
**DIVISION OR DIALOGUE. GOVERNMENT PERSPECTIVE ON
THE MANAGEMENT OF CATTLE RUSTLING AMONG
PASTORAL COMMUNITIES IN KENYA**

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ABSTRACT

Purpose of the study: The study focused on how the Kenyan government utilizes state-based policies in the management of cattle rustling among pastoral communities and the extent to which the policy leads to division or dialogue.

Statement of the problem: Despite the effort by the Government of Kenya defining many policies to curb cattle rustling, the menace still continues. Pastoral violence and militarism seem to accompany and mark developmental transitions in northern Kenya. In reference to Cheserek, Omondi and Odenyo, (2013) despite adopting a new constitution and establishing devolved governance structures in the country, violence continues to define intercommunal interactions in northern Kenya.

Research methodology: The study used mixed study design and covered the five counties in Northwestern part of Kenya namely, Elgeyo-Marakwet, Baringo, West Pokot, Samburu and

Turkana with a population of 2,980,035 residents. The sample size of the population is 384, which was determined by the deployment of Krejcie, R.V., & Morgan, D.W. table.

Results of the study: The results indicated the government has succeeded in the following policies, able to control cattle raids in the region (72% agreement), reduced rampant gun ownership (85% agreement), enacted laws to deter cattle rustling (72% agreement), offered education on good farming (72% agreement) and encouraged community intermarriages (average success of 55% agreement). However, the government has not succeeded in the following policies; introduction of agricultural farming to reduced rustling had only 10% success, giving scholarships had 43% success, providing employment after school had only 15% success, supporting locals to access loans to own permanent structures had a low success of 17%, supporting locals to own farm implements also had a low success (14%), and offering locals market to their produce had a low success of 33%.

Conclusion: The study concluded that the GoK has been able to put framework policies to control cattle rustling menace. However, the implementation of such policies have not succeeded in impacting the positive changes envisaged by the GoK. This implies that the GoK has not been able to bring dialogue among the cattle rustling communities hence division exists among the communities thus continued menace.

Recommendations: GoK should turn to other non-Government agencies to implement its policies such as the churches, NGOs. To enable successful management decision-making, conventional institutions should play a more decisive role and integrate more robustly with the government. Local governments should legitimize and promote neighborhood associations. County governments should collaborate with local community organizations, which requires additional support from the federal government and at the policy and planning levels. Donors, governments, and projects should strengthen and empower such institutions rather than supplanting and alienating them. The County government's powers and responsibilities should be defined in legislation, and there should be legal mechanisms for evaluating the quality of local government cooperation with traditional institutions.

Keywords: *Dialogue, government perspective, cattle rustling, pastoral communities.*

INTRODUCTION

Cattle rustling continues to be a significant issue throughout the world. In many areas, a surge in beef prices has increased heifer and calves' thefts. The US states of Texas and Oklahoma have been particularly hard struck by rustling. Farmers in this region have faced economic losses due to ongoing droughts and, more recently, increased cattle thefts due to the drought-induced spike in beef prices (Geneva Declaration, 2010). In reference to Greiner, (2013) each year, Canada suffers around 6,000 livestock thefts, a figure that is increasing. In response to the growing number, the Alberta Western Stock Growers' Association is raising the rewards for cattle rustler arrests by up to 5,000 percent. According to Harry (2013) in the UK, previously untargeted locations have now been targeted. A premeditated raid resulted in the theft of around £24,000 worth of livestock from a Dumfries and Galloway farm. In New Zealand, on the other hand, police are collaborating with the farmers' union Federated Farmers to form a rural squad that will assist officers in tackling cattle rustling. This will be accomplished by enhanced surveillance, reporting, and awareness, particularly in areas where low-cost meat is marketed suspiciously.

