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UNDERSTANDING DEVOLUTION IN ETHNIC CONFLICT MANAGEMENT: A STUDY OF TANA RIVER COUNTY IN KENYA

Dissertation submitted to the University of Rwanda in full fulfilment of the requirements

for the award of Masters of Arts Degree in Peace Studies and Conflict Transformation

By

Riziki Mohamed ALI

Reg. No. 221027812

Supervisor: Dr Innocent NDAHIIRIWE

Musanze, June 2021

DECLARATION

I, Riziki Mohamed Ali, the undersigned, do hereby declare that the work presented in this research project titled "Understanding Devolution In Ethnic Conflict Management: A Study of Tana River County In Kenya", is my own original production, and which has not been presented anywhere else before by myself or any other person for the purpose of any academic award thereof.

Candidate Signature

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I, undersigned............Dr. Innocent NDAHIIRIWE...

Hereby testify that under my supervision

Mrs, Mis, Mr..............Riziki Mohamed ALI...

Has successfully completed writing her/ his MA Dissertation entitled

....

<u>UNDERSTANDING DEVOLUTION IN ETHNIC CONFLICT MANAGEMNT: A</u>

<u>STUDY OF TANA RIVER COUNTY IN KENYA</u>

....
....

Therefore she/ he stands with my authorization to submit required copies to the Administration of CCM for evaluation

Done at Musanze.................

Date ...10.../..June../ 2021

Name and Signature of the Supervisor

Name ...Dr. Innocent Ndahirwe.............. Sign ......

DEDICATION

This research work is dedicated to my family for their encouragement and endurance during this academic journey. It has been hard for them, especially my children who had to persevere the fact that they will be seeing less and less of their father for a whole year. It was tough as well as incredible for them.

ACKNOWLEDGEMENT

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES, DIAGRAMS, ILLUSTRASTIONS

ABSTRACT

This research is about the concept of decentralization as a means to management of ethnic conflict, through one of its aspect of devolution. It is centred on the historical ethnic conflict in Tana River County in Kenya, pitting the agriculturalist Pokomo versus pastoralist Orma over natural resources, e.g. land.

This study was informed by the theory of conflict research. This theory approaches conflict management by way of defining the underlying issues which are core in a particular conflict situation, identifies parties' interests and structures that accord opportunity for conflict. It also proposes how contenders in a conflict should recognize and accommodate each other in an atmosphere where there are either scarce or surplus resources.

This study deployed a qualitative approach in order to enable the researcher obtain in-depth information from purposively selected respondents, believed to be in possession of the necessary information to enrich the study. Hence, individuals involved with implementation of devolution were the ones identified for that purpose.

The study found out a number of issues that perpetuate the ethnic atrocities in the Tana Delta involving the two belligerent communities. These included land use and ownership, religious and life style differences, structural alienation, politics and negative ethnicity, among others. It also informs of the keen effort of the Tana River County Government (devolved unit) to address the problem through public engagement and deployment of administrative and government resources.

Finally, this study intends to offer solutions to new approaches to solve perennial ethnic conflicts which policy makers can tap on to, adopt and apply. It is also intended to enrich the field of knowledge in this area as well as provide a platform for other researchers to base on in conducting further studies in the area.

Key Words: Decentralization; Devolution; Conflict Management; Ethnic Conflict and Tana River County

Figure 1.1 Showing the location of Tana River County (shaded) in map of Kenya

1.1 Position and Size
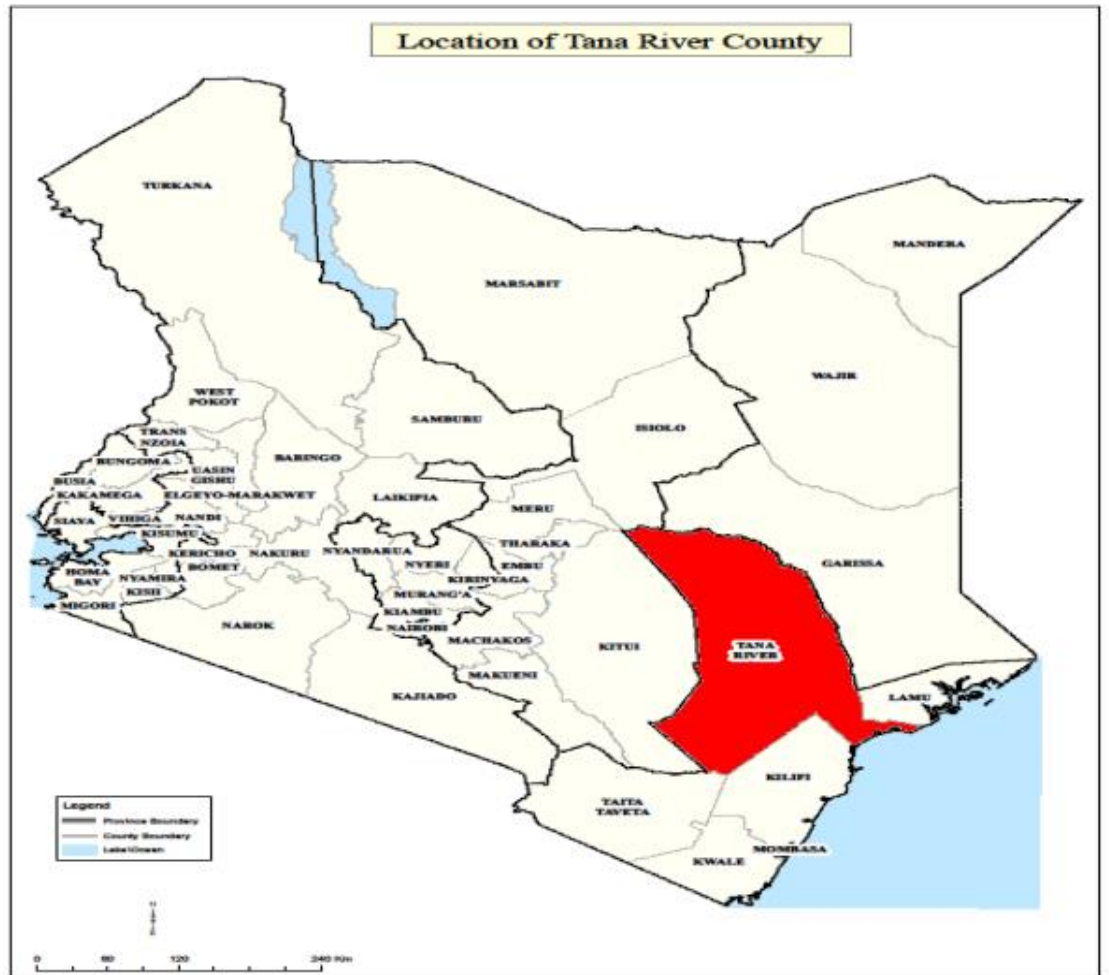
Source: Tana River County Development Planning Office, 2018
Figure 1-1: Map of Kenya Showing the Location of the County (Marked in Red)

Fig. 1.2: Map Showing The Administrative Boundaries of Tana River County and Food Security Report.
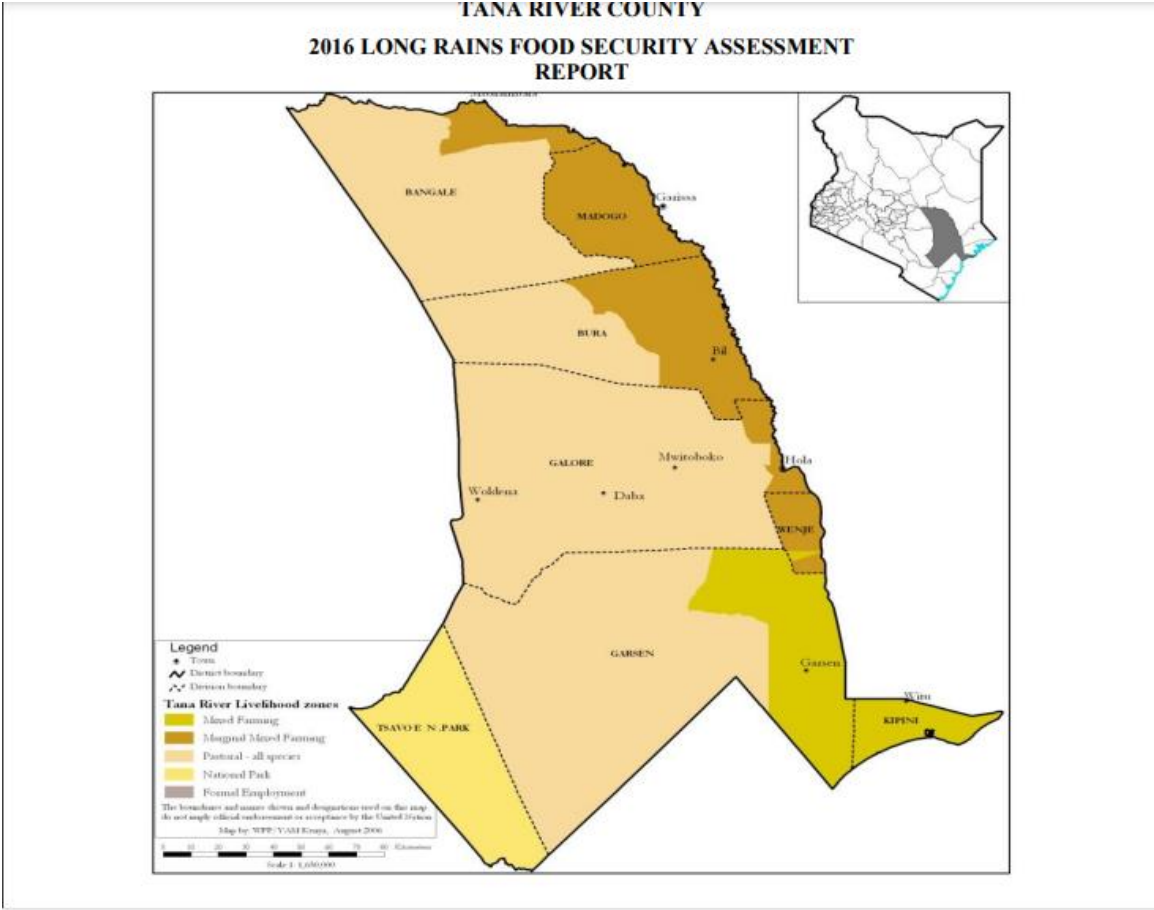
Fig. 1.3.1: Map Showing Boundaries and Roads in Tana Delta.
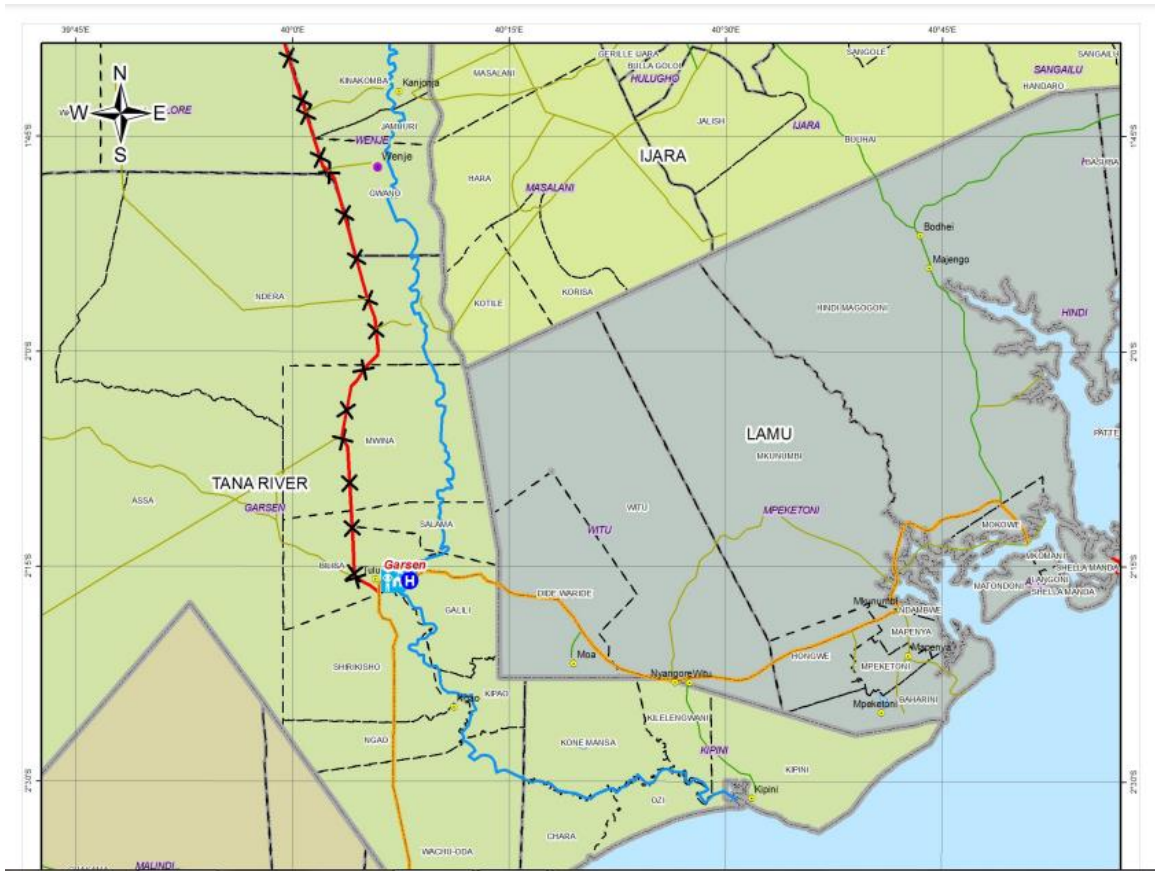
Fig. 1.3.2: Map Showing Boundaries and Roads in Tana Delta.

Tana River Delta
Administrative Boundaries and Roads

Kenya Floods
Nov/Dec 2006
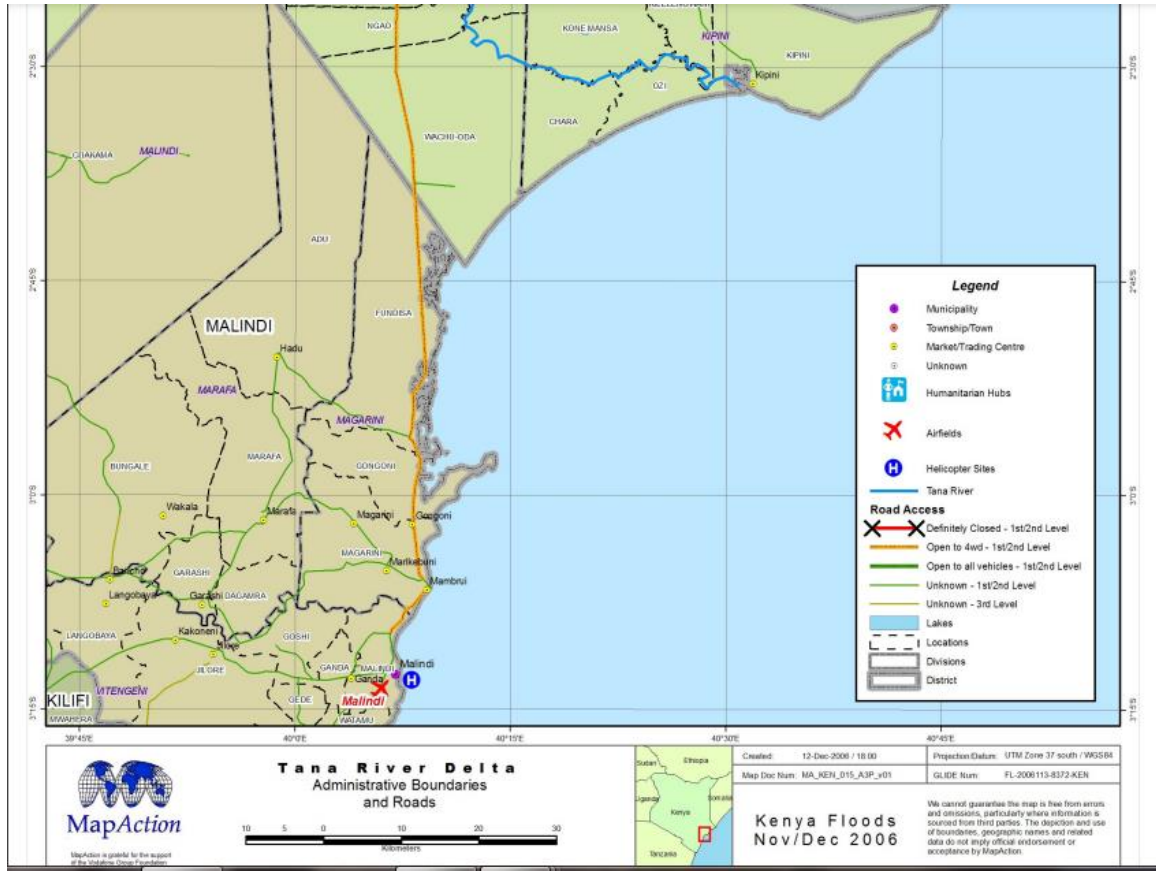
CHAPTER ONE

1.0 INTRODUCTION TO THE STUDY

Devolution, or decentralization, is the statutory delegation of powers from the central government of a sovereign state to governance at a sub-national level, such as a regional or local level, Google.com. According to Prachi (2018), decentralization refers to the assignment of authority together with the responsibility at each tier of the institution.

