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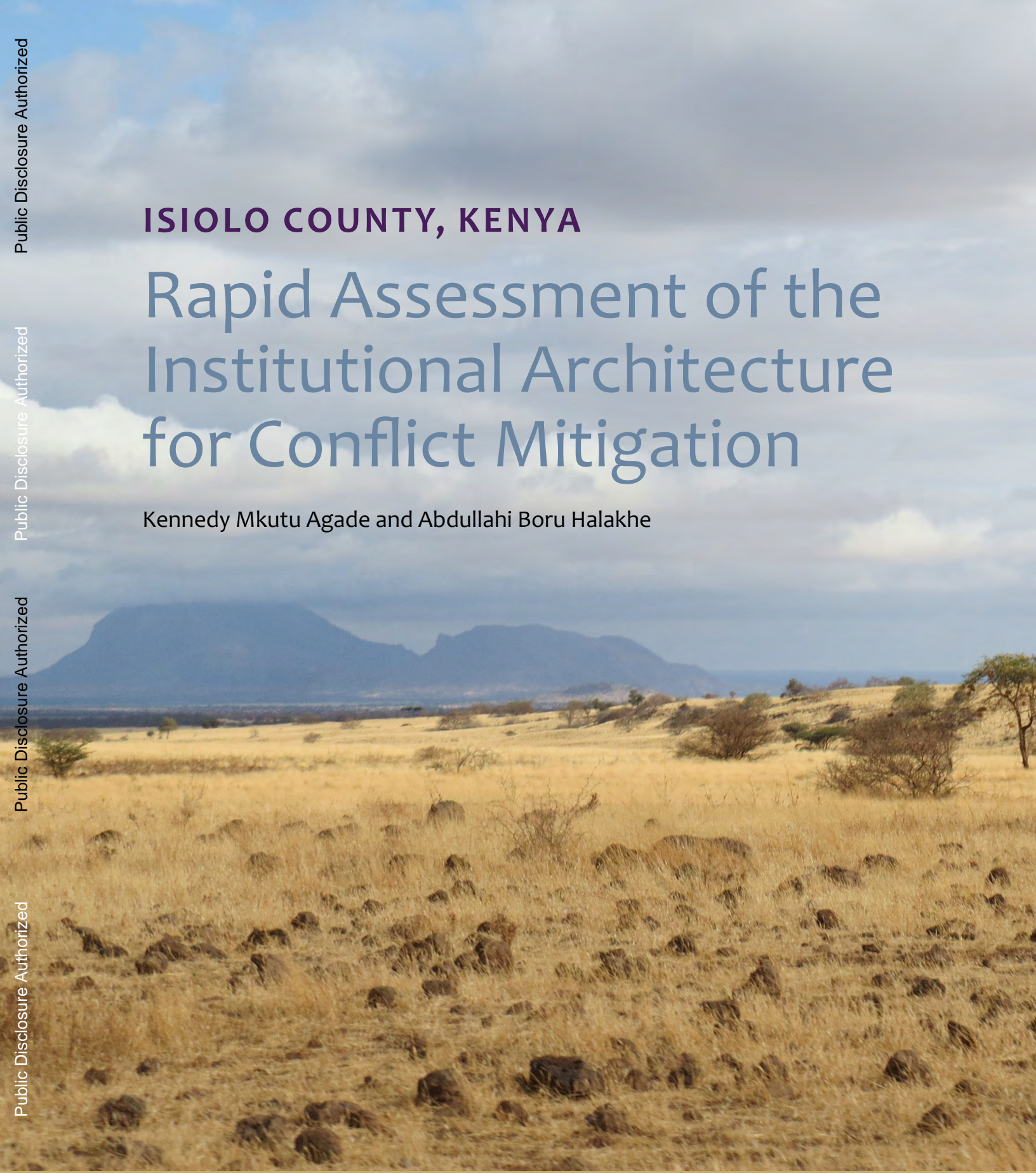
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ISIOLO COUNTY, KENYA

Rapid Assessment of the Institutional Architecture for Conflict Mitigation

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Acronyms

ACLED	Armed Conflict Location and Event Data Project
CCCF	County Climate Change Fund
CIDP	county integrated development plan
DFID	Department for International Development
FCDC	Frontier Counties Development Council
GOK	Government of Kenya
KADP	Kenya Accountable Devolution Program
KNBS	Kenya National Bureau of Statistics
KWS	Kenya Wildlife Service
LAPSSET	Lamu Port South Sudan Ethiopia Transport
LMD	Livestock Marketing Division
NPS	National Police Service
NPR	National Police Reserve (formerly Kenya Police Reserve—KPR)
NRT	Northern Rangelands Trust

Measurements

km	kilometer
km ²	square kilometer

Currency

KShs	Kenyan shillings
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Executive Summary

The World Bank Kenya Accountable Devolution Program (KADP) is a program of technical assistance in support of Kenya's devolution of many functions to 47 county governments, operating since 2013. The program specifically supports the newly-formed Frontier Counties Development Council (FCDC), led by the governors of the counties of Isiolo, Mandera, Marsabit, Wajir, Lamu, Tana River, Garissa, Turkana, West Pokot, and Samburu. World Bank activities in these counties include building capacity for collective action and regional coordination, supporting conflict and violence mitigation and efforts to address marginalization, and fostering innovations for local economic development. This study contributes to these efforts by examining conflict dynamics and the architecture for peace and security prior to and since the start of the devolution process in Isiolo County. The findings are the result of research conducted from August 2016 to June 2017, including consultations with county-level peace and security actors, focus group discussions with community members, and relevant literature review.

Isiolo County, located in a semiarid region in the center of Kenya, covers an area of about 25,700 square kilometers (KNBS 2017). Bordering eight other counties, it has been of strategic importance as the “gateway to the north” since colonial times. An estimated 192,000 people reside in its three subcounties—Isiolo, Merti, and Garbatulla—mostly comprising pastoralists, including the majority Borana, Sakuye, Somali, Turkana, and Samburu, in addition to the agro-pastoralist Meru. Seasonal migration in and out of and within the county is common. The county holds most of its land in trust as community land, which its various occupants share. Isiolo remains underdeveloped, but the Kenya Vision

2030 development program includes several large-scale investments such as the Lamu Port South Sudan Ethiopia Transport (LAPSSET) corridor, an international airport, large dam projects, a modern abattoir, and oil storage facilities. A recently improved, pan-African highway connects Ethiopia to central Kenya through the town of Isiolo. Ethnicity, pastoralism, land, and development are each important aspects of the conflict and violence dynamics in the county.

FORMS OF CONFLICT AND VIOLENCE IN ISIOLO COUNTY

Resource-based conflicts. These are conflicts focused on land-based resources, involving pastoralists and other land users. Recent hotspots include Kom in the subcounty of Merti, where conflict in 2017 between Samburu, Marsabit, and Borana herders led to at least 10 deaths; Kinna in the subcounty of Garbatulla, where conflict exists between the Borana and Somali; and Isiolo Holding Ground, where numerous groups have experienced conflict. All communities have experienced being both the perpetrator and victim of cattle raids.

Intercounty border conflicts. These types of conflicts can be political or intercommunal. For example, a fierce border dispute between the counties of Isiolo and Meru has resulted in ongoing intercommunal conflict, theft of livestock, looting of shops, and some killings, leading to the deployment of the army. Intercommunal-level border conflicts also exist among several other neighboring counties.

Ethnopolitical conflicts. Ethnopolitical differences have led to violent clashes between communities, particularly in the case of the border conflict between the



counties of Isiolo and Meru. Conflicts heighten during election periods when candidates need alliances to gain a majority.

Violent extremism. Radicalization and/or recruitment into violent extremism is an important aspect of the conflict in Isiolo county. This study identified anecdotal evidence of 50 youths said to have disappeared, possibly for training in Somalia.

Interpersonal violence. Gender-based violence is common in Isiolo, including physical abuse and rape, which are frequently culturally normalized. Alternative dispute resolution usually handles severe cases. Most groups in the county practice female genital mutilation, with about two-thirds of women reporting their being cut. Early marriage and defilement are common, but a policy in support of pregnant girls returning to school after giving birth has reduced school dropout rates.

DRIVERS OF CONFLICT

Weak legal frameworks. The legal frameworks are insufficient for protecting the land rights of indigenous peoples, for handling disagreements or contestation over land rights, and for determining who is indigenous. The Community Land Act of 2016 provides for group registration of land by indigenous occupants, but implementation cannot begin until the cadastral mapping is complete. Some are concerned that provisions of the act could interfere with nomadic livelihoods and systems, favor the most empowered groups, or lead to conflict over land claims.

Drought. Drought leads to pastoral mobility and incursions into areas that are relatively better watered. However, drought does not by itself cause conflict absent the alienation of communal lands for other purposes, such as investment, development, and conservation, which exacerbates the shortage of available water and pastures during dry times.

Cultural factors. A dependence on livestock, traditions of bride price, rites of passage, and revenge contribute to cattle raids; conversely, there are also cultural restraints on violence and mechanisms for peace.

Proliferation of small arms. Firearms from both legal and illicit sources are abundant in Isiolo County—a hub for the small arms trade from Kenya’s northern neighbors. Traders often transport guns along with animals and other commodities, including *miraa* (*khat*), or on *boda bodas* (motorcycle taxis). Most pastoralists consider firearms to be essential for defending their assets, especially in places where the police presence is poor. Guns used aggressively exacerbate intercommunal violence, and they allow youths to operate outside of culturally defined boundaries and the authority of elders.

Conservation. There are three game reserves in Isiolo County under the Kenya Wildlife Service as well as several conservancies under the umbrella of the Northern Rangelands Trust (NRT). Pastoralists sometimes encroach on land reserved for conservation to access water or pasture, which leads to conflict. The conservancies’ claim that they benefit both wildlife and communities through land use planning, ecotourism, and other ventures remains controversial, as they can also be a source of exclusion and interethnic conflict.

Large infrastructure projects. Large infrastructure projects promise benefits to the county but raise multiple issues relating to land ownership and property rights; displacement and restriction of pastoral mobility; and other socioeconomic and environmental impacts, such as pollution, urbanization, and modernization. Information and consultations are lacking, and there has been political interference. The Isiolo airport project is a case in point: irregularities and land grabbing by the political elite marred the resettlement and compensation processes. And the twin dams planned for the Ewaso Ng’iro River to supply a planned resort city (whose site is now likely to change) are already the

subject of protests over the threat of depletion of the downstream water vital to pastoralists.

Divisive administration, political competition, and marginalization. Devolution raises the stakes for the control of counties, particularly with the advent of large-scale development. This has exacerbated border conflicts.

Weak policing. The police lack the manpower, resources, and capacity to police the county's vast arid areas. Pastoralist communities therefore arm themselves, and this may lead to increased intercommunal violence.

DEVOLUTION AND CONFLICT

Devolution has the potential to alleviate conflict by addressing marginalization and facilitating local problem solving or to exacerbate conflict by creating new borders and political positions with control over large budgets and projects.

The county integrated development plan (CIDP) outlines several administrative interventions that indirectly address insecurity, particularly in terms of development, but also with planned interventions such as peacebuilding activities, community policing, the creation of a land policy and spatial plan, and the improvement of physical infrastructure (buildings) for police. The county government's lack of capacity and its institutional weaknesses create tensions over issues such as the irregularities in land reallocation for the airport and lead to missed opportunities for quelling conflict. Relations between the national government's administration office in Isiolo County and the county government used to be good but have become strained, hampering efforts to coordinate on projects relevant to security and peace. Numerous sources interviewed for this research cited the lack of participation among citizens as a key problem. Political power is distributed among the various ethnic groups, except the Meru, an increasingly less well represented minority. Since

devolution, land serves as a potent political campaign tool, which has led to increased tensions and conflict, particularly along the Meru–Isiolo border. Many suspect the county government of misappropriation of funds: 34 percent of devolved funds have gone to development, with the remainder spend on recurrent expenditures—mainly salaries, fees, maintenance, and expenses.

RESPONSES TO CONFLICT

Counties do not play a formal security role in Kenya, but they are relevantly engaged in prevention efforts, particularly in terms of development. Devolution creates an opportunity to examine locally relevant preventative interventions that follow international best practices. Counties participate in planning and priority-setting for policing through county authorities linked to security decision-making organs, and they oversee community policing initiatives. However, due to legal delays and a lack of supporting guidance, these policing authorities are still not operational in most counties.

Formal security actors include the police, specialized police units, and the army. Police lack sufficient manpower, capacity, and resources to meet the challenges of the counties, and live and work under poor conditions. The new constitution reduced the authority and power of chiefs (the first tier of government), who used to mobilize the police force. Formal security actors have engaged in disarmament exercises in the county as a strategy for dealing with conflict, but allegations of human rights abuses, asymmetrical disarmament, and simultaneous armament of community members have tainted these efforts.

Informal security actors include the National Police Reserve (NPR), an armed auxiliary force comprising volunteers guarding their respective localities. The reserves are popular among locals for providing a service that the police cannot provide. Perennial concerns

arise, however, regarding poor discipline and unprofessional behavior as well as the potential of recruitment patterns to follow ethnic rivalries, thereby complicating conflict dynamics. Around 200 police reservists currently provide armed security for conservancies. The NRT has extensively trained and equipped these forces, even organizing some into specialized antipoaching units. This arrangement raises concerns about the lack of oversight by the state and the potential for reservists to participate in ethnicized land conflicts in the guise of conservancy security. However, many view the conservancy model as a strategy for community security.

