the natural flow of conversation. Although certain topics are covered, there are no predetermined questions. The data varies with each person interviewed. This makes the analysis more challenging. As well, more opportunity exists for an interviewer's bias to influence the results. The strength of this approach though is that the interviewer can tailor the approach and line of questioning to each individual.

As a result rely on the above methods, three different types of interviews schedules were prepared for the four groups of officials. The interview schedules for Kenya Embassy, Uganda Embassy officials, AU concerned persons and CEWARN officials.

1.6.2.2 Secondary Data

Related literature and available documents on the cause of conflict and mechanisms to solve disputes among the cross border areas of IGAD member states in general and specifically on Kenya-Uganda cross border areas the researcher were revises. These secondary sources will help to secure information on background of the people, study area, the role of socio-political Indigenous institution and their significance in the study area, specifically on conflict resolution. The principal sources of the data used for this thesis were documents and academic literature. These include books, articles, media publications, different reports, official documents, journal articles, media reports and electronic sources. In order to strengthen aspects of the data provided by these writings, the researcher interviewed individuals including: academicians from research centres and universities, and middle-level officials of regional organizations.

1.7 Data Management and Analysis

A variety of methods are used to analyze qualitative data. The process is described here in very general terms and appears as a sequence of steps, which in actual practice can occur simultaneously or may even be repeated. First, all data, if not already in a written form, is converted to text. Thus, taped interviews are transcribed and visual material is summarized using words, etc. This body of textual material is reviewed to identify important features and, possibly, summarize them. The data, either in summarized form or not, is then reviewed to identify patterns.

1.7.1 Document Analysis

Document analysis is a systematic procedure for reviewing or evaluating documents both printed and electronic material. Like other analytical methods in qualitative research, document analysis requires that data be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge (Creswell, 1998). Documents contain text (words) and images that have been recorded without a researcher's intervention.

Also according to Have, (2004) Document analysis is a social research method and is an important research tool in its own right and is an invaluable part of most schemes of triangulation. A document is something that we can read and which relates to some aspect of the social world. Official documents are intended to be read as objective statements of fact but they are themselves socially produced.

Documents that may be used for systematic evaluation as part of a study take a variety of forms. They include manuals; background papers; books; journals; event programs (i.e., printed outlines); letters; maps and charts; newspapers; press releases; organisational or institutional reports; survey data; and various public records. These types of documents are found in libraries, newspaper archives, historical society offices, and organisational or institutional files.

1.8 Some Of the Key Terms Definition

Indigenous knowledge (IK) can be defined as a systematic body of knowledge acquired by local people through the accumulation of experiences, informal experiments and an intimate understanding of the environment in a given culture (Semali and Kincheloe, (eds) 1999).

Indigenous Institutions: refers to the structures and the units of organization in a community and covers also the norms, values, and beliefs that guide social interactions. Indigenous institutions shape the local organization, while the leadership structure within the community and their functional roles ensure compliance with the rules, norms and beliefs on the part of the populace (Kendie and Guri, 2006: 333)

Pastoralism A lifestyle centred on livestock keeping, pastoralism has been defined as “the finely-honed symbiotic relationship between local ecology, domesticated livestock and people in resource-scarce, climatically marginal and highly variable conditions. It represents a complex form of natural resource management, involving a continuous ecological balance between pastures, livestock and people (Nori, M and Davies, 2007: 7).

Pastoral area: It is an area used predominantly for grazing livestock with little or no cultivation (www.environment.gov.au/soe/2001/publications)

The terms "**rustling**" or "**raid**" are used interchangeably in the study to refer to armed attacks by one group on another for the purpose of stealing livestock and not necessarily for territorial expansion (Markakis, 1993:124).

On the other hand, the term "**conflict**" is used to refer "a dispute into which the threat of physical coercion (violence) has been introduced" (Amoo, 1992: 3).

The phrase "**conflict resolution**" refers to the termination of a conflict or dispute through the elimination of the underlying bases or causes of the conflict (Burton and Dukes, 1990:217).

1.9 Delimitation of the Study

This study is delimited to the assessment of the roles of Indigenous knowledge systems and institutions in conflict resolution among the three (Pokot, Turkana and Karamojong) pastoralists of Kenya-Uganda border area.

The selection of Kenya-Uganda pastoral border areas as the study area is due to the fact that, for several centuries' conflict and violence involving the main pastoralist communities of the Karamojong, Pokot and Turkana in north-eastern Uganda and western Kenya is still endemic. Second, the area is also one of the most remote and deprived localities in terms of the nature of the area: arid and semi arid, which has not been given more emphasis by governments since colonial period. Besides, the researcher attracted by the literatures that he read and more interested to know more

about the study communities. As a result, the study of the role of indigenous knowledge systems and institutions in conflict resolution is necessary in the process of stabilize the area and may pave the way for cross border free movement which might be a milestone for regional interaction.

1.10 Limitations of the study

The study attempts to consider the overall role of Indigenous knowledge in conflict resolution among the pastoralists of Kenya-Uganda border areas. Some limitations, however, identified during the process.

To conduct the study the researcher has faced problems related with reference materials. Since the problem is continuing, the availability of books and other materials in the library and other bookstores are scarce .To fill the gap, the researcher was depending more on journals and internet sources. In addition, time, low access to internet, and lack of finance was also part of the problem. The inability to collect more primary data through questionnaire and/or observation was the other problem that faced the researcher. This may affect the validity of some of the information in this thesis. However, maximum care has been taken to ensure the validity of the information collected. Such as, by cross-checking the collected data and ensure their validity.

1.11 Organization of the Study

This thesis comprises of five chapters. The first chapter is an introductory part, and it includes background of the study, statement of the problem, significance, delimitation and limitation of the study, the research design and methodology and definition of key terms. The second chapter is about, review of the related literature. The third chapter discusses about geographical, ethnographic and historical background of the study community. The fourth chapter deals with the presentation and analysis of the data. Summary and suggestion are presented in the fifth chapter.

CHAPTER TWO

REVIEW OF THE RELATED LITERATURE

A review of relevant literature on conflict and conflict resolution is the Concern of this section. Different theoretical approaches to conflict and its sources, various mechanisms of peace making processes are reviewed.

2.1 The Phenomena of Conflict

Conflict has been studied over centuries by many scholars. But a more systematic study has been possible only since the twentieth century (Schellenberg, 1996:8). The emergence of political anthropology as a special branch of social anthropology marked by the publication of "African Political Systems" (1940), edited by Fortes and Evans-Pritchard, that the study of conflict resolution became high. However, theoretical controversies over the subject of conflict and its resolution have survived a long history of the study. From the very beginning, scholars did not agree upon whether conflict is a separative process or societal. Some scholars have contended that conflict has a divisive effect.

Park and Burgess (1921) and Simmel (1955), cited in Colser (1964) argue that every interaction among men is a societal, so is conflict. Conflict is a means to solve and avert complete fission, thereby preserve some kind of unity. Similarly, Bohannan (1967: XI - XIV) characterizes conflict to be as basic as culture is in society, which possibly controlled and utilized profitably for better cultural development and maintenance of social order. Schellenberg (1996: 9) states that, conflict is neither bad nor good, but one of the essentials in human social life. Further, Marxian view conflict not only as built into the social system but also as the primary stimulus for social change (Seymour-Smith, 1986: 51).

Besides, according to Deutsch, Conflict is a universal feature of human society. It takes its origins in economic differentiation, social change, cultural formation, psychological development and political organization, all of which are inherently conflictual and becomes overt through the formation of conflict parties, which come

to have, or are perceived to have, mutually incompatible goals. The identity of the conflict parties, the levels at which the conflict is contested, and the issues fought over (scarce resources, unequal relations, competing values) may vary over time and may themselves be disputed. Conflicts are dynamic as they escalate and de-escalate, and are constituted by a complex interplay of attitudes and behaviours that can assume a reality of their own. Third parties are likely to be involved as the conflict develops, and may themselves thereby become parties in an extended conflict (Deutsch, 1973:28).

According to Castro and Galace, Conflict may be viewed as occurring along cognitive (perception), emotional (feeling), and behavioural (action) dimensions. This three-dimensional perspective can help us understand the complexities of conflict and why a conflict sometimes seems to proceed in contradictory directions. By considering conflict along the cognitive, emotional, and behavioural dimensions, we can see that it does not proceed along one simple, linear path. When individuals or groups are in conflict, they are dealing with different and sometimes contradictory dynamics in these different dimensions, and they behave and react accordingly (Castro and Galace 2008:37).

2.2 Conflict Resolution

“Conflict Resolution” is a broad and fast growing academic field that need to find its place in the world of disciplines. Although it is a relatively young focus of study, having begun to emerge as a specialized field only in the 1950s, when superpower conflict threatened the very existence of human kind, it has rapidly grown into a self “contained, vibrant, interdisciplinary field” where theory and practice pace real world events. Essentially, scholars in Africa working on conflict resolution study, the phenomenon of conflict and analyze ways to bring it under control, bringing their insights and concepts to bear on actual conflicts, be they domestic or international, so as to foster better and more effective relations among states and peoples (Deutsch, Morton, Peter Coleman and Eric Marcus (eds), 2006:34).

“Conflict resolution” is also about ideas, theories and methods that can improve our understanding of conflict and our collective practice of reduction in violence and

enhancement of political process for harmonizing interests. What we know about conflict affects the way we approach it whether the focus is on international, internal or communal conflict, ideas and theories are available to change the way actors approach conflict and seek to resolve it (Kelman, 2009:170).

In addition, “Conflict resolution” is a more comprehensive term, which implies that the deep- rooted sources of conflict are addressed and transformed. This implies that behaviour is no longer violent, attitudes are no longer hostile, and the structure of the conflict has been changed. It is difficult to avoid ambiguity, since the term is used to refer both to the process (or the intention) to bring about these changes and to the completion of the process (Francis (eds), 2008:68).

However, according to Bob-Manuel, it is only when potential and actual conflicts in Africa are understood in their social contexts that they can be solved. Values and beliefs, fears and suspicions, interests and needs, attitudes and actions, relationships and networks have to be taken duly into consideration. Root causes of the conflicts need to be explored, so that a shared understanding of the past and present is developed. The gradual erosion of the values that existed within the traditional African societies and the replacement of these values by European colonial and post colonial ones introduced systematic problems for Africans because they were unable to adapt to the new system of political power (Bob-Manuel, 2000:23).

In addition, the control of political power by elite who took over from the colonial powers sees as one of the factors in the continuing discord and discontent. This has led to different ethnic groups struggling for dominance in the new system of political power. During the years of “traditional leadership” in Africa various conflicts caused by different issues attracted various approaches to their resolution. Most conflicts and their resolution methods at that time were predominantly local. The conflicts were between individuals, villages, communities or ethnic groups who lived in the same or adjoining areas. Those who intervened were often local elders and or tribal leaders (Francis (eds), 2008:70).

2.3 Sources of Africa's Conflict

Africa is a vast and varied continent; African countries have different histories and geographical conditions, different stages of economic development, different sets of public policies and different patterns of internal and international interaction. The sources of conflict in Africa reflect this diversity and complexity. Some sources are purely internal, some reflect the dynamics of a particular sub-region, and some have important international dimensions. Despite these differences, the sources of conflict in Africa are linked by a number of common themes and experiences (Kofi Annan, 2004).

Throughout history, the study of conflict, whether the aggressive behaviour is biological human quality or a reaction to social, political and economic factors is where lay the controversy among the scholars (Collier, 1975:132). Some scholars have agreed that the causes of conflict are deep rooted in our biology. Schellernberg 1996:182 describes such an approach as Individual Characteristic Theory, which focuses on the individual and his acts, rather than the context of the act.

According to Schellenberg, conflict has many roots, and there are many theories that try to explain these origins. Conflict is seen as arising from basic human instincts, from the competition for resources and power, from the structure of the societies and institutions people create, from the inevitable struggle between classes (Schellenberg, 1996:13).

