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The political conditions for local peacemaking: A comparative study of communal conflict resolution in Kenya**

Emma Elfversson

Department of Peace and Conflict Research, Uppsala University

Abstract

How does government bias affect prospects for peace agreements in communal conflicts? Government bias has been shown to have a strong impact on the incidence and dynamics of localized ethnic conflict, but the way that it affects conflict resolution remains underexplored. I argue that government bias makes the conflict parties less likely to overcome the commitment problem, because they cannot trust the government's willingness to guarantee or uphold any agreement they reach. Consequently, bias reduces the chances that the parties are able to reach a peace agreement. A systematic comparison of four cases in Kenya provides support for this argument. I also distinguish between bias related to strategic interest and bias related to relationships, and find that the former is more durable, whereas the latter is more likely to be influenced by political turnover, thereby opening up possibilities for peacemaking.

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Introduction

In 2011, a major peace conference, chaired by the Archbishop of the Episcopal Church of Sudan, was launched to address communal conflict between the Lou Nuer and Murle in Jonglei state, Sudan. Despite a high-profile attempt and initial success in negotiating a ceasefire, the parties failed to reach a peace agreement. The conflict restarted, killing hundreds of people over the following years (UCDP, 2018). By contrast, in 1995, the Andoni and Ogoni communities in Rivers State, Nigeria, signed a peace agreement which ended a conflict that had caused around 1,000 deaths. The agreement was signed by elders representing the two communities and contained provisions regarding economic interactions, passage in disputed waterways, and traditional procedures for reconciliation. The agreement has held to date and the communities remain at peace (“Two warring groups in Rivers State sign peace agreement”, 1995; UCDP, 2018). How can this type of variation – that communal conflict parties are sometimes able to reach peace agreements, and sometimes not – be understood?

Communal conflicts such as these often cause high numbers of casualties and severe disruption of livelihoods and may, in the worst cases, destabilize entire regions or escalate into civil war. There is often intervention by both state and non-state actors to contain and resolve these conflicts. However, only in some cases are the parties able to reach peace agreements addressing the issue they are fighting over. In other cases, the conflict remains unresolved. The fact that the conflict parties’ grievances vis-à-vis each other remain unaddressed increases the risk that violence resumes, but even in the absence of violence, local communities are likely to feel more insecure and are less likely to interact with each other if no agreement is in place (cf. Bunte & Vinson, 2016). In turn, this also makes it easier for political actors to manipulate the conflict lines for electoral purposes. Reaching a peace agreement arguably facilitates civic interactions (cf. Varshney, 2003), making the parties

more resilient to such political orchestration. Furthermore, local conflict resolution often entails an opportunity to improve local resource management (Dietz, Ostrom & Stern, 2003).

In the case of the Lou Nuer and Murle above, the failure to reach a peace agreement has been attributed to discrimination and favouritism by the political regime vis-à-vis the communities involved in the conflict (Brosché, 2014). More broadly, both the causes of communal conflicts and the prospects for their resolution are heavily dependent on the role of the central state in relation to the conflict. However, the specific ways in which government bias affects communal conflict resolution remain understudied. To address this gap, this study poses the following research question: *How does government bias affect prospects for peace agreements in communal conflicts?* Government bias here implies that the central government seeks to promote the interests of one side in the conflict. I argue that when government bias is present, the parties cannot trust the government's willingness to guarantee or uphold the agreement they reach. This makes them less likely to reach a peace agreement, because they cannot overcome the commitment problem – in the absence of guarantees, they cannot trust each other enough to resolve their conflict.

To assess this argument, I systematically compare four conflict resolution processes in Kenya, a country that provides a suitable context for analysing the political conditions for communal conflict resolution. Each year, Kenya experiences several violent communal conflicts; since 1989, such conflicts have by conservative estimates caused thousands of deaths (UCDP, 2017). Kenya's communal conflicts are often connected to national power struggles and politics at higher levels, and much of the violence has occurred in close proximity to national elections (Boone, 2011; Kimenyi & Ndung'u, 2005). To assess the research question of how government bias affects negotiated resolution of communal conflicts, I analyse four peace processes – in Wajir, Tana River, Kerio Valley, and Mandera. The analysis is based on secondary sources, including government and NGO reports, news

articles, and academic case studies, as well as interviews with experts, practitioners and locals from the conflict-affected areas.

The unit of analysis is conflict resolution processes – cases where third-party actors assist the conflict actors in trying to reach a peaceful solution to their conflict. The outcome of interest is whether the conflict actors reach a peace agreement. Peace agreements are defined as agreements that directly address how to regulate the incompatibility, i.e. the resource or issue over which the conflict parties are fighting. In communal conflict, the incompatibility often revolves around control over land or water, local political power, or livestock raiding and grazing rights (von Uexkull & Pettersson, 2018). In turn, a peace agreement could entail dividing a contested piece of land, a resource sharing arrangement, or agreeing on access rights to grazing land. By contrast, more limited agreements where the parties agree to a ceasefire without regulating the incompatibility are not considered as peace agreements (cf. Wallensteen & Sollenberg, 1997). Of the four cases under study, in two cases – Wajir and Kerio Valley – the parties reached peace agreements, while in two cases – Tana River and Mandera – they did not.

In analysing these political dynamics, I follow the lead of recent studies in paying close attention to the role of subnational politicians and other local elites (Albertus, 2015; Horowitz, 2016; Kalyvas, 2003). By analysing the interaction between communal groups, local elites, and central political actors, this study contributes to the research on ethnic politics and ethnic violence. The focus on communal conflict emphasizes a micro-level perspective that is often missing in this literature. The study also contributes to peace and conflict research, where a large body of work has analysed the conditions for successful conflict resolution, but these insights have not been applied to any significant extent to communal conflict. Finally, the study adds to the emerging body of work which systematically analyses communal conflicts as a specific subcategory of violent conflict. This

contribution is both theoretical, by adapting and assessing theoretical arguments from the civil war literature, and empirical, in the form of a comparative analysis of cases that have seen little scholarly attention.

Previous research

This article analyses communal conflicts, defined as violent conflicts between non-state groups that are organised based on ethnicity or some other shared communal identity.¹ This category of violent conflict includes cases such as pastoralist conflicts in the Sahel, ethnoreligious violence around Jos, Nigeria, and religious riots in Indian cities. Within the literature on organized political violence, communal conflict has only recently become a focus of systematic comparative study. In terms of conflict resolution, there has been a tendency either to treat communal conflict as a symptom of state failure or weakness – and consequently to focus on broad, institutional remedies – or to focus narrowly on conflict resolution processes in isolation from the political context in which they take place. There are few studies that explicitly analyse the interaction between actors and conflicts at different levels, which could help us better understand and explain subnational variation in communal conflict resolution. Varshney's (2003) foundational work on religious riots in India is an important exception, which theorizes how civil society – embedded in broader political dynamics – affects inter-religious relations. However, his work is more focused on why inter-religious relations turn violent in some cases but not others, than on the prospects for conflict

¹ Communal conflict as defined here involves *non-state groups*, meaning that neither actor controls the state and armed forces, who are *organised along a shared communal identity*, i.e. they are not formally organised rebel groups but rather the confrontation takes place along the line of group identities. These identities, in turn, are understood here as subjective group identification based on, for instance, a common history, culture or core values. This acknowledges communal identity as socially constructed and self-ascriptive rather than as a static phenomenon.

resolution once violence has escalated. Otite & Albert (1999) study communal conflicts in Nigeria, and find that coordination of state and non-state actors involved in addressing communal conflicts provides the best chances for peace, but say less about when such coordination is likely to occur. State strategies have a mixed track record and often focus on coercive means to manage communal conflict, and state interventions have often failed to resolve conflicts because the government lacks commitment or an understanding of the local context (Hagmann & Mulugeta, 2008; Imoghibe, 2003). For instance, while local conflict is often fuelled by the easy availability of small arms in unstable regions, state-led disarmament processes have often backfired by upsetting local power balances and creating new grievances (Abbink, 2000; Bevan, 2008; Mkutu, 2008).