The various players involved in peacebuilding include the national government administration office; the county government; elders; faith-based organizations, including the Interfaith Network, Caritas, and Catholic Justice and Peace Commission; nongovernmental organizations, including Isiolo Peace Link and Isiolo Peace Triangle; community-based organizations; Frontier Counties Development Council; and, formerly District Peace Committees. Key stakeholders interviewed for this study mentioned that only the national government administration office and the elders are considered to be strong players; faith-based organizations are considered to be moderately strong. The District Peace Committees no longer have funding, and the Isiolo County government lacks the peace directorate that some other counties have. There is, however, the Department of County Cohesion, which integrates itself into other departments and national government partners in conflict situations. Two relevant pieces of county legislation are pending passage: the Isiolo County Climate Change Fund Bill, which would create a climate fund for increasing resilience to drought at the county level, and the Isiolo County Customary Natural Resource Management Bill, which would formalize traditional management systems.

The Borana ethnic group has an active traditional system of land management for grazing, enforced by the *Dedha* council of elders. It limits the exploitation of natural resources, such as water sources, pastures, and forests, preserving them for the benefit of all, and manages in-migration by other ethnic groups. Conflicts do still arise, however, exacerbated by drought and land alienation for other purposes. Generational conflict within the Borana community sometimes threatens the smooth working of the system, which also faces the challenges of modernization and complex land issues involving multiple stakeholders.

The much-celebrated Modogashe Declaration, brokered by community leaders and government representatives from Kenya's eastern and northeastern provinces in 2001, formalized preexisting peace-building practices and many have given it credit for reducing conflict. Stakeholders are supposed to conduct a biannual review of its relevance and consistency and to evaluate the status of its implementation, however, since its inception, there has only been one review—in May of 2005. The 2013 Nanyuki Accord between elected and community leaders of Meru and Isiolo counties helped calm the border conflict with an agreement to go through official channels. The Ministry of the Interior set up a commission to handle the matter, but Isiolo communities successfully challenged it in court, claiming that it was not independent. Sporadic violence persists in the area.

In 2013, a pilot project for alternative dispute resolution was launched in Isiolo County to reduce the backlog in courts and promote access to justice in the society. The project succeeded in resolving many disputes. *Khadi* courts also play a role in terms of dispute resolution by handling issues of Muslim law relating to personal status, marriage, divorce, and inheritance.

Measures dealing with violent extremism include county government efforts at improving civic education

and the Interfaith Network talking to students. There is a lack of financing and no coherent policy in the county to address radicalization. Many accuse the Anti-Terrorism Police Unit of a heavy-handed approach and are concerned that there are Al Shabaab sympathizers within the police force, and this deters people from reporting incidents.

RECOMMENDATIONS

For Isiolo County Government

- ◆ Mainstream peace and conflict sensitivity in the CIDP as a key component across all departments and ministries.
- ◆ Establish a county policing authority.
- ◆ Create a peace directorate with its own funding and build its capacity.
- ◆ Establish a ground-level data-collecting mechanism for early warning on insecurity.
- ◆ Fund local peace initiatives and collection of data.
- ◆ Use the council of governors to mediate intercounty disputes, particularly Garissa and Meru counties.
- ◆ Together with the national government, enhance and formalize the traditional mechanism of conflict resolution and mitigation.
- ◆ Enact the climate fund and build capacity among those responsible for its implementation.
- ◆ Prepare Isiolo communities for mega-projects through information sharing and participation; together with national government, create a policy framework for this purpose that addresses informed choice and just compensation.
- ◆ Create a budget to train Isiolo youth with skills they can use once the mega-projects are up and running.
- ◆ Together with the national government, retain and revive the Isiolo Holding Ground as a strategic facility.

For National Government

- ◆ Provide security to all communities to reduce the demand for firearms; avoid unilaterally disarming communities.
- ◆ Accept and support the County Policing Authority including participation of the Independent Policy Oversight Authority at the county level.
- ◆ Initiate sensitivity training for police to understand northern cultures and mobile policing systems to work with communities.
- ◆ Coordinate, streamline, and cross-link existing institutional mechanisms, including the District Peace Committee—Nyumba Kumi—and the cohesion committee to foster information sharing rather than competition.
- ◆ Establish mechanisms for sharing information and data on security with the county, council of elders, and civil society.
- ◆ Create a mechanism for a common development and growth agenda among all stakeholders.
- ◆ Together with county government, create a policy framework and prepare Isiolo communities for mega-projects through information-sharing; participation; clear compensation systems, including the prioritization of unskilled labor and training opportunities for locals; consider creating one-stop centers for these purposes.
- ◆ Develop value-added facilities in the livestock development sector to enable the export of animal products.
- ◆ Together with the county, work to retain and revive the Isiolo Holding Ground as a strategic facility; evict those who have encroached on the land.

For Civil Society, Interfaith Network, and Council of Elders

- ◆ Establish a bottom-up mechanism for gathering local-level information from front-line, community-based organizations.
- ◆ Collect data on peace and security for the purposes of early warning and intervention.
- ◆ Involve youths in rangeland management committees with elders; consult with women.
- ◆ Carefully consider the diversification of livelihoods.

For the World Bank

- ◆ Strengthen human resource capacity for budgeting, procurement, report writing, and planning.
- ◆ Build capacity for a conflict-sensitive approach; ensure stakeholders mainstream the approach into all service delivery and county projects by fostering the sharing of ideas and views and the setting of common goals.
- ◆ Ensure that Frontier Counties Development Council funds go toward intercounty cooperation.





Introduction

Supporting Kenya's devolution process is a high priority for the World Bank under the Kenya Country Partnership Strategy. Currently, the primary support through the Kenya Accountable Devolution Program, a technical assistance program that has enabled the World Bank to establish an in-country team with relevant expertise. The team provides knowledge, analysis, and technical assistance to multiple government and nongovernment clients. Additional support is provided by World Bank staff and through the existing Kenya portfolio, including projects financed by the International Development Association as well as via other technical assistance, advisory services, and analytics focused on devolved sectors, such as urban, health, agriculture, and water.

The program is supporting devolution transition activities in key sectors through the newly formed Frontier Counties Development Council, led by the governors of Isiolo, Mandera, Marsabit, Wajir, Lamu, Tana River, and Garissa counties. This support focuses on the following activities:

- ◆ Building capacity by providing technical assistance for mobilizing resources to promote collective action and regional coordination;
- ◆ Supporting conflict and violence mitigation activities;
- ◆ Working with the national government to develop and roll out affirmative actions for addressing marginalization; and
- ◆ Supporting sustained innovations for local economic development.

Initial activities for conflict and violence mitigation will focus on conducting participatory mapping of violence in the pilot counties of Isiolo and Garissa and on providing support to developing county-level conflict-mitigation mechanisms.

The devolution process in Kenya began in 2013, following the adoption of the long-awaited new constitution in 2010, a document intended to address historical injustices and improve local-level participation and service delivery. This process has impacted conflict, security, and peacebuilding efforts in a host of ways in terms of political and structural changes, fiscal flows, and development projects. This study examines the dynamics of conflict and the architecture for peace and security prior to and since the start of the devolution process in Isiolo County. The research involved exploring the structural drivers of conflict, fragility, and resilience; mapping key peace and security actors, their incentives, and their roles under the county's newly devolved governance system; and identifying gaps and opportunities for cooperation and coordination between actors.

Proponents of devolution cite its potential to improve democratic decision making and participation, thereby reducing tensions (Suberu 2001); increase responsiveness to local needs and reduce bureaucracy (Rodriguez-Pose and Gill 2005; Bogdanor 2001) and to fuel economic development (Bodea and Le Bas 2014). The United States Agency for International Development viewed devolution as a way to prevent corruption in central systems (USAID 2009). However,

during the drafting of the new constitution, Ghai (2007) noted that local-level capacity could impede successful devolution and that institutional burdens could increase (see also, Rodriguez-Pose and Gill, 2005). Inequality could also increase if some local governments are more effective or simply better resourced than others (Robinson 2007: 2). Devolution can increase corruption where democratic institutions are not strong (Barkan and Chege 1989) and can reinforce ethnic identities, feeding into ethnic conflicts (Lynch 2011; Brancati 2006). A study conducted in Kenya in 2014 found that devolution can reverse the ethnopolitical marginalization of some minority groups, while at the same time cause other groups to become minorities for the first time within the new political units, potentially excluding them from strongly ethnicized politics (Mkutu et al. 2014). New power struggles might also create divisions that expose minority groups more exclusion than prior to devolution.

A rapid assessment of the institutional architecture in Isiolo County, conducted August 2016 to June 2017, took a mixed approach in the collection and analysis of primary and secondary data. The study team decided

that qualitative methods were the most appropriate choice to give a nuanced insight into the dynamics, with quantitative methods to supplement this approach. The team arranged key informant interviews and focus group discussions with individuals from national and county government, civil society organizations, faith groups, and community-based organizations. In addition, the team had access to the findings of a survey on crime and violence in Isiolo County that the World Bank was conducting concurrently. The team interviewed a total of about 40 key informants and conducted about 20 focus group discussions. The study also benefitted from a review of studies on pastoralism, peace, and conflict in the county from numerous sources, as well as information from the Kenya National Archives. The selection of respondents was purposeful and relevant to the purpose of the assessment. Team researchers were able to tap into valuable preexisting networks in the administrative sectors, maximizing access to key informants and information. Time constraints as well as geographic and security challenges were among the limitations to this work.



Isiolo County

Isiolo County is situated in the center of Kenya, covering an area of about 25,700 square kilometers, which makes it virtually the same size as the state of Israel (KNBS 2017). Its administration is divided into three subcounties: Isiolo, also the county's capital; Merti; and Garbatulla (see table 2.1). Isiolo shares borders with eight neighboring counties: Marsabit to the north; Wajir to the east; Garissa to the southeast; Tana River, Kitui, and Meru to the south; Laikipia to the southwest; and Samburu to the west. It is uniquely shaped—the southwest section of the county is long and narrow, frequently traversed by people on their way to other counties, and therefore subject to conflicts over access (see map 2.1).

The county population, estimated to be 143,294 in 2009 and projected to be 158,716 in 2018 (Isiolo County, 2018), is largely composed of Cushite communities (Oromo-speaking Borana and Sakuye and Somali) as well as Turkana, Samburu, and Meru, communities from other parts of the country (KNBS 2017). Most of these groups are pastoralist, although the Meru are agropastoralist. The Borana represent the county's largest ethnic group and are the majority holders of local administrative and political positions.

Isiolo lies between fertile areas in south and central Kenya and the northern arid areas. Generally, the county receives low rainfall—between 300–500 millimeters per year; and since 2015, rainfall has been lower and temperatures higher (Isiolo County 2013). The climate and the water-holding capacity of the soil makes the land is most suitable for livestock farming, the county's

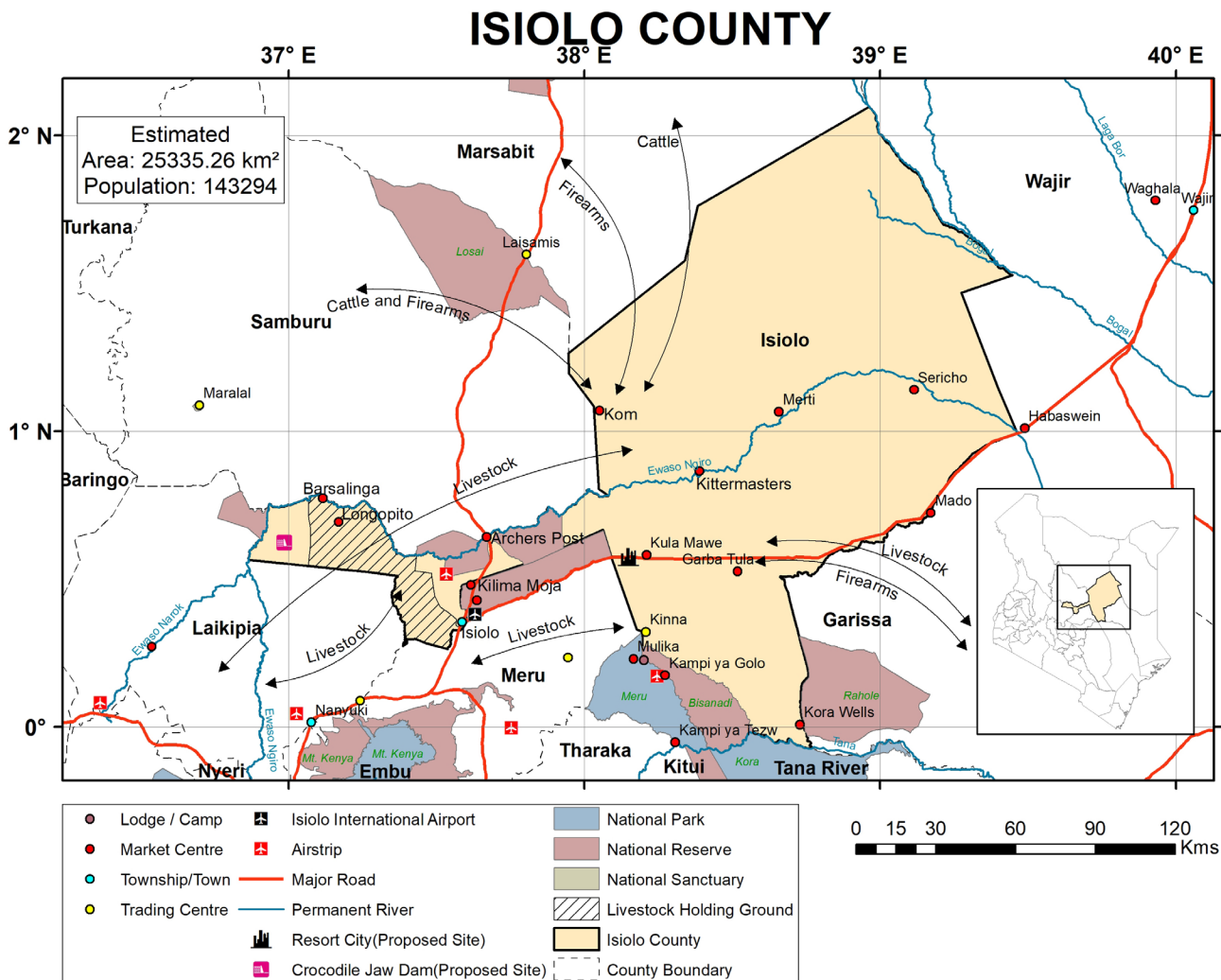
main economic activity. Many of the best water sources are located within parks and reserves (Isiolo County 2013). Forty-five percent of the population are settled; the remainder are nomadic or seminomadic (KSFFG and Isiolo CSG 2017). The county holds most of its land in trust as community land, which its various occupants share.

