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# **Keiyo and Nandi North Districts Conflict Assessment and Stakeholder Mapping Report**

*Condensed version  
October 2010*



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## **Acknowledgment and disclaimer**

This Conflict Assessment and Mapping report is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of Mercy Corps and do not necessarily reflect the views of USAID or the United States Government.

## Table of Contents

Acknowledgment and disclaimer.....	i
Table of Contents.....	ii
1. Executive summary of key findings .....	1
2. Introduction .....	3
2.1 Local Empowerment for Peace (LEAP) II Program .....	3
2.2 Conflict assessment and mapping report .....	3
3. Methodology.....	5
3.1 Mobilization .....	5
3.2 Training .....	5
4. Brief History and Background of the violent conflicts.....	7
4.1 Violence in Nandi.....	8
4.2 Violence in Keiyo.....	8
5. Causes of conflicts and tools of analysis used in this assessment .....	9
5.1 Human Needs Based Conflicts.....	9
5.2 Relational based conflicts.....	9
5.3 Political based conflicts.....	9
5.4 Transformative/change based conflicts .....	10
6. Mapping the hotspots/conflict margins .....	11
6.1 Actor/Stakeholder Analysis .....	11
6.2 Analysis of Capacities for Peace.....	12
7. The Land Question in Nandi and Keiyo.....	15
8. Human needs based perspectives of the conflicts .....	18
9. Relational Perspectives of the conflicts.....	20
10. Political perspectives of the conflicts .....	22
11. Transformative perspectives of the conflict.....	24
12. Conclusion .....	26
Appendix A: Data Gathering tools .....	27



## 1. Executive summary of key findings

This document reports on the results of the Keiyo and Nandi North Districts Conflict Assessment and Stakeholder Mapping for Mercy Corps' Local Empowerment for Peace (LEAP II) program. LEAP II builds on the successes of the original LEAP program, with expanded geographic focus and increased scope of activities. The program runs from July 4, 2010 to July 3, 2012.

Structural problems common to most conflict prone Rift Valley province districts are less acute in Nandi North, Keiyo South and Keiyo North. This could be largely attributed to their geographical locations and ethnic compositions. However ethnic and political differences are as sharp in the districts under review as in any parts of the country. This finding is also supported by the findings of a baseline survey done in September 2010<sup>1</sup>. The differences have been manipulated by political leaders in the past and continue to be a resource for mobilization for gain of political power. Weak, ineffective, and corrupt state and civil society institutions have led to a lack of confidence in the political system, cynicism about the rule of law, and a tendency to resolve conflict in extralegal ways. Attitudes toward politics and political engagement are largely negative.

Other key findings include:

- Ethnic and religious cleavages (especially in Nandi North) which are salient to conflict correspond to sharp disparities in wealth or access to opportunities in Nandi North, Keiyo South and Keiyo North. The risk of conflict is likely to rise, especially in the larger Keiyo when it becomes Elgeyo Marakwet County. This will be a likely scenario should one ethnic group (as is feared now) dominate the ruling elite, regardless of whether that group will be a minority or majority in the population.
- Economic decline, increasing poverty, and the lack of economic growth are likely to create new forms of conflict as its effects affects institutions that cannot raise sufficient revenue to function adequately.
- High levels of unemployment coupled with eroding incomes and low economic growth is common among large numbers of poorly educated young men with limited employment prospects that are easily recruited and mobilized for violent conflict.
- A poorly educated population (especially young men in Nandi North) is related to slow economic growth and elevated risk of conflict. Most parents it was said educate the girl child but ignore the boys.
- Rapid population change due to migration, especially of outsider ethnic groups is increasing the potential for conflict by reducing economic opportunities and increasing inter-group pressure upon, and competition over scarce resources.
- HIV/AIDS epidemic remains a major security and peace threat.

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<sup>1</sup> LEAP II Baseline Survey Report, November 2010. Mercy Corps

- The districts like the rest of Kenya remain vulnerable to violent conflicts due to ongoing political transitions and structural changes toward and sometimes away from democracy.
- Environmental degradation and natural resource mismanagement pose serious threats to stability and peace in all the three districts, making them vulnerable to potential outbreak of violence. Most common forms of environmental and natural resources mismanagement include deforestation, land degradation, and low availability of potable water, especially in Keiyo South.
- The Kenya national policy on openness to trade is a mixed fortune for the districts. It has brought with it new opportunities, but also created deprivation. Openness has seen the integration into regional/international markets, which has seen some levels of improved economic well being to some and support for the rule of law and stable property relationships, but also led to the crippling of the market for local goods with the subsequent death of some local industries.
- The risk of violent conflicts in the districts under assessment is also highly possible due to perennial violent conflicts in neighboring districts.

## 2. Introduction

### *2.1 Local Empowerment for Peace (LEAP) II Program*

With funding from USAID, Mercy Corps will continue and expand its LEAP Program in Kenya's Rift Valley Province. LEAP II will deepen Mercy Corps' work in Uasin Gishu and Kericho, and expand into Keiyo, Nandi and Nakuru. The LEAP program's over-arching goal is to **strengthen the ability of local, district, and provincial structures to address the causes of post-election violence and promote sustainable peace and reconciliation.**

To accomplish this goal, three objectives were identified:

1. strengthen sustainable mechanisms for conflict mitigation and reconciliation;
2. support community dialogues and implement joint development projects that build bridges among divided communities and demonstrate tangible benefits to coexistence; and
3. support youth integration and address a key cause of violence through youth leadership training, small scale cash-for-work community reconstruction projects, and income generation activities.

LEAP II builds on the successes of LEAP with several enhancements. We will help civil society and government leaders strengthen their ability to work together to resolve tensions that have led to violence. In this extension, we will also engage political and business leaders in this process. We will scale community-level activities up to include district and regional dialogues with key leaders and develop early warning systems. We also will increase in the number of reconstruction and development projects and decrease the number of community dialogues. Much assistance immediately after the elections-related violence was geared toward dialogue. Since then, this need has diminished somewhat. Now the challenge is to cement agreements reached through dialogue with concrete projects that serve as visible reminders that cooperation is possible.