Cattle rustling and human killings have been reported in South Sudan, where communities have been blamed for a high dowry and economic pressure. According to the BBC, over 200 people have been killed and thousands of animals seized in South Sudan's latest cattle raids (Greiner, 2013). Cow rustling practices by pastoral tribes in South Sudan, as with many other tribes in Africa, have traditionally resulted in competition for resources and cattle rustling operations that have resulted in cycles of inter-tribal conflict. In reference to Jackson, (2011) Cattle raiding has been an issue for pastoralist tribes in South Sudan for millennia.

Decades of violence have heightened the dangers of rustling, with teenage raiders armed with automatic weapons and machetes. Since South Sudan attained independence in 2011, local organizations estimate that more than 5,000 civilians have been killed in cattle raids. The government of South Sudan initiated a dialogue between warring communities. Jackson, (2011) further states that during the dialogue, Government officials were urged to accept responsibility for failing to implement several resolutions adopted during earlier peace discussions between the warring groups. The officials pledged to do all possible to avert future tense situations. Both Kue and their Rumbek North allies, the Pakam, conveyed a powerful message of peace to the Rup tribe. As a result, talks during the meeting were candid and open, as one of the Rup community representatives attested during one of the conference sessions.

However, according to Sandford (2015) some areas of Eastern Africa have reported decrease in cattle rustling. Tanzanian police for instance, reported 4,428 incidences of cattle rustling last year, down from 11,845 in 2010. Cattle rustling incidences have decreased because of increased cooperation between multiple organizations, including Tanzania National Parks (TANAPA), the Ngorongoro Conservation Area Authority (NCAA), the Pastoralist Indigenous Non-Governmental Organizations (PINGOS) Network, and local leaders. According to Mkutu and Wandera (2013), Turkana and West Pokot County's porous borders have resulted in the community becoming the most militarized.

In Turkana, the primary manifestations are cattle raids and resource-based conflicts. The Turkana County Government's blueprints, the County Integrated Development Plan (CIDP) 2013-2017, outline its priorities in peacebuilding and conflict prevention by identifying and collaborating with institutions from the local region to foster peace. The blueprint aims to develop a country's peace and develop conflict resolution strategies to guide peacebuilding. However, despite efforts to put an end to cattle rustling, it continues. While branding cattle does not appear to dissuade thieves, it does boost their chances of recovery. This paper therefore, will focus on how the Kenyan government utilizes state-based policies in the management of cattle rustling among pastoral communities and the extent to which the policy leads to division or dialogue.

STATEMENT OF THE PROBLEM

Despite the effort by the Government of Kenya defining many policies to curb cattle rustling, the menace still continues. Pastoral violence and militarism seem to accompany and mark developmental transitions in northern Kenya. In reference to Cheserek, Omondi and Odenyo, (2013) despite adopting a new constitution and establishing devolved governance structures in the country, violence continues to define intercommunal interactions in northern Kenya. Indeed, such violence is a serious policy issue because it threatens to undermine the rollout of meaningful devolution of political and economic governance for the region's people as well the implementation of Vision 2030.

In Kenya the prevention, management and eradication of the dehumanizing practice of cattle rustling among pastoral communities has often defied contemporary solutions thus making policing of the region a Herculean task for the government and law enforcement officials. Highlighting a debilitating policy paralysis and operational failures in countering pastoralist militarism, Lanyasunya (2012) argues that the Kenyan authorities seem to have weakened

authority over bandits and cattle rustlers who are heavily equipped with sophisticated weapons and conduct destructive predatory activities. Indeed, as pastoral communities acquire more powerful weapons, cattle rustling has become not a cultural affair but rather an opportunistic method of resource accumulation. This paper therefore, will focus on how the Kenyan government utilizes state-based policies in the management of cattle rustling among pastoral communities and the extent to which the policy leads to division or dialogue.

OBJECTIVE OF THE STUDY

The objective was to examine the efficacy of the government policies in the management of cattle rustling and evaluate whether the policy brings dialogue or division amongst the warring communities.

