

**DETERMINANTS OF LAND USE CONFLICTS AMONG FARMING
AND PASTORAL COMMUNITIES IN TANA DELTA, TANA RIVER
COUNTY, KENYA**

**BY
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DECLARATION

I hereby declare that this thesis is my original work and has not been presented to any other university or academic institution for the award of any degree program.

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DEDICATION

This thesis is a special dedication to my beloved family for their encouragement during the period when this study was conducted.

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ABSTRACT

Patterns of violent conflict in pastoralist communities have been progressively generated in the last two decades by highly politicized land demands promoted by political elites who frequently use historical "injustices" and current violations to gain symbolic capital with their electorate. Administrative borders, exclusive property access, and initiatives to maintain an ethnically homogeneous electorate have consequently become contentious topics. Decentralization and recent developments in democratic development, which have opened up new avenues for resolving territorial disputes, are inextricably tied to these dynamics. This difficulty has been compounded in northern Kenya, where many pastoralist groups are undergoing fast changes in their land-use relationships. Land conflicts have erupted in the Tana River delta as people seek land for farming and greener pastures. As such, this research was done to find out what causes the persistent land disputes between farmers and herders in the Tana Delta. Three research objectives were devised to guide the study. The research objectives were as follows: first, to explore the political, social, and economic variables fuelling disputes over natural resources in Tana Delta; second, to evaluate the impacts of the legal as well as customary regulatory systems put into effect in Tana Delta on land-use conflict; and third, to investigate Tana Delta community members' perceptions of addressing natural resource conflicts. The research was based on the understanding that despite repeated attempts by the government to put an end to the hostilities between farmers and herders, they have escalated and are now unsustainable from an economic and social standpoint. To obtain data, standard questionnaires and fundamental interview procedures were followed. Tana Delta families were chosen as the study's target demographic. Statistical social science software SPSS version 24 was used to clean and analyse the gathered data. Pie charts, graphs, and tables were used to show the results. The inquiry produced three important conclusions. These are: first, land ownership, a rush for pasture access, and second, water and political provocation, which leads to confrontation between pastoralists and farmers. Third, the study reported that some of the legal measures that have been adopted to manage disputes in the area include demarcating contested sections of the basin, forming a Tana peace committee, and deploying conflict management institutions. First, people in Tana Delta and other dry areas where conflicts between pastoralists and crop growers are widespread should be educated on the value of peace as well as how they ought to refrain from clashes that result in increased losses and harm. Second, the research proposes that the government and other stakeholders, especially county governments, develop policies to hold any individual found to be instigating or fuelling tensions within communities accountable and to ensure that such individuals face the law. Third, the study advocates for community members to be involved in the creation of peace initiatives in order to lessen resistance. Policy makers also ought to schedule meetings with local residents to solicit their feedback on the policies that will be used to reduce land conflicts.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

The development of conflicts in various dimensions around the globe has been a fundamental concern affecting world peace since time immemorial (Norman, 2016; Mensah, 2019; Kopytko, *et al.*, 2022). Many countries worldwide have faced land use conflicts among populations since the ancient Greek era and continue to do so now. The dispossession of indigenous peoples and their properties has been the norm, with many claiming that it is a war between the rich and the poor (Nichols, 2018; Farrell *et al.*, 2021; Carlos *et al.*, 2022). Clashes over land use in nations such as the United Kingdom extend date back to the 1750s, when farming began to shift from subsistence to commercial farming, resulting in the displacement of people to make space for large-scale farmers to pursue commercial farming (Watson, 2001). According to the USDA, traditional land use rules in most industrialized countries, such as China and the United Kingdom, have declined land use disputes (Bigelow & Borchers, 2017; Wang *et al.*, 2018).

On the other hand, according to Carpenter and Lynch, (2012), because guidelines were developed on how to manage and protect particular lands, land use conflicts significantly decreased as a result of the Scottish Government's 2003 land reform act. According to Vernberg (2011), growing land conflicts in industrialized countries are between preservation of the environment and quality and the appropriation of land for commercial gain. Throughout Africa, land disputes continue to be a key impediment to land utilization and tenure. According to Niang and Dieng (2014), land in Africa has evolved into a valuable asset that readily polarizes a variety of interests as well as stirs up people' and groups' territorial instincts, ending in violent

community clashes across the continent. Land ownership and utilization institutions and procedures have a significant impact on whether or not there are land disputes. In most of rural Africa, customary legal frameworks, for example, are crucial to land management. Despite attempts by colonial and post-colonial governments to centralize a great deal of land management practices in former colonies, customary land management systems have shown to be quite robust (Kasanga & Kotey, 2011).

According to Massay (2017), confrontations between pastoralists and agriculturalists have been observed in several parts of the world, including Africa, such as in Burkina Faso between Mossi farmers and Fulani pastoralists in Nigeria. The majority of these disputes are triggered by a lack of resources, beliefs and values, the nature of the relationship, territorial fortification, language, ethnicity, autonomy, dominance, equality, and vengeance (Falanta *et al.*, 2018). During such times, pastoralists tend to transfer their herds to locations far from their villages in search of pasture and water (transhumance), however animals may graze on farm crops.

According to Falanta *et al.* (2018), conflicts involving pastoralists and agriculturalists have been recurrent in Tanzania for a long time, claiming countless innocent lives, generating homelessness, and increasing food shortages in both communities. Conflicts between pastoralists and agriculturalists are more visible during drought seasons, according to Tanzanian experience. During such times, pastoralists tend to transfer their herds to locations far from their villages in search of pasture and water (transhumance), however animals may graze on farm crops (Falanta *et al.*, 2018). The magnitude of confrontations has grown to the point where state involvement is required. For example, land has to be divided between pastoralists and farmers in Kambala village, Mvomero District (Mwamfupe, 2015).

In Kenya, land use disputes continue to be an ongoing issue. Land conflict in Kenya has impacted many people in many sections of the country since independence, and it has been a root source of community discontent (Worden, 2007). However, studies have revealed a rise in the number of family land conflicts on small-scale land ownership, that has lately culminated in a spike in communal disputes (GOK, 2012; and Groom & Western, 2013). Land disputes in Kenya have been studied from various angles, including those influenced by politics, cultural norms, and criminal activities (Ibid, GOK, 2012). Land use and tenure shifts are expected to be rapid in a country where more than 60% of the population lives in rural regions (Deininger, 2013). According to SOK (2011), this is the case in Kenya, where just 25% of the population lives in metropolitan regions. According to Wanyeki (2003), despite the economic benefits of living in rural areas, there is a larger danger of violence emerging due to a hunt for resources.

In the Tana Delta region which forms the crux of the current study, there has been increased competition for tenure and right to use natural resources throughout time (Hanshi, 2017; Kipkemoi, 2018). The Orma and Pokomo are the principal tribes, controlling natural resources and exercising political power in an area with little government presence (Martin, 2012; Rutten *et al.*, 2013; Chikandah, 2021). Land, pasture, and water are key causes of inter-ethnic violence because the Orma are mostly pastoralists and the Pokomo are primarily cultivators (Mohamed, 2015). The Pokomo want adjudicated land tenure that is dispersed among private freeholders, while the Orma prefer collective land ownership and have been vociferous opponents of adjudication (Matende-Omwoma, 2018; Musyoka 2019). Aside from

natural resources, the Pokomo and Orma are perpetual adversaries in the delta region vying for political control (Martin, 2012; Hanshi, 2017). Traditional dispute settlement procedures are prioritized in this region. This is a flagrant breach of the legal policy framework for land management and dispute resolution that has been developed. As a result, disputes continue to arise and be resolved in the absence of a legal foundation or structure, rendering them untenable in the future.

1.2 Statement of the Problem

In agrarian societies, the most valuable resource that is guaranteed to ensure economic subsistence and sustenance of the individual in particular as well as the people in general is land (Mafeje, 2003). This is because most agrarian activities are carried out on land hence its occupation of a higher economic pedestal than the rest of the factors of production (Semin & Namyatova, 2019). Plants and animals are nourished through the soil. To this effect, the land is held in high esteem amongst the community. It more or less occupies a totem like position, an object of respect and one to be revered. This perhaps explains the presence of oaths of the soil amongst most agrarian communities. Whenever the tenure of such a land held by an individual or the community is threatened, conflict is bound to brew (Stewart, 2008).

While communities tend to employ socio-political institutions to resolve the issues of access to land resources, this is not the same in Tana River County which has been a hotbed of conflict amongst various ethno-linguistic groups with the most notable ones being the Pokomo and the Orma. Moreover, in recent years, and particularly after the pluralization of the political space in Kenya, there has been an increase in the magnitude of conflict witnessed between the Pokomo and the Orma communities largely over water and pastures and competing land use interests.

Rapid population growth, expanding agricultural and pastoral activities, and unclear land tenure systems have intensified competition over increasingly scarce resources. Seasonal migration of livestock, encroachment on farming lands, and the lack of effective conflict resolution mechanisms have further strained relations between the two communities. This persistent conflict disrupts livelihoods, displaces families, threatens food security, and undermines social cohesion and development in the region. Despite numerous interventions, a sustainable solution remains elusive, highlighting the need for an inclusive, evidence-based approach to land use planning and conflict resolution.

Additionally, there has been a conflict over government sponsored economic projects such as irrigation schemes. With the devolution of political power and economic resources, the situation has become worse with increased intensity and extent of conflict in the period between 2007 and 2015. In Tana Delta, Kenya, this study aims to examine the causes of conflicts between farmers and pastoral tribes on land use.