At the centre of all conflicts are “human needs” such as food and other basic human needs. People engage in conflict either because they have needs that are met by the conflict event itself or because they have (or believe they have) needs that are incompatible interests and needs of those of others. People engage in conflict because of their needs, and conflict cannot be transformed or settled unless these needs are addressed in some way. There are five basic forces, or sources of conflict: the ways people communicate, emotions, values, the structures within which interactions take place, and history (Deutsch, 1973).

2.4 The Nature of Conflict in Pastoral Areas

Pastoral communities inhabit 22 countries on the African continent, ranging from the Sahelian West, the rangelands of Eastern Africa and the Horn of Africa, to the pastoral populations of Southern Africa. Pastoral societies are concentrated in some of the most arid regions of the continent, which necessitate semi- or wholly-pastoral livestock grazing (Bevan, J 2007:4). Many of these communities, such as the Turkana, Pokot, Karamojong and the like are affected by armed violence, with East Africa and the Horn, and the Sahel region featuring sustained levels of inter-pastoral armed violence with associated lawlessness (Mkutu, 2003:8).

Eastern Africa has numerous pastoral groups in a broad geographical band that stretches from the Kenya-Somalia border northwards into Ethiopia; and northwest to cover regions of Uganda, Sudan, the Democratic Republic of the Congo and the Central African Republic (CAR). These regions have suffered large-scale intra-state wars that have supplied pastoral groups with modern weaponry, resulting in protracted violent conflicts with numerous neighbours (Kendagar, R 2005:4).

Hence, Conflict and insecurity have devastating consequences on the lives and livelihoods of pastoral society and vulnerability of pastoralist societies in Kenya-Uganda border area. They represent major obstacles to the long-term development of the dry lands. Loss of human life and livestock, food insecurity, displacement, restricted or blocked access to key resources and to livelihood opportunities are among the most immediate outcomes of violence. Limited private sector investments, “reversal” of development gains, stunted economic growth, breakdown of social fabric, and further marginalization are more of the long-term negative effects of conflict (Panvello, S 2009:17).

Besides, Conflict in pastoral areas has long been linked to the need to gain control of scarce and strategic resources, particularly water and pasture. However, the key issues here are not merely scarcity, which has always been a determining feature of life in the rangelands, but also the increased inability to manage scarcity (Levine and Pavanello 2012:5).

For many years, inappropriate policies by state such as, enforced settlement and misguided approaches to pastoral development have had serious indirect consequence on pastoralists' ownership of their land and their ability to effectively manage their resource base (Kaplan, 2012). Pastoral development policy intervention in British Colonies, especially, in Kenya and Uganda, was shaped by the view that the communal rangeland management governing by pastoralist systems were inefficient and was causing environmental degradation and conflict (AU, 2010).

Successive post colonial governments have seen this as requiring the further extension of private land tenure. Accelerating privatisation of land has fuelled growing insecurity in pastoral areas. This in turn has forced people to congregate in more secure areas, further increasing the pressure on land and other resources (Leff, 2009:193).

2.5 State Borders and cross-border Relations

Many of pastoralists cross state and administration in search of grazing and water resources as well as marketing opportunities. In very many cases, they have blood ties, through ethnicity or marriage, with pastoralist communities on the other side of the border. Border regions in the Horn of Africa are rife with pastoralist conflicts that usually include cattle raids, thefts and revenge killings. These sometimes escalate into widespread violence, resulting in the mass displacement of people, reduced access to pasture and water and decreased livelihoods. Cultural traditions and customary institutions feature significantly in conflict initiation and resolution. Efforts to encourage and employ these institutions in conflict prevention and resolution programmes present an opportunity to achieve covers of more sustainable peace by utilising internal cultural factors (Henly, 2011: 105–120).

Bevan, 2007:15, also claims that conflict is rampant in pastoral areas. Such conflicts stems not only from competition over pastoral resources, but also from borders and boundaries established without taking into account the needs of mobility pastoralist, from weakening of customary conflict prevention and resolution mechanisms, from curtailing mobility and from a proliferation of small arms. Conflicts in pastoral areas are often aggravated by politicization and lack of adequate or appropriate intervention

by security forces. Climate change and its impact on the ability of pastoralist to cope and recover from drought are also compounding conflict amongst pastoralists.

2.6 Indigenous knowledge (IK) and conflict resolution

2.6.1 What is an Indigenous Knowledge System?

In fact, a variety of terms have been used to describe this form of unique knowledge. These have included such terms as “local knowledge,” “traditional knowledge,” “indigenous traditional knowledge,” “indigenous technical knowledge”, “traditional environmental knowledge”, “rural knowledge”, “traditional ecological knowledge”, and so forth. However, these terms have similar meanings. But while there may be similarities in indigenous knowledge systems, indigenous knowledge is specific to communities and local environments (Swift J, 1979:41-43). Indigenous knowledge can be defined as a body of knowledge built up by a group of people through generations of living in close contact with nature. A broader definition is that indigenous knowledge is the knowledge used by local people to make a living in a particular environment. These are simple but convenient definitions. However, indigenous knowledge is much more complex (Warren, 1991:22).

Besides, according to Langill 1999:12, Indigenous ways of knowing are based on locally, ecologically, and seasonally contextualized truths. In contrast to the aspirations of some Western scientific traditions for universal truths, Indigenous epistemologies are narrative anchored in natural communities. Those natural communities are characterised by complex kinship systems of relationships among people, animals, the earth, the cosmos, etc. from which knowing originates Most Indigenous people make use of traditional songs, stories, legends, dreams, methods and practises as a means of transmitting specific human elements of traditional knowledge. Sometimes they are preserved in artefacts handed from one generation to the next. In the context of Indigenous knowledge systems, there is usually no real separation between secular and sacred knowledge and practise. They are one and the same. In virtually all of these systems, knowledge is transmitted directly from individual to individual.

Likewise, Indigenous knowledge on its part refers to what indigenous people know and do, and what they have known and done for generations – practices that evolved through trial and error and proved flexible enough to cope with change (Melchias, 2001:35). This definition draws our attention to the colonial racist idea that “indigenous knowledge” is a monopoly of trials and error while Western knowledge is science characterized by experimentation. Hence, while the former is presumed clogged, concrete, and inaccurate, the latter is painted as intangible, weighty, right, and imbued with universal reasoning. “Indigenous Knowledge system” were also developed by experimentations though these experiments were not documented and the knowledge systems were legitimised and fortified under suitable institutional frameworks, culture and practices. They have been passed on to other generations (though discriminatorily) and have enabled indigenous people to survive, manage their natural resources and the ecosystems surrounding them like animals, plants, rivers, seas, natural environment, economic, cultural and political organization (Gupta, 2012:377).

Unfortunately, these systems are fast eroding due to Colonialism, Commercialisation, Globalisation and Modernisation, lack of efficient codification, breakdown of the traditional family structure and function, developmentally induced human displacements, the decline in the practitioner base and many other (Melchias, 2001:15).

2.6.2 Indigenous Knowledge Systems in Conflict Resolution

Indigenous conflict resolution mechanism is a “social capital”, defined as the “capability of social norms and customs to hold members of a group together by effectively setting and facilitating the terms of their relationship with sustainability facilitates collective Action for achieving mutually beneficial ends” (Fred-Mensah, 2005:1-2).

Indigenous cultures viewed conflict as a communal concern. Thus, the society was seen as having ownership of both the conflict and its context. However, the “Westernised” Conflict Resolution Approach puts more premiums on personal and

individual ownership. Most of the time it is “a win-lose situation”. On the other hand, a grassroots peacemaking approach hinges on the premise that since most of the active players in any conflict situation are grassroots people, it becomes inevitable to involve this large segment of the society in the process of peace making and conflict resolution. This approach also presupposes that peace can be built from below. Traditional approaches of conflict resolution are an important component of the cultural heritage of African societies. There are many assumptions that surround a people's perception and approach to culture in the field of conflict resolution. These assumptions rarely make explicit the fundamental concerns about the relevance, dominance and ideology underlying the meaning and purpose of conflict resolution (Kozan, 1997:340 and Doe, 2009).

Hence, the call and urgency for inclusion of indigenous knowledge and institutions to conflict resolution and peace building is premised on a number of factors. It is in part a response to Africa's desire to determine its destiny and take responsibility for the continent's conflicts by using initiatives suited to the African context. These are popularly known as ‘African solutions for African problems’ or according to the African Centre for the Constructive Resolution of Disputes (ACCORD), the concept refer to ‘African solutions for African challenges’. This is the motto which is supposed to guide the activities of refurbished regional and sub-regional organizations mandated with conflict resolution and prevention on the continent (Mutisi, and Sansculotte (eds), 2012:9-15).

There is recognition of the urgency to mainstreaming culture in peace and security mechanisms in the African context; and that adoption and practical application of indigenous methods, no matter their utility, ultimately depend on their acceptance by international organizations and donor agencies as key actors in Africa's peace initiatives. The main task remains one of availability of in-depth research that identifies indigenous approaches that are applicable to resolution of conflicts in modern systems (Leff, 2009:24).

Semali and Kincheloe (1999: 3) believe that Indigenous Knowledge reflects: themselves in relationship to their environment and how they organize that folk

knowledge of flora and fauna, cultural beliefs, and history to enhance their lives. Besides, Ocholla and Onyancha, 2005: 247 states that:

In turn, view IK as a Dynamic archive of the sum total of knowledge, skills and attitudes belonging to a community over generations and expressed in the form of action, object and sign languages for sharing. They lament that Indigenous Knowledge (IK) has been neglected, vindicated, stigmatized, illegalized and suppressed among the majority of the world communities.

However, World Bank, 2004: 1, highlights the importance of IK as follows: Indigenous knowledge provides the basis for problem-solving strategies for local communities, especially the poor; it represents an important component of global knowledge on development issues. IK is an underutilized resource in the development process. Learning from IK, by investigating first what local communities know and have, can improve understanding of local conditions; provide a productive context for activities designed to help the communities; understanding IK can increase responsiveness to clients; adapting international practices to the local setting can help improve the impact and sustainability of development assistance; sharing IK within and across communities can help enhance cross-cultural understanding and promote peaceful relation. Besides according to Gupta, 2012: 371, IK is regarded as a problem-solving mechanism for rural communities. It is recognised as having relevance to the daily life of most individuals, economic development, culture preservation and political transformation, which leads to poverty reduction. IK plays a substantive part in the eradication of poverty among communities in different parts of Africa. The knowledge is implicit and thus difficult to systemise. It is embedded in community practices, institutions, relationships and rituals.

The researcher believes that, the roles of indigenous knowledge and institutions not much more discussed in relation to conflict resolution in the study area. The study, therefore, analyses the accumulated understandings of conflicts, and the traditional methods of conflict resolution and reconciliations among the pastoral communities of Kenya-Uganda border area.

2.7 African Indigenous Approaches to Peace and Conflict Resolution

Virtually all societies around the world have indigenous values, resources and institutions. Therefore, even though this thesis will focus on Africa, it is evident that the continent is not an exception to the rule. Peacemaking and peace-building in Africa are, however, still predominantly being taught and practised through models developed from Eurocentric traditions (Francis, (eds) 2008:26).

The mainstream and dominant literature in peace studies on the premise that the values, resources and institutions that have been developed by Eurocentric Western tradition, broadly defined as the Judaeo-Christian heritage, have a universality and can easily be transposed on to other societies. The Judaeo- Christian Western traditions have developed their own notions of peacemaking and reconciliation. The greater part of academic research on peacemaking has a distinctively Western and Eurocentric bias. It is therefore necessary to correct this asymmetrical growth of knowledge as far as peacemaking is concerned (Francis, (eds) 2008; Besides, Francis (eds) 2008:26 stated that:

Virtually all societies around the world have indigenous values, resources and institutions. Therefore, even though this thesis will focus on Africa, it is evident that the continent is not an exception to the rule. Peacemaking and peace-building in Africa are, however, still predominantly being taught and practised through models developed from Eurocentric traditions.