### *2.2 Conflict assessment and mapping report*

This document reports on the results of the Keiyo and Nandi North Districts Conflict Assessment and Stakeholders Mapping for Mercy Corps' Local Empowerment for Peace (LEAP II) program. LEAP II builds on the successes of the original LEAP program in the larger Uasin Gishu and Kericho, with expanded geographic focus and increased scope of activities into Keiyo, Nandi, and Nakuru. The program runs from July 4, 2010 to July 3, 2012.

As part of this effort, Mercy Corps conducted a conflict assessment/analysis and stakeholder mapping in each new district, to identify key actors, their relationships, and the issues fueling violence. These assessments were done in partnership with the offices of the District Commissioners and the District Peace Committees. This report is intended to help Mercy Corps identify appropriate actors for inclusion in all subsequent activities, the business community, and other groups as necessary.

The overall goal of the conflict assessment, mapping and training is to build capacity for conflict analysis and early response among intended project beneficiaries to help them and Mercy Corps:

- Understand background/history of the violent conflicts and current events;
- Identify relevant groups involved in the conflict including the hidden ones, i.e. “shadows”;
- Understand the perceptions of groups in the conflict and how they relate to each other; and
- Understand factors & trends that underpin the violent conflicts in the beneficiary regions.

### 3. Methodology

The analysis was done in three parts. First there was the identification and mobilization of key stakeholders, followed by training and mapping of the conflicts and finally, further information collection from the community by a select group of community members.

This conflict assessment framework builds on a number of key assumptions, namely:

- Each conflict situation is unique, so that the analysis needs to be context-specific (see table below);
- Conflicts are not mono-causal phenomena and arise from a set of interconnected conflict factors and dynamics;
- Conflict programming should aim at “doing no harm” and minimising unintended negative impacts;
- Conflict programming should aim at maximising its peace building impact in the aftermath of the crisis, as well as over the longer-term; and
- Efforts should be made to ensure local ownership and seek the participation of all conflict parties in the process of the analysis.

<b>Step 1</b>	<b>Analysis of Key Conflict Factors</b>
<b>Step 2</b>	<b>Actor Analysis</b>
<b>Step 3</b>	<b>Analysis of Capacities for Peace</b>

#### 3.1 Mobilization

The participants were mobilized through the offices of the District Commissioners and the District Peace Committees. These are strong institutions with knowledge and records of key district and community leaders. The District Commissioner’s office has a clear administrative structure through the provincial administration that reaches the lowest levels of the community. Mercy Corps also worked with constituency offices to identify and invite community/opinion leaders, particularly those in political spheres.

#### 3.2 Training

Training was the second step in the analysis process. It was designed to expand or refine skills and knowledge on understanding conflicts and peace and to examine attitudes, ideas and behavior with a view to, where necessary modifying them. The

full day training was intensive and targeted to specific key people and institutions within the three districts. The approach used in the design and delivery of the training was participatory and experiential. It was based on the principles of adult learning i.e. people learn more effectively when their capacity and knowledge is valued, and when they are able to share and analyze their experiences in a safe collective environment. The training used a variety of techniques and exercises to involve people in analysis and reflection of the nature and dynamics of conflicts.

#### 4. Brief History and Background of the violent conflicts

The Rift Valley agenda is complex, predicated as it is on tribal aversion and exclusion. Violence has existed there for decades and in 2008 most participants argued this had very little to do with “lost elections”. The ethnically diverse Rift Valley province is home to many of Kenya’s ethnic groups, including the Kalenjins, Kikuyus, Maasais, Luos, Luhyas, and Kisiis among others. The province has had flashes of conflict at least since the beginning of the twentieth century, when large-scale colonial farming disrupted a long-standing ethnic equilibrium. The conflict has grown bigger and complex over the years. Cattle rustling, land encroachment, economic inequities, and divergent cultural values have bred an atmosphere of distrust and feelings of victimization among rival tribes. The dimension of modern day political violence in Rift Valley province can be traced back to 1991 when the push for multiparty democracy became irresistible. Kenya’s then President Moi declared it would bring tribal clashes, and it was no coincidence that these began right away. There was a “systematic spread” of clashes over the next few years, says the Akiwumi report, to Tinderet, Kipkelion, Molo, Olenguruone, Londiani, Kericho, Trans Nzoia, Burnt Forest, Koguta, Kunyak, Laikipia, Njoro, Kipkaren, Chirchila, Thessalia, Sondu, Sotik, Kipsigis, Mauche Lare, Ndoinet, Mau Summit, Ol Moran, and many other centers that were then declared “Kanu zones”.



A residential area in Rift Valley is set on fire during the post-election violence in January, 2008. *Daily Nation*, July 28 2009.

Since the 1991 violence, participants observed that broadly speaking, five types of ethnic conflicts have marked the aftermath of the elections in Keiyo and Nandi districts:

- 1) Ethnically targeted state repression (especially in neighboring Uasin Gishu district where police, the participants argued, were given shoot to kill orders in 2007/2008 violence)
- 2) Targeting of local ethnic proxies for national political figures;
- 3) Ethnic vigilantism;
- 4) Opportunistic criminal violence (some of which, they pointed out, was not ethnically motivated); and
- 5) Ethnic cleansing by Kalenjin ethno-nationalists.

These forms of violence according to responses from various participants, did not just occur, they have historical specifics. It was observed that to understand why the Rift Valley has been such an enduring source of conflict, one must examine its post-independence history. In the early 1900s colonial settlement in Central Kenya displaced many Kikuyu families. In their search for productive agricultural land, many of these families gradually moved into the Rift Valley. At the same time, white settlers moving into the Rift Valley aggressively recruited Kikuyu farmhands from Central Kenya who became their tenants at will. But starting in the 1960s after independence, the late President Jomo Kenyatta settled thousands of his Kikuyu people in formerly European settler lands, which were being claimed by the Kalenjin as their ancestral territory. It is the Kikuyu, now resident for two or even three generations, who have repeatedly been the foremost victims of ethnically-motivated attacks in the province. Considered as foreigners and outsiders, they are easy targets for politicians looking to secure votes.

