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ABSTRACT: Using a set of oral testimonies, together with military, intelligence, and administrative reports from the 1960s, this article re-examines the *shifta* conflict in Kenya. The article moves away from mono-causal, nationalistic interpretations of the event, to focus instead on the underlying socioeconomic dynamics and domestic implications of the conflict. It argues that the nationalist interpretation fails to capture the diversity of participation in *shifta*, which was not simply made up of militant Somali nationalists, and that it fails to acknowledge the significance of an internal Kenyan conflict between a newly independent state in the process of nation building, and a group of 'dissident' frontier communities that were seen to defy the new order. Examination of this conflict provides insights into the operation of the early postcolonial Kenyan state.

KEY WORDS: Kenya, Somalia, war, postcolonial.

ON 28 December 1963, a State of Emergency was declared in Kenya's North Eastern Region (NER). The declaration came just over two weeks after Kenya gained independence, and represented the first serious challenge to the integrity and stability of the new state. At issue was the status of the area known during British administration as the Northern Frontier District (NFD). This region was comprised of six districts, Garissa, Isiolo, Mandera, Marsabit, Moyale, and Wajir that were inhabited almost entirely by the pastoral Somali, Boran, Gabra, and Rendille.[1] From 1960, when the British were preparing to leave Kenya, these groups formed a political alliance (with the exception of a small minority of Boran, and the Gabra and Burji from Marsabit district) under the banner of the Northern Province Progressive Peoples Party (NPPPP) to campaign for secession of the NFD from Kenya to the Somali Republic.[2]

The movement for secession in the NFD developed from the experience of colonial rule in northern Kenya. Due to sectional conflict between the resident communities, and a lack of exploitable resources, the area was

[1] Command Paper 1900, *Kenya: Report of the Northern Frontier District Commission* (London, 1962), 2; N. Mburu, *Bandits on the Border: The Last Frontier in the Search for Somali Unity* (Trenton, NJ, 2005), 8.

[2] The Boran were divided over the issue of secession, a division that reflected religious affiliation. The Boran of Marsabit district were Christian whereas, and in common with the Somali, the Boran of Isiolo district were Muslim.

considered a 'closed district' by the British and administered as a separate entity within Kenya. At the same time, the porous and ill-policed border between the NFD and the Somali Republic reinforced existing relationships between the communities that straddled the peripheries of both states that were of much greater significance. This enabled political leaders in the NFD to rally people behind a campaign for secession, which played on feelings of cultural and economic isolation that were common to all inhabitants. The demand for NFD secession was supported by the government of the Somali Republic, which was also campaigning for the creation of a 'Greater Somali' state, the unification of all Somali inhabited territories across the Horn of Africa.[3] The inclusion of NFD representatives by the British in the political negotiations that led to Kenyan independence appeared to give official recognition to the prospect of secession, and suggests that there was a legitimate case to be addressed. However, by the time that Kenya gained independence on 12 December 1963, a British alliance with the Kenya African National Union (KANU), which formed Kenya's first government and which resisted territorial adjustment, resulted in the incorporation of the NFD within independent Kenya. In protest, on the night of the 12th, there were a series of violent attacks on police posts and administrative camps in Kenya's northern regions by radicalised members of the NPPPP. This marked the beginning of the so-called *shifta* (bandit or rebel) conflict, which lasted until November 1967. It should be noted that in the British and Kenyan archives, the *shifta* conflict is referred to interchangeably as the 'NFD dispute' or 'Somali question'. Use of the term '*shifta* conflict' has been applied retrospectively due to the labeling of participants in the conflict as *shifta* by the Kenyan government.

The historiography of the *shifta* conflict is dominated by a relatively small body of literature that puts Somali nationalism at the centre of analysis.[4] Critical attention has been focused on the links between violent insurgency in northern Kenya, and the broader aims of Somali nationalism at this time. This scholarship argues that participants in the *shifta* conflict were inspired by the idea of a 'Greater Somalia' and, thus, from this perspective, *shifta* was a movement of militant Somali nationalism; the only published monograph dedicated to the *shifta* conflict focuses on factors that gave rise to militant Somali nationalism. Nene Mburu highlights discriminatory colonial legis-lation as the cause of the Somali ethnic community's disaffection with Kenya which, combined with Somali nationalism emanating from the Somali Republic, provided a motive for secession. Mburu's conclusion is that the *shifta* struggle failed because those involved allowed the Somali Republic to run the campaign from 1963, and so compromised its credibility and lost internal cohesion.[5]

[3] K. G. Adar, *Kenyan Foreign Policy Behavior Towards Somalia, 1963–1983* (Lanham, MD, 1994), 85.

[4] See S. Touval, *Somali Nationalism: International Politics and the Drive for Unity in the Horn of Africa* (Cambridge, MA, 1963); J. Markakis, *National and Class Conflict in the Horn of Africa* (London, 1990); M. I. Farah, *From Ethnic Response to Clan Identity: A Study of State Penetration among the Somali Nomadic Pastoral Society of Northeastern Kenya* (Uppsala, Sweden, 1993); Adar, *Kenyan*; Mburu, *Bandits*.

[5] See Mburu, *Bandits*.

Taking as its point of departure Mburu's conclusions regarding the conduct of guerrilla insurgency in northern Kenya, this article reconsiders the legacy of the Somali nation-building programme for understanding the events of the *shifta* conflict. It does so for two reasons. First, recent research into the political economy of intrastate armed conflict has dispensed with singular explanations for understanding individual participation, and emphasises the role of multiple economic, political, cultural, and strategic factors.[6] During the *shifta* conflict, Somali identity was only one of a number of possible reasons to join the insurgency. Second, those historians who have provided nationalistic interpretations of the conflict have focused their analyses almost exclusively on the activities of Somali insurgents. In doing so, they overlook the participation of Boran and Rendille groups in *shifta*.[7] These groups share a long history of conflict and competition, as well as collaboration and interdependence, with the Somali over access to scarce water and pasture resources.[8] To see the violence of the *shifta* conflict solely in terms of a nationalist struggle ignores other dynamics that were at work within the NFD during the conflict period, namely clan and sectional rivalry. The militarisation of northern Kenya after 1963, therefore needs to be understood in relation to on-going resource struggles between these various communities living on the periphery of the Kenyan state, and in relation to the experience of violence following the outbreak of the insurgency, as well as in relation to Somali nationalism. *Shifta* combined militant secessionists with a nationalist agenda and more narrowly-based groups that sought the protection or aggrandisement of their individual clan sections through access to firearms that being *shifta* provided, and used the Kenya-Somalia border as a resource in pursuit of those interests.[9] As such, to borrow the metaphor Daniel Branch has used to describe the interweaving of anti-colonial and civil war violence during the Mau Mau rebellion, the *shifta* conflict is best conceptualised as a helix, where strands of a nationalist insurgency intertwined with local-level resource conflict.[10]

[6] M. Berdal, 'Beyond greed and grievance – and not too soon …', *Review of International Studies*, 31:4 (2005), 690.