In terms of human development, 51 percent of Isiolo residents have had no formal education, 36 percent have completed primary education, and only 13 percent have a secondary level of education or above (KNBS and SID 2013). The Gini coefficient—a measure of inequality in consumption expenditure—is moderate at 0.431. Only 19 percent of the population uses electricity as a main source of lighting; and 84 percent of households use firewood or charcoal for cooking fuel. Most people have simple housing with earth floors; iron sheets for roofs; and walls made of mud, wood, and/or plant

Table 2.1. Administrative Divisions in Isiolo

Subcounty	Area (km ²)	Ward
Isiolo	3,269	Wabera Bulla Pesa Burat Ngaremara Oldonyiro
Merti	12,612	Chari Cherab
Garbatulla	9,819	Kinna Garbatulla Sericho
Total	25,700	10 wards

Map 2.1. Dynamics and Drivers of Conflict in Isiolo County



Sources: IEBC, KNBS 2009, and Mktutu 2005.

Disclaimer: The extent of the livestock holding ground is an estimate and may not be accurate.

materials. Most have access to improved sources of water but not to improved sanitation.¹

The town of Isiolo was a strategically important, centrally located town under British colonial rule: a gateway to the northern frontiers and an important site for disease control and the quarantining of pastoralist cattle moving south. It remains strategic due to the large-scale capital investments planned under Kenya's

Vision 2030, which aims to move Kenya into middle-income status, the Lamu Port South Sudan Ethiopia Transport (LAPSSET) corridor, an international airport, large dam projects, a modern abattoir, and oil storage facilities. A recently improved, pan-African highway connects Ethiopia to central Kenya through the town of Isiolo. There are three national parks: Buffalo Springs, Shaba, and Bisanadi Reserves,² as well as several conservancies and important historical sites.

1. Improved water sources are protected springs and wells, boreholes, water piped into dwellings, and rainwater collection. Improved sanitation is not a subject covered in this study but requires that human waste be kept away from human contact in a hygienic manner.

2. Interview with Director of Ministry of Livestock Mohammed Lukhuta, Isiolo Town, May 9, 2017.



A view of the Isiolo Holding Ground (also known as a the Livestock Marketing Division), a piece of government land in which many squatters reside, and which is contested by several pastoral groups.



Conflict Dynamics

Conflict in Isiolo County is common and multifactorial, with a confluence of overlapping risk factors. Data on crime and violence incidences in Isiolo for the period 2011–16 from the Armed Conflict Location and Event Data Project (ACLED)³ confirms that the most common and fatal form of violence was interethnic confrontations, including cattle theft, conflicts over pasture, and revenge attacks. Forms of conflict and violence include:

- ◆ Resource-based conflicts focused around land-based resources, whether intercommunal or between pastoralists and other groups or entities using the land;
- ◆ Intercounty border conflicts, whether political or intercommunal;
- ◆ Ethnopolitical conflicts;
- ◆ Violent extremism; and
- ◆ Interpersonal violence, such as gender-based violence or youth violence.
- ◆ Drivers of conflict and violence include:
 - ◆ Weak legal frameworks protecting indigenous land rights in combination with disagreements and contestation over land rights as well as who is indigenous;
 - ◆ Drought, which leads to pastoral mobility and incursions into relatively better-watered areas;
 - ◆ Cultural factors of conflict in pastoral communities;
 - ◆ Proliferation of small arms;
 - ◆ Conservation;
 - ◆ Large infrastructure projects and lack of consultation;
 - ◆ Political competition, particularly since devolution;
 - ◆ Urban sprawl, ethnicized land grabbing, and spontaneous settlement;
 - ◆ Political marginalization and poverty;
 - ◆ Weak policing; and
 - ◆ Divisive administration.

The sections below do not attempt to entirely disentangle conflicts from drivers but instead to present them in their complexity. Some drivers are only relevant to specific types of conflict; others are cross-cutting. Map 2.1 also offers a summary of these factors.

LAND AND LAW

Land is a vitally important issue in ethnopolitical conflicts. Conflicts over land often involve county borders, thereby becoming border conflicts, although older issues—predating the creation of counties—can also be at play.

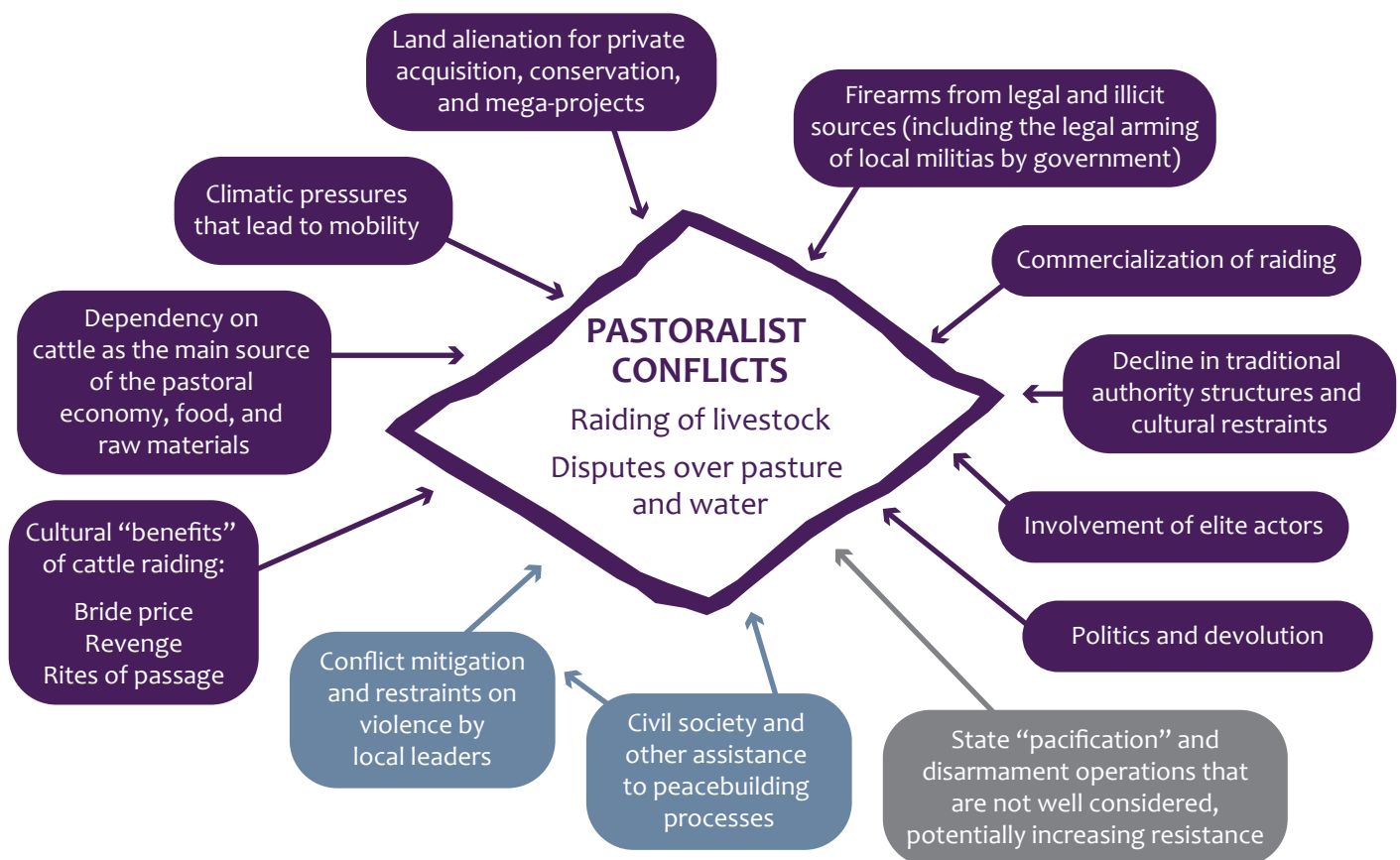
Large-scale land acquisition for development projects or conservation can create or exacerbate land-use conflicts. Most of Isiolo County’s land falls under the designation of community land, held in trust by the county government for communal use. The county also holds land in the form of game reserves. Complex sets of “overlapping rights that are continuously contested and re-negotiated” dictate access to land and pasture (Scoones 1995: 23). Until recently, the Trust Land Act of 1963 proclaimed the county council and later the county

³. See www.acleddata.com.

government responsible for “giv[ing] effect to” local people’s rights and interests. The approach has been quite effective in maintaining stability and keeping land in the hands of northern Kenyan pastoralists. However, the National Land Policy of 2009 recognized that “there has been widespread abuse of trust in the context of [...] the Trust Land Act” (GOK 2009: 3.3.1.2). In 2016, the Community Land Act superseded the Trust Land Act. This new law allows communities to collectively register ownership of land, however, it has yet to take effect awaiting cadastral mapping of all the community land in Kenya. Because of the delay, communities are

currently unable to register or receive compensation for loss of land due to mega-projects. The potential impact of the Community Land Act is another area of concern, particularly regarding sedenterization or disruption to nomadic livelihoods and customary governance mechanisms; new conflicts over rights and access to registered parcels of land; elites benefitting at the expense of less empowered groups; and the subsequent subdivision and sale of pastoral land to the ultimate detriment of pastoral livelihoods. Such problems arose in other pastoral areas when group ranches were formed under the Land (Group Representatives) Act. Cap 287 of 1968.

Figure 3.1. Factors of Conflict and Peace in in Pastoralist East Africa



Sources: Mkutu 2008 and recent field research.

INTERCOMMUNAL RESOURCE-BASED CONFLICTS

Conflicts between pastoralists in Isiolo are common; media reports recorded by ACLED mention Samburu cattle thieves and villagers in Bulla Pesa and Chari; Samburu and Borana herders; Turkana and Samburu militias, and Borana and Somali herders. The Isiolo District Peace Committee reported that 165 lives were lost to violence and 2,900 people were displaced from January 2009 to January 2013 (Huka 2013; IRIN 2011 quoted in Sharamo 2014). Pastoralist conflict in the Horn of Africa is a well-studied area, and some of the identified contributory factors—old and new—exist in Isiolo (see figure 3.1). Conflict in Isiolo varies in intensity, often referred to as “cycles of conflict and peace,” mainly influenced by climatic variability as well as political pressures, election cycles, and peace processes. It is noteworthy that Isiolo County was significantly affected by a 2017 drought (Reliefweb n.d.).

Pastoralists have been moving into Isiolo County from the northeastern and Rift Valley areas, and Isiolo pastoralists have been moving into Meru and Laikipia counties. Among the groups periodically entering Isiolo are Somali clans from Wajir and Garissa, Rendille from

Marsabit, Maasai from Laikipia, and Samburu from Samburu County; there are also indigenous Samburu in Isiolo (Boye 2007). While these groups can and do negotiate over grazing and access rights, their differing land-use systems combined with other pressures can threaten these negotiations. For example, after a 2017 drought, at least 10 people died during armed conflict between Samburu, Marsabit, and Borana herders over access to water in Kom, the site of a natural spring in Chari ward, Merti subcounty used in dry times according to the Borana system of rangeland management known as the *Dedha* system (Abdi 2017b). There continues to be conflict between the Borana and Somali in Kinna ward, Garbatulla subcounty, and at the time of this research, the school in Duse remained closed and the village displaced because of the pastoralists’ dispute over grazing in a water catchment area. Conflict exists between Samburu and Turkana as well, but these groups also ally with one another sometimes to raid livestock. Raiding of cattle occurs in rural and urban areas,⁴ with nearly all Isiolo communities acting as both aggressors and victims.⁵ Alcohol abuse exacerbates the problem of cattle theft and hence intercommunal conflict.⁶

Isiolo Holding Ground (sometimes referred to as the livestock marketing division or LMD) is an area of approximately 124,000 hectares adjoining the town of Isiolo owned by the ministry of agriculture. The holding ground, established in 1952 by the colonial government as a quarantine and disease screening area for pastoralists’ cattle prior to their travelling further south, was originally only 16,000 hectares (Kenya National Archives 1968, 1986). Several expansions brought it to its current size (Isiolo County 2012). The area borders Laikipia, Meru, and Samburu counties and has several thousand semi-permanent inhabitants of various ethnic groups. In recent decades, the management of the area has declined and conflicts have arisen between communities, some of which are allegedly claiming exclusive



A well in Nakuprat Gotu conservancy, whose pump had been broken for some time, necessitating users to climb dangerously to collect water. The well pump was fixed shortly after this photo had been taken.

4. Interview with Isiolo county official, May, 7, 2017.

5. Interview with Isiolo county administrator, May 9, 2017.

6. Focus group discussion with Isiolo county ward administrators, May 9, 2017.

rights over certain areas. A lack of consultations and seasonal mobility in addition to allegations of speculative acquisition have worsened the tensions.

