Kenya

The changing nature of local peacebuilding in Kenya's north-eastern borderlands

Aden Abdi and Jeremy Lind

Jeremy Lind is a Research Fellow at the Institute of Development Studies at Sussex University. A human geographer by training, his work explores the governance and politics of development in the Horn of Africa, with a particular focus on pastoralist contexts.

Aden Abdi is the Horn of Africa Programme Director at Conciliation Resources (CR). Prior to joining CR in August 2012, Aden worked with the UK Department for International Development (DFID) in Nairobi as a Senior Programme Officer, Somali Programme. Aden has lived and worked in northern Kenya.

Kenya's north-eastern borderlands, which neighbour Somalia to the east and Ethiopia to the north, have seen periods of shifting stability and violence since the country's independence in 1963. This reflects Kenya's difficult experience with post-colonial statebuilding and incorporation into the wider political economy of the Horn of Africa. Effective peacebuilding efforts in north-eastern Kenya in the 1990s and early 2000s, where the authority and legitimacy of state-led initiatives were limited, emphasised the significance of local, informal approaches and leadership. However, the scope of local peacebuilding has become restricted over recent years as decentralisation has elevated the importance of sub-national politics, and economic ties between the borderlands and the centre have also strengthened.

This article traces the evolution of conflict and peacebuilding in Kenya's north-eastern borderlands – from the post-independence period, when state security forces violently quashed an insurgency; to the early 2000s, by which time the state sought to accommodate local efforts to strengthen and promote peace; and up to today. It looks at the shift from localised tensions and competition between clans that were addressed through local customary structures, to conflicts involving increased transnational influence and elite competition for political and administrative positions and territorial control. Peacebuilding approaches in the region have had to adapt to overcome new challenges to governance and security and the changing political economy, linked to growing transnational influences and the establishment of new county governments.

Conflict and peacebuilding up to the early 2000s

Conflict and peacebuilding in Kenya's north-eastern borderlands – an area encompassing Mandera, Wajir and Garissa counties – are shaped by a long history of separation, marginalisation and insurgency. Under British colonial rule, the region was part of the expansive Northern Frontier District, which was governed under separate and more restrictive bureaucratic and security arrangements. While pre-independence consultations with residents of Mandera, Wajir and Garissa in 1963 yielded a preference for the mostly Somali-inhabited regions to join the Somali Republic, Britain instead decided to create a new North Eastern Province as part of an independent Kenya. As detailed by Whitaker (2015), local Somalis with the backing of the fledging Somali Republic government started the Shifta insurgency (1963–67), in which an estimated 4,000 people were killed. Negotiations between Kenya and Somalia led to a ceasefire in 1967, slowing the insurgency. However, the exclusion of the local leadership from negotiations, Kenya's suspicion of Somalia's future intentions in the region, and continuing local resentment sustained high levels of hostility, and isolated incidents of violence persisted.

> " **Post-colonial governments, like the colonial regime before it, used various strategies to establish a social order that effectively excluded Kenyan Somalis from full citizenship.** "

As a result, relations between the centre and borderland populations started on a contentious footing, and Kenya's bureaucratic state and military remained decidedly suspicious of ethnic Somalis. Post-colonial governments, like the colonial regime before it, used various strategies to establish a social order that effectively excluded Kenyan Somalis from full citizenship, including restrictions on their freedom of