[7] See Markakis, *National*; Farah, *From Ethnic Response*; Mburu, *Bandits*; D. Branch, *Kenya: Between Hope and Despair, 1963–2011* (New Haven, CT, 2011).

[8] G. Schlee, *Identities on the Move: Clanship and Pastoralism in Northern Kenya* (Manchester, 1989); G. Schlee, 'Gada systems on the meta-ethnic level: Gabra/Boran/Garre interactions in the Kenya-Ethiopian borderland', in E. Kurimoto and S. Simose (eds.), *Conflict, Age and Power in North East Africa: Age Systems in Transition* (Oxford, 1998), 121–46; G. Schlee, 'Brothers of the Boran once again: on the fading popularity of certain Somali identities in northern Kenya', *Journal of Eastern African Studies*, 1:3 (2007), 417–35. See also G. Oba, 'Shifting identities along resource borders: becoming and continuing to be Boorana Oromo', in P. T. W. Baxter, J. Hultin, and A. Triulzi (eds.), *Being and Becoming Oromo: Historical and Anthropological Enquiries* (Lawrenceville, NJ, 1996), 117–31; H. W. Arero, 'Coming to Kenya: imagining and perceiving a nation among the Borana of Kenya', *Journal of Eastern African Studies*, 1:2 (2007), 292–304.

[9] The conceptualisation of the border as a resource is drawn from D. Feyissa and M. V. Hoehne (eds.), *Borders and Borderlands as Resources in the Horn of Africa* (Rochester, NY, 2010).

[10] D. Branch, *Defeating Mau Mau, Creating Kenya: Counterinsurgency, Civil War, and Decolonization* (Cambridge, 2009), 8.

A more nuanced discussion of *shifta* motivations allows for a better understanding of the Kenyan government's responses to the conflict. It also provides new insights into the development of the early postcolonial Kenyan state, and the ways in which the colonial experience defined Kenya's postcolonial 'governmentality', particularly in relation to dealing with populations deemed problematic. The independent Kenyan government's counter-*shifta* strategy was grounded in experiences gained during the Mau Mau rebellion. Scholarship on decolonisation in Kenya has already documented that independence did not entail significant ideological or structural breaks in state policies.[11] Examination of the *shifta* conflict reveals additional continuities between the colonial and postcolonial state, and demonstrates how those policies contributed to the long-term decline of pastoralism across the Horn of Africa.

THE *SHIFTA*

Self-styled as the Northern Frontier District Liberation Front (NFDLF), those who took up arms in northern Kenya during the 1960s were referred to as *shifta*.[12] Originally derived from the Amharic expression for banditry, the term has been used to describe nineteenth-century Ethiopian noblemen with political aspirations, and twentieth-century Ethiopian nationalists in Eritrea who used banditry as a method of political protest.[13] More broadly across eastern Africa, *shifta* is used to denote a bandit or rebel.[14] In Kenya it has most frequently been applied to criminal bandit gangs engaged in livestock raiding and poaching.[15] In relation to the movement for secession, the term was first applied by the Kenyan government in November 1963. Jomo Kenyatta, then Kenya's prime minister, referred to those who engaged in violence against the Kenyan government as 'hooligans or armed groups of youths called *shifta*. Those people who go raiding here and there.'[16] Such use of the term implied that those seeking secession were no more than criminal bandits. While this categorisation of *shifta* is important to note for our later discussion of the Kenyan government's responses to secessionism, it is also indicative of the multi-faceted nature of the movement.

Broadly speaking three types of *shifta* insurgent can be identified. At the apex of the movement was a leadership group, made up of 'radical' members, committed secessionists who established the NPPPP, and acted as political spokesmen for the NFD between 1960 and 1963. They were school-educated

[11] See B. A. Ogot and W. R. Ochieng (eds.), *Decolonization and Independence in Kenya, 1940–93* (London, 1995); Branch, *Kenya*.

[12] Interview with Deghow Maalim Sambul, Garissa, 16 Dec. 2008.

[13] D. Crummey, 'Banditry and resistance: noble and peasant in nineteenth-century Ethiopia', in D. Crummey (ed.), *Banditry, Rebellion and Social Protest in Africa* (London, 1986), 133–5; R. Iyob, *The Eritrean Struggle for Independence: Domination, Resistance, Nationalism, 1941–1993* (Cambridge, 1995), 72.   [14] Crummey, 'Banditry', 135.

[15] Kenya National Archive, Nairobi (KNA) BV/111/78, N. Cossins, 'North East Province Kenya: A study of its pastoral Somali' (Aug. 1970), 75–6; Interview with Abdo Barre, Garissa, 17 Dec. 2008; Interview with Gufu Arero and Fugich Dabassa, Isiolo, 6 Oct. 2008.

[16] Hansard, *Republic of Kenya, House of Representatives Official Report Volume I (Part II), 23 July-29 November 1963*, (Nairobi, 28 Nov. 1963), Cols. 2400–28.

men and often from wealthy lineages who wielded significant influence within their communities. They were able to establish personal commands at *shifta* base camps in the Somali Republic, from where they negotiated for arms with Somali officials, and organised the recruitment and training of secondary members.[17]

Directly beneath this leadership was a small cadre of individuals who led local *shifta* groups made up of rank-and-file members. Although these group leaders were not prominent figures in the NPPPP, most had joined the party at the local branch level, and were involved in the political rallies and demonstrations that preceded the outbreak of the insurgency. They were often defectors from the administration police, or the sons of former colonial chiefs.[18] Like their commanders above them, these men had been exposed to some form of schooling, offered organisational skills, and, in most cases, had some experience in handling guns.[19] It is these two top tiers of *shifta* that we can consider as the NFDLF.

The majority of the *shifta*, however, were 'light lads' or 'the youth'; men aged between 18 and 40 who engaged in livestock keeping and had little or no formal schooling.[20] They were recruited into the movement and were subsequently taught how to use guns, grenades, and later landmines.[21] Data gathered from interviews reveals them to be a diverse mix of individuals, who today express varying levels of commitment to the movement's stated aim of secession.[22] It is possible that there has been a rejection of secessionist aspirations in northern Kenya because the Kenyan government has now established some authority in the region, and because state collapse in the Somali Republic has made Somali unification not only undesirable but also unworkable. Nonetheless, while some former *shifta* state that they were attracted to the rhetoric of the 'liberation struggle', others were only marginally aware of the broader political context of the conflict at the time.[23] For some recruits, becoming *shifta* was less about the fight for the liberation of the NFD and more about respecting the traditional role of the youth or 'warrior' within the community. One Somali Ajuran *shifta* fighter explained quite simply that 'if a community goes to war then it is the youth who fight'.[24] Similarly, some who became *shifta* after the outbreak of

[17] Interview with Adan Wako Bonaya, Nairobi, 20 Dec. 2008.

