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RESEARCH ARTICLE

AN ASSESSMENT OF THE APPROACHES EMPLOYED IN THE MANAGEMENT OF CONFLICTS: A CASE OF TANA RIVER COUNTY, KENYA

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ABSTRACT

This article sought to assess the effectiveness of the approaches employed by the various actors in the management of conflicts with a focus on Tana River County in Kenya. The conflict in Tana River has escalated to unparalleled armed violence with loss of life and property. Various actors have employed diverse approaches in response to the conflict and to build peace. However, in spite of these efforts the region has experienced periodic relapses into violence. The government of Kenya has utilized hard power mechanisms while Non-Governmental organizations and the civil society have employed various conflict management and reconciliation approaches. Unfortunately, the conflict has persisted and turned into a devastating situation that has claimed the lives of innocent people as well as property in the region. The article proved that the approaches employed in the management of the Tana River conflict did not incorporate a comprehensive analysis of the conflict vis-à-vis structural, proximate and trigger causes of the conflict in order to understand the context of the conflict and to determine the appropriate responses to be employed in the management of the conflict. In addition, the article found that the entire peace building process lacked clear coordination in terms of programming, funding and the deployment of human resources. Moreover, there is need to integrate a comprehensive analysis of the conflict vis-à-vis structural, proximate and trigger causes of the conflict in order to understand the structural context conflict and to inform any responses to the conflict in Tana River. There is also need to incorporate a multi-sectoral and multi-agency response to the conflict so as to respond to the opportunities for violence such as chronic poverty and unemployment among the youth. Qualitative research approach was adopted in this article to achieve at these assertions.

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INTRODUCTION

The post-Cold War era has witnessed an escalation of intrastate conflicts that were in the past subsumed under the East-West ideological divide (Rwantabagu, 2002; Yilmaz, 2007; Bosetti and Einsiedela, 2015; Pettersson and Wallesteen, 2015). In 2014 the Uppsala Conflict Data Program (UCDP) recorded 40 minor civil wars (those resulting in 25 to 999 battle-related deaths in one year) compared to 34 minor civil wars in 2013. In addition, major civil wars (those resulting in 1000 or more battle deaths) rose from four in 2007 to eleven in 2014 (Bosetti and Einsiedela, 2015; Pettersson and Wallesteen, 2015). However, despite the upward trend of intrastate conflicts the figure remains relatively low compared the peak year of 1991 when 51 active conflicts were recorded (Pettersson and Wallenstein, 2015). The upward trend in intrastate conflicts varies from region to region.

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For example, while Europe and the Americas experienced a reduction of intrastate conflicts in the 2000s, intra-state conflicts doubled in sub-Saharan Africa from 6 in 2005 to 12 in 2013 while Asia had the highest concentration of armed conflicts with a total of 13 intra-state conflicts (Bosetti and Einsiedela, 2015). The global burden of armed conflicts is enormous. The Geneva Declaration Secretariat estimates that at least 526,000 people die each year as a direct result of armed violence and hundreds of thousands of people die of non-violent causes directly resulting from armed violence (Danish Demining Group (DDG), 2013). In addition, intrastate conflicts pose a serious threat to economic development particularly in developing countries where countries spend an average of 10-15 per cent of their GDP on law enforcement (World Bank, 2018). Conflicts undermine governance, destroy livelihoods and social and human capital and feed cycles of violence, poverty and social-political exclusion (Paris, 1997; Stockholm International Peace Research Institute (SIPRI), 2002). Armed conflicts have been recognized as one of the big obstacles that could impede the realization of the Sustainable Development Goals (SDGs) by 2030 (World Bank, 2018). In