Illustration (opposite): Key features in the Kenya–Somali border region, including population centres and movements.
© Jon Sack
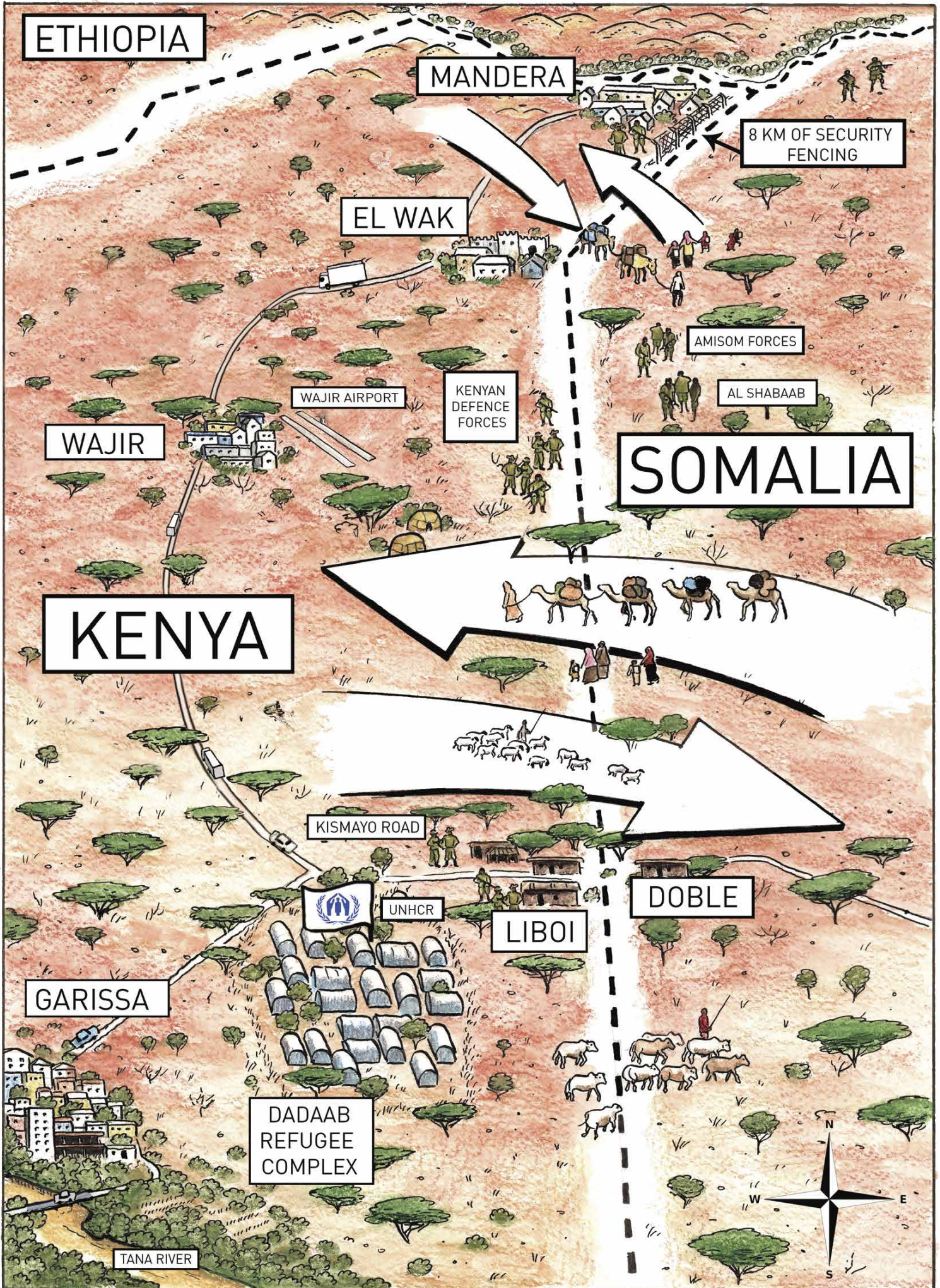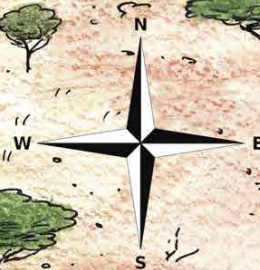
Map 1: Mandera, Wajir and Garissa Counties, northern Kenya bordering Somalia.

