

# EVIDENCE REPORT

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Addressing and Mitigating Violence

## Roots and Routes of Political Violence in Kenya's Civil and Political Society: A Case Study of Marsabit County

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# Contents

<b>1</b>	<b>Introduction</b>	<b>2</b>
1.1	The national political settlement	2
1.2	Local political settlements	3
<b>2</b>	<b>Case study purpose and methodology</b>	<b>4</b>
2.1	Case selection	4
2.2	Method	5
2.3	Caveats	5
<b>3</b>	<b>Profile of Marsabit</b>	<b>6</b>
<b>4</b>	<b>Violence chains</b>	<b>9</b>
4.1	'Innocent killings'	9
4.2	Small wars	10
4.3	Economic boycotts and hate speech	12
<b>5</b>	<b>Responses by government and citizens</b>	<b>15</b>
5.1	Administration action	15
5.2	Police investigations	16
5.3	Civic efforts	18
5.4	Committees and declarations	19
<b>6</b>	<b>Analysis of persistent violence</b>	<b>21</b>
6.1	Responsibility and blame	21
6.2	Four dynamics of persistent violence	22
6.2.1	The political opportunities of devolution	23
6.2.2	Manipulation of constituency populations	23
6.2.3	Clientelism and reward	24
6.2.4	Economic division	26
6.3	A violent system?	27
<b>7</b>	<b>Conclusion: the political settlement and the law</b>	<b>28</b>
	<b>References</b>	<b>30</b>
<b>Figures</b>		
Figure 3.1	Map of Kenya	6

# 1 Introduction

## 1.1 The national political settlement

Struggles to influence the balance of power and the distribution of economic resources in Kenya have a long history of violence: national and local, actual and threatened, physical and psychological.<sup>1</sup> Somewhat controlled by sophisticated legal, administrative and political institutions and strongly tempered by a deep fund of intercommunity cooperation, violence has been kept in check, but remains persistent. The levels of violence vary from place to place and year to year, and seldom break out into full-scale clashes or war. Nonetheless, different forms of violence combine with politics to form a resilient chain that exerts powerful control over people's lives and resists straightforward policy prescriptions or easy practical resolutions.

This case study uses a definition of political settlements to frame the inquiry (Parks and Cole 2010). This approach defines political settlements as the informal agreements that govern the formal negotiation and distribution of goods, rights and responsibilities within the state. The study aims to show one manifestation of how the political settlement in Kenya is upheld by a variety of interlinked forms of 'normal' violence, themselves linked to economic dependencies. Today's political settlement is founded in the new constitution of Kenya and structured by the new system of devolved government. We show how the informal rules of the political (un)settlement in operation at the most local level play a role in sustaining a violent political system.

Historic milestones in the development of the national political settlement include the Mau Mau anti-colonial movement, post-independence Africanisation led by Jomo Kenyatta, the end of the single party regime in 2002, and the 2007/8 democratic elections followed by political devolution in 2013. Each milestone has been marked by widespread violence scored along ethnic and class lines. In between these national events, criminal violence and low-level dispute has tended to displace overtly political violence, but, consistently ethnicised, its persistence plays a political part (Obala 2012; Oyugi 2000).

The current policy discourse is of institutional, economic and cultural change: a new more peaceful and fair order, through the ballot box, rule of law, universal education, fiscal responsibility and private sector growth. The new constitution, brought into effect in 2010 with its *Bill of Rights* and decentralisation of power, offers hope. Supported by the 2011 *Human Rights Act*, judicial reform and new election rules, the institutional and constitutional realignment is, on the face of it, directed towards reducing corruption and violence. However, our case study shows a different picture, in which these positive advances are held back and modified by the effect of persistent low-level violence in the political system. Pre- and post-election violence in many areas of Kenya may not be hitting the headlines as it once did in 2007/8, but it has not gone away. Instead, parts of the country appear to be in a negotiated lull, in which persistent violence has become unremarkable.

Citizens point out police impunity and judicial tractability in sustaining the violence, even as they understand the difficulties faced by these underfunded and undermined institutions. In general people blame local and national political leaders, their business partners and shady criminal connections. They are also aware of their own responsibility in lining up behind political leaders who encourage violence, but feel that they are offered little choice. We are

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<sup>1</sup> Violence is 'the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation' (WHO 2002: 4).

arguably witnessing an as yet unresolved struggle for sovereignty that dates back to the post-colonial settlement of the 1960s. In the light of the Government of Kenya's manifest desire to take the nation into a new era of productivity and wealth, of citizen desires for a well-functioning economy and peaceful society, and also in the light of continued international interest, we offer this case study as a contribution to a growing body of academic work on violence in Kenya.

## **1.2 Local political settlements**

Macro- and micro-level political processes move in tandem to sustain an evolving political settlement. National arrangements are underscored by local behaviours that extend a web of power over resources and positions. Old bureaucratic and elitist continuities meet changing conditions that include new economic openings, new institutions of government and a changing landscape of crime.

Looking specifically at violence arising from conflict, a recent study shows how violence works in a self-reinforcing chain (Omenya and Lubaale 2012). Another study of violence in Nairobi's poor neighbourhoods shows how predatory local political entrepreneurs, often linked to criminal outfits, create webs of power (Ruteere *et al.* 2013). The authors note how these actors gain power from the poverty of residents in the areas in which they operate. In this case study we propose to add more citizen-focused evidence to this argument, to show how a chain of violence maintains a violent political settlement in an area far from the capital city.

It appears that whatever reformed institutional structures are put in place, the system of violence adapts to fit. A positive change in reducing violence in one part of the system often seems to be rapidly overwhelmed by the rule still operating undisturbed in other parts of the system. One explanation for this is that the tendency for leaders to accumulate wealth while in power has deep roots and resilient networks, even as some committed leaders fight for a fairer system (Wrong 2009). Bayart, Ellis and Hibou (1999) advance the idea that the functioning of many states in Africa is underpinned by such roots; rhizomes of kleptocracy that began to grow in colonial times, extended in the fertile ground of post-colonial nationalism and fed over the decades on 'extraversion'. These rhizomes of hidden and informal power reach below the formal well-mannered surface, growing outwards from elite incumbents in national institutions, penetrating layers of local leaders (administrators, police chiefs, criminal bosses, business interests), and creating a web of relations among the millions of poor people who are crucial voters in Africa's democracies. This violence-inflected political settlement creates and thrives on insecurity and poverty as much as it enjoys wealth and progress (Ruteere *et al.* 2013). It is held in place by a web of agents who subsist on the rents that can be gained by ever-hardening social and geographic divisions (Watson 2010).

## 2 Case study purpose and methodology

### 2.1 Case selection

It is not widely acknowledged that both the very powerful and the relatively powerless use violence chains to maintain and reproduce the political settlement. While national level aspects of the political settlement and its associated violence are relatively well known, and the formal operations and shortcomings of institutions such as parliament, line ministries, large companies, the judiciary and the police are relatively well understood, there is less work clarifying the part played by poor people. Various authors argue that politics is too often understood as a solely national level project (De Smedt 2009; Landau and Misago 2009). This leads to a focus on political elites, emphasising the influence of high-level politicians without recognising the agency of other levels of power. Other studies show the link between elite power and the bureaucracy; for example, Hassan (2013) has shown how the entrenchment of an authoritarian bureaucracy in Kenya has defied the formal rule change of the constitution to maintain pre-existing interests.

Existing approaches to policy aiming for peaceful political settlements do not sufficiently engage with the role of ordinary citizens in forging and transforming the emerging political and social order. Consequently, policy recommendations miss strategic points of influence and engagement. We want to understand what part endemic violence at the micro level plays in the current political settlement. We would like to understand if the Bayart *et al.* (1999) 'rhizomatous informal state' is in operation in relation to persistent violence, and if so, how does it work? For Kenyans who want change, the policy challenge is to influence the actors and actions that hold informal arrangements in place at the micro as well as at the macro level.

This case study focuses on Marsabit, a small town that lies some 200km south of the Kenya–Ethiopia border in Kenya's arid north. We selected the town as a site of high tension, where violence has been a serious problem for many years. For the sake of the people who live there, the question as to why it persists, despite years of effort on the part of citizens, leaders, government, non-governmental organisations (NGOs) and donors, demands an answer.

The case has the potential to pose questions about the political, administrative and economic system of Kenya as a whole. To add to other case studies of micro-level violence in Kenya that have looked at the slum areas of the big cities (Ruteere *et al.* 2013; Ruteere 2011; Ruteere and Pommerole 2003), this case also looks at another place on the margins, but this time a territorial and climatic margin. All these studies show how day-to-day threats can tip over into severe nastiness, as well as how violence can bubble along below the surface of national consciousness in areas that are far (physically or mentally) from the main political and economic centres; and as many Kenyans will attest, Marsabit is by no means the only marginal place where quotidian violence is a normal hazard of everyday life.

The study voices the perspective of Marsabit townspeople. It pulls together an interpretation of events from the accounts of a range of differently positioned citizens, few of whom occupy elite positions. It shows what people believe and how they act in response to these beliefs. We penetrate the generalisations that are commonly made about 'marginalised people' in Kenya, demystifying 'ethnic community' by showing the divisions within groups and their lack of uniformity on the question of violence. Notwithstanding these insights, the study is also alert to commonalities that arise from poor people's difficult position in a powerful political

system. We demonstrate why conventional efforts to resolve violence in Marsabit have been less than successful.