Research on communal conflicts and their dynamics is situated within a broader field investigating the political drivers of sub-state, intergroup violence. Previous research shows that communal conflicts are often connected to national power struggles, for instance through clientelist networks, where elected leaders are expected to channel resources to their constituents in exchange for their electoral support (Berenschot, 2011; Ikpe, 2009). In many African states, such networks are a key feature of politics (Arriola, 2009). Boone (2011) shows how the use of land as a patronage resource is likely to produce communal tension and violence in connection to elections. Also focusing on electoral dimensions, Wilkinson (2006) finds that communal violence in India is fuelled by political rivalry, but its eruption depends on leaders' electoral incentives. He finds that when officials are dependent on minorities to be re-elected, they will deploy security forces to stop communal violence. Similarly, governments in Africa have been found to be more likely to deploy security forces in response to a communal conflict if it involves their ethnic constituents (Author). Focusing on Kenya, there is a rich literature which illustrates the linkages between communal conflicts,

clientelism, and national and local politics (for instance, Boone, 2011; Greiner, 2013; Lind, 2015; Lynch, 2011).

However, while it is clear that government bias affects state strategies in relation to communal conflicts, it is less explored how this fact affects the conflict parties' attempts to resolve their conflict. One exception is Brosché (2014), who analyses why some communal conflicts in Sudan have become very violent and others have not. He finds that government bias delegitimizes local leadership and undermines local conflict resolution mechanisms that might otherwise have prevented an escalation of violence. Given the strong connections between clientelism, bias, and communal violence found in previous research, these dimensions warrant further attention. In the next section, I discuss how government bias affects the ability of the conflict parties to overcome distrust and reach a peace agreement.

Government bias and conflict resolution

In seeking to understand how government bias affects the prospects for resolving violent communal conflicts, a central question is how this bias affects the perceptions and incentive structure of the primary conflict actors. I draw on rationalist theories of conflict resolution, which following the classic bargaining model of war (Fearon, 1995) understand violent conflict as a function of private information, incentives to misrepresent, and commitment problems. Conflict resolution, in turn, must overcome these problems in order to make agreement possible (Walter, 2002). This rationalist approach is not intended to de-emphasize the role of emotions and identity in conflict; however, it helps draw attention specific circumstances that may impede agreement even if the parties are willing to resolve the conflict. Specifically, I argue that when the government is biased, this makes it more difficult

for the conflict parties to overcome the commitment problem and consequently decreases the prospects for negotiated agreement.

The argument builds on the assumption that local conflicts are often intricately connected to national power struggles and conflicts at higher levels. In line with Wilkinson's (2006) work on ethnic riots, I understand communal conflicts as revolving around incompatibilities existing at the local level – between the primary conflict actors in focus – but constrained or fuelled by the way the central government responds to the conflict. While acknowledging that local government may also have a major influence on conflict resolution, particularly in more decentralized states, the emphasis here is on the national government. Following Boone (2014) and others, I expect that in most cases, the national government will be able to override local government if it is biased in relation to the conflict. However, the role of the local government and other local elites also informs the argument, as I lay out further below.

Relationships and strategic interests

The role and extent of involvement of the government in communal conflict varies significantly. Based on government actors' need to strengthen or protect their position of power, they have vested interests in some conflicts but not others. Dependent on local and national political dynamics, the government may take sides (actively or passively) in a communal conflict. Bias may derive from the relationship to the conflict actors, or from an interest in the issues at stake in the conflict. This builds on the distinction in the mediation literature between content bias, referring to a mediator's preference for certain issue outcomes, and source bias, referring to ties to a conflict party (Arad & Carnevale, 1994).

In terms of relationships, the government's position in relation to a local conflict is affected by whether local groups are important political supporters, threatening opponents, or politically irrelevant (Cederman, Wimmer, & Min, 2010; Wilkinson, 2006). The emphasis on

relationships is in line with Kalyvas' elite interaction theory, which stresses how alliances between local and central elites may affect conflicts and power dynamics on different levels. Importantly, these relationships can go both ways: Just as central elites may manipulate local conflicts to suit their broader political purposes, local elites may exploit national-level conflicts or cleavages to secure support against their local adversaries (Kalyvas, 2003). In a context where electoral outcomes are closely connected to ethnic voting, such dynamics are likely to be particularly important. In a situation where several groups of similar size compete for power, smaller groups can gain significant influence if they are identified as swing communities (cf. Horowitz 2016). In exchange for delivering votes, local elites can be rewarded with policies or resource allocations favouring their community (Arriola, 2009). The government may also directly support a group involved in a communal conflict as a way to reward that group for political support (Allen, 1999; Brosché, 2014).

In terms of strategic interests, government bias may arise because the conflict concerns an issue or a location that is of particular strategic or economic importance to the central government (Boone, 2003; Brosché, 2014). In such cases, the government will side with the community whose position in the conflict is best aligned with government interests. For instance, Boone (2014) argues that the economic importance of the area where conflict takes place may affect state strategies in relation to that conflict. She shows that in areas with valuable, fertile land, governments have usually favoured certain groups in land allocation and subsequently supported these groups in cases of local conflict. Communal conflicts in economically important areas are also more likely to see intervention by state forces (Author), suggesting that governments have a particular interest in such conflicts.

Government bias and negotiated agreements

From a rationalist perspective, intergroup conflicts are fuelled by the parties' uncertainty and fears about the future and their inability to credibly commit to any negotiated settlement. Because power dynamics may shift in the future, the parties are reliant on third-party guarantees in order to trust each other and reveal information that enables a substantial, sustainable agreement. In turn, guarantees only work if the conflict parties have reason to believe they will be upheld and fairly applied (Lake & Rothchild, 1996).

Walter (1997, 2002) has shown for civil wars that in the absence of third-party guarantees, agreement may be unattainable even though the parties would prefer a negotiated settlement over continued conflict. She further suggests that for guarantees to be credible, third parties must be able to signal resolve, be prepared to use force, and have a self-interest in upholding the role as guarantor (Walter, 1997, p. 340). In the context of communal conflict resolution, the most important guarantor of any agreement is usually the state. For instance, Eaton (2008) and Lind (2015) show that the failure to achieve peace among local communities on the Kenya-Uganda border is largely due to the inability or unwillingness of the respective governments to intervene to stop escalatory spirals of violence. While the central government usually has the ability to signal resolve and use force, its self-interest in protecting and upholding a local agreement is conditioned by the presence of bias. In turn, this will affect the parties' perceptions regarding the possibility to resolve the conflict at the negotiating table.

In line with rationalist approaches to conflict resolution, I expect that a communal group that has the support of central politicians will perceive that it can likely obtain a better deal outside the negotiation table, with active or passive governmental support. This means that it will be less willing to yield in negotiations; and even when it does, it cannot credibly commit to an agreement. On the other hand, a group that perceives itself to be politically marginalized will not trust in the government's willingness to protect them (cf. Lake &

Rothchild, 1996, p. 68). Consequently, even if a group facing an opponent with government support may have a high incentive to seek agreement to escape the costs of the conflict, uncertainty about the future makes agreement unlikely. Brosché's research provides support for this reasoning, showing how bias and selective impunity destroyed trust among communal groups in Darfur and Greater Upper Nile, preventing conflict resolution; in Eastern Sudan, in contrast, the absence of government bias enabled local actors to build trust and resolve their conflicts (Brosché, 2014). When government bias derives from strategic interests, the bias is not primarily tied to a side on the conflict (although, as discussed above, bias related to strategic interests often translates into relational bias) but rather to the way the conflict – and its potential resolution – affects these interests. Even if the parties could hypothetically find a mutually acceptable agreement, they will be sceptical about the government's willingness to enforce it, unless the agreement reflects the interests at the political centre. Consequently, the commitment problem remains, and the parties will yield as little as possible in negotiations, seeking instead to protect their interests outside the negotiating table.

Summing up, I expect that when government bias is present, it will be difficult for the parties to overcome the commitment problem and reach a peace agreement. Next, I assess the argument through a structured focused comparison of evidence from Kenya.