Nevertheless, externally driven international efforts to resolve conflict in Africa are often faced with the limitation that the local parties are sometimes unwilling, or unable, to relate to such initiatives. Official high-level diplomacy tends to focus on promoting dialogue between the leaders of warring parties based on the assumption that these are the legitimate representatives of the people. This may be an erroneous assumption. Ultimately peace processes must also include local populations in order to be effectively grounded in their realities and so able to address their grievances. Indigenous approaches to peace and conflict resolution in Africa provide us with insights into how more inclusive and community-based processes can be utilized.

Indigenous peace processes are endowed with valuable insights that can inform the rebuilding of social trust and restoration of the conditions for communal coexistence (Leff, 2009, and Kaplan, 2012). As a result, the researchers argue that there are important insights to be gained from such approaches which researchers, policy-makers and peacemakers in the international community can benefit from.

Besides, International initiatives in Africa to promote preventive diplomacy, prevent, manage and resolve conflict and promote development have traditionally neglected indigenous resources and capacities for peace-building and reconstruction (Kaplan, 2012:36). However, according to Francis, (2008:16) indigenous resources have been playing their roles to modern conflict resolution in Africa. For instance, the ‘Guurti’ system utilized to promote stability in Somaliland (northern Somalia), the ‘Mato Oput’ (an Acholi vernacular meaning drinking the herb of the Oput tree) peacemaking process found among the Acholi of northern Uganda and the application of Ubuntu to reconciliation based on experiences drawn from South Africa. Besides, according to Bob-Manuel, overall what can be gathered from these approaches are their emphasis and the value that they place on achieving peace through forgiveness, healing, reconciliation and restorative justice. “So if Africa has to put the ‘falling apart together’, her original values must be revisited” (Bob-Manuel, 2000: 10)

CHAPTER THREE

GEOGRAPHICAL AND HISTORICAL BACKGROUND OF THE STUDY AREA

3.1 Geographical Background

The border lands connecting Kenya, Sudan, and Uganda form a large portion of the East Africa dry lands. The pastoral ethnic groups living in this part of the continent northern Uganda, north-western Kenya, south-eastern Sudan, and south-western Ethiopia, share a common language, culture, and geographical location. The majority of those living in this arid and semi-arid area are pastoralists, whose social and economic life is structured around the maintenance and well-being of their livestock. For pastoralists, livestock serves as the primary asset and source of sustenance (Leff, 2009:189)

The Kenya-Uganda border area is a largely arid and semi-arid area and so well suited to pastoralism. It is marked by an escarpment, which is 500 metres above the general plain and runs the entire length of the border (Markakis, 2004:4). There are numerous passes, which for a long time have provided means of communication between ethnic groups along the border. It is through these passes that cattle raids are frequently carried out. The region is dominated by a number of hill ranges. The border as it is today was established in 1926, during the colonial period (Mkutu, 2003:8).

The Kenya-Uganda border runs through the territory of a number of mainly pastoral communities, including the Sebei, Teso, Pokot, Luhya, Turkana and Karimojong. The Ugandan side of the border is known as the Karamoja region, which is divided into three districts: Nakapiripirit, which is largely occupied by a mix of Upe (Ugandan) Pokot and the Pian clan of the Karimojong; and Kotido and Moroto, which are occupied predominantly by the Jie and Matheniko clans of the Karimojong, respectively. The Kenyan side of the border is divided into West Pokot district, which is occupied mainly by Pokot, and Turkana district, which is occupied mainly by

Turkana. At its northernmost point the border adjoins Sudan. At that point, the Ethiopian border is also not far away (Mkutu, 2003:8-9 and Leff 2009:190).

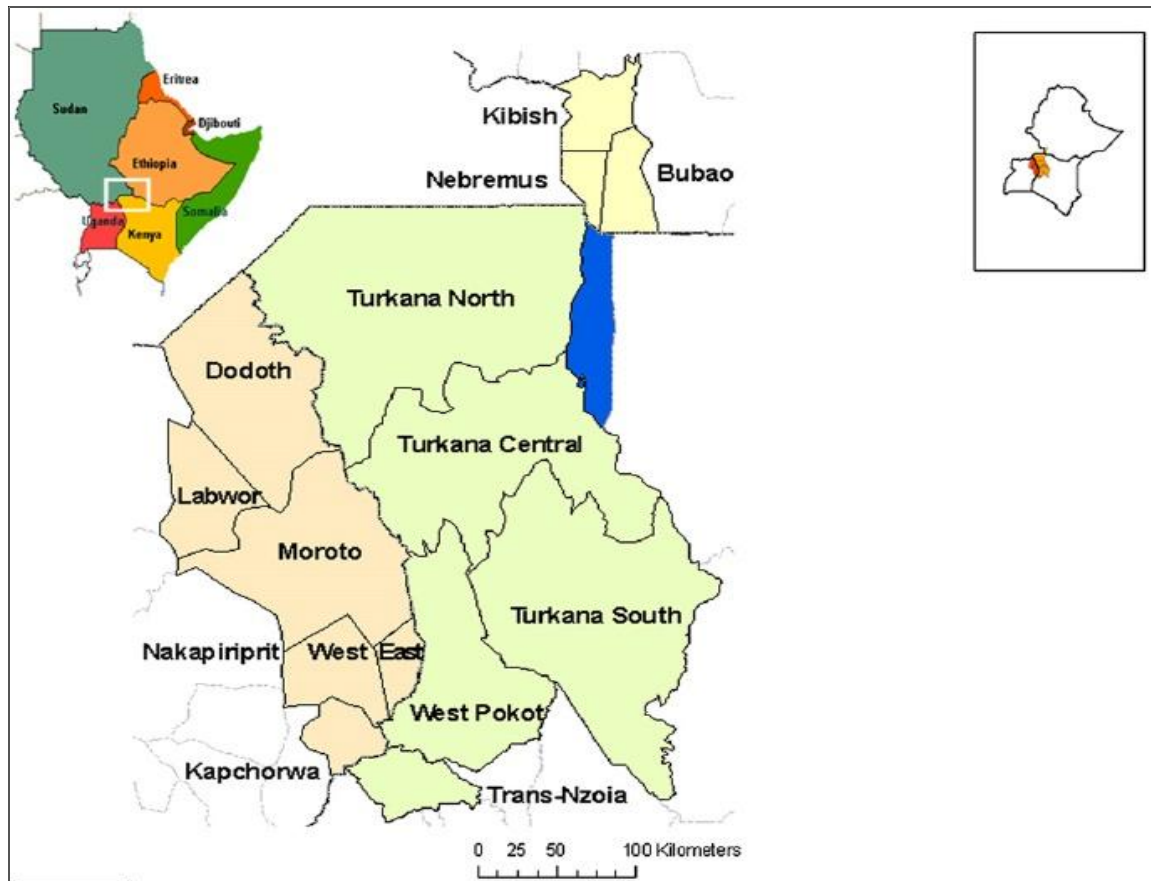


Figure 1: Map of Kenya-Ugandan Cross-Border Pastoral areas (The study area)

Adopted from: Political Geography Journal, 26 (6), 716-735. Available on <http://www.scribd.com/doc/6521399/Environmental-inuences-on-pastoral-conict-in-the-Horn-of-Africa>. Accessed on February 25, 2014.

Descriptions

- Kenyan side pastoral areas of Turkana and Pokot
- Ugandan side pastoral areas of Karamojong
- Lake Turkana

However, this study mainly focuses on Karimojong Nakapiripirit of Ugandan side, which is largely occupied by a mix of Upe (Ugandan) and The Kenyan side of the border Turkana and pokot pastoralists which live on the Kenya-Ugandan border area. It is mainly because; cross-border problem has been seen between those pastoralist communities.

3.2 Ethnographic Background

3.2.1 The Karamojong

Karamoja: for the purposes of this thesis, ‘Karamoja’ refers to the five (old) districts of Abim, Kaabong, Kotido, Moroto and Nakapiripirit, which cover approximately 27,200 km² of North Eastern Uganda. Later, two new districts were created in Karamoja: Amudat was created in December 2009 out of Nakapiripirit District, consisting of Loroo, Amudat and Karita sub-counties; and Napak was created in July 2010 out of Moroto District, consisting of Iriiri, Lotome, Matany, Lokopo, Ngoleriet and Lopei sub-counties (Kendagar, R 2005:5).

Karamojong: refers to the inhabitants of the above districts and includes the ethnic groups (or sub-tribes) of the Dodoth (north); Jie (central); Pokot (Kenyan border) and Bokora, Matheniko and Pian (south). Smaller ethnic groupings that also come under the generic term ‘Karamojong’ include the Tepeth, Nyakwe, Ik, Ngipore and Ethur. Other common spellings include ‘Karimojong’ (Powell, 2010:2, and Uganda Bureau of Statistic, 2006:4).

Karamoja District is located in the north-eastern part of Uganda, with an area of, mainly composed of semi-arid savannah, bush, and mountains. To the east, the escarpment drops down into Turkana and West Pokot Districts in Kenya; to the north is the Sudan; to the west and south are Ugandan districts populated by Acholi, Teso, and Sebei people. Among the Karamojong, dominant groups are the Dodoth in the north, the Jie in the central region, and in the south a cluster of closely related ethnic groups composed of Bokora, Matheniko, and Pian. In the southeast is the Upe sub-tribe believed to be a descendent of the Pokots of Kenya. The people of this area get short rains during April and a longer rainy season from June to early September. This

may not be consistent, which may lead to more drought and famine (Berger, 2003:255, and Broeck, 2009:7).

Besides, the term “Karamoja Cluster” is commonly used by CEWARN and other institutions to describe the pastoral and agro-pastoral ethnic communities that encompass South-western Ethiopia, North-western Kenya, South-eastern Sudan and North-eastern Uganda. They some share a common language and culture. More specifically according to CEWARN, the Karamoja cluster covers: Four districts in Uganda: Kotido, Moroto, Nakapiripirit and Kapchorwa; Three districts in Kenya: Turkana, West Pokot and Trans Nozia in Rift Valley Province; One Woreda: in Ethiopia Kuraz Woreda of the South Omo Zone of the Southern Nations and Nationalities Peoples Regional State (SNNPRS); Two counties in the Sudan: Kapoeta and Budi in the Eastern Equatorial Province in Southern Sudan (CEWARN 2004:4 and USAID, 2005: 11).

3.2.2 The Turkana

Turkana District area is 77,000 square kilometres (Kenya Bureau of statistics, 2009:5). The Turkana are one of the most Bravest and fierce groups of warriors in Africa. They are traditionally pastoral shepherds, the majority of whom live west of Lake Turkana in the present day Turkana district. Turkana district is part of Kenya’s arid and semi arid lands. It is situated along Kenya’s north-western border with Uganda and Sudan, and Ethiopia to the north. It also borders Kenyan districts of West Pokot and Baringo to the southeast and Marsabit to the east. Some Turkana of Ethiopia lives west of the Omo River in the extreme south-western regions of the country. Other Turkana people can be found in eastern Uganda, Marsabit, Isiolo, Samburu and Trans Nzoia districts of Kenya (Oba, Gufu 1992; 149 and Mkutu, 2003:9).

Livestock are central to the Turkana culture and all aspects of their social, political, and economic life revolve around them. Cattle, camels, sheep, and goats are vital to their lives and are the primary source of food (milk and meat). Livestock also play an important role in payment for bride wealth, fines for fathering illegitimate children and as gifts on social occasions (Oba, Gufu 2001:95). The Turkana rely on several

rivers, such as the Turkwel, Kerio and many other seasonal streams, for their livestock and daily use. When these rivers flood, new sediment and water extend onto the river plain, which is then cultivated. When the rivers dry up, open-pit wells are dug in the riverbed to be used for watering livestock and human consumption (Berger, R 2003: 255).

3.2.3 The Pokot

West Pokot is one of the Rift Valley province of Kenya it borders Uganda to the west, the Trans Nzoia and Marakwet Districts to the south, the Turkana district to the north, and Baringo District to the southeast.¹ The district has a total area of 9,100 square kilometres and stretches 132 kilometres from north to south. The terrain is relatively rugged. Major topographic features include hills, dry plains, and rugged escarpments. Altitudes range from 900–3000 meters, from the plains of Turkana in the northeast to the Cherangani hills in the south-eastern part of the district. In the highest altitudes crop agriculture and livestock production are the major economic activities, while areas of lower altitude (1500–2100 meters) have low rainfall and are predominantly pastoral. Rainfall is bimodal with the long rains falling between March and June and short rains between September and November. The major drainage systems in the district are the Turkwel, Kerio, and the Nzoia rivers. Both the Turkwel and Kerio rivers drain northwards into Lake Turkana while the Nzoia River drains into Lake Victoria in the south. The district is inhabited primarily by the Pokots (Kenya Bureau of statistics, 2009:6, and Mkutu, 2001:8).