LITERATURE REVIEW

National Policies and Pastoral Environment

A study carried out by UNDP (2009) indicates that both the government and non-governmental organizations in Turkana have long embraced dialog to resolve conflict amongst pastoralist communities in the region through livestock rustling. The UNDP publication on peacebuilding and conflict prevention acknowledges that dialogue is not a one-size-fits-all strategy. It is not a panacea for addressing all global crises; instead, it is one instrument available to policymakers for conflict resolution. The emphasis is on dialogue as a flexible method that adapts to varied circumstances and is particularly effective when the parties to a conflict are not yet prepared for formal talks. Additionally, addressing cattle rustling requires impacted communities to move from informal communication to more explicit pledges legally binding, as seen by the Lokiriana Peace Accord and the Naitaluk Agreement of Ugandan Karamoja Communities. Security forces intervention policy as depicted above is widely used to be back order among feuding communities and reduce cattle rustling. For instance; a study by Kaimba, Njehia, and Guliye, (2011) demonstrated that several steps were launched in 2011 and 2012 to alleviate violent conflict and broker peace amongst hostile people in Baragoi. These are divided into security interventions and peace dialogues, both of which try to control and resolve inter-communal conflict in Baragoi.

According to Oketch and Asichi (2012) the government responded by deploying security personnel, detaining local politicians and entrepreneurs accused of inciting and sponsoring the violence, issuing disarmament threats, and executing security operations. Additionally, with the assistance of national partners such as the National Steering Committee on Peacebuilding and

Conflict Management, the National Cohesion and Integration Commission, the National Drought Management Authority, and civil society actors, state and non-state actors have initiated softer approaches such as community-level peace dialogues. All of these therapies have been successful to varying degrees. Even though security agents were dispatched late, their mere presence helped to calm the environment. A mediation attempt was conducted with the support of the Inter-agency Forum (composed of state and non-governmental organizations).

According to Vision 2030 2nd Medium Term Development Plan (MTP) 2013-17, there are critical issues and challenges affecting pastoralists, which must be addressed. These include; low domestic savings and low GDP and per capita income growth, high rates of poverty and unemployment, high costs of energy, inhibiting business and investment regulations and procedures, presence of significant regional development inequalities across regions of the country, rapid growth of the population, proliferation of informal settlements, and insecurity (Adan, Pkalya, & Muli, 2014).

According to Harry (2013), several shortcomings have characterized previous government responses to insecurity in pastoral areas in Kenya, including the following: a lack of response to routine killing and raiding; in the past, some level of inter-clan or inter-ethnic killing among pastoralists was frequently considered normal and acceptable. However, it was banned when women and children were murdered. Today, different communities slaughter one another without regard for distinction during raids. Often, the police are unwilling or unable to aid communities or even apprehend criminals. District administrators have complained that they lack the necessary resources, such as petrol and night out allowances, to respond promptly.

Gard, (2013) states that numerous instances of indiscriminate force used in the infamous army or police 'operations' tended to result in collective punishment rather than apprehending raiders. Such responses are rarely effective in terms of breaking the cycle of conflict. In reference to Sandford's (2015) ineffectual formal justice, there have resulted to instances of individuals evading justice through bribery where perpetrators of raiding, murder, or banditry were processed through the formal state court system. On the other hand, security forces have frequently lacked the motivation necessary to quell the inter-clan or inter-ethnic conflict. Peace dialogues have been relocated to the lowest administrative levels of the local government structure, namely Payam and Boma (small village groupings), to maximize their influence.

RESEARCH METHODOLOGY

The study used mixed study design and covered the five counties in Northwestern part of Kenya. The counties covered included Elgeyo-Marakwet, Baringo, West Pokot, Samburu and Turkana with a population of 2,980,035 residents. The sample size was 384, which was determined by the deployment of Krejcie, R.V., & Morgan, D.W. table. The study utilized both primary and secondary data sources to access data. Questionnaires and interviews were used to gather primary data and empirical evidence was collected by analyzing published and unpublished materials such as books, journals and theses. From these sources data on the efficacy of the government policies in the management of cattle rustling analysis was done to find out whether the policy brings dialogue or division amongst the waring communities was obtained and analyzed with the view of identifying missing gaps. Data was analysed by help of SPSS and results we presented in tables and discussions.