[18] Interview with Fatuma Gabow, Garissa, 16 Dec. 2008. Her husband defected from the administration police to become a *shifta* group leader; Interview with Wario Tadicha, Isiolo, 6 Oct. 2008, the son of a Boran chief and the brother of an active *shifta* leader.

[19] Interview with Dahir Hajj, Isiolo, 7 Oct. 2008; Interview with Jillo Golicha, Garba Tulla, 23 Dec. 2008.

[20] Interview with Iftin Hussein, Garissa, 15 Dec. 2008; Interview with Boku Jirma, Garba Tulla, 23 Dec. 2008.

[21] KNA District Commissioner (DC)/Isiolo (ISO)/4/7/14, Garba Tulla to Isiolo, Ref. EN.24/16, 18 Nov. 1967; Interview with Waqo Bagajo, Isiolo, 7 Oct. 2008.

[22] A total of 46 individuals were interviewed from Nairobi and from Marsabit, Isiolo, Garba Tulla, and Garissa within the contested area. They represent an eclectic mix of informants including former *shifta* insurgents and male and female civilian residents who lived in the area during the conflict period. To protect the identity of some of the interviewees, pseudonyms have been used.

[23] Arero's comments, Interview with Gufu Arero and Fugich Dabassa; Interview with Guyatu Boru, Garba Tulla, 23 Dec. 2008.

[24] Interview with Farah Mohamed, Garba Tulla, 23 Dec. 2008.

the insurgency say that one of the reasons they did so was the violence that this created – this was the case with three Boran members of *shifta* from Isiolo district, who claimed that they joined the movement in reaction to Kenyan counterinsurgency operations, because of the 'bullets that the Kenyan government sprayed on us [the Boran]'.[25]

Another common explanation given for why people became *shifta* was the 'threat' of the *shifta* itself. While the operation of the pastoral economy in northern Kenya is determined by the ability of individual sections to effectively occupy areas where water and pasture exist, as arms became available to those willing to form *shifta* groups they could be used not only against the Kenyan government in pursuance of secession, but also to make gains in territory at a neighbour's expense. For instance, in Mandera district, rather than unite as one group, chiefs of the Mandera Degodia, Gurreh, and Murille all went to the Somali Republic independently to negotiate for arms on the understanding that they would form their own *shifta* groups.[26] As shown below, these arms were then used in a series of raids and counter-raids between the Degodia and Gurreh by '*shifta* gangs'.[27] Likewise, in the Waso area of Isiolo, Boran, who joined the *shifta* after the start of the conflict, stated explicitly that once the Somali had access to guns, the Boran also needed guns. The only way they could obtain guns was by going to the Somali Republic and joining the *shifta*.[28] Becoming *shifta* presented the Isiolo-based Boran with an opportunity to prevent the continued Somali encroachment into Boran lands, through which the Somali accessed the NFD.

The loose organisation of the *shifta* also presented individuals with the opportunity to mould the movement for secession as their own. First, the *shifta* were divided between two base camps located in the Somali Republic, reflecting clan cleavages.[29] Horizontal bonds of affiliation rather than loyalty to a central command or person determined authority over individual groups. Representatives of the Somali government met and dealt individually with the leaders of each clan section.[30] Second, each *shifta* group was a discrete formation. Titles such as captain or lieutenant gave the appearance of an organised chain of command. Yet, these titles were adopted by individuals and groups and were not centrally designated.[31]

Finally, local circumstance and local interests can also help to explain non-participation in *shifta*. For instance, although the Boran of Isiolo became *shifta*, the Boran of Marsabit district did not. Marsabit was at the centre of political opposition to secession in the NFD, and was home to the Northern

[25] Interview with Abdub Galgallo and Ali Wario, Garba Tulla, 23 Dec. 2008; Interview with Adan Banchalle, Isiolo, 5 Oct. 2008.
[26] National Archives, London (NA) Colonial Office (CO) 822/3055, government paper, 'Somali activity in the North East Region: Tabulation of recent trends of events'.
[27] See KNA BB/1/156, BB/1/157, and BB/1/158, Special Branch Weekly Intelligence Reports.   [28] Interview with Adan Banchalle.
[29] NA CO 822/3055, government paper, 'Somali activity in the North East Region: Tabulation of recent trends of events'.
[30] For instance during October 1963, Captain Abdullahi Mohamed of the Somali army met the chief of the Mandera Gurreh at Bur Hache, Degodia leaders from Mandera at Bur Hache, and then the chief of the Murille to negotiate over resources independently of each other. NA CO 822/3055, government paper, 'Somali activity in the North East Region: Tabulation of recent trends of events'.   [31] Interview with Farah Mohamed.

Province United Association (NPUA), which united Marsabit-based Boran, Burji, and Gabra groups. These were all minority communities in the NFD, who were not Muslim. During the run up to independence, NPUA complained to the Kenya administration about employment preferences being given to Somalis. Their decision to campaign against secession was largely an effort to safeguard and entrench their minority interests, particularly their control over local trade, at the expense of the Somalis.[32] The marginalisation of Somali families within Marsabit Town during the conflict, which included a general boycott of Somali shops and a refusal to sell them milk, enabled Burji, Boran, and Gabra individuals to enter into the livestock and retail trade, which they still dominate today.[33] While the local interests of the Isiolo Boran were best served through an alliance with *shifta*, those of the Marsabit Boran were not.

THE *SHIFTA* CONFLICT, *C.* 1963–8

The following reconstruction of the *shifta* conflict is based on the premise that there are two languages of conflict, archival and oral, that can be applied to northern Kenya in the period 1963 to 1968. In the language of the archives, which details the official interpretation of events, the term '*shifta*' refers to all forms of violent conflict occurring in northern Kenya during the 1960s. Documents describe 'groups of *shifta*' or '*shifta* tribesmen', who engage in activities such as 'ambush', 'rifle and grenade fire', 'abduction', 'raiding', and 'cattle raiding'.[34] Interviewees also used the term *shifta* to refer to those engaged in insurgency activity against the Kenyan government. However, interviewees did not always describe 'raiding' and 'cattle raiding' as being part of the *shifta* insurgency, even though *shifta* groups staged cattle raids in order to draw Kenyan security forces into a confrontation. In reflection of the multiple pressures that pushed people to become *shifta,* some interviewees described raiding in terms of conflicts between clan sections. One Gabra informant described how Boran groups from Ethiopia moved through northern Kenya during the *shifta* conflict, and on numerous occasions raided the Rendille in Marsabit district. The Gabra and Rendille competed for territory in this area, and so the Gabra joined with the Ethiopian Boran during these raids. This began a series of what the interviewee termed 'routine' raids between the Gabra and Rendille.[35] Numerous other interviewees related similar accounts involving various Somali and Boran sections.[36] The distinction between sectional raiding and the *shifta*

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[32] For an example see KNA BB/1/98, Secretary of the NPUA to Provincial Commissioner Northern Province, 'Unsatisfied action of Kenya police in Marsabit', 23 Apr. 1962.