#### *4.1 Violence in Nandi*

Ethnic clashes in the larger Nandi first broke out on October 29, 1991, at Meteitei farm in Tinderet on the border of Rift Valley, Nyanza, and Western provinces. Violence later broke between Kalenjins and members of the Luo community around Soundu and Kisumu after Kalenjins were accused of attacking the Luos resident among them. Luo leaders, whose community was the first to be affected by the clashes, concluded that the violence was the direct result of the majimbo (a corrupted, exclusivist form of developed government) rally held at Kapsabet in Nandi North a month earlier. After the violence erupted, leaflets were distributed in the area warning Luos and other non-Kalenjins to leave the area by December 12, 1991, or “face the consequences”. The leaflets were signed by a group calling itself the Nandi Warriors.

#### *4.2 Violence in Keiyo*

Unlike most parts of Rift Valley, Keiyo has been comparatively calm and has not experienced any forms of ethnic or political violence. Still, the district has had low level conflicts; most of these are attributed to intra community competition for resources and increasing unease with new settler communities. Most of these negative competitions are attributed to misinformation and what some participants termed high levels of rumor mongering regarding the threats some settler community pose for locals inhabitants.

## 5. Causes of conflicts and tools of analysis used in this assessment

Four main theories/perspectives that attempt to explain the causes of conflict were used in this assessment. The theories helped discuss assumptions, issues and frameworks for understanding the root causes of conflicts and to apply the theories in the participants' contexts.

The four are: *Human Needs Based Conflicts*; *Relational Based Conflicts*; and *Political and Transformative Based Conflicts*<sup>2</sup>.

### 5.1 *Human Needs Based Conflicts*

In the human based perspective of conflicts, the inadequate satisfaction of any of the fundamental human needs generates pathology. The pathology can be described both in economic and political terms. Economically the pathology is expressed as unemployment, hyperinflation, and poor quality of life. At the political level the pathology can be expressed as fear or xenophobia, crime or violence, exile and marginalization. Basic human needs can be satisfied differently: their "satisfiers" differ from context to context and person to person and are gendered in nature. Lack of access, not necessarily the unavailability of "satisfiers" of need, is a major catalyst to violent expression of a need-based conflict. This is also called *Relative Deprivation*. See Appendix I.

### 5.2 *Relational based conflicts*

Conflict is a result of interaction between different men and women and/or groups with differing cultural orientations, values, and interests. Conflict is innate in the nature of men and women and therefore characterizes the way they behave while interacting with others. Conflict is a consequence of poor communication or miscommunication and misperception. "Otherness" resulting from the natural discomfort of encountering people or groups different from self or one's group can lead to conflict. Groups tend to protect their boundaries for fear of losing their identity or being invaded by other groups. Others perceive one or several of their inter-relationships with other groups as illegitimate; e.g. indigenous vs. settler conflicts. History or shared memory of groups influences the way they perceive and interact with others. Conflicts generated from individual or group interaction include stereotype and prejudice, miscommunication, xenophobia, symbols, etc.

### 5.3 *Political based conflicts*

The state being the sole context where various groups or individuals are competing to take advantage of others, many political players believe that they will only gain access to the state when others are eliminated or disabled. Power, which is perceived to be a critical currency for the gratification of dignity, recognition, freedom, and conflicts,

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<sup>2</sup> See for example FEWER, International Alert, and Saferworld, *Development in Conflict: A Seven Step Tool for Planners* (Version 1), USAID, Participatory Country Program Strategic Planning, and Performance Monitoring and World Bank, *Conflict Analysis Framework*.

most times violent remain a consequence of a weak state, the absence of leadership, or regime legitimacy and poor governance among others.

#### *5.4 Transformative/change based conflicts*

Change can bring about conflicts. When not managed well, the tension between the static institutions (like the police and judiciary) and structures and the dynamic change processes in people, perceptions, and the environment, have been a key source of conflict.

## 6. Mapping the hotspots/conflict margins

While various low level conflicts were said to exist in virtually all parts of Keiyo and Nandi North districts, the following were identified as perennial ethnic and political based conflict margins/hot spots.

**Keiyo North:** Areas affected by post-election violence were *Tambach, Iten* and *Musekekwa* trading centers. The resource-based conflicts are found along Kerio Valley involving the Keiyo and Tugen ethnic communities over pasture and land mostly in *Rimoi* and *Songeto*.

**Keiyo South:** Violence hotspots occur in urban centers of specifically in *Flax, Chepkorio* and *Kamwosor*. These are areas are commonly affected during electioneering period. Conflict margins are within the district mostly in *Nyaru, Kaptarakwa* and Small-towns; and along the border of Keiyo South and Eldoret East district in *Kaptagat, Kipkabus, Tumeiyo* and *Kapyemit*.

**Nandi North:** Post-election hotspots were *Mosoriot, Mlango* (border of Kosirai and Kapseret in Nandi North and Wareng districts respectively), *Kipkaren Salient* and *Kabiyet*. Inter-ethnic conflicts frequently occur along the border of Nandi North and Kakamega districts in *Kimaasai, Kabasali, Kipsamoite*.

### 6.1 Actor/Stakeholder Analysis

The term “actors” refers to individuals, groups and institutions engaged in, as well as being affected by conflict. People are central to understand how groups become polarized around key conflict issues (see Step 1), as well as what drives the interests of those promoting violent conflict. By providing an understanding of the potential risks associated with engaging with internal and external actors, this may also help address the issue of “interlocutors” and “partners”, with whom support agencies interact, both in humanitarian and development terms, in conflict transition situations. The actor/stakeholders analysis in this assessment therefore aims to complement the analysis of key proximate and structural conflict factors in the three districts. The conflicts are mainly of political/ethnic nature.