Politics and communal conflict resolution in Kenya

To analyse the effect of government bias, I study four local peace processes in Kenya – in Wajir in 1993–1994; in Tana River and Kerio Valley in 2001–2002; and in Mandera in 2005. The cases are selected based on a most-similar design, using cases with different outcomes on the dependent variable (Gerring, 2010). In two cases, the parties reached peace agreements;

in the other two cases, they did not. The case selection is summarized in Figure 1. The cases are similar in terms of dimensions that previous research has found affects the ability to reach agreement, i.e. the intensity of conflict, the issues concerned, and the role and legitimacy of the mediators (Kleiboer, 1996). All conflicts took place in areas that have been described as marginalized and neglected, characterized by scarcity of resources and a high availability of small arms and light weapons (SALW). All cases had a history of sporadic conflict as well as existing, but eroding, customary mechanisms for intergroup conflict resolution. The conflicts all concerned control over land and subsistence resources. In each case there were important macro-political dimensions to the conflict, with violence often erupting in connection with national elections. Finally, the cases saw similar conflict resolution attempts, with mediation by non-state actors who were reportedly perceived as neutral, drawing on both customary and statutory conflict resolution mechanisms.

Figure 1: Case overview

	Peace agreement	Conflict issues	Conflict intensity ²	Customary CR mechanisms	Legitimate mediators	Ethnoreligious distance	Group livelihoods	Separate districts
Wajir	Yes	Land, local authority	hundreds	Yes	Yes	Low	Pastoralists vs pastoralists	No
Kerio Valley	Yes	Land, water, cattle rustling	65	Yes	Yes	Low	Farmers vs. pastoralists	Yes
Tana River	No	Land, water	66	Yes	Yes	High	Farmers vs. pastoralists	No
Mandera	No	Land, local authority	63	Yes	Yes	Low	Pastoralists vs pastoralists	No

The case selection also takes into account a number of alternative explanations, which vary across cases but not in a way that can fully explain the outcomes. First, given that communal conflict resolution often draws on customary conflict regulation mechanisms, cultural distance might make it more difficult to reach agreement. However, as illustrated below, only one case displays a large ethnoreligious distance – three cases, with varying outcomes, feature cultural proximity. Relatedly, groups with similar livelihoods are more likely to have similar conflict regulation mechanisms, but in the cases selected here differences or similarities in livelihoods cannot explain the outcomes. Finally, it may be easier to reach agreement if the groups reside in separate administrative units and do not compete over local

²Based on UCDP best estimates (UCDP 2017). Due to limited news coverage, the Wajir conflict is not documented in the UCDP data; the estimated conflict intensity is based on summary reports. Ibrahim Abdi & Jenner (1997) report that around a thousand people were killed during the conflict, but this figure likely includes a wider range of events than what is considered battle-related deaths in UCDP coding procedures.

political power, but in three cases – with different outcomes – the groups primarily inhabited the same district.³

To investigate how government bias affects the prospects for reaching peace agreements, I employ the method of structured, focused comparison. It entails systematically posing the same set of theoretically derived questions to cases which have been strategically selected because they display a variation of interest (George & Bennett, 2005). To assess the presence of government bias (the independent variable), I focus on the two dimensions theorized above: Did the conflict concern an issue of particular *strategic importance* to the government? Did the interactions between local and central elites indicate that the government favoured one of the communities involved in the conflict (*relationships*)? Indicators of strategic importance includes whether the conflict revolved around a valuable natural resource, or took place in an area of high geostrategic importance. In terms of relationships, I look for evidence of government decisions and practices (such as land allocations, border demarcations and uneven security provision) that clearly favoured one community, as well as direct accusations of partiality. I also describe the conflict resolution process and its outcome, particularly whether the parties reached a peace agreement (the dependent variable). For the cases with agreements, I also briefly describe their implementation and their status at the time of this study. In the subsequent discussion, I compare the cases, analyse whether the proposed mechanism accounts for the variation, and consider alternative explanations.

The analysis is based on secondary sources, including academic works, news articles, government documents and reports by relevant NGOs, as well as data collected during

³ Districts were the second-level administrative units before 2013, and roughly correspond to the current 47 counties.

several field trips (in 2013, 2014 and 2016). During these trips, I conducted around 50 interviews with experts, participants in the different peace processes, and civilians from the affected areas (for more information about the sampling and interview methodology, see Appendix A). Because academic research on these conflicts is limited, primary information is important for understanding these processes. This becomes all the more relevant since NGOs, which are often a main source of documentation of communal conflicts in remote areas, often employ pre-defined analytical frameworks which may affect the way information is interpreted and presented.⁴ However, two important limitations should be acknowledged: First, the processes studied here took place between 10 and 20 years ago, and individuals' recollection may be distorted by the passing of time and by subsequent events. Second, while I explicitly sought to gain access to different perspectives, there is a risk that certain actors' views dominate the narratives. The short accounts given in this analysis by no means represents all the different views and perceptions in these conflicts; for a more in-depth understanding of the conflicts and their dynamics, more work is required. Here, I seek to establish a reliable account of the main dynamics related to government bias and conflict resolution. Factual information that came up in the interviews was verified and triangulated based on secondary sources, and the interviews in turn often provided important additional insights and correctives to the accounts presented in reports and news articles.

Wajir

Wajir County⁵ is located in northeast Kenya, bordering Somalia to the east. The climate is very dry and the three largest clans – Ajuraan, Degodia and Ogaden – are mainly pastoralist. The Ajuraan claim to be Wajir's original inhabitants, while the more recently settled Degodia

⁴ I am grateful to an anonymous reviewer for pointing this out.

⁵ Corresponds to Wajir District which was part of the Northeast Province (along with present Mandera and Garissa Counties), before the 2010 Constitution.

dominated political positions for a long time (Menkhaus, 2015, p. 104). In the early 1990s, severe clashes took place between the Ajuraan and Ogaden, on one side, and Degodia on the other (Ibrahim Abdi & Jenner, 1997). The conflict concerned control over land and local political positions, and was fuelled by the war in Somalia as well as a decreased security force presence after long-lasting emergency laws in the region were ended in 1992. The violence was most intense from June 1993 until early 1994.

Wajir has few valuable resources, was of low strategic importance at the time of the conflict, and there is no evidence that the government had a stake in the conflict incompatibility. In terms of relationships, rather than clientelist or biased elite interactions, there appears to have been an absence of ties between Wajir and the political centre (Ibrahim Abdi & Jenner, 1997; Menkhaus, 2015). Like other parts of the northeast, Wajir has a long history of neglect and repression by the central state.⁶ During emergency rule, in 1984, a harsh government operation against the Degodia culminated in the Wagalla massacre, where different accounts report between 380 and several thousands killed (HRW, 2009; Oywa, 2011). However, at the time when communal violence began to escalate in the 1990s, state institutions and outside actors had largely withdrawn from Wajir, and there is no indication that the government took sides in the conflict. Locals had a low level of identification with the central state; this alienation was exacerbated by corruption, for instance the conviction that local security forces could be bribed not to intervene (peace worker, interview, 24 May, 2016). The language barrier and a limited understanding of clan dynamics on behalf of the authorities further compounded this disjunction (security analyst, interview, May 24, 2016).

⁶ Reflecting the marginalization of this region, the Akiwumi Report commissioned to analyse tribal clashes in the 1990s contains (Akiwumi, 1999), only 5 pages on the whole North Eastern Province and the team never visited the area. In contrast to detailed accounts of conflicts in Rift Valley and elsewhere, the descriptions of Wajir and other conflicts in the same region provide summary accounts and sweeping generalizations.

The government's role during the conflict was mainly reactive and relied on force, with no attempt to resolve the underlying conflict. The peace process was started by a group of women at the market, who initiated dialogue. They then approached professionals, elders and other stakeholders to create the Wajir Peace Group, which also comprised members of the smaller clans in the area. Elders from the "corner tribes" (smaller clans in the area, not involved in the conflict) were then called upon to mediate. They were considered neutral, highly respected, and legitimate (Menkhaus, 2008). Elders have a prominent role in Somali society and their decisions are seen as final and binding, and the involvement of religious leaders (sheikhs) gave the process weight. Gradually, the peace process gained the support of the elders of the warring groups, making a peace agreement possible.