1.3 Objectives of the Study

1.3.1 General objective

The study's goal was to determine the factors contributed to the disputes over land use between pastoral and farming communities in Tana Delta, Kenya.

1.3.2 Specific Objectives

- i. To investigate the influence of socio-economic factors on conflicts over land use in Tana Delta
- ii. To assess influence of legal and customary structures on land use conflicts in Tana Delta farming and pastoral communities
- iii. To investigate how community perceptions of land usage affect disputes between farming and pastoral communities in the Tana Delta

1.4 Research Questions

- i. How does socio-economic factors influence conflicts over land use in Tana Delta?
- ii. What is the influence of legal and customary structures on land use conflicts in Tana Delta farming and pastoral communities?
- iii. How do community perceive land use disputes between farming and pastoral communities in the Tana Delta?

1.5 Rationale of the Study

This study contributes to scholarship on natural resources and its influence on ethnic conflict by enhancing our understanding of the mediating role of socio-economic institutions and how they influence the presence or absence of conflict. Secondly, while there has been a historical streak in on and off skirmishes between the communities in the Tana Delta, in recent years, and particularly after the pluralization of the political space in Kenya, there has been an increase in the magnitude of conflict witnessed between the communities in the Tana Delta with the emergence of new trends, tendencies and dynamics of conflict. This study thus

enhances our understanding of the dynamics and factors underpinning the increased intensity and extensity of conflict in the Tana Delta.

At the policy level, the study will be critical in guiding the policy foundations of socio-political and economic institutions in the formulation of viable institutional and policy remedies to address resource-based conflicts in the Tana River Delta. The choice of the study area is influenced by the fact that Tana River County has been a hotbed of conflicts amongst various communities with the most notable ones being the Pokomo and the Orma. Secondly, while there has been a historical streak in on and off skirmishes between the two communities, in the 21st century, there has been an increase in the magnitude of conflict witnessed between the Pokomo and the Orma communities.

1.6 Conceptual Framework

This conceptual framework in Figure 1.1 illustrates the factors influencing land use conflicts reflected through social, economic and political factors, community perception on land use, legal policy and customary regulatory frameworks legal policy, customary regulatory frameworks and land use conflict which is the dependent variable. Factors that are important from a socio-economic and political perspective; disagreements are complex problems linked to other socio-economic activities. Conflict, if not handled properly, can have an adverse effect on the ecosystem as well as the resources and abilities that people need to survive. Land use conflict is created by the pastoralist group's belief that the land is a communal resource that may be utilized by anybody, whereas farmers believe they are legitimate landowners.

Legal policy and customary regulatory frameworks in most cases where there is conflict, legal policies are set to maintain the peace however, such policy to some extent generates more conflict since some communities feel that the policies intend to undermine them. In response to this, they tend to affirm application of customary law in most cases, which advocates for communal and freehold of land in areas dominated by pastoralist. This is against the belief of the farmers that land is purely for agricultural activity, thus accelerating the conflict between the two communities.

Independent variables

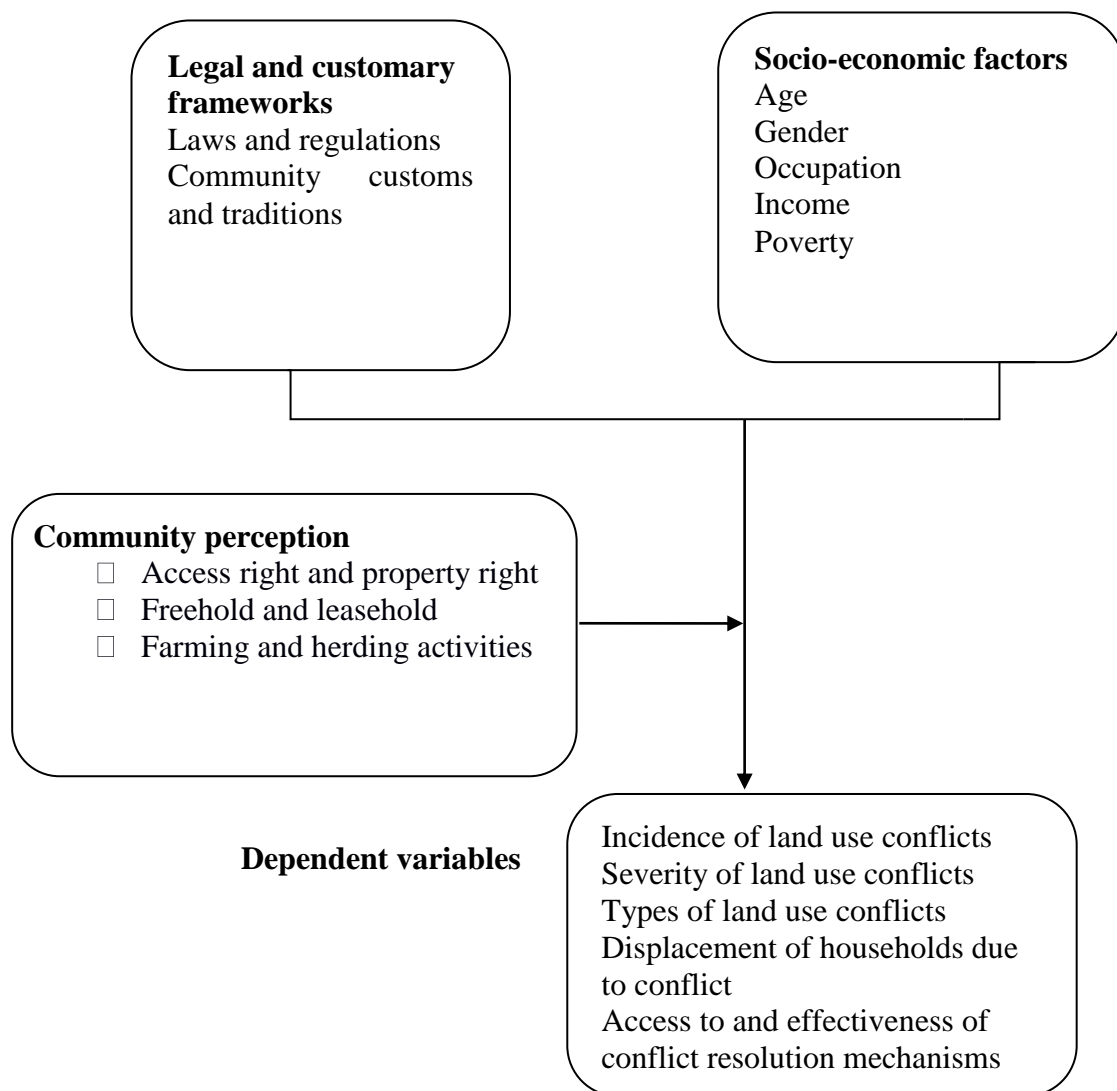


Figure 1.1: Conceptual Framework

1.7 Definition of Operational Terms

- Land** : A vital natural resource that sustains and shelters all living things, including the flora and fauna. It is a fixed socioeconomic asset that promotes the generation of products and services and is the site of practically all human activity on Earth (Magel, 2011).
- Conflict** : Squabbles, battles, clashes, and wars that occur between people organizations, or countries (Magel, 2001).
- Land disputes:** Assertion of conflicting claims on land ownership, land use rights, land laws or a combination of them (Abagunde, 2010).
- Tradition** Refers to the concept of a set of rules, values, and traditions that have been practiced in a community or among a community of people since time immemorial (Ubink, 2008)
- Customary law** Set of norms based on traditional legitimacy (Ubink, 2008).
- Territorial defense** is the practice of acquiring or keeping specific parcels of land (Kasanga, 2001).

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

A review of the relevant scholarly literature on the subject being examined was given in this chapter. The study made use of a variety of resources, all of which were directly related to the theme and goals of the study. The factors causing land use disputes, the effects of interventions like customary law, the current regulatory and legal structures, as well as a review of the literature and the identification of research needs, was covered in this chapter.

2.2 Theoretical Literature

This section examines theories of resource conflicts. Two theories, the tragedy of the commons and the Malthusian theory of resource scarcity, are reviewed and their insights employed in guiding this study.

2.2.1 Tragedy of the Commons Theory

The tragedy of the commons by Hardin (1968) states that individuals acting logically and individually in their own self-interest, according to the theory, act against the best desires of the entire society by depleting a common resource. In this context, the term "Commons" refers to resources such as the earth's atmosphere, rivers and oceans, fish populations, the office refrigerator, electricity, or any other uncontrolled common resource; it does not refer to common land in the agrarian sense. The subject is frequently researched and utilized in natural resource management and planning.

This concept of the tragedy of the commons investigates the interaction between livestock farmers, grasslands, and crop producers. The theory imagines a society's people as having access to an open pasture. Each herdsman will naturally desire to keep as many animals as possible on the commons. Since poaching, tribal conflicts, and disease keep the total number of people and animals significantly below the land's carrying capacity, such a system is only feasible for a short time (Mwangi, 2015). However, the long-awaited objective of a stable society will one day be attainable. The commons' inherent logic is currently producing catastrophe on a continuous basis (Ansari *et al.*, 2013). Each pastoralist is confined to a system that requires them to grow their herd continuously. Everyone rushes to disaster in a society founded on shared freedom while pursuing their individual goals (Bauman, 2013; Nisbet, 2023). Everyone loses when there is freedom in the commons (Wohler, 2015). Since pastoralists and farmers will both degrade the resources and engage in conflict to ensure access to them, the setting has been expanded to highlight how warfare will impact dryland zones with restricted resources and drought (Ohkawa *et al.*, 2012). The presumption is still valid.