[33] KNA BB/1/156, Special Branch Weekly Intelligence Report No. 18/63, 24–30 Sep. 1963, and Report No. 28/63, 29 Oct.–4 Nov. 1963; Interview with Hirbo Galawe, Marsabit, 27 Sept. 2008.

[34] These descriptive terms have been drawn as examples, and can be found in various administrative, intelligence, and security reports at the KNA.

[35] Interview with Jattani Adano, Marsabit, 28 Sept. 2008.

[36] Interview with Farhia Mohamed, Isiolo, 5 Oct. 2008; Interview with Bashir Dere, Isiolo, 6 Oct. 2008; Interviews with Fugich Dabassa, Dahir Hajj, Gufu Arero, and Fatuma Gabow.

insurgency is by no means definitive. Nonetheless, the subsequent attempts by some northern Kenyans to categorise violence shows that the *shifta* insurgency fed into and criss-crossed with other local struggles.

Nationalist insurgent activity was characterised by ambushes of police and army camps, foot patrols, and vehicle convoys.[37] Such activity featured prominently during the initial stages of the conflict, through 1964, when *shifta* groups ranged from between one and five hundred strong, and used grenade and rifle fire to attack and raid Kenyan police posts and army camps from across the Somali border.[38] In mid-1964, *shifta* also began operating outside of the contested districts of the former NFD. By and large, these operations involved raids for plunder and were conducted in areas of Coast Province and Meru District.[39] During the latter part of 1966 and into 1967, *shifta* also placed Somali-supplied landmines along strategic trade and supply routes.[40]

However, this type of *shifta* activity was not a constant throughout the conflict period. For one, *shifta* groups were dependent upon supplies of arms from the Somali Republic, and these were not always readily available.[41] Moreover, the intensity of *shifta* activity in a particular area also depended on the disposition of the gang stationed there. As the *shifta* insurgency progressed, there was a tendency for *shifta* gangs to engage more and more in what the authorities regarded as criminal or bandit activity. *Shifta* bands were reported to be splitting up and returning to their *manyattas* (homesteads) where raids were made for material gain.[42] In June 1964, Kenyan intelligence analysts distinguished three types of *shifta* engagement. These were hit and run ambushes on soft targets by small gangs, ambushes of convoys by large gangs, and stock raids by armed 'tribesmen'.[43] By 1965, it

[37] See KNA BB/1/156, Special Branch Weekly Intelligence Reports, 1963–1964.

[38] For instance, on 13 November 1963, two grenades were thrown and rifles were fired into Rhamu police post. This was followed three days later by an attack on a General Service Unit camp at Walmerer. Then on the evening of the 18 November, police posts at Kolbio and Liboi in Garissa were fired upon with rifles. See KNA BB/1/156, Special Branch Weekly Intelligence Report No. 25/63.

[39] On 20 April 1964, thirty *shifta* ambushed a party of thirteen 'Tribal' and Kenya policemen near Witu, Coast Province. On the same day ten of the thirty also attacked nearby Malele village, where they looted houses, stole cattle, and burnt ten huts. In the course of the attack six Giriama were killed. Similarly, on 11 June forty *shifta* attacked Kathangaeini Village in North Tharaka, Meru District, before raiding Kianjoro market the following day where twelve people were killed. See KNA BB/1/157, Special Branch Weekly Intelligence Reports Nos. 16/64 and 24/64.

[40] KNA BB/12/26, 'Operations against shifta an appreciation and statistics. The fourth year', Police Headquarters, Nairobi, Jan. 1968.

[41] For instance, *shifta* activity was high during February 1964, after the Somali Republic received an estimated £11 million investment in the Somali army from the Soviet Union. See Markakis, *National*, 180. However, in mid-1964 *shifta* activity declined. This coincided with a period of open war between the Somali Republic and Ethiopia over the Ogaden region of Ethiopia. See I. M. Lewis, *A Modern History of the Somali: Nation and State in the Horn of Africa* (Oxford, 2002), 201.

[42] For instance on 12 June 1964, 400 Boran from Isiolo raided a Samburu *manyatta*. It was reported that eleven *shifta* were involved in the incident where donkeys and cattle were stolen. Fourteen Samburu were also killed in the course of the attack. See KNA BB/1/157, Special Branch Weekly Intelligence Report No. 24/64.

[43] KNA BB/1/157, Special Branch Weekly Intelligence Report No. 25/64.

was the third form of engagement that dominated *shifta* activity, making it increasingly difficult for security forces to differentiate between those incidents that had origins in 'tribal' differences and those that were somehow related to the secessionist cause.[44] This was a consequence of the fact that the issue of NFD secession created 'new' political groupings, manifest in support or opposition to the NPPPP, and then later the nationalist insurgency, which sat atop of already existing relationships.

Throughout the first half of the twentieth century, inter-ethnic and clan relationships in northern Kenya were determined by competition for scarce water and pasture resources. At the time of the establishment of British administrative posts in the NFD, between 1909 and 1912, a long process of Somali migration into northern Kenya from the Gulf of Aden was still underway.[45] Not only were various Somali groups competing for occupation of areas around Wajir and the Uaso Nyiro River, but in doing so they were also encroaching on already established Boran settlements.[46] A similar set of circumstances existed in Moyale and along the Daua River, where there was mutual raiding between the Somali Marehan, Gurreh, Ajuran, and Degodia.[47] Although provincial and district commissioners were given legal authority to define grazing boundaries and control movement in 1934 and 1946, recurrent feuds persisted between the Somali Degodia and Aulihan, Aulihan and Abd Wak, Degodia and Gurreh, as well as between the Somali and Boran.[48] When Kenya gained independence, and the civil and military apparatus of the Kenyan state became focused on combating secessionism, an opportunity was presented to disregard previously set grazing boundaries.[49] This gave competing sections an opportunity to capitalise territorially using guns obtained as *shifta*.[50]

Between December 1963 and May 1966, the Special Branch reported numerous incidents of *shifta* activity in Moyale. However, of these incidents, only two involved attacks by *shifta* on Kenyan security forces. The remainder involved security force members responding to 'raids' or 'stock-raids' by armed groups of *shifta*.[51] These raids involved Somali Ajuran and Boran

[44] KNA BB/1/158, Special Branch Weekly Intelligence Report No. 52/64.

[45] Lewis, *Modern History*, 30.

[46] KNA Provincial Commissioner (PC)/NFD4/1/1, R. G. Turnbull, 'The impact on East Africa of the Somali and Galla', (1953), 6.

[47] KNA PC/NFD4/1/1, R. G. Turnbull, 'The impact on East Africa of the Somali and Galla', (1953), 6; E. R. Turton, 'The pastoral tribes of northern Kenya, 1800–1916' (unpublished PhD thesis, University of London, 1971), 440–6.