sub-Saharan Africa violent conflicts have claimed millions of lives, displaced many more and have left a trail of human suffering including protracted humanitarian need, a traumatized generation of children and young adults, broken bonds of trust among and across local communities and sabotaged socioeconomic development in the continent (Bowd and Chikwanha (eds.), 2010; Williams, 2011; Chingono, 2015). Consequently, countries that have been embroiled in violent conflict in sub-Saharan Africa are characterized by abject poverty, inadequate service provision, political instability, retarded economic growth and other challenges to overall development that deter the enhancement of human security in the region (Bowd and Chikwanha (eds.), 2010). The Horn of Africa (HOA) sub-region is one of the most conflict-ravaged areas on the continent with conflicts involving various factors such as governments, nationalist groups, religious groups, and community or identity groups sometimes with significant backing from external forces (Bereketeab (ed.), 2013; Mengistu, 2015). A defining characteristic of the sub-regions (East Africa, the Horn of Africa and the Great Lakes) is that they have experienced widespread resource contestations with oil causing protracted conflict in Sudan, colt an and other precious metals being contested in the DRC, and cattle rustling causing problems in the Horn that affect pastoralists communities in Kenya, Uganda, Ethiopia and Sudan (Mwanika, 2010a).

In East Africa the fight for access, use, and management of natural resources have resulted in the most violent conflicts amongst communities and even resulted in tension between states, often resulting in loss of human and animal lives as well as property (Mugua, 2014). Most of the natural resource conflicts arise out of weak governance structures as well as perceptions of injustice and socio-economic marginalization so that when a group feels their needs are deprived they will not feel motivated to promote the ideals and objectives of the larger community; instead they will resist (Anyanwu, 2009). In Kenya, politics and perceptions of injustice in the distribution and access to land have been blamed for land clashes (Ludeki, 2002; Oucho, 2009). Muigua (2016) attributes the land clashes that occurred in Kenya in 1992 and 1997 to inequitable allocation of land resources and poor government policies with programmes perceived as favouring certain communities at the expense of others. The tragedy of the Kenyan situation is aptly captured by Lindenmayer and Kaye in relation to the 2007/2008 post-election violence:

The violence must be understood within the historical framework of exclusion and marginalization that has permeated political life in Kenya, both during and since colonial times. The elections were a catalyst for an explosion of discontent and resentment due to the politics of dispossession which have left the majority of the youth unemployed, 60 percent of the population living on less than \$1 a day, and the majority of the country's most fertile land in the hands of the families of the political and business elite (Lindenmayer and Kaye, 2009). Armed violence and eventual community insecurity have had devastating impact on development and have threatened the achievement of Kenya's vision 2030 development targets (Cilliers, Hughes and Moyer, 2015). In its annual analysis of the global conflict events the Heidelberg Institute for International Conflict Research demonstrates that armed violence negatively influences development, peace and good governance, and has often created a climate of impunity, corruption and has undermined