The idea of devolution was necessitated by the increasing disenchantment of the people by the way the centralized forms of governance were conducted. As Murugu (2014) would put it, the world wide adoption of the concept of decentralization was seen as the answer to the cautious use of power by central elites as well as a way to improve the efficiency of social services provision by allowing a closer link between public policies and the desires, needs and aspirations of people at the grassroots. According to Mumbua (2018), data from the International Council on Human Rights Policy (ICHRP) states that, about 80% of all developing countries have adopted the devolution or decentralized system since attaining their self-rule. She goes on to add that, this was necessary because, the system was seen as a way of engendering political partaking and social inclusion which leads to stability; as most conflicts, especially in the developing world have been blamed on poor governance, (Mumbua, 2018). Therefore, decentralization has increasingly become the fundamentally preferred democratic principle of the world, (Murugu, 2014). Africa has not been left behind as African states have progressively been embracing decentralization. This comes over a wider range of consensus that has emerged on the desirability of decentralization for political development which gained momentum (Dowd & Tranchant, 2018). The advent of decentralization or devolution as it is called in Kenya resulted from the clamour for constitutional reforms, to move away from the central system which was viewed as highly oppressive and centralized (Murugu, 2014). This therefore resulted in the new Kenyan Constitution of 2010 which entrenched the two levels of governance; national and devolved governance, as stipulated in Article 174 which outlines the objects of devolution.

Conflict, according to Durojaye et al. (2020), is a disagreement emanating from divergence in interests, thoughts, philosophy, upbringing, values, opinions and predispositions. It is also a normal, natural and therefore inevitable phenomenon which exists at all the levels of society: from intra to interpersonal, intra to inter group, and national to international. Indeed, they continue, it is a product of social change which may result into productive transformation of society, and it's not always negative; and may be caused by disputes over resources, psychological needs, may involve values or due to inadequacy of information, (Durojaye et al., 2020).

Conflict management, as defined in study.com (2020), is the practice of being able to identify and handle conflicts sensibly, fairly, and efficiently. Since conflicts in a business are a natural part of the workplace, it is important that there are people who understand conflicts and know how to resolve them. This is important in today's market more than ever where everyone is striving to show how valuable they are to the company they work for and at times, this can lead to disputes with other members of the team, (study.com, 2020).

The African continent has had a fair if not bigger share of the ethnic conflicts. Kenya is among the African countries affected by intra-state ethnic conflicts. Ethnic conflicts in Kenya are a result of many causes that range from identity politics, elections, natural resources and cultural practices. There are over 40 ethnic communities in Kenya and time and again, these groups rise against each other for some of the highlighted reasons, (Rohwerder, 2020). Tana River County is one of the most affected counties by ethnic conflicts in Kenya, chiefly being manifested in the Tana Delta area, and between the agriculturalists Pokomo against the pastoralists Orma, (Human Rights Watch [HRW], 2013).

Conflicts in the Tana Delta have existed since the 19th century, over cultural, religious, economical and political divisions. However, players have thus changed over time too, with the intensity increasing during the dry spells when pastoralists from other regions flood the area in search of water and pasture, thereby increasing pressure over the

overstretched available resources, (Kirchner, 2013). Equally, there's always tension which may escalate to conflict whenever the government or foreign investors intend to initiate large-scale agricultural programmes, which are seemingly beneficial to the agriculturalist Pokomo but rather disadvantageous to the pastoralist Orma who depend on the wetland for their livelihood; and therefore oppose those initiatives, (Kirchner, 2013). Again, as Kirchner puts it, conflicts in the Tana Delta are also attributed to the national policies, political systems as well as the elections. For instance, in the 1990s the services of outlaws were used by diverse politicians to annihilate or pinch elector cards in order to reduce the number of followers of their competitors, and in order to prevail in elections, (Kirchner, 2013). A weak land policy is also a factor that exacerbates conflict in the delta region. A good example is the conflict of 2001, just before the elections of 2002, which was linked, as Kirchner states, to the Pokomo long desired land adjudication, which, of course, was vehemently opposed by the Orma. Hence, resulting in conflict. A similar scenario was replicated in the year 2012, this one being attributed to political instigation by some politicians, (Kirchner, 2013).

In that regard therefore, this research proposal is going to focus on this very problem of conflict between the Orma and Pokomo neighbours who have been living side-by-side for many years with intermittent peace. The problem of ethnic conflict still persists in this area for decades on end, even after the introduction of devolution, which demands an enquiry on the underlying structures of causes of the conflict and mechanisms for its management.

1.1 Statement of the Research Problem

The expectation of devolved governance is to bring the services of government closer to the people, build cohesion among the different ethnic groups in the localities and ensure equitable allocation /.distribution of resources, (saferworld, 2015). Hence, effectively ensuring and fostering stability. As described by D'Arcy (2018), devolution is intended to strengthen institutional democracy and effect the separation of powers through the election of governors as county chiefs. However, she adds, this has not been the case, instead it had an adverse affect on the politics of identity, cemented ethnic identification,

consequently marginalizing minorities in the communities. This thus led to an increase of new possibilities for conflict at both the county and national levels. Devolution was also envisaged to ensure resources and development is attained at the devolved units; an issue which has not been fully realized due to the problem of corruption (D'Arcy, 2018).

Another important element for devolution to flourish was the issue of land management. Land is a critical resource to every community in Kenya. However the central government did not devolved the land management function. The County Land Management Boards [CLMB] in the counties were abolished resulting to escalated land based conflict, (Boone and Manji, 2016). D'Arcy (2018) observes that devolution has resulted in intensified pre-existing land conflicts and generated new ones; has increased a sense of ownership on the part of ethnic majority communities and their demands for land redistribution. This therefore means that, with the administrative structures still centralized, the drivers of land-based conflict are still intact and will continue to perpetuate the problem of land disputes (D'Arcy, 2018).

D'Arcy (2018) further contends that, devolution is faced with the constraints of ethnic politics, corruption and lack of resources. These problems, which are similar to those at the national level, create an environment of competition of winner-takes-all politics. Thus, the ethnic majority in a devolved segment turns the policy and administrative affairs to exclude the minority to access the resources (D'Arcy, 2018). This exclusion breeds discontent and eventually yielding to ethnic tension and conflict.

Stakes of political competition and incentive for violence have been raised by the concentration of power at the sub-national level (Cohen, 1997; Schelnberger, 2008; as cited in Dowd & Tranchant, 2018). The authors further state that, there's not much study that has explored those dynamics, and yet fewer have tested the empirical relationship between these processes. Hence, there seems to be a gap that needs to be addressed on the decentralization link to the violence that is thriving in the devolved units; because the situation as it is, there is apparent evidence that the visions of devolution are faced with colossal challenges. It is on this basis that this research study intends to find out and

understand the key issues that are central to this perpetuation of the ethnic conflict in the Tana Delta.

1.2 Research Gap

A research gap denotes what the current state of knowledge has failed to address and thus, appears to be missing, (philo, 2020). It therefore means, a problem that a researcher would wish to see addressed in their study quest because, the said problem or question has not been answered in the particular area of their interest, (philo, 2020). Previous studies conducted touching on the conflict issues of the Tana Delta by Pickmeier (2011), KNCHR (2012), Kirchner (2013), Jacinto (2013), and Hanshi (2017) among others, have largely discussed some aspects of the conflict and not encompassed others. Separately, these studies looked at large scale government or private sector investment on land and its impact on habitants; causes of the conflict vis-à-vis impact to the Delta communities; influence of changing political and economic scenarios on the conflict between the two communities; a brief mention of national and central government initiatives to intervene in the conflict; and influence of natural resources as a cause of conflict in the Tana Delta, respectively. The aspect of devolution and its relationship to ethnic conflict management in the study area has been left out completely. Thus, the need for this research to understand the linkage between devolution and management of the ethnic conflict in the Tana Delta to shore up this information gap.

1.3   Objectives of the Research Study

Research objectives, as fronted by Editage, (2019), should describe succinctly what the research is endeavouring to accomplish. They sum up the end results a researcher wishes to realize through the undertaking and presents the bearing to the study. A research objective must therefore be feasible, (Editage, 2019). The objectives of the research proposal are as follows: -

 ‣ General Objective – To understand the role played by the devolved local government in the bid to manage ethnic conflict in Tana River County, Kenya; but more specifically, the focus would be to attain the following objectives:

▶ Specific Objectives -

◦ To identify and understand the root-causes of ethnic conflicts using Tana Delta as a study area.

◦ To determine the role of devolved local government units in the management of ethnic conflict

1.4 Research Questions

A research question, according to formplus (2021), is a precise investigation which the study inquires about in order to offer an answer to. As such, it therefore rests at the heart of a methodical inquiry and helps the researcher to plainly identify a course for the study process, (formplus, 2021). The research study will be guided by the following questions:

1. What are the root-causes of the ethnic conflicts and how are these conflicts managed?

2. What is the role of the devolved local government units in managing ethnic conflicts?

1.5 Significance of the Study

The significance of the study depicts a written clarification or rationale that clarifies why a research inquiry was needed; and validates the significance of the research work and the effect it has on the research field, it's input in terms of new awareness and how others will benefit from it, (discoverphds, 2021).

The global trend in the contemporary world system favours a decentralized form of governance. Thus, Africa has been following suit with many African countries embracing the concept in recent years. Kenya on her part, entrenched decentralization concept through a referendum which ushered in the new constitutional dispensation in 2010. The intention was to get away from the bad practices of a centralized system and usher in an era of inclusivity and participation. However, this seems not to be the case. Therefore, the intention of this study is to endeavour to unearth the issues that make or break the concept of devolution in its attempt to manage ethnic conflict, because it was touted to be the key to ending the perennial conflicts in the devolved units. There's the need and it is

important to also understand the underlying reasons for the challenges to thrive and why the status quo should be continuing, yet there's now in place a mechanism specifically tailored to address that very problem - devolution. In addition to that, it is also paramount to identify the actual causes / driving factors that perpetuate conflicts in the Tana Delta, be they land (ownership/boundary/use); natural resources; politics of identity, etc. This is because the problem has been there over the decades, which could mean that there are several gaps that needed to be realized and recognized that they need being sorted out. The findings will therefore try to address these gaps with a view to propose intervention measures that will bring about social cohesion and peaceful co-existence of the warring ethnic groups. Ultimately also contributing to knowledge and influencing policy making by local government units in future, not only in the Delta but elsewhere too in Kenya (as same structures are found across the republic) and beyond, where similar issues are identified.

1.6   Scope

The scope of a study enlightens on the extent to which the research area will be investigated in the study work and indicates the bounds within which the study will be operating, (editage, 2019). This study will confine itself to the jurisdiction of the Tana River County, and more specifically the Tana Delta Sub-county, in the Coastal Region of Kenya, where there has been this perennial problem of ethnic conflict.

1.7   Delimitation of the study

These are in fact, in the real meaning, the precincts deliberately placed and defined by the writers themselves so as to ensure that the study aims and objectives do not turn out to be impracticable to attain, (Theofanidis and Fountouki, 2019). Therefore, the study looked at the factors that have contributed to the perennial ethnic conflict in the Tana Delta and how the elements of devolution have affected these factors, positively or negatively, through the perspective of key implementers of the policy: the elected and appointed county leaders and administrators, as well as central government officials in the county

(more so in the tana delta). This was important to avoid encompassing a large group of respondents, who may not have the necessary understandings of the workings of the concept of devolution, and therefore offer irrelevant data.

1.8   Limitation

These are what Theofanidis and Fountouki (2019) refer to as imposed restrictions, which are out of the researcher's scope, and can therefore have at times, an effect on the results / conclusions of the study. The topic chosen in itself is an emotive issue and therefore a limitation, as it touches on the key aspects of the devolution policy and hence, a bit sensitive. Thus, there's a little sense of uncertainty on whether the respondents will fully commit to the exercise. Thus to address this, the researcher will supplement the interview schedules with questionnaires for those who won't have ample time.

1.9   Organization of the Study

This study is organized in Five Chapters that are arranged as follows:

Chapter One: Background to the Study of the Role of Devolution on Ethnic Conflicts Management

Chapter Two: An overview of Literature Review and Theoretical Framework of the Study

Chapter Three: Study Process of conduct of research (Methodology)

Chapter Four: Critical Evaluation of Research Findings – Data analysis and presentation

Chapter Five: Summary, Conclusion and Recommendations

CHAPTER TWO

2.0 LITERATURE REVIEW

2.1 Introduction

Bryman (2012) informs that, the literature review section is one of the most important aspects in research undertaking. He postulates that, this section gives the researcher a better understanding of the topic through what is already known and has been written about it. That it also accords the researcher a comprehension of the concepts/theories that have been applied, research methods adopted, any discrepancies identified or conflict of facts which exists, and above all, key figures that contributed to research in the topic, (Bryman, 2012).

2.2 Literature on Decentralization

Decentralization, in the broader understanding of the term and its use, is said to mean different forms of government. Scott and Rao (2011) describe it as the transfer of power from the central government to the lower echelons of government, together with the obligation to manage various government functions, as well as raising of revenue and allocation of resources, (Scott & Rao, 2011). For these authors, decentralization happens at three levels:

1) Administrative Decentralization – referring to the transfer of authority, responsibility and resources to field offices and agencies, with limited local citizen involvement, while retaining overall authority. This concept also encompasses the following;

   a- Deconcentration – this refers to transfer of power to central authority officials relocated outside the centre, like county or sub-county commissioners, (Scott & Rao, 2011). .

   b- Delegation – refers to transfer of power and responsibility from the centre to specialized agencies at the local unit level, like project management boards. Overall authority and accountability is still retained by the centre, (Scott & Rao, 2011).

2) Fiscal Decentralization – denotes the transfer of funds / powers of revenue-raising to the local lower units of governance from the central authority on a negotiated agreement.

This is done to enable the lower level government have enough resources to facilitate it to discharge its obligations, (Scott & Rao, 2011).

3) Political Decentralization – also known as democratic decentralization, refers to the conveyance of power from the centre to the local units which have been duly elected by the citizenry, and therefore possess some amount of limited self-government. Such local units become answerable to the citizens who voted them. The units thus can come into being through constitutional, legal or regulatory framework to ensure accountability and transparency is guaranteed. Political decentralization may result in devolution, (Scott & Rao, 2011).

     i- Devolution - symbolizing the main form of political decentralization refers to the significance transfer of responsibilities, resources and revenue creation and decision-making powers to the local authorities which have local autonomy, are legitimate, fully elected and independent, (Scott and Rao, 2011). This last concept, devolution, is the very subject of this research study.

According to Borja, decentralization and participation should be complementary mechanisms that reinforce each other for the sake of better management and a deepening of democracy (Borja, as cited in Kerre, 2010). Kerre (2010) states that, decentralization processes, which he attributes to the democratization of power, services and resources had been there in the East African context since what he terms as the onset of colonization era, 1884, but switched to the centralized formation in the 1960s. That countries in the region, Burundi, Kenya, Rwanda, Tanzania and Uganda have undergone the transitional process of multi-party systems of governance and are increasingly now undertaking wide-ranging programmes of local government reform aimed at enhancing decentralization and local democracy and institutionalizing citizen participation in local governance and expanding local government capacity (Kerre, 2010).

Kenya therefore took the bold step of entrenching the values of decentralization with the promulgation of the new constitution in August 2010. It is important to note that, this journey to decentralization was particularly backed by the Western Core with keen interest to impose their ideology, (Kerre, 2010). For instance, these reform agendas

received a strong backing from International Institutions and Donors, which were a constant feature of the continent-wide wave of democratization, (Kerre, 2010).

In confirmation to the above, the entrenchment of the devolved system in Kenya is anchored in Chapter 11 of the Constitution of Kenya 2010. The constitution depicts the – Devolved Government - Part1- Objects and Principles of Devolved Government; Part 2 – County Governments and Part 3 – Functions and Powers of the County Governments of the 2010 Constitution, including the provisions of the Fourth Schedule. They provide the objects of devolution which are contained in Articles 174, 176, 185(2), 186, 186(1) and 187(2) respectively, (Constitution of Kenya, 2010).

The devolved entities are also strengthened by provisions of the Local Government Act of Kenya as stipulated under the Local Act 265 Laws of Kenya - Part IX—Certain Powers, Duties and Provisions Relating to all Local Authorities, as given under Section 143, (see annex). This is therefore to confirm that the devolved units are in fact body corporate entities that are legally constituted and are thus capable of executing their mandates in so far as is provided by the existing laws, (Local Act 265 Laws of Kenya).