[48] Command Paper 1900, *Kenya*, 7; A. A. Castagno, 'The Somali-Kenyan controversy: implications for the future', *The Journal of Modern African Studies*, 2:2 (1964), 170; P. T. Dalleo, 'Trade and pastoralism: economic factors in the history of the Somali of northeastern Kenya, 1892–1948' (unpublished PhD thesis, Syracuse University, 1975), 262–4.

[49] For instance, in January 1966, the district commissioner at Garissa complained of the difficulties he faced keeping 'tribesmen' in their areas. KNA DC/ISO/4/7/6, District Commissioner Garissa to District Commissioner Isiolo, Reference No. LND.16/5/Vol.II/ (42), 12 Jan. 1966; Arero's comments, Interview with Gufu Arero and Fugich Dabassa.

[50] Interview with Bashir Dere.

[51] The two attacks that were targeted at the security forces occurred on 21 June 1964, when a Kenya Rifles convoy was ambushed at Funyatta, and in the week ending 5 October 1965, when an army patrol was fired on at Alangor Abor. KNA BB/1/157, Special Branch

groups, on the one hand, and Sakuye and Boran groups, on the other.[52] Likewise in Wajir, Somali Degodia trespassed on Somali Ajuran pastures, a common cause of tension between the two groups during the colonial period which was a persistent problem for Kenyan security forces during the insurgency.[53] Throughout December 1965 and January 1966, the security forces responded to a series of disputes involving various clan-based *shifta* groups.[54] In the space of one two-week period there were three Degodia attacks on the Ajuran, and two Ajuran attacks on the Degodia.[55] That these clashes represented a serious conflict of interest at the local level is noted by the fact that during this time, intelligence records detail no incidents where offensive actions were taken by *shifta* against the security forces in Wajir.[56]

Again in Mandera, where there are constant reports of *shifta* activity directed at the Kenyan government during 1963 and 1964, by September 1965 this was replaced by stock raiding between Somali Gurreh and Somali Degodia 'shifta gangs'.[57] Between September 1965 and May 1966, Kenyan security forces dealt with 32 raids on *manyattas* while they only suffered one ambush attempt.[58] Here we can clearly see how *shifta* activity during the 1960s reflected long-standing competition for resources. In British administrative reports from the NFD from the 1950s, Degodia-Gurreh feuding was constantly noted around four important water points in the district: Melka Ghersi, Korof Harar, Wangai Dahan, and Takabba.[59] During the period of the *shifta* conflict, Melka Ghersi and Wangai Dahan were again at the centre of Degodia-Gurreh tension.[60] Similar conclusions can be drawn for Isiolo and Marsabit districts, and in these cases it is possible, based on the combination of archival and oral sources, to unravel how the broader movement for secession interacted with already existing territorial disputes.

In 1909, the British reserved the Waso area of Isiolo, which is situated along the Uaso Nyiro River, for the Boran, in an attempt to curtail Somali westward expansion through northern Kenya. Somali Abd Wak and Aulihan sections from neighbouring Garissa and Wajir districts were confined to the

Weekly Intelligence Report No. 25/64; BB/1/158, Special Branch Weekly Intelligence Report No. 40/65.

[52] See KNA BB/1/158, Special Branch Weekly Intelligence Reports for May 1965.

[53] KNA DC/Mandera (MDA)/7/3, P. G. P. D. Fullerton, 'A note on the Somali border', 25 Oct. 1960.

[54] KNA PC/Garissa (GRSSA)/3/21/9, Wajir District Monthly Report for Dec. 1965; BB/1/158, Weekly Intelligence Report No. 52/65, and No. 2/66.

[55] KNA BB/1/158, Special Branch Weekly Intelligence Report No. 4/66 and No. 7/66.

[56] See KNA BB/1/158, Special Branch Weekly Intelligence Reports for the period 21 Dec. 1965 to 16 May 1966.

[57] From late 1963 and continuing through 1964, ambushes of police convoys and attacks on police posts were a weekly occurrence in Mandera. See KNA BB/1/156, BB/1/157, and BB/1/158, Special Branch Weekly Intelligence Reports.

[58] KNA BB/1/158, Special Branch Weekly Intelligence Reports Nos. 37/65 to 20/66.

[59] In April and September of 1953, March, April, and May of 1954, and June and October of 1960, Degodia-Gurreh friction was reported. See KNA DC/GRSSA/18/13, Mandera District Monthly Reports, Apr. 1953, Sep. 1963, Mar. 1954, Apr. 1954, and May 1954; PC/GRSSA/3/1/20, Mandera District Monthly Reports, Jun. and Oct. 1960.

[60] KNA BB/1/158, Special Branch Weekly Intelligence Reports Nos. 37/65 to 20/66.

east of Isiolo by the so-called 'Somali-Galla' line.[61] However, through their alliance with the Isiolo Boran on the question of NFD secession from 1960, Somali groups from neighbouring Garissa and Wajir districts were able to make use of Boran-reserved grazing areas.[62] As long as the secession issue united Somali and Boran groups during the run-up to independence, Boran sections were reluctant to remove the trespassers.[63] But in June 1963, when Somali radicals assassinated a prominent Boran leader, Senior Chief Hajj Galm Dida (who had defected from the secessionist movement in early 1963), older tensions between the two groups resurfaced. In particular, the long-standing issue of grazing rights came to the fore, and Boran reports of Somali trespassing to the administration increased.[64] As the *shifta* conflict pro-gressed, Kenyan security forces were drawn into an increasing number of confrontations in the Waso area of Isiolo that involved the Boran, on one side, and the Somali Degodia or Somali Aulihan of Garissa and Wajir districts, on the other.[65]

Territorial dispute and displacement was likewise at the centre of tension between the Boran and Rendille in Marsabit district. Documents report a series of raids on both Rendille and Boran homesteads during the latter part of 1965 and first half of 1966, in Karare and Laisamis.[66] The Rendille and Boran have a long history of tension in Marsabit, and according to Rendille interviewees, have 'never lived in harmony'.[67] At the root of this tension is contested ownership of Karare. Although the Rendille currently occupy the area, the Boran argue that it is 'rightfully' theirs.[68] Colonial records suggest that Boran sections did previously reside in Karare, but slowly dispersed, moving either to areas in Moyale or to Marsabit Town after 1960, under pressure by the district administration, which was keen to reduce grazing pressure on Marsabit Mountain.[69] The vacated land was then opened up for occupation by the Rendille.[70] One Rendille from Laisamis explained to me that by becoming *shifta* after independence, the Rendille were able to consolidate their control of Karare using guns they obtained from the Somali

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[61] See Dalleo, 'Trade', 32.