2.2.2 Theory of Resource Scarcity (Malthusian Theory)

According to the Malthusian theory of resource scarcity (1815), resource supply will be inadequate to keep up with population growth, leading to ailments, famine, strife, and tragedy (Hollander, 2017). The occurrence of eco-violence in pastoral areas corresponds to the concept of resource shortage. According to this hypothesis, conflicts in such locations are mostly generated by community members competing for few natural resources (Humphreys, 2005). Drought is also a trigger in some cases. This is due to its importance in resource depletion (Basedau & Pierskalla,

2014). Other researchers such as Alao & Olonisakin (2000), however, have disputed this notion because, in several situations, violence corresponded with periods of abundant resources. The complexity of pastoral disputes is implied by these opposing viewpoints, which suggest a nondeterministic relationship between hostilities and availability of resources (Alao & Olonisakin, 2000).

According to Ajulu (2002) who further expounds on this theory, skirmishes in pastoral areas are caused by a variety of economic, sociocultural, and political forces that interact by limiting access to, depleting, and decreasing access to resource grounds (Ajulu, 2002). Furthermore, partisan provocation, the increasing availability of small firearms, unresolved land ownership regimes, alongside cattle-raiding are seen as key factors contributing to the violent conflicts that occur in Kenya's pastoral conflict areas.

2.3 Socio-Economic Factors and Land Use Conflict

Highly politicized land tenure has gradually produced trends in violent conflict in pastoralist tribes over the previous two decades (Schlee, 2011). In these locations, competing political elites frequently exploit historical "injustices" and contemporary breaches to gain symbolic importance among those they represent. The veracity of ownership claims as well as the relevance of district boundaries are being developed and contested (Geschiere, 2009).

In a further examination of the role of communities in these disputes, Boye and Kaarhus (2011) point out that administrative borders, exclusive property access, and efforts to maintain a politically homogeneous ethnic base have all become contentious concerns. These processes are inextricably tied to contemporary

movements in democracy and decentralization, which have opened the door to renegotiating territorial concerns (Carothers & De Gramont, 2013). Land-reform activities are identified as one component of these numerous processes. Decentralization under the new constitution, territorial realignment processes, the Independent Electoral and Boundaries Commission, as well as political Majimboism principles flesh out the image (Anderson, 2010). Greiner (2009) contends that present patterns of conflict in Kenya cannot be separated from larger processes of nation-building.

Many pastoralist populations in Kenya's northern region are seeing considerable shifts in land-use relations at the moment (Kimiti *et al.*, 2018). Increased pressure on land and land use fragmentation is both results of reasons including rapid population expansion, privatization of previously shared pastures, creation of wildlife protection zones (especially in the Tana area), and growing importance of crop production (Galvin, 2009). These sentiments are further echoed by Bollig and Osterl (2008) who point that although pastoralists and administrators used to dictate resource-use norms, numerous stakeholders now negotiate access to land and administration (Bollig and Osterl, 2008).

Conflicting and usually hostile interests between mobile farmers, agro-pastoralists, park managers, and governmental as well as non-governmental entities have defined natural resource management (Gakuria, 2013). This range of aspirations and expectations is evident not only between communities, but also within them. Intra-community conflict is becoming more violent. Brubaker (2002) contends that we should abandon common sense views of conflicts between ethnic groups as disputes between limited and mappable categories. Ethnicity is a process rather than a

property of group formation. Analysts are interested in how, when, and why groups and ethnicities form (or disband), as well as the actors who orchestrate such changes.

Another critical factor highlighted in literature is the role of poverty. It has been regarded as among the major causes of land use conflicts by a number of studies across the globe. For instance, a study by Mehta (2011) on the influence of poverty on land use conflicts focused on establishing the hand that level of income by households had in increased land use conflicts. The study was based in Western India and had a sample of 217 respondents drawn from locals and government and people representatives. According to the study, poor income and scarcity of resources caused conflicts in which most groups felt it was better to struggle over the little that was available for survival needs (Mehta, 2011). To support this, Peters (2016) said that the poor always have the only option of getting involved in conflicts as a way of pursuing justice as well as obtaining what they believe and think is their own.

Similarly, Levy (2014) conducted research on the consequences of land reforms as a poverty reduction approach in Africa. The study aimed to determine the benefits of land reforms as a means of reducing poverty through equitable resource allocation. Most land disputes were centered on poverty, with the rich often seeking to exploit the poor and acquire their land, or the impoverished fighting among themselves in order to gain more fertile land. In this regard, land reforms can only be effective if they reduce poverty by providing more jobs and focusing resources on local people's livelihoods.

Politicians and other power brokers are increasingly filling the authority void left by the collapse of traditional government systems by striving to negotiate new borders and get ownership of property (Lesorogol, 2008). They spread these variables even into the farthest pastoral settlements because they are aware of the critical role that ethnic mobilization plays in national political struggles, frequently in an effort to win over voters for themselves. Rising stratification is accompanied by clientelism and political activism. In order to successfully integrate livestock-based industries with trade, crop cultivation, and salaried work, Northern Kenya's newly arrived middle class typical aspiration for private land tenure.

It is believed that the characteristics of pastoralist disputes today have a historical foundation. Prior to colonial rule, raiding intended to expand both boundaries as well as land (Waller, 1985), but the purpose of raiding changed after colonial rule. Although raiding could not entirely be stopped by colonial authority, the administrative framework monitored and guaranteed the previously established limitations. Pastoralist raiding and conflict were referred to by academics as a non-territorial strategy up to the 1990s (Dyson-Hudson *et al.*, 1980). This dispute has a history, much like many other conflicts in the affected regions. According to McCabe (2004), historical events, environmental restrictions, and local and regional politics are the causes of interethnic violence. He cautioned against underestimating the significance of the prejudices maintained by particular ethnic communities toward foreigners, as well as the political leaders who rely on and take use of these firmly held convictions to advance their political views and ethnically specific land-use aims.

2.4 Formal and informal laws and regulation on land tenure

The implementation of laws and policies in recent years has the potential to improve Kenya's land-management system's conjunctive structure long-term. The overarching goal of sustainable, efficient, but also equitable land use is to lessen poverty and promote equitable economic growth while acquiring existing rights, which motivates all of these high objectives (Mieri, 2010). These high objectives include the creation of efficient and unbiased procedures for resolving land disputes, as well as socially equitable use of land and the resources it corresponds to. Future issues with land allocation will require the assistance of this organization. In addition to boosting the involvement of local stakeholders in land use and allocation through local sub-bodies, it is intended to balance power in land administration generally and reallocations specifically (O'Brien, 2011).

In place of the category of government land, the National Lands Commission will manage public land in cooperation with its more regionally oriented counterparts. The development and implementation of these policies have been hampered by political disputes as some affluent groups in society seem to be trying to advance their own agendas, despite the fact that they have the ability to build the framework for equitable and sustainable land and resource management (Huggins, 2011). In order for the National Lands Commission to successfully carry out its duties and ensure the efficient management of community lands, various types of customary tenure systems now in use must be mapped. Furthermore, local leaders must be held accountable and communities must be fully consulted about the changes.

Government policies are rules established by the government to designate a dimension in which individuals, groups of people, or organizations are expected to behave.

This is intended to promote social justice while also improving how individuals interact with one another and how government should serve its citizens. Various studies have identified government policies as drivers of violence among particular communities. According to a study by John (2008) on government policies as drivers of land use conflicts, the majority of conflicts, primarily in urban areas, were influenced by scales of government programs that tried to improve land management and ensure equity. However, due to a lack of consultations and involvement of landowners, land use conflicts occur, with some viewing the government as a traitor and others viewing the same issue from a different perspective and focusing on exploiting such objectivity to their advantage. According to John (2008), before enacting any land policy, the government should discuss and involve landowners to demonstrate solidarity and ties to the population.

In another investigation, Rochegude (2011) investigated the impact of government regulations on land use conflicts in marginalized groups. The study used a cross-sectional research design and included 411 respondents from Algerian civilians and local authorities. According to Silberstein and Maser (2013), government strategies on land use issues have two faces. One face is that of optimism, with the goal of resolving problems and establishing a dimension within which land usage may be organized to foster harmony among land users. On the other hand, according to Mann & Jeanneaux (2009), the negative side of government policies on land use is

that, while the government's goal was to increase peace among land users, a lack of inclusivity to develop the policies generated more room for conflicts, with some community members feeling unconsidered in the policies. The content does not reflect the title of this section. It is more on political issues.

2.5 Influence of Community Perceptions on Land Use Conflicts

Different people have various perspectives on a given phenomenon or activity. The level of awareness or insight that individuals or groups of people have on specific conditions is referred to as perception in this context. These insights shape how people perceive things and how they conduct in certain situations. When it comes to land use conflicts, stakeholders' perceptions are reinforced to gain an advantage, because the way people believe or think about the land and its use influences their decisions and actions.

According to several research, such as perceptions are a key source of land use disputes in many countries. Louise (2013) investigated the factors that impact conflict among pastoral communities in Sub-Saharan Africa. The case study research design was used in the study, which focused on a critical analysis of wars in East and West Africa. Disputes within pastoral communities were influenced not only by a shortage of resources, but also by people's views and opinions of themselves and their neighbours. Additionally, some communities discovered that their neighbours had a greater chance of using the land than they had, which resulted in frequent arguments as a means of showing competency and viability amongst themselves. Richards (2005) presents a dispute resolution strategy based on anthropology. This strategy focuses on opposing groups' daily actions, including their norms and values.