Keiyo South:

- Elders
- Nandis
- Luhyas
- Luos
- Kikuyus
- The Christian Church
- Women and women groups
- Opinion and eminent leaders
- Youth and youth groups

- Politicians
- Business community
- People with disabilities
- Teachers
- Provincial administration
- District Peace Committees
- Media
- Police (both regular and administration)
- CBOs & NGOs
- Some media houses and NGOs were to be spoilers in peacebuilding. They report things that are false and try to gain mileage and donor funding.

Nandi North:

- Government officers (especially the provincial administration)
- Politicians
- The landless and squatters
- The rich and powerful who influence others
- Religious leaders/denominations
- Idle youth
- Luhyas and Nandis around the borders
- Kisiis
- Luos
- Kikuyus
- Women
- Family units with domestic problems
- Farmers affected by fluctuating prices of maize and milk

Keiyo North:

- Marakwet, Tugen and Keiyo
- Youths
- Elders
- Politicians
- Church
- Kikuyus

## 6.2 *Analysis of Capacities for Peace*

The term “capacities for peace” traditionally refer to structures, mechanisms, processes and institutions that exist in society in order to peacefully and constructively manage conflict. While spoilers may become an obstacle to long-term peace building, if not adequately addressed within the framework of transition strategy and programming, identifying capacities for peace may prove equally critical to further define entry points for peacebuilding programming.

In Keiyo (North and South):

- After the 2007/2008 election related violence, the government facilitated the formation of District Peace Committees. The committees present useful avenues for conflict prevention in future.
- Strong local/traditional and informal approaches to conflict resolution do exist among the Keiyo (the dominant sub-tribe of the Kalenjin community in the area)
- A strong political will exists for peacebuilding with strong government support evident through the provincial administration.
- Inter-village meetings, also known as *barazas*, presided over by the chiefs and the District Commissioners bring members from various communities together.
- Beginning July 2000 SARDEP (Semi Arid Rural Development Program) facilitated a participatory land use planning process in the districts of Keiyo and Marakwet (SARDEP Keiyo/Marakwet, 2000). The participatory process was adapted to ensure the community takes a central role in the development of land use plans hence enhancing ownership and responsibility of the plans.
- Communities living in the six agro-ecological zones, called transect areas 2 , have come together and analyzed their physical environment, identified the natural resources on which they depend and developed plans for using these resources in a fair and sustainable way for the present and future generations.
- Church organizations, the government and even the communities in conflict have made various attempts to restore peace and security. However, though these efforts have led to some temporary cessation of hostilities meaningful peace, security and reduction of hatred between the communities in conflict still remains elusive.
- Elders have in the past convened dispute resolution and reconciliation meetings between the communities in conflict. They are key players in bringing together parties to the conflict to resolve their differences and negotiate use of pasture and other resources in the area.
- Religious groups like NCKK, CJPC, ACK, RCEA and NGOs like World Vision and Oxfam have also initiated community level peace initiatives. The leading initiative is that of the NCKK, which dates back to 1993 when the NCKK undertook peace and reconciliation work alongside its relief and rehabilitation activities.
- The government continues to offer security and respond to distress calls through deployment of security forces to control outbreaks of violence. The AP, regular police, GSU, Anti-Stock Theft unit and the army are some of the security personnel deployed in the area in the past.

#### In Nandi North:

- A fertile and agriculturally rich setting that has had great impact in poverty reduction
- A strong and informed civil society (the community not NGO variant)
- Informal approaches to conflict resolution among the Nandi community
- Strong presence and authority of elders with ability to mitigate conflict situations
- A culture of tolerance,

- The judiciary,
- Inter-village meetings (also known as *barazas*)
- Traditional courts (presided over by the elders and chiefs)
- The establishment of the Truth, Justice and Reconciliation Commission to address past injustices.

## 7. The Land Question in Nandi and Keiyo

In both Nandi and Keiyo, the wrath of the Kalenjin peoples over what they consider the appropriation of their ancestral lands was evident. Yet, according to Historical sources, this is not a new phenomenon, neither does it have its roots in the 1991/1992 “land clashes”. Mr. Wesley Ngetich, a member of the Nandi North District Peace Committee, observed that as far back as 1969, the Hon. Jean Marie Seroney (MP for Tinderet) had drawn controversy when he authored “The Nandi Declaration” that demanded all non-Nandi vacate the ancestral land of the Kalenjin sub-tribe. The Kenyatta government reacted by imprisoning Seroney for sedition but his ideas did not die. Ironically, in 1991/1992 Moi and his foot soldiers were to adopt Seroney’s template for ethnic exclusivity (expanded to encompass the larger Kalenjin community) by evicting Kikuyus, Luos, Luhyas and Kisiis in their bid to secure political victory in the Rift Valley.

In both Nandi and Keiyo, there is a general acknowledgment that the land question is a key instigator of violence. They pointed out that the intermittent violence was closely associated with three key issues, all related to land:

- i) Remediating of past injustices;
- ii) land scarcity; and
- iii) Growing impoverishment of the Kalenjin community.

The discussions pinned the origin of the problem in what is considered the third wave of African settlement in the White Highlands in the Million Acre Scheme which began in 1963. On the eve of Independence, the departing British colonizers negotiated a scheme by which white settlers were bought out of their farms by the incoming Kenya government. The money for this purchase was made available as a loan by the British government. The vehicle that the independent Kenya government used to facilitate the acquisition and subsequent distribution of these lands was the Settlement Fund Trustees (SFT). SFT was a separate legal entity whose trustees, interestingly, were government ministers. The original idea behind the transaction was that the government would buy the land and revert it to its rightful ancestral owners who had been displaced by the white farmers. However this was not to happen.