INTERCOUNTY BORDER CONFLICTS

Conflicts at intercounty borders can intercommunal or political—but they are usually both. Between 2015 and 2017, violent conflicts have broken out along the disputed Isiolo–Meru county border between Somali, Borana, and Samburu herders and Meru farmers in the areas of Kisima, Chumvi Yarre, Gambella, and Tractor. The boundary dispute dates back to colonial times (Kenya National Archives 1961) but has since worsened, with the Borana voicing the claim that the border was changed under the first regime (Kenya National Archives 1970). The matter is now in court.

The conflict focuses on boundary disputes, land use, and land ownership, and includes livestock theft and retaliatory attacks (Mugo 2017a) the looting of Meru traders' shops, several killings, displacements, and demonstrations (Bett and Jebet 2017). In July 2017, over 100 people were displaced and 13 killed during a clash in Igembe Central (Muchui 2017; Bett and Jebet 2017). The government deployed the national army at the Isiolo town outskirts (Abdille 2016). The Meru are demanding the recruitment of additional police reservists from their community; they are also demanding the disarmament of others. Some argue that the creation of county governments in 2013 heightened the conflict by allowing for the inclusion of previously suppressed voices, thereby raising the stakes for political control of the area, including around the issue of land earmarked for mega-projects (Mutembei 2015).

There is a border conflict between Borana communities in Isiolo County and Somali communities in Garissa County at Legdera and Garba Tulla, land claimed around the Ewaso Ny'iro basin (Jebet 2017a, b). The conflict killed at least 10 people and injured 13 in early

2017 (Jebet 2017a, b). In addition to the previously mentioned conflict at the Isiolo–Marsabit/Samburu border near Kom, there is conflict between Borana and Somali communities at the Isiolo–Wajir border.

CONSERVATION AND LAND MANAGEMENT

Conservancies are areas of land managed for conservation and grazing and sometimes for ecotourism. Whether they are government-owned, private, or community-owned, in Isiolo, they all fall under the umbrella of the Northern Rangelands Trust (NRT), a nongovernmental organization that aims at supporting and developing the conservancy model. The conservancies in Isiolo are Biliqo-Bulesa, Mpus Kutuk/Kipsing, Nakuprat Gotu, Leparua, and Nasuulu, together totaling 4,735 square kilometers (km²). The county also borders Lewa Conservancy in Meru and Laikipia county.

There are three national game reserves in Isiolo: Shaba Game Reserve, with 256 km² of land; Buffalo Springs, with 131 km² of land; and Bisan Adi, with 150 km² of land. Human habitation and grazing is blocked or restricted in these areas. Some trespassers have been arrested or have had their livestock confiscated by the Kenya Wildlife Service. Confrontations over trespassing and poaching between local communities and guards have been bitter. In 2016, wildlife rangers killed one person and injured several others in Kinna, and allegedly abducted another 11 people.⁷ The Kenya Human Rights Commission was involved in a peacebuilding exercise in July 2016, which led to an apology by the Kenya Wildlife Service and a payment of 3 million shillings in compensation to the community.⁸

Conservancies are a controversial issue in Kenya. Protagonists argue that they assist communities to protect wildlife, manage rangelands and fisheries more sustainably, improve regional peace and security through

7. Focus group discussion with Mzee wa Kijiji Peace Group, Kinna, May 9, 2017; focus group discussion with Isiolo county ward administrators, May 9, 2017.

8. Focus group discussion with Isiolo county ward administrators, May 9, 2017.

assisting in peacebuilding and negotiation, and provide a vehicle for business development in marginalized areas.⁹ They are said to have assisted pastoralists in selling their cattle at a fair price,¹⁰ and have employed about 85 people from a variety of ethnic groups (GOK 2012). Others argue that conservancies have left pastoralists communities economically worse off.¹¹ Management issues include the board's lack of capacity and influence¹² as well as an undermining of community elders in decision-making processes.

In October 2017, an effort by the NRT to start a conservancy in Duse, Kinna, was rejected by the communities, who felt that there would be no tangible benefit for them.¹³ The conflict in Kom may have been exacerbated by the allocation of some of the area for conservation.¹⁴ In some instances, conservancies may have increased tensions and fueled interpastoral conflict by appearing to favor one ethnic group over another or by entrenching their land claims, although since the creation of additional conservancies in the county, this has become less of a concern. In its 2013 development plan, the county noted that it was actively encouraging private investment in its wildlife reserves and engaging NRT for assistance in sustainable management (Isiolo County 2013).

LARGE INFRASTRUCTURE PROJECTS, INVESTMENTS, AND DEVELOPMENT

Table 3.1 provides a summary of the current projects in Isiolo County. These efforts promise economic development but require the rapid acquisition of land by the state of Kenya, raising multiple issues relating to land ownership and property rights (Boye 2007);

9. See "Community Conservation" on the Northern Rangelands Trust website at www.nrt-kenya.org/community-conservation-overview.

10. See "What Is NRT?" on the Northern Rangelands Trust website at www.nrt-kenya.org/about-nrt.

11. Interview with member of Isiolo civil society, August 26, 2016.

12. Focus group discussion with Isiolo county ward administrators, May 9, 2017.

13. Telephone interview with United Nations employee, October 24, 2017.

14. Focus group discussion with Isiolo county ward administrators, May 9, 2017.

displacement of pastoralists and restriction of their mobility—an essential aspect of their livelihoods; socio-economic and environmental impacts such as pollution, urbanization, and modernization; a lack of information and consultations with communities about the impacts; and political interference. A large project is therefore a potential trigger of conflict among communities living in its path (Ngige and Abdi 2015). The national government funds these large projects in collaboration with investors, development partners, and donors including the Chinese government and Africa Development Finance Institutions (Deloitte 2016).

The Lamu Port South Sudan Ethiopia Transport (LAPSSET) corridor development project has led to large-scale land acquisition, for the project directly as well as by prominent political elites and outsiders for speculative purposes in the surrounding areas (Browne 2014; Gachiri 2014). This trend raises fears among some Isiolo residents of their being dominated and displaced.

The mega-projects that have accompanied devolution raise the stakes for county control and fuel inter-county and political conflict. The airport project, as an example, complicates the existing politicized border conflict between Isiolo and Meru counties because the runway extends into Nyambene in Meru. And Isiolo County has boundary disputes with Garissa and Wajir following the discovery of oil in Modogashe and the exploration of another area on the Wajir–Isiolo border by the Canadian company Vanoil Energy (Abdi 2013).

At the community level, there is great concern that large infrastructure projects could result in pastoralists losing the water catchment areas that are critical during dry times,¹⁵ including 6,500 acres at Kipsing Gap, about 20 kilometers west of the town of Isiolo where a multi-billion-shilling resort city had previously been planned, but is now in question.¹⁶ County assembly members have opposed the related dam project on behalf of the

15. Interview with member of civil society, Isiolo Town, August 10, 2016.

16. Interview with member of civil society, Isiolo Town, August 10, 2016; Abdi 2017.

Table 3.1. Summary of Projects in Isiolo (as of July 2017)

Project	Estimated Area	Progress	Development Impacts	Risks for Conflict
Highways				
Lamu-Garissa-Isiolo	530 km	In progress	<ul style="list-style-type: none"> • Improved access and service delivery (travel time reduced 85 percent) • Access to Ethiopia and other parts of Kenya • Boost to local and national economy 	<ul style="list-style-type: none"> • Difficulties with supervision due to insecurity • Likely need for outside skilled • Water needs may displace other water users • Reduced banditry due to fewer hold-ups • Reduced conflict and better security response noted
Isiolo-Maralal	156 km	Not started—rerouted from Nyingyang in 2017		
Isiolo-Moyale	470 km	Complete		
Isiolo-Wajir-Mandera road	700 km	In design stage (World Bank)		
Isiolo International Airport		Complete		
Railways				
Lamu to Nakodok, Turkana, through Isiolo	1,500 km	Not started—stalled since change of route by Uganda	Various	
Isiolo to Moyale				
Pipelines				
		Not started—stalled since change of route by Uganda	Various	
Isiolo dams: Crocodile Jaw and Ngarendare	13,000 ha	Project preparation phase	Intended to supply resort city whose site is likely to be moved	<ul style="list-style-type: none"> • Anticipated reduction of downstream water by 62 percent and new agricultural projects upstream. • Impacts on pastoral livelihoods, migration, and conservation • Intercommunal, community-investor, and community-state risk of conflict
Resort City	6,500 ha (already government land)	Not started—Kipsing Gap site will likely move	Boost local and national economy through tourism and investment ^a	<ul style="list-style-type: none"> • Contested land, speculation, and political disputes regarding site change • Displacement of pastoral communities and lifestyle changes
Disease Free Livestock Zone (Isiolo–Laikipia)	Unclear	Not started	<ul style="list-style-type: none"> • Improve equality of livestock products for international markets • Boost to local economy 	<ul style="list-style-type: none"> • Contested land • In-migration likely
Abattoir at Isiolo holding ground		Almost complete	Boost local economy by processing 400 cattle per day.	

Sources: Vision 2030 website at <http://www.vision2030.go.ke/projects/?pj=181> (accessed August 6, 2017); Keter 2017; LAPSET Corridor Development Authority 2016; Vilela and Bruner 2017; interviews, Isiolo, June 2017.

a. The city will have three to six-star hotels, a local art and craft museum, theaters for international festivals, international conference centers, golf courses, cultural events such as the International Camel Derby, mountaineering, cycling, and nature walks (Kenya News Agency 2012).

b. Based on field work detailed in text .

pastoralists who use the land downstream. One county secretary notes:

*When it rains, the river floods the entire plain and turns it green; this is the happiest moment... If you intercept the water we will perish... it will cause World War III.*¹⁷

To date, community mobilization has resulted in peaceful protests, but several respondents suggested that when the project begins, the pastoralists are prepared to mobilize and to use arms.¹⁸ The airport project has raised particular concerns regarding irregularities in land acquisition and resettlement and failure to compensate many displaced persons.¹⁹ The problem of double allocation of new plots was noted by a member of the committee which allocated them.²⁰ He also noted that plans became complicated by devolution and several plots were acquired by the new county elite.²¹ Gaps in participation exacerbate fears and tensions relating to mega-projects, and many noted that they had not been sufficiently consulted about the project benefits and costs.²² It is likely that the mega-projects will exacerbate this problem due to the importing of labor from outside, which may become a source of conflict.²³

ETHNOPOLITICAL CONFLICT

Ethnopolitical conflict is ubiquitous in the county, with ethnic differences and competition are acutely manifest during elections (UNDP 2010). In a case study, Sharamo (2014) notes:

Dominant political and economic interests are the major drivers of ethnic violence in the

county. Indeed, violence has become subsumed within devolution politics and competing ethnic tensions around the development agenda... In Isiolo, fear of devolution and complex political and economic interests apparently continue to fan violence among the various communities.

As noted, land conflict on the Meru–Isiolo border is highly politicized. Although the Borana dominate the county, they still need alliances to win elections.²⁴ This ethnic détente allowed all communities to hold political positions after the last elections, which can contribute to peacebuilding, but these alliances of convenience can shift or become dominated by one group, collapse, and lead to conflict. During the 2007 election in Isiolo North Constituency, an ethnic alliance between the Turkana and Samburu for the Turkana candidate of the Orange Democratic Movement almost unseated the long-serving Borana incumbent candidate for the Party of National Unity, who had the support of the Borana and Somali as a single voting bloc (Saferworld 2015). The Borana were alarmed by the fact that their candidate has almost lost his seat (Sharamo 2014). Irregularities in the nomination process led to violent demonstrations and clashes, with Meru and Rendille drawn into the conflict as well (KNHCR 2008).

The expected new positions and wealth from devolution raised the stakes in 2013; and non-Borana ultimately won the offices of senator and member of parliament for Isiolo North Constituency. During the 2017 elections, an independent candidate of Somali ethnicity who had previously served as a senator won the governor's seat, while the female Borana candidate Dullo Fatuma Adan, who ran on the Jubilee Allied Party of Democratic Reforms ticket, won the senate seat.

17. Interview with Isiolo county secretary, Isiolo Town, May 10, 2017.

18. Focus group discussion, youths and elders, Kinna, June 8, 2017.

19. For instance, people who lost their land in Meru due to the construction of the Isiolo International Airport have received compensation while those affected in Isiolo have not because their land is not demarcated and, as such, they do not hold titles to those lands (Interview with member of civil society, Isiolo Town August 10, 2016).

20. Interview with former councillor, Isiolo Town, May 7, 2017.

21. Interview with former councillor, Isiolo Town, May 7, 2017.

22. Interview with member of civil society, Isiolo Town, August 10, 2016; focus group discussion with members of civil society, August 27, 2016.

23. Focus group discussion with Interfaith Network, Isiolo Town, May 8, 2017.

24. Still some communities gained more than some in the last elections; out of the 24 councilors on the Isiolo County Council, 17 are Borana, 3 are Turkana, 2 are Samburu, and 2 are Somali.

VIOLENT EXTREMISM

Isiolo County became the victim of a severe terror attack in December 2014, when Al Shabaab executed 15 non-Muslim farmers in Madogashe, just one day after killing 36 quarry workers in Mandera County (ACLED). Radicalization and/or recruitment toward violent extremism is an important aspect of conflict in Isiolo. Isiolo is experiencing recruitment of young people from educated and less-educated backgrounds in schools and through social media;²⁵ the son of the county speaker is among those who have been apprehended on the Somalia border intending to join Al Shabaab.²⁶ A Muslim peace worker expressed his concerns about the radicalization happening in their midst and noted that radicalizing preachers were known to the security and government but protected through corrupt means and intimidation.²⁷ The informal settlement of Bula Pesa in the town of Isiolo is a particular hotspot for radicalization and recruitment, with at least 20 people—possibly many more—having left for Somalia. And 26 boys were reportedly missing from other villages.²⁸ Officials intercepted five youths on their way to Somalia from Isiolo in June 2017 (Kalekye 2017). Some have returned from Somalia, which could either be due to deradicalization or defection to create local terror cells; and at least four fighters have returned to the county.²⁹

The same push and pull factors identified in other regions are also present in Isiolo.³⁰ Communal grievances, lack of identity cards, and unemployment are among the most important push factors.³¹ The rapid development

that accompanies the advent of mega-projects will create many soft targets for violent attacks and will draw new immigrants able to acquire title deeds, which the people of Isiolo may resent (Menkhaus 2015).

