Report on the CELEP webinar

"PASTORALISM AND CONFLICT: RETHINKING THE PHENOMENON"

12 November 2020

On 12 November 2020, a webinar on "Pastoralism and conflict: rethinking the phenomenon" was organised by the International Institute of Environment and Development (IIED) together with the Karamoja Development Forum as part of their engagement in the Coalition of European Lobbies for Eastern African Pastoralism (CELEP – www.celep.info). The webinar offered an opportunity to learn about recent findings on pastoralism and conflict, using an alternative lens through which the dynamics of pastoralism and the root causes of conflict in pastoral areas might be better understood.

If you would like to listen to the webinar again, you can find it here.

Dr Saverio Krätli, editor of the journal *Nomadic Peoples*, facilitated the webinar. The speakers included:

- Dr Camilla Toulmin, Senior Associate at the International Institute for Environment and Development (UK)
- Dr. Kennedy Mkutu, Associate professor for International Relations and Peace Studies at the United States International University in Kenya
- Simon Longoli, Director of the Karamoja Development Forum in Uganda.

Dr Camilla Toulmin presented findings from a recent publication and a study carried out for the French Development Agency (AFD) in the Sahel and the Horn of Africa, challenging the dominant view that farmer–herder conflicts are to blame for the rise in insecurity and conflict in these regions.

Indeed, there is no quantitative evidence that incidents of conflict involving pastoralists in semi-arid lands have increased at a faster rate than other types of conflict. The number of incidents and level of violence have certainly increased over the past ten years, but the instances involving herders are few and proportional to the number of herders in the region – in most cases, they are actually attacks on pastoralists carried out by militia and government forces. Hence, looking at violence and conflict through the lens of farmer–herder conflict is overly simplistic and is the main problem. Crop farming and herding systems are not inherently at odds with each other but are actually complementary: managing the calendar to organise access to natural resources needed by both groups is what matters to preserve this relationship. Peaceful relations between crop farmers and herders are the norm, not the exception. Indeed, most people in the Sahel practise both crop farming and herding.

Farmer–herder conflicts are all too often presented as inevitable, the consequence of resource scarcity accelerated by climate change. In fact, the origin of the conflict lies rather in policies, power and poorly regulated access to land management. Terrorist and mafia groups exploit the resentment of local people towards the government and local grievances over land and make their money by raiding local settlements, smuggling arms and drugs, and kidnapping. The difficulties faced by both crop farmers and herders relate to corrupt and ineffective state administration of land and natural resources. The state is generally absent but, when it is present, it generally takes the side of farmers instead of providing impartial rule-based judgement to resolve conflicts. Additionally, local mechanisms used to manage competition over water and land have been undermined by governments seeking centralised power and decision-making. Moreover, central governments have allocated land areas to domestic and foreign investors for large-scale projects, often without taking into consideration the needs of local people – often pastoralists – and without paying them any compensation. The Covid-19 pandemic has further deteriorated the situation: the closure of borders has disrupted pastoral mobility, increasing health risks and overuse of resources on account of the concentration of animals at the frontiers.

In addition, pastoralism is still poorly understood: whilst crop farming is considered as vital to the national economy, pastoralism is portrayed as primitive, inefficient, bad for the environment and a driver of conflict. In reality, the mobility of herds makes pastoralism a highly resilient practice and a smart way to respond to climate change; when pastoralists are absent because of rising levels of insecurity, communities may face problems of land infertility and lack of milk. Indeed, pastoralists make a major contribution to national and regional economies: in the Sahel, the livestock sector contributes 10–15% of GDP and 40% of agricultural output and provides income to two-thirds of the population. Yet the livestock sector receives only 1–2% of national budget in terms of public investments.

Dr Toulmin concluded by stressing the need for governments' support to pastoral mobility through investments that protect corridors and make patterns of transhumance more secure. Governments also need to promote fair laws for conflict resolution, making them accessible in practice, and to recognise and reinforce the legitimacy of local mechanisms used to open up dialogue and negotiations and to build collective resilience to future shocks. These mechanisms are often invisible but are essential planks to rebuild trust between groups on the pathway to reconciliation and peace.

