

States of Violence: Ethnicity, Politics and Pastoral Conflict in East Africa

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Focusing on cases of strife in pastoral regions of Kenya, this paper examines the relative emphasis that should be given to the endogenous dynamics of ethnicity and resource competition or the exogenous influences of the state in stimulating local conflict. Despite strong historical continuity in the definition of ethnic fronts of grievance and friction, the institutional framework for the exercise of local force, and the immediate factors that trigger conflicts, the paper suggests that ethnic and community-level dynamics today are framed, constrained, and engendered by the predicaments of legitimacy and power faced by the contemporary African state, especially in its problematic relation to regions and the cultural diversity they represent. Based on three cases of pastoral conflict (land conflicts, ethnic displacement, and raiding) in Kenya, the argument is made that pastoralists are involved most in conflict as ethnic actors when their interests are conjoined with the politics of patronage. When insecurity of the state and local pastoralists is diminished, collaboration in managing local rights and resources will increase.

Keywords: Pastoralism, conflict, violence, African state, Kenya, ethnicity.

INTRODUCTION: VIOLENCE, ETHNICITY AND THE STATE

I investigate here the role of ethnicity and the state in the unfolding of community conflict in pastoral communities of Kenya during the last fifteen years. Writing for a popular audience, Robert Kaplan (2000) purports to explain eruptions of ethnic violence across Africa during the 1990s by evoking a new form of 'tribalism' resulting from the implosion of failed states. He sees ethnicity as a cauldron of primordial sentiments perpetually liable to boil over into violence unless monitored by a body capable of exercising the monopoly on legitimate force that Weber considered to be the very definition of a state. Attempting to explain ethnic violence in endog-

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enous terms, Homer-Dixon (1999) suggests that resource scarcity or environmental decline, especially under conditions of popular growth, tends to stimulate conflict between competing groups.

But rural societies in Africa all live in the shadow of states forged during a century of colonial and postcolonial history, which constrain local action through bureaucratic, educational and administrative power, and through the ubiquitous presence of security forces, whether police, home guard, or military (Khazanov, 1994). Considering ethnicity and conflict in southern Ethiopia, Turton (1994, 21) points out in the anthropological study of warfare, "armed conflict between tribal groups has been artificially isolated from encompassing state structures and ... analyzed on the basis an explanatory model, the purpose of which is to legitimate the state form of political organization". Focusing on cases of strife in pastoral regions of Kenya, this paper will examine the relative emphasis that should be given to the endogenous dynamics of ethnicity and resource competition or the exogenous influences of the state in stimulating local conflict. Despite strong historical continuity in the definition of ethnic fronts of grievance and friction, the institutional framework for the exercise of local force, and the immediate factors that trigger conflicts, I will suggest that ethnic and community-level dynamics today are framed, constrained, and engendered by the predicaments of legitimacy and power faced by the contemporary African state, especially in its problematic relation to regions and the cultural diversity they represent.

In social and political thought, the forging of nation states has been set against the problem of 'the nationalities', the persistence of ethnic and cultural loyalties that supersede those that underpin the legitimacy of the state (Hall, 2003). For instance, Gellner (1997) emphasizes that the social consensus on which modern states depend requires forging conditions of cultural homogeneity, and this is both facilitated by and enhances the rise of nationalism. Yet the neat convergence of nation and state seems the exception rather than the rule in our complex world, where a cultural multiplicity is often reconciled with the management of the state and even the shaping of nations through numerous political strategies and devices (O'Leary, 2003). Focusing on post-colonial states in Africa that work tolerably well or are on the brink of failure, the ethnic diversity that characterizes the African political landscape¹ may both refute and vindicate Gellner's core insight, which seems most applicable to the European political theatre. But deeply rooted 'nationalities' everywhere challenge the legitimacy of the African state, compelling all governments to work at forging consensual national identities while at the same time creating exclusionary ethnic or regional coalitions and suppressing regional claims to particularistic rights and recognition. It is not much of an exaggeration to observe that African states often seem at war with their own peoples.

The ethnic factor, however, rather than just stimulating divisive and invidious affiliations, can also be viewed as underpinning benign strategies for negotiating complex social fields, most importantly through evoking identification with nomi-

nal collectivities to gain social support, to anchor senses of self in a unstable period of transformation and flux, or to provide an idiom to facilitate social interactions in diverse, class-inflected urban spaces. This paper will examine how even comfortable and supportive solidarities may be susceptible of being mobilized for violence, not least by the state or its diverse agents (Chabal and Daloz, 1999).

Pastoralist societies pose special problems for states: they retain considerable economic and political autonomy that, indeed, often represents nations of their own; due to aridity and mobility, they occupy and control large expanses of territory through political arrangements that superseded government authorities; they are often well-armed and militarily resilient, their powers of self-defense often being recruited for aggressive action; and often they are socially alienated from the administrative corps of government, in which sedentary interests predominate. At best, pastoralists form part of a national political coalition or are granted considerable regional political autonomy (Kenya under Moi, Ethiopia, Mauritania), while at worst the state sees itself as the inheritor of all resources of value that lie in the rangelands, leading pastoralists to oppose the government for their own survival (Sudan, Mali).

Remarkably, popular conceptions of the state often resemble political theories. Most States see Society as being derived from it, as constituents of a sovereign collectivity. In many African nations, the state is the radical owner of all land, and thus both customary and formally held property depends on the devolution of power from government. Most African communities or ethnic polities, on the other hand, see the State as emergent from Society, since it is 'the nationalities' that enjoy greater historical continuity and possess territory, based on legitimate occupation and customary rights, and take precedence over the State (Mamdani, 1996). From contractualist perspectives, the state's essential role is to maintain order, serving as a neutral arbiter and a source of stability among its constituents. From a pragmatic perspective, the state is just another competitor for loyalties and resources, whose motives focus on strengthening and reproducing itself, and whose authorities and forces may be seen as little different from other ethnic leaders and militias (Chabal and Daloz, 1999).