The majority of the Pokot people are found in West Pokot district, situated along Kenya's western boundary with Uganda and borders Trans Nzoia and Marakwet districts to the south, Baringo and Turkana districts to the east and north respectively.

²The district is arid and semi arid. Apart from West Pokot district, a substantial

¹ Interview with Lemmuel Kitaka, second counsellor in Kenya Embassy in Ethiopia. On February 27/2014

² ibid

number of Pokot people are in Baringo, Trans Nzoia and to a lesser extent Samburu district of Kenya. In Uganda, the Pokot people are found in Nakapiripirit district in the larger, Karamoja region (Huho M, J 2012:460 and Mkutu, 2003:9).

Based on area, the Pokot people can be divided into two groups: the hill and the plains Pokot. The hill Pokots live in the rainy highlands in the west and central south of the Pokot area and practice agro-pastoralism. The plains Pokot live on the dry and infertile plains and herd cows, goats, and sheep. This is the group that is involved in cattle raids and counter-raids with their Turkana and Karamojong neighbors. Pokot customs have much in common with those of the Turkana and Karamojong. Among all groups, wealth is measured by the number of cattle one owns. Cattle are used for barter, exchange, and most significantly as a form of bride wealth. A man is permitted to marry more than one woman as long as he has sufficient cows to offer her family in exchange as a bride-wealth. This is the primary traditional way for wealth and resources to change hands in Pokot society (Berger, 2003:256).

3.3 Historical Background

Livestock ownership by pastoralists has always been a way of life rather than simply an economic activity. The communities along the Kenya-Uganda border are no exception. Traditionally, mobility in search of water and pasture has been part of a seasonal pattern of activity. As a rule, herds moved along pre-determined routes each year in search of water and pasture (Mkutu, 2001:7 and Pavanello, 2009:17). Whenever scarcity or disease consumed a community's livestock, it often sought to replace through raiding. (Eaton D, 2008a:90).

According to Bevan, raids took place either at dawn (the first light of the day) or in the evening. Elders oversaw such raids to ensure that they did not spiral out of control. Raiding was also part of ritual processes by which young men in the community proved that they were ready for manhood. The weapons were spears and bows and arrows. In addition, Cattle became the key means of paying 'bride price' that is, the assets to be transferred by the family of the bridegroom to the family of the bride as the means of legitimising a marriage. The need to accumulate for this purpose could also lead to raiding (Bevan, 2007:12).

3.3.1 Inter-ethnic Relations in the pre-colonial period

The historical basis of cross-border pastoral conflicts calls for the need to study the historic relations among the ethnic groups in order to appreciate current social, economic, and political realities. The history of cross-border conflicts, cattle raids, and counter-raids in north-western Kenya and eastern Uganda dates back to the period when cattle-keeping people came in contact with long-distance traders. This was around the early 19th century, when pastoralists were the dominant force in East Africa. For instance, the Karamojong of Uganda started trading with Egyptian and Ethiopian and later Arab and Swahili traders in the late 1890s (Van Zwanenberg and King, 1975:34 and Birch, 2006:22).

Prior to the 18th century, the Turkana area was inhabited by a diverse group of pastoralists, including the Samburu and the Merille (then referred to as the Dassenech). The entry of the Turkana into the region occurred during the second half of the 18th century and continued through the middle of the 19th century (Leff, 2009; 192). Dietz stated that, the Turkana, having separated from their brethren the Jie-Karamojong (now in Uganda), expanded their territory in all directions, displacing the Toposa, the Dongiro, and the Dassanech in the north, the Dodoth and Karamojong in the west, the Pokot in the south, and the Samburu in the southeast. Displacement by the Turkana occurred over an extended period. Many but not all of the defeated groups were assimilated. The Turkana were strong economically and militarily, since they were in possession of guns. Although stable relationships historically existed between different groups, these relationships fluctuated according to the degree of conflict over grazing and water resources, which still is the case today (Dietz, 1987:27).

According to Mburu, the Ngikamatak clan who live in central Turkana district established dependent relationships with the Karamojong, which allowed them access to dry season grazing across the border with Uganda. In contrast to this arrangement, the Tarach clan in northwest Turkana not only have wet-season pastures in a drought-prone zone, but their traditional dry-season grazing lands are also along the border with Uganda yet are insecure due to raids by the Dodoth sub-clan of Karamojong. (Mkutu, 2003:13).

Besides, prior to colonial period, livestock transactions served to maintain social interactions that cut across ethnic boundaries and linked neighbouring ethnic groups. That was grown out of mutual economic interests between groups that lived near each other. Such relationships were very beneficial in securing individual survival in the event of disasters such as raids, drought, and diseases. However, poverty occurred whenever this system of reciprocity broke down. During the latter part of the 19th century, following a series of livestock epidemics in 1880s and 1890s, even wealthy stockowners were reduced to poverty. The worst-affected groups were forced to seek assistance from neighbouring ethnic groups. On occasion, the Karamojong went to seek food among the Pokot, while the Turkana went into the Dassenech country, where the Dassenech allowed them to cultivate food. The same arrangement is today still in place but has been disrupted by fixed borders (Muwonge J, 2009:6 and Bevan, 2007).

3.3.2 Inter-ethnic Relations in the colonial period

British colonial governments in Kenya and Uganda adopted policies that contributed to the economic and political marginalization of pastoral communities during colonial rule. The colonial governments favoured the establishment agricultural white settlers and a plantation economy at the expense of peasant production. Pastoralism was regarded by colonial officials as a primitive mode of production and efforts were made to discourage it. One method the government used was to delimit ethnic reserves for African populations. This was aimed at making more fertile land available for alienation to white settlers. The creation of fixed ethnic borders did not only limit free access to grazing land and water, but also increased territorial ethnic land area social conflict among the pastoral Africans. These borders hindered the free movement of people and livestock. The pastoralists were adversely affected by these measures since their mode of livelihood required movement from place to place (Mkutu, 2003:13 and Leff, 2009:192).

British colonialism further exacerbated political relations in the area because, as access to land reduced and populations of animals and people in limited areas developed, competition for water and pasture between settlements became stronger.

Limiting movement was a fatal decision that meant that when animals of one group died, the only way to replace livestock was through cattle raids. The colonial government also imposed market taxes, introduced quarantines, and engaged in destocking campaigns and other measures. Some of the communities in northern Kenya, such as the Turkana and the Pokot, had adopted seasonal movement, a settled form of pastoralism in which only animals are moved in search of pasture and water, while families remain in one area. Even these movements caused friction and hostilities between the Karamojong and their neighbours in Kenya over scarce resources. Relationships invariably worsened during the dry season (Dietz, 1987).

Besides, the British colonial government wrongly interpreted the Turkana as “the most lawless”, “primitive”, and “violent” people of East Africa. The inhospitable arid environment in a remote corner of the empire contributed to this stereotype. Nevertheless, the Turkana indeed were an expansive warrior people, steadfast independent, living in a state of institutionalized violence (constant raiding) with nearly all their neighbours. Turkana rhetoric and self-image support this view. Lamphear makes perhaps too much of the Turkana being innocent victims of British colonial force: their raiding went on despite all warnings and reconciliation efforts by the British. The British campaigns encouraged the Turkana to develop a much more powerful military machine, geared to retaining their independence and control of resource use. Today, the Turkana, armed with modern automatic rifles, are one of the strongest groups in the Ethiopian- Kenyan-Ugandan border zone (Lamphear, 1994:9).

3.3.3 Inter-ethnic Relations in the post colonial period

Land-use conflicts during the post-colonial period in Kenya and Uganda have only worsened interethnic relations due to land-ownership issues. No attempt has been made to revive “colonial grazing schemes” in the postcolonial period. Neither government had a clear range-management policy at the time of independence, while both also wished to avoid being associated with colonial repression of the indigenous population. For this among other reasons, border penetrations continued intensively following independence in the early 1960s. Moreover, individual groups were allowed to make their own arrangements with their neighbours in regard to sharing pastures and watering points. The increased potential for friction as formerly restricted areas

under government control were opened up which led to an escalation of raids and counter-raids in the postcolonial period (Homewood, 2006:337 and Berger, 2003:256).

Though, Community interrelations worsened during the early 1970s, when hardly a week passed without a raid being reported to the authorities. This was the time when the Karamojong hit the Pokot and Turkana hard. Raids and counter-raids resulted in enormous loss of livestock, leaving a large proportion of the pastoralists destitute. Because of poor security, large chunks of grazing lands were abandoned, while secure areas became over-used (Conant, 1982:112). Besides, raids and counter-raids grew hard to control in the postcolonial period was that rustlers could cross international borders and then take refuge in their own countries, making pursuit by both security forces problematic, especially with the Pokot who live on both sides of the border. Porous borders, coupled with poor security, only increased the potential for illegal activities and, in turn, suspicion led to distrust between the ethnic groups and the security forces. This was the time also when the Karamojong in Uganda broke into the Moroto army barracks, increasing the level of sophisticated weaponry available on the market. Arms from this a hidden storage found their way to the Karamojong, the Pokot, and the Turkana in Uganda and Kenya. More arms also flowed following the fall of the Derg government of Ethiopia in early 1990s. The secessionist war in southern Sudan has likewise injected more weapons into the region (Eaton D, 2008b:247).

However, Policies pursued by post-colonial governments failed to reduce the exclusion of pastoralists from mainstream national development. There has been a tendency to neglect the needs of pastoralists and even to envisage the gradual eradication of pastoralism. More attention has been paid to the interests of agriculture and urban dwellers (Pavanello, S. and Scott-Villiers, 2013:5).

Nevertheless, the post-colonial period has seen a further weakening of traditional governance institutions in pastoral community areas on either side of the Kenya-Uganda border. This is partly due to the failure of the Kenyan and Ugandan governments to realize the role of the traditional institutions in management at the community level (Ngeiywa Kiperer, Benson, 2008:27). The erosion of traditional

governance institutions among the pastoralist communities has weakened the ability of community elders to exercise control over young men especially in cattle raid. Indeed, 'eldership' can now be attained by wealth, and youth are often well positioned to attain wealth if they can gain access to guns. Elders now have to 'negotiate' with such youth in a way that has not been the case in the past. At the same time, official administrative governance structures since post-colonial period have usually been unrepresentative. Collaboration and co-ordination between the governments and their Border societies are relatively rare unless a raid takes place. Traditional structures have been undermined by the authorities without 'modern' alternatives being established to replace them (Kendagar R, 2005:7).

Besides, the "revival" in cattle raiding post-independence has also been supported by the growing demands upon families of paying bride price. Reductions in the cattle holdings of many households has progressively increased the cost of dowry for the families of young men who wish to marry (Eaton, D 2008a:102). According to Eaton, 2007:14) in 2001 and 2002, the bride price in Pokot ranged from 15–30 cows. In Karamojong areas the rate at the time was 30 cows if you were poor and 60 cows if you were rich.

CHAPTER FOUR

INDIGENOUS CONFLICT RESOLUTION

MECHANISMS OF THE STUDY COMMUNITIES

This chapter focuses on the analysis and presentation of data. The analysis is also supplemented by the data from interviews conducted and documents.

4.1 Causes of Pastoral Area Conflict

4.1.1 Natural Resources as a source of Conflict

Conflicts among the different pastoral groups in the Kenya-Uganda border area often revolve around resources. There are disagreements over livestock, grazing and cultivable land, and watering points. Disputes over access and control of natural resources regularly escalate to trigger violent conflict. According to interviewees, and secondary sources the most contested resources are the following:

4.1.1.1 Pastoral Land

Most of the cross-border areas of pastoralist conflicts in Kenya-Uganda Border area involve competition over grazing land and water. The pastoral communities require these for their livestock and own survival. Watering point's accesses have impact seasonal grazing patterns in the three districts of Pokot, Turkana, and Karamojong.³ Yet the preparation of new water sources does not reduce the need for mobility to exploit the dispersed and seasonally varied resources, (Bolling, 1990:77 and Pavenello, 2009:17).