[62] During early 1963, a flurry of correspondence passed between district offices in Garissa, Wajir, and Isiolo regarding Abd Wak and Aulihan gangs that were sweeping through Isiolo. This was considered problematic as it threatened to depasture Garba Tulla and Madogashe. See KNA DC/ISO/4/7/6, District Commissioner Garissa to District Commissioner Isiolo, Telegram No. NP6/12, 19 Apr. 1963; KNA DC/ISO/4/7/7, Regional Government Agent Isiolo to Regional Government Agent Wajir, Reference No. L&O.17/32/51, 17 Aug. 1963.

[63] See KNA BB/1/156, BB/1/157, and BB/1/158, Special Branch Weekly Intelligence Reports between 1963–1966.

[64] KNA DC/ISO/4/1/13, Isiolo District Monthly Report for Jul. 1963; KNA DC/ISO/4/7/7, District Commissioner Isiolo to District Commissioner Wajir, Reference No. LO.17/32/69, 24 Mar. 1966; Interview with Tari Bule, Isiolo, 5 Oct. 2008.

[65] See KNA BB/1/156, BB/1/157, and BB/1/158, Special Branch Weekly Intelligence Reports between 1963–1966.

[66] See KNA BB/1/158, Special Branch Weekly Intelligence Reports Nos. 19/65 to 19/66.   [67] Interview with Herkena Bulyar, Marsabit, 1 Oct. 2008.

[68] Interview with Guyo Boru, Marsabit, 29 Sept. 2008.

[69] KNA PC/GRSSA/3/1/12, Marsabit District Monthly Report for Aug. 1960.

[70] Interview with Guyo Boru; Interview with Malich Roba, Marsabit, 1 Oct. 2008.

Republic.[71] A Boran informant from Marsabit confirmed this, stating that at the time of *shifta* there were two threats, one from the *shifta,* and the other from the Rendille who were 'married' to the *shifta* and forced the remaining Boran in Karare to move 'closer to town'.[72]

The *shifta* struggle against the Kenyan government combined with these local struggles between pastoral communities living on the periphery of the Kenyan state. The result was a complicated web of violence that was at once directed at a common enemy (the state), and a reflection of local feuding that reached back into the unfinished business of the settlement of northern Kenya. While some northern Kenyans now attempt to draw distinctions between these struggles, the authorities at the time were not able or willing to do so.

GOVERNMENT RESPONSES TO CONFLICT IN NORTHERN KENYA

Broadly speaking, the Kenyan government pursued three lines of policy following the outbreak of the *shifta* conflict.[73] One involved diplomatic engagement with the Somali Republic, in the attempt to reach a political settlement on the status of the NFD area that was acceptable to both governments. The second involved military and police action against *shifta* and their sympathisers; and the third centred upon an attempt to reach an accommodation with Kenyan Somalis, through political appeasement and development projects.

The Kenyan government's pursuit of diplomacy was inconsistent and slow.[74] It was not until September 1967, at a meeting of the Organization for African Unity in Kinshasa, Congo, that progress was made. The meeting was organised following the election of Mohammed Ibrahim Egal as the Somali prime minister in June of that year. Egal's election followed a period of growing disillusionment among Somalia's urban elites over the effectiveness of militancy in pursuit of pan-Somalism. While not abandoning the objective of Somali unification altogether, Egal sought to replace diplomatic confrontation with Kenya over the NFD issue, with accommodation.[75] At the Kinshasa meeting, representatives of Kenya and the Somali Republic issued a joint declaration committing both governments to resolve their outstanding differences over the NFD.[76] This led to a further meeting, chaired by Kenneth Kaunda of Zambia at Arusha in Tanzania on 28 October 1967, during which a 'memorandum of understanding' was agreed upon. Both governments pledged to suspend the emergency regulations that were in operation on both sides of their common border, to re-engage in formal diplomatic relations, and to encourage economic and trade relations.[77] The Somali government renounced support for *shifta*, and abandoned its irredentist foreign policy with respect to the NFD.[78]

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[71] Interview with Herkena Bulyar.
[72] Interview with Guyo Boru. The argument is also supported by evidence from an interview with Abdul Wario, Marsabit, 1 Oct. 2008.
[73] For a summary of the three-pronged policy strategy, see NA DO 226/3, Kenya High Commission Report, Nairobi, 6 May 1964.
[74] The trajectory of relations between Kenya and the Somali Republic over the NFD issue during the period 1963–8 are detailed by Adar and Mburu. See Adar, *Kenyan*, chs. 3 and 4; Mburu, *Bandits*, ch. 7.   [75] Adar, *Kenyan*, 116; Mburu, *Bandits*, 185.
[76] Adar, *Kenyan*, 117.   [77] *Ibid*. 118.   [78] *Ibid*.

Without support from the Somali Republic, the prospects for securing the liberation of the NFD through insurgency were drastically reduced. Former *shifta* insurgents argued that without Somali material assistance, military operations against Kenyan security forces were unfeasible.[79] Nonetheless, while November 1967 marked the formal or official end to the conflict, there is evidence to suggest that the insurgency had entered into a period of decline before the Arusha memorandum. This was the consequence of government counterinsurgency measures.[80] According to Farah Mohamed, who joined the *shifta* from Wajir and who surrendered to the Kenyan government in June 1967, it was the killing of animals and relatives in government villages that made *shifta* return to civilian life: 'Everyone went home to save the people.' 'What', he said, 'was the purpose of fighting for an empty land?'[81] Similarly, Iftin Hussein, a former *shifta* from Garissa explained that to prevent the killing of animals, the *shifta* ceased their fight.[82]

The State of Emergency, declared on 28 December 1963, brought the Preservation of Public Security (North-Eastern Region) Regulations into effect. Under the terms of these regulations, a five-mile 'prohibited zone' was established along the entire Kenya-Somali border. Any person found within the prohibited zone without the necessary permission and pass was liable for imprisonment. In order to enforce the measure 'police authorities', defined as any person authorised by law to exercise police powers, were sanctioned to enter, search, and seize without warrant any property or vehicle that was deemed to be suspicious. If individuals failed to stop on police request while within the zone, they were deemed guilty of an offence and the 'police' were empowered to use firearms to assist in their arrest. An arrest within the prohibited zone could lead to detention without trial for 28 days.[83] In effect, the regulations legitimised the use of lethal police force against any person found within the prohibited zone, irrespective of who that person was.

The legislation was amended in September 1964. This amendment not only widened the areas affected by security legislation to include Isiolo and Marsabit districts in Eastern Region, and Tana River and Lamu districts in Coast Region, but also the scope of legitimate military and police action. First, the term 'Police Officer' was amended to reference all administrative personnel, making the civil administration part of the security apparatus. Second, and building upon measures already established under the 1963 legislation, the whole of NER and its contiguous districts were deemed a 'prescribed area', within which any person could be arrested without warrant, buildings or structures could be destroyed if they were considered connected to suspicious persons, and livestock or property could be seized from any person suspected of committing a crime.[84] There was a final revision in 1966. Under the Preservation of Public Security Act, North Eastern and

[79] Interviews with Fugich Dabassa, Abdub Galgallo, and Dahir Hajj.