The peace process led to the signing of the Al-Fatah declaration in September 1993. The agreement was adopted at a large meeting of clan elders. It provided for the formation of an intergroup council of elders and other informal institutions to manage intergroup relations (Ndegwa, 2001). It stipulated that customary law should regulate future intercommunal relations, with blood compensation in cases of killing and collective punishment for cattle raiding (Weiss, 2004). After having reached agreement, the actors involved in the peace process enlisted the support of local government authorities, and the Wajir Peace and Development Committee (WPDC) was formed to oversee implementation and serve as a node between clan leaders, broader civil society, local government, and NGOs (Ndegwa, 2001). In 1994, Wajir received a new District Commissioner who was strongly committed to the peace process and became an important link between the WPDC and the government and security structures (Ibrahim Abdi & Jenner, 1997).

After the Al-Fatah agreement, clashes between the Ajuraan, Ogaden and Degodia ceased. Demand for guns decreased and general safety improved (security analyst, interview, May 24, 2016; Weiss, 2004). The Al-Fatah agreement and the WPDC became models for "hybrid

arrangements” elsewhere in Kenya. Ten years after the peace process, one analyst commented that “the law of Al Fatah is supreme in the resolution of disputes” (Weiss, 2004, p. 16) and the agreement was still upheld at the time of this study. Still, major challenges remain. Notably, customary practices such as blood compensation and exclusion of women from formal negotiations have generated strong critique. Furthermore, the peace committee cannot address the underlying drivers of conflict in the region, nor has it been able to prevent spill-over of violence from neighbouring regions (Menkhaus, 2015). Hence, there is still a potential for conflict which changing alliances and power shifts could actualise, especially in relation to elections (NSC official, interview, May 24, 2016).

Kerio Valley

The Marakwet and Pokot are subgroups of the Kalenjin language group, and inhabit neighbouring areas along Kerio River in Kenya’s North Rift: the Marakwet mainly in Elgeyo-Marakwet County and the Pokot in Baringo and West Pokot. The communities compete over limited water and grazing resources and have a history of conflict over cattle rustling. The advent of multiparty democracy, along with increasing availability of small arms, the “commercialization” of cattle rustling and a high degree of marginalization of the area, made raids more frequent and deadly (Cheserek, Omondi, & Odenyo, 2012; Kamenju, Singo, & Wairagu, 2003). In March 2001, a particularly fierce raid took place, with a Pokot attack on Murkutwo village in Marakwet District leaving at least 40 people killed (“Cattle rustlers kill 40 in western Kenya”, 2001).

The conflict’s escalation in the early 1990s has been attributed to political and electoral dynamics. Both communities generally supported the ruling party KANU, but the Marakwet were considered opposition due to their support for multipartyism, and they perceived themselves to be targeted for this reason (Lynch, 2011, pp. 172–174). It is broadly claimed

that during Daniel arap Moi's rule (1978–2002), bias in favour of the Pokot resulted in uneven responses to raids (Kamenju et al., 2003). Baringo is Moi's home area and there were widespread accounts of favouritism in the interactions between his government and local Pokot elites. According to one local community leader, the presence of Pokot elites in Moi's cabinet and in the army resulted in a perception on the ground that raiding could be carried out with impunity. Notably, Francis Lotodo – a fiery local politician and self-proclaimed “King of the Pokot” who publicly declared the Marakwet as his community's main enemies – became a member of Moi's closest circle of advisors in the early 1990s (peace committee member, interview, March 3, 2014).

In sum, there are strong indicators of government bias during the conflict. However, the subsequent peace process took place in the context of a changing political climate: By mid-2002, national elections were drawing near, and many anticipated a regime change (at any rate, Moi's mandated time in office was ending).⁷ This may have promoted a sense of hope in regards to central support for local peace and an end to destructive central-local interactions (Author). The elections, held in late 2002, also resulted in new local Members of Parliament and District Commissioners who strongly advocated peace and spearheaded new initiatives for dialogue. On the national level, the elections resulted in a change in government from Moi's Kenya African National Union (KANU) to Mwai Kibaki's National Rainbow Coalition (NARC), which changed the national political dynamics in support of the local peace process (Weiss, 2004, p. 95).

⁷ A constitutional amendment required Moi to step down as of the 2002 elections; as that time drew near, he anointed Uhuru Kenyatta, a Kikuyu, as his successor. Meanwhile, the opposition allied against KANU with unprecedented strength, and international pressure had resulted in reforms that strengthened civil society in calling for improved human rights protection and curbing political misconduct (Ndegwa, 2003).

Following the March 2001 raid, community leaders (elders) in the two communities began to seek dialogue, first building support internally and then reaching out to the Catholic Justice and Peace Commission (CJPC) to mediate (peace committee member, interview, March 3, 2014). The CJPC had previously been engaged in peace-promoting activities, but now, at the request of the communities, became more actively involved in facilitating direct talks between community representatives. Negotiations began in July 2002 and were followed by a series of meetings; gradually, more members of the communities were included in the meetings, as well as government representatives (CJPC official, interview, 20 March, 2013; Korir, 2009).

The process culminated in a peace agreement signed in October 2002 at Kolowa, a location near the border between the communities, in a meeting chaired by the Provincial Commissioner (Pokot elder, interview, February 27, 2014). The Kolowa declaration specified compensation to be paid if members of one community killed a member of the other side. It addressed the underlying incompatibility through provisions on entitlement to water and land, including procedures that should be followed to access grazing in the other group's territory. Continued dialogue was formalized through the establishment of District Peace Committees, responsible for addressing new cases of conflict, and chiefs were tasked with coordinating these and serving as a link between them and the government (Kaino, 2002; NSC official, interview, March 18, 2013).

The relationship between the groups remained largely peaceful from the initiation of the peace process until 2016 (UCDP, 2017). Individual cases of raiding and violence during this period were usually handled quickly within the conflict management framework put in place by the Kolowa declaration (ITDG, 2003). The local peace committees met regularly, coordinated by local government in the form of chiefs. However, there was never complete disarmament and demobilisation (conflict resolution consultant, interview, March 13, 2013).

In 2016, violence erupted again, with a series of cattle raids and small-scale clashes leading to around 30 deaths, amidst allegations that local politicians were inciting and funding the attacks (UCDP, 2017).

Tana River

The conflict in Tana River has largely been described as a conflict over resources between farmers (the Pokomo) and pastoralists (the Orma and Wardei). For a long time, the Orma and Pokomo have lived alongside each other along the Tana River, on which they depend for their livelihoods, while the Wardei have migrated to the area more recently. The conflict revolves around resource use and land tenure, and violence has flared up in reaction to land adjudication moves as well as incidents where cattle have destroyed farms or farmers have denied pastoralists access to the river. The communities have different traditions concerning communal and private land tenure, and have taken different positions in relation to irrigation projects and other state policies affecting land use (Duvail, Médard, Hamerlynck, & Nyingi, 2012; Martin, 2007). The groups also have different ethnoreligious backgrounds: The Pokomo are Bantu-speakers and mainly Christian, while the Orma and Wardei communities are Cushitic and mainly Muslim. By most accounts, the conflict reached an unprecedented level of violence and polarization in 2001 (Martin, 2007; Weiss, 2004). At this point, a proposed land adjudication programme increased tensions between the communities; furthermore, a drought had caused the pastoralist communities to move closer to the river, increasing the pressure on local resources. In this context, clashes took place on several occasions during 2001, culminating in December when more than 50 people were killed (“IRIN focus on violent clashes in 2001”, 2002).

There are strong indications that “the conflict has been fuelled by politics and commercial interests” (church official, interview, 25 May, 2016). During Moi’s rule, the pastoralists were

allowed to self-arm for defensive purposes (CJPC official, interview, 25 May, 2016). Reportedly, many of the cattle held by the pastoralists belonged to powerful government officials, who wished to keep those who guarded their property well-armed. An influential Orma politician⁸ was District Commissioner in Moi's home district of Baringo, and was accused of ferrying weapons from there to Tana River (Kirchner, 2013). Most of the local land is trust land – held by councils for the benefit of local communities – and lobbying by local elites appears to have affected the awarding of title deeds. Several “Orma locations” were created in the years preceding the conflict, according to the Pokomo as a result of successful manipulation by Orma elites (including the Baringo DC) of central authorities (Martin, 2007; CJPC official, interview, 25 May, 2016). On the other hand, land adjudication would allegedly mainly benefit the farmers (ITDG, 2004). There have been strong and persistent fears among the pastoralists that the Pokomo, the government and foreign companies are all trying to displace them from the area (Kirchner, 2013). A history of arbitrary displacement of people due to dam construction and irrigation projects underlines these fears (Horta, 1994; peace committee member, interview, 27 May, 2016). The area is of key economic and strategic importance due to hydropower generation and prospects for major international investments in large-scale farming (Pickmeier, 2012).