Dr Kennedy Mkutu talked about the impact on pastoralists of mega-projects in Eastern Africa and how this is related to increased conflict. Mega-projects are being initiated all across East Africa and, in most cases, they cut across or are located in peripheral areas that were once ignored by central governments. Dr Mkutu's presentation specifically focused on three areas of northern Kenyan: Narok, Marsabit and Isiolo. Since 2012, the Kenyan Government has promoted investments in the northern part of the country, where pastoralists traditionally live, with the idea of "opening up the country"; however, this process may have negative implications for local people.

Land tenure

In 2012, the Kenyan Government passed the Land Act, which recognised communal land tenure and provided for compensation in the event of eviction. Afterwards, the 2016 Community Land Act started a process of mapping of all pastoral land. However, the process is slow and pastoral land is mainly communal and its limits are rather vague, which makes it very difficult to register it properly. Mega-projects proceed much faster, and pastoralists cannot claim compensation for the land they lose, as they do not have any recognised rights to it. The 2019 Land Value Amendment Act allowed development of mega-projects to be speeded up, thus taking a step backward with respect to the 2012 law: only communities that have been living in a certain area for at least six years can be compensated. However, pastoralists are mobile and thus not always eligible for compensation for land that they use seasonally. Generally speaking, land is evaluated on the basis of government surveyors' opinions rather than its value to pastoral livelihoods.

Private investments

Turkana is a vast, arid and conflict-prone county in the northwest corner of Kenya, and is mainly inhabited by pastoralists. Since 2012, oil exploration and extraction activities led to conflicts between the local communities and the oil company over jobs, tenders, displacements and benefits (which generally did not go to the local people). Additionally, since 2015, Turkana–Pokot conflicts were further exacerbated by oil and geothermal extractions, as both counties claim rights over the territory and politicians exploit these intercommunal conflicts for their profit. From a security standpoint, it is clear that the Government is deploying security forces only to protect oil-extraction activities: before 2012, there were no security mechanisms implemented in the area.

Development programmes

Thirty mega-projects are currently underway in Isiolo County alone, including the LAPSSET (Lamu Port–South Sudan–Ethiopia Transport) Corridor, an infrastructure project aimed at linking Kenya, Ethiopia and South Sudan. However, these projects are fostering resettlement and conflicts (often fatal) among pastoralist communities, instead of bringing development. An example is the Meru–Isiolo boundary conflict. Huge land grabs are occurring in the areas through which the LAPSSET Corridor will pass, and the World Bank's plan to refurbish the new Isiolo–Madogashe road is attracting Somali pastoralists from Garissa and Borana pastoralists from Isiolo, who now occupy the roadsides with the hope of gaining from this.

Another example is in Narok County, home to Maasai pastoralists. Over the last four decades, non-Maasai communities who have moved into the area have increased crop farming and irrigation activities. This also involved subdivision of group-owned land, made possible through the 2016 Land Act. New water-extraction systems leave the lower areas – where pastoralists live – with nearly no water. All these investments and reforms cause tension and conflict between non-Maasai and Maasai communities. Furthermore, there is a

plan to build a road that would cross the Loita Forest. However, the Maasai Laibon challenged the government in court for trying to acquire forest management "rights" traditionally held by the Maasai – and they won the case.

Dr Mkutu concluded by saying that the fact that governments have started considering land useful that was previously deemed useless has a twofold effect on local people. On the one hand, they now have more leverage over national affairs and they may benefit from enhanced investment in public services. On the other hand, powerful outside forces may be attracted by the new value of the land, leading to dispossession, disputes and armed conflicts. New public services attract migration to them, heightening the tension between communities. Overall, only educated and political elites are benefitting from these development interventions, while pastoralist livelihoods are adversely affected.

Simon Longoli from Karamoja Development Forum focused on current drivers of conflict in Karamoja and how they are rooted in changes in land use in Uganda in the last ten years.

Karamoja is a relatively poor region, with development indicators at lower levels than in the rest of Uganda. This is due to decades of insecurity and cattle-related conflicts: after a decrease in violence favoured by disarmament programmes carried out between 2001 and 2010, conflicts started increasing again in 2019. The core cause of these incidents lies in natural resource management policies that prevent certain groups, such as pastoralists, to access land: 62% of the regional land is licensed for mineral exploration and extraction, and all conservation areas are not accessible to pastoralists. This leads them to concentrate in only a few areas and thus fosters conflicts.