Adding his voice to the advocacy of the decentralization debate, Erk (2014) states that, the 1990s were marked by democratic reforms throughout Sub-Saharan Africa which went on well with the Decentralization reforms which either created or strengthened sub-national levels of government. He however registers some worries that after more than twenty years down the line, there seems everywhere to the South of the Sahara there is a gap between the institutional/constitutional blueprints introducing the reforms and the facts on the ground, (Erk, 2014)
.
According to Kerre (2010), this status of affairs that led to the dismal performance of devolution can be analyzed in a number of ways. Firstly, that the decentralized units were either not politically and economically strong enough to ward off-balance the centre, the reason why the tendency of decentralization reforms slowly giving way back to recentralization. Secondly, he avers that, it appears what he calls rampant inherent

deficiencies in infrastructure and personnel, who were taken over from the central government could be the problem, (Kerre, 2010). Another cause, again as per Kerre, (2020) could be as a result of the differences in demographic and social factors, hence, different sub-national units ending up working differently in practice and style. Kerre goes on to state that, yet again, could be the fact that, decentralization has created new conflicts between ethnic groups competing for the control of the new sub-national entities. Kerre sums up by concluding that, these failures and variations of what was intended by decentralization/devolution, and what is actually the reality on the ground, will serve as a lesson and an understanding to explain the 'hows' and 'whys' all this happened, (Kerre, 2010)

Vasquez (2011) says that, decentralization allows the sub-national authorities to develop into key public sector actors due to their growing roles and increased expectations placed on them. He continues to urge that, it is important to know about the impact the devolution has had on a number of economic areas such as in growth and development; however, it is equally imperative to fundamentally ask whether the decentralization trend is actually assisting or hurting these issues, (Vasquez, 2011).

According to Cabral (2011), decentralization successes depends on the policy design and context, and especially the need to take into account the political incentives and interests of the ruling clique and elites and their connection with the local power bases and electorates. For her, African decentralization is not deep, but only merely widespread, and that it has consisted mainly of administrative functions rather than true devolution of powers, largely driven by the interests of politics, (Cabral, 2011). She avers that, the impact of decentralization on the aspect of service delivery, especially, is limited, given by the indicators on intermediate variables like information access, accountability relations, locus of power and administrative performance, (Cabral, 2011). On the contrary, as she narrates, decentralization has been used to instead strengthen alliances with local elites, and therefore, fostering central power rather than pro-poor policies, and determined to challenge emerging forces from below. She insists that, the lack of proper and systematic analysis of decentralization suggests that, decentralization is yet to deliver on the expected results; as yet there's hardly any evidence signifying improved service

delivery or poverty reduction indicators as a result of decentralized governance, (Cabral, 2011).

According to Kalin's view, the perception of the local citizen is that, the national government is far from them physically / geographically in terms of distance, as well as psychologically for its failure to provide services with quality and consistency to improve living standards of majority of the population, (Kalin, n.d.). For instance, he asserts, the geographical distance from central authority makes it be unable to appreciate the needs of the local population through lack of information. As a result of this aspect, the writer adds, the activities of central government at local levels are not driven by the demands of the locals, but are imposed on them by what he calls, agencies that have developed ideologies within the context of the interest of central government. Thus, to alleviate further suffering of the masses, as the author puts it, the need for decentralization for greater efficiency and accountability; greater ability to promote and protect the rights of minority groups; enhancement and protection of liberty and democracy of citizens at the local levels, etc, (Kalin, n.d.)

Boex and Yilmaz (2010) pose that, the intended benefits of public sector decentralization (empowering the people through empowering their local governments) continue to be elusive despite international community efforts, thus making sceptics assert that the weak institutional capacities of the local governments as the key impediment. Further, they pose, that appropriate implementation of the decentralization and local governance restructuring is also being stalled by technical, institutional and political obstacles. Hence, the need to device a formula/framework on how to attain a well-performing local public sector or decentralized system of local unit authorities especially in the context of developing economies, (Boex and Yilmaz, 2010). To respond to this problem, they came up with a three-pronged analytical approach to decentralization, to address the challenges of how to measure the implementation design and effectiveness of the decentralization process. To this end, the writers propose that, in order to effectively deal with this issue, a comparative decentralization assessment framework needs to be put in place, which should include the political, administrative and fiscal structures of the implementation

process (Boex & Yilmaz, 2010). That this assessment tool is thorough because it considers the different technical scopes of decentralization thus: the institutional, political economy and intergovernmental relations of the local public sector they seek to assess. Indeed, the writers add, these assessment tools should be applied concurrently, as deployment of one or two will hamper effective and meaningful addressing of the intended issues. Hence, successful realization of decentralization reforms can only be achieved if these dimensions of decentralization are applied together (Boex & Yilmaz, 2010).

2.3   Reasons for Decentralization

Countries the world over do choose the path to decentralize for a variety of reasons. As Vasquez (2011) avers, some do so for preference of more leaner and efficient public sector; others for the reason of being disenchanted with the performance of and planning of the centralized policies (e.g., socialist economies). He continues to narrate that, some still do so for political opportunism; thus, decentralizing for electoral objectives or just to be in tandem with others in the embracing of a popular institutional reform. On top of that, he adds, decentralization may be calculated to enclose or to appease centrifugal forces, ethnic conflicts, and/or separatism, and to diffuse social and political pressures by tolerating local cultural and political autonomy, (Vasquez, 2011).

2.4   Decentralization and Conflict Management

Decentralization concept as a tool/model for conflict management was applied in the context of the Eastern Ukraine region to try and stem the persistent conflict since their independence from the Soviet Union in 1991, (Pax, 2019). Ukraine had been a case of oppressive undemocratic top-down exclusive government that had little touch with the local issues of her communities throughout her history. This led to a bloodshed of armed conflict in the Eastern Regions (Luhansk, Donetsk oblasts and the Donbas – Donest Basin) which started in 2014, (Pax, 2019).

The model in Ukraine was initiated amid the conflict in 2014 in what the implementers termed as an initiative to "prevent future conflicts in the country through establishing inclusive governance, promoting active participation of citizens in policy-making and

using non-violent dialogue to solve conflicts between individuals who share opposing views", (Pax, 2019). In that regard therefore, the implementation process embraced the following features:

- setting up of a three-tiered system of administrative and territorial structure in Ukraine encompassing (27 regions,120-150 districts, 1500-1800 communities);
- detailing provision of basic services to the citizens by the local as opposed to central government;
- delegating the competences of the local state administrations to the local self-governance bodies;
- renewing the budget system, and providing additional resources on the local level; and
- Introducing the accountability of local governments to increase trust in them, (Pax, 2019).

In that regard therefore, a package of laws and guiding principles pertaining to the enhancement of powers of local self-government bodies and the optimization of administrative services provision were thus introduced. This allowed success of the project / model through the delegation of powers to provide administrative services to local self-government bodies at respective levels, and of course while being propelled by learning and guidance from Pax, (Pax, 2019).

According to Keil and Anderson (2018), decentralization gained preference and prominence not only as a tool for those seeking to put to rest contemporary ethno-cultural conflicts but also for its evolution as an instrument for resolving conflicts, through transfer of or substantial devolution of administrative, fiscal and legislative powers. On the other hand, they say that, many twenty-first century countries of the world have been plagued by the problem of ethno-cultural conflicts, which, if not properly managed, or left unchecked, will have far reaching consequences: destroying social fabric of societies, and devastating economic development (Keil and Anderson, 2018).

These writers posit further that, the international community recognizes decentralization for its power sharing and power-dividing strategies that are essential as tools for managing ethno-cultural conflicts. Hence, more and more countries are pressured by the international community to embrace the model, (Keil and Anderson, 2018). On the contrary, however, the authors yet state that, the concept of decentralization has also been accused of being a conflict-ameliorating tool, for its role in empowering the embattled minority groups, and in the end thus, fail to impede the escalation of further conflict (Keil and Anderson, 2018).

The writers finally adroitly argue that, the debate on whether decentralization as a cure for ethnic conflict management or a curse, still rages on: with a sizeable body of academicians heralding its features of conflict resolution on the one side, and on the other, with a number of other scholars charging it for worsening or fuelling underlying ethnic tensions. That there is still no clear answer as to why decentralization works in some places / contexts but not in others, (Keil and Anderson, 2018).

According to Kerre (2010), decentralization is a continuing process in the East African countries of Burundi, Kenya, Rwanda, Tanzania and Uganda; and the countries are presently undertaking a wide-range of programmes aimed at entrenching local government reforms. The intention is to enhance decentralization and local democracy by expanding local government capacity and institutionalizing citizen participation in decision making and availing resources; thereby creating legal framework along the way to create political space to accommodate autonomy as it facilitates the implementation process, (Kerre, 2010). The writer shows that, despite the countries being at different levels of reorganizing their local governments (with only Kenya having two tiers, while the rest have three), but focus is on being effective and efficient and accountable local governments inclined to deliver quality services, reduce poverty and create wealth with involvement of the people, (Kerre, 2010). The author further postulates that, institutionalizing democratic institutions expands mandate and therefore requires financial support commensurate with new political and administrative power to execute its functions and responsibilities. However, he sees challenges in the form of inadequate

resources and management skills at both the local and national levels; and fiscal administrative issue slowing down the momentum, (Kerre, 2010). Above all, the continued reliance of the devolved governments and dependence on fiscal transfers from the centre instead of creating avenues to develop own sources of revenue remains the biggest drawback yet to the success of the programme, (Kerre, 2010).

Looking at Aisling Lyon's work, Nancheva (2016) analyses the power of decentralization to manage ethnic conflict in the context of Macedonia's experience. She avers that, the country was faced with a sizeable ethnic minority (Albanians) grieving over unequal representation in a nation-state. Thus, the country, in order to address the potential emergence of conflict, settled for what the author terms it, a complex power-sharing arrangement, combining consociational, centripetalist and integrative approaches to peace-building, (Nancheva, 2016). The author poses that, decentralization was initiated to address the political, cultural and socio-economic inequalities experienced by the Macedonian Albanians in the 1990s, which had galvanized them to seek solutions outside the political process (in 2001) in form of insurgents under the umbrella of Albanian National Liberation Army, (Nancheva, 2016). As such, the author posits, the central argument of the analysis is that, indeed decentralization does posses the prospective to address inequalities, and therefore conflict in society. That the only challenge is posed by the constraints of fiscal autonomy, which is a key impediment to and undermines actual devolution of political and administrative power, (Nancheva, 2016). Secondly, the aspect of socio-economic disparities between the urban and rural areas which was also seen an obstacle to the successful implementation of decentralization, (Nancheva, 2016).

On the side of Elfversson (2019), among the expectations of decentralization is to mitigate the effects of winner-takes-all political struggles over central power (especially in contexts marked by communal conflicts), through the aspect of local political power sharing. The intention of local political power sharing mechanisms is to diffuse contest by rival political groups over access to power and at the same time, promote inclusivity and allay fears of repression and marginalization, building trust and commitment to peace by the groups while also addressing their security concerns, (Elfversson, 2019). The

author takes a look at two counties in the Rift Valley (Nakuru and Uasin Gishu) adversely affected by communal conflict (2007-08) following the elections of 2007, and impact of local power sharing. In Nakuru County, the local elites from the dominant ethnic groups (Kikuyu and Kalenjin) were able to negotiate an arrangement for sharing of elective positions, and thus lowering ethnopolitical tensions and enable enduring harmony. On the other side, no such agreements were realized in Uasin Gishu County and the situation remains tense, (Elfversson, 2019). It is worthy to note however that, emergence, effects and scope of those power sharing deals by the elites were influenced / conditioned by the politics at the national level, (Elfversson, 2019).

The suitability of decentralization (self determination) is at times put to task as seen in "debating decentralization", in the quest to find a solution to the autonomic aspiration of the indigenous group of Australia – the Aborigines, Watt (2017). As Watt narrates, opposing forces pull in different directions in this debate. That one team asserts that, the scattered settlements of the aborigines (out-stations), far flung and extremely periphery, are the best option for them to practice autonomous, healthy and meaningful lives in a colonized context. Reason being that, she adds, the arrangement offers them a chance to connect to their ancestral land and related cultural practices, (Watt, 2017). Yet the opposing forces claim that the initiative can only succeed in continued impoverishment, social malaise and marginalization of the Aborigines from mainstream national economy and society, (Watt, 2017). That the approach propagates re-centralizing the remote Aboriginal population into what they term as "growth towns"; an issue the Aborigines oppose as a degrading and infantilizing measure. Thus, she posits, the remedy for the Aboriginal problem as suggested by Jon Altman, is development of hybrid economies that will enable the Aboriginal group appreciate their distinctive dream of good life; based on three sectors – the state, the customary and the market, (Watt, 2017). That however, realization of this model remains a pipe dream given the enormous policy obstacles put on its path, (Watt, 2017).

2.5 Literature on Devolution

Devolution, in the understanding of Bosire (2013), is defined as the transfer of powers from the centre to existing or new units, with an ascertained degree of permanence through constitutional entrenchment or framework legislation. The devolved units therefore exercise the powers which are normally in the form of political, administrative, and financial aspects, and with a reasonable degree of autonomy from the centre, (Bosire, 2013).

According to Vasquez (2011), the advent of devolution started several decades ago, terming it like a revolution taking place in many countries worldwide, with the devolving of fiscal and political powers to the sub-national units. Vasquez also indicates that, the trend would be influential for good governance and for improving the lives of ordinary citizens. He equates this trend as a major transformation of institutions like what took place in the past century, like the decolonization of Africa and Asia or the transition from planned to market economies in the former Soviet Union and the People's Republic of China (PRC), (Vasquez, 2011).

The Centre for Constitutional Change (CCC) describes devolution as a set of constitutional arrangements where some of the power to make laws and decisions has been transferred by a central authority to institutions in one or more territories. It gives a good example of the case for the United Kingdom (UK), where tailored systems of devolution were introduced in Scotland, Wales and Northern Ireland, (CCC, n d). The institution further informs that, the devolution in the UK was introduced as a process and not an event, where several changes have been taking place since 1999, specifically for purposes of transfer of more powers; and yet still, each unit having variant extent of devolved powers as opposed to the other. The UK system is further explained as what is termed a 'reserved powers' model', in which case the entities have some free space to make decisions in all aspects of the so called domestic areas policy, save for those depicted as especially reserved for the UK parliament, (CCC, n d).

In addition to the above, the British Broadcasting Cooperation (BBC) clarifies further that centralized rule ended in the UK with the introduction of devolution through

elections which were held in 1997 in Scotland and Wales and in 1998 in both parts of Ireland. As a result therefore, some powers were thus transferred from Westminster (in London) to the elected entities in Edinburgh, Cardiff, and Belfast respectively, (BBC, 2020). To operationalize the initiative, the new arrangement culminated in the realization of new elected entities in the form of: the Scottish Parliament, the National Assembly for Wales and the National Ireland Assembly, (BBC, 2020). In addition to that as elaborated by the BBC, the devolution arrangement in the UK provides that, the UK government still remains responsible for policy for England and national policy in a number of areas; and shares powers with the entities in Scotland, Wales and Northern Ireland in different ways from one unit to the other. More so, more powers were devolved to the mayors of different cities in England in areas such as transport and housing, (BBC, 2020).

The rationale behind devolution, as reported by a Kenyan daily, (the standard, 2018), was to bring services closer to the people, in the grassroots, where they can have an opportunity to engage their leaders, hold them to account and therefore take part in decision-making to determine their own fate and destinies. It was believed it was going to be the right dose for eliminating skewed allocation of resources and policy formulations that resulted in some areas being more developed than others, (standard, 2018). The report further states that, indeed devolution in Kenya has been a success story given the various achievements that have so far been realized in several aspects in the social and development spheres. For instance, improvement in healthcare sector like building more hospitals in the counties has alleviated the long trek to seek medical aid; purchase of modern health facilities allowed a remote county (Mandera) to have its first caesarean section operation; upgrade of previously impassable roads to tarmac; providing school feeding programmes and bursaries has proffered a critical lifeline for children from needy backgrounds, etc. That the success is attributed to the fact that the system deploys 'a people-centred approach to leadership' that guarantees citizen participation and consultation, and therefore ensures transparency and equality, (standard, 2018).

For McCartney (2020), despite some setbacks that are a characteristic of new programmes, devolution has been a success story in Scotland. To confirm this, as he puts

it, after lapse of some few years since its inception, he attributes the advent of devolution for improvement in the following aspects among several others:

▶ Enhancement of democracy throughout the land, i.e. UK, because government has become more region-sensitive as opposed to previously where concentration was at Westminster,

▶ The electorate in the devolved units have embraced the concept and their opinion shows that it is their preferred option for system of government,

▶ The concept has boosted the representation of women in the devolved setup as opposed to the previous status when all decision were taken at Westminster,

▶ Politics in the UK have become more pluralistic as a result of proportional electoral systems in the new assemblies,

▶ The concept's popularity has managed to diffuse the agitation for independence for Scotland despite increased nationalistic support, (McCartney, 2020).