For a long time, Pokomo elites dominated local politics and the pastoralists were underrepresented (church official, interview, 25 May, 2016). However, in the 1997 elections Orma politicians won the Garsen and Bura seats; there were allegations that they were able to do this by inviting Wardei and Galje'el people from Somalia and helping them register as voters, and that this happened with the blessing of the central government (KHRC, 2002). Mobilizing for the 2002 elections, local political aspirants were playing on ethnic loyalties

⁸ In the 2013 elections he was elected governor of Tana River County.

and fears to gain support. Pokomo elders claimed that money from political fundraising was used to buy weapons (Kagwanja, 2003). There are indications that resolving the conflict was not in the best interest of local politicians, who were able to capitalize on grievances and polarization for electoral purposes (CJPC official, interview, 25 May, 2016).

The government initially responded to the 2001 clashes by deploying the paramilitary General Service Unit. In July, a ceasefire was announced following mediation by the Council of Imams and Preachers of Kenya (“Ceasefire in Tana clashes”, 2001), but this did not hold. In October, a disarmament operation was launched. Christian leaders accused state forces of bias and claimed that illegal weapons collected by the police had been redistributed just before renewed violence broke out (“Police released weapons before tribal clashes in Kenya: church”, 2001). Pokomo representatives also accused the security forces of taking sides and failing to protect them (Martin, 2012). In late December, the government announced the suspension of the land adjudication programme that had triggered the clashes (Maridany, 2001). A number of Kenyan and international NGOs tried to promote dialogue in reaction to the violence, and Christian and Muslim leaders initiated inter-religious dialogue. However, tensions were too high for direct talks between the communities; for instance, an attempted peace meeting in Hola erupted into violence (humanitarian worker, interview, May 22, 2016; NGO representative, interview, May 23, 2016).

During the mediation process, partial agreements were reached but did not address the incompatibility at stake (humanitarian worker, interview, May 22, 2016; church official, interview, 25 May, 2016; “Ceasefire in Tana clashes”, 2001). The end of violence has instead been attributed to political pressure, increased police presence and the suspension of the land adjudication programme (Kirchner, 2013; Martin, 2012; Pickmeier, 2012). After the violence had ended, local peace committees were set up at village level to manage cases of conflict over resources and water access (NGO representative, interview, May 23, 2016; Pickmeier,

2012). With support from the NSC, the Tana River Peace, Development and Reconciliation Committee (TRPDC) was formed as an umbrella for village committees (NSC official, interview, May 24, 2016; Weiss, 2004). However, its early activities appear to have been restricted to within-group negotiations, as news reports in early 2002 suggest that community leaders from the two sides were not talking to each other (“Situation tense after renewed Tana River clashes”, 2002). At the same time, local politicians reportedly felt threatened by these committees and sought to undermine or co-opt them (NGO representative, interview, May 23, 2016).

For a long time, there was no reported large-scale violence in the area. However, there were signs that the situation remained tense; the conflict was not resolved and violence could erupt at any time (humanitarian worker, interview, May 22, 2016; CJPC official, interview, 25 May, 2016). The communities retained oppositional stances in regards to land rights and development projects, and moves by the government or other actors to initiate such projects generated fierce resistance (Pickmeier, 2012). Deep distrust remained, and any conciliatory gestures or statements by the other side were dismissed as dishonest (CJPC official, interview, 25 May, 2016). In advance of the 2007 elections, the area was identified as a potential hotspot, but unlike other parts of Kenya large-scale violence did not erupt. Partially, this may be because the area was identified in advance as high risk and security forces took preventive measures (Mwajefa & Ring, 2008); another aspect is that there was internal conflict among the Orma and Wardei at this time (Kirchner, 2013; Nyassy, 2007). However, during the run-up to the 2013 election intense violence between the Orma and Pokomo flared up again, leaving almost 200 people dead (Kirchner, 2013).

Mandera

The Garre and Murule are Somali clans inhabiting the Mandera triangle where Kenya, Somalia and Ethiopia meet. Both groups are traditionally pastoralist and they have a long history of conflict and clashes over pasture and water (Menkhaus, 2015). The borders in this area are porous, with cross-border movement both by cattle herders, and by militant groups involved in smuggling and other criminal activity. In late 2004, violence erupted in Mandera district, continuing and escalating during early 2005. The fighting broke out over disputed land: The Garre attempted to use pasture that they had access to in the past, but which now belonged to the Murule constituency. Initially isolated killings became a spiral of revenge attacks, resulting in more than 60 deaths, with many thousands fleeing the violence-affected areas. The worst single incident took place on 16 March 2005 when Murule raiders attacked El Golicha village, leaving 22 dead, with many children among the victims (“1,500 families flee from inter-clan violence in Mandera”, 2005). The clashes also had cross-border dynamics, with both communities building alliances with their kin in Somalia and Ethiopia and accusing each other of harbouring foreign militants (ITDG, 2005).

Under the Moi regime, the Garre claimed that the Murule were being favoured economically; there was also a lingering distrust against the state, particularly the security forces, from the time of the Somali secessionist struggle in the 1960s (Ojielo, 2010). There was a persistent notion that security forces could be “captured” by local elites, fuelled by corruption and a reluctance to act in cases of violence (peace worker, interview, 24 May, 2016; security analyst, interview, 8 June, 2016). Mandera has few economically important resources, but the location is of strategic importance. Mandera town sits at the juncture between Kenya, Ethiopia and Somalia and is both an economic hub and a strategic location in terms of regional security (Menkhaus, 2015, p. 93). A Provincial Commissioner appointed in 2001, Mohamed Saleh, made much progress in combating insecurity and had broad support in

Mandera. However, he was dismissed soon after Kibaki's ascent to power, allegedly for political reasons (security analyst, interview, May 24, 2016).⁹

Local border demarcations, a core issue in the conflict, were highly politicized. In 1988, administrative borders were redrawn to create separate political constituencies for the two clans in Mandera district; however, these measures had the unintended consequence of intensifying clan-based competition and animosity, resulting in ethnic cleansing of the respective constituencies. The tension was exacerbated by the creation of new administrative sub-units out of previously community-held land (Alinur, 2014; ITDG, 2005). This gerrymandering impacted on control over resources as well as electoral outcomes. The border demarcation processes were strongly politicized and local elites who were close to the President were able to procure "their own" constituencies (Ojielo, 2010). There were allegations by the Garre that Murule elders had lobbied the President and obtained a constituency which was "for their clan" rather than for any people living there (security analyst, interview, 8 June, 2016). However, it is not clear whether such practices remained under the Kibaki regime.

The escalation of clashes in early 2005 prompted action by both central government and local actors (Ibrahim Abdi, 2009; "Conflict over resources in border areas", 2005). President Kibaki visited Mandera to appeal for calm, and security forces were deployed. As a consequence of the El Golicha attack, which had led to widespread attention and condemnation, the government pushed strongly for an end to the violence (Menkhaus, 2015, p. 96). An arbitration committee was formed, incorporating local elders and politicians and led by religious leaders from Mandera and from other parts of Kenya, and was supported by

⁹ Saleh and two other PCs, dismissed at the same time, had allegedly been campaigning for KANU, Kibaki's political rivals. The press also cited an incident before the elections where Saleh had restricted the movements of Kibaki and his campaigners during a visit in Garissa (Gatheru, Opondo, Odalo, & Amadala, 2003).

the NSC (NSC official, interview, May 24, 2016). The team was led by Sheikh Umal, a prominent religious leader from the Ogaden clan who was highly respected and perceived as neutral and legitimate (security analyst, interview, May 24, 2016). There was reportedly broad support for the mediation effort; people felt the conflict had become too costly. The national government played a supportive role during the process, and was responsible for enforcement of any agreed outcome (peace worker, interview, 24 May, 2016). There are indications that the mediation team was under pressure to achieve an agreement quickly (Menkhaus, 2015, p. 96); this may have affected their approach, which is described as arbitration rather than facilitation (Ojielo, 2010, p. 29).