FINDINGS AND DISCUSSION

Quantitative findings

This study sought to establish whether state-based policies brought division or dialogue to the cattle rustling pastoral communities in Kenya and the results are summarized in Table 1

Table 1: State based policies on division/dialogue

Statement	SA n(%)	PA n (%)	N n (%)	PD n (%)	SD n(%)
The Government of Kenya has been able to control cattle raids in our region	78(20%)	198(52%)	45(12%)	18(5%)	45(12%)
I believe the Government of Kenya has reduced rampant gun ownership.	97(25%)	232(60%)	12(3%)	31(8%)	12(3%)
The introduction of agricultural farming by the Government of Kenya has reduced	12(3%)	26 (7%)	89(23%)	165(43%)	92(24%)
The Government of Kenya has enacted laws to deter cattle rustling.	187(49%)	87 (23%)	32(8%)	45(12%)	33(9%)
I believe cattle rustling exists due to	165(43%)	66 (17%)	88(23%)	27(7%)	38(10%)
The government gives scholarships	43(11%)	123 (32%)	32(8%)	109 (28%)	77(20%)
The government provides employment after school	16(4%)	41(11%)	64(17%)	177(46%)	86(22%)
The government supports locals by loans to own permanent structures	23(6%)	41(11%)	102(27%)	86(22%)	132(34%)
The government support locals to own farm implements	23(6%)	31(8%)	197(51%)	97(25%)	36(9%)
The government offers education on good farming	98(26%)	176(46%)	54(14%)	32(8%)	24(6%)
The government offers locals market to their produce	23(6%)	37(10%)	56(15%)	181(47%)	87(23%)
The government encourages community intermarriages	66(17%)	129(34%)	34(9%)	83(22%)	72(19%)

The results from Table 1 indicates that 52% partially agreed that the Government of Kenya has been able to control cattle raids in our region. On the other hand, 60% partially agreed that believed the Government of Kenya has reduced rampant gun ownership. Further, 43% disagreed that the introduction of agricultural farming by the Government of Kenya has reduced rustling. The results indicates that 43% of the respondents were for the idea that the Government of Kenya has enacted laws to deter cattle rustling. Moreover, 32% partially agreed that the government gives scholarships. Further, 46% partially disagreed that the government provides employment after school. The study shows 26% of the respondents were neutral that the government supports locals by loans to own permanent structures. In addition, 51% were neutral that the government support locals to own farm implements. Further, 46% partially agreed that the government offers education on good farming. Nevertheless, 47% partially disagreed that the government offers locals market to their produce. Finally, 34% partially agreed that the government encourages community intermarriages.

Qualitative findings

Records of Kenya Police (2005) show that since the infamous Pokot raid on Marakwet that took place in 1976 the government established a General Service Unit (GSU) camp and a police station in the area, and added an Anti-Stock Theft Unit (ASTU) police camp in Chesongoch after the deadly 1992 raid and Mogil police station in 2001 following another heavy raid in the year. The government also has a strong force of armed police reservists and many administration police officers deployed in all chiefs' camps since the 1992 raid. But even with this high concentration of police facilities and personnel that makes the police-citizen ratio of 1:62, the phenomenon of cattle rustling still persists in the area.

Interview schedule for county commissioners indicated that the government had put in place measures to mitigate cattle rustling in North Rift region. They argued that;

The national government has employed other strategies to deal with cattle rustling related conflicts: The National Cohesion and Integration Commission created by the National Cohesion and Integration Act (12) of 20018 and Nyumba Kumi Initiative of 2015, all aimed at anchoring communities to live in harmony. Some political leaders have been reported to influence the appointment of Kenya Police Reservists and home guards in their communities. The KPR operatives become yes-men of the respective politicians because they act according to their will and advance their interests instead of advancing the interests of the whole community.