INDIAN OCEAN

Lamu

N

00km
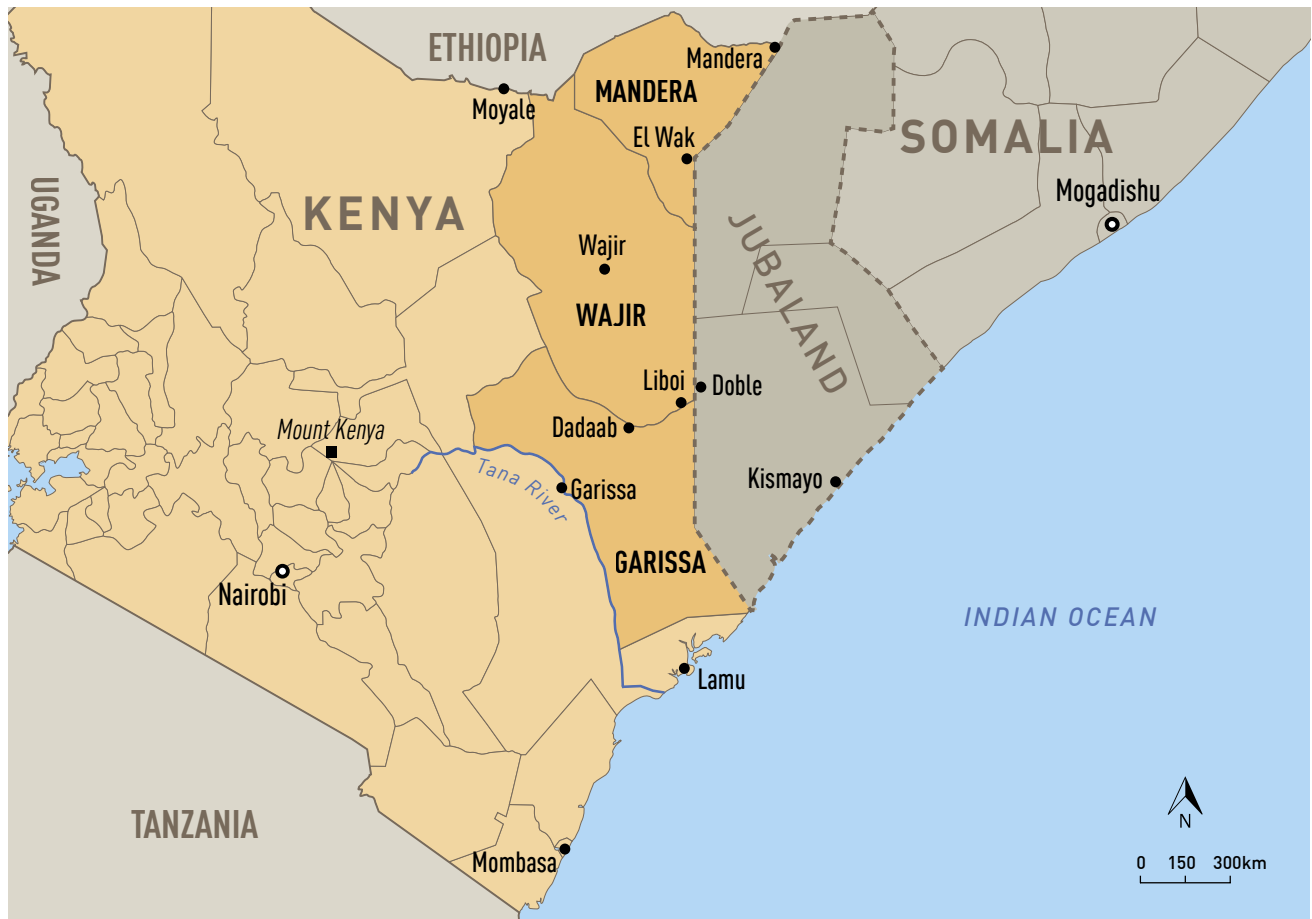
Map 2: Regional location of the border between Kenya and Somalia.

SUDAN

ERITREA

YEMEN

DJIBOUTI

0   300   600km

N

SOUTH SUDAN

ETHIOPIA

INDIAN OCEAN

DEM.
REP.
CONGO

UGANDA

KENYA

SOMALIA

Mogadishu

JUBALAND

Mount Kenya

Nairobi

RWANDA

BURUNDI

TANZANIA

movement, forced 'villagisation' (the resettlement of nomadic and scattered populations into concentrated villages), military coercion and collective punishment. Such state violence continued long after the *Shifta* conflict ended, including the 1984 Wagalla Massacre – a collective punishment operation that Anderson (2014) reports took the lives of up to 3,000 men from the Degodia clan. Restrictions on freedom of movement and special identity requirements for Kenyan Somalis were only lifted in 1997, although in practice Kenyan Somalis have remained prone to routine police harassment and coercive payment of bribes. Restrictions also impacted cross-border relations between populations. While some communities living closer to the border were able to maintain family connections and travel, such as for business, schooling and livestock grazing, movement was mostly regulated through formal border crossings.