Following a month of talks, in April 2005 the two communities signed the Umal Accord, which drew on customary conflict resolution mechanisms and determined “blood payments” for losses incurred during the conflict. The agreement also contained provisions for settlement of IDPs, return of illegal firearms, release of captives taken during the clashes, and continued negotiations regarding sharing of pasture (Ojielo, 2010). Hence, rather than addressing or resolving the underlying issues, the agreement focused on addressing the effects of the conflict. The arbitrators acquired the elders’ assurances that the resolutions would be implemented, although reportedly, not everyone was happy with the resolutions (peace worker, interview, 24 May, 2016; Ojielo, 2010). The Umal Accord was endorsed by the government, and the District Peace Committee was given the main responsibility of overseeing its implementation.

Despite initial optimism about the Umal Accord, implementation quickly stalled. Shortly after the conclusion of the peace process, commentators noted that the underlying causes of the conflict remained unresolved, and that there was insufficient support for monitoring and implementation (Menkhaus, 2005, p. 29). The return of IDPs was low and settlement patterns remained polarized (peace worker, interview, 24 May, 2016). There was also controversy

over how the payment of blood money was implemented.¹⁰ Overall, the 2005 peace process failed to bridge deep distrust, meaning that small disputes could trigger large-scale violence, and that peacemakers were heavily dependent on the threat of blood compensation to avoid escalation. During the fall of 2008, intense fighting broke out again between the Garre and Murule, triggered by the drilling of a borehole in a disputed area. This time the government responded more forcefully, deploying a heavy-handed disarmament operation that was strongly criticized for its human rights abuses (HRW, 2009).

Comparative analysis

Why were the conflict parties able to reach peace agreements in Wajir and Kerio Valley, but not in Tana River and Mandera? The structured focused comparison provides support for the argument that government bias impedes negotiated conflict resolution. Both in Tana River and Mandera, there were strong claims during the conflict that ties between local and central political actors affected the allocation of positions and resources. Notably, in both cases border demarcations were highly politicized. Such practices are both a cause of conflict, and leave a legacy of uncertainty that undermines trust and conflict resolution.¹¹ Furthermore, both locations are of strategic importance: Tana River due to energy generation and prospects for major international investments in large-scale farming, and Mandera due to its location bordering Ethiopia and Somalia. In Tana River, many locals believe that the central government would primarily protect the interests of foreign investors, which may run contrary to local conflict resolution mechanisms (Pickmeier, 2012). In Mandera, the cross-

¹⁰ The total owed by one side was subtracted from that of the other (i.e. only the “most offending” group paid, and only the excess amount), meaning the families of many victims never received compensation (peace worker, interview, 24 May, 2016; Ojielo, 2010).

¹¹ This is in line with the findings by Eck (2014) that communal conflict is significantly more prevalent when local groups cannot trust authorities to predictably adjudicate land disputes.

border dynamic in itself also means that monitoring and upholding agreements becomes more difficult, exacerbating the commitment problem.

In the cases where peace agreements were reached, government bias was less pronounced. In Wajir, political ties to the centre were weak and local actors were more or less left to settle the conflict on their own, enlisting state support *after* agreement was reached locally. In Kerio Valley, on the other hand, the conflict was strongly characterized by bias and favouritism, but in this case the conflict actors could foresee that this dynamic was changing. The perceived impunity for Pokot raiders was very much tied to Moi, who was retiring, and Cabinet Minister Francis Lotodo, who had died in late 2000. In line with this, a Marakwet elder suggested that conflict resolution became possible when the Pokot lost political protection (Marakwet elder, interview, February 24, 2014). The prospect for political change appears to have created a window of opportunity which facilitated trust and enabled the parties to find a mutually acceptable solution (cf. Author).

In line with research by Brosché (2014) and others, the cases highlight how bias in communal conflicts is not just a top-down phenomenon. Instead, local elites often play key roles in establishing and manipulating biased relationships which affect conflict dynamics. In Kerio Valley, local politicians granted political support to the centre in exchange for impunity for involvement in raiding; in Mandera and Tana River, local elites lobbied central political actors for border demarcations that would benefit their community. It follows that to be able to create sustainable peace at the local level, such actors need to be identified and either marginalized or co-opted. Menkhaus' analysis of Wajir suggests that "crucial to the [local peace committee's] success was the combined commitment of a top local government administrator [the new District Commissioner appointed in 1994] and local civic leaders. The absence of either would likely have doomed [it] to failure" (Menkhaus, 2008, p. 27).

Conversely, in Mandera, the politicized dismissal of a Provincial Commissioner who was widely recognized for his role in maintaining peace in the region likely conveyed that the government was more concerned with high-level politics than with supporting locally anchored solutions to the conflict.

The analysis also lends support to the proposed causal mechanism – that government bias impedes agreement because if the parties believe the central government will not be willing to guarantee or uphold the agreement they reach, they will not be able to overcome the commitment problem. There is little evidence a more “direct” effect of bias in the sense that central politicians actively sought to undermine local peace. In fact, the pressure on the peace process in Mandera and the robust preventive measures in Tana around the 2007 elections suggest that the government wanted stability, perhaps precisely due to their strategic interests (cf. Brosché, 2014). Instead, it seems that it was the inability of the conflict parties to trust each other and negotiate a resolution to their incompatibility that prevented peace agreements in both Mandera and Tana River. In the latter case, only partial agreements were achieved, and commentators suggest that the parties’ strong distrust of each other and of the government’s intentions was a key explanation. Both sides perceive a strong threat to their livelihoods: The pastoralists fear displacement from their grazing lands and interpret both Pokomo calls for land titles and foreign companies’ activities in this light, while the Pokomo have interpreted the unwillingness to disarm the pastoralists and the halting of land adjudication as signs of government bias. In Mandera, the recurrence of violence in 2008 prompted a review of the Umal Accord where three main concerns were raised: How to ensure implementation, how to handle cross-border influence, and how to ensure central political support for the local elders in charge of the sustaining peace process (Ojielo, 2010, p. 36). This analysis clearly indicates distrust and commitment problems as the main obstacles to peace. Discouragingly, the 2008 process also did little to resolve underlying

issues, suggesting that violence may easily be triggered in the future absent strong physical commitment by the government to maintain stability.

Finally, some alternative explanations should be considered. First, local peacemaking often draws on customary conflict resolution mechanisms. In three cases, the conflict parties share such customary practices, while in Tana River the cultural divide is larger. While this could potentially explain the failure to reach a peace agreement – different customary practices relating to land tenure and access have been described as one cause of the conflict – the affected groups have been able to bridge these differences in the past. The communities' councils of elders formerly had elaborate and functioning cooperation mechanisms for negotiating intergroup relations and reconciliation after cases of conflict (Martin, 2007). Hence, cultural differences cannot on their own account for the failure to achieve an agreement in this case.

Whether agreement is reached might also be explained by the legitimacy or resourcefulness of the mediators; one specific point is that government bias may have translated into distrust in the mediators, which could be a more direct explanation for failure to reach agreement. However, in the cases studies here, mediators appear to have enjoyed similar levels of legitimacy and autonomy. In the case of Mandera, most commentators agree that the mediator team was highly respected and legitimate, and had strong local support. In the case of Tana River, religious cleavages might have affected the mediators' role and their legitimacy; still, leaders were able to initiate inter-religious dialogue. Despite major interfaith efforts, however, they were still unable to overcome tensions and distrust. Arguably, a stronger and more even-handed security provision by the government might have enabled a more constructive mediation effort; accusations of misconduct during the disarmament process, for instance, must have damaged attempts to promote intergroup trust.