Most African conflict occurs within rather than between countries, and threatens regimes rather than boundaries and frontiers (Herbst, 2003). The rise of conflict may, I suggest, result less from the weakness of the African state and its withdrawal from local affairs than from its heightened aggression in local economic, religious and legal matters, and from its claim to rights over natural resources, land, and local governance. In this regard, it is not by chance that African states have struggled most with national entities whose claims to local sovereignty and political legitimacy are the strongest, many of them pastoralists. These include the Somali of northeastern Kenya and the Ethiopian Ogaden, the Oromo of central and southern Ethiopia, the Nuer and Dinka of southern Sudan, the Tuareg of northern Mali and Niger, and the Turkana of northwestern Kenya. At stake is governance over land, resources and people, but underlying these issues is an intractable lack of philosophical and politi-

cal consensus over the allocation of powers among levels of the state, and over the degree of political legitimacy retained by ethnic collectivities and regional societies. As the state increasingly acts like a competitor, indeed, as the African state comes to reflect the diversity, contradictory motives, and self-interest found in the larger social order, the very distinction between State and Society seems increasingly tenuous (Bayart, Ellis and Hibou, 1999).

Despite the dissolution of the Somali state, predictions of the failure of the African state may be greatly exaggerated. Across what Achilles Mbembe (1999) has called the 'arch of instability' from Somalia to Angola, only the former lacks a centralized government and even there state functions are exercised via regions, each with its own militia. Kenya lies outside of this presumptive arch of instability, but, if the 'arch' were a 'lens', Kenya would be situated at its focal point, where waves of indirect influence from surrounding conflicts in Somali, Ethiopia, Sudan and Uganda tend to converge. Despite its own upheavals, Kenya has not seen its continuity of constitutional governance disrupted or its territorial integrity threatened, nor has its armed forces faced serious external or internal conflict. Yet, despite enjoying relative civil order that contrasts with the upheavals experienced by its neighbors, Kenya has become known as an arena of low-level ethnic conflict. I have identified three sorts of civil strife in Kenya that occurred during the 1990s: conflicts associated with land reform, many in pastoral regions whose lands have come under adjudication decades after farming regions; ethnic displacement or violent 'cleansing', often associated with pastoral or agro-pastoral communities tied to former President Moi's political coalition; and conflicts associated with pastoral raiding and rustling, primarily occurring along dry, remote frontiers.² Since these conflicts neither put the state into question nor directly involve security forces, the question of the role of ethnicity and the state in local violence may be addressed with greater clarity than under conditions of outright civil war.

COMMUNITY CONFLICTS IN POLITICAL CONTEXT

Although part of the unalterable world of material facts, episodes of conflict are notoriously difficult to 'fix', since they plunge us deeply into discursive worlds formulated by protagonists with interests to serve and protect. For events that occurred only yesterday, we are still like historians comparing texts whose provenance is unclear, or like detectives reconstructing crimes through diverse testimonials. The conflicts examined below all reflect local ethnic dynamics; rather than people choosing sides, sides seem to choose people. These episodes unfolded, however, in the light of two crucial frames that define Kenyan post-colonial political-economy: the evolution of a complex system of patronage and corruption refined in the 1980s that served as the scaffolding for the exercise of power by a political elite (Kibwana, Wanjala and Okech-Owiti, 1996); and the onset of democratic politics in the 1990s

that threatened the ruling party's continuing hold on power (Ogot, 1995).

Shifts in Western policy towards Africa accompanied the onset in 1986 of détente between the Western world and the Soviet bloc, but the fall of the Berlin Wall in 1989 was momentous for Africa as well as Europe. The African Left/Right consensus in support of authoritarian, single-party rule and statist economic strategies came under domestic and international pressure (Abrahamsen, 2000). In Kenya, structural adjustment policies and a freeze on international financial support encouraged economic and political liberalization, and in 1991 the constitution was amended to end the monopoly on power held by the ruling party, the tired and corrupt Kenya African National Union (KANU). Determined to avoid the fate of Zambia's defeated ruling party, KANU spent 1991 undermining the newly legalized parties and hindering their campaign preparations for the General Elections, scheduled for early January 1992. Soon thousand shilling bills were floating about rural areas, leading the opposition to plea with voters to "eat the money, but then vote your heart", opposition candidates were forcibly deterred from holding campaign meetings, and voter registration was blatantly manipulated. What hinged on the 1992 election and those that followed in 1997 and 2002 was not just the right to govern but a comprehensive system of patronage and corruption that had evolved under the tutelage of the President, Daniel Arap Moi (Kibanwa, Wanjala and Okech-Owiti, 1996; Tostensen, Andreassen and Tronvoll, 1998). Ethnic dynamics may have reflected local friction over resources or competition for local influence, but additionally responded to the threat to patronage posed by democratization, which differentially benefited different social communities, not least the pastoralists who had felt favored as part of the KANU ethnic coalition. We will here examine episodes of the three major types of conflict identified above, which bear on the interplay between ethnicity and politics in contemporary Kenyan life: land conflicts, ethnic displacement, and pastoral conflicts via frontier raiding.

Land conflicts in Kajiado District

The dispossession of many Maasai from their land over the last twenty-five years represents a form of structural violence against largely non-literate herders by the developing political elite. The corrupt allocation of land from Lodariak, a site in northern Keekonyokie division in Kajiado District, south of Nairobi, represents one of the most egregious cases. In the *Discourse on the Origin of Inequality*, Rousseau (1755, 60) implies that appropriating land as property entails violence ("You are lost if you forget that the fruits of the earth belong to all and the earth to no one!"), and Marx made his famous observation that "property is theft" with reference to forced enclosures, as his chapter in *Capital* on 'Expropriation of the Agricultural Population from the Land' so pungently develops (Marx, 1867, 717-733). During the first stages of British colonialism, in exchange for their ceding much of the central Rift Valley (in 1904) and Laikipia (in 1911) for white settlement Maasai were granted treaty rights to the residue of their lands in southern Kenya (Sorrenson,

1968), which continued until Independence in 1963.

