

# Assessing Impacts of Women Dispossession of Land and Home – Intercommunity Conflict Incident

## Background

**Intercommunity conflict** is the term used to describe conflict that occurs between competing groups within a state. It may arise over disputes concerning access to scarce resources or political power. Such conflicts may lead to violent warfare between the two or more defined

communities that are involved, leading to loss of livelihood and displacements. This report will focus on the conflicts between the Maasai and Kipsigis in Narok and conflict between Pokot and Turkana in Kapedo.

## Characteristics of intercommunity Conflicts

### a. Maasai and Kipsigis

Over a long time, Trans Mara region in Narok has witnessed conflicts between the Maasai and Kipsigis caused by disputes over land and boundaries, cattle theft, grazing land disputes and access to water points. Tensions between the Kipsigis and the Maasai, a tribe indigenous to the area, have risen since 1997, when the government started settling Kipsigis in areas the Maasai claim as their ancestral land (*The Nation* 13 Feb. 2000).<sup>1</sup>

Reports of clashes between the Kipsigis and the Maasai have increased, particularly around Mulot in Narok South, and relations between the two are tense in Trans Mara as well (Daily Nation 15 April 2001).<sup>2</sup>

### b. Pokot and Turkana

Kapedo, a trading centre on the border of Baringo and Turkana counties, has long been the source of conflicts between local communities. The Pokot and the Turkana have been fighting for control of the 18 acres on which the trading centre stands. As a result, dozens of people have been killed and thousands displaced every time there are flare-ups. The conflict that dates back to the 18<sup>th</sup> Century has since destroyed the cordial relationship that existed between the two communities as both laid claim to the property.<sup>3</sup> ([standardmedia.co.ke/article/2001283045/rivalry-over-kapedo-enrages-pokot-turkana-communities](http://standardmedia.co.ke/article/2001283045/rivalry-over-kapedo-enrages-pokot-turkana-communities). )

## What are the effects on Women

There has been continuous conflicts between the Maasai and Kipsigis communities over land issues. Practical incidences on land issues have recently occurred in the area and the most affected persons are women this because women continue to have only

limited access to land and other natural resources, in large part due to their subordinate status in their cultural settings. For these women, land rights are primarily determined by cultural traditions on inheritance and marriage.

These conflicts have often resulted to Female-headed households in two groups (female) widow-headed households and non-widow-female headed households due to migration of the husband or death due to conflict or other related issues and because many of the widow headed households have parcels whose titles bear the name of their deceased husbands, they end up being displaced, because they cannot pursue the land legally.<sup>4</sup> (FASID Discussion Paper 2005-12-0020)

Women face Loss of livelihood and food insecurity as a result, the conflicts create a strong and omnipresent perception of insecurity which results in ineffective resource utilization, reduced mobility, food insecurity and closure of markets and schools. The displacements and forced movements of people out of known homes and respective economic activities and massive loss of resources due to conflicts deprive them of their livelihoods (African Development Bank, 2009). This is very evident in Kepedo where women cannot access the market or stock their shops due to insecurity.

Women are always prone to rape during the conflicts, daily Nation reported; "The pastoralists make arrows and train for war in the pretext of discussing grazing issues. The morans are responsible for theft of livestock in the area and the rape of women whenever they go to fetch firewood in the forest,"<sup>5</sup>

### **Conflict Tendency / Scale**

The pastoral communities have a lot of attachment to cattle due to their ritualistic and cultural importance. Thus, the loss of livestock is assumed to affect the entire social fabric, this is why they are always in conflict with the neighboring community over land issues, which brings along disruption and killings where women and children suffer.

### **Specific Women Affected**

'Most shops remain closed after foodstuffs are exhausted and no trader is willing to risk his life to access Marigat or Lokori to buy stocks.' *Ms Margaret Achila*, a shopkeeper in Kapedo, said she has run out of stock on key food items and she cannot stock owing to insecurity. ([www.nation.co.ke](http://www.nation.co.ke))

A woman fled from her home in Songhor area along the Nandi- Kisumu Border over cattle rustling skirmishes following bloody clashes between Kipsigis and Maasai communities as reported by the Star September 25<sup>TH</sup>, 2017 <sup>6</sup>

Priscilla Laboso is a woman in pain. Her 25-year-old son, Charles Kiprotich Mutai, was shot dead and his body cut to pieces (Report by Ruth Mbula- Daily Nation)<sup>7</sup>