Another relevant question is whether it is government bias or local politics that best explains the outcomes. The empirical analysis clearly illustrates how local politicians and other elites played key roles both in conflict and peacemaking. However, analysis also resonates with the argument that their role is constrained by the central government's position. For instance, in both Kerio Valley and Tana River local political aspirants allegedly were able to capitalize on the conflicts and may have actively blocked peace efforts; however, the incentive structure appears to have changed in Kerio Valley but not in Tana River. A related factor that may be important in relation to communal violence, especially given the connections to electoral dynamics in all these cases, is the extent to which groups compete for local political power. In the Kerio Valley case, the communities largely inhabit separate counties (formerly, districts) – this may have decreased the incentives for local politicians to fuel conflict (although most accounts of the conflict suggest otherwise). It may also have meant that it was easier to commit to peace, because neither party would dominate over the other within a specific political entity. This point is particularly relevant since commentators have noted that devolution of power and resources to the counties has increased the stakes in many communal conflicts in Kenya, because it is perceived that the community that wins the top political posts locally will be able to control local resources and marginalize other groups (cf. Lind, 2018). However, in Wajir the conflict parties were able to cooperate despite competing for power within the same district.

Conclusion

I argued at the outset that government bias in relation to a communal conflict negatively affects the conflict parties' ability to overcome the commitment problem and reach a peace agreement. The empirical analysis lends support to this argument. The analysis provides new insights into the dynamic interplay between local and national political actors, and speaks to a

broader literature on ethnic politics and ethnic violence. It also contributes to conflict resolution research by theoretically and empirically applying central arguments to the context of communal conflict resolution. In particular, the role of the central state and the notion of government bias display specific dynamics in this type of conflict, and should be topics of further research.

As the case of Kerio Valley illustrates, reaching a peace agreement does not preclude a future return to violence. Yet, when the parties are able to reach an agreement, this changes the local dynamic in important ways which arguably decrease the likelihood of conflict recurrence. For instance, the analysis resonates with research by Bunte & Vinson (2016) who find that local power sharing agreements condition the behavior of local elites as well as broader inter-group relations and perceptions. If there is no agreement, even in the absence of violence, local communities are likely to feel more insecure and are less likely to interact constructively with each other. In Kenya, local peace processes have often led to the formation of peace committees, and such bodies may promote increased civic interaction between communities, increasing the resilience to political orchestration of communal identities and grievances (Varshney, 2003). However, the cases also illustrate that such bodies are vulnerable to political interference, in line with work by Odendaal (2013) and others.

One important implication of the findings is that changes in leadership and political transitions can be important windows of opportunity for peacemaking. However, it is not enough to focus on dynamics at the political centre – local elites are also involved in maintaining biased interactions and may pose significant obstacles to peace. This means that dynamics of bias may be very specific and localized – as the case of Kerio Valley illustrates, sub-groups within a major, nationally relevant group (the Kalenjin) are connected to the government differently, as shown by Lynch (2011). The relational dimension of bias means that new leadership at the local level can play crucial roles in promoting and sustaining peace.

However, it also means that future political changes may cause relationship bias to re-emerge; analysts should therefore closely monitor the effects of changing political power at national and local levels which may destabilise previous agreements. The case of Kerio Valley is particularly interesting because a peace agreement was reached and initially adhered to, but after more than ten years the peace broke down. The role of local politicians (and their relationship to the national government) may help explain this, although such an analysis is beyond the scope of this article.

When strategic interests are present, bias may be more durable because it is not tied to specific political actors but to more general and long-lasting strategic concerns. While the political transition in 2002 appears to have facilitated conflict resolution in Kerio Valley, it did not have the same effect in Tana River. The latter case illustrates how the belief that political elites will first and foremost protect economic interests may impede the creation of trust both between conflict parties and vis-à-vis the state. In such cases, substantial commitment problems need to be overcome, and this may be beyond the capacities of non-state mediators. This differentiation between different sources of bias also contributes to the literature on ethnic politics by identifying circumstances that may make ethnic ties particularly salient or durable (cf. Posner, 2004).

The arguments and findings presented here relate to a context where identity groups expect state actors to put certain interests above the provision of security to all citizens. This means that I expect that the findings may travel to similar contexts. In particular, I expect similar dynamics to hold in clientelist political systems, where electoral survival and access to resources – both at central and local levels – is the most important asset. Arguably, most states that see numerous violent communal conflicts have similar dynamics, and the findings resonate with research on Nigeria (Ikpe, 2009), Sudan (Brosché, 2014), India (Wilkinson, 2006), and Indonesia (Van Klinken, 2007). However, fully determining the scope conditions

for the argument is an agenda for further research, which should also devote more attention to the specific strategies that mediators can use to overcome mistrust and help the parties reach agreement.

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Appendix A: Interview methodology

The article relies on interview material as one of several sources of evidence. Given the limited amount of publically available information about the processes of local peacemaking after communal conflict, field research in these contexts is essential to improve our theoretical understanding of these phenomena (cf. Wood, 2008). In the manuscript, I rely on interviews, NGO reports, news reports, and previous studies of the cases to establish as thoroughly as possible the variables of interest (government bias, peace agreement, and alternative explanations) in each case.

Sample frame and response rate

For each case, I sought to interview experts, practitioners and locals from the conflict-affected areas. Interviewees were selected strategically based on their roles and insights in conflict and peace processes in different locations, or their knowledge of the broader political dynamics within which these processes are situated. Interviewees can be broken down into government representatives and politicians; NGO representatives; academics/researchers; civil society; and local residents (see interview table below).

In total, around 50 interviews (with a total 57 interviewees) were conducted during field trips in 2013, 2014 and 2016. In general, most people approached also agreed to an interview. One deviation can be noted: attempts to gain access to active high-level politicians were often unsuccessful. To some degree this may have been a function of too limited time in the field, where there was not sufficient time to establish a network and get a personal referral (in the cases concerned, requests were sent by email but were not responded).

In one case – Kerio Valley (which was the topic of a separate, in-depth study) – I also systematically interviewed local residents (older men/“elders”, women, and youth) from both of the conflict-affected communities. I also interviewed local residents in one other case, Tana River, but less systematically. I was not able (due to resource constraints and security concerns) to conduct comparable interviews in Mandera and Wajir. For this reason (and because the analysis is less focused on the broader communities’ experiences and views), I do not rely heavily on the interviews conducted with local residents in the article, aside from a few key interviews with elders and peace committee members.

Use of the “snowball” sampling method

For each case, a number of relevant interviewees from the different categories mentioned were identified in advance. Other interviewees were identified through recommendation by initial interviewees, i.e. through a snowballing technique. The interview table indicates if interviewees were identified in advance or through referral. Use of the snowballing technique was deemed suitable given the interest in politically sensitive topics, where referral from a trusted person alleviates potential mistrust against the researcher (Cohen & Arieli, 2011). Furthermore, in

combination with the use of multiple strategically selected entry points to obtain the insights of people with different perspectives, the procedure is suitable when the aim is not to achieve a statistically representative sample of respondents, but rather to establish and understanding of different perspectives on the research question (cf Wood, 2006).

Interview format

In all cases, interviews were semi-structured. This interview method enables a systematic compilation of information on pre-set questions, while also allowing the participants to expand on topics they consider important and to add other relevant information. The interview guide began with contextual information and some personal information (i.e. name, occupation, affiliation, gender and age), then touched on the background and context of conflict, the character of the conflict resolution process, and its outcome (with variations in the cases when interviews were held with experts on a more general, or more specific, topic).

All interviews were preceded by acquiring informed consent, and participants were given a sheet of information about the project, including contact details. Participants were informed that there was no economic compensation for participating, but were usually provided with a soda or cup of tea. Interviews lasted between 25 minutes and 1 hour 45 minutes (most were around one hour long). In most cases, interviews were recorded using a small digital recorder. In some other cases, when interviewees declined to be recorded or for practical reasons, only notes were taken.

Ethical and security concerns

Before the field research, I obtained approval from the Swedish Ethics Review Board (Etikprövningsnämnden, EPN). Conducting interviews on the subject of violent conflict is always sensitive. The benefits of accessing primary information about the conflicts must always be weighed against the risk that interview participants are re-traumatized or otherwise subjected to risk due to participation (Brounéus, 2011). In some cases, particularly when conflict is still active, associating with outsiders and sharing information may endanger participants' physical security (Mertus, 2009). For these reasons, I conducted continuous risk assessments while in the field, and participants were always informed that they could withdraw participation at any time before, during or after the interview. Identifying information and interview recordings were stored under password protection while in the field, as well as thereafter.