Through the 1960s and 1970s the SFT would, through the local dailies and village *barazas*, advertise and invite applications for allocation of land in recently created settlement schemes. These schemes were constituted from the farms that the SFT had acquired from the white farmers. The conscious process of designing these schemes involved several steps. Key among them was the amalgamation of parcels and subdivision by use of aerial surveys into economically viable units, including the provision of access roads. Along with that, the government made loans available not only for the purchase of land, but also for the acquisition of livestock, farm inputs and other developments. These loans, which were part of a revolving fund, were administered by the SFT. Kenyatta’s government informed the public, including those whose land had been grabbed and forcefully evicted by the white farmers, that “there would be nothing for free” anyone wanting their land back would have to buy it.

As individuals responded to the advertisements and applied for allocation of land, political connectivity and ethnic affiliation became the key determinants of the fund's accessibility. With the exception of a few cases, political patronage took precedence in determining who got loans from the SFT and who got what land and where?

Politically correct and ethnically favored communities (especially the Kikuyu) were supposedly encouraged in the late 1960s and early 1970s, to set up public companies and in some instances cooperative societies. These became the vehicles through which they either accessed the SFT or raised capital from the masses and then acquired farms that were being offered for sale on a willing buyer-willing seller basis but which originally belonged to Kalenjins. The Kikuyu, with Kenyatta as the President and the government dominated by mostly people from Kikuyu community formed several land-buying companies, the most famous of which were Gema (Gikuyu, Embu Meru Association), Ngwataniro, and Nyakinyua and all of which bought land in the Rift Valley.

Farms such as Kiambaa, Kimuri, Yamumbi and Kondoo in Uasin Gishu district, which were at the heart of the violent post-election evictions, were purchased by land-buying companies of this nature. In the initial years, the farms that were acquired in this manner remained as large-scale parcels and were only sub-divided through presidential edict in 1981. The result of the sub-division was the creation of tiny parcels of land that were then transferred to the low-income shareholders who had formed the original land-buying companies.

Alongside land-buying companies were transactions between departing white settlers and individual members of the emergent African political elite. This class had access to funding from the Agricultural Finance Corporation (AFC) and was again mostly drawn from the Kikuyu community. According to most Kalenjins, their land was grabbed by the white settlers, and when settler left, the Kikuyu elite and other "outsider communities" took the land, denying them what they consider is legally and culturally theirs.

Yet contrary to this seemingly accepted "fact", discussions with several participants during plenary sessions reveal there are several reasons why the violent conflicts and eviction of non-indigenous communities from the Rift Valley may have little or nothing to do with the so-called "land question".

To some participants this seemingly systematic on-going violence is not about remedying of past injustices, land scarcity, growing impoverishment of the Kalenjin, or protests against the outcome of the flawed December 2007 General Election.

1. As one participant pointed out: to keep repeating that the Kikuyu got to the Rift Valley through presidential favor fails to explain how the Luhyas, Luos and Kisiis, who have never produced a president, became land owners and flourished in the Rift Valley. And if indeed it is the declaration of Mwai Kibaki as president that was the offending spark, then why have non Kikuyus been under attack in the past?

2. If the violence is about the pressure or scarcity of land, then as observed Mr. Arthur Bunde, the District Commissioner for Keiyo South, "these issues would not

wait to crop up in every election year. Does it take one five years to realize that they have a neighbor whose presence prevents them from tilling a larger piece of land or using that land to pursue some other profitable business, why not fight throughout the five years?"

3. Given the vast state machinery that former President Moi had at his disposal from the end of 1978 to early 2002, how come he did not right the purported land injustices against the Kalenjin? That "the land question" was only picked up at the onset of multi-party politics in 1991 proves that the political elite's motivation was never simply the restitution of land to the Kalenjin.

4. The huge tracts of highly productive agricultural land in the hands of elite Kalenjins, a select caucus of the political class across the ethnic divide, non-Kenyan multinationals and Kenyan white and Indian farmers have never been the target of land invasion and redistribution. Genuine pressure for land would not be so selective in choosing the enemy. Indeed, pressure for land would not lead a Kalenjin man to drive out his Kikuyu, Luhya or Luo wife as has happened in the past.

5. During the post election violence the People who had been targeted for eviction were given no notice to vacate. Were it simply about land, one would have expected the matter to stop upon their expulsion. But this was not the case.

It is clear that the passions and goals that have repeatedly driven communities resident in Rift Valley in these intermittent spates of violence emanate from somewhere else. In each instance, the violence has pitted communities whose presence has transformed the landscape of the Rift Valley economy. What drives them to attack each other? From the discussions in these assessments a solution that looks to the restitution of "ancestral land" will not be sufficient to address the feeling of exclusion from profitable enterprise. The much-needed process of unearthing the driving impetus of the violence, of finding lasting solutions and restoring harmony lies elsewhere.

## 8. Human needs based perspectives of the conflicts

At the heart of the human needs related conflicts in the three districts is the apparent tension between deprivation and potential. Both Keiyo and Nandi are fairly well endorsed districts. There is however a general feeling of suppression of individual hopes and aspirations at different levels of the society. In Nandi, there is a general feeling of deprivation of young people due to their inaccessibility of the regions single most important source of income, which is land. In the baseline survey<sup>3</sup> we asked respondents to identify the key contributor to recent ethnic based conflicts. Selecting from a list of options, the most common responses were tribalism (31%), politics (24%), and land (18%). There is tension between the older generation and the youth over the possession of land. Land is still owned by the older people, while young people, though full of energy, have little or no access to the same. Basic human needs are physical, psychological, social and spiritual needs, recognition, identity, security, and bonding without which existence is impossible. As long as young people see land as the key to unlocking their security, identity and psychological deprivations, it will continue to generate conflicts. Of the key conflicts related to human needs identified in the three districts, land seems to take centre stage. In Nandi North, Keiyo North, and Keiyo South, land grievances emanating from what are considered historical (miss) acts of the colonial government and post colonial government were identified as key drivers of hostilities.