This yield intriguing results in terms of what could lead to arguments. Land use conflicts have emerged as a key hindrance to growth and development, particularly in semi-arid and desert areas. Conflicts can be observed and viewed from numerous angles. According to some studies, land use conflicts are induced by climatic changes and environmental deterioration, which causes people to fight for advantageous land use (de Bruijn & van Dijk 2005). These conflicts are best described as economic natural resource conflicts, motivated by a demand for plentiful resources in specific locations. The most common sort of economic natural resource conflict, according to Clanet and Ogilvie (2009), is herder/farmer conflict, which is fuelled by interest differences in which the herder is interested in grazing while the farmer is interested in crop cultivation.

2.6 Socio-Economic Causes of Conflict in the Tana Delta

In Africa, ethnicity and ethnic strife continue to dominate the political economy, politics and society of many countries, especially those in the developing world. From extreme manifestations of civil war and genocide, through the periodic ethnic riots and violence that disfigure the social and political landscape, to the quotidian politics of ethnic allegiance, ethnicity has come to the forefront of the development discourse attracting hordes of academic researchers in economics, sociology, anthropology and political science who have given special attention to this subfield and produced fresh theoretical and empirical insights that have enriched the debate in each of these disciplines (Kanbur et al., 2009). Ethnicity has been chiefly blamed for many post-Cold War conflicts, especially in Africa. As we saw earlier in the study's discourse in chapter one, ethnic conflicts have long been a component of

international politics. Even today, ethnic wars continue to be the most common form of armed conflicts around the world (Nguyen, n.d).

Ethnically diverse societies carry various degrees of conflict potential. Ethnic emotions, rooted in historical memories of grievances, are at the core of conflict potential. Ethnicity, as Donald Horowitz argues, embodies an element of emotional intensity that can be readily aroused when the group's interests are thought to be at stake, leading to ethnicization, ethnic intolerance, competition, and eventually violent conflict. A sudden structural change upset previous political and institutional arrangements (ibid).

When these institutional mechanisms are no longer in place, societies face a political and economic transition period in which the old no longer works, while the new will not yet function, and the social costs grow. This creates a context of instability and uncertainty about the communities' political, social, and economic future and, effectively, the collective fears of the future. Such a situation facilitates a manifestation of emotional antagonisms among ethnic groups. In their quest for power, politicians in effect exploit ethnic fissures in the society, however minute they are, by mobilising ethnic constituencies as well as promoting inter-ethnic animosities using the rhetorical weapons of blame, fear, and hate. This results in an inter-ethnic competition over political power, resources, and rights. This pre-conflict phenomenon is accompanied by a reconstruction of social categories of inclusion and exclusion, ethnification and ethnic intolerance (Blagojevic, 2009).

In the Tana River Delta, the role of ethnicity in the conflict that has ravaged the area over aeons, effectively turning the area into an arc of a vicious and seemingly endless cycle of conflict and violence with intermittent periods of peace, cannot be gainsaid. This is because conflict in the Tana River Delta is predominantly inclined to take place along ethnic lines, usually pitting the pastoralist communities on the one hand and agriculturalist communities on the other (Blagojevic, 2009).

Other scholars have argued that the conflict in the Tana Delta takes the analogy expounded upon by American scholars, Kaplan and Huntington. Borrowing a leaf from these two widely acclaimed scholars who wrote masterpieces on conflicts across civilization spectrums, these conflict researchers have argued that the conflict in the Tana River delta, like many other conflicts in Africa, is ethnic. They argue that conflict in the Delta occurs owing to differences in ideologies, so as to lay the foundations for conflict between civilizations. They presuppose that the fundamental sources of conflict in the contemporary world do not lie in the ideological and economic spheres. They argue that the divisions between communities in the delta and the central source of conflict are ethnocultural, hence the preponderance of the delta region in bouts of conflict. This theoretical proposition can be seen in Huntington and Kaplan's arguments. Huntington argues that civilizations, as cultural entities, are recognized through objective elements such as language, history, tradition, religion, customs and institutions, as well as through the subjective self-identification of the peoples. They also argue that civilizations are dynamic. This is because their boundaries are not fixed; instead, they constantly undergo change, rising and falling, merging and dividing, and sometimes even disappearing (Huntington, 1993; Kaplan, 1994).

Even though the conflict seems to be orchestrated along ethnic lines, empirical evidence on the ground does not seem to support the proposition that conflict in the fertile and ethnically diverse Tana River Delta is not caused by ethnicity. Indeed, as many scholars attest, such a primordial reason is insufficient to convince that the conflict in the Tana River Delta is ethnic. Indeed, this proposition has been refuted by many scholars. As Goldsmith attests, nothing in the literature or empirical data collected by researchers in the Tana River Delta alludes to a long-standing state of conflict between herders and farmers in the Tana River Delta (Adam, 2013).

This is because these communities have long depended on each other. Goldsmith further argues that the symbiotic relations between nomadic pastoralists and agriculturalists were a basis for the emergence of the mono-cultural pastoralism practice exercised by the Orma and Wardei Somali counterparts, and Pokomos, the agriculturalist. Such interdependencies are the reasons for harmonic neighbourliness between the Orma and the Lamu County and Tana River inhabitants. Although occasionally frictions arise, especially when cattle wander onto farms, and no doubt individual Orma and Pokomo may respond aggressively in such circumstances,” but nothing makes this a permanent response. The same communities in other regions of the Tana River County have local arrangements to prevent violent conflict between the two major ethnic communities. Although the inter-communal violence is not refuted, it does not account for the level of hostilities between the two communities (ibid).

Several scholars have attributed competition for resources among ethnic groups as a dominant cause of conflict in Africa. Conflict can erupt when groups feel they are deprived compared to other groups with no legitimate explanation. Indeed, groups advance their worth through economic and political competition. Kenya, for instance, is said to have vast horizontal inequality among ethnic groups. This perceived inequality creates resentment, which is prominently expressed during elections, especially presidential elections. Since political parties usually have a dominant ethnic group, competition for political power becomes an ethno-political rivalry. The presidential system concentrated power at the centre, giving a partisan group absolute power to control resource distribution. In an actual sense, calls for devolution in Kenya were informed by this grievance (Kinyanjui & Maina, 2008; Mbugua, 2013).

In agrarian societies, land is the most valuable resource guaranteed to ensure economic subsistence and sustenance of the individual in particular and the people in general. This is because most agrarian activities are carried out on land, hence their occupation of a higher economic pedestal than the rest of the factors of production. Plants and animals are nourished through the soil. To this effect, the land is highly esteemed amongst the community. It more or less occupies a totem-like position, an object of respect and one to be revered. This perhaps explains the presence of oaths of the soil amongst most agrarian communities. Whenever the tenure of such a land held by an individual or the community is threatened, conflict is bound to brew (Kinyanjui & Maina, 2008).

In Kenya's arid and semi-arid areas, socio-political and economic rights bequeathed and protected by the constitution have not been fully actualized, and the public still faces significant challenges regarding their security and livelihoods. As some scholars posit, these challenges are often felt most severely in unstable, conflict and fragility situations. One of the most important aspects of conflicts and the need for peacebuilding in the arid and semi-arid areas is understanding the complexities and the fact that the conflicts cannot be solved overnight. These scholars argue that the situation is aggravated by the rapid shifts towards conventional laws and resolution mechanisms that do not give due recognition to local mechanisms. Traditional institutions have been influenced by the national governance and legal systems, which are highly monetarized, as opposed to the indigenous ones that dwell on the local people's goodwill, knowledge and wants. A result is confusion on which path to follow to handle conflicts and manage community sources (Mwangi, 2018).

Resources also cause the conflict in the Tan River Delta. Indeed, some of these reports further assert that the Tana River Delta conflict chiefly canters around resource rights, mainly land, water and other resources, due to the conflicting lifestyles and the different perspectives on resources between the communities that inhabit the Tana River Delta. The Pokomo are mainly farmers and believe in individual ownership of land. On the other hand, the Orma are mainly herders and believe that land is for all people to use. Their incompatible lifestyles saw the peasant farmers and the pastoralists engage in perennial conflict over ownership and use of land, pasture and water resources. The Pokomo claim the land along the river is their resource, while the Orma claim the river's waters are theirs as it is a water source for their livestock (KHRC & NCHRD, 2008).

Another resource that brings about conflict in the Tana River Delta is the competition over water. Water is an essential resource necessary for any country's social and economic development. When available in sufficient quantities and of acceptable quality, it is extensively used for domestic, agricultural, and industrial purposes. Some uses include drinking, washing, watering livestock, growing crops, and manufacturing finished goods. In Kenya, adequate water is available only in twenty per cent of the country's landmass, whilst in the rest of the country, including the arid and semi-arid lands, it has to be mined from the ground or harvested in dams and pans (Agwata, 2018).

Due to the scarcity of water in the arid and semi-arid regions of the country and its uneven and poor distribution in the high and medium potential areas, its utilization for various functions in any basin often leads to conflicts. Owing to its strategic position, the Tana Delta offers a perfect ground where groups can converge to exploit this treasure. The conflict in the Tana Delta involves water scarcity and distribution, resulting from the uneven water distribution in the basin both seasonally and across locations. This means that water demands must be met from abundant areas, and the excess is stored during the wet season for use in the dry season. For instance, the last Orma-Pokomo conflict in 2002 and 2004 stemmed from the expansion of riverine farms that block herders' access to the river (Agwata, 2018; Adam, 2013).