Jenne (2010) asserts that, autonomy can be used as a tool to appease restive minorities in divided societies to avert violence. That the idea is that, autonomous measures create a compromise between the state and minorities demands, and therefore resolve ethnic tensions. Thus, following this logic, the author states that, devolving state power to the minority regions satisfies the group desires for issues like clamour for independence by permitting minority self-rule in 'their areas of interest'. The writer adds that, autonomous territorial institutions facilitate ethnic cooperation by paving the way for civic education, thereby ultimately contributing to a sense of security, through provision of protection against the state majority, (Jenne, 2010).

On the flip side of the argument, Jenne (2010) informs that, critics of the concept contend that, devolution in fact has the opposite effect. That instead of appeasing the minorities' interests, territorial autonomy serves as a stepping stone for clamour for issues like independence. Thus, heightening the probability of internal conflict by playing into the hands of ethnic elites / extremists; and consequently increasing the salience of ethnicity in the divided societies, (Jenne, 2010). Therefore, devolving or sharing power to

autonomous regions facilitates undermining of state institutions; promote and institutionalize ethno-territorial conflict in the divided societies, (Jenne, 2010).

In the observation of Bosire (2013), the post-cold war period saw an increase in the devolution of power by national governments to sub-national ones as a means of enhancing political and economic inclusion and at the same time, as a way of ameliorating issues of internal conflict. That the concept was attractive amid growing internal mayhem and contestation, given its ability to address internal conflicts through strengthening mechanisms of power and resources-sharing. As opposed to centralized state view as a tool for dominance over minority groups, the writer states that devolution at the sub-national level is seen as a basis for consolidating peace; because it accords the aggrieved subgroups an avenue to control their resources and political power through their sub-national governments, (Bosire, 2013). As such, he adds, the devolution of powers to sub-units is increasingly expected to tackle a number of issues including development; political stability, limit central power and above all, reign-in the incidence of strife through the equitable sharing of power and resources, (Bosire, 2010).

The concept of devolution as Bosire (2013) contends, is increasingly gaining currency as the preferred model for addressing internal conflict following the post-cold war era and its legacy of unprecedented rise in internal state conflict, especially in Africa. Thus, making devolution a subject of growing interest as an avenue for building state peace and stability at the local level, (Bosire, 2013). This statement is given impetus by the declaration by the UNDP in its report of 2010, (UNDP: 2010, as cited in Bosire, 2010) which advocated for strengthening local governance compositions because of their importance as both national and international stakeholders in management and implementation and consolidation of peace and stability on long term basis. Furthermore, the placement of the local unit role as a key element in responding to the socio-economic requirements of affected groups/populations, for both short and long term humanitarian intervention/recovery, (UNDP, 2010; as cited in Bosire, 2010).

Steeves (2015) contends that, for most ethnically and regionally divided developing countries, it's always the case that they will shift away from the unitary centralized arrangement to decentralized or devolved system of government, as was the case for Papua New Guinea and Solomon Islands in 1975 and 1978 respectively. That Kenya reverted back to devolved government after a 2010 referendum and created a new centre of political and administrative power in the form of 47 counties; touted by the world bank as the "most rapid and ambitious devolution process, (World Bank, 2015: as cited in Steeves, 2015). However, it is faced with challenges of funding from the central government as well as powerful political constituencies affiliated to the centre still reluctant to relinquish public policy and tools of central control over local society, (Steeves, 2015). Nevertheless, he asserts, despite creating an array of political struggles and realities for the political class in Kenya, devolution is set to thrive and continue owing to the power of governors and the counties being critical development actors bringing advancements in the localities, (Steeves, 2015).

Jackson (2020) tries to demonstrate the workings or successes of devolution in a context of a crisis (covid-19), as a better option than centralized arrangement; citing its introduction in Scotland, Wales and re-introduction in Northern Ireland, as transformational in governance of the United Kingdom (UK). He also exhibits the power of devolution in attenuating inherent tensions, especially on the nationalistic tendencies of Scotland and Wales which posed a threat to the unity of the Kingdom, and which was occasioned by the toxic political environment created by the undemocratic engagements of the British unitary state to these nations. Thus, the need to grant greater democratic autonomy to Scotland and Wales, (Jackson, 2020). On the alternate side, the Scottish, Welsh and Northern Irish governments, as a product of devolution, have shown better management of the crisis (pandemic) than English/Uk (which is the only undevolved nation in the Kingdom), which has struggled to handle it. This is so chiefly because the management was chaotically spearheaded from Whitehall without regard to the regional interests and preferences; and government failure to distinguish in its communications between its different roles in England and UK – an issue of over-centralization in decision making. This state of affairs, according to the writer thus calls for further

decentralization in England herself, building on its existing structures to attenuate the problem of command and control from Whitehall, (Jackson, 2020). Thence, the politics of the pandemic has once more demonstrated that the element of devolution as a state's response to handle the situation has performed really well; signifying the workings and successes of devolution, Jackson (2020).

For Jacinto (2013) however, the devolutionary reforms in Tana Delta ignited long standing historical grievances over land and resources. In addition to that, the author states that the administration's questionable large scale land deal concessions for rice, sugarcane and bio-fuels projects with national and multinational companies, to take over land which was used for farming and grazing, only served to raise tensions to crescendo levels. Again, the shifting political power amongst the communities also fuelled the conflict as losing the elective seats meant losing everything, including land, and so the politicians used this to instigate trouble to gain political advantage, (Jacinto, 2013). This culminated into the deadly attacks and counter attacks witnessed during the month of December 21st 2012 between ethnic Pokomos and Ormas, which claimed over 140 lives; and largely attributed to politics, economics, old ethnic scores and new alliances and awakening brought about by the devolved system (Jacinto, 2013).

In addition to the above, there's skepticism in plenty about the assumption on the ability of devolution of power vis-à-vis according equitable development that will guarantee tackling the perceptions that are the drivers of conflict. The reason being that, as noted by the UNDP, that development in itself is change and that change de-stabilizes, (Bosire, 2013). Further to that, that development not only raises expectations, but also underscores disparities that may trigger conflict. That this can manifest especially in instances where the conflict is deeply interwoven with identity and resources issues, and is politically mobilized, and there are no resilient, sufficient public institutions to manage the pressure and suppress political opportunism. Hence, resurgence of conflict even with the take-off of devolution-induced development, (Bosire, 2013).

Nevertheless, a 2010 study on 10 African countries by the USAID shows that the devolution of power has helped strengthen steadiness in some cases and does not appear to have compromised stability in any cases. The writer thus agrees that this is an important discovery that advocates for devolution of power as a instrument for political stability, especially in Africa where the post-colonial period has observed a number of civil conflicts, (Bosire, 2013).

The initiation of devolution in Kenya, according to Kubai (2015), brought a lot of hope to the people through the new governing system of the county units that target to address the local socio-economic challenges. Kubai sought to understand these expectations by looking at the county of Meru to see what makes devolution work. The writer thus looked at the aspects of availability of resources; relevance of the existing systems, legislation; and staff training. The first feature is looked at in terms of enhanced power on decision-making, adequate authority as well as having local control over resources; issues which are key to guaranteeing effective implementation of the concept for spurring socio-economic development, while at the same time restoring equity in the society. For instance, sharing of the national revenue equally at 3.5% {of the constituency development fund (CDF)} for each county will assist in developing the marginalized areas, (Kubai, 2015). The author also cites availability in place of sound financial management systems at the local level to avert manipulation by local politicians where they may skew resource allocation to favour their kinsmen. Quick enactment of appropriate legislation to legitimize the various functions that need to be undertaken, and training of personnel to enhance their capabilities have also been cited as key elements to ensure successful implementation of devolution. All in all, the author suggests that, capacity building of staff is a crucial aspect to be given preference, so that they can be able to handle devolution issues. Funding, which still poses a problem of disbursement from the central authority, the devolved unit should increase its tax base or venture into partnership with external investors. The writer also states that the local unit should pass legislation to promote resource mobilization and revenue collection to boost its income, and hence, gain the ability to execute its mandate of serving its citizens, (Kubai, 2015).

The emerging challenges of the shift from 'governing to governance' has become a welcome embrace as a decentralizing political solution in many Western nations, (Blunkett et al., 2016). This shift, the so called 'evolution' as the writers put it, has created tension between the responsible centrality and the delivery arrangement of the periphery; making a case for a push towards decentralization by some western governments as a means to shift decision-making closer to the localities. To this end, the centralistic approach by the British to decentralization was through what is termed as the 'devolution deals', which offered a crossing point of the political and governance arrangement of its city-regions, (Blunkett et al., 2016). According to the writers, the initiative, infused without wider civic engagement, was dubbed 'localism' agenda as it reflected an inclination of elite top-down policy –making with minimal (if any) public involvement; thus, negating the concept of 'revolution in devolution' because the arrangement only served to create a 'new central-local partnership'. As such, proponents of wider decentralization reform or evolution, as the authors refer to it, were apprehensive that more meaningful devolution of power – devolution revolution – was improbable to take place or establish roots; except when the British government would agree to the meritorious approach in the initiation of the arrangement via a meticulous and democratic public engagement throughout the reform process, (Blunkett et al., 2016).

2.6   Conflict

Conflict is defined by Fisher as an incompatibility of goals or values (which may be real or perceived) between two or more parties in a relationship, combined with attempts to control each other and antagonistic feelings of emotional hostility characterized by opposing actions towards each other, (Fisher, 2000, as cited in Bosire, 2013). Further to that, Bosire conveys that conflict may occur within an individual or between individuals, and may also assume an inter-group, multi-group or international dimension. For instance, that group conflict may arise as a result of differences in their systems of life which could include their preferences, practices and principles they believe in; and which may also be informed by identity factors like religion, ideology, race, culture and ethnicity, among others, (Bosire, 2013). The conflict in the Tana Delta takes the form of ethnic identity in the clamour for resources and struggle for power to dominate the other

group, a fact the is affirmed by the writer when he describes it as those conflicts which are deep-rooted; and that, as Houlihan portrays them, those which occur in "divided societies" and where identity-based factors overlap with the grievances over socio-economic and cultural injustices, (Houlihan, as cited in Bosire, 2013).

According to Etefa (2019), the end of the WWII ushered in more intra-state than inter-state armed conflicts in the world, (about 75% of all conflicts) especially in developing countries in Africa and Asia, with the eastern part of Africa being among the most conflict-ridden regions, with some of the issues being based on ethnic differences. On his contribution to the debate, (Zelesa, as cited in Etefa, 2019), states that the legacy of colonialism led to ethnic groups' trend to mobilize themselves to fight whilst the governments consistently focused on system survival and embedding political and economic clout rather than providing security and protection to the people, (Etefa, 2019).

Etefa (2019) also states that, scholars have yet to agree on the major causes of armed ethnic conflicts. That others have misinterpreted them that it's due to "ancient hatreds", whilst others aver they could be as a result of a long history of conflict (while ignoring their history of peace): particularly the case of the Pokomo versus the Orma, (Etefa, 2019). This position was in fact given thrust by some local leading media houses in Kenya and abroad (e.g. Daily Nation newspaper and US based *Africa News Service*) which asserted that indeed the Pokomo and Orma have a long history of conflict over natural resources of the region, (Etefa, 2019).

In addition to that, Etefa (2019) goes on to state that other entities like the French government – owned France 24 International news outlet went further to purport that the pedigree of the Pokomo-Orma clash date back centuries to one of history's oldest strifes of civilization between herders and sedentary peoples. Pokomo farmers and traditionally nomadic Orma herdsmen have long fought over access to pasture, (Etefa, 2019).

According to the International Monetary Fund (IMF), and looking at the context of Sub-Saharan Africa, Fang et al (2020) state that, conflict has, in most cases, resulted in

negative economic consequences. The authors aver that, the Sub-Saharan African region has been stained in conflicts for several decades with the intensity realized during the 1990s. That the region is prone to conflicts with an estimated 30% of its member countries being affected by the year 2019, causing untold suffering and bringing huge economic costs. For instant, they pose that, the annual growth of countries affected by intense conflicts is 2.5% lower on average, and the cumulative impact on their per capita GDP also increases gradually. In addition to that, conflicts in this region also inflict substantial damages on the affected countries' public finances. This is because they result in diminishing revenue, raise military expenditure and divert resources away from social and development spending, (Fang et al., 2020).

Another researcher, Pilly, says that the Pokomo and Orma/Wardei inhabitants of Tana River district have had perennial conflict since time immemorial; while arguing that their lives are full of tensions and suspicions, and there is no real peace between them at all, (Pilly, as cited in Etefa, 2019). To consolidate his stand on this, Pilly observes that the farmers always suspect their neighbours of being mischievous. For instance, when a group of pastoralists is seen, word spreads out very fast in Pokomo villages, and the youths are organized to guard the village in case of an attack (a group of pastoralists walking together is always taken to mean that they are bandits). Besides, they seem to blame the pastoralists for the cause of general insecurity in the district. The farmers seem also to have a resigned mood of ever achieving sustainable peace in the district, expecting the government to help them have this craved peace; unfortunately the government seems to stand by as people slaughter each other, (Pilly, as cited in Etefa, 2019).

In complementing the study of the conflict between the Orma and Pokot groups, and looking at the question of land acquisition, Pickmeier (2019) states that, a long history of conflicts and irregular violent outbreaks between these communities is characteristic of the area. On the other hand, Etefa (2019) avers that there's a general uncertainty about the history of conflict between the two groups. That they have lived in harmony before 1991 (i.e. since the Sixteenth Century) and that there had been no major organized armed

clashes, including even during the colonial era, except for minor resource-related conflicts which were solved by their social institutions, (Etefa, 2019).

Thus, confirming the argument that, the advent of multi-party politics in 1991, and especially after the first multi-party elections of 1992 did trouble start between the two groups, the writer poses the question thus, Where then is there a perennial conflict or long history of conflict between the Oromo and Pokomo? (Etefa, 2019). He goes on to postulate that, political grievances were the main factors that galvanized the communities to a lethal armed aggression between them intermittently between 1991 and 2013: a fact that was affirmed by the then top police chief in Kenya, David Kimaiyo, who stated publicly on the conflict in December 2012, that, the Orma and Pokomo conflict was not a fight for any other resources, but it was solely political (Etefa, (2019).

According to Shaiye's (2013) argument, the dramatic challenges afflicting the Orma and Pokomo communities, as posed by various socio-economic indicators, are still rooted in the existing ethnicity differences between them, and the wanting level of articulating these fundamental issues. This has thus led to community members to live in constant fear of not knowing what to expect next, hence, causing them to be unable to utilize fully the available resources for their socio-economic well-being, (Shaiye, 2013). He figures that, the main reasons for that state of affairs could be the proliferation of small weapons; inadequate land tenure systems; weakened traditional governance systems (especially among the pastoralist groups), ineffective government policies, and boundary disputes, among others (Shaiye, 2013).

Husemann et al. (2015), using the sociological theory of social conflict, conceptualize conflict as an interactional relationship of individuals and groups with incompatible goals. They observe that social conflict has both negative and positive connotations, when looked at in the realm of popular culture vis-a-vis academia. In this regard conflict brings about socially integrative and progressive outcomes for society and its groups, (Husemann et al., 2015). Further to that, citing sociological theory of socially progressive conflict, argue that social conflicts prevent societies from stagnation and loss of creativity

and bring about broader social changes, (Coser, 1957, p. 197; as cited in Husemann et al, 2015). In fact, conflicts have a certain ability to attain some aspect of unity among conflicting parties as asserted by sociological theory of socially integrative conflict, (Simmel, 1964, p. 13; as cited in Husemann, et al, 2015). In that regard thus, the authors explore conflict culture as a separate and a powerful ingredient of a consumer community, where they see it in two dimensions of a broader and narrow sense; being either loosely or closely knit on the basis of their shared commitment to product brand, class, activity or consumption ideology, (Thomas, et al, 2013, p. 1012; as cited in Husemann, et al, 2015). That in the broader sense, conflict may occur over differences in consumer community's symbolic meaning and status; whereas in the narrower sense, conflict may arose over divergent views on legitimacy of certain norms, behaviours and practices. Thus to them, conflict is a manufacturer of consumer communities, based on specific sets of values, practices and roles. As a matter of fact, consumer communities may develop and shape the ways in which intra-community conflicts unravel, (Husemann, et al., 2015).

In their analysis of the conflict of the Tana Delta between the Pokomo agricultural farmers and the Orma livestock herders (pastoralists), the Kenya National Commission on Human Rights [KNCHR] detected a number of issues that were linked to the violence that took place in 2012; which included structural and proximate factors, (KNCHR, 2012). For instance, the commission reported that among the structural issues were the uncertainty over the land tenure systems; conflicting land use needs; and the negligible presence of security forces in the area. On the side of proximate aspects, the commission cited negative ethnicity, unemployment and historical injustices. In addition to that, the agency also mentioned persistent clashes over scarce water resources; presence of organized gangs from both communities; and the prevalence of proliferation of small arms and light weapons. However, according to them, the major trigger which led to the eruption of the bloodshed was the influx of migrating herders from the neighbouring counties in search for water and pasture, (KNCHR, 2012). In their view, conflicts in the social setting could be mapped from the competition of natural resources that are in scarcity.