public and private institutions (conflict barometer, 2008). Accordingly, a study conducted under the aegis of African Futures by the Institute for Security Studies (ISS) and University of Denver's International Futures project emphasizes that there is a correlation between negative development, armed violence, poor governance and inconsistent service delivery in Kenya (Cilliers, Hughes and Moyer, 2015). The Tana River conflict stands out in the whole political-security situation of Kenya. First of all, unlike other conflicts elsewhere in Kenya, the Tana River conflict has the potential of becoming internationalized due to the region's closeness to Somalia with its effects of cross-border flows of firearms and terrorist activities; hence it can jeopardize regional peace and security (Kagwanja, 2003). Moreover, the conflict requires an urgent and efficient response because while traditionally the weapons of choice were traditional clubs, spears, arrows and bows, the increasing presence of small arms and light weapons in the region have intensified and complicated the conflict with each episode of conflict claiming more lives. (Kenya National Commission on Human Rights (KNCHR), 2012; East Africa Wildlife Society (EAWA), 2012; Kagwanja, 2003; Mbugua 2013; Wasara, 2002). The government of Kenya has responded to the various waves of violence by use of hard power mechanisms (Mbugua, 2013). However, the use of hard power mechanisms by the state since 2005 has not resolved the conflict because the region experienced a relapse of violence in 2012/2013 (Musembi, 2017). In addition, other actors such Non-Governmental Organizations (NGOs) and the civil society have employed various conflict management and reconciliation approaches to respond to the violence (Musembi, 2017). However, in spite of the various efforts the region has continued to experience intermittent relapses of violence; hence the need to assess the effectiveness of the approaches used to manage the conflict and to build peace in the region (Musembi, 2017). Therefore, the object of this article was to assess the effectiveness of the various approaches employed in relation to conflict management and peace building in Tana River County in Kenya. The article seeks to answer the question: Why have the approaches employed in the management of conflict and peace building in Tana River failed to resolve the conflict and to prevent its reoccurrence? This means that the article seeks to assess the approaches that have been used in the efforts of resolving the Tana River conflict. It also aims to explore factors that led to the methods used fail to prevent a relapse into violence and to produce sustainable peace in the region. In order to achieve the aim, the article is structured into four main sections. Section one presented an introduction and background of the study. Section two discusses the nature and dynamics conflicts of the conflict in Tana River County. Section three presents a critical evaluation of the various approaches employed in the management of the conflict, while section four consists of conclusion and offers practical recommendations for policy makers and future studies.

The nature and dynamics of the conflict in Tana River County

The various studies that informed response to the conflict in Tana River have been simplistic in nature (Cuppen, 2013; Kirchner, 2013). The available literature on the conflict in Tana River is skewed towards analysis of the conflict in relation to its causes and impact and even then such studies have been conducted by human rights groups and humanitarian

organizations while others have been conducted by students for various degree certifications (Cuppen, 2013; Kagwanja, 2003; Kirchner, 2013; Mbugua 2013; Nyamongo and Mwenza, 2006). According to the findings from the field the Tana River conflict can be described as a complex, non-linear, inter-communal conflict with multi-causal links as well as local, national and international ramifications; hence it cannot be reduced to a single cause (Musembi, 2017). On the surface, the conflict expresses itself in the form of competition over scarce resources motivated by local politics and ethnicity; however, such a simplistic evaluation of the conflict hides deeper structural and proximate causes that must be tackled in order for the region to have sustainable peace (Musembi, 2017). The study classified the causes of conflict into three categories namely, 1) causes (those persistent factors that have become built into the policies, structures and the fabric of a society and that may create the pre-conditions for violent conflict), 2) proximate causes (those factors contributing to a climate conducive to violent conflict or its further escalation) and, 3) trigger factors (the single key acts, events, or their anticipation that trigger violence) (Goodhand, Vaux and Walker, 2002).

The leading causes of the conflict were competition over scarce resources such as land, water and pasture; perceptions of socioeconomic marginalization, unresolved historical injustices and unhealed trauma. However, a deeper analysis of the literature revealed that competition over scarce resources was symptomatic of a deeper structural factor, which is land ownership. The region has lagged behind in land adjudication and the peoples competing lifestyles and means of livelihoods have been used as an excuse to deny the indigenous people land ownership documents. This remains a thorny issue and time bomb (Musembi, 2017). Moreover, the work of early missionaries and successive governments has concentrated on the area inhabited by the Pokomo at the neglect of the Oromainhabited regions; hence perpetuating perceptions of socioeconomic marginalization (Ruto, Ongweny and Mugo, 2009). The unequal distribution of public resources was articulated by a youth participant in a focus group discussion, who identified himself as Oroma and lamented saying, Most of the amenities are located in Ngao village. The *Pokomo* who have been leaders for a long time have been selfish, very selfish. All public facilities are located in their location. But we have demanded our own hospital. We have told the current governor that even if he doesn't achieve anything else for us, we need our hospital; located in our own village. We will never take our sick people to that Ngao hospital. Ngao hospital reminds us of death. This is where our people were slaughtered. This is where a pregnant *Oroma* mother escaping the massacre of *Oroma* patients in Ngao hospital in 1980 was hacked, her womb split open and her unborn baby thrown into the river (Musembi, 2017). In addition, an examination of the sociodemographic variables established that population of Tana River is youthful with more than half of the respondents falling between 40 years and below. Therefore, the approaches employed in the management of the conflict were assessed vis-à-vis their response to the peculiar issues of the youth. In particular, the study established poverty and unemployment among the youth as proximate causes of the conflict in Tana River County where more than half of the respondents were unemployed with a majority of the unemployed being youth. Other proximate causes of the conflict identified included lack of trust and suspicion among the Pokomo and Oroma; lack of regard for elders and the uncensored use of social media among the youth (Musembi, 2017).