SMALL ARMS

Small arms are a conflict multiplier in Isiolo and as one administrator noted, “[guns are as common] as Panadol.” In the absence of a timely and effective police response, all residents, pastoralist or not, have at least one gun for defense against raids and attacks.³² Another administrator remarked that “violence in Isiolo is not stones but bullets—guns come out.”³³ Isiolo serves as a hub for the small arms trade, with arms mainly supplied by its neighbors in conflict: South Sudan (and formerly Sudan), Ethiopia, and Somalia.³⁴ A chief noted that it is easier to buy small arms and light weapons in the town of Isiolo than bhangi (drugs).³⁵

The types, cost, and sources of guns are varied. The government equips police reservists with G3s. Arms crossing the border from neighboring countries are usually AK47s. M16s, usually a British or U.S. weapon are reaching community members, but how this is happening is not understood. One elder explained that a G3 costs about 150,000 Kenyan shillings (KShs) (about US\$1500), an AK47 costs about KShs 80,000 (US\$800), and a Carbine costs about KShs 60,000 (US\$600). Cash is usually the preferred method of payment, although sometimes people exchange animals for weapons. Ammunition is available from the Kenyan police, administration police, the army, prison, and Kenya Wildlife Service (KWS) among other sources.³⁶ Guns are often transported along with animals and other commodities,

25. Interview with representative of national government, Isiolo Town, August 11, 2016.

26. Interview with an administrator, Isiolo Town, May 9, 2017.

27. Interview with Muslim religious leader, Isiolo Town, May 12, 2017; focus group discussion with 14 chiefs from the Isiolo Town, May 9, 2017.

28. Focus group discussion with county ward administrators, Isiolo Town, September 5, 2017.

29. Interview with an administrator, Isiolo Town, 9 May, 2017.

30. According to the United States Agency for International Development, push factors include “social marginalization, poverty, and inequality; high rates of unemployment; lack of formal services or social amenities for youth; and ongoing human rights violations and lack of rule of law.” Pull factors refer to the appeal of a particular leader or inspirational figure, or the material, emotional or spiritual benefits (i.e. prospect of glory or fame, access to material resources, social status, sense of belonging, self-esteem, personal empowerment) which affiliation with a violent extremist group may confer” (USAID 2017).

31. Interview with member of civil society, Isiolo Town, August 10, 2016.

32. Interview with county official, Isiolo Town, May 7, 2017; interview with religious leader, Isiolo Town, May 7, 2017.

33. Interview with subcounty administrator, North Isiolo Constituency, May 7, 2017.

34. According to the national assessment on the small arms situation in Kenya, there appears to be a higher number of small arms in the northeastern province (GOK 2006; interview with a senior county official, Isiolo, May 6, 2017).

35. Focus group discussion with chiefs from the Isiolo Town, May 10, 2017; confirmed by a moran (young Turkana warrior/herder), Ngaramare, May 10, 2017.

36. Interview with mzee wa kijiji (lit. old man of the village – an elder), Kinna, May 9, 2017.

including *miraa* transported in land cruisers for trade. In May 2017 *Boda boda* operators were transporting guns from Turkana through Isiolo to Meru and were paid 5–10,000 (US\$50–100) for each delivery, which was linked to the fear of election violence.³⁷ Firearms have enabled livestock raiders to operate on a larger scale; they are also responsible for the high rate of fatal outcomes in violent disputes over water and pasture or during cattle raids. The use of firearms can be subject to strict community norms and rules, but youth are also sometimes able to independently conduct thievery.³⁸ A generation gap was noted among the Samburu, with youth acting independently of their elders, including in the use of arms.³⁹ The decision by the government to supply 300 guns to bolster the National Police Reserve’s defense of Isiolo communities against attacks from neighboring districts arguably made things worse by creating tensions and stimulating a local arms race (Mamo 2016). The county commissioner claims that some members of parliament used community development funds to purchase arms for their communities (Maranga 2017).⁴⁰ Administrators are often part of dynamics of local ethnic conflict. Many Isiolo residents district opine that despite the rush to acquire them, the day that the illicit arms are taken out of the hands of civilians is the day that peace will be realized.⁴¹

GENDER-BASED VIOLENCE

Most ethnic groups in Isiolo are in patriarchal societies, although there are variations between and within them. The chairman of their council of elders noted that the Borana believe that women ought not to “carry the burden” of decision making. Borana women do, however, have certain spheres of autonomy, and they may own camels. Gender-based violence is said to be common in

the county. A chief noted, “When a man beats his wife, its discipline. They fight and finish in the house. Among pastoralists you have a stick for cows, women, and children!” He added that many of these types of cases are handled through alternative dispute resolution.⁴² A senior administrator noted that sexual violence in the form of defilement and rape are common and dealt with quietly through the same channels.⁴³ Similarly, an administrator in Duse noted the normalization and lack of reporting of gender-based violence. Sometimes, he continued, the chief refers cases to the children’s services department in the Ministry of Gender, Children, and Social Development.⁴⁴

Female genital cutting is widespread in Isiolo County, particularly among the Borana, Rendille, Samburu, and Somali (Njue and Askew 2004). About two-thirds (65 percent) of girls aged 15–19 report having undergone circumcision compared with 12 percent nationally (Ministry of Health n.d.). It is not a tradition among the Turkana, but reportedly some have adopted the practice due as a result of mixing with non-Turkana.⁴⁵ The practice often occurs collectively during school holidays. Interfaith leaders are concerned about the practice and complications such as excessive bleeding and death.⁴⁶ The practice is now a crime,⁴⁷ and there is a refuge in the county so girls can escape the practice, but chiefs largely ignore the issue.⁴⁸ Female circumcision may cause complications such as psychological trauma, bleeding, infection, and death, as well as potential gynecological and obstetric complications in the future (UNFPA 2017). The practice often precedes early marriage.

The median ages among women in Isiolo for first sexual intercourse, marriage, and birth of first child are an estimated 18.2, 18.5, and 20.2, respectively, comparable to the national averages of 18.0, 22.1, and 20.3 (KNBS 2014). However, multiple interviewees expressed that

37. Numerous interviews, including with a *boda boda* operator, outskirts of Isiolo Town, May 8–14, 2017.

38. Focus group discussion with chiefs from the Isiolo Town, May 10, 2017.

39. Interview with senior government administrator, Isiolo Town, May 9, 2017.

40. It is not clear whether these arms have come from illegal or official sources.

41. Focus group discussion with chiefs from the Isiolo Town, May 10, 2017.

42. Comment made in focus group discussion with 14 chiefs, Isiolo Town, May 9, 2017.

43. Interview with senior county administrator, Isiolo Town, May 9, 2017.

44. Interview with assistant chief, Duse, May 9, 2017.

45. Interview with secretary to the chief, Ngaremare, May 10, 2017.

46. Focus group discussion with Interfaith Network, Isiolo Town, May 8, 2017.

47. Interview with senior county administrator, Isiolo Town, May 9, 2017.

48. Focus group discussion with 14 chiefs, Isiolo Town, May 9, 2017.

early marriage and pregnancy are significant problems in the county. One bishop noted that in Ngaremara, a community comprising mostly Turkana:

Early marriage is a problem: eight girls in one school were made pregnant in one month. The girls are given bursaries, but when they join form one (ages 13–14), they become pregnant.⁴⁹

A local leader said that after age 15, a girl is considered a woman, and that even an old man can marry her.⁵⁰ The rate of girls finishing school is surprisingly higher than for boys in Isiolo among the Borana, likely due to the government support provided for returning to school,⁵¹ which then encourages and enables the mother's parents to care for the grandchild.⁵² Samburu and Turkana girls do not tend to benefit from this scheme however, possibly due to cultural resistance.

The Kenya Demographic Health Survey reports that only 27 percent of women in Isiolo are using contraception compared with 58 percent nationally. The majority—60 percent—do not attend the full quota of antenatal visits and give birth at home due to geographical and economic constraints. The home birth rate is about 57.6 percent, and the fertility rate is 4.2 compared with the national rate of 3.9 (KNBS 2014).

49. Focus group discussion with interfaith leaders, Isiolo Town, May 8, 2017.

50. Interview with secretary to the chief, Ngaremare, May 10, 2017.

51. Information provided at the County Ministry of Education office, May 2017.

52. Interviews with the members of the media representing *Daily Nation*, Meru Radio, and Citizen, Isiolo Town, May 11, 2017.

The Isiolo County HIV/AIDS Strategic Plan cites figures from the Kenya AIDS Indicator Survey (NASCOP 2012), which found an HIV/AIDS prevalence rate of 4.2 percent compared with a national rate of 5.6 percent. The prevalence rate among women of 5.7 percent is higher than that of men at 2.5 percent, possibly the result of cultural and biological vulnerabilities.⁵³ This may also reflect a higher detection rate among women due to testing at antenatal visits—many people have never taken an HIV test. Condoms are not easily available or affordable, nor are they considered acceptable among men or women as their use could imply that one is disease-ridden. Kenya National Bureau of Statistics reports a 0.4 percent usage rate for condoms in the county (KNBS 2014), although during this research, one women's leader claimed that when condoms are not available, some use plastic bags.⁵⁴ Some reuse condoms, which increases the risk of contracting HIV.⁵⁵ Yount and Abraham (2007) indirectly connect female genital mutilation with HIV through early marriage to older men, not due to the procedure itself.

53. These cultural and biological vulnerabilities, which other literature has extensively describe, include wounds during intercourse, reduced autonomy, and marriage to older men.

54. Focus group discussion with Interfaith Network, Isiolo Town, May 8, 2017.

55. Interview with medical doctor, Nairobi, August 2, 2017.



Devolution and Conflict Dynamics

The Kenyan national government used to consider the northern region of Kenya as having low potential and saw little reason to invest in the area. The country's first post-independence development plan—African Socialism and its Application to Planning in Kenya (GOK 1965) created a dichotomy of low- and high-potential regions, claiming that the former would benefit from a trickle-down effect by investing in the former. Decentralization of functions and a significant transfer of the national budget to the county was therefore an attractive and promising remedy to the ills of marginalization, including its potential to address some of the dynamics and drivers of conflict through more locally relevant and accessible governance structures and through increased investment and development. However, the relationship between devolution and conflict is two-sided: some disputes, particularly regarding boundaries and extractives, have actually become more commonplace since devolution (GOK 2016d). Around three quarters of the counties in Kenya have been experiencing border disputes since devolution (Mkutu et al. 2014). As Menkhaus succinctly notes:

[Devolution] presents the possibility for serious conflicts at several levels—between counties over borders, between local communities over control of the county government and its revenues, and between county governments and the central state over disputed lines of authority and shared powers. In the short term,

devolution guarantees a political environment of uncertain, nascent, and contested authority, with no established “rules of the game” in local politics, and with generally weak, inexperienced county administrations assuming control of expansive budgets and responsibilities (Menkhaus 2015).

Three significant aspects regarding the potential for conflict under devolution are worth considering: administrative, political, and fiscal.

A county government in Kenya consists of an executive branch, comprising a governor, cabinet secretaries of 10 executive departments, and subcounty and ward administrators; and a legislative branch, comprising the county assembly. Isiolo county government departments include land and urban planning, tourism, and agriculture. Isiolo has no peace directorate—as 22 other counties including Mandera and Turkana do, but there is a department of county cohesion that integrates itself into other departments and that partners with the national government in the event of conflict.⁵⁶ The national government administration office also has a presence in counties in the roles of a county commissioner, subcounty commissioners, and chiefs. The governor and members of the county assembly are elected officials, the cabinet secretaries are appointed, and the remaining staff are permanent civil service positions.

56. Information provided in informal phone call with Isiolo County administrator, July 19, 2017.

Capacity

It has been five years since the start of the devolution process, and county structures remain in their initial stages, and capacity remains weak (Mkutu et al. 2014). Institutional weakness impacts on budgets and therefore the release of funds, legislation, service delivery, monitoring and evaluation of development projects, and peacebuilding. In this atmosphere, confusion and tensions can result in conflict, such as between the Kenya Wildlife Service and the community, which the county wildlife directorate has failed to mitigate.

There have been issues regarding the management of land held in trust by county governments, previously managed by county councils. In the case of the airport, the situation on the ground is increasingly confusing, with double allocations of the same land, failure to provide allotment letters (Kibugi et al. 2016), and elite land grabbing. Some chiefs expressed concern over the distribution of illegally produced and invalid documents:

Someone comes with a document and you are removed, despite the fact that it is community land. Titling is a major problem. The document cannot be honored but the people are ignorant. The problem is corruption within the land office.⁵⁷

Planning

The Isiolo county government allocated KShs 690 million (US\$6,900) for the fiscal year 2016/17 for county cohesion and intergovernmental cooperation, among other functions, including the implementation of meaningful public consultation and cooperation in the county among ethnic communities, county and national governments, and nongovernment agencies. The 2015 Isiolo county annual development plan promotes civic education and exchange programs to foster tolerance and respect (Isiolo County 2015).