2.7 Perceptions on land use and land tenure systems

Perceptions surrounding land use and tenure significantly influence the dynamics of land-related conflicts, particularly in regions like the Tana Delta, where both farming and pastoral communities depend heavily on natural resources. Farmers typically perceive land as a fixed and bounded resource necessary for cultivation and long-term investment (Pannell *et al.*, 2014). This perception often aligns with the desire for permanent land tenure and formal documentation to enhance security and reduce vulnerability to eviction. On the other hand, pastoralists view land as a shared and fluid resource, where mobility is essential for accessing seasonal pastures and water (Turner & Schlecht, 2019; Scoones, 2021). These contrasting perceptions of land use are rooted in historical livelihood patterns and often create friction where land scarcity or resource competition arises.

Insecure tenure systems and ambiguous land rights exacerbate these tensions by creating uncertainty about ownership, access, and usage rights (Chigbu *et al.*, 2019). The absence of clear boundaries or official recognition of traditional grazing routes and communal lands leads to overlapping claims, particularly in regions with poorly implemented land policies. Perceived marginalization in land allocation processes further fuels grievances among both groups. Farmers may feel threatened by the seasonal influx of livestock, while pastoralists may perceive land registration as a tool of exclusion. These perceptions are reinforced by previous experiences, social narratives, and political undertones, which shape how communities respond to land governance efforts and conflict resolution mechanisms.

Understanding community perceptions of land tenure is crucial for designing inclusive and sustainable land management interventions. When people perceive land policies to be unjust or favouring one group over another, compliance diminishes, and conflicts escalate (Davy, 2016). Participatory land use planning, which incorporates both farming and pastoralist perspectives, can help harmonize interests and foster mutual understanding. Moreover, integrating customary tenure systems into formal legal frameworks can help legitimize traditional land claims and enhance tenure security (Mushinge & Mulenga, 2016). Therefore, addressing perceptual differences is not merely a matter of policy reform but also a step toward building trust, reducing conflict potential, and promoting equitable access to land resources.

2.8 Summary of the Literature Review and Identification of Research Gap

Nothing has been done to examine the reasons of land use disputes among agricultural and pastoralist groups in Tana Delta, according to a review of the literature. Furthermore, customary law's management of resources systems have done little to avert this tragedy; instead, focusing on the current regulatory and legal structure is vital to permanently resolving this issue. In recent years, the Tana River conflict has risen in both intensity and frequency, with tremendous costs in terms of human lives and property.

The conflict between the Pokomo and the Orma has reoccurred, with no permanent resolution. So far, such violence has culminated in a large number of deaths, as well as severe dislocation and trauma inside these communities. Of course, a dispute of this nature does not arise in the absence of significant underlying problems. The

problem has only been resolved through track-one diplomacy, in which the Kenyan government makes use of its national security forces and pursues offenders through legal channels (Martin, 2012). However, as confrontations have continued and even gotten worse, this method has not been effective in resolving the root causes of conflict between these two groups. One could argue that the track-one diplomacy employed by the Kenyan government in the Pokomo and Orma dispute should be strengthened and supplemented with the use of additional techniques that could identify the conflict's primary motivating factors. Not clear whether it is land use conflicts or land disputes.

The majority of the studies examined were undertaken in other countries, such as India (Mehta, 2011) and Algeria (Rochegude, 2011), whose policies, customs, and communities differ from those in Kenya, where the current study was conducted. Furthermore, many of the studies evaluated such as John, 2008; Havnevik, 2005 which were conducted more than a decade ago, since then much has changed in terms of community governance structures, government policies, and way of life. As a result, there is a need for a study to bridge this gap by establishing new information on the factors influencing land use conflicts/disputes. By studying the factors driving land use tensions among farming and pastoral groups in Tana Delta, Kenya, this project would fill the vacuum left by the lack of documented methods to reduce land use conflicts.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Study Area

The Tana River Delta served as the study's geographic focus. The Tana River, which flows for around 1000 kilometres from the Aberdare mountains to the Indian Ocean. It is the longest river in Kenya, and gives rise to the Tana River Delta. It lies between 02°30'S and 40°20'E, in Southeast Kenya, along the Indian Ocean coast. It is located in Tana River County, which is bordered to the north by Garissa, to the northwest by Isiolo, to the south by Kilifi and Taita Taveta, and to the west by Kitui counties. Tana River County, has a total area of 38,436.9 km² (Figure 3.1), is semi-arid in climate and receives 400–750 mm of precipitation yearly. The decision to opt for this area was influenced by the fact that it is one of the most conflict-affected areas (Kilui, 2016; GoK, 2017).

The region is semi-arid and frequently experiences droughts. It receives a bimodal rainfall pattern with the long and short rains occurring in April-May and October-November respectively. Annually, the area receives rainfall between 400–750 mm which is irregularly distributed. The area experiences an average annual temperature of up to 30°C. The hottest months are between January and March while the lowest temperatures are experienced between the months of June and July.

The area is characterized by diversity of vegetation, which include the consists of a mixture of dry savannah, grasslands, and wetlands. Such diversity of vegetation is important in terms of supporting the high number of plant and animal species. The Tana Delta is vulnerable to seasonal flooding due to its low-lying, level floodplain, which is less than 100 meters above sea level.

Multi-ethnic populations such as the Pokomo (farmers), Orma and Wardei (pastoralists), and smaller groups like the Somali, Wailwana, and Giriama call the delta home. Due to the population's heavy reliance on natural resources, competition for grazing, water, and land arises, which exacerbates disputes.

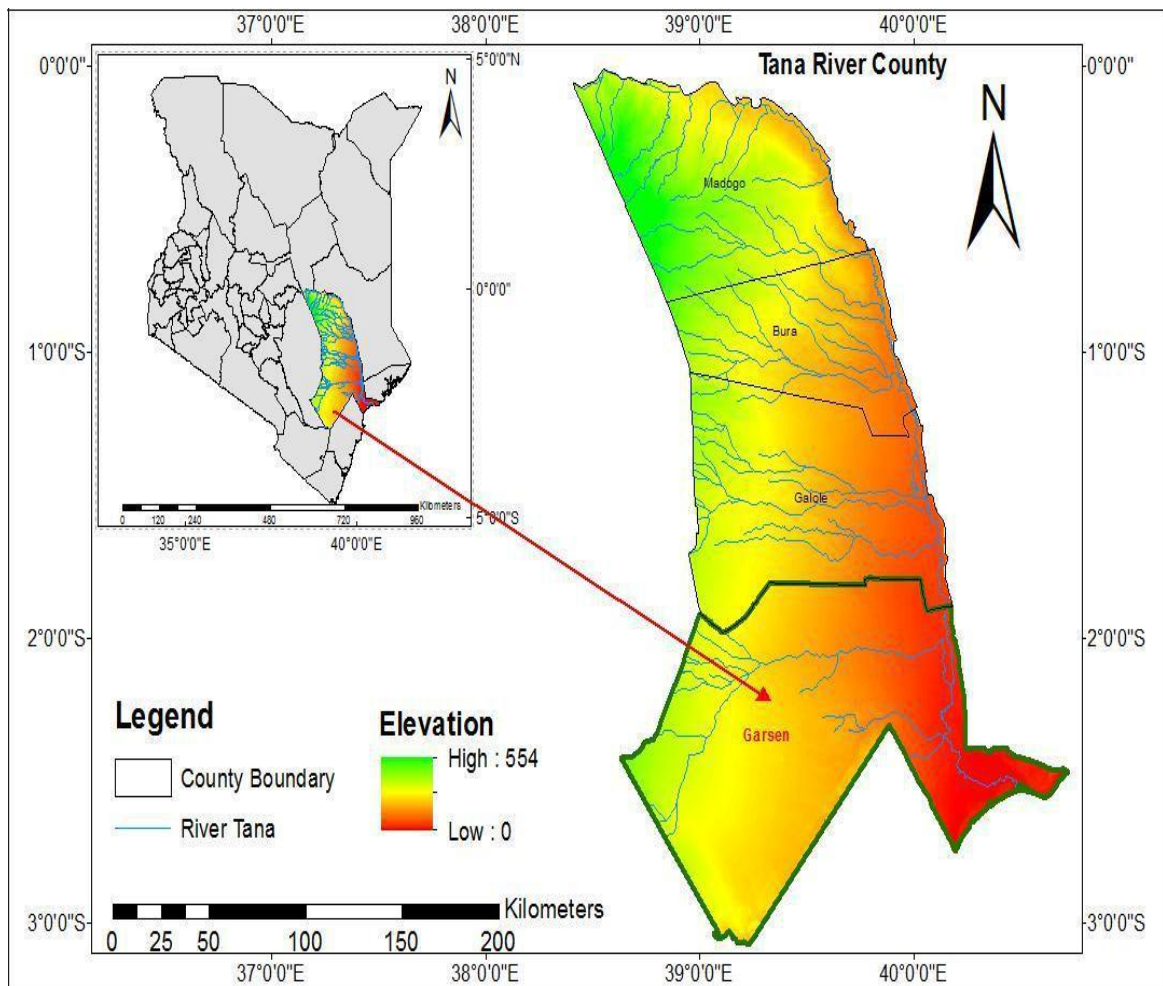


Figure 3. 1: Map of Tana Delta Region

3.2 Research Design

A descriptive survey design was used in this investigation. When attempting to characterize a specific social phenomenon and its characteristics, a descriptive study design is used (Kim *et al.*, 2017). Furthermore, it is used in research to describe how a social phenomenon or set of occurrences exhibits certain features. This study strategy was chosen because descriptive research provides an in-depth analysis of a phenomenon, giving the researcher a better and deeper understanding of the phenomenon (Willis *et al.*, 2016). As such, it was essential in determining the causes of land use conflicts among farming and pastoral populations in Kenya's Tana Delta.