Regarding the trigger causes, a majority of the respondents were of the opinion that the conflict was caused by local politics in the region which assume a tribal angle fuelled by the local political entrepreneurs. The intense political competition was alluded to by a key informant who stated that:

The motives of the December 2012 killings in Kipao were more political than a criminal activity. The attack happened at 5:30am when people were asleep. Which cows had entered farms at 5.30am when people were asleep?" This was a planned attack which was well coordinated. The killers were hired and paid. In the process of repulsing the attackers some of the youth were killed. You will be surprised to know that Kenya shillings five thousand was found in the pockets of each of the slain youths. The boys were paid at the night of the attack and were either kept somewhere in readiness for the dawn attack. I see the hand of politicians in this attack (Musembi, 2017). Another significant dynamic established about the conflict was the role and intricate web of relationships between and among the various factors involved in the management of the conflict including local political elites, the state and its agencies, NGOs, the private sector and international organizations and groups such as environmentalists, the World Bank and the IMF (Kagwanja, 2003; Krijtenburg and Evers, 2014). These actors pursued their own objectives which at times exacerbated. For example, the large scale agricultural projects by the World Bank in the 1980s and the 1990s World Bank biodiversity projects (Kagwanja, 2003). These projects exposed the farmers and their families to abject poverty and increased their vulnerability to drought and famine as well as diminishing grazing land for the pastoralists; hence creating a rift between the Pokomo and their wildlife as well as the farmers and pastoralists (Kagwanja, 2003; Stephanie, 2013; Krijtenburg and Evers, 2014).

Evaluation of the approaches employed in the management of the conflict in Tanariver County

Hard power Approach: A study conducted by Musembi (2017) has identified the various approaches employed in the management of the conflict including, use of force by the state; the "*Gassa*" council of elders; alternative dispute resolution and different conflict resolution and transformation strategies. The use of hard power mechanisms was found to jeopardise and complicate the process of peace building by alienating the state from the local community (Musembi, 2017). Particularly, the study established that the use of force by the state alienated the local community and denied them ownership of the conflict management process; it bred more hostility and ignored the role played by the traditional institutions of governance such as the elders and the civil society in spite of their experience in the area and rapport with the community members (Musembi, 2017). Moreover, the use of force lacks empathy; and is driven by the military or police who do not necessarily have the competence in community dynamics; hence, a majority of the respondents felt that the use of force by the state was not successful in the management of the conflict in Tana River (Musembi, 2017).

Use of Local elders: In addition, Musembi (2017) found that other methods employed in the management of the conflict such as the use of elders exemplified the weaknesses inherent in settlement practices which are power-based, and tend to entrench positions of the conflicting parties; hence they had the