The county's integrated development plan lists insecurity as a key development challenge and offers several suggestions to indirectly address the problem, mainly through development (Isiolo County 2013). It promotes peacebuilding activities in the form of community dialogue and peace forums, supporting the county's police infrastructure (buildings and residences), and building capacity among community police. The plan also mentions the need for a land policy and spatial plan to facilitate resource sharing due to the climatic pressures facing the county that result in an influx of other ethnic groups, the degradation of resources, and conflict. The plan considers and seeks to address conflict through disaster response, drought mitigation, and diversification of livelihood strategies.

Gender empowerment is another important aspect in the plan. Suggested initiatives include support for girls to remain in school, prevention of female genital mutilation and early marriage, and assistance for women's initiatives. Another proposed initiative is making potable water available closer to homes to reduce women's time travelling to fetch water, an activity that leaves them vulnerable.

National–County Government Interface

Poor communication and role duplication occasionally strain the relationship between the county-level offices of the national government administration and county government (Mkutu et al. 2014). No formal structure exists at the county level for collaboration between the two sectors at the top or grassroots level, except in emergencies such as drought or disaster when a county steering committee brings them together in a meeting cochaired by the county commissioner and governor.⁵⁸ The county opened an office of intergovernmental relations and equipped it with human resources, but the county assembly eliminated its budget.⁵⁹ Burbridge (2016) notes that in the first years after devolution there was a strong and

57. Focus group discussion with 14 chiefs, Isiolo Town, May 9, 2017.

58. Telephone interview with Isiolo County administrator, July 16, 2017.

59. Telephone interview with Isiolo County administrator, July 16, 2017.

Miraa being loaded onto trucks in Maua town, Meru County, to be transported northward through Isiolo.



supportive relationship between the Isiolo county government and the county commissioner. A senior administrator concurred, noting that the national government administration office had later distanced itself from the county government over the sharing of security information.⁶⁰ Disagreements also erupted over the management of the county's hospital (Abdi 2016). Another county administrator noted:

“We do not sit together in development forums. The missing link is that... we do not know each other. The community identify with the national government; this is a big disconnect.”⁶¹

She gave the example of attending a public meeting (*baraza*), led by a top national administrator where she was neither recognized nor asked to contribute

60. Interview with senior county administrator, Isiolo Town, July 8, 2017.

61. Interview with county administrator, Isiolo Town, May 7, 2017.

to a discussion on a county-related issue. In June 2017, 120 people in a variety of occupations in Isiolo asked if there was coordination between county, national, and local agencies in terms of addressing crime and peace-building, only 16 percent said yes, and 48 percent said no (Otieno et al. 2017).

Participation of Citizens

Citizen participation in county government is mainly in the form of meetings with members of the county assembly, but several people interviewed for this research mentioned barriers to participation, including the county's vast territory. Administrators acknowledged a "token" mentality. As one put it:

"People are demanding something before they participate [in meetings], and this means only a limited number can be brought."⁶²

In terms of citizen participation with the national government, an elder noted:

"There is no relationship between wanan-chi [citizens] and the chief; the elders on the ground have no free link with the chief and the chiefs do not get information from the citizens."⁶³

A representative of a peace group concurred, "There are no meetings with the chief nor the assistant commissioner. This is the only meeting, there are no barazas."⁶⁴ Citizens are equally disconnected from county government, and civics education is absent.⁶⁵ As one civil society member noted: "Everything is done by technocrats who do not understand the dynamics on the ground."⁶⁶

62. Telephone interviews with several county administrators, July 16, 2017.

63. Interview with Mzee wa Kijiji, Kinna, May 9, 2017.

64. Focus group discussion with peace group, Kinna, May 9, 2017.

65. Interview with Mzee wa Kijiji, Kinna, May 9, 2017.

66. Interview with member of civil society organization, Isiolo Town, May 9, 2017.

Gender and Youth Empowerment

Article 21(3) of the Kenyan constitution provides that "all State organs and... public officers have the duty to address the needs of vulnerable groups within society, including women." However, the fiscal 2013/14 budget process did not account for the specific concerns of women, which prompted the convening of a forum to sensitize elders on the issue of women's inclusion in leadership.⁶⁷ The County integrated development plan (CIDP) noted that there are several women's self-help groups in the county operating merry-go-round schemes for raising capital. They sometimes receive outside input. Gender inclusion programs tend to rely on outside donors and civil society, which are not always sustainable.

The county has been encouraging people to access the funding available through the national government, including enterprise development funds for women and youth. The former receives significant outside support from donor agencies. Uptake has not been high among pastoralist women in Isiolo but is reportedly improving (Daily Nation 2016). Uptake of the youth fund in Isiolo has been poor, possibly due to the interest charged, a practice believed to be contrary to the Islam (Kamau and Mutwiri 2017). The Uwezo Fund, established in 2014, is another national government program that is part of the Constituency Development Fund. Uwezo is a revolving fund, offering grants and interest-free loans, with 25 percent of funds provided as grants and 75 percent as loans (Uwezo Fund 2014). It also provides mentorship opportunities for women, youth, and persons with disabilities. Isiolo was allocated a total of about KShs 35 million (US\$350,000) of the total KShs 5 billion (US\$50 million) national allocation, almost equally divided between Isiolo North and South Constituencies (Uwezo Fund 2017). As of June 2016, Isiolo North Constituency had disbursed its entire allocation among 200 groups, while Isiolo South, which

67. The Cherab ward administrator who acknowledged this asserted that they would be included in the future.

has a much smaller population, disbursed 5.5 million among 55 groups. Both constituencies ranked poorly in terms of loan repayment, limiting the fund's capacity to develop other groups (Uwezo Fund 2016). Bureaucratic and trust issues deterred people off from applying (Isiolo NewsWire 2014).

Devolved Politics

Devolution has increased political competition at the local level through the creation of new positions and devolved budgets, which raise the stakes for political power. The peaceful nature of the 2013 elections is partly attributable to hopes among the electorate for greater participation and the reversal of marginalization (World Bank 2016). However, the Independent Electoral Boundaries Commission identified Isiolo and several of its neighbors to be among 17 counties with a high potential for election conflict in 2017 (Bocha 2016). Several factors may have led to this designation: the prevalence of firearms in the county; tension among several ethnic groups; several existing border conflicts, interpastoral violence, and highway banditry. However, the annulled elections in August 2017 were largely peaceful.⁶⁸

Land has been a potent political campaign tool since devolution. For instance, voters were said to have elected the first governor because he promised to address the land question in Isiolo and because he had previously worked on pastoral—specifically land—issues as a member of civil society.⁶⁹ Politicians have promised to ensure ownership of contested parcels of land to get the support of people from their own ethnic communities (Bilali 2013). As previously noted, devolution has also further entrenched land claims. Local actors are making exclusive claims over potentially lucrative resources and infrastructure that fall within their boundaries, increasing conflict over internal administrative borders that are often badly demarcated

and therefore disputed. Isiolo is accusing the Meru government of planning to grab parts of the bordering land to take advantage of the previously proposed multi-billion resort city project, complicating the existing conflict over land.

Inclusion and Exclusion

Devolution in Isiolo was effective in terms of power sharing between the two largest ethnic groups; its first governor was of Borana ethnicity, while hailing from Marsabit, while the deputy governor was Somali. As of 2017, the governor and deputy are both Somali, while the senator is Borana. However, the demarcation of counties has rendered the Meru ethnic group as something of a minority in Isiolo, with less representation in the important county positions.

As noted, devolution and development have brought outsiders into Isiolo, impacting the political landscape. Being a member of the county assembly is lucrative and attractive to many.⁷⁰ Sometimes, it is a matter of clan identity, which can cross county borders and can be stronger than county identity. Outside companies influence politics in their favor by investing in particular candidates, which is evident in the amount of money available for campaigns.⁷¹

During the first term following devolution, the county saw major conflict between the speaker and the governor, with a faction allied with the speaker threatening to collect signatures to oust the governor (Wachira 2014). Initially, there was conflict among the members of the county assembly, who had divided into two groups. These wrangles reportedly hampered the operational capacity of the government such that the county assembly passed few bills in its initial years.⁷²

68. Personal observation.

69. Interview with member of civil society, Isiolo Town, May 8, 2017.

70. Focus group discussion with Interfaith Network, Isiolo Town, May 8, 2017.

71. Interview with Isiolo County Deputy Governor, Isiolo Town May 8, 2017.

72. Telephone interviews with several county administrators, July 16, 2017; see also Kenya News Agency 2014 and KTN News 2014.

Financing Flows and Development

Since March 2013, the counties of Kenya received over KShs 1 trillion from the national government. Table 4.1 shows Isiolo's allocation, which amounts to an annual average of KShs 81,429 per person over the almost four years—the highest per person allocation among all 47 counties.

As Aditi Malik points out, 15 percent of the national revenue devolved to counties is unconditional. This flow of resources increases local electoral rivalries and conflicts; with Isiolo particularly at risk for potential conflict. She questions if making some of the allocation conditional could help reduce this risk (Malik 2016).

According to a report by the controller of budgets for the year ending July 2016 (GOK 2016c), the county spent KShs 3.25 billion, of which 66 percent was for recurrent expenditures and 34 percent for development. Analysis of the recurrent expenditures revealed that about 64 percent was for personal salaries and fees, with the remainder for operations and maintenance. Spending on travel, however, decreased over concerns raised about the lack of accountability in the previous year's budget (GOK 2015b). Analysis of the Kshs 1.12 billion development expenditure indicated that the roads and housing and works department incurred the highest expenditure of Kshs 188.82 million (US\$1.89 million) for the construction and maintenance of access roads: 70 kilometers (km) of roads were graded, and 30 km were graveled across the 10 wards. Other areas of development mentioned in descending order include research and feasibility studies, emergency relief food, water access projects, public participation forums, the purchase of specialized plant, building construction, the purchase of certified seeds, the purchase of medical equipment, ward offices, and the purchase of motor vehicles for county assembly members. In the previous year, significant expenditures were reported for boreholes, early childhood education classrooms, and health centers (GOK 2015a).

Table 4.1. Payments to Isiolo County Government, March 2013 to July 2017

Fiscal Years	Devolved Funds (KShs billions)
2013/14	2.248
2014/15	2.683
2015/16	3.200
2016-July 21, 2017	3.538
Total	11.668

Source: National Treasury 2017: 28.

The auditor general noted the progress made in embracing the use of the Integrated Financial Management Information System (IFMIS) and in building capacity among technical staff, but also noted that the local revenue collection rate was low and that wage bills were verging on being unsustainably high, an issue that the county public service board should address. Media reports reflect a different picture, however, with the county government accused of misappropriation of funds, spending Kshs 271 million on a road project that has not happened, and pending bills for hundreds of millions of Kenyan shillings for all ministries. A 2015 corruption charge against the former governor is ongoing (Manyara 2015; Mugo 2017b).

The Institute of Certified Public Accountants of Kenya provides mechanisms for participating in financial management, including written submissions and petitions to the county executive and county assemblies; public hearings, newspapers, national and local television, and radio stations. Public participation in public finance management has been low in the past, resulting in inefficiencies and misallocation of resources. Funds must be properly used, and capacity building toward this end is needed, but the national government has diverted both community and county development funds to security purposes.



Responses to Conflict

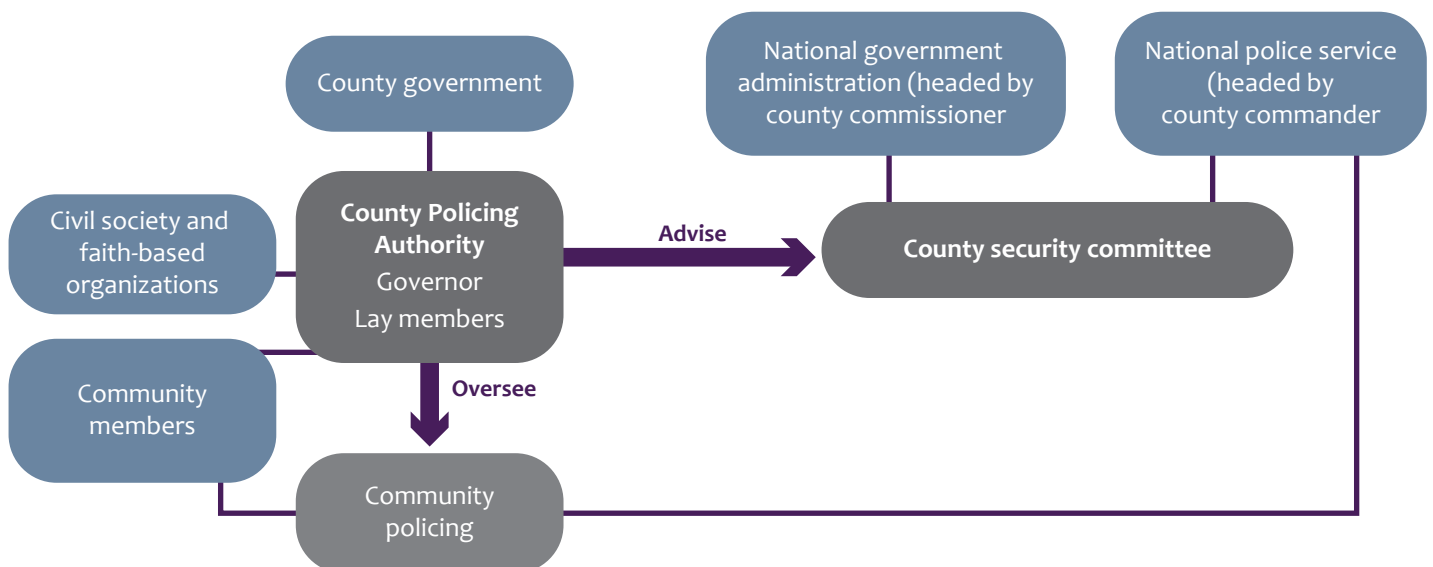
PEACE AND SECURITY ARCHITECTURE SINCE DEVOLUTION

Kenya’s current constitution made several changes to the country’s security architecture. At the national level, the two police branches—the Kenya Police Service and the Administration Police—are both now under the Inspector General of Police. The latter was traditionally a more informal service, attached to less-developed areas and mobilized by the former provincial administration (chiefs), although it was becoming increasingly professionalized. A newly created an independent police oversight authority provides civilian oversight and investigates of misconduct, and the National Police

Service Commission handles the management of human resources. There is, as of 2013 a unit director and a policy for paying reservists serving under the National Police Reserve (NPR) (NPS 2013).