3.3 Sample size and sampling procedure

The sample size determination was based on the criterion by Mulusa (1990), that requires 10-30% of the accessible population, to be used for the survey studies. In order to determine the sample size, formula by Nassiuma (2000) was applied:

$$S = \frac{NC^2}{C^2 + (N-1)e^2}$$

Where S is the sample size

N is the population size

C is the coefficient of variation (i.e., 5%)

e is the standard error (0.5%)

The total number of households in the Tana Delta region was 26,886 (National Housing and Population, 2019).

$$\begin{aligned} n &= \{26886 * 1.96^2 * 0.0765 * (1-0.5)\} / \{0.0765^2 * (26886-1) + 26886 * 1.96^2 * \\ &0.0765 * (1-0.5)\} \\ &= 164 \end{aligned}$$

3.4 Data Collection

Standardized questionnaires were used to gather quantitative data (Appendix 2). On the other side, key informant interviews were used to gather qualitative data (Appendix 3). The decision to use key informant interviews was influenced by the opportunity they provided to enhance the research by giving the researcher access to participants who had insightful knowledge, such as community elders, administrative officials from the national government, and land officials.

3.5 Data Analysis

The responses were grouped into categories based on predetermined goals. The statistical programs for the social sciences (SPSS) were utilized to examine the numerical responses in order to deduce and comprehend the meanings of the percentages, frequencies, and texts. Utilizing content analysis, qualitative data was examined. This required deciphering the meaning contained in writings and images.

Closed-ended survey items were first sorted into a priori thematic categories reflecting the study objectives. Quantitative data were then analysed in SPSS using descriptive statistics (frequencies, percentages) and cross-tabulations to explore associations between respondent characteristics and item responses. Open-ended text and photographic material were subjected to qualitative content analysis. Codes were developed deductively from the research questions and iteratively refined. Both manifest and latent content were examined, enabling interpretation of underlying meanings. The integrated quantitative-qualitative approach allowed methodological triangulation, enhancing the credibility of the findings.

3.6 Validity and Reliability of Data

The researcher conducted a pilot study to perfect the data collection equipment in order to guarantee the validity of the data collected. After pilot study, the tools were adjusted accordingly. The researcher used triangulation for validation, where interviews were done to clarify questionnaire responses as well as supporting with secondary data. Additionally, the researcher diligently recorded and typed up conversations and interviews to use as field notes. The researcher also recorded and typed up conversations and interviews in order to take thorough field notes.

3.7 Research Ethics

All respondents gave their informed consent before the researcher collected any data for this study. The researcher also exercised careful control over the data collected to protect the privacy of those who responded and records, who request such confidentiality if disclosing their identities would put them in danger or prefer to remain anonymous.

A research permit was obtained from National Commission for Science Technology and Innovation (Appendix 4) after getting clearance from Graduate School.

CHAPTER FOUR: RESULTS AND DISCUSSIONS

This chapter presents and discusses the main findings of the Tana Delta land use conflict study. It analyses these results in light of previous research, especially the notions of resource scarcity and the tragedy of the commons, in light of earlier and related investigations.

4.1 Demographic Analysis of Respondents

Table 4.1 shows the number of respondents in the study as per the categories as stipulated in the sample size section in chapter three. Out of 164 respondents who participated in this study, 53% (80) of the respondent were herders, 44% (66) were farmers. The study achieved the targeted sample size proportionately across herders and farmers, ensuring representative and unbiased data. This implies that the targeted respondent in each category was reached and that the response given in this study is reliable. Therefore, analysis for the questionnaire in which the farmers and herders were responding to used 146 respondents since it is the total numbers of respondents in this study in the two categories.

Table 4. 1: Distribution of Respondents as Per Targeted Categories

	Frequency	Percentage (%)
Farmers	66	45
Herders	80	55
Total	146	100

Out of the 164 respondents who participated in this study, 53% (80) were herders and 44% (66) were farmers, making a total of 146 respondents belonging to the two primary livelihood categories of interest. The remaining 18 respondents (11%) were

engaged in other occupations or did not clearly identify as either farmers or herders. Since the objective of this analysis was to assess responses specific to farming and herding practices, only the data from the 146 relevant respondents were included. Excluding the other 18 ensures the analysis is focused, relevant, and reflective of the target population for which the questionnaire was designed. This enhances the validity and reliability of the findings within the scope of the study objectives.

4.1.1 Respondents' Demographic Characteristics

Finding out the respondents' demographic characteristics was the first important aspect in the investigation. The observations are presented in Table 4.2.

According to the findings, 71% (104) of the respondents were male, while 29% (42) were female. This demonstrates that the majority of the respondents in this survey were male, which could be linked to the type of information requested by the study.

Table 4. 2: Respondents Demographic Characteristics

Category	Description	Frequency	Percentage (%)
Gender of the Respondent	Male	104	71
	Female	42	29
Level of Education	Primary school	91	62
	Secondary school	37	25
	Tertiary	19	13
Duration of Land Use	Less than 2 Years	16	11
	3-5 Years	22	15
	6-10 Years	29	20
	11-15 Years	35	24
	Above 15 Years	44	30

Because the impacts of the conflicts had a detrimental influence on women, it was possible that the respondents' perspectives represented issues relating to many community categories. Similarly, women tend to be excluded from land ownership rights due to patriarchy. As such, only sons tend to inherit land. According to Aditya (2023), various genders have different authority to govern natural resources since women lack decision-making power. In contrast, men have power in most societies to make decisions and own land (Mwamlavya *et al.*, 2021).

The data also demonstrate that the majority of respondents, 62% (91), had a primary school certificate, 25% (37) had a secondary education, and 13% (19) had a higher education such as a degree or diploma (Table 4.2). This means that access to good quality education is significantly jeopardized in various places prone to land conflicts, not only because of the direct effects of disputes, but also because attacks frequently target schools, teachers, students, and staff. According to KNBS (2015), the majority of the County's population engages in pastoralism as well as indigenous farming, which do not necessitate a high level of education. Most locations where there were land conflicts had low pupil enrolment because most parents were afraid for their children's lives (Kariuki, 2013). Similarly, these areas have significant dropout rates due to insecurity (Muthengi, 2013).

Furthermore, 30% (44) of respondents have lived in the neighbourhood for over fifteen years, 24% (35) for 6-10 years, 15% (22) for 3-5 years, and 11% (16) for some time shorter than two years (Table 4.2). This demonstrates that most responders have lived in the area for a long time. As a result, most locals have long endured strife over land use in the area. According to Martin (2012), conflict

between the Pokomo and Orma has been a recurring issue with no long-term solution. He said that long-term conflict resolution techniques have not helped address the root causes of conflict between these two groups, since conflicts have recurred and even increased for a long time.

According to interviews, warfare between the sedentary Pokomo and pastoralist Orma populations has occurred irregularly since the 17th century. However, rising environmental hardships mixed with the indifference of local police forces culminated in the summer of 2012, when retaliatory attacks killed more than 150 people. These riots came after a series of smaller instances in which farmers and herders clashed over crop damage and access to water (Shaiye, 2013). However, the violence in the area is ongoing and has resulted in significant property and life loss.

4.2 Socio-Economic Factors Contributing to Land Use Conflicts

From the study, 94% of respondents (137) indicated they had faced with ownership difficulties ever since they purchased the home, whereas 6% (9) said they had never encountered such problems (Table 4.3). This issue arises from the fact that a great deal of settlers has no title to their family holdings and that practically all of the property in the Tana River and Tana Delta districts is trust land. Even if they may have been residing in the same location for generations, authorities nevertheless consider them to be "squatters."

Table 4.3 Experience of Land Ownership Conflicts

	Frequency	Percentage (%)
Yes	137	94
No	9	6
Total	146	100

Source: Analysis of Study Data (2021)

According to a Pokomo community key informant, the Pokomo consider land ownership solely as individual property accessible for farming as well as sale to raise families. “Our land is a source of livelihood for those who own it. We farm and in hard times can sell it to help our families. Land is very important to our community.” An Orma key informant, on the other hand, stated that the Orma do not identify with this type of ownership. The Orma, on the other hand, regard land as "a gift from God to all and that it is meant to be shared rather than individually owned." This idea stems from the fact that nomads frequently relocate from one location to another in pursuit of greener pastures for their livestock.

4.2.1 Severity of Conflicts Experienced in the Tana Delta

Respondents to the study were also asked to rate the intensity of the conflicts they encountered in Tana Delta. According to the results, the majority of respondents (59%) said the conflict in Tana Delta is very severe, 25% said it is relatively severe, 13% said it is not severe, and 3% said it is not severe at all (Figure 4.1). According to a key informant from the Pokomo community, Conflicts between the Pokomo and Orma have reoccurred, with no lasting settlement. The fundamental cause of this serious conflict is a lack of access to pastures and water, which causes conflict between pastoralists and farmers. When pastoralists move their livestock into

farmers' territory, tensions rise, resulting in competition for the dwindling pastures. Furthermore, water disputes between pastoralists and settled farmers occur frequently when access is obstructed by fences, crops are damaged by animals, or water resources dwindle due to exploitation. Clashes between groups occur over land, water access, or control of water points, resulting in resource disputes. Scarcity occurs when the supply of a commodity cannot meet the overwhelming demand for the same.