Below are the main issues associated with human needs based conflicts:

### Keiyo North:

- The availability of basic needs (food, shelter, clothing and work) in Keiyo community is inadequate and not accessible to everyone. This thus translates to conflicts over pasture and water between the Keiyo and Tugen at the Kerio Valley Cross-border;
- For protection the community requires insurance/health systems, savings, social security rights, rights of women, family, work. However this has not been made available to everyone. The poor cannot access proper medication hence conflict as most of these facilities are mainly available to the employed. In regard to this, women's rights are secured;
- The family relationships in the region are fair, while some isolated cases of divorce are reported among the youthful families;
- Conflicts have emerged due to youth's destruction of indigenous trees that the elders have worked to preserve over the years;
- The level of education is average but some schools still experience lack of teachers hence poor performance;
- Keiyo apparently promotes gender equality where privileges are available to all and the rights of women are respected;
- There is adequacy when it comes to creativity in some parts of the district. However there is lack of facilities especially training facilities; and

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<sup>3</sup> LEAP II Baseline Survey Report, November 2010. Mercy Corps

- Keiyo community respect and observe the identity, Symbols, language, religion, customs, reference groups, sexuality, gender, values, historical memory, and work of all its members. There is therefore freedom of expression and equal rights to all.

#### Keiyo South:

- Basic necessities in Keiyo South are available and fairly accessible to the community, however conflicts arises when there is scarcity due to droughts and other tough seasons;
- Services like Insurance/health systems, savings, and social security rights are unavailable but all in all rights of women are reserved;
- Family rights and relationships are well conserved. Relationship with nature is fairly good and accessible. Partnership is accessible through groups and co-operative societies through education; and
- Education in this region is availed to everyone hence communication policies are effective. However conflicts have occurred due to scarcity of teachers.

#### Nandi North:

- Nandi North is fertile area hence they don't experience food shortage. Farming provides food and most people live in permanent and semi-permanent houses. However work is limited in the region;
- Insurance/health systems, savings and social security are available but not all are accessible;
- Education is Available to all;
- Nandi community promotes participation but in some cases generational differences still arise because the youth are still being regarded as children; and
- the community encourages the youths to be creative. Some have emerged as good musicians and others are athletes. Conflict normally arises when these talents are not recognized.

## 9. Relational Perspectives of the conflicts

In the moments of calm between elections, the Kalenjin, Kikuyu, Luhya, Luo, Kisii and other major ethnic communities resident in Keiyo and Nandi trade with each other and intermarry. The survey found that interactions among members of different ethnic communities are common. 73% of survey respondents said they “frequently” interact with members of other ethnic groups, and a further 20% reported “sometimes” interacting with members of other groups<sup>4</sup>. But the boundaries erected by the outsider-insider status remain – the ethnicised churches, the shopping centers in which the names of shops assert ethnicity and the largely mono-ethnic land-settlement patterns have become the points of inter-ethnic conflict. “Otherness” resulting from the natural discomfort of encountering people or groups different from self or one’s group remains the biggest source of conflicts in the three districts. Indeed the baseline survey<sup>5</sup> revealed that market/trading, social activities, and work provide the most common sources of interaction. Noticeably, there was less interaction in activities where more trust is presumably needed, such as borrowing money and farming on shared land.

The local historical inhabitants of Nandi and Keiyo (Nandis and Keiyos) tend to protect their boundaries for fear of losing their identity or being invaded by other groups. There is thus a tendency to perceive one or several of their inter-relationships with other ethnic groups as illegitimate; e.g. indigenous vs. settler, locals vs. foreigners. History or shared memory of the groups continues to influence the way they perceive and interact with each other. Conflicts generated from individual and group interactions include stereotypes and prejudice, miscommunication, and xenophobia. For many years, a kind of superficial integration has been mistaken for peaceful cohabitation. This position is supported by excerpts from the Akiwumi Commission on the 1997 post election violence which noted that “it would seem that, although Rift Valley inhabitants have lived together since before independence, the different tribes did not accept each other but only tolerated each other, as apparently there were deep-seated ethnic ambitions and prejudices”<sup>6</sup>.

Below is a summary of the key issues associated with relational based conflicts in each of the three districts under review.

Keiyo North:

- Keiyo and Tugen community live in the same district (Keiyo district) but have highly prejudice view of each other.
- The history of Land, Cultural practices, Water (resources), tribal discrimination is well reserved with the two communities. However they frequently face tribal discrimination, clanism, cattle rustling, logging and destruction of indigenous trees.

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<sup>4</sup> LEAP II Baseline Survey Report, November 2010. Mercy Corps

<sup>5</sup> *idem*

<sup>6</sup> Akiwumi Commission Report on Election Violence, 1998, Government of Kenya

- Keiyo district location is at the escarpments of Rift Valley, the environment is harsh (dry and rocky in lowland, and cool and fertile in highland).
- Political leaders in this region favor the highland more than the lowland because of the high population that translates into votes.
- Economic status and poverty levels are higher in the lowland compared to the highland.
- There is cross-border conflict between the Keiyo, Tugen and Marakwet communities fueled by the search for pasture and water for livestock.

#### Keiyo South:

- The communities living in this district are Kikuyu, Kalenjin, and Kisii who relate together on a daily basis as they live in the same area. The history of conflicts is traced back to land issue, inequality in distribution of resources and political power. This instills fear in the community and breeds up hostility among communities.
- The political wing contributes to conflicts in the region through the utterances they make. This sometimes borders on incitement hence the fear among communities living there.
- The youth in the area feel discriminated against when it comes to employment opportunities in the locality hence breeding conflict between them and the elders.

#### Nandi North:

- Nandi, Kikuyu and Luhya community live in the district but mainly at the boundaries. The hostilities in this region are mainly caused by cattle rustling, border conflicts (encroachment), spirit of rejection in business, stereotypic conception of one another, different cultural beliefs, traditions, and witchcraft.
- In some cases the Nandis think the Luhya communities are thieves of small items e.g. chicken and practice witchcraft as a way of traditional healing.
- The economic status is low because of formed opinions and stereotyping formed against the other community. This breeds mistrust in business.