## **2.2 Method**

Our method involved two stages: scoping through an informal 'listening' method, followed by deep conversations with people from different communities, of different ages and genders, to explore the day-to-day reality of violence in their experience. To tackle the biases and ethical dangers of what could be potentially divisive questions, we used a method of triangulation and sampling along with high levels of confidentiality. It began with a listening approach in which our group of six researchers spent three days walking around different areas of town, meeting local people, shopkeepers, people in small restaurants, teachers and other professionals, young people hanging out on street corners, people gathered at a public meeting and so on, speaking to as many people as possible and hearing what they were saying about violence in the area. This allowed us to get a view of townspeople's views on the subject, and to make decisions about how to structure more in-depth discussions with a selected sample. In this way we met with approximately 60 people.

From this first stage we selected a spectrum of people to join a series of seven small focus groups of 4–6 people, in which structured private discussions gave us the chance to explore events, explanations and beliefs and then to compare one group with another. The 30 people in the seven focus groups were stratified by ethnic group and gender—these being the two main divisions that we had understood at the listening stage would affect how comfortable people felt to speak. Our approach was to ask two questions: 'What kind of persistent violence is there?'; and 'Why does it persist?' Apart from probing for clarification of incidents and their contexts, these were all the questions that we needed to open up a detailed exploration of patterns of current events.

We also requested and undertook interviews with a small number of administrators, as well as NGO leaders and political players. All our respondents were people who deal with, suffer from, try to live with, and occasionally take part in or support violence. The data thus generated has been strongly consistent. All the claims we make in this report come from the focus group discussions and interviews. Each claim has been given to us by a reasonable proportion of the people we met (in most cases by the overwhelming majority).

## **2.3 Caveats**

This study is not a large one and claims to raise issues and insights, but not to represent the population. By focusing on the single question of violence, there is a tendency for the issue to take on enormous proportions, as if violence is all that is happening in Marsabit. There are many days, weeks, even months when nothing violent happens. Nonetheless all of our interlocutors thought that the issue of persistent and unresolved violence was important and worrying. We attempted to overcome the problem of exaggeration by probing for the context of every claim and triangulating – where, when, who, has it happened before, has it happened elsewhere, what else happened? The importance of the method is that it tells us what a range of people think is going on and their perspective on causes and effects. It gives a space for these perceptions to be aired and given due consideration in seeking ways of resolving the problem.

### 3 Profile of Marsabit

Marsabit town lies 550km north of Nairobi and 200km south of the Kenya–Ethiopia border. Capital of Marsabit County’s 71,000 square kilometres of arid territory, the town nests in the saddle of a mountain clothed with forest that rises steeply above vast rangelands. The forests were once valuable dry season grazing for pastoralists (until they became too dangerous) and the town has become increasingly important in the economy and politics of the area. It has long been one of the epicentres of competition for economic and political resources. Since the early years of the twentieth century, the town has attracted entrepreneurs, administrators, farmers, politicians, livestock traders, ex-pastoralists, insurgents and, increasingly, unemployed young people and families moving away from insecurity in the rangelands. The latest census figure for the county is 291,166, of which 64,000 are in urban areas, the majority in Marsabit town and, to a lesser extent, Moyale town on the Kenya–Ethiopia border.<sup>2</sup>

**Figure 3.1 Map of Kenya**



Source: Adapted from Nations Online (2014)

During British colonial rule, this large, sparsely populated expanse of territory received the barest of government investment. After independence in 1963, the pattern of underinvestment continued. Nonetheless, as time went on, as the population of people and livestock grew, trading centres were established, boreholes drilled and administrative posts set up in the increasingly subdivided territory (Watson 2010). People came to settle and farm on the well-watered mountain slopes. By the 1990s, the mountain land and the town’s goods and rents were claimed by a fractious mix of different groups: Borana, Burji, Gabra, Rendille,

<sup>2</sup> See Kenya National Bureau of Statistics (2009)



Ariaal, Samburu and Turkana. They became the business people who stocked its shops and market stalls and provided services, the administrators in its government offices, the students who thronged its growing number of schools, the farmers who tilled its fields, the charcoal burners in the forest, and importantly for our story, the politicians and their militias who, many claim, still incite its violence. While there had been less than 1,000 Borana in Marsabit town in the 1960s, by 1979 Borana numbered 30,444, outstripping Gabra (23,410) and Rendille (19,856).<sup>3</sup>

Major droughts in the 1970s and 1980s brought aid agencies to the region. Along with established Christian missions, they set up relief distribution points in the growing settlements (Fratkin and Roth 2005). By 1985 aid agencies were also funding major farming programmes as an alternative to pastoralism, which they believed was an impoverished way of life. Settlement on the mountain was a response to both insecurity in the rangelands and to the economic potential of the mountain.

For much of the twentieth century politics were expressed in customary relations between the major ethnic groups, the larger of which spanned the international border. Their consistent raiding of one another was tempered by successive negotiations and agreements and a system of justice and compensation. These disputes and agreements were economic and territorial, in some ways no different from the rivalry, conflict and treaties of neighbouring states.

At Kenya's independence new borders and boundaries and new administrative arrangements set the scene for a change in the locus of rivalry and power. Politics became ever more important as administrative boundaries and political borders cut across the rangelands and created possibilities for patronage, rents and exclusions (Watson 2010; Galaty 2005). Two constituencies were formed to send Members of Parliament (MPs) to join the new government in Nairobi. Marsabit North was mainly Borana and Gabra, and South was primarily Rendille. Wars still broke out between different ethnic alliances, operating according to the old rules of territorial invasion and theft of livestock, but now tinted with external as well as internal politics. In 1988, with pressure from political leaders, Marsabit North was subdivided into North Horr and Saku reflecting Gabra and Borana interests respectively. Rather than reducing conflict between tribes, however, the division 'brought more tribal problems,' as one interviewee put it, as competition for the power and resources in the gift of the Member of Parliament became more intense. There was violence from 1994–6 between Burji and Borana, in 1996/7 between Rendille and Borana and from 2003–8 between Gabra and Borana.

In today's politics, as one local resident explains 'it is numbers that matter.' Mandated in 2010 by the new constitution and coming into local force after elections in March 2013, Marsabit County is the latest in a series of centrally-mandated boundary-setting exercises. The new county embraces four constituencies and four administrative districts. Political groups, whose logic of membership has long been ethnicity, were concerned with how to dominate the new political structures, and thereby not be left out of the rents and patronage that would come with the decentralised budgets and the senatorial influence in Nairobi. In the run-up to elections to the county government the general assumption was that Borana voters would be in the majority. Winning groups could expect power over many of the resources coming to the region (primarily government salaries and contracts), as well as to hold considerable influence in relation to other resources, such as aid and private sector contracts and, for some, the fruits of criminal activities. Some of the smaller ethnic groups, each of whom constituted a political voting bloc, formed an alliance. They drew on an old alliance that had been initiated a decade before to overcome Borana dominance in the powerful teachers' union, the Kenya National Union of Teachers (KNUT). This alliance was made up

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<sup>3</sup> For further information please see Government of Kenya 1979 Census (cited in Fratkin and Roth 2005)

of Rendille, Gabra and Burji and was called REGABU. In 2013, the REGABU alliance was revived and put forward shared candidates for each post in the gubernatorial and senatorial elections: they swept the board. Borana politicians, finding themselves out of power for the first time in decades, cried foul.

## 4 Violence chains

In the following sections we will enumerate some of the forms of violence that were prevalent in Marsabit in 2013, beginning with what people call ‘innocent killings’. We will demonstrate how local people describe and understand these and other kinds of violence, before developing an analysis that attempts to explain their persistence. We begin with a brief description, supported by quotations taken from the focus groups and interviews, to sum up the incidents we heard about, cautioning again that while dreadfully familiar, they are not every day. We calculate some 28 unexplained murders and perhaps 200 deaths in violent attacks over the last five years:

*‘Two children are walking along a dusty road, thick acacia scrub clustering close on either side. A shot rings out and they are left dead where they fall. A woman and her child are beaten as they walk home along an unlit stretch of road in Marsabit town, a plastic bag of groceries lies scattered on the ground. Before dawn in Moyale, a town on the Kenya–Ethiopia border, a house goes up in flames and then another and another, automatic gunfire clatters, many are killed. Families grab what they can and run for the Ethiopian side. A truckload of stolen cows rumbles northwards across the same border unhindered by border officials. A noisy group are marching towards the district commissioner’s office on Marsabit Mountain, carrying the corpse of a young man, killed in the forest by unknown assailants. One of the demonstrators throws a stone, windows break, the riot spreads to town and young people tear the wooden doors of shops and the looting begins. In a back room of a three-storey hotel and shopping complex, one of the largest buildings in town, a group of men meet in conclave. At a formal ‘investment’ meeting at the Moi Girls’ High School, a politician denounces the county government, men and women from his tribe in the audience bring out placards marked ‘NO PEACE’ and then walk out en masse.’*

### 4.1 ‘Innocent killings’

People’s stories mostly begin with the ‘innocent killings’. Innocent people, often children and women, are killed without explanation and with no clear motive. Nothing is stolen. The people killed have done nothing wrong and the perpetrators are never found.

*‘My son had passed his final primary school examination. He was waiting to join secondary school. He killed by bandits on Hula Hula road. They stole nothing from him. Banditry is a common thing, but nowadays they just kill and take away nothing from their victims. Many people have been killed while walking to or from the market or in the forest when they go to collect firewood - people just ambush and kill them on their way.’*

*‘Several people were killed by unknown assailants especially along the Badasa road and Hula Hula roads. In most of these attacks people hide in the forest and time people who are passing by they then attack them or kill them.’*

*‘There was an incident in Songa where four children who were on their way to a church camp were shot and killed. The attackers were not known. There was another incident in which people who were coming from Songa to town with some children were attacked and killed on the way by unknown assailants.’*

*‘Go to those villages and ask them how many are widows. Whoever does that comes through the forest.’*

Combining all the data and avoiding double counting, we calculate that at least 28 people of all different ethnicities, one-third of them children, have lost their lives in this mysterious way since 2009. Two, perhaps three, were tortured, but most were just shot. The timing of these incidents are not particularly clustered around times of political tension; instead people speak of them as being spaced apart and happening at times when there is 'peace' – one or two, then, later in the year, another one. In the last six months the ethnic group and location of the killings has changed, with a number of inexplicable killings taking place in a Turkana community.