For Johnson (2016), former special representative of the UN Secretary General (SRSG), and head of United Nation Mission in South Sudan (UNMISS), a number of issues were at play that made the newest country in the world, at the time, South Sudan, to slide back into conflict (civil war) barely three years into independence. The writer cites corruption, bad governance, institutional degradation and greed for power. That there were also political upheavals inside the governing party, Sudan Peoples' Liberation Movement (SPLM) and outside the party: competition for political power. In addition to that, the writer states, the country was not ready, even at independence day, with a number of critical, extremely demanding internal changes which were yet to be internalized and harmonized: the transition from war to peace (for a generation that had known no peace for over half a century), it was huge; transition from struggle for liberation to government, it was daunting; and the complex aspect of independence, it was overwhelming, (Johnson, 2016). All these key changes were still underway come independence day. On top of that, the author adds, the country was still struggling with major internal security problems, with the largest state of Jonglei, the hallmark of South Sudan's ethnic diversity, caught up in a series of communal violence that left thousands dead. More significantly, she says, the country was saturated with weapons in civilian hands, coupled with the clamour for oil revenue and retention of oil fields in specific states only fuelled the prospects of conflict. Thus, with all these challenges needing to be addressed almost at once, it was just a matter of time before the country slid into war, (Johnson, 2016).

Looking at the aspect of climate change and migration explained in the context of water issues as a cause of conflict, (Muniruzzaman, cited in Thomas et al., 2012) elaborates the potential of these factors leading to conflict in the context of Bangladesh. He cites the geographical location of Bangladesh (being sandwiched between the Himalayas and the Bay of Bengal), coupled with its high population density as putting the country at the mercy of extreme climatic conditions. That the higher temperatures, more variable and increased precipitation, together with the rising sea level will continue to intensify and heavily impact on the country. As such, the climatic effects induces water crises (i.e. the melting of the Himalayas' glaciers) which results into large-scale migration. This

phenomenon thus reinforces the existential trends of instability and strife while at the same time initiating new ways of conflict, (Muniruzzaman, cited in Thomas et al., 2012). For instance, the author says, the 3.5 million climate migrants are too much for Bangladesh and therefore these migrants wish to enter into India to avoid / reduce resource conflict. However, they are not welcome there and even face execution when they venture close to the Indian border, to prevent them from entering. This issue raises strain between the two countries as India embarked on building an electric fence along her borders with Bangladesh, indicating the rising mistrust and tensions over the climate migrants. Thus, exacerbating an already problematic situation, (Muniruzzaman, as cited in Thomas et al, 2012).

The phenomenon of climate change has, according to Muniruzzaman (2011), since the outset of the 21st century, been the biggest threat to international peace and security, affecting hundreds of millions of people, and making it the greatest and emerging contemporary humanitarian and security challenge. This is because it has an effective threat multiplier effect that can cause instability in the already volatile areas of the world, making it the result of widespread political instability and conflict especially in the most marginalized regions of Asia, Africa and the Middle Eastern states, (Muniruzzaman, 2011). In recent times, as the writer narrates, water stress together with climate induced conflict and migration have become the major climate-associated concerns which (especially with regard to water scarcity, increased natural disasters and displacements) can intensify existing conflicts and therefore urgent effective climate change and mitigation measures are required to reduce climatic induced consequences, and hence, the likelihood of conflicts. According to the writer, climate change has wider security implications. For instance, diminishing the quality and availability of water in already water scarcity regions, may lead to competition for safe drinking water which may in turn fuel internal / social conflicts, (Muniruzzaman, 2011). Equally, the author adds, the same can be said of reduced agricultural productivity, which will lead to raised food prices, pushing millions of people to poverty, while at the same time undermining the economic well-being of especially weak states and eventually aggravating destabilization, collapse of social fabrics and eventually resulting in violent conflicts. Thus, to mitigate this

problem, the author proposes effective international cooperation to address the unpredictable security consequences of climate change as its effects transcends national borders, (Muniruzzaman, 2011).

Baidoo (2014) cites the rise of natural resource conflicts as a product of increase in population and globalization of the economy. However, he tries to look at the issues underlying the conflict in the northern district of Asante Akyem, Agogo Ashanti region of Ghana, between the Fulani herdsmen and their indigenous farming neighbours over the natural resources. The writer depicts the conflict in the cycle of the different interests of the farmers, herders and chiefs. For instance, for the chiefs, who are the authority over the territory, their interest is to amass revenues on the land and natural resources; hence, they allocate land to migrants (including) herders without due regard to the farming communities around there. This created scarcity of resources and of land for fallow management by the farmers, and therefore necessitating farmers and herders encroaching into each other's territory resulting in the destruction of farmers' crops; and hence, conflict occurs, (Baidoo, 2014). The author further states that, the life styles of the farmers and herders are that they depend on each other for water, fodder, land and other resources. That this makes their close interaction inevitable, and therefore making conflict imminent, especially on their divergent and competing interests over the use of the natural resources; a situation which is aggravated by unfavourable climatic conditions, (Baidoo, 2014).

Factors that contribute to occurrence of conflict are diverse. Limo (2017) takes a look at the factors that contribute to conflict among the pastoralists communities in the Baringo South Sub-county in the Rift Valley Region of Kenya. According to him, the imbalanced distribution and control of resources, as a result of a structured system, results in inequities in the society which leads to conflict. He also cites the aspect of population increase and depreciating environment which results in the scarcity of resources amid increasing demand. However, for this particular case, the writer attributes the occurrence of conflict due to competition over scarce natural resources (pasture and watering points) for ownership and control; adherence to strong cultural beliefs; cattle raids (rustling) and

recently, the rise in proliferation of illegal weapons, (Limo, 2017). The writer adds that, cross border conflicts are also on the rise as herders compete for grazing land along borders with neighbouring countries due to scarce pasture and water as a consequence of long and severe droughts. This is truly for the Turkana pastoralists group of Kenya clashing with their neighbours from Uganda, Ethiopia and South Sudan. On the other side, the writer posits, the pastoral culture praises cattle rustling (raids) and warriors are regarded as village heroes when they return from successful missions. In fact, social mobility can be attained through amassing wealth from raids, (Limo, 2017). Equally, the author continues, raids and counter attacks are a key feature of pastoral conflict; with the end result of herding away huge numbers of cattle intended for commercial business, as demand is high. And finally, the erosion of importance of traditional mechanisms to manage conflict, has hitherto allowed the conflicts to continue unabated. The traditional institutions used elders to address land issues and other related resources, but population increase and vagaries of climate has rendered customary coping methods weak. In fact, unlike yester years, the position of an elder is achievable through wealth, which aspiring youth can attain through raiding livestock, (Limo ,2017).

According to Hanshi (2017), scholars have fronted several arguments to explain the Pokomo-Orma conflict but without much empirical evidence. For her, she sought to analyse the extent to which the natural resources fueled the conflict in the Tana Delta between these two ancient neighbours, and the impact of the conflict on their livelihoods, focusing on the land issue chiefly, on its ownership and use. The writer narrates that, this problem emanates from the fact that, each group lays claim to the land by virtue of their being the first group to arrive at the delta before welcoming the other. That this factor strengthens their claim, especially with regard to their attachment to its ownership and use determined by their way of life; where the Pokomo are sedentary farmers whilst the Ormas are nomadic herders. Thus, they have a different notion of it where the Pokomo favour adjudication and individual freehold over the land; whereas the Orma believe in communal ownership and free access, (Hanshi, 2017). In the analysis thus, the writer established that, activities of the Land Adjudication Commission fueled the eruption of violence during the 2000-01 period, when the Commission attempted to adjudicate the

land, an issue supported by the Pokomo but vehemently opposed by the Orma. In addition to that, the tendency of the Pokomo to encroach and farm on identified routes to be used to access the river for the herders to water their livestock also contributed to the conflict, as animals would have to pass through farmed fields, (Hanshi, 2017).

Further, the author states that, politics was also a key factor in the conflict in the delta, especially in the run up to the 2012 general elections. It meant having political leadership accords acquisition and control of resources, and therefore, enhancing their political and economic dominance and power over the rival group; thus, it became a do or die contest, to eliminate the competition. The end result was a negative impact on the livelihood of the communities in the delta occasioned by the loss of lives, injuries and displacement, (Hanshi, 2017).

Cultural factors (beliefs) can also be among the causes of ethnic conflict in the society. This is true in the accounts of Chebunet et al. (2013) when they examine the ethnic conflict among pastoralist communities in the Rift Valley, Kenya – between the Turkana, Pokot, and Samburu. The authors state that, for these ethnic pastoral groups, conflict is regarded as a cultural phenomenon, and therefore justified; especially when the state and its organs pays an indifferent attention to their plight. For instance, the pastoralist communities have a long history of cattle raids and rustlings, which have become increasingly destructive and ungovernable; but which again are seen as an aspect of tradition pastoral culture, (Chebunet et al., 2013). The writers further aver that, the attachment to their culture is very deep for the pastoralist groups such that a number of reasons for conflict among them are attributed to this attachment. Among these aspects, the authors cite attachment to ancestral land (that the land belongs to them only); attachment to cattle (it's hard for these communities to accept other groups can also posses animals – it has to be them); dowry payments and cattle raids (dowry is paid in terms of cattle, thus, must raid to acquire them to facilitate payment); and Moranism and initiation rites (for eligibility and qualification to be a Moran or elevation to next level, one has to fight battles to attain such status), (Chebunet et al., 2013).

Along the same wave length, Likaka and Muia (2015) also attribute prevalence of conflict, especially among the pastoral people in Kenya and Africa at large due to cultural beliefs. They aver that, the aspect of people's quest for self-identity, self-realization and supremacy, when these are pegged on their cultural values, results in upsurge of pastoral conflicts. Thus, an indication that indeed culture is a significant source of conflict (although also a crucial component of conflict resolution and reconciliation), (Likaka & Muia, 2015). Looking at the Pokot and Samburu pastoral groups in Kenya, the authors inform that, these groups viewed conflict as a communal issue and therefore, both the conflict and its context was seen as a societal ownership thing, and hence, considered as harmless and trivialized as mere cultural practice. The pastoral conflicts, which were chiefly manifesting in cattle raids, were thus sanctioned, determined and controlled by the elders, (Likaka & Muia, 2015). On the other hand, the authors posit that, various cultural components of the two pastoral communities played a key role in conflict. For instance, the aspects of amassing power (prestige and respect) in society and getting married galvanized the youth especially, to bridge the gap through unsanctioned raids on their neighbours. This is because the community does not support them to build their homesteads or provide dowry (cattle) for them; thus, they have to fend for themselves, which they do best through cattle raids / rustling, to improve on their social status as well as acquire enough dowry to get married, (Likaka & Muia, 2015).

For Mutta (2019), resource based conflicts are spread far and wide across the world, and have diverse determinants depending on the context. For instance, the writer states, Irish and Spanish fisherman clashed in the so called 'Irish box' over fishing rights; fuel and mining products in the Latin American pitted Peru and a part of its community on the concerns of the community on the environmental and social degradation of their land from the exploitation; the shared marine waters of the South China seas which have pitted China and her South Asian neighbours, following the discovery of oil and gas deposits; the civil wars of the Sudan over bulk oil deposits; and the never ending strife in the Democratic Republic of Congo (DRC) over the bulk mineral resources, (Mutta, 2019). In addition to that, the author also focuses on the resource based conflict in the context of the Pokot and Turkana tribes in northern Kenya, which practice pastoralism, and

therefore depend on their livestock for livelihood. As such, she avers, the harsh climatic conditions (coupled with global warming) have resulted in dwindling natural resources leading to clashes (competition) over natural resources such as access to water and pasture between them, and even with the neighbouring communities along the borders with Ethiopia and Uganda, while searching for pasture for their livestock, (Mutta, 2019). Thus, affirming the claim that indeed natural resources'/ (scarcity) is a cause of conflict.

2.7   Causes of Ethnic Conflict

Ethnic conflict, in its multidimensional nature, in the reflection of Williams (2015), remains a contested phenomenon and continues to be a form of contemporary armed conflict across the globe. Williams contend that, scholars have debated on the causes on ethnic comfits but settled on three major theoretical approaches in primordialism, instrumentalism and constructivism. That in primordialism, ethnic identity is seen as an ascribed aspect obtained at birth and with natural, inherent ties that are perceived as singular, fixed and irreconcilable, and which defines an objective entity termed as ethnic group. In that regard thus, ethnic differences are seen as ancestrally entrenched, thereby occasioning the inevitable emergence of ethnic conflict as a consequence of ancient hatreds between ethnic groups for fear of domination, expulsion or even extinction by the other group, (Williams, 2015).

For the instrumentalist, according to Williams (2015), sees ethnicity as not an inherent aspect, but a coalition of sorts aimed at amassing a large share of scarce resources – political and economic power. That parties mobilize along ethnic lines targeting available opportunities. Thus, ethnic conflict take place over scarce resources whenever rational agents are driven by political and economic ambitions / gains, (Williams, 2015). On the other side, constructivists, in the account of Williams, see ethnic identity as a social construct, created through a number of ways including conquest, colonization or immigration. As such, ethnic groups are therefore regarded as social constructions with histories and origins that are recognizable through their expansion/contraction, division/amalgamation. Thus, ruling elites, colonial and post-colonial, have been using the historical construct to build and maintain exclusive identities for political and social

control. And it is through these historical relations and processes that create hostilities between ethnic groups, causing polarization of ethnic identities, thereby creating a favourable climate for violence and hence, ethnic conflict occurs, (Williams, 2015).

Nasong'o (2015) states that, the ethnic diversity of African states artificially created by the colonial masters has seen the spread of political conflict across the continent defined in ethnic terms. He sees the aspect of ethnic political mobilization as the key factor responsible for the resultant specter of ethnic strifes. For him, one of the major reasons for ethnic mobilization is ethnic identity. Citing primordialism, the author avers that ethnic identity breeds political assertiveness and militancy in society, fueled by social and economic factors that results in discontentment. That this discontentment is augmented by the process of modernization in respect to increased social interaction and competition between ethnic groups, occasioned by rapid social growth that elevates awareness of cultural differences; hence, exacerbating conflict, (Nasong'o, 2015).

In addition to that, Nasong'o (2015) cites the grievance model of ethnic mobilization, pegging its mobilization aspect on some three key/critical factors. That groups mobilize due to internal motivators like perceived threats from another group. Again, mobilization can also be occasioned through external factors like political opportunity to mobilize; and lastly as a result of availability of the resources facilitating mobilization, (Nasong'o, 2015). The bottom line is, mobilization takes place in a highly cohesive strong identity set up to which the government may respond either through policies of acceptance or denial, (Nasong'o, 2015).

For Pickmeier (2011), conflict in the society can result from competition over resources like water, pasture and especially land, in terms of ownership and use, and manifested chiefly along ethnic lines. The issue of land acquisition is a historical matter for the Pokomo and Orma inhabitants of the Tana Delta, with each ethnic group staking ownership and claim of right by virtue of being the first to settle there. This aspect is compounded by the fact of their different lifestyles and each group sees land use and ownership in different angles: with the Orma viewing it as being available for all for use

communally, for grazing their herds; whereas the Pokomo understand it as a private entity belonging to individuals, for farming (Pickmeier, 2011). Thus, during the dry seasons, pressure on grazing areas and watering points increases, leaving the only recourse to access the River Tana and adjacent areas for water and pasture. Unfortunately, the Pokomo, who occupy the arable land close to the water, fail to leave corridors for the pastoralists to drive their herds through to the river for watering, and hence, crop destruction occurs along the way and conflict takes place; escalating from the individual level, group to community level (Pickmeier, 2011).

Clannism, according to Karienye and Warfa (2020), is identified as one of the major factors driving violent conflict in the North Eastern part of Kenya; yet there's limited understanding of the causes that lead to these violent conflicts. Thus to understand the realities on the ground, the scholars sought to identify the drivers of intra and inter-clan based conflicts in the context of Wajir County, Kenya. In their quest, the authors found out that, some of the key drivers of clan conflicts comprised political influence (struggle for power and dominance over other clans); unclear constituency boundaries (between those from colonial masters and the ones by Independent Electoral and Boundaries Commission - IEBC); unequal sharing of the county resources (in fact the advent of devolution has exercabated inequalities with inclination towards clans of those in power); and competition over natural resources – water and pasture, a perennial problem, (Karienye and Warfa, 2020). Clannism is attributed to prevalence of violent extremism and its dominance has even undermined devolution, which was intended to address decades of marginalization and underdevelopment, (Ngala, 2016: Policy Briefing Africa, 2012; as cited in Karienye & Warfa, 2020). For instance, between 2014 – 2018, five deadly clashes occurred pitting the residents of the county (Degodia, Ajuran and Ogaden) leaving 59 people dead and scores injured, (Karienye & Warfa, 2020). A raft of measures were put in place by the government including increasing security personnel (Administration Police – APS and Police Reservists - KPR); civic education to preaching peace; training of peace committees; implementing community policy (Nyumba Kumi Initiative), a ten household cluster for security awareness; NGOs and CBOs, and Religoius groups also involved in peace initiatives; and a disarmament exercise. The

initiatives have however had a fair success, though in some areas there's still tension, (Karienye & Warfa, 2020).