## **10. Political perspectives of the conflicts**

Politics remain the most divisive and cardinal cause of intra and inter-ethnic violence in the three districts. Because elections are such high-stakes affairs, political candidates are accustomed to hiring groups of young, armed men to protect their interests. Each poll since the introduction of multiparty elections—in 1992, 1997, and 2002—has been accompanied by low-level outbreaks of violence. Most participants trace this violence back to tactics that President Daniel arap Moi, who led the country from 1978 until 2002, used to divide the population and retain political power. While there was not a history of ethnic violence under British rule, colonial officials fostered divisions among Kenya's ethnic groups to prevent them from uniting against their rulers.

Below are the key issues associated with political based violence in the three districts.

### **Keiyo North:**

- Political manifestation in Keiyo district is poor due to weak institutions in place and lack of consultation in decision making. Corruption is widespread hence poor governance. Rivalry has in the past occurred whenever there was an inter-clan or inter-department competition.
- Crimes and land disputes contribute to failed social practices in Keiyo. Weak enforcement of the existing laws to preserve cultural practices has led to discrimination based on culture / special groups.
- Unemployment contributes to high poverty index levels in Keiyo. Poor attitude to work has caused laziness and idleness among youth.
- Inflation rate has led to differences in economic class i.e. the rich are getting richer while the poor are growing poorer
- Idlers, drunkards and criminals pose a security threat to Keiyo residents.

### **Keiyo South:**

- Political manifestation in Keiyo South is very poor due to bad leadership. The longevity of serving the community as a leader leads to dominance. To improve the governance of the region, there should be change in leadership.
- Social issues affecting the area include; poor road networks and sanitation. Conflicts are mostly common between the Keiyo and Tugen over pasture.
- Unemployment and corruption in Keiyo South derails the economic growth. There is high level of inequality when it comes to distribution of resources hence conflict between the Keiyo and Tugen over sand at the Soi Fluorspar mines.
- Insecurity in the area is caused by high levels of crime, nepotism and lack of transparency in governance.

### **Nandi North:**

- Political status of Nandi North is weak. The leaders are not accessible to the community and poor governance in the region is fuelled by lack of adequate civic education e.g. during elections. Corruption and nepotism is very high when it comes to disbursement of LATF and CDF (government funds). All these have led to conflicts.
- Lack of employment for the youth is a major shortfall yet they have the skills and the necessary education. There is clanism and tribal bias in the allocation of bursary funds bringing out social differences.
- From the economic perspective, lack of price control policy e.g. the price of maize and inaccessibility of bank loans has created dissatisfaction especially among farmers.

## **11. Transformative perspectives of the conflict**

Economic and political systems are seen to favor some groups (especially the Kikuyu) over the others. On the other hand, Kikuyus interviewed in this assessment were of the opinion that Kalenjin and Luo cultures tend to be exclusive and unwelcoming to others and new ideas. While a lot of political and economic changes have taken place since the early 1990s in Kenya, men and women, ethnic groups, and various institutions, have been responding to the changes differently. Most have been slow to change. They have mostly remained static while demographic, environmental, economic and social changes are taking place.

Below are some of the key issues associated with transformative based conflicts from each of the three districts.

### **Keiyo North:**

- Political structures in Keiyo are under pressure for change with the new source for change being the new constitution. However Councils and the judiciary have been weak as none has been responsive to change.
- From the economic perspective, the new technology and diversification to settle the historical injustices on land is weak. The attitude of those who take other people's land has not changed because there is unwillingness to surrender illegally acquired land. Producers and farmers on the other hand are unwilling to embrace new technology. The possible sources of change in the district include; good market prices for farm products and TJRC to settle the historical injustices on land.
- Cultural practices, beliefs, norms and values are strong. Few people have succumbed to change in initiation rites such as traditional circumcision and FGM. The Community embraces Education, Religion and New constitution in implementing changes to such practices.
- For religious structures, the community believes that true Christianity is weak compared to African Traditional Religion. Both traditions and churches should respond to change.
- The system of government in place and its policies is still weak. Administration Police and the Police force are also weak. This increases demonstrations in the district.

### **Keiyo South:**

- Political structures in Keiyo South are perceived to be strong. The pressure comes from youth but the elderly are resistant to change, hence an impending conflict. However the community is the main source for change.
- Economically, structures in place are weak hence the unemployed youth in the area. Apparently women are so responsive to change in order to improve the economic life in their region. The only perceived source for serious change is possible acquisition of loans to start business.
- Men, women and Youth in Keiyo are very positive towards the Social changes in the area. Their social structures are very strong and the forces of change come from churches, NGOs and schools.

- Christian Religion in Keiyo South is strong. It has not experienced any resistance to change. The supporting groups in change response are the women and the children.
- There is high level of security in Keiyo South. The police and the provincial administrations are strong. The insecurity only sets in from the unemployed youths. However they are being sensitized during community *barazas*.

**Nandi North:**

- Political structures in Nandi North are weak. Elders are in support of change in the new political leadership and governance. All political institutions are resistant to change in this region.
- The economic situation is very weak (no marketing of local produce) hence need for new technology in marketing and processing. The sources for change include; Farmers, Business groups and Women (KWFT).
- Nandi community values their culture just like any other community. The norms, values and believes are very strong. The practice of FGM is fading out and the community is embracing monogamy rather than polygamy. The supporting bodies towards this have been human rights bodies, government departments on gender issues, and religion.
- Strong Christianity and Islam are practiced in this region. The African Traditional Religious leaders are resistant to change and sometimes create conflict with other religions.
- Weak and corrupt provincial administration and police force pose a lot of insecurity in the area. The whole community supports change apart from some few individual in the administration.

## **12. Conclusion**

Conflicts in Nandi North and Keiyo (South and North) are multi-dimensional and cannot be understood in terms of one single factor as they result from a complex interaction and overlap of various conflict issues. This assessment mapped out the causes and consequences of violent conflict from the perspective of various thematic dimensions, including personal and community perspectives, political/governance, economic, social, as well as groups.