This form of unexplained violence is tragic for the victims and their families, and it also has a broader insidious significance. Local people understand the killings as a means of political communication, and they appear to have been accepted without undue concern at high levels of the administration: people see it as inevitable. Even though elder-led peace and justice declarations such as those of Modogashe–Garissa (2001) and Maikona–Walda (2008) have been widely admired for elaborating clearly how such crimes should be followed up by citizens and police and treated in the traditional and state courts, the agreements do not seem to have worked to prevent or resolve Marsabit town's innocent killings. In a study in 2010, in an examination of the effect of the Maikona–Walda Declaration on peace in the district, it was already clear that while it was working in the rural areas, it was not doing so well in the urban areas (Scott-Villiers *et al.* 2011). In 2013, our respondents explained that killings have become a part of the cycle of democratic politics, immune to civil-customary declarations.

## 4.2 Small wars

Small wars are a second form of violence troubling the people of Marsabit County. In July 2005 in the trading post of Turbi, on the road between Marsabit and Moyale, 60 people were massacred, 22 of them children. According to an account collected by Mwangi, in 2006, some 1,000 heavily armed fighters surrounded the trading centre and sprayed the primary school with bullets, murdering eight pupils in their morning classes. Women were hacked to death; an infant's head was smashed on a rock. Two administration policemen and three home guards tried to protect the civilians until their ammunition gave out. During the raid over 12,000 head of livestock were stolen. Not long after, in a revenge attack on members of the tribe that were blamed for the massacre, ten members of a church group were hacked and speared to death at Bubisa, 80km away (Mwangi 2006). Prior to the massacre at Turbi, local leaders had been anticipating an attack, which is why most of the young and middle-aged men were not in Turbi at the time. An MP had held a press conference a few weeks before the atrocity, begging the central government to send the elite General Service Unit of the Kenya Army to the area. He accused other politicians of 'using the OLF [Oromia Liberation Front] to kill his people' (*ibid.*: 86). Others believe to this day that this insurgent group from Ethiopia were involved. The administration did not take preventive action. The massacre was just one incident in a war that had been going on since at least 2003. Local elders managed, in 2008, to bring a ceasefire, but it was an unsteady peace.

*'The violence here is tribal and is deeply rooted. For example, one time there was war between the Burji and Borana - which resulted in many people being killed. There are deeply rooted divisions between the different ethnic communities living here and that is the major source of violence. Unfortunately people are not willing to share information or report criminals to the police because they are their kinsmen.'*

*'There is a group in town that is financed by politicians. When it is close to elections, politicians according to the tribe... if the politician is Burji, Borana, Rendille, he will send the group to kill one of the members. They kill one of their own, then the members of that community will say it's the other community who have killed one of*

*our own, then they send their people out of the town. Then the politician from one of the three [gets his votes]...'*

*'Out of every killing, a certain politician gains... In this town, there are thugs that are financed by politicians. The thugs that kill people do not want anything else but money. They are paid and told who to kill. The politicians are from any tribe and they do the same. They play their games so as to win elections.'*

In December 2011 fighting broke out in rural areas of Moyale district on the border with Ethiopia. Blame was soon flying between leaders who used ethnicity to define the dispute. Fields of ripe maize were burned and, according to media reports, 8,000 people fled into Ethiopia.<sup>4</sup> Throughout 2012 and 2013 there were a number of severe incidents in Moyale town. One estimate suggested that 100 people died over that year, and this seems consistent with media reports of specific incidents over that period. In July 2012, armed militias were involved in attacking two villages on the Ethiopian side, close to Moyale town. Houses were burned, at least 20 died and 20,000 people fled into Kenya.<sup>5</sup> In August 2013, after the Marsabit County elections, Moyale town went up in flames again. The arsonists' clan was asked to compensate. They replied that they wanted to see large numbers of a particular ethnic group leave the town. They claimed that this other group had entered town on the invitation of local politicians just prior to elections to pad the voting lists. There were revenge attacks and other groups were also caught up in the violence. On 28 August 2013 it was estimated that at least 20 people had died in that month alone.<sup>6</sup> The troubles continued until the Kenya Army arrived in September 2013, some six months after the clashes had begun. Violence flared again in December 2013 and January 2014, when nine people died including two children.<sup>7</sup> People were concerned about how long it took the government to react: they said it was not until a national opposition leader came to Moyale that the central government sent in the army. The police had apparently stood by as spectators watching the town burn. Each of the different groups explain that, for more than a decade, Moyale town has been the site of violence instigated by unscrupulous leaders.

*'There was killing on both sides. Marsabit County assembly members even went to Moyale and when we were there you could hear gunshots and see houses burning. That was August. There were allegations between politicians. Until the army were brought in. People were displaced to Ethiopia. Usually that destruction of properties does not happen. The problem [in Moyale] is not resolved up to this time. When we went there we were going to have a ceasefire, but people accused us of fanning the flames of the fire.'*

*'That other group are the ones who cause war and they do not want to participate in peace meetings.'*

Small wars are a part of the pattern of unresolved and persistent violence in Marsabit County. The wars and the incitement are made more complex by the international border, across which perpetrators and victims move with ease. In the same way that it fails to investigate and bring the perpetrators of innocent killings to justice, the failure of the government to resolve small wars indicates, in the minds of the citizens, a form of approval. Political leaders make mileage from wars and people see them being rewarded for their belligerence.

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<sup>4</sup> [www.irinnews.org/report/94681/kenya-thousands-remain-displaced-as-fighting-subsides-in-moyale](http://www.irinnews.org/report/94681/kenya-thousands-remain-displaced-as-fighting-subsides-in-moyale).

<sup>5</sup> [www.bbc.co.uk/news/world-africa-19028609](http://www.bbc.co.uk/news/world-africa-19028609).

<sup>6</sup> <http://allafrica.com/view/group/main/main/id/00026137.html>.

<sup>7</sup> <http://allafrica.com/stories/201402030521.html>.

### 4.3 Economic boycotts and hate speech

Another element of the violence chain is economic boycott, which although apparently a legal sanction, is linked to forms of incitement and sometimes to what could be interpreted as hate speech.

*'Education should have broadened our people's minds and they become open, but of late it's making them ask why does not my community own this or dominate that community? They ask why has that community got all the lorries? They start seeing exploitation, hegemony, and asking why is my community being oppressed? This ethnic consciousness is among the youth. They ask more strongly than among older people. It's not so much to do with employment, but why is our man not the governor?'*

In March 2013, after the success of the REGABU alliance in the county elections, the new leaders took up their new posts. By September 2013, leaders of the opposing ethnic group were making it known to citizens of Marsabit town that the new arrangements were not satisfactory. They instructed their supporters to stop buying from the shops of one of the groups belonging to the coalition, or selling to them, or working for them. They claimed that this ethnic group had never bought from anybody else's shops in the past and that the boycott was a measured response to an unfair situation. At the time of our visit, the boycott was hitting this small group hard, as their economic standing in the town is primarily based on small business. It was also affecting poor people regardless of their tribe. In effect, the boycott actually extended across all groups:

*'A political leader told [us] in a baraza [public meeting] that we should not let [other people] use our water. They should not even transport milk belonging to the Gabra to the market. This is because they own the public service vehicles. In another public meeting it was agreed that [that group] should not buy from [certain] shops. It was also agreed that [the group] should not sell charcoal to the [other groups]. Since then, [they] do not buy from [the others] and vice versa. Women from [that group] do not sell charcoal to the [others]. They only sell to their fellow [tribespeople]. The leaders held meetings and agreed that people, both young and old, from [their] community would supervise the economic boycott. There is a woman who bought from a shop and was beaten up. This was... on 12 October this year. It is politics that brings up all these things... It is the political leaders who bring these up. People here listen to their political leaders and do what the leaders tell them to.'*

As the boycott continued, the businesses of the boycotting group began to do well, while the businesses of the small group who had joined the ruling coalition started to fail. Some of their butcheries closed; eateries and general stores began to have trouble. One observer pointed out that the primary beneficiaries of the policy were local opposition political leaders, who were also the owners of some of the larger businesses in town. Smaller businesses on the boycotting side, such as charcoal sellers who relied on a mixed clientele, and the farm labourers who were expected to give up their jobs or leave their rental houses were not so happy. They could not afford to stop doing business with the other side. Some risked ignoring the leaders' orders: a woman and child were beaten for shopping in the wrong shop.

*'It is the leaders who benefit. Like now those women are suffering because they are not allowed to sell their charcoal. They do not get food for their children yet their leaders are living a good life.'*

*'It has been a month since we stopped buying from them and they have regretted. Their butcheries have closed down. Their hotels have been closed too. Let them feel that for two or three months, then we see what happens.'*

On 11 October 2013 the new governor called an Investor Conference at one of the high schools in Marsabit town. He argued that now was the time to attract investment to the county, not to be arguing over election results. However, opposition political leaders had organised supporters to disrupt the meeting. Several accounts tell how one of the MPs stood up and called for the meeting to close, because, he said, while Moyale was at war, no investment could take place in Marsabit County. Participants from the opposition side brought out placards, indicating that there was no peace and there was corruption in government. The MP then left the meeting and most of the opposition group participants followed him. Similarly, ten days later at the Mashujaa Day celebrations the opposition citizens and their political leaders also walked out.