Conflict in the Kenyan border regions in the 1990s involved communal tensions within and among Somali clans. Such conflict was localised and included competition over grazing and water access as well as clan boundaries. Open fighting was typically short-lived and involved few casualties, and was addressed through local structures and processes involving customary and clan authorities with backing from local administration officials. However, the collapse of central government in Somalia in 1991 and associated violence spilled over into north-eastern Kenya, in particular through the hardening of clan identities, the proliferation of arms and influx of refugees. Clan divides, which were a key mobilising factor in the Somali war but had previously not been a significant political factor for Kenyan Somalis, began to play out on the Kenyan side, in particular border towns. Violence erupted between clan groups, particularly over control of towns and trade routes. By this time, the state had retreated from its role in managing security, with security forces (who were not trusted by most of the local population) becoming indifferent to conflict events in the region. The absence of effective state responses emphasised the role of local peacebuilding efforts.

Dekha Ibrahim, the Wajir peacebuilding pioneer, reflected in a 2010 interview on the shifting nature of conflict in north-eastern Kenya as the region became more integrated in wider affairs:

> [T]he tensions were within the community and within Kenya. But over time they took on a regional dynamic. There were refugees streaming over the borders from Ethiopia and Somalia, as well as arms. We became keenly aware of the international dimensions of conflicts, including the Cold War. We could see signs everywhere around us. National and international politics played out in our community. Religious tensions were not at all obvious or pronounced in the early years, but they did emerge, within the Muslim community and beyond, as the broader world intruded more and more into our lives.

The advent of multi-party democracy in Kenya and the collapse of Somalia's central government in the 1990s opened up space for community mobilisation and leadership. Kenya's political and security leaders were no longer threatened by the possibility of covert Somali government support to resistance

in Kenya's north-eastern borderlands. Clan elders and Somali customary law (*Xeer*) provided ready leadership and mechanisms to resolve conflicts and encourage peace.

The perceived partiality of (male) elders towards their own clan interests led to a notable development in local peacebuilding efforts – the emergence of women as key interlocutors and mobilisers for peace. In 1993 a group of local women in Wajir led by Ibrahim began to identify ways to respond to worsening conflict. Initially they reached out to religious leaders and clan elders, and by doing so began to develop cross-clan support. Over time their efforts grew into the Wajir Peace and Development Committee (WPDC), formed in 1995. Critically, the Committee's efforts gained traction due to the strong leadership from women and their efforts to engage different local stakeholder communities, including civic leaders and administrative and security officials. International NGOs and relief organisations, which had a large presence in the region in response to the refugee influx from Somalia and chronic food insecurity, lent financial and other material support to the Committee. According to Menkhaus (2008), the WPDC was 'unquestionably instrumental in the remarkable turnaround of Wajir district from one of the most anarchic to one of the more stable border zones of Kenya'. In 2010 Interpol called Garissa town the safest city in East and Central Africa.

> **Relations between the centre and borderland populations started on a contentious footing, and Kenya's bureaucratic state and military remained decidedly suspicious of ethnic Somalis.**

Seeing how effective the Committee was, the national government supported the expansion of the model to neighbouring administrative districts. This 'hybrid governance' involved the state ceding some of its core functions, such as maintaining peace and security, to various local non-state and informal stakeholders including clan elders, businesspeople, women, youth, and locally based state and security officials. Many donors supported the government's efforts, echoing global peacebuilding trends in the early 2000s that emphasised the role of non-state actors, particularly community groups and civil society. Ibrahim and the other women who started the WPDC became celebrated peacebuilding advocates, travelling the world to share their stories.