Like in most parts of Rift Valley that have experienced ethnic and politically oriented violence, pervasive and long standing factors and differences have become built into the policies, structures and culture of the residents of Nandi North and Keiyo and created the pre-conditions for violent conflict. Key factors include lack of political participation, lack of equal economic and social opportunities, inequity, unequal access to natural resources, poor governance, and the culture of violence and impunity.

The implementation spirit of LEAP II calls for the creation of a framework for a clear contextual understanding of the causes of violent conflict by the local community, which is to help base our program planning on a common framework of analysis that clearly identifies key elements of peacebuilding. In this sense, a strategy for all the eight program districts should be based upon a standardized methodology for program implementation, which will help understand and overcome the structures that lead to violent conflicts in the first place and promote a coherent and integrated response to emerging conflicts issues. In this regard, this assessment has helped LEAP II and members of the community understand the underlying causes and consequences of violent conflicts in the three districts, as well as the dynamics supporting or undermining peace efforts among different ethnic and political groupings. The results will help support a conflict sensitive approach to programming and build a common approach to peacebuilding trainings and community projects implementation in all the eight districts.

## Appendix A: Data Gathering tools

### WORKSHEET 1

### MAPPING NEED-BASED CONFLICT

Introduction:

- Identify the “satisfiers” for the needs in your selected community. Be aware of the gendered nature of the needs. Food, Shelter, Clothing, Work may be common to all societies. There may be changes in the other “satisfiers” based on the society.
- Discuss whether these “satisfiers” are adequately available to men, women and children.
- Discuss whether the means of access (whether limited or not) are available for all members of society including men and women, or controlled by a privileged few. The latter may be conflict generating.

NEED	SATISFIERS	AVAILABILITY	ACCESS & MEANS OF ACCESS	COMMENTS: Conflict generating or peace generating
Subsistence	Food, Shelter, Clothing, Work			
Protection	Insurance/health systems, savings, social security rights, rights of women, family, work			
Affection	Friendships, family, partnerships, relationships with nature			
Understanding	Literature, teachers, education and communication policies			
Participation	Rights, rights of women, responsibilities, duties, privileges.			
Creativity	Abilities, skills, leisure, expression method, work			
Identity	Symbols, language, religion, customs, reference groups, sexuality, gender, values, norms, historical memory, work			
Freedom	Equal rights, expression			

## WORKSHEET 2

## MAPPING POLITICAL CONFLICT

Instruction:

There are several political factors that generate conflicts. The exercise is to guide discussion around those factors. We identified Failed States, Lack of Regime Legitimacy, Poor Governance, and Competition between States as core factors behind political conflicts. These factors manifest themselves in the political, social, economic, and security realm of society.

Identify and list the political, social, economic, security manifestations of failed state, lack of regime legitimacy, poor governance, and interstate rivalry.

Manifestation	Failed State	No Regime Legitimacy	Poor Governance	Inter-State Rivalry
Political				
Social				
Economic				
Security				

Example:

Manifestation	Failed State	No Regime Legitimacy	Poor Governance	Inter-State Rivalry
Political	Collapsed institutions	Repression	Corruption	Border conflict
Social	Crime	Ethnic Cleavage	Nepotism	Inter-state prejudice
Economic	Unemployment	Unwillingness to pay tax	Inflation	Trade embargo
Security	Militias/rebels	Ethnic militias	Mutiny	Tight border security

*Note: There may be more than one manifestation in each category. Consider the role of gender. This is a sample to guide your discussion.*

WORKSHEET 3

MAPPING RELATIONAL CONFLICT
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Instruction:

- Identify the groups involved in the conflict you are monitoring
- What is the history of their relationship
- What is their geographical proximity to each other
- What resource(s) do they share?
- How is access to resource(s) controlled?
- Assess the level of prejudice between the groups. It is intense or socially acceptable? What has been the trend of prejudice intensification?
- What is the pattern of communication among the groups? Whose language is used?

Group	Proximity	History	Level of Prejudice	Trends in Prejudice Formation	Pattern of Communication

Example:

Group	Proximity	History	Level of Prejudice	Trends in Prejudice Formation	Pattern of Communication
Tutsi vs. Hutu	Live in the same country	Hostile historical relation	Highly intense. Groups dehumanize each other	Monarchy contributed to superiority and inferiority complexes, colonizers deepened prejudice through education, mutual violence also deepened prejudice and mutual hostility	Communication is characterized by fear. Same language

## WORKSHEET 4

## MAPPING TRANSFORMATIVE CONFLICT

Instruction:

Using the following checklist, discuss the role of change and structures in the conflict you are reviewing:

- Identify the political, economic, social, religious, and security structures of the society
- Are the structures effective for peace generation? If not, what is leading to their weakness?
- Which of the structures are under pressure for change?
- Is there resistance to change? Is it in policy structures, beliefs, values etc?
- Where is the pressure for change coming from? i.e. is the demanded change endogenous or exogenous?

Structures	Strong/Weak	Under Pressure for Change	Resistance to Change	Responsive to Change	Source for Change
Political					
Economic					
Social					
Religious					
Security					

Example:

Structures	Strong/Weak	Under Pressure for Change	Resistance to Change	Responsive to Change	Source for Change
Political	Legislative & Judiciary are weak	All political institutions	Executive	None	International Community; Civil society
Economic	Production	Economy is based on primary goods; needs to change and diversify	Public control of productive institutions	None	International Monetary Fund, Donor Community and Governments
Social	Beliefs & Values	Beliefs and customs	FGM practice	From polygamy to monogamy, from patriarchy to equality	New religions, Women's rights advocates
Religious	Traditional Religion, Islam, Christianity	All religions	Traditional religion and leaders	Christianity: Proliferation of churches	Poverty, injustice external agents of religion
Security	Police	Police	Senior officers	Junior officers	Public pressure