After Independence, portions reserved as trust were adjudicated into individual and group ranch holdings, for which registered community members were issued title deeds. Under private title, group ranches were pressured to sub-divide by educated members seeking individual lands, by non-literate members who saw their collective holdings diminished, by the President, who asserted that all Kenyans had the right to own their own land, and by a strong lobby of potential land-buyers, who saw in the southern rangelands potential land to acquire (Rutten, 1992; Galaty, 1994).

By the early 1990s, Maasai land was threatened in three ways. First, anticipating subdivision, the registration lists for some group holdings were corruptly amended, with outsiders added and insiders excluded. Second, when plots were surveyed and designated for members, large amounts were allocated to more influential members, small amounts or nothing to the less influential. Third, anticipating their being allotted title deeds, some prospective title-holders were bribed to transfer their shares to outsiders, or upon their receiving titles were immediately pressured to sell. Many non-educated Maasai title-holders, some under the influence of alcohol, sold portions of their land for risible amounts to speculators, some representing land-buying companies (Péron, 1995). And at a time that land transfers were subject to review by the District Land Board (with all family members theoretically to be present) and later officially frozen, land transactions continued to be registered under the signature of the Board's chair and the District Officer, who were reportedly bribed for each illicit transaction they approved.

In Lodariak, when the land was registered in the early 1980s, 2,000 non-literate indigenous right-holders had been excluded from the register, since they did not offer bribes to corrupt officials. At the same time 360 outsiders with no rightful claim on the land, were registered and allocated titles; these included senior civil servants, politicians, businessmen, and non-local Maasai. Ten years later, the number of landless had risen. The titles that had been previously issued were circulating through cycles of sale and purchase. But interestingly, illicit title-holders have yet to attempt to settle on the land they have theoretically been allotted, and an official survey has never made of the land, a fact that should technically invalidate the titling process. In the early 1990s, when one title-holder and a naïve potential buyer, who knew little of the affair, attempted to visit Lodariak, they were intercepted by a party from the area who physically threatened them if they did not leave. Local dwellers have, indeed, threatened to resort to force if the illicit title-holders attempt to actually occupy the land. In the meantime, the value of owning land in the area is assessed on the exchange value of a title deed, whether sold by fraud or used as collateral, not on the nature, the potential use, or the market demand for the land (Galaty, 1994; Galaty and Munei, 1999).

So by the early 1990s, despite the fact that Maasai were already experiencing land shortages, it appeared as if major portions of the Maasai districts would pass out

of their control (Moiko, 2004). Given blatant corruption in the Ministry of Lands during the 1970s, whose officials abetted corrupt registration of group lands and allocated some land directly to outsiders, few Maasai viewed titles that had been acquired during that period as legitimate. Subdivision processes were often halted through appeal to the courts due to the allocation of land to outsiders or in disproportionate shares to local elites, but many cases were subverted through corruption of the justice system (Galaty and Munei, 1999). It was thus with a sense of crisis, if not desperation, that most Maasai watched events unfold that threatened the incumbent KANU political coalition to which they belonged, which, if it occurred, they could only anticipate would further undermine their security of tenure (Simel, 1993; 1994).

The 1992 Elections are most famous for the declaration by the ruling party that certain areas represented 'KANU zones', where opposition parties were not allowed to operate freely. In many districts in the Rift Valley Province, for instance, opposition parties were unable to register candidates, or if they registered candidates were unable to register voters, or if they registered voters were unable to ensure they could vote, or if they voted could not ensure their votes would be counted (Land Rights Program, 1996). Anxiety about the presence of opposition voters in certain districts arose from electoral calculus, given the stipulation in the Kenyan Constitution that winning candidates for President were required to win 25 percent of the vote in at least five provinces (Ayiemba-Omolo, 1996).

The Rift Valley Province had been created in the late colonial period as an administrative entity where pastoral communities would predominate. The province was thus electorally critical in KANU's presidential politics, given its basis of support in pastoral communities, but within Rift Valley some districts contained internal migrant populations with opposition sympathies, whose presence threatened not only to tip the opposition balance over 25 percent (had they all voted for the same party) but potentially to dislodge KANU candidates, if the latter lost supporters to several of the newly-formed opposition parties (Ndegwa, 1999). Ngong, a town south of Nairobi at the edge of Kajiado District in the Rift Valley, had become home to thousands of Kikuyu, some of whom had migrated there due to land shortage in Kiambu, others of whom were kept in colonial detention there in the 1950s during the Mau-Mau insurgency (Kanogo, 1987), still others of whom had come to purchase land when it became the first area in the district to undergo adjudication.

With Kikuyu representing a majority in Ngong, the Parliamentary riding in which it fell (Kajiado North) was considered a potential win by opposition parties. However, the incumbent Member of Parliament in the riding was the country's Vice-President, whose complex ethnic background gave him claim to votes from both Maasai and Kikuyu. Nonetheless, since Kikuyu had largely deserted KANU, his own success clearly lay with the Maasai support he had worked hard to consolidate. His willingness to undergo the embarrassment of tolerating and even abetting the scandal of land theft in Lodariak and other neighboring locations in Ngong

Division represented a grand act of patronage towards the Kikuyu who had largely benefited, and in whose hands not only his own electoral fate lay but also that of the ruling party.

Ethnic displacement in Kenya's Rift Valley

In Narok North constituency in the Rift Valley, the incumbent was William Ntimama, a Maasai leader and a KANU Minister. Narok North was a contentious site during the period leading up to the 1992 Elections. In the highlands along the Mau Escarpment, large communities of Kikuyu had been denied the right to register, or having been issued registration cards were not entered on the register, or if on the register were not allowed to vote. In 1993, anticipating the next General Election, thousands were displaced from their forest communities in a series of episodes identified at the time as 'ethnic cleansing' (Human Rights Watch, 1997).³

The backdrop to ethnic displacements that occurred during the period of 1991-97 is provided by the history of colonial settlement. Colonization had brought white settlers into many highland areas previously inhabited by Maasai, who created farms and ranches largely supported by the labor of landless Kikuyu. At Independence, some farms in the Rift Valley were used for resettlement, but many Kikuyu also sought land in the Maasai Reserve. Though close neighbors with and historically linked to Kikuyu, Maasai felt increasingly beleaguered as spontaneous settlement by Kikuyu occurred along rivers, in forests and highlands, and in towns in the Maasai districts of Kajiado and Narok, where cultivation or trade could be pursued. Some lands which were seasonally utilized for pastures, periodically used for watering, or—in forests and mountains—exceptionally used for emergency grazing and watering, were especially vulnerable since they appeared available for settlement to the outsider. A colonial pattern of Kikuyu migration to seek farmland in the Maasai districts accelerated during the post-colonial period, as the previous framework of migration through kinship and friendship links lost relevance. Some richer, highland areas were dominated by Kikuyu settlers, who asserted their political autonomy and rights to land (Rutten et al., 2001).