[80] Interviews with Jillo Golicha, Wario Tadicha, and Bashir Dere; Interview with Guyo Galgallo, Garba Tulla, 24 Dec. 2008; Interview with Faisal Abdikadir, Garissa, 16 Dec. 2008; Interview with Ayub Abdullahi, Marsabit, 2 Oct. 2008.

[81] Interview with Farah Mohamed.   [82] Interview with Iftin Hussein.

[83] NA Dominions Office (DO) 213/32, The Preservation of Public Security Act, Public Security (North-Eastern Region) Regulations, 1963, 27 Dec. 1963.

[84] NA DO 213/32, Preservation of Public Security Act, The Public Security (North-Eastern Region and Contiguous Districts) Regulations, 1 Sep. 1964.

Contiguous Districts Regulations, the five-mile 'prohibited zone' was extended to 15 miles, and all adults residing in *shifta*-affected areas were required to register and carry an identity card.[85] This culminated in the implementation of a programme of forced villagisation, announced in June.[86]

By this time, similarities between the Kenyan government's anti-*shifta* strategy, and the British campaign against Mau Mau during the previous decade were abundant. Anti-Mau Mau measures included the use of curfew orders and movement regulations, property confiscations, screening exercises, the issuing of documentation and passes, detention without trial, and the creation of concentrated villages.[87] Similarly, during the *shifta* conflict, all those living in *shifta*-affected areas were required to register and carry identity papers, curfew orders and movement restrictions were in operation, security forces could arrest and detain any person without warrant for 28 days, and all persons were required to live within designated government villages, where screening exercises were used to establish any potential connections between civilians and *shifta*. Indeed, many of those involved in the implementation of security measures during *shifta* had personal experience of British anti-Mau Mau measures. This included many of Kenya's postcolonial political elite, but also members of the provincial administration who were stationed in northern Kenya during the *shifta* conflict.[88] Certainly, during parliamentary debates regarding the use of emergency regulations in northern Kenya, politicians drew directly on precedents set by the British during Mau Mau. When the initial State of Emergency that had been declared in December 1963 expired in February 1964, the MP for Trans-Nzoia constituency, Masinde Muliro, declared to parliament that: 'When we had the Emergency in Kenya, all of the Kikuyu, whether they were Mau Mau or Loyalist, or whoever they were, had to have a pass. They were rounded up, locked in concentration camps, and some people were humiliated.' Muliro then asked the House to consider whether the government should round up all of the Somalis in northern Kenya and place them in detention camps. The opinion of the House was clear. They responded with cries of 'yes, yes'.[89]

Under the terms of the emergency regulations in operation in northern Kenya, and by 1966, a precedent was also set for the implementation of collective responsibility for *shifta* activity. Curfew orders were used to regulate movement and were justified as a means to facilitate police and army operations.[90] Local administrative officers could order a seizure of stock if

[85] KNA BB/12/49, 'Aide memoir: *shifta* operations', 16 Jun. 1966.

[86] KNA BB/12/49, Permanent Secretary in the Office of the President to Provincial Commissioners Eastern Province, North Eastern Province, and Coast Province, Reference GEN.390/365/06/1A, 24 Jun. 1966. For details of the villagisation programme see H. Whittaker, 'Forced villagization during the shifta conflict in Kenya, c. 1963–8', *International Journal of African Historical Studies*, 45:3 (forthcoming, 2012).

[87] For details of the British anti-Mau Mau campaign, see D. Anderson, *Histories of the Hanged: Britain's The Dirty War in Kenya and the End of Empire* (London, 2005); C. Elkins, *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya* (New York, 2005).   [88] Branch makes this point in *Kenya*, 33.

[89] Hansard, *Republic of Kenya: House of Representatives Official Volume II, 13 December 1963–18 March 1964*, (Nairobi, 26 Feb. 1964), Cols. 142–84.

[90] For example see KNA BB/12/26, Isiolo to Marsabit and Moyale, Ref. EN22/11, 11 Dec. 1963.

security forces made a *shifta* contact and it was suspected that they had been given assistance from the local population.[91] Stock seizures were also enforced after landmine incidents, since Kenyan security forces reckoned that landmines could not be planted by *shifta* without the collusion of local residents. By these measures, *shifta*-affected areas were divided into zones of clan responsibility, and any incident that took place within a particular zone was deemed the responsibility of the clan section residing there.[92] The overall intention of stock seizures in these contexts was to reduce civilian support for *shifta* through communal punishment.

At the same time, stock seizures were also used as a means to control local tensions and conflicts that were not a direct consequence of the movement for secession; such seizures were a way of asserting governmental power and authority over the operation of the pastoral system in northern Kenya. In June 1963, several hundred head of cattle were seized from the Gabra in Marsabit following a raid on the Samburu in which 24 Samburu had been killed; the police believed that if they did not impose this punishment there might be a complete breakdown of law and order in the area.[93] In many respects, this is a further example of how the Kenyan administration, which had just achieved self-government, had internalised colonial practices.[94] The progressive application of the 1902 Outlying District Ordinance, the 1926 Closed District Ordinance, and the 1934 Special District Administration Act had established a legal framework that attempted to regulate northern Kenya in response to widespread inter-clan warfare. Non-resident travel to the NFD was restricted, and 'tribal areas' were established for each of the resident communities living there.[95] Any violation of the Special District Administration Act was punishable by either a livestock confiscation or a prison sentence.[96] Trespassing into the grazing area of a neighbouring clan section was punished by a stock seizure of between 10 and 50 per cent of the herd of the accused.[97] In the 1960s, stock was confiscated from individuals who grazed their animals in illegal grazing zones, or if they were found beyond the limits of a village during curfew hours: when a police patrol found one hundred head of cattle being grazed by Borana herdsmen in a prescribed area, they were all arrested and the cattle seized.[98]

[91] KNA PC/GRS/3/7/9, Regional Government Agent to Civil Secretary NER, Ref. L&O.17/14/1/Vol. I/24, 28 Jul. 1964.

[92] KNA BB/12/49, Provincial Commissioner NER to District Commissioners Garissa, Mandera, and Wajir, Ref. B.61/11/(96), 9 Feb. 1967.

[93] KNA BB/12/50, Assistant Superintendent of Police, Marsabit to Regional Commissioner of Police, Eastern Region, 20 Jun. 1963.

[94] A substantial scholarship has argued that independent Kenya did not effect a major ideological or structural break with the colonial state: see for example W. R. Ochieng' and E. S. Atieno-Odhiambo, 'On Decolonization', in Ogot and Ochieng' (eds.), *Decolonization,* xiii.   [95] Mburu, *Bandits,* 53.   [96] *Ibid.* 59.

[97] See KNA DC/ISO/24/3 for enquiry cases.