Confidence levels and compensation strategies

A key concern when collecting and interpreting the interview material was awareness of the different biases and interests of participants in telling a specific story. In my case, it was important to keep in mind that certain respondents might – intentionally or unintentionally – omit information, seek to play up their own importance in a local peace process, or promote a certain narrative about how a local conflict played out. However, as mentioned above, interviews were not the only or primary source of information, but rather one of several sources used to assess the variables of interest in each case. Instead interviews served as one of several sources used to verify and

triangulate factual accounts (Höglund & Öberg, 2011; Wood, 2008). The full set of sources includes the interview material and an extensive review of secondary sources, which in turn encompasses different sources with potentially different interests/biases – including government and NGO reports, news articles, and academic case studies. Overall, since I was not able to visit Mandera and Wajir, the relative reliance on secondary sources is higher in those cases.

Table 1. Interview methods table

Interviewee	Case focus	Date & place	Format	Length	Recording	Source
Government representatives and local politicians						
NSC official	All cases	15 March 2013, Nairobi	In person, at offices	1 h	Yes	Sample frame
Former MP	Kerio Valley	18 February 2014, Nairobi	In person, at quiet café, her assistant present	1h 10 min	Yes	Sample frame
Local government rep.	Kerio Valley	26 February 2014, Chesongoch	In person, with translator, busy place	1 h	Yes	Sample frame
Local government rep.	Kerio Valley	27 February 2014, Kolowa	In person, at offices	1 h	Yes	Sample frame
NSC official	All cases	24 May 2016, Nairobi	In person, at offices	35 min	Yes	Sample frame
NGO representatives						
International peace NGO rep.	All cases	14 March 2013, Nairobi	In person, at offices	1 h 45 min	Yes	Sample frame
Local peace NGO rep.	Tana River	15 March 2013, Nairobi	In person, at busy restaurant	ca 1 h	<i>Notes only</i>	Sample frame
Local peace NGO rep.	Kerio Valley	18 March 2013, Nakuru	In person, at busy café	ca 45 min	<i>Notes only</i>	Sample frame
Local NGO rep.	All cases	19 March 2013, Nakuru	In person, at busy café	ca 45 min	<i>Notes only</i>	Referral
Local NGO rep.	All cases	19 March 2013, Nakuru	In person, at offices	1 h	Yes	Sample frame
Humanitarian worker	Tana River	22 May 2016, Makueni	In person, at quiet shop	1 h 10 min	Yes	Sample frame
Local NGO rep.	Tana River	23 May 2016, Nairobi	In person, at quiet restaurant	50 min	Yes	Referral

International peace NGO rep.	Tana River	23 May 2016, Nairobi	In person, at quiet restaurant	1 h 5 min	Yes	Sample frame
2 international peace workers	Wajir, Mandera	24 May 2016, Nairobi	In person, at offices, group interview	1 h 10 min	Yes	Referral

Academics/researchers

Conflict resolution consultant	All cases	13 March 2013, Nairobi	In person, at busy café	1 h	Yes	Sample frame
Development researcher	All cases	21 March 2013, Eldoret	In person, at busy restaurant	ca 45 min	<i>Notes only</i>	Sample frame
Security analyst	Wajir, Mandera	24 May 2016, Nairobi	In person, at busy café	1 h	Yes	Sample frame
Security analyst	Mandera	8 June 2016	In person, over Skype	ca 45 min	<i>Notes only</i>	Referral

Civil society

Local youth leader	All cases	19 March 2013, Nakuru	In person, at busy café	45 min	Yes	Sample frame
Peace committee chair	All cases	21 March 2013, Eldoret	In person, at busy restaurant	1 h 30 min	Yes	Referral
Peace committee secretary	All cases	21 March 2013, Eldoret	In person, at busy restaurant	ca 30 min	<i>Notes only</i>	Referral
Peace campaigner	All cases	21 March 2013, Eldoret	In person, at busy restaurant	ca 30 min	<i>Notes only</i>	Referral
CJPC official	Kerio Valley	20 March 2013, Eldoret	In person, at offices	45 min	Yes	Sample frame
Religious leader (catholic)	Kerio Valley	22 February 2014, Eldoret	In person, at offices	1 h	Yes	Sample frame
Religious leader (protestant)	Kerio Valley	23 February 2014, Eldoret	In person, at offices	30 min	Yes	Sample frame
Religious leader (catholic)	Kerio Valley	25 February 2014, Chesongoch	In person, quiet place, referring person present	30 min	Yes	Referral

Religious leader (baptist)	Kerio Valley	1 March 2014, Tot	In person, quiet place	30 min	Yes	Referral
Catholic church official	Tana River	25 May 2016, Malindi	In person, at offices	50 min	Yes	Sample frame
2 CJPC officials	Tana River	25 May 2016, Malindi	In person, at offices, group interview	ca 1 h 30 min	<i>Notes only</i>	Referral
Local residents						
Marakwet elder	Kerio Valley	24 February 2014, Chesongoch	In person, with translator, busy place	40 min	Yes	Sample frame
Marakwet elder	Kerio Valley	24 February 2014, Chesongoch	In person, with translator, busy place	1 h 10 min	Yes	Referral
Marakwet elder	Kerio Valley	24 February 2014, Chesongoch	In person, with translator, busy place	45 min	Yes	Referral
Marakwet youth/civic leader	Kerio Valley	24 February 2014, Chesongoch	In person, busy place, referring person nearby	30 min	Yes	Referral
Marakwet youth	Kerio Valley	24 February 2014, Chesongoch	In person, with translator, quiet place	30 min	Yes	Sample frame
Marakwet woman	Kerio Valley	26 February 2014, Chesongoch	In person, with translator, quiet place	30 min	Yes	Sample frame
Marakwet woman	Kerio Valley	26 February 2014, Chesongoch	In person, with translator, at home	30 min	Yes	Referral
Pokot elder	Kerio Valley	27 February 2014, Kolowa	In person, with translator, busy marketplace	35 min	Yes	Sample frame

Pokot woman	Kerio Valley	27 February 2014, Kolowa	In person, with translator, busy marketplace	30 min	Yes	Sample frame
Pokot woman	Kerio Valley	27 February 2014, Kolowa	In person, with translator, busy marketplace	35 min	Yes	Referral
Pokot youth/herdsman	Kerio Valley	27 February 2014, Kolowa	In person, with translator, busy marketplace	35 min	Yes	Sample frame
Pokot elder	Kerio Valley	27 February 2014, Kolowa	In person, with transl, busy, referring person present	30 min	Yes	Referral
Pokot woman	Kerio Valley	28 February 2014, Chepchoren	In person, with translator, quiet place	35 min	Yes	Sample frame
Pokot woman	Kerio Valley	28 February 2014, Chepchoren	In person, with translator, quiet place	25 min	Yes	Referral
Marakwet elder	Kerio Valley	1 March 2014, Tot	In person, with translator, quiet place	35 min	Yes	Sample frame
Marakwet woman	Kerio Valley	1 March 2014, Tot	In person, with translator, quiet place	30 min	Yes	Sample frame
Peace committee member	Kerio Valley	3 March 2014, Chesongoch	In person, with translator, quiet place	1 h 40 min	Yes	Referral
Pokot youth/herdsman	Kerio Valley	3 March 2014, Chesongoch	In person, with translator, quiet, referring person present	30 min	Yes	Referral
Pokot youth/herdsman	Kerio Valley	3 March 2014, Chesongoch	In person, with translator, quiet, referring person present	30 min	Yes	Referral
2 Pokomo elders	Tana River	27 May 2016, Wema	In person, with translator, quiet, group interview	ca 45 min	<i>Notes only</i>	Sample frame

Pokomo woman	Tana River	27 May 2016, Wema	In person, with translator, busy place	ca 30 min	<i>Notes only</i>	Sample frame
Pokomo man	Tana River	27 May 2016, Wema	In person, with translator, busy place	ca 30 min	<i>Notes only</i>	Referral
Peace committee member	Tana River	27 May 2016, Wema	In person, with translator, busy place	ca 30 min	<i>Notes only</i>	Sample frame
Pokomo woman and man	Tana River	27 May 2016, Wema	In person, with translator, quiet, group interview	ca 45 min	<i>Notes only</i>	Referral

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