“Seasonal grazing” patterns among each of the Karamojong, Turkana and Pokot communities involve leaving some areas restricted to access for some time during the wet season so they can recover and provide grazing during the dry season. A “new watering point” that fails to customary practices into account can undermine existing

³ Interview with CEWARN, Research and Training officer, on February 28/2014

patterns and result in “permanent grazing” throughout the year, which in turn results in overgrazing.⁴ Unfortunately, most new livestock watering points introduced since the Colonial period in pastoral areas have not been based on an understanding of dry-season grazing patterns or planned in consultation with customary authorities. The sorts of intervention have result in conflict (Kendagar R, 2005:7).

4.1.1.2 Water

Rivers and streams form a major origin of water for domestic human use and livestock uses in the study area. The Turkwel, Suam, and Wei Wei rivers, Lake Turkana, along with many smaller ones, are the most important sources of water in the Pokot and the Turkana area. Likewise, the Kidepo Valley in the Karamojong area is very important source of water to that community (Ngeiywa , Benson 2008:12).

Both the Kenyan and the Ugandan Governments have strived to develop water sources in order to reduce mobility and to encourage sedentary way of life. Raising availableness of water is frequently perceived to be a simple technological solution to the problem of getting pastoralists to settle down. Not only is this thought necessary to help people develop, but ideally it will discourage pastoral mobility from one district to another. However, especially during the dry season watering points are the main cause of conflict among pastoralists situated on Kenya-Uganda border area (USAID, 2005:12, 23 and Ngeiywa, Benson, 2008:12).

4.1.2 New Factors that are Aggravating Conflict in Pastoral Area

4.1.2.1 Commercialisation of Cattle Raiding

The transformation of “cattle raid” into a commercial and entrepreneurial activity has increased the intensity of that raiding and is leading to major changes in economic, social and political structures in the border area.⁵ It constitutes a black market for a

⁴ Interview with CEWARN, Research and Training officer, on February 28/ 2014

⁵ Interview with CEWARN Response coordinator, Addis Ababa, on February 22/2014

commercial cattle trading that straddles the localities, urban areas and the wider region. Access to arms has become essential for successful commercial cattle raiding (Mkutu, 2003:15-16 and Krätli S. and Swift J., 1999:8).

Besides, the emergence of local elites that aim to profit from cattle rustling is a fairly new phenomenon that has changed the scope of the conflict by creating economic incentives that did not previously exist. This has exacerbated the brutality associated with raiding and has created links between the illicit trades in stolen cattle and small arms (Leff, Jonah, 2009:193). Mkutu, 2003:16 writes that commercialization in cattle rustling is “leading to major changes in economic, social and political structures in the border area”. Local businessmen and even politicians reportedly fund raids in order to sell cattle on the black market to places as far away as South Africa and Saudi Arabia (Mkutu 2003:15-16). Stolen cattle are also used to supply large towns, which have grown in population through rural-to-urban migration. Whereas small-scale raiding does not deplete entire stocks, commercialized raids with elaborate planning and logistical know-how can render entire communities destitute.

According to Weber, since the mid 1990s, the main form of cattle raiding has become that which is driven by commercial considerations. “There is a lot of evidence linking businessmen and politicians to this raiding. Many believe that they are powerful and well-connected people in authority in Kenya, and Uganda”. The financing of cattle raids for commercial purposes appears to originate in the towns and cities, with local organising ‘agents’ in the rural areas. Migration from rural to urban centres in Kenya and Uganda has increased demand in the towns and cities for roasted meat especially in Kenya (Muhareza, and Otim, 2002; and Weber, 2012). Besides, “the increasingly organised and militarised nature of commercialised cattle raiding in the Kenya-Uganda border area and its links to wider trading networks, many of them frankly criminal in character, means that the authorities face an uphill struggle to combat it. This struggle has been rendered all the more difficult because some politicians and officials have become part of that trade themselves” (Quam, 1996 and Mkutu, K and Marani, M. 2001).

4.1.2.2 The Emergence of Warlords

A “warlord” has been defined as “the leader of an armed band, sometimes numbering thousands of fighters, who can hold territory locally and act financially and politically in the international system without interference from the state in which he is based”. At the highest level he is well organised, has extensive transnational relationships and controls large territory by using illicit Small Arms and Light Weapons (SALW) (Broeck, Van den Jan, 2009:16-17). Examples include Charles Taylor in Liberia and the late Jonas Savimbi in Angola. In his early years, John Garang, leader of the SPLA, could have been included in this group (USAID, 2005:47).

These “warlords” accumulate resources mainly through the “illegal export” of valuable resources such as livestock, tropical wood, diamonds and ivory and minerals. The intermediate level of warlord is less organised and does not unambiguously control significant pathways of territory, although they may be able to operate freely in certain areas. His armed band is smaller in size and his transnational links are weaker although not necessarily insignificant. “Such warlords tend to utilise local resources and ‘tax’ local communities or companies in order to survive (Powell, Joe, 2010:10 and Mkutu, 2006:47). Examples are the Lord’s Resistance Army (LRA) in Uganda, the Somali warlords and the Congolese Rally for Democracy (RCD) and Mayai Mayai in Kivu, both in Democratic Republic of Congo” (USAID, 2005:47).

As well, the lowest level of “warlord” includes businessmen, politicians, traders or local ‘strongmen’ pursuing predominantly economic objectives. These have weak and at best being born transnational links and do not control any territory. Their armed bands are small in size, not normally paid by the warlord and under only limited supervision. The Kenya-Uganda border area has seen the rise of this type of warlord (Mkutu, 2003:14 and Eaton, D, 2008b:89-110).

Besides, Osamba argues that, “warlords” first emerged in the 1980s in Turkana and Pokot areas in Kenya. Some youths were recruited from nearby trading centres as night watchmen or guards. “Evidence also suggests that a significant number of soldiers who fought in the Democratic Republic of Congo (DRC) came from the cross-border areas of West Pokot and Karamoja. On their return, some of these men

have become warlords through raiding and are now employing and training young men to engage in raiding” (Osamaba, 2001:23). In addition according to Bevan, there is a real danger that, if these are not effectively controlled, some of the warlords may move towards the higher levels of warlordism described above. If this happens, larger militias may begin to form that start to resemble armies in scale. Wider political objectives may become link together with expanded strategies of accumulation (Bevan, 2007:42).

However, African Union (AU), member states have made significant progress, over the years, in addressing the scourge of “illicit Small Arms” and Light Weapons (SALW), on the continent. The African Common Position on the Illicit Proliferation, Circulation and Trafficking of SALW, also known as the Bamako Declaration, which was adopted by the Council of Ministers of the OAU in December 2000, remains the main policy document for the Commission.⁶ In this Declaration, Member States undertook to identify, seize and destroy illicit weapons. The Declaration also provides for the establishment of measures to control the circulation, transfer and use of small arms and light weapons ([http://www.peaceau.org/en/page/62-small-arms-and-light-weapons salw#sthash.OawqCUIT.dpuf](http://www.peaceau.org/en/page/62-small-arms-and-light-weapons-salw#sthash.OawqCUIT.dpuf)).

Nevertheless, it is less likely that the declaration of laws is not only avoiding SALW circulation in the continent in general and specifically on the study area of Kenya-Uganda border. So, it is not impossible in such circumstances that terrorist groups may find fertile soil for recruitment and training in such an environment.

In addition, in times when government has intervened, strong-arm tactics have been employed in disarmament and pacification of communities leaving destruction and vulnerable populations in its view. This approach farther fuels resentment to government structures and an all out defiance of the government policies. This has at times also pitted communities against each other where there is perceived or real favouritism towards one community at the expense of the other like in the case of the disarmament exercise in the early 1980s targeting the Turkana and Pokot communities, the Turkana felt that the government was more brutal on them while the

⁶ Interview with AU, peace and security staff, on February 24/2014

Pokot arms were left largely intact. This exercise made communities more vulnerable to raids from the communities not adequately disarmed (USAID, 2005:23).

Besides, different NGOs in collaboration with the government of Kenya and Uganda working on the area like Oxfam Great Britain, the Karamoja Initiative for Sustainable Peace (KISP), a local NGO, world vision International, SNV, VSF, SIDA, UN OCHA, FEWS NET and others all work towards peace in the region⁷ (Pavenello, Sara, 2009:20-21).

However, many NGOs saw the solutions to the problems of pastoralism outside the pastoral sector, i.e., that people should be given alternative income opportunities. Various alternatives, from local handicraft to improvements in local cultivation, have been tried. Such systematic attempts to create alternatives to the pastoral system are clearly based on the belief that the pastoral system and the pastoral adaptation constituted a problem. Other agencies would focus on activities within the pastoral sector, such as the maintenance of wells, veterinary services and restocking. This was done based on the understanding that pastoralism constituted the only way out for the long-term existence of people in such marginal areas (Abdel Ati, 1993:25).

The researcher not arguing here that there are no positive results of NGO projects, nor do I wish to oppose the importance of their efforts. It is merely trying to reflect on the basic role such organisations seem to play in the overall planning dilemmas in the pastoral region. However, all are not acknowledged and work on indigenous conflict resolution mechanism, as a result still there is conflict between the cross border pastoralists of Kenya-Uganda which has been resulted human life and livestock loss (see the table below and Appendix III: charts)

⁷ Interview with Mr Adule Anoko, Ambassador Deputy Head of mission in Ethiopia, on February 26/2014 and Interview with Mr Lemmuel kitaka, second counsellor in Kenyan Embassy Ethiopia, on February 27/2014

Table 1: CEWARN Field data, January- May 2012.

		Organized Raids	Crime	Human Death	Livestock Loss (net)
January	Kenya	11	13	10	888
	Uganda	14	7	15	291
February	Kenya	8	8	8	984
	Uganda	21	4	9	483
March	Kenya	15	10	26	620
	Uganda	20	4	13	590
April	Kenya	9	7	26	416
	Uganda	17	4	10	298
May	Kenya	38	21	80	4600
	Uganda	24	6	9	578
	Total	177	84	206	9748

Source: CEWARN Quarterly: Empowering stakeholders to prevent violent conflict-May-August 2012, Issue No 3

4.2 Indigenous Conflict Resolution Mechanisms of The Study Communities

Depend on different literature, document and interviews analysis, among the Pokot, Turkana and Karamojong pastoralists, Indigenous conflict early warning methods, the council of elders, negotiations and the extended family and neighbourhood are the main pathways of conflict management and socio-political organization of the community.

A) Traditional Early Warning

Traditional early warning among the study pastoralist communities involves collection of sensitive intelligence information concerning other communities' security and external threats. A number of methods are employed in collecting and disseminating military information to the community so as to take preventive measures. Casting of skin sandals by knowledgeable and expert community elders can

foretell an impending attack on the community. Other elders can verify such information and if similar findings are obtained, then the intelligence report is disseminated to the community. To announce an approach strike, such experts often look up intestines of goats. Such information is very accurate and the community members adhere to it.⁸ In such a situation, the community members are advised to move away from danger spots together with their livestock. Warriors are placed in strategic places to avoid possible attacks or engage in surprise attack. Based on the collected and analysed intelligence information elder's advice the community to sacrifice a goat of a specific colour to the gods so as to protect the community from external attacks. Warriors also spy their territory for any foreign footprints. In case of suspicious footprints, the information is relayed back to the community for appropriate action (Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:36 and USAID, 2005:19-22).