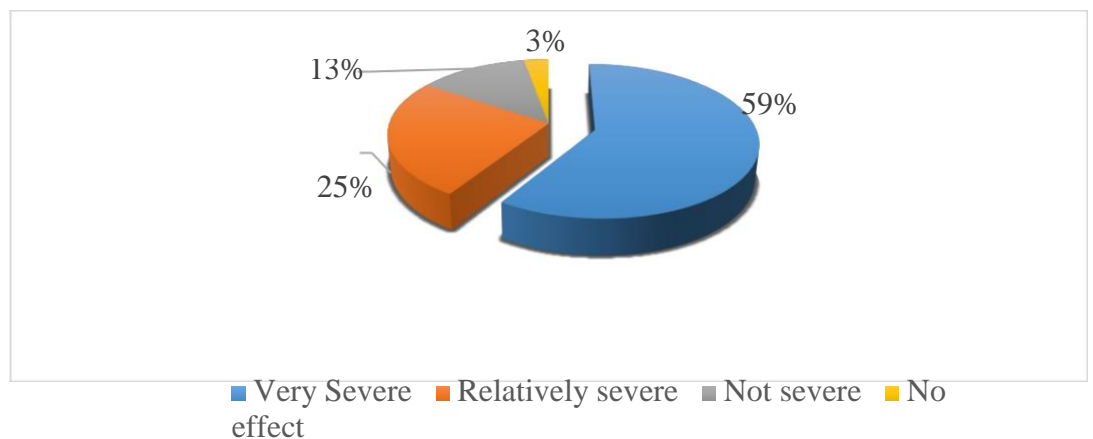


Figure 4. 1: Severity of Conflicts Experience in Tana Delta

4.2.2 Duration of Conflicts Experienced in the Tana Delta

During data collection, respondents were asked to categorize the duration of conflicts they had experienced into durations they occurred. Their responses were then tallied to obtain the frequency of each category.

The length of time it took for the conflict to be resolved was obtained from the responders. According to the results, the majority of respondents, 55% said the conflict persisted after a month of fighting, 32% (47) said it persisted after weeks,

11% (16) said it persisted after a few days, and 1% (1) said it persisted for only a few hours. This analysis provides a clear understanding of how long such conflicts typically persist, with the majority reporting extended durations.

According to the response, disputes over increasingly scarce land and water resources, as well as economic and political power, continue to erupt in Tana Delta (Table 4.4).

Table 4.4: Duration of the Conflict

	Frequency	Percentage (%)
Hours	1	1
Days	16	11
Weeks	47	32
Months	80	55
Total	146	100

The Tana Delta region, which is home to a multi-ethnic population that includes Somali, Orma, Pokomo, Wardei, Wailwana, Watha Luo, Giriama, and Swahili people, among many others, has experienced growing rivalries over control of and access to natural resources that have culminated in armed conflict that frequently results in fatalities. The Pokomo, who are largely farmers, and the Orma, who are primarily pastoralists, are the two ethnic groups most frequently involved in the violence, which has resulted in deaths and relocation (Table 4.5).

The respondents were requested to indicate the extent to which social, economic and political factors influence conflict in Tana Delta.

Table 4.5: Aspect of Socio-Economic and Political Factors on Land Use Conflicts

Causes	SE		ME		LE		VLE		M
	F	%	F	%	F	%	F	%	
Unequal Distribution Resources	4	3	10	7	60	41	72	49	4.82
Poverty	6	4	10	7	60	41	70	48	4.32
Incitation by politicians	9	4	10	7	44	30	83	59	4.95
Unemployment among youths	4	3	8	6	53	37	81	55	4.54
Traditional rituals	4	3	6	4	47	32	89	61	4.74

NE-No Extent; SE- Small Extent; ME-Moderate Extent; LE- Large Extent; VLE-Very Large Extent; F- Frequency; M- Mean score

The respondents pointed that incitation by politicians for political benefits is the major factors that influence conflict to a very great extent in Tana Delta (mean=4.95), Unequal Distribution of Resources e.g. land influence conflict to a very great extent in Tana Delta (mean=4.82), practices of traditional rituals influence conflict to a very great extent in Tana Delta (mean=4.74), unemployment among youths also influence conflict to a very great extent in Tana Delta (mean=4.54) and that poverty among residents influence conflict to a very great extent in Tana Delta (mean=4.32) (Table 4.5). There are complicated combinations of the environment, economy, cultural, social, as well as political life styles, with crop farmers and pastoralists being one group.

Elders from the Pokomo and Orma tribes agree that the Orma are principally pastoralists. Land, pasture, and water are the main causes of interethnic strife, yet the Pokomo cultivate. While Orma ranges herders prefer communal land ownership and are adamantly opposed to adjudication, Pokomo farmers support a land tenure

scheme in which land ownership is adjudicated and distributed to individual freeholders. In the delta region, the Pokomo and Orma are constant contenders for political control aside from natural riches. The control and appropriation of resources, as well as the ensuing connections to political and economic power, according to another important informant, are the main drivers of violence in the Tana Delta.

Key informants chosen from the National Government Administrative Officials claimed that politics was another source of conflict in the area. They emphasized that the Tana Delta episode in 2012 was election violence rather than a tribal dispute. This was the outcome of the collective vote on a common understanding by all pastoralists. Because they haven't been in power for ten years, "LATTU" means that all pastoralists should be allowed to unite and vote for their own people. As long as pastoralists were in authority, they claimed, they could access and utilize resources anyway they pleased. The Tana Delta Sub-County MPs wanted pastoralists to leave because of their significant economic contribution, which was another political factor. Another cause, according to the interviewees, was a shortage of access to the river, since the Pokomo population encroaches on river banks/line property, limiting livestock access to the river. The two tribes have been forced against each other due to high poverty rates, a lack of money and jobs, and the area's reliance on traditional economics (lack of modernization).

Members of the community were also asked to talk on how the area's natural resources affected conflict. They contend that land is the main source of conflict. This is due to the fact that there are various ideas surrounding land use in the Delta,

with some pastoralists favouring a community land system and farmers favouring land adjudication in situations involving liberal/individual free hold.

This battle is being fought for three reasons: land, tribalism, and politics. Land has been identified as a major source of conflict, leading to extraordinary conflicts owing to competing interests. Land disputes have inevitably led to conflicts between farmers and pastoralists. Pastoralists rely on water and grassland for their animals all year, but especially during the dry season, whilst agriculturalists grow rice and other crops on the retreating floodplain boundaries, as well as permanent crops along the river banks. The majority of respondents cited land and river access as key factors, and the Pokomo acknowledge land's culpability in the ownership struggle.

Apart from the Orma and Wardei, the number of pastoralists is increasing, according to Pokomo respondents. Other foreign pastoralists from Somalia travel in pursuit of greener pastures, only to return home. Conflicts over resources are not uncommon between farmers and herders, owing to the two groups' competing need for land and water.

Key informants noted that land ownership was especially important for the Pokomo, with one claiming that their ethnic group has not been issued title deeds for property that they had cultivated for centuries. Such assertions are expected to exacerbate the tension between Pokomo and Orma. The groups also have differing land tenure systems: the pastoralists prefer to utilize land communally, whilst the farmers prefer owning individual land through title deeds. This has infuriated the Pokomo, who are now reclaiming their land by requesting title deeds. The issue of title deeds was the most prominent among Pokomo respondents. The Pokomo believe they have no

legal remedy in such cases and that the government is treating them unfairly. Unbalanced ownership of title deeds has surely bred hatred between the two parties, a situation that makes the current conflict difficult to resolve and risk escalation.

The study further requested respondents to indicate whether they have personally incurred any loss out of the conflicts. The findings of the study are as shown in Table 4.6.

Table 4.6 Loss Incurred from Conflicts

	Frequency	Percentage (%)
Yes	137	94
No	9	6
Total	146	100

Source: Analysis of Study Data (2021)

From the above data, the majority of respondents 94%, (67) indicated that they had personally incurred loss as a result of the conflicts, whereas 6% (4) indicated that they had not incurred any damage. According to elders of the community from both tribes, the Tana River violence has grown in both intensity and regularity, with enormous costs in terms of human lives and property lost. Another key informant stated that there has been a severe negative socio-cultural, political, and economic impact on pastoralist communities in the areas, including loss of human lives and property, community displacement, breakdown of commercial operations as well as infrastructure, degradation of the environment, inter-ethnic resentment and mistrust. Tana Delta communities have faced land ownership problems since they first acquired the property. The survey also reported that the fundamental cause of this scenario is that nearly all of the property in Tana River and Tana Delta is trust land, and the vast majority of settlers do not have titles to their ancestral properties. This

has resulted in repeated conflict since land title is in dispute, with Orma being herders and Pokomo being farmers. The disputes in the area are intense. The fundamental cause of this serious conflict is a lack of access to pastures and water, which causes conflict between pastoralists and farmers.

Conflicts in the area terminate after months of squabbles, with recurring incidents of significant confrontation. Conflicts over increasingly scarce resources such as water and land, as well as political and economic dominance, continue to erupt in Tana Delta. Locals being incited by politicians for political gain and unequal distribution of resources are key social, economic, and political variables that impact violence in Tana Delta to a large extent. Community members have suffered significant losses as a result of the war in the area. The intensity and frequency of the Tana River conflict have escalated, as has the cost in terms of human deaths and property loss.