In October, 1991, several months after broad-based demonstrations had been held calling for the end of one-party rule in Kenya, the first episode of 'ethnic clashes' occurred in the Rift Valley but not in Narok District. Violence reportedly broke out on a cooperative farm in Nandi District, after Kalenjin farmers, apparently with the encouragement of local administrators and politicians, claimed sole ownership of the farm and sought to expel their non-Kalenjin co-members. Like a multitude of land-holding cooperatives, Meteitei farm had been created out of white settler lands purchased after independence, and subsequently redistributed among its members. Many who refused to leave were killed and their houses and property were destroyed, as fighting spread throughout Nandi and Kericho districts, where members of non-Kalenjin communities—Kikuyu, Kisii, Kuhya and Luo, but above all Kikuyu—were attacked.

Ethnic clashes did not end with the General Elections of 1992. Violence continued throughout the following year, especially in districts of the Rift Valley. As conflict increased, areas of the Rift were declared 'security operation zones'. Following a year of apprehension that violence would break out, inhabitants of Enosupukia, in northern Narok District south of the 'security zones' had been keeping watch each night. On the early morning of October 12, 1993, clashes broke out, Maasai reportedly burning the houses of Kikuyus on Gatima farms and killing four people. Despite the deployment of police, violence continued when approximately 500 Maasai 'warriors, "wearing traditional Maasai dress (shukas) carrying knives and sharpened sticks", attacked the Enosupukia area. Police reinforcements from Nakuru were reportedly ordered to return home by the district officers, on the grounds that the area was not in their jurisdiction, after which a second attack occurred, uprooting approximately 30,000 Kikuyu whose homes were burned. Large areas were left deserted by the thousands of Kikuyus who fled (Africa Watch, 1993).

According to the District Commissioner, not an unbiased observer, the fighting in Enosupukia "was triggered by an attack on a Maasai village by members of the Kikuyu tribe" (Agence France Presse, Oct. 14, 1993). A story issued on October 17th describes a series of actions and responses by the parties to conflict:

Security forces and elite para-military troops have been dispatched to south-western Kenya after at least 14 people died in renewed ethnic violence between Maasai and Kikuyu tribesmen, press reports said Sunday. In the latest incident Friday, 10 Kikuyus were massacred when about 500 armed Maasai fighters raided Roman Catholic and Evangelical churches at Enosupukia, in the Narok District, where Kikuyus had been camping after being displaced by earlier ethnic fighting. This week's fighting erupted Wednesday when members of the Kikuyu community attacked Maasais, killing an old man and chasing 16 others from their region, police spokesman Jeremiah Matagaro said Saturday....Security force, including the para-military General Service Unit (GSU) have been dispatched to the area to stop the fighting and to disarm all persons found armed with offensive weapons, Matagaro said (Agence France Presse, October 17, 1993).

This account suggests that the conflict was not one-sided and hints that some attacks on the Kikuyu may have been implicitly justified as retaliation (Matter, 2004).

Maasai elders said that all communities were expected to vacate the Enosupukia forest after it was declared a trust land. "Rather than comply the Kikuyus opted to attack cows, the mainstay of the Maasai" (BBC, October 21, 1993). Here a triggering event of cattle being mutilated is mentioned, which may have preceded attacks by Maasai, in an area where the two communities were intermixed, or might have been an act of momentary retaliation after the initial clash.

On about October 21st, Parliamentary debate was held on the Enosopukia clash-

es, which was primed by a 'bellicose' speech made by Ntimama a few days before, justifying the Maasai role in the attacks. Ntimama had reportedly stated that he had "no regrets" over what had happened, and characterized the clashes as "a war for Maasai rights against oppression by Kikuyu settlers": "We had to say enough is enough", declared Ntimama. 'I had to lead the Maasai in protecting our rights'" (Weekly Review, Oct. 29, 1993:4). In the debate, Ntimama asserted

It is the Kikuyu who started the war...Who started the war? A Maasai was beheaded and his head was taken away as the principal paraphernalia for oath-taking. Our cattle were mutilated by the Kikuyu. Our homes were surrounded and they tried to burn them and we had to have the normal right of defending ourselves (Ibid.: 12).

He evoked the control of 90 percent of the publications by "one ethnic group" to explain why the plight of people living 'downstream' from the forest settlements, which Maasai had tried to raise, were never aired: "they were dying, their livelihood was in danger, their cattle were dying and their economy was in jeopardy... the whole environment was degraded, there were no rivers, there were no dams". He asked "how come everybody else and all these publications here were supporting the right of the Kikuyu to stay there and making sure that we all die, downstream? That is a situation we definitely cannot take, and if necessary, we will defend our rights! And we will continue to defend them!" In Enosupukia, he claimed, "...we were provoked beyond any reasonable doubt", and thundered:

...we have lived with these people, we can no longer be suppressed! We can no longer be looted! We can no longer be milked!...if people want us to live together, they must not think we are 'second-class citizens' in this country. We are not second-class citizens! We are citizens of this land and we are going to say that our rights must be recognized! The rights of the people there must be recognized! The British suppressed us, and we cannot have the Kikuyu suppressing us again!" (Ibid., 12).

Ethnic clashes would continue up to the next General Elections in 1997, which was again won by KANU. Some displaced persons returned to the homes they had been forced to vacate, but most did not.