According to different reports, literatures and interview, the traditional early warning signs for conflicts that communities relied on and their interpretation are the following:⁹

- Shooting star – *direction of attack or attackers*
- Strange footmarks – *presence of strangers or enemies*
- Dogs' barking – *presence of stranger*
- Yelling of baboons – *presence of stranger*
- Dreams of forecaster – *predicting attacks from outsiders*
- Red moon or sun – *bloodshed, mass raid*

⁸ Interview with CEWARN, Response coordinator on February 22/2014 and CEWARN staff, on February 19/2014

⁹ Interview with Mr Adule Anoko, Ambassador Deputy Head of mission in Ethiopia, on February/2014, Interview with Mr Lemmuel kitaka, second counsellor in Kenyan Embassy Ethiopia, on February 2014, Interview with CEWARN, Response coordinator, on February 2014

- Cattle mooing and jumping unnecessarily – *place will be attacked, the herd will be taken away by enemies*
- Sale of many animals in the market – *disposing of stolen animals, raid has taken place*
- Presence or absence of warriors in the cattle markets – *men on raiding mission*
- Theft of animals/calves – *provoking opponent*
- Intestinal reading i.e. presence of red or brown pigments – *bloodshed or enemies*
- Red/dusty sky – *a lot of bloodshed*
- Tails of cattle bending rather than staying stretched straight downwards – *cattle will be raided away, cattle demonstrating to owner for protection*
- Fox barking and moving under the tree of men – *an attack will occur and many men will die, a prominent/ senior elder of the place will die*

B) The Council of Elders

Council of elders is the traditional social unit that controls ownership, use and management of natural resources and resolve conflicts in pastoral societies of the Karamojong, Turkana and Pokot. The elders make all decisions regarding control and utilization of natural resources, and they counsel the youth who are the implementing arm of territorial resources management (USAID, 2005;25). The council of elders decides on the time and direction of mobility, based on natural resource availability.¹⁰ As an authority, the elders define what pasture belongs to what livestock. They set up rangeland for specific animals such as calves, goats and sheep, kids or sick animals. They even reserve pastures for supplementary feeding of livestock during periods of pasture scarcity. The elders settle disputes and mete out punishment against cases

¹⁰ Interview with Mr Adule Anoko, Ambassador Deputy Head of mission in Ethiopia, on February 26/2014 and Interview with CEWARN Response coordinator on February 22/2014

arising from the misuse and mismanagement of natural resources (Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:23 and USAID, 2005:35).

Besides, the council of elders able to resolve conflicts and try to manage causes of conflict through the following methods:

Sacred assembly: attended by all male adults of the Karamojong, Turkana and Pokot pastoralists. Traditional rituals and sacrifices for the welfare of the people and society are performed in this sacred place. This institution is highly practiced by the Karamojong (ibid). The senior elders in this ceremonial place pass decisions on the better utilization of pastures and course of movement of cattle. Likewise, this institution addresses all decisions relating to the sharing of resources or settlement of disputes with other pastoralists. This institution is effective in the management of natural resource or any other problems faced by the community by virtue of its being a sacred and fearful institution.¹¹

Besides, Men's meeting/ "tree of men": It is a body that determines the use of natural resources and punishes those who break the bylaws governing the use of natural resources. Disciplinary procedures are defined for resource misuse or mismanagement. This body is also involved with framing the by-laws that govern the allocation and utilization of resources such as rangelands. This structure is effective because it includes the council of elders. Formed either sectionally, by village, or by age-set based, this institution strengthens community solidarity and can deter crime or deny criminals from hiding in the community (USAID, 2005:26).

Moreover, "*The Tree of Men* " exercised when intra-ethnic and inter-ethnic disputes occur, they are immediately referred to the council of elders', which is also referred to as the 'tree of men'. The council is composed of clan representatives and all the respected leaders in the neighbourhood (Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:48). At a typical 'tree of men', elders play the stone-counting and

¹¹ Interview with CEWARN, Response coordinator on February 22/2014 and CEWARN, Staff on February 19/2014

scoring game, do wood carving and hold discussions. Any matter about the community is reported at the ‘tree of men’ where discussions are held and decisions made. Very many issues are discussed, hunger or starvation, raids, lack of pasture and water for livestock, impending drought and many others.¹²



Figure 2: “*Tree of men*” at work accessed from CEWARN office Addis Ababa, Ethiopia.

As well, in conflict situations the involved parties and witnesses are summoned. However, the processes are highly informal and the gathering can be meeting at any time. The men can meet at watering points, in the grazing pasture, under the shade of

¹² *ibid*

a tree, at a dance or at a feast. The ‘tree of men’ will listen to the conflicting parties or individuals consider mentioned evidence and declare the judgment accordingly. Punishment and or fines to be imposed are then administered as per the crime committed. As well, in the community, public opinion is highly respected (Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:48 and USAID, 2005:26).

C) Negotiations

In order to protect the community from external hostility elders initiate dialogues with each other and announce for peace to remain. Such meetings are high level and involve respected community elders from all sides. The elders table the collected intelligence information while negotiating for peace.¹³ Whenever confident that the references are actual especially when there is a traditional peace treaty between the communities, the respective elders promise to go back home and advice their warriors to abandon the planned raid. “During the meeting, neutral communities can be requested to act as mediators and arbitrators. Decisions are arrived at by a consensus” (Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:37).

Besides, the elders come up with a compensation system to settle affected communities. The strategy serves as a preventive measure to future conflicts. “For instance, the elders can agree that the concerned community will pay 100 cattle to the family of the killed person as compensation. The compensation scheme is not uniform. It differs from community to community” (Ibid).

Moreover, as stated by Ruto Pkalya, Mohamud Adan and Isabella Masinde, 2004:57 the elders have been playing a preponderant role for reaching a long lasting solution by applying pre or post conflict meetings.. Both parties to the conflict are given enough time to say their case. Elders with good oratory and negotiation skills represent the community. In such meetings, decisions are arrived at through consensus. In such dialogues, the use of a third party (neutral community intervention) to arbitrate is often sought. Mediation involves the non-powerful

¹³ Interview with CEWARN, Research and Training officer, on February 28/2014

interaction of a third party seeking to influence or resolve a particular conflict. This is an interactive process. Currently, there is growing interest in developing mediation models with cultural legitimacy.¹⁴

Inter-pastoralists mediation is inter-cultural and it requires an understanding of the cultural forces involved in the conflict. The mediators among the Turkana are rooted in the cultural environment of the society (Kendagar R, Daniel, 2005:7). The elders perform this role as it is defined and looked up on them by customs. During the inter-community negotiations and arbitration, reference is made to past similar cases of conflicts that were peacefully resolved. Through the explanation given by the conflicting parties, the elders, using their experience and wisdom, will read any hidden meaning behind every statement, gesture and posture.¹⁵ In violent conflict, emotional people are not allowed to speak. Preference is given to those capable of brokering peace through speech. Through prolonged debate, evaluating advantage and disadvantage, the inequality between the conflicting parties are eventually reduced. Compromises are arrived at on the basis of truth, honesty, justice and fairness with social harmony as the greatest concern.¹⁶

¹⁴ Interview with AU, peace and security Department staff, on February 24/2014

¹⁵ Interview with Mr Adule Anoko, Ambassador Deputy Head of mission in Ethiopia, on February 26/2014

¹⁶ Interview with CEWARN, Research and Training officer, on February 22/2014

CHAPTER FIVE

SUMMARY AND SUGGESTIONS

5.1 Summary

This study has attempted to discuss in large the role of Indigenous knowledge systems and Institutions in conflict resolution among the pastoralists of Kenya-Uganda border area. In the process the paper tried to show that a number of interrelated factors have contributed for the cause of conflict among the pastoralists. This researcher believes that the discussion of all problems and challenges troubled Africa, be they political, conflict, economic, social or otherwise must begin by looking at and identifying the factors responsible for such problems and challenges. It is the opinion of the researcher that for the causes of conflict among pastoral communities' different factors rose. However, the problem is the mechanism which preferred by politicians and peace activists in the study area, which is the western way of conflict resolution because; it is not attached to the society and environment.

Yet, there is conflict from small to large scale in the continent in general and specifically on the study area, because researcher believes that Indigenous knowledge consideration in conflict resolution remains a discouraging process. The overall objective of this research, is therefore, aimed at exploring how indigenous knowledge and institutions playing in conflict resolution among the Kenya-Uganda cross border pastoral area.

To achieve this goal, the study use different approaches for analysis. To gather primary information key respondents from AU, CEWARN/IGAD, Kenyan Embassy and Ugandan Embassy participated in interview to supplement the findings.

On the bases of the data collected, interpreted and presented in the course of the study the following major findings are identified:

- Livestock ownership by pastoralists has always been a way of life rather than simply an economic activity. During the pre-colonial period, livestock transactions served to maintain social interactions that cut across ethnic boundaries and linked neighbouring pastoralists of Kenya and Uganda.
- Colonialism aggravated political relations in the area because, as access to land reduced and populations of animals and people in restricted areas grew, competition for water and pasture between settlements became stronger. Restricting movement was a fatal decision that meant that when animals of one group died, the only way to replace stocks was through raids which in response lead to conflict.
- Colonial governments in Kenya and Uganda adopted policies that contributed to the economic and political marginalization of pastoral communities during colonial rule. Pastoralism was regarded by colonial officials as a primitive mode of production and efforts were made to discourage it. One method the colonial government used was to demarcate ethnic reserves for African populations.
- The post-independence period has seen a further weakening of indigenous conflict resolution mechanisms in pastoral areas on either side of the Kenya-Uganda border. As a result, the erosion of indigenous institutions among the pastoralist communities has weakened the ability of community elders to exercise control over young men.
- Most of the cross-border conflicts in the Horn of Africa involve grazing land and water, the same is true among the pastoralists of Kenya-Uganda border area. Culture is also a fundamental factor to conflict in the study area. Livestock possession is not only a source of wealth, but it is also a source of power, status, heroism, and recognition in society. Besides there are also new factors that worsened conflict: Commercialisation of cattle raiding and the emergence of warlords. The transformation of cattle raiding into a commercial

activity has increased the intensity of that raiding and is leading to major changes in economic, social and political structures in the border area

- However, Indigenous, community-based mechanisms for regulating conflicts and providing justice have been used in these communities for centuries. These mechanisms have struggled to keep up with the increasing intensity and violence of conflicts, environmental degradation, and displacement of communities, and have suffered in particular with the marginalisation of elders as a result of small arms influxes and conflicts between the roles of community elders and the formal representatives of the state.
- Indigenous conflict resolution methods are preventive and resolve conflicts both within and without the community. Decisions have been reinforced by cultural beliefs, taboos, norms and superstitions that further make the mechanisms binding and adhered to. The penalties, fines and compensations imposed by customary courts are very severe and prohibitive making it a perfect mechanism of preventing intra and inter-ethnic conflicts and crimes.
- The indigenous method of solving disputes considered as incorruptible unlike the modern judicial system that is synonymous with corruption. All parties to a conflict have faith in the system and none of them feels aggrieved or denied justice. The indigenous system is also accessible, culturally acceptable and morally binding. The rule of natural justice is observed and nobody is condemned unheard. The system is regarded as community owned as it is backed and based on customary law, norms and culture. Being based on traditional principles of spirituality and peaceful coexistence, the outcomes are respected by community members

Depend on previous chapter discussions this study concludes that, Pastoralists' conflicts over the control, use and access of grazing land and water resources have existed since the history of these communities. However, these conflicts were largely comprised by the existence of strong indigenous resolution mechanisms.

Indigenous conflict resolution mechanism has been playing a preponderant role among the pastoralists of Kenya-Uganda border area. However, this mechanism is not given the necessary attention by government, regional organization and NGOs. Besides, Government, different NGOs and regional organizations try to solve the problem of pastoralist; however they are not more focused on the indigenous mechanism which is situated to those communities and their specific environment.

Hence, Indigenous conflict resolution mechanisms aim to resolve conflicts locally, preceding or replacing external dispute resolution and thereby reducing reliance on external structures. Traditional mediation helps the community keep control over the outcome of the dispute. Implementing this approach does not require sophisticated structures or expensive campaigns; it provides a low-cost, empowering means of resolving conflicts within a relatively short timeframe.

In generally, this study concludes that indigenous conflict resolution mechanism has not been given much emphasis in the continent of Africa in general and the same on the study area.