potential to prolong the conflict. He further found out that the institution of elders was threatened by the increased learning among the youth particularly among the Pokomo and was also largely infiltrated by the local politicians who manipulated the institution for political advantage; hence, the institution of elders was ineffective in managing the conflict (Musembi, 2017). In his findings, Musembi argues that there was inadequate capacity among the grassroots communities to respond to conflicts within their neighbourhoods (Musembi, 2017). This is because a majority of the respondents had never been trained on conflict resolution; hence they felt inadequately prepared to manage conflicts within their neighbourhood. In particular, the presence of inadequate capacity among the grassroots communities to respond to the invisible effects of violence such as psychological trauma was demonstrated by the lack of training opportunities for the local communities on trauma awareness and healing (Musembi, 2017). This means that communities were not trained and exposed to trauma healing, and yet they have a tremendous role in resolving intercommunal conflicts. Merwe and Vienings argued that trauma healing is a conflict resolution approach that leads to sustainable peace. Trauma healing focuses on entrenching trauma awareness among conflicting communities to be more open to social reconciliation (Merwe and Vienings, 2001). This means the efforts of managing the conflict in Tana River lacked trauma healing reason why the Tana River conflict keeps recurring because an unhealed trauma can result into a potential driver of violent conflicts.

The NGO empowerment Model: Musembi (2017) further argued that that the empowerment model that was adopted by NGOs to amongst the grassroots communities involved taking them for conferences in big towns or isolating a few opinion leaders for training. However, there was little impact of such training to show on the ground. The grassroots communities lacked knowledge and skills about the appropriate conflict management activities vis-à-vis the conflict cycle. One can argue that the grassroots communities demonstrated wrong prioritization of peace building activities, an indication that their peace building initiatives and activities were not informed by a proper comprehension of the different phases of conflict vis-à-vis pre-conflict phase, conflict emergence and escalation, or post-conflict reconstruction phase. As a result, the inter-ethnic relationships remain unhealed and that conflict management programmes did not pursue a long-term perspective (Musembi, 2017). This can be associated with the most peace building initiatives which were contingent to donor support and funding and were short-term event based initiatives such as three-day games and marathons which have little lasting impact (Musembi, 2017).

Conclusion

It is obvious that all the approaches that were employed to resolve the Tana River conflict did not bear and positive results in terms of dealing with the conflict from its root causes. The article found that the process of scaling up transformation from the individual level to the community level is largely ill advised. Resolving a protracted conflict requires the application of an approach that involves all the stakeholders and local communities to work together with a common aim of achieving sustainable peace. For example, religious and community leaders are more preferred as agents of transformation in Tana River County as opposed to elected political leaders. Moreover, the article proved that the

approaches employed in the management of the Tana River conflict did not incorporate a comprehensive analysis of the conflict vis-à-vis structural, proximate and trigger causes of the conflict in order to understand the context of the conflict and to inform the responses to be employed in the management of the conflict. As a result, the approaches employed in the management of the conflict focused heavily on changing people's attitudes, behaviour and relationships but failed to address the root causes and the opportunities for violence. This made them respond to the symptoms and superficial issues in the conflict and forgot to address the deep structural and proximate causes of the conflict such as land, historical injustices, socioeconomic marginalization, and the deep seated trauma and chronic poverty and unemployment among the youth. The article also found out that entire peace building process lacked clear coordination in terms of programming, funding and the deployment of human resources. There is need for the government of Kenya to understand that rapid and cost-effective delivery of goods and services at the community level is very crucial. This is because literature has shown that violence feeds on the poverty. Hence, enabling people have a stable source income is critical in the process of resolving the Tana River conflict. There is also a need to promote community participation approach to local governance and service delivery simultaneously. This must be seconded by the need to rebuild or strengthen social capital and foster peaceful, representative, and inclusive forms of planning and decision making at the local level in the Tana River region. There is also a need incorporate structural analysis that helps diagnose the conflict to understand the proximate and triggers, and root causes of the Tana River conflict. There is also a need for approaching the conflict with a multi-sectoral and multi-agency with a view to responding to the opportunities for violence such as the chronic poverty and unemployment among the youth. Accordingly, there is need to develop the informal sector to absorb these youth in gainful employment. Moreover, there is need to mount training programmes for the youth to gain skills to run small-scale businesses.

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