It was in this region of Enosopukia, during the two year period after the elections, that hundreds of Kikuyu were expelled by armed gangs, called 'Maasai Moran' by journalists, who voiced the argument that the former had settled illegally on Maasai land and moreover had deforested and degraded the area, which was an environmentally valuable water catchment site, drying up streams on the plains below. Numerous people were killed at that time (Galaty, 1999).

These acts at once voiced several messages and achieved distinct aims: in electoral competition, in local conflicts over land, in struggles for local political ascendancy, in implicit debates over ethnic legitimacy, in environmental activism. In being voiced,

aims can clarify the intentions of acting subjects but equally can hide them or make them seem what they are not. Doubtless, the ethnic violence observed seems to have fulfilled electoral intentions. But for many who engaged in the clashes, the elections merely offered an opportunity to carry out deeper and longer-term aims of pushing out interlopers and re-securing their land (Klopp, 1999). Which intention was more fundamental and causally important: locally securing ethnic-based land rights, or playing a larger role in maintaining the predominant party's rule?

Pastoral conflicts in northern Kenya

Pastoral conflicts have a long precolonial, colonial and post-colonial history in northern Kenya, where speakers of diverse Sudanic languages (more specifically eastern Nilotic languages, including Maasai and Turkana) and Cushitic languages (more specifically eastern Cushitic languages, including the Somali and Oromo) confront one another as neighbors, competitors, and antagonists. What is the role of the state in strife over pastures, water and livestock, magnified by social frictions perpetrated and suffered by young men with weapons?

In August 1996, faced with the amassing of Samburu, Rendille, and Ariaal cattle on the El-Barta plains south of Baragoi, where at the end of the dry season grass could still be found, the Turkana carried out a large-scale raid (Galaty, 2002a). Coming in the early hours of morning, the Turkana attacked five large village homesteads, killing eighteen Samburu and Ariaal warriors and, with three Turkana being killed during heroic efforts by the Samburu-Ariaal to disrupt the raid, making away with about 500 cattle.

The battle at El-Barta should be set in the context of a decade of strife involving the Turkana, who have clashed repeatedly with their neighbors to the north (Toposa and Nyangatom), the west (Karamojong, Jie), the south (Pokot), and the east (Samburu). The material cause of these conflicts has quite clearly been the search by the Turkana, who experienced severe drought and famine in the mid-1980s (McCabe, 1990), for fresh pasture and livestock to replenish their lost herds, but the instrumental cause was their acquisition of automatic weapons, beginning in 1979 and extending through the 1980s (Muhereza, 1999). East of Lake Turkana, the Oromo-speaking Gabbra raided the Rendille in the lowlands west of Marsabit twice in late 1994, taking a total of 5,000 camels from the Goldedin clan. Allied with the Boran, who straddle the Kenya-Ethiopia borderlands, the Gabbra had acquired automatic weapons from Ethiopian soldiers fleeing southward at the fall of Mengistu's government in 1992. As a result of Gabbra pressure and the relatively few camels they retained, Rendille and the related Ariaal were forced to regroup to the south of their grazing lands, to around Korr and Laisamis. At the same time, they also quietly acquired weapons in the underground Marsabit gun market (Galaty, 2002a; 2005). When the pressures of the dry-season increased in June 1996, they moved to pastures around Baragoi, in northern Samburu District, where their Samburu allies were already grouped. I was told by an Ariaal informant who had been there that...

There were more than 20,000 cattle and smallstock and camels in the back where the cattle had already grazed. All the Ariaal cattle had gone to that side. You couldn't believe your eyes at the number spread out over the land. Those who came had more stock than the Samburu and Turkana of the area.

Settled for about two months in temporary cattle camps on the Baragoi plateau, above the escarpment that led down to Turkana District, the Ariaal and Rendille were warned that the Turkana would attack. But proud of their recently acquired arms, the Ariaal and Rendille refused to withdraw. Aware that the Turkana were amassing along the escarpment, the District Officer (D.O.) offered to allow General Service Unit (GSU) and administrative police to guard the animals. But when the GSU questioned the Samburu and Ariaal defenders about the guns they were carrying, complaints led the D.O. to order the GSU not to interfere with the Murran, so the former returned to their camp at Acholla, west of Baragoi, partway down the escarpment. Each night, as long as the herders paid for their fuel, the Administrative Police came to guard the pastoral camps. Some say that on the night the Turkana struck some GSU had gone to Maralal, the district capital and that the Administrative Police failed to turn up because they were out of fuel; they ask, "Why was this the one day (the police) did not go, when they usually would come at 6:00pm. and return after sunrise at 6:00 a.m.?" Others say that some Home Guards were still in the settlement to provide protection.

The attack on the evening of August 26th was well-planned, with the Turkana dividing themselves into groups, silently scattered themselves among each of the four major 'for a' cattle camps, since if only one settlement was threatened warriors from the other settlements would come to its assistance. A Rendille guard saw one group pass, and when the next group came they were suspicious. At about 3:00 a.m., when the 300-400 Turkana were ready and in place, their leader whistled to begin the raid. Attacking all four camps at once, they began to shoot in order to stampede the cattle; four Rendille from the Long'eli camp were shot in their sleep by Turkana, and fleeing cows began to trample sleeping people, injuring some. Rendille guards shot back at the Turkana, killing two or three, but when the Turkana returned their fire, some guards fled, leaving the livestock to be driven away. Six people were killed in the first moments, followed by a driver from the Lenepe family, who came to help and was shot.

The Turkana were running the herd southwest, towards the escarpment, with Rendille gathering and following the animals in an attempt to stop the herd's flight. Most of the Rendille who were killed went to the front of the running herd to stop it, and "in this brave act were killed". Others ran to the center of the herd, in order to split animals off from the running mass of cattle. When daylight came, the warriors could see one another face to face, along with a few GSU from Baragoi and the Administrative Police who had been called. Being untrained, defending Murran were often on the opposite side when the police wanted to shoot. One group of defenders ran around a hill to cut the Turkana off. But during the chase the Turkana

carried out a circling maneuver, coming back around along a stream and killing seven.