5.2 Suggestions

Conflict among pastoralists in IGAD region in general and on the Kenya-Uganda pastoral border area has been continuing. This situation has had negative political, economic and social consequences directly or indirectly for the region and resulted hostile relationship among the people. As a result the study proposes the following suggestions for governments, regional organization and NGO, being as a solution to the problem.

- i) Governments, regional organizations, NGOs and other concerned bodies must acknowledge and appreciate the relevance, role and credibility of indigenous conflict resolution mechanisms.
- ii) The Ugandan government and Kenyan government should involve Karamojong, Turkana and Pokot elders, women and youngsters in the development of all policy around security, peace building and development.

Learn, analyze and document the best attributes of indigenous conflict resolution methods and disseminate the same to a larger part of peace activists and the general public.

- iv) Promote co-operative inter-ethnic activities and joint use of resources and public services on cross border areas: If done, opportunities exist to promote peaceful interaction between different ethnic groups in Karamoja, Turkana and Pookot through development programmes and service provision.
- v) Embrace pastoralism as part of the foundation for peace and development in Karamoja, Turkana and Pokot: While cattle raiding is intimately linked with pastoralist practices, some of the incentives for raiding can be reduced if pastoralism becomes more viable as a livelihood.
- vi) Since the area is identified by CEWARN of IGAD as Karamoja cluster, they need to promote unity in this cluster and should consider pastoralists as a centre for regional integration and peaceful cross border relations of IGAD countries.
- vii) Ensure that all ethnic groups feel safe enough to disarm: disarmament should target all ethnic groups at the same time on the borders with Kenya and Uganda if made properly secure from cross-border raids and arms supplies.

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Appendix I

Figure 3: Map Showing IGAD member states



Created by Arab Atlas

Current member states

-  Djibouti (founding member 1986)
-  Eritrea (admitted 1993, suspended 2007)
-  Ethiopia (founding member 1986)
-  Kenya (founding member 1986)
-  Somalia (founding member 1986)
-  South Sudan (admitted 2011)
-  Sudan (founding member 1986)
-  Uganda (founding member 1986)

Source: <http://www.igad.org/>

Appendix II

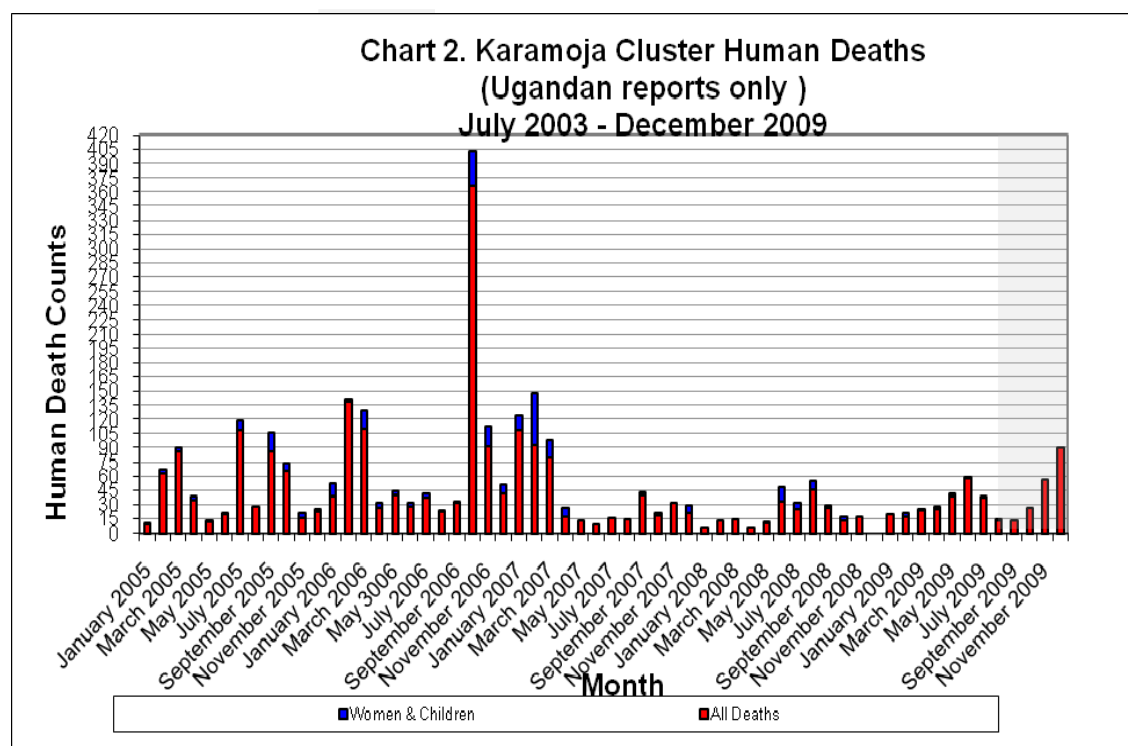


NO Comment

Figure 4: Karamojang women-photo accessed from office of
CEWARN/IGAD, Addis Ababa, Ethiopia

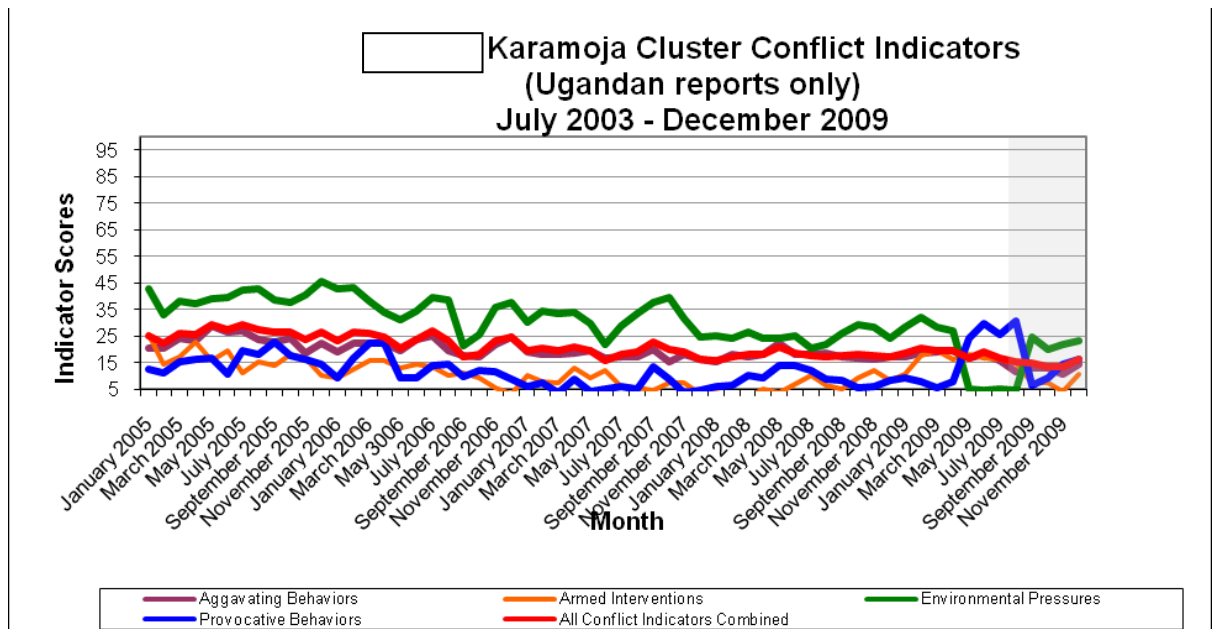
Appendix III

Chart 1: Human deaths for the Ugandan side report from July 2003-December 2009



CEWARN Country Update: September – December 2009 Ugandan Side of the Karamoja Cluster Report to Ugandan CEWERU May 6, 2010 Accessed on January 2014

Chart 2: Conflict indicators in Ugandan side



CEWARN Country Update: September – December 2009 Ugandan Side of the Karamoja Cluster Report to Ugandan CEWERU May 6, 2010 Accessed on January 2014