*'When the meeting had started at Moi Girls' High School, members of the county assembly were given a chance to speak one after the other. Different members of parliament from the county were also given a chance to speak. The Member of Parliament for Moyale woke up to speak then followed the deputy governor. When the governor stood to speak then the people got out their placards and raised them on the air. The governor said, "I am the one who got votes and I am the one who will rule for five years. I got votes fairly." Our people said that the governor has shown us that he has the power and that there is no employment, and no equal sharing of the county resources.'*

*'During the Mashujaa Day celebrations the community showed hatred. When the governor's speech was being read they walked out. They do not fear the governor and they do not want him. They also said that they do not want investors in the county because there is no peace.'*

*'It is the politicians who instigate violence and conflict among people here. They propagate hate speech. They talk against other communities. Every day people go to the chief's office to report this speech.'*

By November 2013 people in Marsabit town were in a state of acute tension after these events. Neighbours were not speaking to one another and many felt that at any moment violence might flare up as it had done in Moyale.

*'We are feeling that there is not an adequate distribution of resources. Anything could trigger violence now. It could result from a murder, or two people fighting, or the announcement of results of government appointments. We are not buying from each other's shops or renting rooms in each other's houses. Now we are marrying only from our own group.'*

*'Some of the neighbours are not even greeting each other. The way the members of the different communities were relating has changed. People are not as social as they were before.'*

The organisers of the boycott argue that it is legal. Yet, when the action is considered within the overall system of political intimidation, especially at times of heightened tension, it takes on a different cast. The speeches that are allegedly made in calling for the boycott sound more chilling. On the surface they are innocuous but just below the surface they seem to have a double meaning of incitement. At the height of the tension, posts on social media sites and short message service (SMS) exchanges also had a sense of double meaning. This kind of speech treads a fine legal line. A Kenyan advocate has defined hate speech as 'speech that advocates or encourages violent acts against a specific group, and creates a

climate of hate or prejudice, which may in turn foster the commission of hate crimes.<sup>8</sup> During our short visit to Marsabit we heard a considerable amount of speech from every group that could fall into this category. We heard suggestions and statements indicating that other groups may be killed, that 'our' group is being targeted and must now retaliate, that this group hates that group, that the group over there brought the violence, that this group is provoking violence, that the other group thinks that they are the only people and that all others are not people at all, that this or that act shows hatred, and that 'God has created us to be leaders and not those others'. It follows that as tensions rise, so the conditions for hate speech become conducive and more dangerous. The significance of the economic boycott and divisive speech in the violence chain is precisely in its liminal legality: it is double speak; it damages, it may foment further violence, but it is legal and no one seems able to stop it. Even religious leaders take part. It is as if it has the official approval of leaders and there is barely anyone who does not indulge.

The role of rumour in African politics has long been recognised, and politicians have always made good use of it to undermine opponents. In times of crisis, people need to rely on hearsay to obtain valuable information that may help them survive (Osborn 2008). Across Kenya in 2007/8, lack of information and rumour was a primary cause of increasing fear and tension during the post-election violence. Rumours shape public perceptions of the state of affairs and can thus inform and/or mobilise people to take action. Present-day technology enables rumours to spread quickly through text messages.

In this section we have enumerated some of the forms of persistent violence that were under discussion in Marsabit town in late 2013. Without much prompting, people in each focus group described innocent killings, small wars, the economic boycott and divisive speech in detail. They explained it as political power and showed how one kind of violence encouraged the other. In Section 5 we will consider different responses to the violence and ask whether the responses contribute to resolution.

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<sup>8</sup> [www.cohesion.or.ke/index.php/media-centre/news/144-unpacking-hate-speech-by-commissioner-milly-odongo](http://www.cohesion.or.ke/index.php/media-centre/news/144-unpacking-hate-speech-by-commissioner-milly-odongo).



## 5 Responses by government and citizens

### 5.1 Administration action

*'The government is aware of what is happening but it is doing nothing.'*

In January 2014, two years after the start of the Moyale clashes and ten months after the county elections and the subsequent tension, Uhuru Kenyatta, Kenya's president, repudiated Marsabit's political leaders of all stripes for their failure to resolve the clashes in Moyale and mandated the army to be sent in again. Our respondents told us that it is normal for authorities to intervene very late, by which time the effect of the violence has already done much work. Some people went so far as to opine that it would suit the centre, were Marsabit's government to collapse, since there is a school of thought that the central government would rather see devolution fail and power return to the centre.

The president's website posted the following on 5 February 2014:

“My administration will not sit back and watch as insecurity reigns. It is your responsibility to ensure peace in the county,” the President told the leaders. President Kenyatta spoke today at State House Nairobi during a meeting with Marsabit leaders. He said the negotiations are the last chance his Government is giving the leaders of Marsabit to end the conflict, saying the leaders cannot be allowed to continue bickering while citizens continue losing lives. The President assured the leaders that the Government will provide an office and a secretariat to facilitate the negotiations. He warned that if the negotiations fail, all measures will be taken to ensure peace returns to Marsabit, including presenting a proposal to Parliament on how that should be done. “But if you agree to end the conflict, the national government will work out a plan to make Marsabit a model county,” President Kenyatta said.<sup>9</sup>

Notwithstanding presidential censure, Marsabit citizens feel that local authorities do too little to confront the violence. Rather than understanding local authorities as bodies that could act on violence, it seems that people think they are bound up in it. They explain that the new devolved county government is balanced between the powers of the governor and county assembly on the one hand, and the centrally controlled administration, as represented by the chiefs, district officers, district commissioners and county commissioner, on the other:

*'There is a lot of tension between the county commissioner and the governor over power. It is not clear to many people who, between the governor and commissioner, is in charge of the county. But because the commissioner controls the security apparatus he has more power but he is misusing the security officers. During Mashujaa Day it was the county commissioner who read the president's speech instead of the governor who is not only superior but who is popularly elected by the people of Marsabit County.'*

*'We used to do barazas [public meetings] with the chief and suchlike when there was a problem. Now they don't call them because the leaders are not on good terms. When they do public barazas before, you would accept what was said. The nyumba kumi [ten house] baraza [a new government security initiative where households are asked to watch each other] was the first for a while. But they have not solved the problem between the leaders. They have announced that I may not talk with my*

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<sup>9</sup> [www.president.go.ke/marsabit-leaders-given-one-week-to-resolve-conflict-in-the-county/](http://www.president.go.ke/marsabit-leaders-given-one-week-to-resolve-conflict-in-the-county/).

*neighbour so how will nyumba kumi work? In my village we tried nyumba kumi, but no one came together. How do you start? Wana kata [we are split]. We do not even talk to each other!*

*'A few chiefs and sub-chiefs are also notorious – one even abused the DO [district officer] who is his senior in public – these chiefs and sub-chiefs are the ones used to mobilise people and pass messages to villagers, to block the administration from knowing what is happening and organising the attacks. They also get a share of the proceeds or cut from politicians.'*

*'The government does not look at its people. We as women cannot go to the governor. We are told that there is no chance to see him.'*

*'The people here fear the government. If the government would take a little action people would fear. A few days ago, a district officer's office was burnt down in Moyale, but nothing was done by the government about it. Arrests were made but the people arrested were gotten out of the police cells. Even the police OCS [officer commanding station] had to escape via Garissa. The politicians who incite people should be arrested. Otherwise, we shall always be fighting.'*

Ordinary people claim that members of the administration rely on elected politicians to keep their positions. They argue that business people also rely on elected politicians for access to lucrative contracts and in return they give politicians liquidity for winning elections. Poor people, voting in ethnically defined blocs, provide another side of the equation. Thus, as our respondents explained repeatedly, it is not surprising that the administration does not solve the killings and wars.

## **5.2 Police investigations**

The police are the subject of almost universal criticism among the population of the mountain. They may put up a search for killers, but by most accounts they seldom find the perpetrators and more often than not the search is half-hearted. Some suspect that the police themselves may be partisan. On the other hand, it is also well understood that raiders are often armed with sophisticated weapons, whereas the police are not well armed or equipped. Local people understand their fear of going into violent situations. A third accusation levelled at the police is that they are simply corrupt. Some accuse them of selling guns and selling 'protection'. Whether partisan, corrupt, or simply ill-equipped, their weak performance contributes to the system of violence.

*'I worked in the first government by Jomo Kenyatta as a police officer. If we heard of any gunshots, even if it were 500km from here, we would rush there to see what it was about and recover the gun. Right now, we hear gunshots here, but no one takes action.'*

*'It really upsets when a community loses some of its people and fails to get satisfied with where thought they would get help from. Most times, people do not get any feedback from the police. It gets to a point where people no longer go to the police, but instead they take revenge. If the help from the government was reliable, where the killers would be arrested, then the communities would be satisfied and such revenge would not be common.'*

*'When such incidents happen, the police move around where they think the perpetrators are for two to three days. They do not tell the communities anything. That is what makes most communities not to trust the police. They even think that the police are part of the killings. If a Borana is killed, for example, and the police suspect*

*Rendille have done it, they come to the Rendille and harass them. One morning, a lorry would come to the Rendille manyatta [village] full of police officers. They would beat up man, women and children in the manyatta forcing them to say who the culprits are. I don't know if the same happens to the Borana, but this has taken place with the Rendille several times. They force you to tell the person who killed, yet the killings are done in the forest and we don't know the perpetrators.'*

The police searches are often made with the help of 'home guards' who are local men officially allowed to carry arms (allegedly sold to them at a large profit by the police). Home guards are chosen by local communities and are more widely trusted to act quickly and with more effort. Home guards also keep a watch on some of the more dangerous stretches of road, and are generally praised for their role. However, they only have limited capabilities and they are often accused of contributing to clashes themselves.