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Summary

The government has succeeded in the following policies: The Government of Kenya has been able to control cattle raids in the region (72% agreement), the Government of Kenya has reduced rampant gun ownership (85% agreement), the Government of Kenya has enacted laws to deter cattle rustling (72% agreement), The government offers education on good farming (72% agreement) and finally the government encourages community intermarriages (average success of 55% agreement). On the other hand, the government has not succeeded in the following policies: the introduction of agricultural farming by the GoK to reduced rustling had only 10% success, the government policy of giving scholarships had 43% success, the government policy of providing employment after school had only 15% success, the government policy of supporting locals to access loans to own permanent structures had a low success of 17%, the government policy of

supporting locals to own farm implements also had a low success(14%) and the government policy to offer locals market to their produce had a low success of 33%.

Conclusion

From the results it is clear that the GoK has been able to put framework policies to control cattle rustling menace. However, the implementation of such policies has not succeeded in impacting the positive changes envisaged by the GoK. This implies that the GoK has not been able to bring dialogue among the cattle rustling communities hence division exists among the communities thus continued menace.

Recommendations

GoK should turn to other non-Government agencies to implement its policies such as the churches, NGOs. To enable successful management decision-making, conventional institutions should play a more decisive role and integrate more robustly with the government. Local governments should legitimize and promote neighborhood associations. County governments should collaborate with local community organizations, which requires additional support from the federal government and at the policy and planning levels. Donors, governments, and projects should strengthen and empower such institutions rather than supplanting and alienating them. The County government's powers and responsibilities should be defined in legislation, and there should be legal mechanisms for evaluating the quality of local government cooperation with traditional institutions.

REFERENCES

- Adan, M. and Pkalya, R., Muli, E.(ed.); (2014). Towards policy and strategy Formulation Conflict management in Kenya; Practical Action.
- Cheserek, T. Omondi, A. & Odenyo, R. (2012). Nature and Causes of Cattle Rustling among some Pastoral Communities in Kenya. *Journal of Emerging Trends in Economics and Management Sciences* 3 (2): 173-179.
- Gard, W. (2013). *Factors Affecting Access to Basic Formal Education among the Nomadic Pastoralists of North Kenya: A Case of the Samburu*, School of Education, Mount Kenya University.
- Geneva Declaration (2010). More Violence less Development: Examining the Relationship between Armed Violence and MDG Achievement.
- Greiner, C. (2013). Guns, land, and votes: Cattle rustling and the politics of boundary (re) making in Northern Kenya. *African Affairs*, 112(447), 216-237.
- Harry (2013). *Barriers and Bridges: Access to Education for Internally Displaced Children*. The Brookings Institution- University of Bern.

- Jackson, F.K. (2011 July 26). Cows-for-Bride Inflation Spurs Cattle Theft in South Sudan. Bloomberg News.
- Kaimba, G. K., Njehia, B. K., & Guliye, A. Y. (2011). Effects of cattle rustling and household characteristics on migration decisions and herd size amongst pastoralists in Baringo District, Kenya. *Pastoralism: Paper, Policy and Practice*, 1(1), 18.
- Lanyasunya (2012). Report on the proliferation of guns and rustling in Turkana District: *The case for appropriate disarmament strategies*
- Mkutu & Wandera (2013) *for the role of NPR in guarding oil 108 Interviews with communities, security, provincial administrators, CSO, FBO in Kalkol, Lokichar, Lodwar, 7-10 February 2013.*
- NTV news (2016) *NTV news at nine. A report on impact of cattle rustling on mango supply in West Pokot.* NTV news centre: Nairobi
- Oketch & Asichi. (2012). Pastoral Conflict and Small Arms: The Kenya-Uganda Border Region: Safer world.
- Sandford, S. (2015). *Management of pastoral development in the third world.* Chichester (UK): John Wiley & Sons.