- **Background to general type of incident.** (50 words max) : (disputes between competing groups within the state over land and boundaries, cattle theft, grazing land disputes and access to water points)
- **What are the characteristics of the particular incident?** : (18 acres on which the trading centre stands on the border of Baringo and Turkana counties, dozens of deaths and thousands displaced dispossession, destruction of habitat, long-standing dispute between the Kipsigis and the Maasai, implantation of Kapsigi settlers in Maasai land)
- **What are the effects (direct or indirect) of the type or particular incident on women?** (loss of land, displacement due to migration or death of the husband or other related issues, including inability to pursue legal defence; foreclosed access to market; inability to stock their shops; insecurity in ineffective resource utilization; reduced mobility; rape; livestock theft.
- **What is the scale of the type or particular incident (any numbers)?** (dozens of people have been killed and thousands displaced every time there are flare-ups)
- **Mention of specific losses, costs and/or damages for women affected by the incident.** (land of female-headed households (widow and non-widow); livelihood; food security; access to market; loss of resources; social peace/civic order; mobility; education (children) due to closure of schools; dignit and health (in case of rape); livestock (to theft).
- **Remedy sought by quantifying loss, costs and damages** [unknown]

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<sup>1</sup> (*The Nation* (13 February 2000); Ruth Mbula, "Death rocks Trans Mara as Maasai and Kipsigis fight," *The Nation* (13 February 2017), at: <https://www.nation.co.ke/counties/narok/Kipsigis-clash-leaves-two-dead/1183318-3809828-13wgnvt/index.html> .

<sup>2</sup> Gitau Warigi, "Cabinet ministers' war of words: The inside story," *Daily Nation* (15 April 2001), at: <https://www.nation.co.ke/oped/1192-343808-mbypr3/index.html>.

<sup>3</sup> Julius Chepkwony, "Rivalry over Kapedo enrages Pokot, Turkana communities," *Standard Digital* (6 June 2018), at: <https://standardmedia.co.ke/article/2001283045/rivalry-over-kapedo-enrages-pokot-turkana-communities>.

<sup>4</sup> Takahashi Yamano and Klaus Deininger, "Land Conflicts in Kenya: Causes, Impacts, and Resolutions," FASID Discussion Paper 2015-12-0020 (Tokyo: Foundation for Advanced Studies in Development, December 2005), at: [http://www3.grips.ac.jp/~yamanota/Land%20Conflicts%20in%20Kenya%20\(FASID%20DP\).pdf](http://www3.grips.ac.jp/~yamanota/Land%20Conflicts%20in%20Kenya%20(FASID%20DP).pdf).

<sup>5</sup> James Kahongeh, "The Problem with Mau," *Daily Nation* (19 September 2018), at: <https://www.pressreader.com/kenya/daily-nation-kenya/20180919/281509342096688>.

<sup>6</sup> Lewis Nyaundi, "Seven dead after fresh tribal clashes in Trans Mara," *The Star* (25 September 2017), at: [https://www.the-star.co.ke/news/2017/09/25/seven-dead-after-fresh-tribal-clashes-in-trans-mara\\_c1641123](https://www.the-star.co.ke/news/2017/09/25/seven-dead-after-fresh-tribal-clashes-in-trans-mara_c1641123); "More cops deployed in Kilgoris to quell deadly Kipsigis, Maasai skirmishes," *The Star* (25 September 2017), at: [https://www.the-star.co.ke/news/2017/09/25/more-cops-deployed-in-kilgoris-to-quell-deadly-kipsigis-maasai\\_c1641234](https://www.the-star.co.ke/news/2017/09/25/more-cops-deployed-in-kilgoris-to-quell-deadly-kipsigis-maasai_c1641234); Star Editor, "End clashes on volatile Kisii-Maasai border now," *The Star* (25 September 2017), at: [https://www.the-star.co.ke/news/2017/09/25/end-clashes-on-volatile-kisii-maasai-border-now\\_c1641092](https://www.the-star.co.ke/news/2017/09/25/end-clashes-on-volatile-kisii-maasai-border-now_c1641092).

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<sup>7</sup> Ruth Mbula, "Two communities in decade war over land they both 'own'," The Nation (19 February 2017), at: <https://www.nation.co.ke/news/Two-communities-in-decade-war-over-land-/1056-3818754-13f0cjvz/index.html>.