*'Since villagers do not feel protected by the government they have now taken security into their own – they use police reservists and vigilante groups to provide their own security. As a precaution children and women are not allowed to go out at night.'*

*'The police are so sunk in corruption, so much decay. During 2006/7 a trend occurred that you would invade her village, Borana could go and cause problems to Gabra and Borana would bribe the administration for protection, then the Gabra would go and pay the administration for protection. The administration became rich. They build palatial homes. They think they are being banished when they are assigned to this place, but when they get here they realise they can make money. The guns they can get they sell to KRP [Kenya Police Reserve or home guards] for KShs 50,000 - no receipt. They are supposed to be given to home guards for free. The county is 70,000 square km. This town is the epicentre of the conflict. The elites contribute.'*

For the 'innocent killings' there is almost never a conviction by a court. With a few exceptions, people believe that the courts barely play a role in confronting the violence that haunts the mountain and its surrounding rangelands and vital connecting roads.

*'According to information that we got is that some politicians bribed the magistrate. They did this to gain the trust and votes of one of the communities. They bribed the court to change the case. The police did their work but the court was compromised.'*

The role of the police and policing in Kenya is still a topic that is under-researched, in particular how ordinary police officers perceive their own roles and how that informs their actions. Ruteere and Pommerole describe how Kenyan citizens perceive the police as the instrument for maintaining a *certain* order and representing the interests of certain groups and individuals (2003: 592). This perception has accumulated since the colonial regime, during which police recruitment was ethnicised—from ethnic communities less opposed to the colonial government. Ruteere (2011) points at various factors that explain police behaviour, suggesting that the police are not simply an extended arm of the state. They have a level of autonomy, particularly at lower levels, in taking law and order decisions. The police are state actors, but also individuals with multiple identities that inform how they exercise power.

The failure of formal state security and justice bodies to tackle the problem of political killings is significant in the eyes of all our respondents. It demonstrates to citizens and leaders alike that the state accepts the message and the medium of the killers. Their silence on the role of customary systems of justice is also significant. With no faith in formal institutions, people adapt to the violence: women and children try not to go out at night and home guards keep a watch on the road.

### 5.3 Civic efforts

Among ordinary people in Marsabit there is appreciation for, but a low degree of confidence in, the anti-violence efforts of civic groups and NGOs. While most people speak of the good effect of peace declarations brokered by customary leaders and supported by government and NGOs, they explain that these declarations are not working to resolve persistent political violence. People are aware that some elders have had a role in slowing small wars and preventing one-off crimes from becoming cycles of politicised revenge, but they have also been saying for some time that the declarations cannot resolve political violence whose origins lie in urban areas (Scott-Villiers *et al.* 2011). The declarations, based on customary law in an awkward marriage with state law, are suited to the kinds of crime and tension that are subject to the authority of elders. They are weaker in towns than in the countryside by virtue of the different structures of authority in urban settings. Many people mentioned the declarations, but only in order to point out that they were *not* working in Marsabit or Moyale towns.

Other efforts were barely mentioned, except in a wistful way about what ‘should’ be done. Several international NGOs in Marsabit are financed to undertake peace activities, receiving funds from USAID and the European Union, but local people do not have a great deal of understanding of what they do, nor do they have much confidence that these projects are getting to the real problem. Some people speak ironically about NGO efforts to educate people about the dangers of violence:

*‘One time the people was invited to a meeting by the DO [district officer] and NGOs and they were educated about sustaining peace by being shown the negative effects of violence on video. There have been several other similar meetings and we have participated in several research projects on violence but nothing has really changed.’*

Typically, efforts by unfunded local citizens are more widely regarded. We came across three such organisations, all run by women with pragmatic objectives. One women’s organisation was praised for its balanced efforts to create dialogue and support victims of violence to gain justice, another was successful in gaining membership across the divided ethnic groups and a third, a neighbourhood group of housewives, quietly got on with breaking the boycotts on neighbourly interaction.

*‘There are many members of different communities who have decided to stay in peace and they join in different groups. Some members of the communities who lost the elections have also decided to join those groups secretly because they also want peace.’*

*‘We are staying here as a settlement. That is why we do not want problems with our neighbours.’*

The problem with these initiatives, however, is that while they create an important drag on the levels of revenge, they have little traction on the underlying rhizomes of power. While perhaps slowing the rate of violence, they are not able to undermine its persistence. Politics not only fuels the violence, but also undermines the citizen-led peace processes:

*‘Last week, we tried bringing the communities together... At the meeting, we agreed to live in peace. We asked ourselves what the major problem was, and agreed that it was all brought in by the political leaders. We then went ahead and selected religious leaders, and decided that they should bring together the Moyale, Marsabit North Horr and Laisamis Members of Parliament, the county governor, the deputy governor and the county representatives to a meeting to settle their scores and bring peace. We also selected one Gabra elder, four Borana elders, two Burji elders, two Rendille*

*elders and the religious leaders, who were four Christian leaders and four Muslim leaders. We told the Catholic bishop, who was one of the selected Christian leaders, and the head of the Muslim Council here, to call the politicians and have them to say what their problems were and then get back to us as the communities. Yesterday, I met one of the elders and asked him of the progress. He said that one of them [religious leaders] had refused to get the politicians together. I asked him why and he said that he did not know. I told him that he and the other leaders that were selected should go to him and know what went wrong because it might not be that he refused to get the politicians together. I told him that if it is true that he refused, and he keeps refusing, they should go to the county commissioner to report. The county commissioner had said during the meeting that if any politician refused to attend the meeting, he should be informed so as to take action. We are still waiting to hear from them about that.'*

## **5.4 Committees and declarations**

Since the 1990s, and drawing on an old tradition of elder-managed peace negotiations in resolving inter-communal wars, and on customary systems of law in relation to violent crime, a mix of local leaders, ordinary citizens, NGOs, and members of the executive have generated formal declarations—in effect an attempt at a local political settlement drawing on a long-established system of customary and civilian governance. Contradictory in parts to modern state law, but often more successful in creating peace and a sense of justice, these agreements are widely appreciated. They are also understood to be limited and flawed (Chopra 2008). They include the Modogashe–Garissa Declaration of 2001, which cemented agreements based on traditional law between communities from Isiolo, Wajir, Garissa and Marsabit with the blessing of the provincial and national security administration, and the Maikona–Walda Declaration that effectively ended active hostilities between the Borana and Gabra in 2008.

*'After the Maikona Declaration there was a return to normalcy and the Gabra and Borana once again started sharing pastures, water, and intermarrying, and doing business with each other. A committee was formed with representatives from the two communities to deliberate on how to share these resources. Since then there has been peace.'*

There is some variation in people's understanding as to how the interventions worked. Some understand them as government initiatives, others as arising from within the customary institutions of the peoples of the area, others as the initiative of local NGOs. Peace committees, originally the initiative of local civic organisations, later taken up by international NGOs, and latterly mandated by the administration and linked to district security committees, were another element of civic–government cooperation against violence. Some have been markedly successful whereas others are criticised for being captured by those who want to make money or gain political power (Chopra 2008).

*'A woman's husband was murdered. Two years after the murder, the Maikona Declaration did not work to give her compensation. This is the problem with the court system and with declarations. People are not aware that it's not being used very well. The old structures, the elders' councils, are disabled by the modern structures, the district peace committees, chiefs, etc. Now the government benefit from conflict in Moyale, with fuel, allowance for 15 vehicles! If we want to go for a peace meeting, they say to me, "What is your contribution?" To me, I give it, even if it is unofficial. How do they account for it? No they don't account. We pay because otherwise... it might affect our development process. We want normalcy. We want the relationship with government.'*

*'I have not seen any declaration that works well. I don't know why they do not work well but I think it is because of lack of cooperation on the side of the members of the district peace committee or lack of cooperation from the government. We have not seen the benefits.'*

In the focus group discussions, people's appreciation of the successes of the declarations relate to the legitimacy of their justice. They deem their failures as relating to weak backing from the state, as well as the perennial problem of politicisation of ethnicity.

*'There was a peace committee which was formed by the government. It helped reduce the violence because it had representatives from all communities. They would get information from all the communities. They went to Modogashe and made a declaration to deal with the violence. They agreed that if anyone was killed then the accused community was to pay 100 cows for a man and 50 cows for a woman. When they brought it here everyone feared.'*

*'The Rendille community had killed a member of the Borana community and they paid. However, the Borana community paid many times because they were accused more of killing. The late Abdi Tari [former Member of Parliament] saw that the Borana community was suffering. The community had even bought cows from Moyale because they had to pay the penalty many times. He asked the provincial commissioner to abolish the declaration. The commissioner said that she was not in a position to abolish the declaration. The MP also told the district commissioner that he wanted the declaration abolished and that the elders elected in the peace committee were not working. The committee was removed. The elders who were elected after that were lazy, especially the Gabra members. Then the Gabra community elders complained then those who have been accepted on the committee are just the lazy ones who have been rejected by the Gabra community.'*

*'A peace committee has been formed but the violence is still there. There is nothing being done to deal with the political violence.'*

In this section we have considered different responses to the violence and asked what contribution the responses have made to dealing with the persistence of violence. With police and courts able to do little, people remember the peace declarations. The failure of elders to put a permanent stop to small wars or to resolve the innocent killings, despite the best efforts of many, indicates a loss of power. People say that they cannot afford to follow the peacemakers when the peacemakers are powerless to bring either peace or prosperity. Elders say that they gain little real support from the state, and they claim that political leaders and entrepreneurs undermine their customary legal function. Several elders indicated that they often had to abandon their customary peacemaking efforts and, instead, put forward their own strong characters as political candidates and accept the functioning of a divisive system.