Cattle rustling in Karamoja usually follows tribal or ethnic lines (neighbouring communities may also be involved) and is often powered by automatic weapons, even if this is not always the case. Recent work on conflict in Karamoja focused mostly on resource-based conflicts related to the nascent extractive sector. Contrary to popular perception, evidence shows that pastoralists are well organised to prevent conflicts: they have institutions that promote dialogue and democratic and conflict-sensitive practices (e.g. *Ekokwa*) and mechanisms, ensuring that access to critical resources is negotiated in a peaceful way. For instance, the *Etamam* is a local mechanism 50–60 years old, which is now mainstreamed in the entire society: in times of resource scarcity, pastoralists send a message to their neighbours and then start a process of negotiation for resources.

It is evident that, left to themselves, institutions that evolved traditionally promote and protect peace within their communities. However, interactions with the state and other formal institutions have not only weakened the tradition institutions but have also generated additional conflicts. Militarisation of conflict mitigation and exclusion of key stakeholders in conflict management have all worsened the insecurity situation in Karamoja. In 2010, new conflict-management mechanisms were put in place, but they are not suitable for local challenges and further exacerbated the violence. In addition, the inequalities arising from socio-economic changes have increased the vulnerability to conflict.

Mr Longoli concluded by saying that social and economic disruption and mis-interventions in pastoralist-related conflicts by the state may indeed increase conflicts. Pastoralists' traditional institutions have the capacity to be a force for peace and security: policies and other interventions need to empower these institutions so that they can be effective in conflict prevention and mitigation.

Q&A session

Questions to Dr Mkutu:

Is the Kenyan Government deliberately trying to slow down the land-registration process in order to take away or control the land, to avoid paying compensation for the development of mega-projects? Or is it doing it to oppress the communities in Northern Kenya?

It is evident that the Government is amending the laws to promote mega-projects and avoid paying compensation. The 2012 constitution ensured immediate compensation, whereas the 2019 Land Value Amendment Act gives the government the opportunity to take land while negotiating compensation, negotiations that take time and may never happen.

Kenya being known for its private-holding land-tenure system, what land category has been earmarked for mapping and where?

In Kenya, there are three main land-tenure systems, and communal land is the one being affected by the mapping process.

Narok is a semi-arid environment. Where does the water for irrigation come from?

In Narok, there are several sources of water, among which the Mau, a water tower from which many rivers originate, and the Loita Forest, which generates other 4–5 rivers.

Pastoralists are portrayed as static in the presentation. Is there anything they are doing to cope with changes around them?

To cope with changes around them, pastoralists are now going into crop farming, thus increasing the need for irrigation and augmenting the risk of conflicts.

Questions to Dr Toulmin:

Do you think we could in some way understand the insurgencies in the Sahel as an implicit critic to development taking the form of religious contentious? A (desperate) trial of promoting alternative visions/projects of development, with all the limits implicit in the use of violence?

The insurgencies in the Sahel can be understood as a critique of the secular state and its modernisation model: the state's development apparatus distributes benefits unequally and often does more damage than help. For instance, looking at the Malian situation, we should try to figure out a way to insert some moral values in the secular state; there can be more space for Islam and tradition, and for the role of the family.

Which are the effects of the "struggle against terrorism narrative/response" on the current orientations of development aid in the Sahel (which is steadily increasing since 2012)?

This narrative definitely has an impact on the orientations of development aid in the Sahel: more money is allocated to activities related to military and security (the basic idea of the EU is to block migration by creating sustainable employment growth in the Sahel).

How can the focus on local institutions provide a solution to cross-border problems?

Even though terrorist groups in the Sahel carry out lots of cross-regional activities – a regional approach is therefore necessary – over-relying on regional military responses is dangerous, as it sometimes exacerbates violence. It is also essential to promote and support local institutions for conflict resolution. There is obviously the need to coordinate all the different levels of actions for peace reconciliation.

What is the opinion of the participants on the agenda on increasing protected areas by 30% by 2030, noting that the vast areas, especially in the Sahel, are inhabited by pastoralists?

Increasing protected areas by pushing people out of areas where they have been traditionally living may be hugely damaging and counterproductive. Very often, the particular landscape and biodiversity of these areas are actually preserved by the use the local people make of them. Blocking their access would result in degradation of the protected areas.

How do we manage the incompatible interests of pastoralists and government policy of investment?

First of all, we should ask ourselves whether these interests are really incompatible: they only become incompatible when a government's vision of modernisation does not draw on the needs of its people whom it should benefit. Governments can do much to support the livestock and agricultural sector instead of transforming it.