Shifts in political economy since the early 2000s

The early 2000s saw changes in the political economy of the region that significantly shifted the nature of conflicts. The end of emergency rule in 1991 allowed Kenyan Somali traders – using their clan, business and religious connections in Somalia and Gulf Arab states – to move goods into and through Kenyan markets, and on to markets in Uganda and the Great Lakes region. Border regions and northern Kenya more widely were viewed as rich with resources and new markets to help secure

the country's economic growth. No longer dismissed as an inconsequential borderland, national business and political elites now sought to establish links in the borderland region for investment, trade and political power. This was a marked reversal from the region's marginalised past and its exclusion from wider development planning and investment.

Economic change also hastened pastoralist 'sedentarisation'. For example, the drilling of boreholes in the 1980s and 1990s encouraged both settlement and competition. By wresting control of water points, clans created new permanent settlements and asserted territorial claims and pressure for political recognition. Small and medium-sized towns throughout the region experienced exceptional growth, especially after 1991 once the state of emergency was lifted and refugees arrived from Somalia.

From 2003, the Kenya state began to support new social infrastructure like schools and clinics as well as administrative offices through Constituency Development Funds (CDFs), contributing further to town growth. In recent years, Garissa has become the country's fastest-growing city, while Dadaab, home to the world's largest refugee camp, now ranks as Kenya's third largest city. As sedentarisation accelerated and towns expanded, demands for the supply of goods heightened. The volume of transport services increased as goods and people moved between growing centres in the region like Wajir, Mandera, Garissa and Isiolo, as well as between these towns and larger cities like Nairobi and Mombasa. This increasing connectivity between the centre and borderlands, and within the borderlands, signified north-eastern Kenya's growing encapsulation into wider Kenyan political and economic life.

> " **In recent years, Garissa has become the country's fastest-growing city, while Dadaab, home to the world's largest refugee camp, now ranks as Kenya's third largest city.** "

Livestock marketing and trade, the backbone of local livelihoods and economic life, continued to flourish despite recurring drought and the Somali war, increasing demand for transport links. Much of this trade was cross-border into Somalia, with elites such as wealthy businesspeople, large livestock owners and clan leaders making use of differentiated conditions on either side of the border. Insecurity and lack of poor governance in Somalia meant an absence of enforced taxation rules and unregulated access to ports. The proximity of centres in the north-eastern borderlands between Nairobi and Kenya's central highlands, and Kismayo port in Somalia, made them a ready market for transiting goods. A key example is the growth of the Garissa livestock market in the region since the 1990s, now one the largest such markets in the Horn of Africa.

The borderlands economy has changed with the growth of towns, multiplying transport connections, accessible and unregulated sea ports in southern Somalia, and expanding transnational flows of goods. The improving position of Kenyan Somali business elites, and refugee elites that control trade routes from Somalia to Dadaab refugee camp, has also generated increasing flows of investment into Kenya's northern borderlands, in areas such as property, agriculture, haulage and financial services, as well as illicit trade in goods such as charcoal and sugar. Nonetheless, human development indicators remain largely very poor. According to the World Bank, the average poverty rate in north and north-eastern Kenya is 68 per cent (compared to 38 per cent nationally), primary school attendance is 55 per cent (82 per cent nationally), women's literacy is 41 per cent (89 per cent nationally), and access to safe water 57 per cent (72 per cent nationally).

The impact of devolution

Political developments have also been a key factor in changing dynamics: Kenya's 2010 constitution paved the way for devolution and the creation of new county governments that receive the equivalent of 15 per cent of national revenue. While many in north-eastern Kenya celebrate devolution as a form of 'home rule' signifying the region's greater autonomy from the centre, in practice it is one of the most ambitious efforts to expand state power into the borderlands.

Devolution has also brought new forms of conflict, including shifts in inter-clan rivalries. The greater integration of the borderlands with political and economic processes in Kenya and transnationally has led local elites to seek to control both territory and political-administrative positions in order to assert and consolidate power. The creation of Wajir, Garissa and Mandera counties in 2013 sharpened the trend of rising clan-based competition to control sub-national political offices. Positions in county governments carry with them the power to decide the distribution of public resources for development but also the ability to wield influence over institutions that allocate contracts and tenders, jobs and scholarships.

As a result, fragmentation at sub-national level along clan and sub-clan fault-lines, already evident since the early 1990s, has increased. Clan identities have increasingly become crucial markers in conflict dynamics as a way to stake and contest claims to resources, including rangelands, water points, irrigable land and political positions. Local clan leaders and elders, and the use of *Xeer,* have become less prominent in resolving localised conflicts, which more easily spread into higher-level conflict dynamics.