## 6 Analysis of persistent violence

### 6.1 Responsibility and blame

Who is it that is doing the unexplained killings? What sustains the violent clashes? Why is an economic boycott an acceptable mode of political action? By many accounts people's way of coping with the intermittent violence has tended to add fuel to the fire, reinforcing the likelihood that it will happen again.

Media coverage, NGO reports and government documents often maintain that it is 'bandits' who kill people on the roads. The implication is that bandits are individual criminals. The persistence of violence is attributed to the weakness of the police and courts. These reports also encourage the inference that young people kill as a result of a primitive inter-ethnic revenge culture that flourishes because they are obsessed with ethnicity and marginalised from civilisation. None of our interlocutors believed these explanations for the persistence of the killings. They pointed instead to reasons of economic interest and political power. They accepted that the tribe is a factor, since in pastoralist law the whole tribe is responsible for the crimes of its members, but they did not accept that the problem was primordial ethnicity or marginalisation. Instead, they suggested that enmity is being manufactured.

*'There are those who stay on Hula Hula road and kill people. They pretend to be Rendille community morans [warriors] and kill along the road so that the Rendille morans can be accused... They kill someone on Songa road then go round the forest and kill someone in Badasa so that people can start fighting and so that different communities can start accusing each other of fighting. At one time people started asking why the killing in Songa and Badasa were happening at the same time and members of the Rendille community said that they had not revenged at all.'*

*'Sometimes women who get firewood from the forest and young men looking for wood to sell are killed then it is not easy to say exactly who has killed them. When a Rendille community member has been killed then the Borana are accused and when a Borana community member is killed then the Rendille community is accused yet they are not the only ones in the forest.'*

Without a clear perpetrator to bring to justice, community members take revenge in the name of their community and enmity escalates. When enough community members agree to forget the past, the revenge attacks will stop, but in time another killing or a whisper of unfair dealings will set them off again in a spiral of blame. There do not have to be many killings to create whispers that consolidate ethnic identity and result in the formation of voting blocs:

*'When elections near, people from the Gabra, Borana, and Rendille communities die, yet we do not know who does the killings. A Borana would be killed, and the Borana would blame the Rendille for the killing and vice versa, yet we do not know who did the killings.'*

Because the killings often involve no theft, and because they go un-investigated – or if investigated, unsolved – people also look for other possible explanations. Some point to an amorphous group of youth, to whom tribe is unimportant, as killers for hire:

*'There have been several incidents in which people travelling to town or going back home are attacked by unknown assailants along the way and killed. In three different occasions the attackers have been arrested and they argued that they were at work,*

*because they had been paid by politicians to attack innocent people. They refused to provide the specifics or to discuss the issue further.'*

In explaining the small wars, such as the Moyale clashes, the received wisdom is again that it is atavism. A standard formulation common in the press and NGO reports suggests that ethnic groups are fighting over grazing and water. Among our respondents, this shallow reasoning was usually rejected in favour of a political argument. People explained how leaders, in battles for the votes that will give them power and wealth, have no compunction in inciting revenge attacks, unexplained killings, arson and economic boycotts. One group explained how their group selected a strongman as a political candidate. Another group explained how politicians create divisions through speeches with double meanings. People allege that somebody orders the innocent killings to create racial hatred and fear and split communities into voting blocs.

Others point out that criminals who trade guns and have vehicles do well out of small wars:

*'There is spillover from Moyale–Turbi–Marsabit. Beneficiaries are people who sell guns and have vehicles for hire. The whole economy of fighting, ferrying people, ferrying displaced, gives them benefit. Most conflict is political. The politicians don't speak to each other. The politician has his councillors who guide him. They are the announcers who set the people against each other.'*

*'At the moment some teachers are going round the villages collecting KShs. One thousand from everybody both male and female to buy guns. They have been doing for about three months now - since we are part of them it is difficult for them to hide from us. We have informed the police and they are aware of what is happening but they are doing nothing. The names of the teachers who are involved in collecting the money have already been given to the national security, police and county commissioner.'*

Summarising the perspectives of the various people we talked to, we find some generalised blame aimed at politicians, the administration, elders and youth, and we also hear that everyone and no one is to blame, because the violence (often quite low-level and occasionally intense) has become endemic. It is relayed throughout society, as one act of violence sets off another, until the origins become obscure and one can only blame the political system (Hibou 2006).

People of all kinds take responsibility for keeping the peace. At every level – in local neighbourhoods, in schools, in the administration, in politics – there are efforts to keep good relations, cool down hate speech and prevent escalation after incidents have occurred. The situation is finely balanced, it tips into violence and then tips back into an unstable peace. Neither situation is comfortable, and most people that we met were looking for a way out. The path towards resolution demands a more nuanced ear to what people are saying about how violence works and to what purpose. We will turn to this question in Section 6.2.

## **6.2 Four dynamics of persistent violence**

We need to begin by examining the explanations given by the people we interviewed about how political entrepreneurs and ordinary citizens have contributed. In this section we consider four dynamics that are uppermost in people's minds, both destructive (i.e. they dismantle relationships and arrangements) and productive (i.e. they produce goods, relationships and arrangements).

The first dynamic concerns a struggle for the fruits of devolution, even to the extent of sabotaging it. The second dynamic concerns the use of violence to shift voter constituencies



*en masse*. The third involves preventing the other group or groups from gaining a share of the economy. The fourth encourages the production of ethnic identity through a system of economic preference and clientelism. We consider the part each of these appears to play in the current transition of power from centralised government to devolved government.

### **6.2.1 The political opportunities of devolution**

The first dynamic arises from the structure of political opportunities, which today is shaped by devolution. Devolution has dislodged the old balance of power between state, local political interests and the customary order. It was a balance of power in which local political entrepreneurs had some, but not overwhelming power. In the transition to the new devolved political settlement, we see a struggle for power between local political entrepreneurs, each with a portion of the old customary institutions and state administrative/executive institutions lined up behind. By offering a multiplicity of elected and non-elected positions (governor, county assembly members, members of the county cabinet, etc.), devolution has vastly increased the monetary value of local politics and, in the citizens' view, substantial power is now in the politicians' grasps.

In Marsabit the voters whose candidates lost the election were surprised and disaffected by the scale of their loss. Since the new county government appears to offer a greater opportunity for allocation of assets than had been the case with the centralised administration of earlier years, the losers say that they feel especially aggrieved. Before devolution it would not have been possible to take one's local government to court or impeach the local leadership, but today's devolved government structures are subject to new rules. If a county is failing, the constitution allows for the central government to dissolve the local government and institute proceedings for a new set of elections. Some groups in Marsabit talk of 'making the county ungovernable'.

*'It's in the constitution. The continuation of this county government without sharing resources, promoting conflict, they will have to weigh. Is it good for people to keep killing? Marginalising each other? It will be a weighing machine. In case where there is no security then they can dissolve the county government.'*

*'Three communities together got the post of governor and the other community has not accepted. They do not want the county government but want to be under the central government because they do not want the governor.'*

*'This was the first time that they were losing in political elections and subsequently they vowed to make the county ungovernable.'*

In one way this strategy is a non-violent one because it aims to use the courts and the constitution to achieve its ends, but it is associated with the violence of hate speech, boycott and ethnic essentialism.

### **6.2.2 Manipulation of constituency populations**

The second dynamic relates to an old practice of changing the ethnic balance of wards and constituencies and changing the size of voting blocs. People explain that when a small war or series of revenge attacks causes thousands of people to flee from one area to another, voting blocs are disrupted. Even without direct violence, threats and rumours are often enough to shift people from one place to another in advance of an election, changing the pattern of the vote. It is widely alleged that political leaders have been making identity cards available to residents on both sides of the international border for many years. These residence documents help secure access to education in Kenya, and security and aid in Ethiopia, but they also help political leaders in their struggles for power. As elections approach, agencies report on how arson attacks on villages result in large numbers of

displaced people moving *en masse* across constituency borders, including across the international border. They head for the houses of their relatives and swell the numbers of their ethnic group in that location.

*'The political leaders chosen by the people are warlords. The people here would not elect anyone who likes peace. They elect people who are good at speaking against other communities. They like such people because they would speak for them. They also feel that such leaders would liberate them from what we don't know, and help them have the power to take up and own every place where there are good pastures. They look for people who promote violence to be elected as leaders. They also look at resources like the Community Development Fund [CDF]. They may plan to using the CDF to buy guns and arm themselves. These are the kind of rumours that we get here.'*

*'He also brought several of his ethnic group from Ethiopia and organised for them to obtain Kenyan ID cards so that they vote for him. That is how the population of his group increased and they came to dominate politics in the constituency.'*

The killings and hate speech create fear and genuine suspicion of the 'other'. The only option is to cluster together with your own people, who you can trust, do business with and vote for. It becomes increasingly logical to use violence against the other communities, especially since they are using it against you.