2.8   Ethnicity and Conflict

An ethnic group, according to Nazar and Shahdanejad (2011), is a community whose members share the same persisting historical origin, valued cultural traits, beliefs, way of life, language, etc. As for ethnic conflict, Brown describes it as a dispute between two or more ethnic communities over important political, economic, cultural or territorial issues, (Brown, as cited in Nazar and Shahdanejad, 2011)

For these authors, the end of the cold war and decolonization era signified the advent of a period of ethnic strife in Eurasia and Africa; chiefly for the purposes of recognition, equity and autonomy within the framework of existing states. For them, ethnic conflict ideally stems from identity conflicts but may mean a whole range of other internal conflicts such as religious, ideological or governance conflicts; especially where the conflicting parties are of the same ethnic group as in Somalia, Afghanistan or Cambodia, (Nazar and Shahdanejad, 2011).

According to Aapengnuo (2010), ethnicity is not the classical driving force of conflicts in Africa; rather, it the lever upon which the political leaders bank on to mobilize their groups for power, resources and wealth. He therefore urges that, it is time to now refocus our attention on the real drivers (political triggers) of conflict, (Aapengnuo, 2010). As such, he recommends a systematic civic education that will enable dispersal of the potency of ethnicity for political ends, (Aapengnuo, 2010).

In fact, adds Aapengnuo, most ethnic groups in Africa co-existed peacefully, coupled with intermarriages and economic partnerships. That the ethnic card is played during struggles for political power, as was the case for Kenya in her recent elections, (Aapengnuo, 2010). The author cites a similar case for the Rwandan genocide of 1994. He informs that, the Hutu and Tutsi were so similar and have intermarried to the extend it became difficult to distinguish between them. However, due to struggle for political

power and resources, the ethnic card was again manipulated by the politicians as a means for popular support and to eliminate political opponents (both Tutsi and moderate Hutu), (Aapengnuo, 2010).

Adding their voice in the ethnicity-conflict debate, Esteban et al. (2012) confirm that, indeed ethnicity is a factor contributing to conflict. That for them, social conflict has been induced by preexisting ethnic divisions within national bounds for the better part of the 20th century. They validate that experiential as well as hypothetical research has provided the evidence for this phenomenon. As such, they affirm that, there are two diverse measures of ethnic division that jointly influence conflict – polarization and fractionalization, (Esteban et al., 2012). Consequently therefore, polarization occurs when the winning group enjoys what they refer to as 'public' prize, or possession of political power; whereas fractionalization denotes what they term as 'private' prize, or looted resources, infrastructures etc); the end result hence being conflict. They surmise that, ethnic conflicts are more likely to be influenced by instrumental factors rather than driven by primordial hatreds, (Esteban et al., 2012).

For Ottaway and Sadany, they pose that, ethnicity is the biggest problem and major source of conflict. They cite South Sudan as a good example where war broke out in 2013, barely two years after a referendum (in 2011) for a unified South Sudanese state, independent from the north. The issues were the unattended deep, cold and frozen relations among the different ethnicities in the south, (Ottaway and Sadany, 2012:p.3, as cited in Nyadera, 2018).

On the same breath, Cheesman informs that, conflict in the South Sudan was occasioned by the rivalry for political power after independence, where communities regrouped within their ethnic cocoons and mobilized to advance their cause, (Cheeseman 2015:8-13, as cited in Nyadera, 2018). To add on that, Mamdani reveals that, ethnicity was the cause of the strife and cracks within the Sudan People Liberation Movement (SPLM) during its formative stages. The different ethnic groupings began struggling for their equal representation and share for power, to prevent the dominant groups' (Dinka and Nuer)

attempt to craft solutions that favoured their sides, (Mamdani, 2014, as cited in Nyadera, 2018). Again, Nyadera (2018) cites ethnic mobilization for accession to power through the aspect of tyranny of numbers; historical ethnic rivalries and attachments; and a political structure that allows winner to dominate government positions and a capital share of the national cake as the overriding problem to the conflict in South Sudan, (Nyadera, 2018).

2.9 Conflict Management

According to the HRzone (2021), the definition of conflict management is given as those techniques and ideas designed to reduce the negative effects of conflict and enhance the positive outcome for all parties involved.

On their perception of conflict management, Khun and Pool describe it in two aspects; as either being distributive or integrative. For them, distributive is a model which focuses on a fixed number of positive outcomes; whereas for integrative, the idea is to integrate the needs of both of the feuding parties so as to ensure an end result with a favourable outcome for all parties involved, (Khun and Pool, 2000, as cited in HRzone, 2021).

Nazar and Shahdanejad (2011) aver that, the greatest threat to contemporary peace is found in the intransigent ethnic conflicts manifested in identities which are embedded in cultural practices. That the role played by culture and identity thus form the core of ethnic conflicts. They therefore suggest successful management of conflicts through the consideration and emphasis on the opportunities and constraints offered by cultural and political dynamics, (Nazar and Shahdanejad, 2011). For instance, they propose management of conflicts through undertaking structural changes in the constitution, as well as establishing other alternative initiatives, like the truth and reconciliation commission, as was the case for South Africa. The government of South Africa abolished the homelands and created nine provinces out of the previous four during the apartheid era, in order to ensure more distribution of resources to the sub-national entities, to help de-escalate the conflicts, (Nazar and Shahdanejad, 2011).

Again, they also cite Nigeria as another model that deployed structural changes to manage conflict. For her (Nigeria), in order to manage ethnic and regional misunderstandings, and cater for the ethnic minorities, it opted for federalism and secularization. This resulted in the formation of 46 states between 1967-1999, to alleviate fears of the minor groups being dominated by the large treble of Hausa-Fulani, Igbo and Yoruba, (Nazar and Shahdanejad, 2011). However, the viability of the initiative was taken to task when the entities became conduits for personal enrichment by the elites, causing huge disparities in oil resources distribution. Hence, again leading back to ethnic conflict, especially in oil-rich Niger Delta States, (Nazar and Shahdenajed, 2011).

In the perspective of Baas (2013), ethnic conflict management can be best be articulated through the deployment of a power-sharing models she refers to as consociationalism, especially in areas which are reeling to get back to normalcy or are in transition, after conflict. She avers that the model is instrumental in promoting governmental stability and democracy in deeply divided societies, but again, that it's not full proof in the achievement of the desired results, as was the case of South Sudan, (Baas, 2013). That the model is advantageous as it accords safeguards to plural representation in divided societies; to mean the inclusion of all distinctive population groups in the community, rather than say political parties. She therefore suggests adoption of a model to facilitate application of consociationalism as given by a 1969 political science scholar, Arend Lijphert, which has four mechanisms of a) grand coalitions, b) mutual veto, c) proportionality, and d) segmental autonomy, as a means to achieve the intended objective, (Baas, 2013).

Chen (2013) looking at Zhao Lei's work, tries to give an overview of existence of various ethnic conflicts that happened outside China, and the way the different states have developed mechanisms to address the ethnic tensions. That the work was intended to show the Chinese readers that their country is not the only one facing ethnic related challenges, and that there are ways and means – policies, to assist in improving ethnic relation. The writer poses that, Zhao's work tend to focus on distinguishing the different types of ethnic conflicts and their causes, while demonstrating the various comparisons,

47

including ethnic relations in different countries in the US, Europe and Asia. Thus, confirming to the Chinese readers that most countries of the world, regardless of their status in terms of political and economic muscle, they have to craft and put in place valuable mechanisms which will guarantee harmonious relationships among the different ethnic groups, (Chen, 2013). According to Chen, Zhao's work suggests the adoption by China of a depoliticisation approach, adapted from Rong's idea (Rong, 2007, as cited in Chen, 2013) to handle her increasingly strained ethnic relations. The reason being, to try and avoid the existing policies which tend to augment differences between ethnic groups, as they regard minor differences between individuals as issues between ethnic groups; hence, exacerbating ethnic relations. As per the author, both Lei and Rongs' support for depoliticisation stems from the fact that, the approach advocates changing of ethnic communities into value communities; while at the same time encouraging an outlook towards commonalties between the groups and favouring group plurality rather than singularity, (Chen, 2013).

Commenting on the aspect of conflict management, Etefa (2012) shows that indeed, Africans have a way of managing conflicts between and amongst themselves contrary to the way the West portrays Africans as a group used to have unending fights in themselves. Citing the Oromo ethnic community, origin of northern Ethiopia, the writer demonstrates that indigenous institutions of peace can be used and be successful in contributing to ethnic solidarity and peaceful co-existence across communities within the region, as well as promote ethnic integration. That their ideals of peace and equality enabled the Oromo ethnic group to live peacefully with non-Oromo peoples for centuries leading to ethnic dynamism and acculturations in the eastern region of Africa, (Etefa, 2012). To this end, the writer shows that the Oromo people have been practicing their *gadaa* system, a essential philosophical system of thought and welcomeness to strangers that made massive contributions to peace and integration in the region. In fact, adds the author, that the *gadaa* system loathes wars and always ensures that peace will triumph in any conflicting situation. The writer contends that, the evidence of the absence of major protracted ethnic strifes in the region should in fact be attributed to these indigenous institutions of peace promotion, (Etefa, 2012).

Kinnander (2011) tries to look at conflict management approaches in the context of project process, an essential aspect for the project manager. He cites time, cost and quality as critical values of a project and therefore, effective and professional management of conflict is key to ensure positive effects of these values are realized. For him, approaches to conflict is an individual attribute, but those conflicts where emotions play a key role are the ones most likely to have negative impact. Conflict prevention methods like feedback is one aspect highlighted by the author, an approaches he claims allows members a chance to know about their behaviours and themselves, (Kinnander, 2011). The author thus settles on two aspects of conflict management: prevention of conflicts and management of functional conflicts. On another angle, the author proposes a conflict management model that he terms as concern model, which is based on the concerns for self or for others, (Desivilya et al., 2005, as cited in Kinnander, 2011). From this one, five main management patterns emerge; dominating, obliging, avoiding, integrating, and compromising; with obliging and avoiding being seen as passive strategies, whilst the rest are perceived as active strategies. In addition to that, the author also looks at another perspective of conflict management in the form of cooperativeness/uncooperativeness, or assertiveness/unassertiveness, (Hughes, et al., 2009, as cited in Kinnander, 2011). Out of these ones, the author informs, another five common approaches are derived, i.e. competition, accommodation, sharing, collaboration, and avoidance. The author also informs that, each approach however, comes with advantages and disadvantages; hence, emphasis should based of which is most appropriate relative to the problem at hand than searching for which one is superior, (Kinnander, 2011)..

Communal conflict, according to Elfversson (2016), is a violent conflict which involves non-state group actors characterized by organization along shared communal identity, with devastating consequences of huge number of casualties and acute disruption of livelihoods. In the worst of scenarios, it may lead to instability in a whole region, or escalate into civil war. The writer tries to look at the political context (in terms of government's position) in relation to communal conflict and how it affects the mediators in their bid to promote sustainable peace. Which means that, government political bias

towards the conflict affects peacemaking in two dimensions: it undermines the legitimacy and constrains the role of the mediator; and also creates problems of commitment to the conflicting parties. This also shows that, in most cases, communal conflicts have their attachment to political and power struggles at the national level, (Elfversson, 2016).

On the other side, according to Elfversson (2016), communal conflict revolves around issues pertaining to access to and land ownership or water, cattle raids or support for opposing political outfits, where the government intervenes by deploying a disarmament operation, mediate the conflict (with assistance of non-state actors), coordinate with local actors in peace talks or more often, use coercive means to quell the matters, (Elfversson, 2016). For instance, the integrated approach (touted the best one) where the state has partnered with non-state actors in trying to quell conflict has been used in the Nigerian context, but in most cases has failed; as a result of lack of commitment by the government, or understanding of local context, or for use of indiscriminate force. Emphasis thus has been put in non-state actors (NGOs, religious associations or CBOs), in deploying customary mechanisms, as was done in parts of northern Kenya, (Menkhaus, 2008; cited in Elfversson, 2016). That preference to non-state actors is driven by the fact of their ability to design locally suitable process and their being adept at responding than state actors, (Imoghibe, 2003; cited in Elfversson, 2016). A good example is the success of a consortium of NGOs which utilized its independence and neutrality to broker a peace agreement following a violent communal conflict in Kumasi - Ghana, (Van der Linde & Naylor, 1999; cited in Elfversson, 2016). On the alternate side, the initiative by the NGOs and Religious Associations mediators only had limited success (partial agreements), a peace accord in Tana River in Kenya in 2001-02. The violence however recurred in 2012-13. All in all, there's little comparative study that precisely examines the circumstances for success, and the interface among diverse actors – state and non-state, local and central – involved in peacemaking. As such, despite the need and recognition of grassroots-based conflict addressing mechanisms, little research is available to highlight on the successes and failures that will help identify the scope and limitations of customary mediation processes, (Elfversson, 2016).

One of the effective means of managing intra-ethnic conflict, especially in pastoral communities, according to Muhammed and Beyene (2016), is the concept of Social Capital, in customary pastoral institutions, where there are shared norms, social closeness and cultural uniformity. However for inter-ethnic strife, the scope of this customary apparatus has been limited by the contemporary preference for federal and historical-based political relations among ethnic groups, (Muhammed & Beyene, 2016). The authors inform that, violent conflict among pastoral communities is common as they try to eke out livelihood from the reducing range land resources, coupled with political instability, environmental scarcity and negative national policies on pastoral land use (game parks in pastoral land; for which overreliance on modern courts may not provide adequate interventions, especially where intra or inter-ethnic conflict revolves around competition for territory or range land resources, (Muhammed & Beyene, 2016). Indigenous pastoral conflict management institutions were applied in Somali region of Eastern Ethiopia, which utilized social capita, defined in cultural values, marriage relations and kinship, to address inter-clan and inter-ethnic conflict, which takes the form of two phases: differentiation and integration, (Muhammed & Beyene, 2016). For differentiation, as per the authors, it involves the stage at which feuding parties start making comprehensive reviewing of their divergences; whereas for integration, it focuses on finding common ground for resolution of the contest through communication between / among the belligerents in the conflict, which assists in bringing out understanding of the concerns and interests of the other group, (Muhammed & Beyene, 2016).

Territorial accommodation is touted as one of the mechanisms to address ethnic conflict as fronted by Wolf (2011). According to the author, the approach has been applied to manage conflict in especially divided societies where there's agitation for self-determination by territorially concentrated identity groups; which at times happens (agitation) through violent means, (Wolf, 2011). Quinn gives an example that, the end of the Second World War has seen over 79 armed struggles involving territorially concentrated groups, agitating for independence or autonomy, (Quinn, 2008, p33; as cited in Wolf, 2011). The effectiveness of this approach is depicted by the author in the dissolution of the Soviet Union, which happened without violence; also true for the split

51

of the Czechoslovakia to form Czeck and Slovakia, as well as Canada and Belgium, (Wolf, 2011). Thus, as the author poses, governments only need to effect policy and institutional changes to accommodate the initiative. However, the writer notes that, scholarly debate still rages on over the viability of the initiative. That some scholars like (Cornell, 2005, p252; Roeder, 2007; Hale, 2004 and Daniel, 1997; as cited in Wolf, 2011), are skeptical territorial approaches resolve conflicts, but rather induce them instead. On the alternate side, the author mentions (Gurr, 1993, p.301; Cohen, 1997 and Schneckener, 2002; cited in Wolf, 2011) as confirming that recent historical records affirm the usefulness of territorial approaches in managing regional conflicts through autonomous arrangements, (Wolf, 2011).

Macek-Mackova (2011) while citing Arend Lijphart states that, inter-ethnic community tensions / ethnic divisions can be neutralized (managed) through the establishment of definite institutions that entice or encourage elite cooperation, termed as Consociational Democracy, which denote the aspect of power-sharing.. The author informs however that, the model has been challenged due to its inability to offer the elite that needed incentive for cooperation to strengthen their ties, (Macek-Mackova, 2011). As a result, nations which qualified as consociations like the Czeckoslovakia and the Union of Serbia and Montenegro, were unable to hold onto their unity, and eventually broke up, chiefly due to ethnicity, (Macek-Mackova, 2011). The author informs that critics argue consociationalism is undemocratic and therefore, when prospects of democratic space are availed, like the enlargement of the European Union (EU), the structure of consociationalism creates rifts between leaders instead of strengthening them. Thus, it accords the elites an opportunity to support republican interests as opposed to federalism. Hence, the writer contends that, even as conditions for consotionalism are fulfilled, like in the cases of Czeckoslovakia and Unioun of Serbia and Montenegro, the model may not sustain the unity, depending on the context in which it was being implemented. As such, when implementation takes place during democratization periods, like the EU enlargement, the concept tends to induce divisive influence on the elites' (leaders) ability to collaborate, on their choices, and therefore on the state, favouring separation, (Macek-Mackova, 2011).