Chart 3: Incident Report on Kenyan side

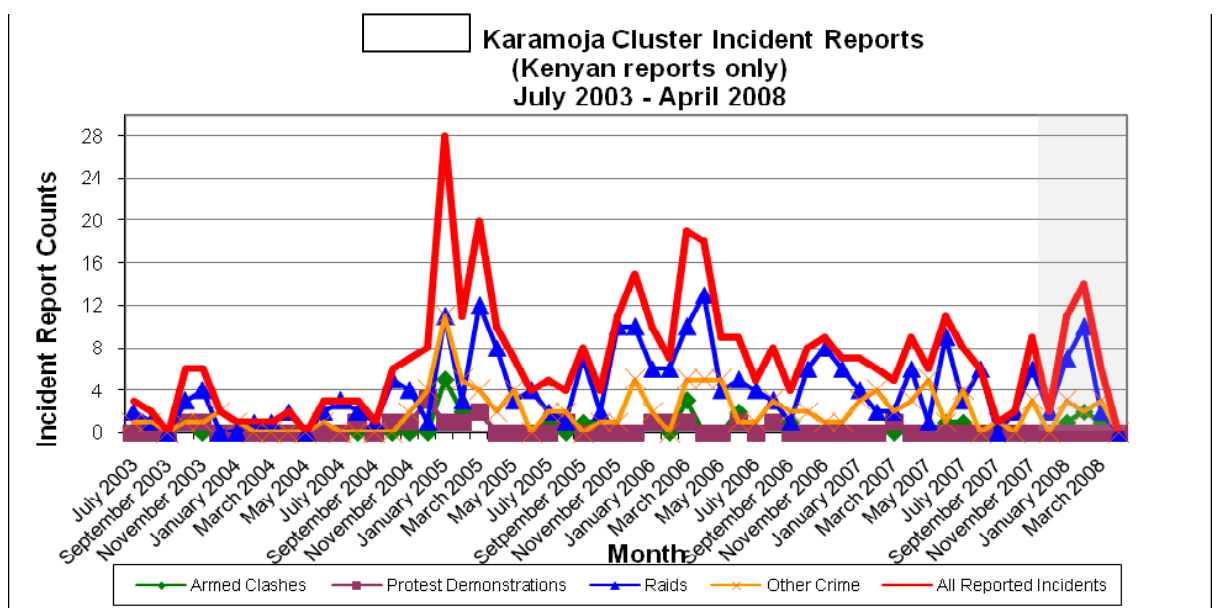


Chart 4: Human Death on kenyan side July 2003- April 2008

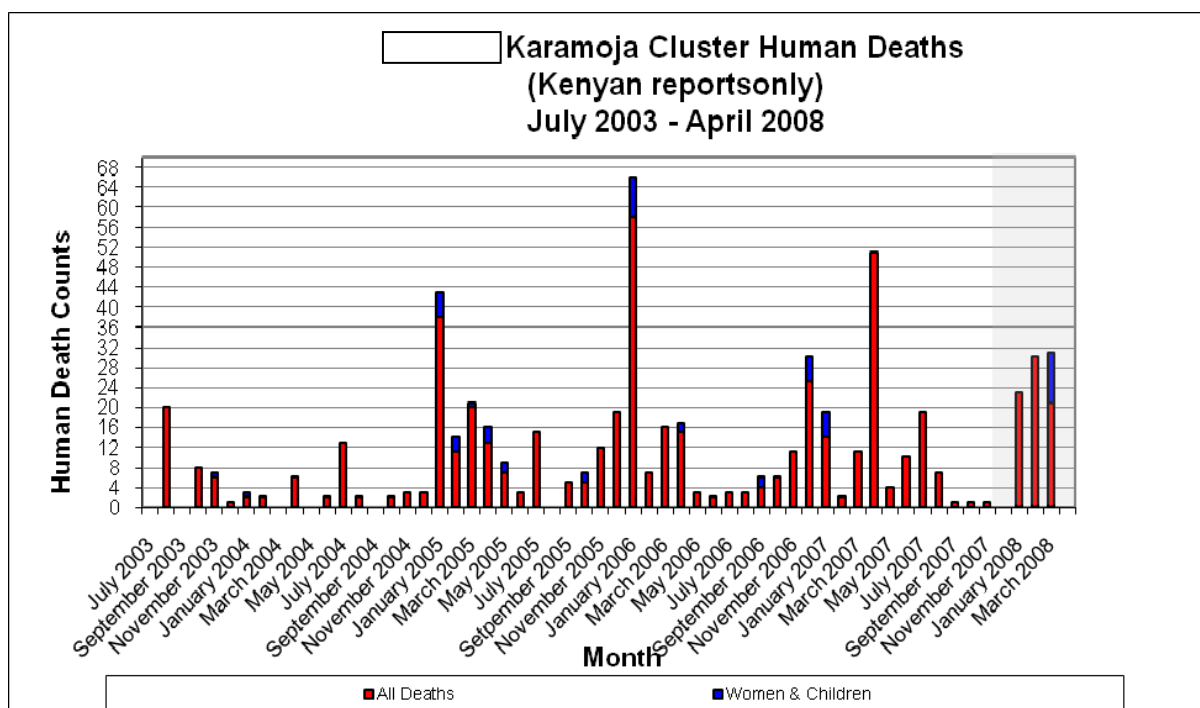


Chart 5: Net livestock Losses on Kenyan side July 2003- April 2008

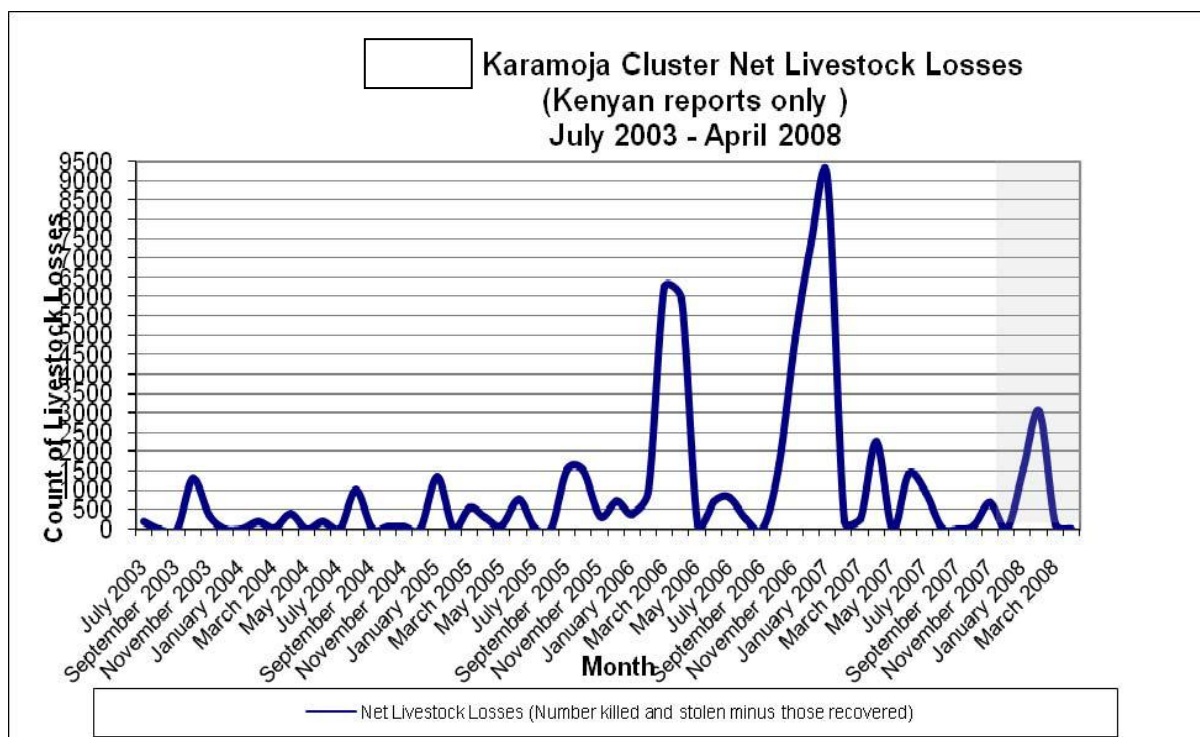
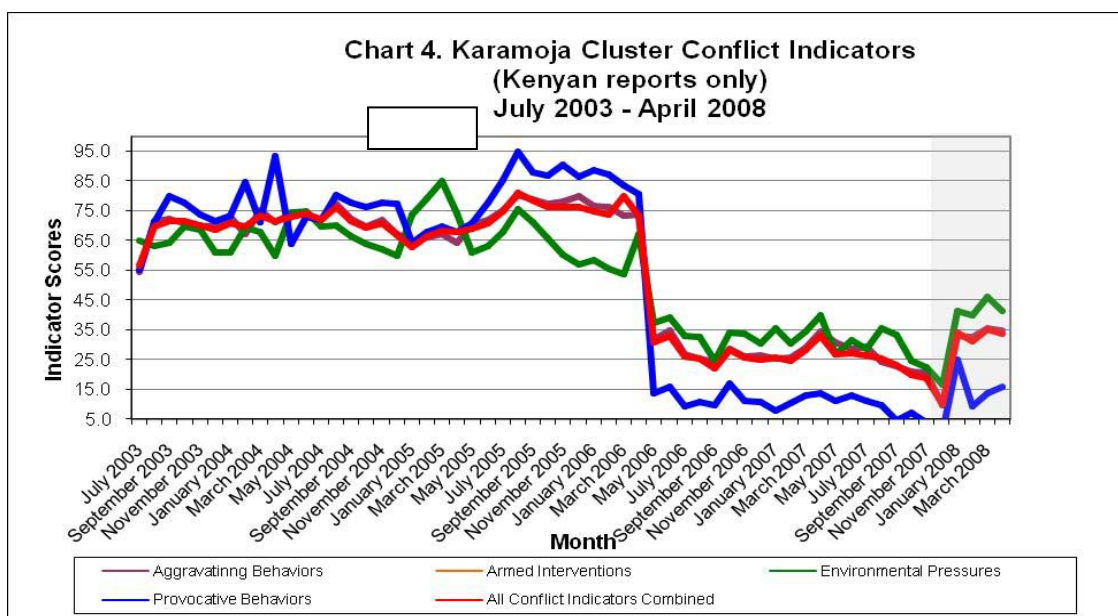


Chart 6: conflict Indicators on Kenyan side July 2003- April 2008



Source: CEWARN Country Updates: January - April 2008 For the Kenyan Side of the Karamoja Cluster Report to Kenyan CEWERU June 16, 2008 CEWARN, Addis Ababa, Ethiopia

Appendix IV

Interview Guidelines

Addis Ababa University

School of Graduate Studies

College of Social Science

Centre for African and Oriental studies

I) Interview Guideline Questions for Kenya and Uganda Embassy Independently

Introduction

The objectives of this interview is to understand the role of indigenous knowledge in conflict resolution that will be used for MA thesis paper title on **The Role Of Indigenous Knowledge Systems and Institutions In Conflict Resolution Among Pastoralists Of Kenya-Uganda Border Area**, in the field African studies. Therefore, you are kindly requested to answer the following statements as honestly as you can. Feel confident your response needed only for academic and will be kept confidential.

1. What is the cause of conflict among the pastoralists of Kenya and Uganda border areas (Karamojong, Turkana and Pokot)?
2. What mechanisms are used for conflict resolution in the study area?
3. Did Indigenous mechanisms considered for peace building in pastoral areas of Uganda-Kenya border areas by government? If yes How?

4. What are the major challenges for implementing indigenous conflict resolution and peace building mechanisms?
5. . What roles do the following groups of community members play in causing, preventing, managing conflicts or negotiating for peace?
 - i). Women
 - ii). Youth (warriors, girls)
 - iii). Elders (opinion leaders)
 - iv). Government agencies/officials
 - v). Faith-based bodies.
7. Have traditional institutions preventing and resolving conflicts been successful in your view?
8. What are the weaknesses of traditional conflict resolution mechanism in your view?
9. What are the weaknesses of modern conflict resolution mechanisms in your view?
10. (a) What do you suggest to improve the efficiency of traditional systems of resolving conflicts both within and without your community/country?
 (b) What do you suggest to improve the efficacy/ efficiency of modern judicial systems of resolving conflicts both within and without your community/Country?
11. It is said by some scholars that the post-independence period has further weakening of indigenous governance institutions in pastoral areas on either side of the Kenya-Uganda border. Or said-Traditional structures have been undermined by the authorities without ‘modern’ alternatives established to replace them. First do you agree or not?-Why?
12. According to some writers the government of both sides have been use forces to disarmament process on the other hand the commercialization of cattle raiding the way paved by business men’s, so what is the disarmament process and what measures are taken to control those business men’s?
13. It also considered most officials also part of commercialized cattle raiding, how?

II) Interview Guideline Questions for CEWARN/IGAD

Introduction

I am, Tesfamichael Teshale, a post graduate student in Centre for African and Oriental studies. The objectives of this interview is to understand the role of indigenous knowledge in conflict resolution that will be used for MA thesis paper title on **The Role Of Indigenous Knowledge Systems and Institutions In Conflict Resolution Among Pastoralists Of Kenya-Uganda Border Area**, in the field African studies. Therefore, you are kindly requested to answer the following statements as honestly as you can. Feel confident your response needed only for academic and will be kept confidential.

1. What are the main causes of conflict in cross border areas of IGAD in general and specifically on Kenya and Uganda pastoral border areas?
2. How CEWARN try to solve pastoral cross border conflict in IGAD region in general and specifically on Kenya-Uganda cross border areas?
3. What mechanisms are used for conflict early warning and conflict resolution by CEWARN?
4. Did Indigenous knowledge considered by CEWARN?
5. If the answer for question 3 is yes how?
6. What is the contribution of Indigenous knowledge for CEWARN in conflict resolution?

III) Interview Guideline Questions for AU

Introduction

I am, Tesfamichael Teshale, a post graduate student in Centre for African and Oriental studies. The objectives of this interview is to understand the role of indigenous knowledge in conflict resolution that will be used for MA thesis paper title on **The Role Of Indigenous Knowledge Systems and Institutions In Conflict Resolution Among Pastoralists Of Kenya-Uganda Border Area**, in the field African studies. Therefore, you are kindly requested to answer the following statements as honestly as you can. Feel confident your response needed only for academic and will be kept confidential.

1. What are the major causes of conflict among the cross border pastoralists of Africa?
2. What mechanisms are implemented or have been used for resolving those conflicts?
3. How the potential of Indigenous conflict resolution mechanisms considered by AU?
4. Did indigenous mechanism have been used by AU in its approaches towards pastoralists?
5. It is considered by different scholars the post independence period in Africa further weakening indigenous mechanism of resolving the socio- political problems of the pastoral society, what do you think? And what measures are used by AU?
6. How AU in collaboration with IGAD/CEWARN address the problem of pastoralists in east Africa in general and specifically on Kenya- Uganda border area.

Appendix V List of Key Informants

The following interviewees have been contacted and interviewed.

N.b: For the purpose of this thesis interviewee prescribed as interview I, II, III and IV, because of the interviewee interest not to mention their name and research ethics.

N o	Interviewee	Organization	position	Date and place of Interview
1	Mr Adule Anoko	Uganda Embassy	Ambassador Deputy Head of mission in Ethiopia	Uganda Embassy, February, 26/2014
2	Mr Lemmuel Kitaka	Kenya Embassy	Second counsellor in Kenya Embassy in Ethiopia	Kenya Embassy, February, 27/2014
3	Interview I	CEWARN	Response coordinator	CEWARN, February, 22/2014
4	Interview II	CEWARN	Research and Training officer	Around Bole , February/28/2014
5	Interview III	African Union	Peace and security Department staff	AU, February, 24/2014
6	Interview IV	CEWARN	Staff	Around BoleFebruary,19/2014

DECLARATION

I, the under signed, declared that this thesis is my original work, has not been presented for a degree in any other university and that all sources of material used for the thesis have been duly acknowledged.

Declared by

Tesfamichael Teshale

This Thesis is submitted for examination with my approval as an advisor of the candidate

Dechasa Abebe (Ato)

October, 2014