*'The last elections brought things to the fore. The REGABU coalition was used to oppose Borana, particularly when it came to the governorship. This broke the camel's back. Huqa Jatani, a Gabra, was elected governor, but Borana refused to accept this. A month ago there were clashes in Moyale. Gabra had come to settle there. Borana tried to evict them. The Burji suffered most, particularly business people. Two trucks were burned, shops looted. Burji live in a certain area called Manyatta. Those who had mansions in the Borana area saw them burnt down, a primary school was burnt. It was them who were very hard hit, though the conflict was initially between Borana and Gabra. It could have been payback for them joining REGABU. It is normally the elders who make alliances and decide which candidate to put forward. Normally it is the elders who will come together to reconcile after these conflicts. Previously the Burji and Borana had had minor conflicts in Moyale. It never went to killing. But this time it completely got out of control. There was a rape, and rampage... This time it completely went out of control. It might take a generation to resolve.'*

The phenomenon of divisive speech is common not just in Marsabit, but across Kenya. Several authors point at the political discourse of high-level politicians, in particular when they seek to manipulate ethnic identities for the sake of mobilising constituencies. They report how public speeches, often those in local languages, play into the fears of the population for the ethnic other and accuse the rival political elites of seeking total control (Kagwanja 2009).

### **6.2.3 Clientelism and reward**

Relatively low levels of targeted violence have a direct effect on the formation of voter blocs, according to our respondents. When divisive speech escalates, neighbours stop talking to one another and people boycott each other's businesses; they blame other ethnic groups and ethnic divisions harden. At this point, when it comes to a vote, there is really very little choice; you have to vote for the person from your own clan or ethnic group. When a child of one ethnic group is killed while passing along a road that runs through the territory of another, the killing sets off a spiral of blame and a further hardening of ethnic political identity. Every person we met in Marsabit described violence in terms of its ethnic effect.

Almost everyone referred to ethnicity as a proxy for political gains and losses. It seems that most people feel constrained to vote in ethnic blocs; so vital are the opportunities accruing to the winning side.

In this system politicians achieve their vote-banks and they appear to have done nothing out of order, save to having made speeches that could, in a certain light, be interpreted as ethnically divisive. The tendency to vote in tribal blocs will appear to be primordial ethnic division arising from the atavism of the masses, and leaders will claim that it is not their politics that are to blame. The political culture of rewarding ethnic blocs has been resilient over the decades of the evolving political settlement. Politicians across Kenya strengthen their own position and that of their parties with strategic use of ethnicity and invest heavily in consolidating personal ties to the highest echelons of government (Mueller 2011). It is not only the big political leaders who hand out positions, but everyone. Local business people, for example, find it normal to make and fulfil promises to tribespeople, while excluding non-allied groups. The benefits of patronage spread everywhere, even as they tend to accumulate among the better off.

Such promises would not work for long if political positions were not key to the distribution of government resources. Repeatedly, our focus group participants and interviewees explained their belief that the new incumbents of the county government would be distributing positions in a way that would reward those who voted for them, while also trying to pacify those who did not vote for them, all with one eye on the next elections in 2017. They explained the pressure that voters would put on leaders to 'pay' for the votes they had received, and they explained how the losing side would seek ways to intimidate the new leaders, using economic boycotts and demonstrations to stoke communal fears and set neighbours against one another. The members of the community that lost the elections pointed out the unfairness of their allocation of employment and positions in the executive, their exclusion from contracts, casual labour opportunities and catering, and the vulnerability of their people who are employed as nurses and teachers to losing their jobs. Others noted the difficult position that the governor was in, facing so many contradictory demands. Yet others pointed out the powers of Members of Parliament in influencing the distribution of monies from the constituency development fund and education bursaries.

*'Most recent was the demonstrations after the leaders were elected. The losing party demonstrated against the governor. They demonstrated because they said they did not get equal positions in the county government. They say that they have been sidelined. To me, they want more positions because they are the majority community. However, every community ought to get something in the county government. At one time, they sent SMSs that said that there was no equality in the county positions. The text message read: "This community got 27, this one got seven, this one got six, ours got four and the other one got one. The county got KShs 243m. The renovation of the governor's office was allocated KShs 88m; purchase of vehicles got KShs 93m; a borehole project sunk in the Kenya–Ethiopia border, which is a year 2017 campaign strategy, took KShs 58m". This was a message that was sent to everyone. I got it from a friend, who sent it to me. He got it from a mysterious number.'* (Elder)

*'In our current situation we cannot have peace. We have been sidelined in employment and other resources and there can be no peace.'*

To many Kenyans, elections have become a zero-sum ethnic game in which the one who loses can lose everything, including access to any state resources and livelihood opportunities. The discourse of the political elites only confirms this idea as it serves their interest, and it is increasingly presented as the truth as elections approach. Politicians are seen as distributors of private goods rather than fair mediators of public goods. Ultimately, voters want someone from their ethnic group to be the president as this guarantees them a

share of the national cake. This explains why leaders and voters will use all means to get in power (Mueller 2011). The logic of violent clientelism has a remorseless quality as opportunities are wrested from one group to another, or dominated by one group and all others must come in supplication.

*'When we do elections we have to be one tribe, in spite of the fact that we are actually 15 clans. When you find that somebody from your tribe, but from another clan has won an election, you find that they do not do anything for the other clan. Every time there is an election it happens. So whenever the election is through, the war starts. If the person from my clan didn't get in my people don't get any employment. We also want ours to go through and not anybody else. That is one of the problem areas.'*

#### **6.2.4 Economic division**

The economy of Marsabit County is not particularly complex. Its rural areas produce millions of valuable livestock, some crops and a few other items such as charcoal and forest goods. Its towns host transport, livestock trade, retail and wholesale businesses, and basic services. There is a substantial, but unmeasured, trade in arms and also in stolen livestock. The economy is expanding, but it does not appear to be expanding as fast as the population. Young people are competing hard for economic opportunities and good jobs, and many fail to find anything. They do not compete alone, but with the support of their relatives and clans-people in ways that can easily tip into violence and criminal activity, although they do not always do so. The mode of competition is not a meritocracy, but a question of positioning, bargaining and purchasing of opportunity.

The amount of money that can be extracted from government is one source of economic competition. The budget allocation for Marsabit County for the year 2013/14 is KShs 3.906 bn<sup>10</sup> (GBP £31m). This represents a substantial asset in jobs and contracts. It includes positions in the county executive, jobs in the county administration, occasional employment (such as cooking for a government event), construction contracts and even kickbacks, and physical infrastructure and services that benefit particular communities. The KShs 3.9bn figure may denote a potential rather than an actual spend, but it indicates the scale of opportunity. The enthusiasm for the political process leading to control of county positions indicates the importance of these assets and the degree to which they are, or appear to be, in the gift of county leaders.

There are few people in Marsabit who can afford to ignore the potential of promised jobs and contracts. Being aligned to the political and administrative powers in the county also appears to offer protection to those involved in criminal activities such as gun-running and cattle rustling.

*'If there were no tribalism and clanism and I were qualified, I would get a job at the county government. As it is, I cannot get contracts if I or my community never voted for a certain leader. Look at the way in which bursaries are awarded to students. They are given according to the tribes that the students come from. They favour some people. Even projects funded by the constituency development fund go to the group who supported their tribesman for the position of Member of Parliament. There are also those that benefit from the violence in this area. They are the individuals who maybe stole livestock during the violence from the other communities. They would have benefited because they would have more livestock.'*

In November 2013, more than seven months after the new governor of Marsabit had taken up power, he had yet to announce who had been appointed to some 42 government posts in

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<sup>10</sup> Government of Kenya, Commission on Revenue Allocation, County Budgets 2013/14, [www.crakenya.org](http://www.crakenya.org).

the new county headquarters in Marsabit town. We were told that despite his genuine efforts, he could not persuade the different groups to agree on quotas. These 42 posts, some of them quite minor, were the subject of unremitting speculation and, for the governor, enormous difficulty and pressure from every side. Various attempts had been made to set up a county cabinet balancing the different ethnic interests, but the losing side had been dissatisfied, the winning coalition expected the lion's share and the talks faltered and stalled. Within a single ethnic group there were also vitriolic disputes as single clans tried to occupy the majority of positions, angering other clans.

*'Since the government was elected people do not get jobs. There is no peace being talked about while all the communities are not being consulted.'*

### **6.3 A violent system?**

Pre- and post-election violence in 2013 may not have been as overt as it was in 2008, but it remains acute in Marsabit, in particular because it seems that it has become embedded in day-to-day life. Unexplained killings, arson, economic boycotts and hate speech have become normal hazards. With too little support and every reason to act violently themselves, the police are unable to investigate and the courts do not play an effective role in securing lasting and consistent justice. The violence is apparently stimulated in the struggle for power, and patronage is enlisted to keep hold of power.

It is probable that Marsabit is not unique within the political system of Kenya. While the local political settlement is using violence and economic rewards as a method of reproducing power, scholars have documented a similar pattern at the national level and in different counties (Wa Githinji and Holmquist 2012; Kanyinga and Long 2012; Kagwanja 2009; Kagwanja and Southall 2009; Kanyinga 2009). It is reasonable to suggest that the local and national levels reinforce one another.

The four dynamics elaborated above reveal an interlocking system of economic, political and social competition. They show how rooted the violence is into the everyday concerns and struggles of almost every stratum of the society of Marsabit town. They demonstrate how in responding to violence many people end up helping it to persist. The violence operates in such a way as to constantly undermine any positive institutional initiative that may try to amend the system.