They fought throughout the day, with the defenders recovering many of the animals by shooting in the air to startle them into hiving off from the running herd. Fighting in stages, they came to a depression. The Turkana sought to protect the stolen herd by placing some men in front and some in back. And because the group had come prepared, the ones in the back were able to refresh themselves by eating and drinking while the Rendille defenders, having been unprepared for the attack, became tired, thirsty, and hungry. More police arrived around 10:00 a.m., supplementing the rapidly diminishing bullet supply of the Home Guards. Running, Rendille cut animals out of the herd and as they ran away with them to safety their places were taken by other defenders. By around 4:00 p.m., after they had all covered 20-30 km, many of the animals had been recovered and, due to their fatigue, the Rendille gave up the chase. It was reported that the Turkana had killed eighteen warriors of the Il-Kororo and Il-Mowoli age-sets, of which the Ariaal lost fourteen.

By evening, the M.P. from Laisamis and the Inspector of the Administrative Police arrived in Marsabit to ask for assistance from the District Commissioner. With 10 Administrative Police, bullets, and a land rover, they pursued the Turkana into the night. That afternoon, an M.P. from Samburu District and the D.C. called neighboring Turkana, Samburu and Ariaal-Rendille to a meeting, where they told them all to live in peace, leaving the government to pursue the Turkana raiders and the stolen animals. Some Rendille concluded that the D.C. was taking the side of the Turkana by holding a meeting during the raid to warn the Samburu and Rendille not to pursue the Turkana or he would call in the army.

In the three months that followed the Baragoi attack, the Turkana carried out nineteen subsequent raids on the Samburu around Emarti and Baragoi, killing people, stealing livestock, and forcing the inhabitants to flee. For example, on October 3rd, two people were killed and 100 cattle and 200 smallstock were stolen in Baragoi, on October 7th 1,000 cattle were taken, and on October 25th two Samburu Murrans were wounded and 5,000 cattle and smallstock stolen. Finally, the Samburu and Pokot struck an alliance and on December 3, 1996, carried out a massive raid of Turkana resident in Samburu District, in a stronghold at Lokorror, near Emarti, where fifty people were reportedly killed (Daily Nation, August 14, 1997). "Men, women and children, but mainly men", I was told.

Turkana renewed raids on Samburu, attacking them around Mount Kulal. On the same day, December 26, 1996, around 4:00 p.m., when the D.C. from Samburu District and several senior army officers were attempting to follow livestock after a Turkana raid on Barsaloi, a Kenya army helicopter was shot down as it hovered over the Suguta Valley, killing the D.C. and the officers. When the helicopter was brought down, the military was furious. Using planes, helicopters and 'gifarū' (rhinoceros)-style armored cars, the army sealed off the valley, destroying villages, killing people from the area, and confiscating numerous cattle brought back to Baragoi. It

was rumored that not all those killed were bandits, and that some of the cattle recovered belonged to innocents. Attempts were made to disarm the Turkana, and Pokot, to reduce violence in the area. But reportedly there was an order from the Office of the President to stop the operation, and, although they had seized guns and had loaded recovered animals onto trucks, they then left before the job was finished.

In a later episode, the local priest went to the GSU camp and begged for help, but they refused to lend assistance. They reportedly told him that "if it was Turkana animals, we could go, but if they are Samburu, we can't". The local assessment is that the GSU "never favored the Samburu". Its head was said to be a Teso, who may have favored the Turkana; moreover, two GSU agents who were Samburu were released during the nineteen raids that ensued. Samburu clearly feel that the security forces show an "anti-Samburu bias".

At the time of the Baragoi raid, Samburu gathered again, and were informed that the stolen animals were in Acholla, next to the GSU camp. About one hundred Murran went *en masse* to Acholla, where they confiscated thousands of animals found there, killing four Turkana. They of course suspected that the GSU were being paid by the Turkana to protect the animals being kept nearby, and found (and reported to the D.C.) that eighty he-goats were actually found within the GSU camp (presumably to eat). "When the GSU realized their friends had been attacked, they pursued the Samburu. They shot antipersonnel shells, some of which did not explode, but one exploded, killing 11 Samburu immediately. The others ran for their lives." The OCPD (Officer Commanding Police Division) from Maralal was also thought to have acted in a partisan way, as he sent for helicopters that fired on the Samburu, and then returned the animals to the Turkana. Leaders in Baragoi accused the GSU of shooting people whose only crime was to follow their own stolen animals! At that point the GSU was removed from the case and the army stepped in.

The case demonstrates the pervasive suspicion that agents of the state, here the District Commissioner, the General Service Unit, the Police, and finally the Army, are involved in instigating, abetting, or profiting from conflicts between pastoral groups. In fact, the spread of pastoral violence across northern Kenya, just illustrated by the examples presented here, cannot solely be explained by the usual dynamics of scarcity, resource competition, and herd replenishment (Homer-Dixon, 1999). The state no longer functions as an entity apart from society, providing bureaucratic service and ensuring security. Rather, it is part and parcel of society, reflecting its diverse interests and aims. The suspicion that the state has been involved in northern conflict implicates not only administrative officers in Samburu District, but high level politicians and officers of the security forces, seeking to diminish the Samburu presence on highlands coveted for their potential as wheat growing farms, and to exploit the dynamic livestock markets that make raiding lucrative not just for building pastoral herds. Furthermore, the tacit protection given to the Pokot, as one of the 'Kalenjin' groups favored due to their association with President Daniel Arap Moi, may have further enhanced favor given to the Turkana, who were often allied to

Pokot, and prejudice shown regarding Samburu. Beyond the scope of this paper is the manipulation of pastoral militias by politicians who secure electoral support by stimulating expansion into new lands and encouraging intimidation of opponents through armed force.

A FRAME FOR CONFLICT: POLITICS, PATRONAGE AND CORRUPTION

The events reported here involved ethnic actors serving local ends by engaging in conflicts that were only the last in a long series of historical precedents. Kaplan (2000) emphasizes the new tribalism, Homer-Dixon the inexorable role of diminishing resources in stimulating conflict, scarcity breeding insecurity, and wrongs eliciting retaliation (Homer-Dixon, 1999). Regarding Kaplan's point of view, if conflict always has a history, so too has conciliation; all communities mentioned above are familiar with their own social mechanisms for maintaining peaceable relations with their ethnic neighbors and when conflict erupts pursuing negotiation and achieving reconciliation. Regarding Homer-Dixon's perspective, cyclical scarcity is invariably a condition of life in agrarian and pastoral systems, where resources are never sufficient; in fact, conflicts rarely occur at the height of scarcity, when drought and food shortfalls leave people too preoccupied with survival to launch risky ventures with uncertain outcomes that can only further threaten local physical and food security.