Figure 5.1 provides an overview of the structural links between county and national government and other stakeholders at. Following is a more detailed consideration of the formal and informal security and peacebuilding structures, as well as specific interventions to address violent extremism in the devolved context. National discourse is gradually moving from security to crime and violence and devolution offers a good opportunity to look at preventative, locally relevant prevention interventions that follow international

Figure 5.1. Actors and Structures Relevant to Peace and Security in Kenyan Counties



Source: Mkutu et al. 2016.

Table 5.1. Formal Security Forces in Isiolo County

Force	Role	Notes
National Police Service		
Kenya Police Service	Law and order	5 police stations and 1 police post
Administration Police	Law and order	
Anti-Stock Theft Unit	Apprehension of cattle thieves and recovery of stolen cattle	Anti-Terrorism Police Unit post opened in the town of Isiolo, July 2016
General Service Unit, including Anti-Terrorism Police Unit	Special terrorism-related tasks	
National Police Reserve		
Military		
Kenya Defence Forces	Training Mobilized only during major crises	78th Battalion Soi Battalion School of Artillery School of Combat Engineering
British Army	Training	

best practices. Counties do not have a formal role in security, but they can play a significant role in prevention through development, job creation, laws relating to alcohol, and urban planning. Through county policing authorities, which also initiate and oversee community policing initiatives, counties can also be part of the planning and priority-setting process regarding policing.

COUNTY POLICING AUTHORITIES

The governor chairs the county policing authority, with six lay members representing the interests of the public regarding security issues. Their recommendations are supposed to feed into the county security committees, organs headed by county commissioners from the national government who make security decisions on a daily basis regarding issues including police deployment. The delay in the gazettelement of the regulations for county policing authorities subsequently resulted in a delay in the release of supporting guidance and implementation of these structures across the country. In Isiolo, the recruitment process for positions on the

public service board has taken place, but vetting is still underway.

FORMAL SECURITY

The on-the-ground police presence in Isiolo is thin, stationary, and poorly resourced—even in terms of vehicles. This severely hampers their ability to respond to security threats promptly and effectively, especially in places of low population density and where communities are mobile over vast and remote areas. One chief commented,

“Now everyone is armed... I am a pastoralist and I need to survive. If you are attacked at 10:00 p.m., the police will follow or respond in the morning.”⁷³

A county official concurred

“The police do not work at night. Often the rustlers would come in the evening about 10:00 p.m. The community understand the patterns,

73. Focus group discussion with 14 chiefs, Isiolo Town, May 9, 2017.

[they] believe that the police have no purpose. That is why they are demanding for [the national police reserves].”⁷⁴

A sheikh felt that even the Anti-Stock Theft Unit was ineffective because cattle were stolen despite their presence on the roads.⁷⁵ By contrast however, in the more settled southern part of the county, joint operations between police in Isiolo and Meru counties managed to track and recover over 500 of the 700 cattle stolen in early 2017, although an officer died in the process (Nduro 2017).

A visit to the police station in Kinna revealed an administration police force of only eight, even though this is a conflict hotspot. The officers lived in tin shacks in extreme temperatures and complained of being troubled by spiders. An old Landrover served as a temporary police cell. One observer noted that the administrative police—located until recently in communities and primarily mobilized by chiefs—are far better at intercommunal relations and coordination with communities than the regular police, who fail to understand the pastoralist way of life; and that the Wajir Peace Committee played an important decision-making role in police deployment. The administrative police have been given command in Mandera, Wajir, and Garissa under the northeastern Regional Commissioner Saleh, a move which may be worth replicating in Isiolo and Marsabit).⁷⁶

Chiefs and Crime

On the ground level, the new constitution removes the power of the chiefs to mobilize the administration police, referred to as the “chief’s police” during colonial times when chiefs played a vital role in arresting criminals and responding to cattle raids by mobilizing the administrative police and the national reserves. Chiefs noted that, as a result of the change, the response to

crime at the local level is very poor. Chiefs from the town of Isiolo noted that they had greater direct access to arms prior to devolution: “We had guns but three years ago they were taken away. With guns and [national police reservists] we could push back cattle raiders, but now we cannot.”⁷⁷ The county commissioners of Isiolo and Meru counties have agreed that chiefs should not be armed (Kimathi 2016). At the time of research, the county commissioner, rather than the police, deployed national police reservists even though the reservists are supposed to be under the jurisdiction of the Officer Commanding the Police Division (OCPD).

Disarmament

The several disarmament attempts in Isiolo County over recent years were marred by allegations of human rights abuses, asymmetrical disarmament, simultaneous armament of community members as national police reservists who may then abuse their positions, and the surrendering of defunct weapons. The most recent exercise in 2016 called on communities to register their illegal weapons to be considered for positions with the NPR. After several months, about 40 arms were given over. However, as one local administrator complained: “The government is disarming people (Isiolo) but our neighbors are not disarmed so we are at a loss.”⁷⁸ There is clearly a need for a clear policy on arms.

County Support to Formal Security

Although counties are not directly responsible for security, the county’s integrated development plan states that the county plans to implement the building or upgrading of six police posts or stations and police housing at an estimated cost of Kshs 34 million, to be funded by the county, national, development partner, and community development funds (Isiolo County 2013). This effort appears to be only partially successful.

74. Interview with Isiolo county official, May 7, 2017.

75. Interview with a local sheikh and member of Supreme Council of Kenya Muslims (SUPKEM), Isiolo, May 12, 2017.

76. Comment made by a member of civil society, Isiolo Town, 24 October 2017.

77. Focus group discussion with chiefs, Isiolo Town, 10 May, 2018.

78. Interview with secretary to the chief, Ngaremare, May 10, 2017.

INFORMAL SECURITY

National Police Reserve

The NPR (formerly the KPR) is an armed auxiliary volunteer force whose role is to work under the National Police Service to protect their communities (Section 110 of the National Police Service Act 2011). The reservists often guard their own pastoralist cattle *kraals* (enclosures) and move with cattle caravans to protect them against raids by other pastoral groups. The national government uses them to boost police services in remote areas; they are often the main source of security at national borders. Many consider the NPR to be the most dependable security—the reservists speak the local language; understand the local security context; and are familiar with the geography, terrain, and climate (Mkutu 2015). There are, however, several concerns about arms control and a lack of professionalism among reservists. The government has promised to address these issues through improved training and remuneration (Business Daily 2014), but recruitment efforts continue while these changes are not yet in place. Commenting on reservists and rangers (conservancy security personnel), one Isiolo chief said:

The effective people are the [reservists] and rangers, not the police. We went to fight and we were 10, and the enemy bandits were three, the police could not manage to defeat the three. In another instance, we had 180 police who went to sort a raiding problem against 30 bandits, the 30 defeated us. The protectors of citizens are ineffective. The guns that protect citizens are the illegal guns. The police employed do not want to die. It's only the [traditional] security who are ready to die for cows.⁷⁹

In 2016, Isiolo's county commissioner announced that the national government would recruit 500 new reservists, prioritizing any who had registered their illegal arms (Daily Nation 2012). Some argue that the

creation of NPRs in Isiolo entrenches ethnic rivalries and creates a kind of legal arms race between communities; the residents of Isiolo County feel that reservists in Samburu County have been given more legal arms, which are then used aggressively against them.⁸⁰

Conservancy Security

Conservancies are well resourced with security forces; they have armed and equipped reservists and rangers with radios and even helicopters for rapid response to poaching and other incursions. There were about 185 armed reservists within Isiolo's conservation areas in 2012 (GOK 2012). The Northern Rangelands Trust (NRT) notes that each of the conservancies has about 10–20 scouts, some armed and trained by the Kenya Wildlife Service to combat poaching. The NRT also has “9–1 and 9–2 squads”—specialized antipoaching units of 12 scouts who have received advanced warfare training by ex-British Army personnel.⁸¹ These squads can mobilize anywhere in the county to handle a variety of problems. The armed scouts can carry arms by virtue of also being national police reservists. The county commissioner can also deploy conservancy security forces to address problems such as cattle rustling.

This arrangement raises some security governance issues (Mkutu 2015). The apparent lack of police oversight of these trained forces, mainly managed by the conservancy and the NRT, challenges the role of the state security. Further, because conservancies are established along ethnic lines and the rangers hired often from the same group, these forces could plausibly become embroiled in ethnicized conflict.⁸² Regarding the previously mentioned Kom conflict, one observer said, “In Kom rangers were used. Each ranger decided to join his own community, so that it was conservancies fighting instead of communities fighting.”⁸³ Lastly,

80. Interview with subcounty administrator, North Isiolo constituency, May 7, 2017.
81. See “Security” on the Northern Rangelands Trust website at www.nrt-kenya.org/security.

82. Interview with member of civil society, Isiolo, August 26, 2016; focus group discussion with women leaders, Isiolo, August 30, 2016; see also Mkutu and Wandera 2013.

83. Interview, conservancy staff member, place withheld, May 10, 2017.

79. Focus group discussion with 14 chiefs, Isiolo Town, May 9, 2017.

Table 5.2. Peacebuilding Players in Isiolo County

Institution	Strength	Comments
National government administration office	Strong	Links with traditional system
County government		No peace directorate
Elders	Strong	Links with national government administration office Challenges around exclusion of women and youth
Faith-based, including Interfaith Network, Caritas and Catholic Justice and Peace Commission	Moderate	Links with elders and national government administration office Represents all communities
Nongovernmental organizations, including Isiolo Peace Link and Isiolo Peace Triangle, and community-based organizations	Weak	Lacking human and other resources; infighting between civil society organizations, some of which operate from Nairobi
Frontier Counties Development Council	Weak	Intercounty level
District peace committees (no longer funded)	Weak	Office present in county commissioner’s compound with no electricity or water and no vehicles; lack of financial resources; ^a members have been selected. ^b

a. Interview with 20-year member of District Peace Committee, Ngaremare, May 10, 2017.

b. Focus group discussion with peace group, Kinna, May 9, 2017.

the security aspects of conservancies can become an incentive for communities to form them to acquire armed reservists from among their ethnic group.⁸⁴ In this way, the conservancy model has evolved to become a security strategy for communities.

Nyumba Kumi

Nyumba Kumi (translated as ten households) is the government’s strategy for anchoring community policing at the household level. Since its introduction in Kenya in 2015, the government has incompletely rolled out the plan in several counties. In Isiolo, the selection of chairs for household clusters was reportedly complete, but there have been no further actions.⁸⁵ People had hoped for some remuneration for their roles.⁸⁶

PEACE-BUILDING PROCESSES AND PLAYERS

In June 2017, a survey asked 120 people from Isiolo participating in a variety of occupations to identify the institutions most responsible for crime and violence

prevention. Respondents cited elders, mosques, and family as the most important—over the police; nongovernmental organizations and hospitals ranked as least important. Table 5.2 summarizes the various players involved in peacebuilding in the county. There are some links between them but a coordinating agency is lacking, suggesting that a county-level peace directorate, such as the one in Turkana, could be helpful.

Peacebuilding

Counties are well-placed to carry out peacebuilding activities. Isiolo’s department of county cohesion provides input for other departments and can mobilize resources in the event of conflict, but there is no peace directorate to coordinate the county’s peace actors, nor is there a specific budget allocation in support of peacebuilding efforts. This gap results in the curtailment of important peacebuilding activities due to lack of funding; and District Peace Committees, which were aligned to districts in the predevolution era, are languishing, partly due to a lack of support and direct funds from the national government, which ceased after devolution (although many never took off even in the previous

84. Interview with senior administrator, Isiolo, June 10, 2017.

85. Focus group discussion with members of a Peace Group, Kinna, May 9, 2017.

86. Focus group discussion with 14 town chiefs, Isiolo, May 9, 2017.

dispensation). Coordination between the various peace actors in the county is poor.

The constitution, the national land policy, and the County Government Act of 2012 emphasize the empowering of local communities and their institutions to take more responsibility for natural resource governance. This transformation provides the opportunity to empower informal systems. The focus on informal institutions and the need to support their role in natural resource management is central to the African Union Policy Framework for Pastoralism in Africa (African Union 2010). The Isiolo County Climate Change Fund Bill of 2016 is intended to create a Climate Fund to increase resilience against drought at county level (IIED 2014). This has been passed but not yet implemented (GOK 2016c). The fund would be used for among others: climate change programs; adaptation and mitigation activities at the community level; and incorporation of climate finance in the county planning and budgetary framework (GOK 2016c). Wajir and Makueni counties were the first to enact the County Climate Change Fund (CCCF) legislation. The Isiolo County Customary Natural Resource Management Bill, which formalizes traditional management systems is also still in progress (GOK 2016d). There has been some mention of a move to charge a fee to pastoralists from outside the county for accessing pasture but this is currently not included and has been hotly opposed by those who would be impacted by it (Kemboi 2016).

The Dedha and Gadaa Systems

The Borana ethnic group have an active traditional system of grazing land management enforced by the *Dedha* council of elders. This is one aspect of an elaborate more age-set system known as the *Gadaa* that combines various religious and community functions (Baxter 1978). The system relies on rules to limit exploitation of natural resources such as water sources, pasture, and forests to preserve them for the benefit of all. Rules over access to wells are particularly detailed, and animals are kept

from polluting water sources. The system is also used to manage in-migration by other ethnic groups. A civil society officer said,

The Borana will first count the number of livestock you own, give you a place to graze, then tax you for the period of occupation, after the drought is over, you are expected to return to your normal county.