In her exploration of techniques of political and economic power in Tunisia, Béatrice Hibou (2006) distinguishes two modes of political technique embedded in everyday economic mechanisms. The first is a productive technique: concrete patronage and advancement for supporters, or promises thereof. The positive technologies of power are about offering followers inclusion (in the Kenyan case along ethnic lines) in all the goods that can come from closeness to the source of jobs, contracts and the ability to outcompete rivals. The negative technologies of power are violent: in the Marsabit case they include killings, small wars, economic exclusion and hate speech. They create the fear that keeps people voting for partisan politicians. If such a system becomes embedded then it can persist relatively easily. Incentives for violence in Marsabit emerge as stronger than those that call for non-violence. What can change the equation? The political gains are large and the threat of sanction fairly small. The once powerful customary court system appears to not function well in preventing and punishing politically-instigated attacks, and the state administration, police and courts are similarly failing to resolve the issue. This is not to say that these institutions are having no effect; to the contrary, they do help to limit the violence by offering a structure that non-violent actors can align with, but they are not stopping it. We will conclude by asking how they might change their tactics.

## 7 Conclusion: the political settlement and the law

The citizens of Marsabit town who speak in this study reject the commonly held notion that violence across northern Kenya is about an ancient tradition in the neglected borderlands, whose locus is a poor, wild and backward population. Our interlocutors also made it clear that almost none of the persistent violence is individual crime. They further explained that democratic institutions are distorted by clientelism and citizens feel forced by their economic vulnerability to join in. If policies and programmes for quelling persistent violence are based on unrealistic imaginaries, they will not be successful. This final section will ask if a more realistic assessment might be useful in devising alternative approaches.

It was Walter Benjamin's (1921) insight that new states always come into being through violence, since violence is needed to do away with old powers and make new laws. Given that all of our interlocutors labelled the violence in Marsabit as political, it suggests that we should see it as part of the latest political settlement: devolution's state-building process. It is marked by attempts by political entrepreneurs to take charge of this new state by imposing their own version of violence, i.e. their own *law*. With the support of most of society, they are also using patronage and ethnic vote blocs to compete to be the makers and guarantors of the new (violent) law. Fortunately it is a transitional phenomenon. Once we stop generalising about ethnic rivalry, primordial raiding and root and branch corruption, we can look at the political struggle in its actuality and find ways of challenging its *modus operandi*.

What policy recommendation can be made for reducing and controlling the violence in the transition to a new political settlement? Does the political settlement have to be so marked by violence? Previous studies of violence in Kenya have made recommendations to reform electoral, parliamentary, security and judicial institutions, but as yet these efforts have not resolved the problem, perhaps because they do not deal with the competition for control of the law which violence represents. Others have suggested increasing support to community-based initiatives that might bypass political leaders and give backing to genuine efforts by poorer people, but these efforts have consistently failed to counter the strength of political actors.

The women of one neighbourhood on the mountain had an answer:

*'There is no way words of wananchi [the people] can get heard. Perhaps we should boycott elections. That might bring peace.'*

The suggestion contains a useful insight: the idea of the separation of politics and the law. Even though separation of powers may seem unlikely, since the national setup, *as practiced*, does not appear to promote independence of the law, we argue that it would be a fruitful avenue to pursue. The new constitution appreciates separation of powers, but legislation has yet to put in place adequate implementation modalities to make it happen. The reason for this is that the double security that should be provided by dispersing state power both vertically and horizontally does not automatically avoid local capture, since it assumes a 'constraining framework of public norms' (Roschmann, Wendoh and Ogolla 2012: 13, 20). Such an assumption is overly optimistic given the shape and history of Kenya's political settlement.

Recognising that no one institution or group is strong enough alone to wrest the law from politics in Marsabit and similar locations, we propose that devolution policy should

incorporate a programme of systematic *restorative justice*. Restorative justice is a mode of law that gives precedence to resolution over punishment. Such a programme should aim to create formal and funded cooperation between state and customary legal institutions and include genuine citizen's groups, such as the women's neighbourhood groups met during this study. These combined institutions should be empowered to deal with innocent killings, arson, eviction, hate speech and small wars as they arise. The process should involve detailed discussions as to points of moral and legal alignment, support collaborative investigation of any violence, and should make and implement formal rules and sanctions for dealing with cases. Only by taking control of the law will the pro-peace elements of society also take control of the violence.

# References

Bayart, J-F.; Ellis, S. and Hibou, B. (1999) *The Criminalization of the State in Africa*, Oxford: James Currey

Benjamin, W. (1921) 'On the Critique of Violence', in W. Benjamin (ed) (2009) *One Way Street and Other Writings*, London: Penguin Books Ltd.

Chopra, T. (2008) *Building Informal Justice in Northern Kenya*, Nairobi: Legal Resources Foundation Trust

De Smedt, J. (2009) "'No Raila, No Peace!'" Big Man Politics and Election Violence at the Kibera Grassroots', *African Affairs* 108.433: 581–598

Fratkin, E. and Roth, E.A. (2005) (eds) *As Pastoralists Settle: Social, Health and Economic Consequences of the Pastoral Sedentarization in Marsabit District, Kenya*: Springer

Galaty, J.G. (2005) 'Time, Terror and Pastoral Inertia: Sedentarization and Conflict in Northern Kenya', in E. Fratkin and E.A. Roth (eds), *As Pastoralists Settle: Social, Health and Economic Consequences of the Pastoral Sedentarization in Marsabit District, Kenya*: Springer, 53–68

Hassan, M.O. (2013) 'Continuity Despite Change: Executive Power and Kenya's New Constitution', <http://scholar.harvard.edu/mhassan/publications/continuity-despite-change-executive-power-and-kenyas-new-constitution> (accessed 23 April 2014)

Hibou, B. (2006) 'Domination and Control in Tunisia: Economic Levers for the Exercise of Authoritarian Power', *Review of African Political Economy* 33.108: 185–206

Kagwanja, P. (2009) 'Courting Genocide: Populism, Ethno-Nationalism and the Informalisation of Violence in Kenya's 2008 Post-Election Crisis', *Journal of Contemporary African Studies* 27.3: 365–387

Kagwanja, P. and Southall, R. (2009) 'Introduction: Kenya - a Democracy in Retreat?', *Journal of Contemporary African Studies* 27.3: 259–277

Kanyinga, K. (2009) 'The Legacy of the White Highlands: Land Rights, Ethnicity and the Post-2007 Election Violence in Kenya,' *Journal of Contemporary African Studies* 27.3: 325–344

Kanyinga, K. and Long, J.D. (2012) 'The Political Economy of Reforms in Kenya: The Post-2007 Election Violence and the New Constitution', *African Studies Review* 55.1: 31–51

Kenya National Bureau of Statistics (2009) *Census*, Nairobi: Kenya National Bureau of Statistics

Landau, L.B. and Misago, J.P. (2009) 'Who to Blame and What's to Gain? Reflections on Space, State, and Violence in Kenya and South Africa', *Africa Spectrum* 44.1: 99–110

Mueller, S.D. (2011) 'Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya', *Journal of Contemporary African Studies* 29.1: 99–117



Mwangi, O.G. (2006) 'Kenya: Conflict in the "Badlands": The Turbi Massacre in Marsabit District', *Review of African Political Economy* 33.107: 81–91

Nations Online (2014) *Map of Kenya*, [www.nationsonline.org/oneworld/map/kenya\\_map2.htm](http://www.nationsonline.org/oneworld/map/kenya_map2.htm) (accessed 2 May 2014)

Obala, L.M. (2012) *The 2012–2013 Kenyan Presidential Elections*, Mecca: Aljazeera Center for Studies

Omenya, A. and Lubaale, G. (2012) *Understanding the Tipping Point of Urban Conflict, The Case of Nairobi*, Working Paper 6, Manchester: University of Manchester

Osborn, M. (2008) 'Fuelling the Flames: Rumour and Politics in Kibera', *Journal of Eastern African Studies* 2.2: 315–327

Oyugi, W.O. (2000) 'Politicised Ethnic Conflict in Kenya, A Periodic Phenomenon', in A. Bujra and A. Ahmed (eds), *African Conflicts: Their Management, Resolution, and Post-Conflict Reconstruction*, Addis Ababa: DPMF/OSSREA

Parks, T. and Cole, W. (2010) *Political Settlements: Implications for International Development Policy and Practice*, Occasional Paper 2, San Francisco: The Asia Foundation

Roschmann, C.; Wendoh, P. and Ogolla, S. (2012) *Human Rights, Separation of Powers and Devolution in the Kenyan Constitution, 2010: Comparison and Lessons for EAC Member States*, Konrad Adenauer Stiftung

Ruteere, M. (2011) 'More Than Political Tools: The Police and Post-Election Violence in Kenya', *African Security Review* 20.4: 11–20

Ruteere, M.; Mutahi, P.; Mitchell, B. and Lind, J. (2013) *Missing the Point: Violence Reduction and Policy Misadventures in Nairobi's Poor Neighbourhoods*, IDS Evidence Report 39, Brighton: IDS

Ruteere, M. and Pommerole, M-E. (2003) 'Democratizing Security or Decentralizing Repression? The Ambiguities of Community Policing in Kenya', *African Affairs* 102.409: 587–604

Scott-Villiers, P.; Boru Ungiti, H.; Kiyana, D.; Kullu, M.; Orto, T.; Reidy, E. and Sora, A. (2011) *The Long Conversation: Customary Approaches to Peace Management in Northern Kenya and Southern Ethiopia*, Future Agricultures Consortium Working Paper 22, Brighton: IDS

Wa Githinji, M.W. and Holmquist, F. (2012) 'Reform and Political Impunity in Kenya: Transparency without Accountability', *African Studies Review* 55.1: 53–74

Watson, E.E. (2010) 'A "Hardening of Lines": Landscape, Religion and Identity in Northern Kenya', *Journal of Eastern African Studies* 4.2: 201–220

WHO (2002) *World Report on Violence and Health: Summary*, Geneva: World Health Organization

Wrong, M. (2009) *It's Our Turn to Eat: The Story of a Kenyan Whistle-Blower*, New York: Harper Collins



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