Whether ethnic frictions or competition for resources are present, I would argue that these cases illustrate how local dynamics are magnified by macro-political figures that provide a shield of justification and impunity and the impetus for taking action at the community level. In the first case, land conflicts between Maasai and Kikuyu stemmed from illicit transfers of titles as a form of political patronage; in the second case, ethnic displacement of Kikuyu by Kalenjin and Maasai served both for electoral manipulation and to reverse land loss; and, in the third case, ethnic clashes surrounding cattle raiding was used by security forces and politicians either to corruptly enrich themselves or to strategically manipulate the pattern of land occupation as a form of political patronage. All three types of conflict reflected the operation of a network of patronage that secured the KANU government's authority, strengthening its hold on office by providing financial benefits or land for its followers or supporting forms of local aggressive action that enhanced one group's relative position vis-à-vis another. Though not unique in Africa or elsewhere, this system of political incentives and patronage in Kenya was remarkable in its influence on Kenyan public life and civil society (Abrahamsen, 2000). How did this system function, such that it could so profoundly influence the pattern of local community conflicts?

Shaken by an attempted coup d'état in 1982, Moi moved quickly to dampen opposition and establish firm political control. The knitting together of a Kenyan

elite that crossed ethnic and regional lines, pursued since Independence in 1963, was diverted to create a class of political supporters dependent on the party and the President. The state's ability to tax had never been impressive, but now a parallel system was established in which revenues flowed illegally into private, Presidential coffers or into the pockets of supporters, only to flow out as benefits for providing political service (Kibwana, Wanjala and Okech-Owiti, 1996). Only today, following formal inquiries pursued under a new government, are we learning how the illicit system worked through which, in the words of Bayart, Ellis, and Hibou (1999), the Kenyan state was effectively 'criminalized'.

Revenues were derived from five sources:

- Systematic kick-backs and skim-offs from all international projects (perhaps the most infamous being a French-supported technically unfeasible dam project, which involved bribery of Kenyan officials by the French company to approve the internationally funded project, who in turn bribed corporate officers to overlook subsequent skim-offs);
- Regular donations from major corporations and businesses of untraceable funds, paid in lieu of taxes (industrial magnates of Indian origin were favored donors, receiving political protection as a *quid pro quo*);
- Skim-offs from local donations for development projects, many unrealized, including land purchases for the poor which ended up registered to politicians (thus corrupting the famous 'Harambee' local self-help movement);
- Direct withdrawal of funds from the National Treasury, under an elaborate scheme that provided foreign exchange for a major mineral exporter, the Goldenberg Company, to offset foreign exchange revenues that would flow into the treasury as a result of international sales (except no minerals were in fact exported, and no revenues received);
- Appropriation of state land holdings and illicit acquisition of local land titles by politicians and other supporters, who quickly sold them to developers or used them as collateral against bank loans which were never repaid (the system used to strip lands away from the Maasai).

These funds were then disbursed in the following ways:

- As private investments by the KANU elite, in buildings, shopping malls, ranches and farms, and companies (thus stimulating the economy and providing jobs, while enriching the beneficiary);
- As personal savings in accounts and investments held outside Kenya;
- In cash, by the President to visitors to his office, to enhance his own and his visitors' ability to provide patronage;
- In the form of cash, disbursed down the political hierarchy from politicians to regional bosses and finally to voters;
- By politicians, donating funds in their own name and those of anonymous 'friends', to support local development projects, such as schools, marriages, extraordinary hospital expenses, charities;

- As bribes, to consolidate supporters, to neutralize political opponents, to buy-off judges, to subvert opposing lawyers, to purchase favorable treatment by journalists, etc., making virtually every sector of society complicit in the system of corruption and thus preempting criticism of it.

Informal payments became an accompaniment of all transactions in and out of government, such that the good will and legitimacy of a politician or friend became measured by the support they rendered. As the means to carry out normal government programs dwindled, local development became associated with politicians able to provide direct support out of funds from their own pockets (but ultimately from the patronage coffers). Ironically, international financial pressure to halt corruption ended up with its proliferation, because the patronage on which political power depended had to rely on a shrinking base of funds (Bayart, Ellis and Hibou, 1999). So during the period of multi-party development, through the 1992 and 1997 General Elections which KANU won, and the 2002 elections won by the opposition Rainbow Alliance, the flow of funds down the channels of corruption identified above only increased (Tostensen et al., 1998). National forest reserves, lands reserved for highway by-ways, national research institutes and model farms, school plots, and houses owned by government and earmarked for civil servants were allocated to the KANU political elite and either occupied or liquidated to maintain the flow of patronage. As the 2002 elections approached, which it was felt KANU might lose (as it did), the rape of public resources only increased, despite promises by the opposition that all illicit appropriations would be reversed after the elections.

In this context, a thread of connection can be traced through the diverse forms of community conflict described here, and others that this paper does not review. The illicit appropriation of Maasai lands may be an act of theft, but the impunity granted to local politicians, parliamentarians, District Officers, the Minister of Lands, numerous lands officers, and local farmers who are part of favored ethnic networks can only be explained as a grand act of patronage, a series of favors granted by those who expect a return, if only of continuing support. The organization of local gangs and militias to carry out ethnic displacements occurred by politicians paying perpetrators, but the ultimate recompense was in land they hoped to gain and felt they deserved, another great act of patronage. That a group of pastoralists (the Turkana) was willing to attack another community (the Samburu of Baragoi) not once or twice but incessantly over many months, must, notwithstanding pride in their own prowess, reflect knowledge of friends in key places, most importantly in the security services whose responsibilities seem to have been suspended as raids transpired from which they too would benefit.