Al Shabaab's influence has also increased. The Somalia-based militant group has waged an intensifying campaign of attacks in Kenya since 2008. By 2015, Lind (2018) reports, it was implicated in nearly 40 per cent of all conflict events in northern Kenya, concentrated in Mandera, Wajir and Garissa counties. Al Shabaab propaganda refers to Somali-inhabited areas of Kenya as 'colonised territories', drawing on long-standing local grievances against the Kenyan state and the sense of marginalisation among borderlands populations that fuelled the earlier *Shifta* conflict. State security responses included extrajudicial killings, a crackdown on refugees,

amendments to security laws and police swoops on certain communities. As in earlier times, these were felt as a form of collective punishment, reconstituting the wedge between Kenyan Somalis and the state while doing little to curb the threat of Al Shabaab attacks.

> **"Along the Kenya–Somalia border, cross-border peace committees – adapted from the original Kenyan WPDC committee model – developed in the 2000s with membership drawn from both sides of the border."**

Peacebuilding today

Changes in clan conflict dynamics and the impact of Al Shabaab operations emphasised the need for effective peacebuilding work. However, the influence of peace committee structures that evolved in the late 1990s began to decline in the 2000s. In essence, the local peace committees became victims of their own success. The formalisation of peace as part of a national peace accord following post-election violence in 2007–08 introduced regular allowances,

elected positions, and links to formal governance and security structures. These incentives opened up the peace committees to capture and manipulation by political elites.

Instead, other structures and processes began to address peace needs in the region, including religious leaders but increasingly also politicians and local business elites. The previous peacebuilding achievements of the WPDC stemmed from its diverse membership that transcended narrow clan interests and its ability to cultivate relations between local communities and the Kenyan state. The loss of pioneer local peacebuilders such as Dekha Ibrahim through death and old age undermined local peacebuilders' capacity and institutional relations at a time when new and innovative approaches and skills were needed. In Garissa and Mandera, religious leaders, seen as impartial and above parochial clan interests, formed mediation councils and have played an important role in resolving some clan conflicts where clan elders and peace committees could not succeed. Yet the ability of religious leaders to mediate Al Shabaab-related conflicts appears to be minimal in the borderlands, and clan identity has remained influential in mediating cross-border Al Shabaab-related violence.

Along the Kenya–Somalia border, cross-border peace committees – adapted from the original Kenyan WPDC committee model – developed in the 2000s with membership drawn from both sides of the border. They grew organically, responding to the need to address cross-border conflict and criminality. Connecting through clan networks with civil

society, women's groups and clan elders, they have been effective in negotiating with non-state armed actors in Somalia to secure the return of carjacked vehicles and hostages, and ensure the safety of children crossing the border to go to school. However, the Kenyan military intervention into Somalia in 2011 and the return of key border towns to Somali federal and Jubaland regional government forces in 2012 has diminished their role. Collaborative operations between national authorities, while contributing comparatively little to mediating cross-border tensions, in particular with non-state armed actors with which they lack credibility, have secured funding and formal recognition, casting a shadow over the committees' efforts.

An added challenge for peace committees is that their composition, skill sets and approaches are best suited for dealing with localised conflicts. They not well equipped to deal with high-stake political conflicts involving county governments or parliamentary politics, which characterise conflicts in the region from 2010 onwards. Correspondingly, peacebuilding has shifted away from bottom-up efforts to negotiations between elites and power-sharing arrangements. This included a new category of clan 'elders', often retired civil servants, teachers, businesspeople and members of the diaspora, who had strong links to local political elites and an astute understanding of state structures, political bargaining and deal-making.