2.10   Theoretical Framework

This study will be informed by the theory of conflict research. Conflict research approaches conflict management by defining the issues that underlie a given conflict. It identifies the parties' interests and structures that lead to conflict and proposes how the parties to conflict should recognise and accommodate one another in an environment where there are either scarce or surplus resources, (Burton, 1971). In this context, either party seeks to pursue power in order to control the exploitation and utilisation of the resources in exclusion of one segment of the society. Conflict research contends that, in spite of the resources, the prevailing structure in the society make it difficult for one part to overcome the institutional barriers laid out against one party rise and be equally dominant, both socially and economically. It is often observed that the aggrieved party is relegated to a vicious state of disadvantage or is constantly oppressed and or permanently alienated from attaining power that will offer an opportunity to access a resource in the environment that would otherwise improve the wellbeing of the society. With this observation, conflict research lays out the vision of resolving conflict if the parties agree to identify the source of conflict (Light, 1984).

The source of conflict in the Tana Delta is mainly the natural resources in the environment. The parties to the conflict, the Oromo and the Pokomo lay claim to the land and water resources without adhering to equity. The water and land resource distribution is a function embedded in government institutions to arbitrate. The national government of Kenya has pursued the initiative since independence in 1963, with the component of peace and security in the Tana Delta through coercive means. However conflict in the Tana Delta can be institutionally addressed through dialogue and transformation of the social and economic inequalities in the communities that are natives to Tana Delta.

The preoccupation of any government institution engaged in a peace process is to settle the conflict peacefully. In the Tana Delta, peace building initiatives and processes have tried to limit their scope of conflict management to formal public channels.   The devolved County Government has been constitutionally mandated to oversee equitable distribution of power, resources and economic development (Constitution of Kenya

[COK], 2010). In Tana Delta, the County Government of Tana River's intent to advance devolution and its attendant functions is to mitigate the Orma/Pokomo conflict that has persisted for long through several dimensions of social and economic empowerment. This brings us to the subject of conflict transformation though formal approaches. It is presumed that the devolved government could invoke the social, cultural and economic programmes that could de-escalate the conflict and nurture peaceful co-existence. This approach significantly seeks to nurture dialogue and get consensus from the community leadership and the people.

The conflict research model also considers conflict resolution to be attainable only where post conflict relationships are legitimised and self-sustaining. Conflict resolution must be achieved without the imposition of certain values on the conflicting parties. There must be situations where post conflict behaviour is based on criteria and understanding, which are acceptable to the conflicting parties. In searching for a solution of the conflict in Tana Delta, the Pokomo and Orma must be involved in the democratic process and the development planning programmes that affect the two communities. Conflict research therefore is relevant in the context of the Tana Delta conflict since it helps in identifying the parties to conflict, the contested natural resources, the power relations both social and political, and the role of the devolved government in transforming the conflict to a sustainable peaceful coexistence (Groom, 1990).

2.11   Conceptual Framework

The study is depicted in the following conceptual framework as illustrated in Figure 2.1:

Fig. 2.1

Independent Variable   Moderating Variable   Dependent Variable

National Government
- Policy Guidance
- Security

Devolved Functions

- Political Power
- Economic Freedom
- Admin. Freedom

Effective /Ineffective Conflict Management
- Peaceful Co-existence
- Economic Development
- Reduced Poverty
- Competition for Resources
- Increased Conflict

Devolved Government
- Enabling Environment

Intervening   Variable

2.12   Conclusion

The discussion has highlighted that indeed decentralization is the preferred model to solve most problems facing countries in the eastern and southern hemispheres that are classified as the developing world. It is observed that devolution is a better option away from the central authority which was viewed as oppressive and insensitive to the needs of local communities. However, empirical evidence of its successes in the last two decades are not convincing. In regard to conflict, it has been demonstrated that conflict between any two warring communities may not be as ancient as it has been presumed. The aspect of elite involvement, politics and the indifferent attitude of authorities play a critical part in influencing the conflict cycle. It has also been observed that decentralization, in as much as it has been touted to be the remedy for conflict management in the local entities, it is not yet a complete success story. In some instances, it has created rifts through renewed clamour for the concentrated resources in the dominant local groups or entities. This study therefore seeks to establish the contribution of devolution towards ethnic conflict management through a case study of the Tana River County.

CHAPTER THREE

3.0   RESEARCH METHODOLOGY

3.1   Introduction

This section of the research covers the thematic areas on how the research proceeded to collect data and analyse it to make pertinent study findings. This Chapter covers the method/approach, research design, the locale, the target population, the sample and the sampling strategies, the research instruments, questionnaire design, interview schedule, data collection procedures, validity of the research instruments, reliability of the questionnaire, pilot study, ethical considerations and data analysis procedure.

According to Aspers and Corte (2019), qualitative research is an approach or iterative process which accords researchers an enhanced understanding, whereby they develop original considerable distinctions, by way of getting nearer to the phenomenon under study. That is to say, as the authors claim, qualitative research allows researchers to study things when they are in their ordinary locale, while endeavouring to formulate sense of it, or construe phenomena in terms of the significance individuals assign to them. In general, this is a qualitative research which has assembled non-numerical data to understand the meanings from the data and help appreciate social life through the study of targeted populations or places, (Crossman, 2020). This approach was preferred because it gives the researcher a good understanding of the concepts, opinions and experiences as accounted by the respondents; which in turn accords generation of new ideas for the researcher based on the in-depth insights procured of the problem under study, (Bhandari, 2020). Again, it's useful when trying to understand a complex phenomenon in its real context, and allows flexibility as the research exercise progresses. Hence, contributing to the originality of the resultant findings and ultimately bringing new perspectives into the subject under study, (Bhandari, 2020).

3.2   Research Design

This study has deployed a descriptive research approach. Nassaji (2015) contends that a descriptive research describes a phenomenon and its characteristics where its helps the researcher's focus on answering the what and how questions rather than with why something happened. Consistent with descriptive research therefore, the researcher has deployed a case study design, which guarantees an in-depth, multi-faceted explorations of intricate issues in their real-life environments, (Crowe, 2011). Further, as Obeng (2015) avers, a case study design accords a form of elasticity rarely available in other qualitative approaches. That it permits research results to emanate from the themes inherent in the raw data. The research therefore contains both qualitative and quantitative data which will make it possible to investigate the impact of devolution on ethnic conflict management in a territorial entity or state.

3.3   Study Population

Study population, in the understanding of Hu (2014), denotes the division of the intended population/unit from which the sample desired is actually decided on. Since the study derives its variables from devolution and ethnic conflict management, the population or unit for the study are the structures of administration in the devolved unit of Tana River County. This population includes the elected and appointed County leaders and Administrators: The Members of the County Assembly, The Office of Governor, Executive County Members, and the Ward Administrators. The study also involved Central Government County Administrators: the County Commissioner, Deputy County Commissioner, and Chiefs.

3.4   Sampling Techniques and Sample Size

The research deployed non-probability sampling techniques which is consistent with qualitative research, and where not everyone has a chance to be selected, but individuals are picked based on non-random criteria, (McCombes, 2019). One such technique is purposive / judgemental sampling; where the researcher uses his/her proficiency to choose the sample that they view as most appropriate to the success of the study, (McCombes, 2019). On the other side, sample size, according to @Alexa (2020), is the

portion of a larger group or populace that has been particularly elected for the purpose of an analysis or testing.

Since the study involved the Devolved Government of Tana River County, the researcher thus deployed purposive/selective sampling to carry out the survey. Therefore the researcher proceeded to collect data from the entire population identified with governance and security enforcement in the Tana River County.

The research identified the following units of analysis from the Tana River County for data collection:

Table 3.1: Sample Size Derivation

Unit	No. of Respondents
Governor's Office	2
Executive Committee (Ministers)	8
Chief Officers	8
Sub-County Administrators	1
County Assembly	6
Ward Administrators	6
County Commissioner	1
Deputy County Commissioner	1
Chiefs	17
Total	50

Note: The composition of the above respondents have a representation of the ethnic diversity of groups habitants of the Tana Delta, through elective as well as appointment criteria.

3.5   The Research Instruments

Research instruments are items that are applied in the assembling, evaluation, and consideration of facts that are relevant to one's research interests, (Teachers College, Columbia University [TCCU], n.d.); and that such tools, which are normally applied in social sciences, can be in the form of interviews, tests, surveys or checklists. The primary research instruments that were used for this study were semi-structured questionnaires and interview schedules.

a. Semi – structured Questionnaires.

Eticha (2019) depicts a semi-structured questionnaire as a form of interview in which the interviewer asks some predetermined questions to the respondents; while others come along by way of a free-flowing interaction – spontaneously. According to the author, this type of interview encompasses both open and close-ended questions; enables attainance of qualitative as well as quantitative data; and may be administered via face-to-face or through the telephone.

b. Interview Schedule

Luenendonk (2019) describes an interview schedule as basically a record enclosing a set of structured questions that have been arranged, to serve as a guide for interviewers, researchers and investigators in gathering information or data about a specific topic or issue.

The questionnaires/interview schedules were administered to the identified officials through face-to face interviews as well as via telephone conversations. However those that could not manage adequate time were left to fill the questionnaire, and collected at an agreed time.

3.6   Validity and Reliability

Middleton (2019) avers that, validity refers as to how precisely a process gauges what it was actually anticipated to measure. Thus confirming that, validity indeed is the magnitude to which a quantity actually measures what it is supposed to assess. Reliability on the other hand, she adds, is about how constantly a technique assesses something,

(Middleton, 2019). To establish validity of the questions and the interview program, the researcher referred to the supervisor from University of Rwanda.

A pilot study exercise/survey was carried out at the Tana River County with a small random sample to determine if the questions would elicit expected reactions. This was important to be undertaken because it gave a basis for rectifying any errors that were noted in the questionnaire and therefore improved on the quality of data collected. The exercise allows determination of the feasibility of the research design adopted, and hence, instrumental in testing the methods earmarked for deployment in the research project, (enagoacademy, 2020).

3.7 Data Analysis Techniques

For guru99 (2021), data analysis is described as a course of action that encompasses cleaning, converting and shaping facts in order to ascertain valuable information, and extract it with a view to taking decisions based on that very data assessment. Data analysis however can take place in many forms (different techniques) in qualitative research; one of which is thematic analysis; the subject application for this study. According to Warren (2020), thematic analysis is a method of data examination that focuses on patterns of meaning in a data set, like interviews, with a view to grouping them in accordance to their similarities (themes), and hence, assisting to make sense of the substance and draw meaning from therein. In this context therefore, data collected was reviewed before the actual analysis. Both qualitative and quantitative methods were used in analysing the data. Qualitative data was descriptive and made references to the study objectives in presenting the findings in a logical sequence. Quantitative data was presented using frequency tables and percentages and inferential statistics was also used to test the relationship between variables under study.

3.8 Ethical Considerations

Ethical considerations or ethical issues as they are referred to at times are, according to the Australian Reform Commission [ALRC] (2010), in its report number 90/06, considered it as a conglomeration of standards and philosophies that address the questions of what is good or bad in human affairs. In regard to this aspect of ethical

considerations, the aspects of informed consent, confidentiality, privacy, honesty and accuracy was adhered to. This was to avoid challenges of credibility in the future. Thus, respondents were well informed of the reasons for the research and what was in it for them. The participants were informed that the information they shall provide would be for study purposes only, but may be beneficial in the future in terms of policy formulation that will be citizen-oriented. Additionally, the local authority's approval letters were sought in order to confirm to the participants and any other interested groups that the exercise was genuine and had the blessings of the local government. Finally, the official authority for permission to undertake the research study had been obtained from the University of Rwanda from the onset in order to alleviate any doubts about the authenticity of the study.

CHAPTER FOUR

4.0   STUDY PROCESS AND ANALYSIS OF DATA

4.1   Introduction

This section of the study lays out the procedure used to gather data as preset in the interview schedule of the research. The section further presents the various views articulated by the respondents. This is an important part of the research, which informs the study's objectives. It will first seek to link devolved government activities in the Tana River County to that of peace building and management of conflict. It also presents an overview on the institutional structures that facilitate decision making in successful community cohesion. The Chapter will again investigate the underlying reasons for the dragged conclusion to the Orma/Pokomo peace building community cohesion.   The researcher will use information gathered through structured interviews administered in the Tana Delta and the observations that shall be adduced in the Chapter will be used to draw the summary, conclusion and recommendations on the way forward in the next Chapter.

4.2   The Tana River County Government and Structures

The Tana County Government structures are administratively constituted as per the Kenya Constitution 2010, Chapter 11. The Governor is the County Chief Executive and is deputised by the Deputy Governor. The County Executives are appointed by the Governor to oversee the various devolved functions as prescribed by the constitution. Tana River County has a total of Eight County Executives. The authority of the Governor is oversighted by County Assembly whose membership is composed of elected ward representatives.

The Tana River County Government is therefore overseeing both social and economic functions in empowering the local people. The various development programmes are generated and endorsed through popular participation. The County Government further seeks to empower the residents of Tana County at household and communal levels by ensuring inclusivity and peaceful coexistence. However, though the Tana River County

Government has sought to infuse social cohesion, there are endless ethnic and political differences that are thwarting this progress.

4.3   The Root Causes of the Ethnic Conflict in Tana Delta

The study sought to find out the root causes of the ethnic conflict in Tana Delta. To get the response to this question, the fifty questionnaires were distributed to the targeted population. The following Table 4.1 graphically presents the distribution and response rates:

Table 4.1: Questionnaire Distribution and Response Rate

Questionnaires	Quantity	Percentage
Distributed	50	100
Received	42	84
Unretrieved	8	16

The above tabulation presents the overall response rate for data from the target population. The study targeted fifty participants and managed to receive forty two responses which translates to 84% response rate. The study therefore received a satisfactory rate of response that enabled the researcher to proceed to analysing the data with high confidence.

The first objective of the study was to find out the causes of ethnic conflict in the Tana Delta. From the respondents, various sources were attributed to the causes of the Orma-Pokomo conflict. The following Table 4.2 summarises the causes of the ethnic conflict:

Table 4.2: Sources / Causes of The Conflict in the Tana Delta

Source of conflict	No. Respondents surveyed	Positive response	Percentage
Land	42	42	100%
Water Resources	42	36	86
Pasture	42	32	76
Politics	42	30	71
Inequitable in Development	42	29	69
Religion	42	27	64
Low Education Level	42	25	60
Armament	42	25	60
Poor Governance	42	24	57
Negative Ethnicity	42	22	52

The above table demonstrates how respondents attributed the Orma/Pokomo conflict to various sources. The respondents perfectly observed at 100% that the conflict between the Pokomo and Orma as being historically linked to land and in extension, settlement. In the context of historical aspect of the conflict, the respondents attributed the Pokomo and Orma migration into the Tana Delta without any moderation on land occupation and usage. Therefore the Pokomo and Orma have an overarching problem passed over the generations regarding land and settlement in which one community views the other as occupying the space meant for their use. The respondents contended that the historical differences over land occupation in the Tana Delta have created hostilities that manifest on violence between the Pokomo and the Orma. The study further observed that to date, there is lack of land adjudication and demercation for the Tana Delta communities, thus escalating perennial Orma and Pokomo conflcit. The continued ownership of land communally accelerates the desire for arbitrary control of the land resource that triggers confrontation and hostilities.

The second source attributed to the Orma/Pokomo conflict is that of competition for the water resources in the environment. A total of 86% respondents attributed the water resource as a key issue to both the Pokomo and Orma communities that they compete to use and control. The study further observed that on one hand the Pokomo are agriculturalists and the Orma are pastoralists on the other. The Pokomo and Orma start competing for water especially when drought sets in and there is reduced water flow in water points. The Pokomo who would be drawing water for domestic utility from similar water points are alienated by the Orma who seek to water the animals in priority. The Pokomo are therefore deprived of an essential source of livelihoods that give rise to violent confrontation on whether animals should access water ahead of domestic usage.

The respondents further contended that the Pokomo and Orma have had contested differences over land usage. The respondents at 76% observed that Pokomo agricultural community continuously seeks to occupy the rich arable land in the Tana Delta where they can grow food crops. Meanwhile on the same area the pastoral Orma community seek to graze their cattle. During dry seasons and with deficit of pasture in the fields, the Orma tend to invade the agricultural fields harbouring crops to feed the cattle. In this context the Orma are perceived as aggressors by the Pokomo leading to hostilities in the Tana Delta.

Another key reason as fronted by the respondents is the issue of politics, returning a 71% positive response rate. Political competition raises tensions between the Pokomo and Orma as each group tries to outmanoeuvre the other as political power means dominance over the other. This is exacerbated by the politics of winner-takes-all which becomes an issue of due or die; a good example were the clashes that happened in the run up to the 2012 general elections. The Tana River County also lags behind in regard to social and economic development. The respondents, 69%, observed that the area under study lacks reliable road network, communication infrastructure and commercial establishments. In this view, the there is a big challenge travelling in and across the Tana River County. It is through lack of proper roads and communication network that a larger part of the Tana Delta is inaccessible when there is need for security deployment and surveillance. It is further acknowledged that lack of proper road and communication infrastructure is what

inhibits smooth and predictable movement of persons for social and commercial engagement to empower the communities socio-economically. Without economic emancipation, the Pokomo/Orma conflict potentially mutates and continues to manifest perennially.