There can be consultation and negotiation between the Borana and other ethnic groups over land access, but at other times, there may be conflicts (Tache and Irwin 2003). Several Borana lamented that their access rules were not acknowledged by other groups.

The system is currently facing a number of challenges. First is the ability to negotiate when under increasing pressure due to drought and land alienation for other purposes. Some felt that the system was under threat from modernization, “The youths only want motor-bikes and living in towns.”⁸⁷ Tensions between elders and youths over revenue from the grazing committee also undermine the system. Although some accuse the Somali of not wanting to engage with the *Dedha* system, a police officer gave another side to the story,

Somali come in and negotiate with the elders, and pay a fee to access the pasture. When the youths, who are now armed, meet the Somali, they also demand to be paid [because] the elders have not shared with the youths.⁸⁸

Therefore, the system needs to be inclusive in terms of youth, and also gender in order to be effective. Tache and Irwin (2003) question the functionality of the *Gadaa* in today’s world.

It is not clear just how fully representative or accountable the Gadaa system is to today’s modern constituency, or how well equipped it is to deal with the complex levels of partnership

87. Interview with County Secretary, Isiolo Town, 10 May, 2017

88. Interview with Administration Police Officer, Kinna, 10 May 2017

and negotiation required in the current context of multiple stakeholders in resource management.

One example of this dynamic is that communities wish to retain traditional *Dedha* governance structures within conservancies. This is quite different to the current conservancy management model under NRT.⁸⁹ However, external imposition of western models of inclusivity and democratization on local power structures can undermine their local effectiveness (Chopra 2008). To conclude, with all its challenges the *Gadaa* has shown the ability to adapt over time and may offer valuable wisdom amidst increasing land-based resource competition in Isiolo. As a Sheikh put it “[We need to] strengthen the capacity of the elders to look after the environment. Policies have not recognized the traditional ways of resolving conflicts. There is untapped information that could assist in addressing climatic variability.”⁹⁰

The Modogashe Declaration

The Modogashe Declaration⁹¹ was brokered by community leaders and government representatives from the eastern and northeastern provinces in 2001 at Modogashe, Isiolo, following severe banditry and cattle raiding, which coincided with collapse and conflict in Somalia and an influx of small arms into the region (Gufu 2011). It has been hailed as “One of the most successful community peace agreements that has largely contributed to a reduction of conflicts mainly in North Eastern and upper Eastern Kenya” (NSC Peace 2011).

The declaration relied on and formalized preexisting peace-building practices. It focused on unauthorized grazing, trafficking of illicit firearms, cattle rustling, compensation for deaths, controlled livestock movement to curb diseases and illegal trade, highway banditry, the role of peace committees, unchecked acquisition

of identity cards by non-Kenyans and general socio-economic empowerment. The Declaration is supposed to be reviewed biannually for relevance, consistency and to evaluate implementation status. However, since its inception, it has only been reviewed once—in May 2005.⁹² At this review the role of peace committees in pursuing stolen cattle and working with the police was formalized, and the provisions of the declaration on small arms were linked more strongly to the laws of Kenya (Chopra 2008).

Among the challenges faced by the declaration is that was less favorable to non-Muslim communities on certain points of compensation (Sharamo 2014). In a dispute between Borana and Somali pastoralists on the Isiolo Garissa border, politicians from Isiolo County said that the Modogashe Declaration has ceased to meet its objectives (Jebet 2016). The Borana community has felt frustrated as the only community that honours the Declaration with a section of the politicians accusing Somali herders of not following the proper mechanisms laid down by the grazing committees.

The Nanyuki Accord

The Meru–Isiolo border conflict tension was calmed by the Nanyuki Accord of 20th December, 2013, between elected and community leaders of Isiolo and Meru. The Accord took 9 months to negotiate and emphasized the importance of interdependence and peace. The following agreements were made: that the dispute would be resolved through institutions whose mandate included boundary dispute resolution and identification; that the national government clearly identify the boundaries of military establishments that may have encroached on private parcels of land in both counties and that establishment of projects on the disputed areas should stop until the boundary issue is resolved.⁹³ A commission was set up by the Ministry of the Interior to deal with the matter but was challenged in court by Isiolo

89. Interview with County Secretary, Isiolo Town, May 10, 2017.

90. Comment by a Sheikh, of Chair Isiolo Interfaith Forum/Council, Isiolo Town, May 8, 2017.

91. “... an accord to codify pastoral access to land following in another Trust land, and compensation for stolen cattle or loss of life” (Menkhaus 2015).]

92. NCIC 2017; Interview with county secretary, Isiolo Town, May 10, 2017.

93. Taken from Resolutions of the Meru/Isiolo leaders meeting held at Sportsman Arms Hotel, Nanyuki, Kenya, December 20, 2013, provided by senior national administrator.

communities who said that it was not independent. The court ruled in the Isiolo petitioners' favor that the matter should be handled by an independent commission.⁹⁴ There have been no further steps forward since that time,⁹⁵ while sporadic violence continues.

Alternative Dispute Resolution

The alternative dispute resolution pilot project was launched in Isiolo County in 2013. A registered council of elders was “mandated to arbitrate and mediate cases with a view to reduce the backlog in courts and promote access to justice in the society,” for residents living a long distance from the courts in the town of Isiolo (Mamo and Nduro 2013). A local leader felt that this resolution process was very useful in reducing the cases seen in courts, since most cases are dealt with locally, but he gave the opinion that it is overused,⁹⁶ possibly referring to cases which ought to be dealt with by a criminal court.

The benefits and challenges of the alternative dispute resolution process are well understood: on the one hand there is the acceptability and legitimacy of local justice institutions, and their timeliness to deal with perpetrators where state structures are thin on the ground, expensive, inefficient, or corrupt. Further, local justice institutions are also restorative, smoothing the path for improved relations through compensation. On the other hand, there are new stronger political and geopolitical factors in conflict or crime which may be overwhelming for these systems, while the interface between the modern democratic state and the traditional system with its different norms and values makes harmonization a sensitive and difficult issue. There is also a risk of duplication of roles, and double penalties for perpetrators when both systems are in place (Chopra 2008) and people often “shop for justice” switching between the different institutions according

to where they feel this could benefit them more. *Khadi* courts are also part of the judicial landscape and deal with determination of questions of Muslim law relating to personal status, marriage, divorce or inheritance.⁹⁷

MEASURES TO ADDRESS VIOLENT EXTREMISM

Various players in the county have been involved in working together to address violent extremism. An observer from Isiolo commented that most Imams talk against radicalization but that the issue is a matter of huge debate among Muslims.⁹⁸ The county government have carried out some civic education about radicalization, while the Interfaith Network noted that it carried out some preliminary sensitizations in schools and universities, with elders talking to students in order to counter the radicalization narrative, but had to stop due to lack of finances. They noted “Advocacy work requires a steady stream of financing.”⁹⁹ A senior administrator noted that in an effort to engage youths in profitable activities, the county has tried to provide some menial jobs, but there is no coherent policy within the county to address radicalization.¹⁰⁰

Some accuse the Anti-Terrorism Police Unit of indiscriminately arresting innocent youth and demanding bail of KShs 2–300,000 (US\$2–3,000). The unit has also detained and harassed the parents of disappeared youth suspected of joining Al Shabaab.¹⁰¹ Further, when violent extremism is reported, the one reporting may later receive threats, raising concerns that some of the security are complicit in the problem.¹⁰² This concurs with similar findings in other counties, though Isiolo has been spared the “tit for tat” killings of clerics as seen in Mombasa and elsewhere (Otieno et al. 2017).

97. See chapter 10, part 3, section 170 on Kadhi's Courts in Constitution of Kenya at www.klrc.go.ke/index.php/constitution-of-kenya/136-chapter-ten-judiciary/part-3-subordinate-courts/339-170-kadhis-courts.

98. Comment made by a member of civil society, 24 October, 2017.

99. Focus group discussion with Isiolo interfaith leaders, Isiolo Town, August 30, 2016, and May 8, 2017.

100. Interview with senior administrator, Isiolo Town, May 8, 2017.

101. Interview with county administrator, Isiolo Town, May 7, 2017.

102. Multiple interviews and focus group discussions, Isiolo Town, May 6–14, 2017.

94. Constitutional Petition 511 of 2015, County Government of Isiolo & 10 others vs. Cabinet Secretary, Ministry of Interior and Coordination of National Government & 3 others [2017] e-Kenya Law Review (eKLR) <http://kenyalaw.org/caselaw/cases/view/137183/>
95. Telephone interview with former Isiolo counselor, July 19, 2017.
96. Interview with secretary to the chief, Ngaremare, May 10, 2017.

SUMMARY

Table 5.3 provides a summary of the responses to conflict presented.

Type of Conflict	Institutional Response
Intercommunal resource-based	<i>Police, including Anti-Stock Theft Unit:</i> Slow response to incidents; cultural insensitivity to pastoralist systems; sparse coverage in vast arid areas; arming or disarming of reservists
	<i>Police, chiefs, and military:</i> Disarming of reservists
	<i>National police reservists:</i> Quick response and cattle recovery; accused of unprofessionalism and acting as a clan militia
	<i>Community elders:</i> Negotiation through <i>Gadaa</i> and other customary systems
	<i>National government administration:</i> Barazas (public meetings); diminished role of chiefs, especially regarding the mobilization and control of national police reservists
	<i>Community leaders and government representatives—joint approaches:</i> Modogashe Declaration; Nanyuki Accord
Intercounty border (political and intercommunal)	As for intercommunal conflict
	<i>Member of parliament:</i> Cross-border dialogue
Ethnopolitical	As for intercommunal conflict
	<i>National Cohesion and Integration Commission:</i> Monitoring of political incitements
Violent extremism	<i>Anti-Terrorism Police Unit:</i> National Center for Counter Terrorism; arrest of suspects, tracking of movements, and research
	<i>County government:</i> Civic education and job creation
	<i>Civil society, including Interfaith Network:</i> Civic education
Interpersonal, including gender and youth violence	<i>Police and Director of Public Prosecutions:</i> Usually major criminal cases
	<i>Khadi courts</i>
	<i>Chiefs:</i> Record and manage cases
	<i>Elders councils and alternative dispute resolution:</i> Deal with most minor offences and gender-based violence cases due to lack of police and judiciary in remote areas
	<i>Civil society and faith-based organizations:</i> Customary governance, counselling, and reconciliation; specific interventions to reduce female genital mutilation through awareness, education, and national laws
	<i>County:</i> Empowerment of women and youth
	Community-based initiatives



Recommendations

FOR ISIOLO COUNTY GOVERNMENT

- ◆ Mainstream peace and conflict sensitivity in the county integrated development plan (CIDP) as a key component across all departments and ministries.
- ◆ Establish a county policing authority.
- ◆ Create a peace directorate with its own funding and build its capacity.
- ◆ Establish a ground-level data-collecting mechanism for early warning on insecurity.
- ◆ Fund local peace initiatives and collection of data.
- ◆ Use the council of governors to mediate intercounty disputes, particularly Garissa and Meru counties.
- ◆ Together with the national government, enhance and formalize the traditional mechanism of conflict resolution and mitigation.
- ◆ Enact the climate fund and build capacity among those responsible for its implementation.
- ◆ Prepare Isiolo communities for mega-projects through information sharing and participation; together with national government, create a policy framework for this purpose that addresses informed choice and just compensation.
- ◆ Create a budget to train Isiolo youth with skills they can use once the mega-projects are up and running.
- ◆ Together with the national government, retain and revive the Isiolo Holding Ground as a strategic facility.

FOR NATIONAL GOVERNMENT

- ◆ Provide security to all communities to reduce the demand for firearms; avoid unilaterally disarming communities.
- ◆ Accept and support the County Policing Authority including participation of the Independent Policy Oversight Authority at the county level.
- ◆ Initiate sensitivity training for police to appreciate northern cultures and mobile policing systems to work with communities.
- ◆ Coordinate, streamline, and cross-link existing institutional mechanisms, including the District Peace Committee Nyumba Kumi and the cohesion committee to foster information sharing rather than competition.
- ◆ Establish mechanisms for sharing security-based information with the county, council of elders, and civil society.
- ◆ Create a mechanism for a common development and growth agenda among all stakeholders.
- ◆ Together with county government, create a policy framework and prepare Isiolo communities for mega-projects through information-sharing; participation; clear compensation systems, including the prioritization of unskilled labor and training opportunities for locals; consider creating one-stop centers for these purposes.

- ◆ Develop value addition facilities value-added in the livestock development sector to enable the export of animal products.
- ◆ Together with the county, work to retain and revive the Isiolo Holding Ground as a strategic facility; remove all who have encroached on the land.

FOR CIVIL SOCIETY, INTERFAITH NETWORK, AND COUNCIL OF ELDERS

- ◆ Establish a bottom-up mechanism for gathering local-level information from front-line, community-based organizations.
- ◆ Collect data on peace and security for the purposes of early warning and intervention.

- ◆ Involve youths in rangeland management committees with elders; consult with women.
- ◆ Carefully consider the diversification of livelihoods.

FOR THE WORLD BANK

- ◆ Build human resource capacity for budgeting, procurement, report writing, and planning.
- ◆ Build capacity for a conflict-sensitive approach; ensure stakeholders mainstream the approach into all service delivery and county projects by fostering the sharing of ideas and views and the setting of common goals.
- ◆ Ensure that Frontier Counties Development Council funds go toward intercounty cooperation.

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