[98] For example on 5 February 1967, a Kenya army foot patrol seized over fifty head of cattle and 1,047 sheep and goats that were being grazed in a non-specified area of Garissa. See KNA PC/GRSSA/3/24/8, Garissa to Nairobi, Ref. A.161/Vol. I/73/67, 10 Feb. 1967; KNA DC/ISO/4/7/14, File reference A.161/B/428/67, 28 Mar. 1967.

Underlying these actions, which seemed to target the very local people with whom the Kenyan government sought to reach an accommodation, was a convergence of civil and military measures based on an official conflation of *shifta* activity and pastoralism. Implicit within this was an attempt to permanently settle pastoral communities. This was a time when international development experts understood pastoral development in terms of the 'resettlement paradigm', and efforts were being made to move pastoralists into what were perceived to be more productive and secure ways of life through sedentarisation.[99] By regulating and restricting movement to and from pasture areas, livestock keepers were left unable to properly care for their herds, and through the application of communal punishment for *shifta*, livestock holdings were systematically reduced. The campaign against militant secessionism came to include measures that both hindered and controlled the operation of the pastoral economy more broadly. Indeed, according to northern Kenyans, the Kenyan government assumed that all of the region's people were *shifta*.[100]

One of the most enduring consequences of the Kenyan government's counter-insurgency strategy was to ferment a feeling of victimisation among northern Kenyans, who now attribute impoverishment and livestock losses since the 1960s to governmental action during *shifta*.[101] Although impossible to quantify without further investigation, other research that has been conducted on the pastoral economy of northern Kenya has identified the *shifta* conflict as a period of intensified destitution in the course of a more general process of pastoral decline across the Horn of Africa.[102] It is certainly the case that since the *shifta* conflict, a process of sedentarisation in NFD areas has been initiated, with the populations of village and district centres increasing.[103] Likewise, there has been a rise in the number of people engaged in settled economic activities, such as petty trade and farming.[104] Yet, while

[99] D. M. Anderson, 'Rehabilitation, resettlement, and restocking: ideology and practice in pastoralist development', in D. M. Anderson and V. Broch-Due (eds.), *The Poor Are Not Us: Poverty and Pastoralism* (Oxford, 1999), 245.

[100] Interview with Abdo Barre. This memory is also recounted in numerous statements given to the Truth, Justice, and Reconciliation Commission, when it visited North Eastern and Upper Eastern Regions (formally part of the NFD) during April and May 2011. See Truth, Justice and Reconciliation Commission (TJRC), *NEP Special Pull-out* (Nairobi, August 2011), (http://www.tjrckenya.org/images/documents/NEP-pullout-22.pdf).

[101] This was a common sentiment expressed to me by the informants of this research. The accusation was repeated to the Truth, Justice, and Reconciliation Commission, by a former Council Chairman of Garissa, Dubat Ali Amey in April 2011. He stated that because of government action during the 1960s, 'the state pushed the area and its residents into destitution...animals were confiscated and their meat ferried to the Kenya Meat Commission'. TJRC, *NEP*, 3.

[102] R. Hogg, 'The new pastoralism: poverty and dependency in northern Kenya', *Africa: Journal of the International African Institute*, 56:3 (1986), 319–33.

[103] A trend in movement towards urban areas was first reported during 1968 in Isiolo and Wajir districts. KNA DC/ISO/4/1/13, Isiolo District Monthly Report for Aug. 1968; KNA PC/GRSSA/3/21/9, Wajir District Monthly Report for Sep. 1968.

[104] Interview with Faisal Abdikadir; Interview with Edin Mursal, Garissa, 18 Dec. 2008.

many northern Kenyans have diversified economically, they remain committed to the pastoral ideal.[105]

CONCLUSION

The analysis of postcolonial state formation in Africa cannot begin at the moment of independence.[106] A growing literature has identified structural determinants of the Kenyan state that were inherited from the colonial era. In the case of the *shifta* conflict, the postcolonial Kenyan state inherited its problematic relationship with its northern borderland, and pursued policies that were grounded in the experiences of colonial rule. This is illustrated by a comparison of the emergency regulations enacted during Mau Mau and those adopted by the independent Kenyan government to combat the *shifta* insurgency, and by the measures taken by the colonial and postcolonial state to regulate and control the pastoral economy in northern Kenya. During the *shifta* conflict, the participation of local groups in nationalist insurgency activity and organised livestock stealing resulted in the convergence of the two strategies for dealing with insecurity. Consequently, comprehensive government action was not only taken against *shifta* insurgents, but all northern Kenyan pastoralists. This is one of the first examples of what Branch calls the 'fetishization of order' in postcolonial Kenya, the often violent discrediting of those who dissent from state-led development policies.[107] The relationship between northern Kenya and the Kenyan state was thus recast during the *shifta* conflict, from one of relative colonial disengagement, to one of state ascendancy and penetration, with lasting implications. The North Eastern Region was administered under the terms of the 1966 Regulations until 1991, when it was finally repealed, largely in response to international pressure following accusations from Africa Watch and Amnesty International of state-sponsored violence in the area during the 1980s.[108] Furthermore, while the residents of northern Kenya are positive about the increase in the provision of schooling in the region since the end of the *shifta* conflict, they still blame the Kenyan government for impoverishment and livestock loss. The reluctance of government authorities to consider compensation for losses incurred by northern Kenyans during the conflict, stipulated in the 1970 Indemnity Act, only serves to heighten a sense of alienation from state authorities. It remains to be seen how the work of the Truth, Justice and Reconciliation Commission, which was established in 2008 in response to violent conflict

[105] Interview with Darmi Omar and Sallo Ramata, Garba Tulla, 24 Dec. 2008; Interviews with Guyo Galgallo, Adan Banchalle, Fugich Dabassa, and Bashir Dere.

[106] M. Doornbos, 'The African state in academic debate: retrospect and prospect', *Journal of Modern African Studies*, 28:2 (1990), 181.   [107] Branch, *Kenya*, 18.

[108] The Regulations were repealed under Legal Notice No. 540, 29 Nov. 1991. Repeal of the regulations also coincided with the introduction of multi-party politics in Kenya, and can therefore be seen as a political ploy by the government to win political support from northern Kenyans in the face of impending elections. See K. M'Inoti, 'Beyond the "emergency" in the North Eastern Province: an analysis of the use and abuse of emergency powers', *The Nairobi Law Monthly*, 41 (1992), 37–43.

that followed disputed elections in December 2007, and the subsequent passing of the Indemnity (Repeal) Act by parliament in February 2010, which gives northern Kenyans the right to seek redress for unlawful acts committed by public officers and members of the armed forces between 25 December 1963 and 28 February 2008, will affect relations between people in this peripheral region and the Kenyan state.[109]

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[109] Kenya Gazette Supplement No.7 (Bills No. 2), *The Indemnity (Repeal) Bill, 2010*, 12 Feb. 2010.