In the study, the respondents affirmed of religious differences as another source of conflict between the Orma and the Pokomo. An aggregate of 64% respondents observed that the Orma hold to strong Islamic cultural practices while the Pokomo practice Christianity. The respondents argued that the notion of religious differences is infused in the contests over cultural supremacy between the Orma and Pokomo. The sense of strong religious belonging by the Orma and Pokomo, and the tendency to act in exclusion of the other drives the communities to a permanent competition for control and dominance over social organisation and management of common resources. In this ensuing competition, the Orma and Pokomo remain adversaries in social and political contexts.

The study further observed that the low levels of literacy in the two communities is a basis of structural differences between the Pokomo and Orma. There was a concurrence in the survey by 60% of the respondents that lack of formal education to a majority of the residents of Tana Delta has an implicit effect in conflict between the two; Pokomo and the Orma. The Pokomo are observed to be better educated and thus empowered to take up public sector jobs in the County. The Orma due to their nomadic life style are not firmly grounded in pursuing formal education. The outcome of education gaps between the Orma and Pokomo has contributed to subjective intolerance at community level. The Orma community members are less inclined to accept the Pokomo dominance in county government appointments and leadership portfolios thus creating endless feuds in the Tana River County.

In the survey, 60% of the respondents observed that the Orma/Pokomo conflict is embedded on the presence / proliferation of small arms in the Tana Delta. The respondents argued that the proximity of the Tana River County to Somalia has aided the

communities of Orma and Pokomo to acquire small arms to protect themselves from threats arising in the community. The Tana Delta is acknowledged to have inadequate institutionalised security surveillance. Therefore, the rural Pokomo and Orma communities have sought alternative means to secure themselves and ironically contributed to insecurity. The small arms have continually led the communities to fight or retaliate whenever small skirmishes have occurred. Small arms have thus made it possible for the communities to escalate grievances to confrontations and fatalities.

The respondents observed that the Pokomo and Orma conflict is attributable to the lack of adequate government structures in the Tana Delta to address the grievances of the communities regarding development and security. An estimate of 57% respondents indicated that in Tana Delta, there is inadequate government infrastructure for policing and enforcement of law and order to allow peaceful coexistence. Eventually, 52% of the respondents concurred that negative ethnicity also fuels conflict between the Pokomo and Orma. The respondents registered that the Pokomo and Orma have never really attempted to embrace one another or accept the other as a viable neighbour and partner, but have always shown scorn and disdain towards each other. This attitude thus accords quick volatile reaction towards the other in case of a slight issue / disagreement.

4.4   To find out the Role of Devolved Structures in the Management of Ethnic Conflict in the Tana Delta

The devolved structures of governance are required to bridge the gaps in governance and development in the society. In the study survey, the research established that the County Government of Tana River has in conjunction with the Central Government initiated numerous activities to manage conflict between the Pokomo and the Orma in the tana delta.

The respondents observed that support is extended to the Chiefs and Sub-Chiefs in assembling elders and collecting grievances arising from the Pokomo and Orma communities and seek to address them at the grassroots. The Chiefs and Sub-Chiefs are involved in mediating the grievances if they are administrative in nature. If the Chiefs and Sub-Chiefs determine that the grievances are touching the County Government

system, the local authority is engaged through the office of the Member of the County Assembly or Ward Administrator. The process was noted to yield some effectiveness through cooperation and holding public meetings addressed by both county administration and the Central Government to mitigate any impending threat to peace or after a security lapse occurred. The shared public meetings by the Central Government Administration and the devolved County Official were noted to sensitize and create awareness among the Pokomo and Orma on security threats and responses through formal or traditional means.

The study also observed that the devolved government has sought to increase the opportunities for education and business to all residents of Tana River County. The County Government has expanded the schools infrastructure by constructing more schools and increasing the number of classrooms learning facilities. Education opportunities could gradually bridge the perceived gap in empowerment between the Pokomo and Orma which is resented by both the Orma people and their elected leaders.

In regard to addressing Pokomo/Orma perennial disputes over the use of land and environment resources in the Tana River County, the County Government of Tana River enacted the County Grazing Land Bill in the year 2016. The Bill seeks to ensure that the matters related to natural resources control and use can be harmonized through County Assembly membership. The elected members to the County Assembly are able to identify and generate a regulatory law to ensure fairness in land use. County Assembly leadership therefore has provided leadership in land adjudication and fair distribution to the members of the society. It is expected that the County Grazing Land Bill shall mitigate competition over land and establish proper structures on land ownership and minimise community ambiguity on land ownership. In addition to that, the County Government of Tana River also initiated the Tana River Peace Declaration 2016 document that was meant to harmonize the use of pasture by designating specific areas for grazing, especially during dry seasons, and to be moderated by local peace committees.

4.5 Conclusion

This section of the research has analysed the sources of the ethnic conflict in the Tana Delta. It presented the extent and level of contribution of the sources of the ethnic conflict between the Orma and Pokomo. The historical confrontations over settlement areas, the land ownership question, the social and cultural differences, structural exclusion in both social and economic activities and the political leadership have been highlighted as issues that embed the Orma and Pokomo conflict. The study has noted further that the Tana River County Government is keen to eliminate the sources of the conflict in the Tana Delta through public participation and deployment of administrative and government resources to sensitize the residents on the means of addressing grievances arising in the society. In the long-term the County Government of Tana River is cooperating with the Central Government to mitigate the historical distortion on social and economic development of the communities to promote equity.

As such, all the initiatives as presented in the above account depict clearly the extent of the devolution aspirations to mitigate and manage conflict in the Tana Delta. That is to say that, the success of these initiatives and programmes will go a long way in ensuring and fostering peace and stability; hence, achieving harmonious co-existence of the inhabitants of the Tana Delta. In effect thus, these initiatives effectively provide answers to the very problem of the Tana Delta as has been described in the research problem. .

While the above observations have addressed the objectives of the research study, the next Chapter present a critical analysis of the study findings and make conclusions in line to the theoretical basis set at the beginning if the study.

CHAPTER FIVE

5.0   SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1   Summary and Conclusion

The study on devolution and the management of ethnic conflict has made a few observations regarding the role of Tana River County Government in addressing Orma/Pokomo conflict through institutional administrative processes. Chapter One of the study set a background for the research by identifying the problem statement. The problem of the study state a broad question on the role of devolved government in management of ethnic conflict in the post-2010 Constitution of Kenya. The problem statement further issued two broad objectives that informed the structure of the study. The first objective was to examine the sources of Orma/Pokomo ethnic conflict in the Tana Delta. Secondly, the study sought to examine the contribution of the devolved county government in resolving the perennial Orma/Pokomo conflict.

In the Second Chapter of the study, the review of the literature highlighted more on the nature and sources of ethnic conflict. It laid indicated that the actors are drawn into a conflict based on the interest that they seek to pursue and attain. The actors would be drawn into a conflict as a result of greed or threat to their own security and survival. The debate surrounding ethnic conflicts was pursued alongside the themes and conceptualisation of poor governance, inequitable distribution of resources, socio-cultural differences and the low levels of socio-economic development. The chapter concluded the overview of the literature by observing that conflicts that are protracted can be resolved if the background sources are identified and reviewed through formal institutions and addressed through various intervention such as administrative action or legal means. The Chapter informed the study on the background through which to investigate the case study of the Orma and Pokomo conflict in the Tana River County of Kenya.

The Third Chapter described the methodology that the study adopted in its investigations on the Orma/Pokomo conflict and the County Government involvement in addressing the potential sources of the conflict. The Chapter outlined the target population, the

instruments for data collection, and data analysis. The Third Chapter gave the researcher the optimum approach to get reliable data and the design of the data collection instruments. The research hence benefited from the research methodology and successfully carried out the data collection and its eventual analysis that followed in the Chapter Four.

Chapter Four of the study was crafted from the raw data that was assembled from the questionnaires and interview schedules that were carried out in the Tana River County. The researcher used simple tabulations and qualitatively analysed the potential sources of the Orma/Pokomo conflict. The Chapter observed that, the sources of the Orma/Pokomo conflict is embedded on competition over land use, water, cultural supremacy and socio-economic empowerment, politics and ethnicity, among others. The Chapter further observed that devolution has sought to fill gaps on the perceived sources of the conflict affecting the Orma and the Pokomo. The study also observed that the County Government of Tana River is taking both administrative and legal measures to help mitigate the sources of the conflict. The study further observed that the devolved government is enacting county laws on the management of the environmental resource in addition to initiating development projects that shall bridge the gaps in social and economic development aspects. The study however noted that the devolved government has not sought to put in place measures to increase community security and engagement in peace building. The Chapter concluded its observations by highlighting that the County Government of Tana River has a responsibility to oversee and ensure peaceful coexistence of the Orma and the Pokomo through investment in schooling institutions and co-opt the Central Government in construction of transport and communication infrastructure.

5.2 Recommendations

From the study, it emerged that the Orma and Pokomo conflict is both ethnic and socio-economic in nature. It is embedded in structures that perpetrate grievances and the poor governance of the resources in the environment. The conflict in the Tana Delta is the evolution of a natural resource economy and which is an obstacle in resolving the conflict. The Devolved Government of Tana River should increase its regulatory

71

framework to control and exploit the land, pasture and water in the county without conflict among the Orma and the Pokomo.

In addition to that, the County Government of Tana River should cooperate with the Central Government in enforcing the security measures in the Tana River County. Tana River County is sharing it boundary with the Republic of Somalia. The instability in Somalia has contributed to an influx of small arms that escalate the hostilities between the Orma and the Pokomo. There is need to diffuse the rampant acquisition of small arms in the communities that easily engage in confrontations whenever differences arise. The Central Government should increase the surveillance of the Somali/Kenyan border to curtail movement of the small arms into Tana River County.

The conflict in Tana River would realise peace if both the devolved government and the community leadership constantly sensitise the Orma and Pokomo on peace and security issues. The Orma and Pokomo once they are able to interpret the long-term benefits of peace and stability, will they be able to share and exploit the environmental resources in the County. The natural resources would gradually be a means of development instead of being a source of conflict. The Orma and Pokomo should seek to exploit the environmental resources and acquire sufficient household incomes for social and economic empowerment in a peaceful environment.

Finally, the Orma and Pokomo conflict if not addressed successfully, it may become a protracted problem in Tana River County that would inhibit social and economic development. Therefore, the County Government of Tana River should rope-in the traditional conflict addressing mechanisms of the Pokomo and Orma in its conflict management initiatives, through their council of elders' fora of *Gasa* and *Matadeda*, respectively. These mechanisms are key in promoting social justice and harmonious coexistence among communities through resolution of disputes. In fact, the County Government of Tana River should facilitate formation of a joint, all-inclusive committee of the groups habitants of the Tana Delta so as to ensure ownership and avoidance of bias in all of the decisions that are going to be made by the committee, and to guarantee

enforcement. Indeed, the Kenyan Constitution 2010 recognizes customary law and application of traditional disputes resolution mechanisms, as provided for in Chapter 10 - Judiciary, Part 1, Article 159 (2) (c) As such, specific laws also need to be enacted by the courts, that is, special jurisprudence that will be supportive of traditional justice systems (mechanisms), tailored to give special powers to the committees for decisions that will be binding, thereby contributing to enhanced access to justice by the communities.

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ANNEX "A"

RWANDA NATIONAL POLICE

Musanze, 14 Dec 20

NATIONAL POLICE COLLEGE
TEL: (+250)788311956
P.O.BOX: 23 Musanze
E-mail: npc@police.gov.rw

TO WHOM IT MAY CONCERN

This is to certify that **SSP RIZIKI Mohamed Ali** is a student at Rwanda National Police College, undertaking a Master's Degree in Peace Studies and Conflict Transformation for the academic year 2020-2021. He is conducting a research on: "UNDERSTANDING THE ROLE OF DEVOLVED GOVERNMENT IN ETHNIC CONFLICT MANAGEMENT IN KENYA: A STUDY OF TANA RIVER COUNTY", for which he is required to collect data from relevant sources.

Any assistance rendered to him in this regard is highly valued by this College.

C BIZIMUNGU
CP
COMMANDANT

ANNEX "B"

RWANDA NATIONAL POLICE

Musanze, 14 Dec 20

NATIONAL POLICE COLLEGE
TEL: (+250)788311956
P.O.BOX: 23 Musanze
E-mail: npc@police.gov.rw

This is to kindly confirm that the officer conducted a Mentioned herein in Tana Delta subcounty research in Tana Delta

DEPUTY COUNTY COMMISSIONER
TANA DELTA SUB-COUNTY

SAMUEL KARISA KAHINDI
for DCC
Tana Delta
23/12/2020

TO WHOM IT MAY CONCERN

This is to certify that **SSP RIZIKI Mohamed Ali** is a student at Rwanda National Police College, undertaking a Master's Degree in Peace Studies and Conflict Transformation for the academic year 2020-2021. He is conducting a research on: "UNDERSTANDING THE ROLE OF DEVOLVED GOVERNMENT IN ETHNIC CONFLICT MANAGEMENT IN KENYA: A STUDY OF TANA RIVER COUNTY", for which he is required to collect data from relevant sources.

Any assistance rendered to him in this regard is highly valued by this College.

C BIZIMUNGU
CP
COMMANDANT

ANNEX "C"

GUIDE TO INTERVIEW QUESTIONNAIRE

Discussion Topic: Understanding the Role of Devolved Government in Ethnic Conflict Management in Kenya – A Study of Tana River County

Dear Sir / Madam,

My name is Riziki Mohamed Ali. I am a student at the Rwanda National Police College studying a Master's Degree In Peace Studies And Conflict Transformation. I am conducting a research for my end of course studies on UNDERSTANDING THE ROLE OF DEVOLVED GOVERNMENT IN ETHNIC CONFLICT MANAGEMENT IN KENYA: A STUDY OF TANA RIVER COUNTY. I am therefore humbly requesting your input in this process.

Instructions

1. Please respond to all or as many questions as possible and kindly note that all responses are valued.
2. For questions where no options are given, you are to answer in your own words.

Section 1: Introduction

I. Name / Title (optional): ……………………………………………………………….

      Institution: …………………………………..……………………………………...

II. Period you have worked / been in your position / organization?
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III. Have you ever worked / been involved on matters of conflict management? [ ] Yes / [ ] No. If yes, give a brief explanation;
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Section 11: Study Information

Q1. Are you aware of the dispute between the Pokomo and Orma?
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Q2. When did these conflicts between these two communities probably start?
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Q3. (a) Explain some of the reasons for the conflict existing between the Orma and Pokomo?
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(b) Are the above reasons the only basis for the Orma / Pokomo conflict?
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Q4. Why do you think the conflict has not been resolved since it started?
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Q5.   (a) Are you aware of any central government interventions regarding the Pokomo/Orma conflict?? [ ] Yes / [ ] No.

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(b)   If   yes,   kindly   explain   which ones?………………………………………………………………………………………….

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Q6. How would you explain the effectiveness of the above identified central government interventions in the management of the Pokomo/Orma conflict?

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Q7. Are there any challenges for the Government of Kenya (national government) in addressing the Pokomo / Orma conflict? [ ] Yes / [ ] No.   If yes, what are some of those challenges?

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Q8.   (a) In your view, what has the devolved government (structures) done to mitigate the   Pokomo   /   Orma conflict?..
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(i) What activities have been initiated by the Elected County Members (MCAs) to empower   the   Pokomo   /   Orma   communities socially?...
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   (ii) What activities have been initiated by the Elected County Members (MCAs) to empower the Pokomo / Orma communities economically?...
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(b) Are there any challenges the devolved government of Tana River is facing in peace building in the Tana Delta?………………...
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Q9. (a) Highlight any suggestions to the government of Kenya on how to effectively address the conflict in the Tana Delta.
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   (b) In your opinion, how would you prefer the conflict between the Pokomo and Orma to be addressed in the future? E.g. (through traditional mechanisms / civil society / external intervention / regime change, etc.) …
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I once again I wish to thank you for your time to answer my questions. I will keep it confidential and for academic referencing only. God bless you so much.

ANNEX "D"

ANNEX "E"

UNIVERSITY of RWANDA

COLLEGE OF ARTS AND SOCIAL SCIENCES
CENTRE FOR CONFLICT MANAGEMENT

AUTHORISATION TO SUBMIT THE CORRECTED DISSERTATION

I, undersigned, Dr. Ignace KABANO, member of the panel of examiners of the dissertation done by Riziki Mohamed ALI entitled: **UNDERSTANDING DEVOLUTION IN ETHNIC CONFLICT MANAGEMENT: A STUDY OF TANA RIVER COUNTY IN KENYA** Hereby testify that, he successfully entered the suggested corrections by the panel of examiners and stands with authorization to submit required copies to the administration of CCM for administrative purpose.

Done at Kigali

Date: 20/6/2021

Signature of the examiner:

For Administration of the CCM MA Program: Name, Signature