Whether the state is emergent from society or society is a derivative of the state may not be amenable to empirical solution, since the question is jural, normative and theoretical. But the question of whether ethnic conflict emanates from primordial affinities or from mobilization of local forces by the state, which provides both

means and impunity, is complex but empirical. The experiences reported here demonstrate that a calculus of ethnic interests, leavened with the sentiments of loyalty and outrage, will most likely lead to conflict when actors are provided means, motives, morality, and a sense of impunity by a source of legitimized authority, a role the state serves well. When states change so do conditions underlying conflict. And such was the case when the opposition Rainbow Coalition won the Kenya General Election in December 2002. The ouster of KANU initiated a period of relative civic harmony, remarkable in the context of the previous fifteen years, across the three areas of conflict we have examined, in the Maasai districts, in Rift Valley settlements, and along the northern pastoral frontiers. In a hopeful beginning, the new President, who reportedly no longer doled cash out of his desk to visitors, created an Anti-Corruption program, put the country's security forces under tight control, and diminished expectations surrounding patronage.

Disappointing to all, two years later expectations have waned as the head of the Anti-Corruption office has resigned, diplomats accuse government of uncontrolled graft, and crime has increased. A message to me from northern Kenya, dated May 4, 2005, reports:

The conflict which was seen among pastoral communities in 1991 is back today. The Gabra are already fighting with the Turkana and Rendille and Samburu, as per last week 68 lives have been lost in total and many livestock. The root cause has not been established. The Marsabit highway is very insecure. The most unfortunate part of the conflict was the killing of 4 Songa primary school children two weeks ago. I can't see the government doing anything much to curb this potentially explosive scenario.

One might argue that when the moral authority and resolve of government weakens, local antagonisms will reemerge. Equally, particularistic demands for patronage may inexorably place demands on those in political and administrative life, making corruption and ethnic manipulation less a question of defective leadership than inexorable elements in the fabric of governance under certain conditions, such as when economic decline and reductions in international aid diminish the flow of resources through government to its constituencies. This is even more the case in remote, arid, pastoral regions, which normally receive few government services and enjoy little protection from security forces, where the state is primarily represented by personalities—councilors, parliamentarians, chiefs and sub-chiefs, gate-keepers, extension agents—rather than by institutions.

A broadening stream of thought emphasizes that, when the problems of rural societies are politically and academically categorized under such rubrics as 'development' or 'environment', a techno-scientific perceptual barrier is erected that obfuscates factors of power and political struggle that are at work (Ferguson, 1994). Similarly, preoccupation with factors of 'ethnicity' or 'pastoralism' used to characterize agents of conflict may prevent our seeing linkages that join local action to

the larger political framework provided by the state. This paper bears out Turton's recommendation that conflict in Africa should not be isolated from the overarching framework of the state. We have shown that conflict involving pastoralists as ethnic actors is most pronounced when their interests are conjoined with the high politics that surrounds the state. Local motives, interests, and passions, deep play on identity and competition for resources, may rarely be absent as ingredients in conflict. But, under most circumstances, this congeries of factors is effectively put in 'brackets'; when these factors are 'un-bracketed' and mobilized often depends on the state. When major parties in government or politics seek to bind supporters through patronage, to augment through predatory appropriation resources needed to consolidate their own power, or to maneuver in local electoral polling to ensure a government's retention of power, then un-bracketing of local, ethnic interests becomes increasingly likely.

In Gellner's view, nation states both thrive where there is cultural homogeneity and tend to fashion commonality where it is not. But the African state sits on a foundation of cultural diversity. Though a sense of common citizenship is increasingly being enhanced through shared educational systems, the use of national or regional languages, and the creation of socially complex urban spaces, reconciling Nation with Nationalities will remain contentious, given the frequent coincidence in rural Africa of language and culture, customary claims to resources, regional territoriality, and local responsibilities for security. Were states less insecure and local political support less reliant on patronage, their interest in recruiting local proxies to engage in national struggles would decline. Equally, were political devolution in the face of ethnic diversity to occur, making local pastoralists less insecure about retaining local rights and resources when they face competition from the state and its agents, then strategies for managing local social relations and scarce resources in common might be defined.

NOTES

1. One source presents accounts of 200 major ethnic groups in Africa, with more than 1,000 others briefly described (Middleton, 1997). Sometimes cross-cutting, sometimes coinciding with 'ethnic' divisions are other forms of social and cultural diversity, including clan groupings and linguistic dialects (Schraeder, 2004).
2. This typology of rural conflicts sets aside conflicts among urban squatter communities and between them and government, growing criminal violence, mainly concentrated in urban centres, and domestic and familial violence, over marital relations and inheritance.
3. Parts of the following description was first presented in a paper entitled "Poetics and violence: Competing narratives of justice underlying ethnic clashes in the Rift Valley, Kenya", presented in the panel on Frontiers of Violence: Time,

Conflict and Identity at the American Anthropological Meetings in Chica.

ACKNOWLEDGEMENTS

Research support was provided by the Social Sciences & Humanities Research Council of Canada (SSHRC), Québec Fonds pour la Formation de Chercheurs et l'Aide à la Recherche (FCAR), the National Science Foundation, and McGill University. For research affiliation, collaboration, and cooperation, I am grateful to the Ethnography Unit of the National Museums of Kenya, to the Arid Lands and Resource Management Network in Eastern Africa (ALARM), administered by the Centre for Basic Research and supported by the International Development Research Centre of Canada, and to the Montreal-based organization Rights and Democracy, which I represented as an International Observer to the 1992 Kenyan General Elections. For research assistance, I am indebted to J. Ole Simel and J. Ole Tumanka for information concerning the Maasai case, to Daniel Moile and Umuro Godana for the Marsabit cases, and to J. Mitchell, J. Owiti and C. Archambault for service in Canada. The original version of this paper was presented in the seminar directed by Jonathan Friedman on 'Constitution des champs sociaux dans le contexte mondiale: ethnicité, état, et les paramètres sociaux et culturels de la violence,' at the École des hautes études en sciences sociales, Paris, 18 May 2004.

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