The Garre Council of Elders (GCoE) in Mandera is the most well-known example of these emerging structures. Formed in 2010 after the Garre clan lost the Mandera Central parliamentary seat to the rival Degodia clan, it managed to unite the many disparate Garre sub-clans behind an agreed slate of candidates in the build-up to the 2013 elections. These candidates went on to sweep all the contested seats. As well as uniting the Garre sub-clans, the GCoE was effective in horse-trading political seats with other clans and negotiating with Kenyan national elites for cabinet posts and nominated MPs. The GCoE also put in place mechanisms for wider consultation with local community members, including receiving public petitions and submissions from local communities and diaspora clan members on the intra-Garre power-sharing arrangements. However, the success of the GCoE was short-lived, as political infighting and disagreement between the GCoE and incumbent politicians led to its fragmentation and loss of influence in 2017 elections.

Other clans and sub-clans are adopting the GCoE model with equally successful electoral results. But the peacebuilding impact of these new structures is mixed. For example, while the GCoE's power-sharing arrangement put a stop to conflict between Garre and Murule clans in central Mandera, it has fanned conflict between Garre and Degodia clans in Mandera North by excluding Degodia from the resulting power-sharing arrangement. The aims of these new structures are based on narrow clan and political interests. They are also exclusive of women or minority clans, unlike the peace committees which gave voice to a range of different social groups including youth, women and elders. The GCoE has also drawn resentment from marginalised clans: for example, members of the Degodia clan accuse it of pursuing an expansionist and exclusionist political agenda in its power-sharing arrangement by denying them and other clans political representation in Mandera.

Conclusion

Conflict and peace in Kenya's north-eastern borderlands have changed alongside the wider politics and political economy of the region. Conflict now often involves competition for political and administrative positions that provide access to public resources and decisions around how these should be allocated, as well as opportunities for contracts, tenders and other economic benefits. Violence is also characterised by non-state actors and transnational influences.

> ❝ **Less than ten years since devolution was introduced in Kenya, hopes that it would encourage more responsive and accountable governance at the sub-national level have yet to be fulfilled.** ❞

Less than ten years since devolution was introduced in Kenya, hopes that it would encourage more responsive and accountable governance at the sub-national level have yet to be fulfilled. The so-called 'local' turn in peacebuilding that saw the formalisation and subsequent co-option of peace committees needs to be rethought. The move away from peacebuilding processes led by community-based leaders and structures to elite negotiations has in some places addressed the threat of immediate violence by temporarily securing certain political and economic elite interests. But in general it has failed to fundamentally alter the existing drivers of conflict over the longer term, and the wealth and influence of elites have not trickled down to many poor Kenyan Somalis. Rather, the immediate impact has been to open up a whole new field of jostling for political supremacy.

Durable peace in northern Kenya requires multiple, sustained and complementary efforts at the national, regional and local levels. This requires alignment of existing national and county-level peace infrastructure, institutional frameworks and initiatives. There is also a need for better and effective coordination between the national and county peace architectures and existing regional peacebuilding initiatives such as the IGAD's Conflict and Early Warning and Response Network (CEWARN). In addition, increasing state-to-state relations and collaboration on cross-border threats such as Al Shabaab should be complemented by support to cross-border community peacebuilding initiatives and structures rooted in the shared clan, business and family links in the Kenya–Somalia border. Concrete steps are urgently required to operationalise the agreement by the Presidents of Kenya and Somalia in 2017 to re-open the Kenya–Somalia border to facilitate legitimate cross-border activities such as family visits, trade and livestock grazing. This will strengthen inter-state and inter-community relations, increase revenues from legitimate trade – currently undermined by illegal trade and smuggling – to spur local economic development, and more importantly foster a sense of ownership and inclusion among local communities – a key factor for sustainable peace and security in the borderlands of northern Kenya.

Political conflicts related to devolution are not unique to Kenya; they are also a problem in Ethiopia and Somalia. A regional approach to dealing with political conflicts and especially those related to devolution is long overdue. At the local level, government responses need to go beyond the security-centric policies of the past. They should work with the local clans and peace structures to come up with durable solutions to underlying causes of the conflict, including providing political, technical and institutional support. Local communities and local leaders in north-eastern Kenya have an important role to play in maximising the opportunities offered by devolution to address poverty and persistent conflicts in the region. This requires more inclusive county governance structures that reflect the diversity of the population. Community and civil society capacity to hold county leaders accountable for their decisions needs to be strengthened by the national government and development partners. This could go a long way towards fostering alternative, multi-clan and non-violent avenues for advancing peace and security.