4.3 Customary Regulatory Frameworks

Customary regulatory frameworks refer to traditional systems of rules, norms, and practices developed and maintained by local communities over time to govern the use, ownership, and management of resources such as land. These frameworks are often based on communal values and cultural beliefs, and are enforced by community elders or local leaders. In many rural settings such as the Tana Delta region, especially among pastoralist communities, customary laws play a crucial role in land allocation and conflict resolution, often operating alongside or in tension with formal statutory laws introduced by the government.

4.3.1 Customary Regulatory Frameworks and Land Use Conflicts in the Tana Delta

The study queried the respondents' awareness of the legal policies adopted to resolve land use conflicts, where 84% of the respondents were aware that there are legal policies adopted to resolve conflicts while 16% were not (Table 4.7).

Table 4.7 Legal Policies and Land Use Conflicts

	Frequency	Percentage (%)
Yes	123	84
No	23	16
Total	146	100

Source: Analysis of Study Data (2021)

The respondents claim that some of the legal measures taken to avoid conflicts involve establishing the contested section of the basin as an area of conservation controlled by KWS, recognizing the contested section of the basin as communal property, establishing the contested section of the basin to be privately held land, promoting non-natural resource extraction as a joint economic activity of women and youth groups, disarming warriors, and education.

Informants from both groups claim that the Traditional Peace Committee, government agencies such as the law enforcement, religious organizations, and not-for-profit organizations (NGOs), which include local/international, were successful in resolving conflict in the past. The National Police Service, the "Maslah law court," the divisional Tana security committees, and the village council elders (the

Orma council of elders) were also used by the community to resolve conflicts. The study asserts that some disagreements were resolved through the Tana Delta Committee and the legal system.

The respondents were also requested to indicate the extent to which legal and customary regulatory framework used in addressing conflicts. The responses were placed on a five likert scale ranging from 1 (to a no extent) to 5 (very large extent).

The findings are as shown in Table 4.8.

Table 4.8: Legal and customary Regulatory Framework used in Addressing Conflicts

	SE		ME		LE		VLE		M
	F	%	F	%	F	%	F	%	
Laws and Regulations have reduced conflicts by raising people's understanding of their rights and obligations	2	3	5	7	25	35	41	58	4.69
Conflicts and a leadership vacuum have resulted as a result of the policies' reduction of prevailing practices	1	1	7	10	24	34	39	55	3.90
Residents of the community have begun to resist the laws, which is causing increasing disputes	2	3	9	13	21	30	39	55	4.62
Conflicts are getting worse because local residents aren't being consulted or included by the law makers	3	4	11	15	23	32	34	48	4.45

NE-No Extent; SE- Small Extent; ME-Moderate Extent; LE- Large Extent; VLE- Very Large Extent; F- Frequency; M- Mean score.

Findings reveal that regulatory measures have increased people's understanding of their rights and constraints, lowering conflicts (mean=4.69), followed by members of the community emerging to oppose the policies, fuelling more conflicts (mean=4.62). The respondents also stated that the lack of discussions and involvement of local people by policymakers is escalating disputes (mean=4.45),

which is followed by Policies have diminished traditional behaviours, resulting in a leadership vacuum and conflicts (mean=3.90).

A key informant asserts that disputes and conflicts over the use of natural resources are complicated. Conflicts needed to be understood in light of current development pressures, a complicated web of demographic shifts, sensitive ecological frameworks, structural economic as well as legal inequalities, racial and individual variations, and the varying priorities across different groups, individuals' organizations, and individuals from outside as well as within rural populations. According to Leauthaud *et al.* (2013), violence results when social institutions and mechanisms for regulating and resolving conflict fail.

According to key informant interview, warfare has been a persistent problem without a permanent solution, particularly between the Pokomo and Orma. Naturally, a dispute of this size does not arise in the absence of significant underlying issues. Only track-one diplomacy, whereby the Kenyan government employs national security personnel and brings criminal charges against offenders, has been able to end the issue. However, as conflicts have continued and even gotten worse, this tactic has not been successful in resolving the fundamental problems between these two groups. The Pokomo think that they have few legal options and that the government is treating them unfairly in these situations. Uneven possession of title deeds has undoubtedly generated animosity between the two parties, making the current problem challenging to resolve and putting it at risk of escalation. Societies with weak institutions, polarized social connections, and fragile political systems are more prone to be drawn into cycles of conflict and violence (Opiyo *et al.*, 2012; McCoy *et al.*, 2018).

The key informant interview also believes that customary land tenure laws should be formalized and incorporated into statute law because doing so would enhance legal recognition and protection of community land rights, particularly for groups like pastoralists who rely on communal land. Individualization of land has resulted in more people being landless and new sorts of ownership disputes. Individual land ownership, however, continues to outnumber customary tenure. The relationship between private and customary property is largely uneven, owing to judicial law's support for private land ownership and the customary system's reliance on lower state law.

As earlier reported, there are legal policies in place to handle disputes. Some of the legal policies used to resolve issues include designating the contested region of the basin as a KWS conservation area and designating the contested area of the basin as community land (Ntialei, 2023). Other legal means for conflict resolution include Tana peace committees at the divisional level, the "Maslah law court," and law enforcement by national police. Adoption of regulatory measures has increased public understanding of rights and constraints, minimizing conflicts.

Conflict, particularly between the Pokomo and the Orma, has been a recurring problem with no long-term solution. The utilization of pre-existing conflict management frameworks, such as the Gada system for Orma and Kijo for Pokomo has not resulted in successful dispute resolution (Mohamed, 2015). The Orma prefer elder involvement because these people are regarded as strong and experienced, and their decisions are respected. The Pokomo, on the other hand, are not constrained by such challenges. The role of women and youth in peace meetings is critical to

decision-making in their process. Traditional land tenure principles must be codified and incorporated into statutory law. Individualization of land has resulted in more people being landless and new sorts of ownership disputes.

4.3.2 Influence Community Perception Land Use Conflict

From the findings the respondents pointed that they own the land for our farming activities and no one should claim otherwise (mean= 4.66), followed by owning a large number of cattle signifies how rich you are and thus you need a land to herd the cattle (mean=4.63), and that those who poses large portion of land are the reaches people in the community thus people protect land in all means (mean=4.5682). The respondents further pointed that land is for everyone and as pastoralist community we have the right (mean=4.36), finally, respondent indicated that land should be a freehold and no own should claim to own the land (mean=4.07).

Table 4.9: Influence Community Perception Land Use Conflict

	NE		SE		ME		LE		VLE		M
	F	%	F	%	F	%	F	%	F	%	
We own the land for our farming activities and no one should claim otherwise	1	1	1	1	7	10	27	38	35	49	4.66
Land is for everyone and as pastoralist community we have the right	1	1	3	4	6	8	28	39	33	46	4.36
Land should be a freehold and no own should claim to own the land	1	1	2	3	5	7	25	35	38	54	4.07
Those who poses large portion of land are the reaches people	1	1	2	3	2	3	38	54	28	39	4.57
Owning a large number of cattle signifies how rich you are and thus you need a land to herd the cattle.	1	1	2	3	3	4	26	37	39	55	4.63

NE-No Extent; SE- Small Extent; ME Moderate Extent; LE- Large Extent; VLE- Very Large Extent; F- Frequency; M- Mean score

Community members are involved to every conflict resolution process in Tana Delta. As such most of the locals have received some interventions measure on resolving conflicts. It is vital to involve locals in the conflict resolution process; this allows one to comprehend ethnic conflicts, recognize their core causes and complexities, and determine how they might be addressed to promote peaceful coexistence. Timely action in confrontations is critical because violence escalates and becomes more difficult to control over time. The administration holds peace talks to try to end the situation. However, due to mistrust and enmity among themselves, the communities lacked confidence in the peace sessions. Their lack of enthusiasm was also tied to the fact that the two opposing groups' social structures differed.

The study also reported that clan elders and community leaders have a significant role in conflict resolution. There is a peace committee in place that includes all of Tana River's population (youth, women, and elders) in order to encourage and urge them to participate in the reconciliation as well as negotiation process. Traditional laws, procedures, and mechanisms have been established to resolve these issues with the assistance of elders from both communities.

The Kenyan government's effort to limit the conflict has been felt, with the deployment of national security personnel and the prosecution of perpetrators through legal channels. However, this strategy has not been effective in resolving the underlying causes between these two groups, since confrontations have reoccurred and even intensified. The intervention of many parties, including the community, in peace missions has resulted in a reduction in conflict in the area. However, several measures have failed to address the area's increasing difficulties with tenure holdings, rights to and security over land. The failure of those measures is due to the fact that the contesting communities suggest contrasting intervention measures that are incompatible with one another.

Training communities on legal laws and the need for peace, as well as incorporating local people in policy creation, are some of the measures that have been successful in containing conflict in the area. Similarly, recognizing the contested portion of the basin as a KWS conservation area, a portion of the basin as community land, and disarming warriors.

Though there has been a lot of work in the area by conflict resolution agencies, the steps adopted are not regarded effective by the residents. Traditional peace committees, government institutions, police services, religious organizations, and non-governmental organizations (NGOs) are some of the successful mechanisms that have been regarded accommodating and capable of resolving dispute among community members in the past.

CHAPTER FIVE: SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Summary of Findings

This section highlights the findings of the study on land use conflict in the Tana Delta. It provides a detailed summary of the key results obtained from the study, which examined the underlying causes of land use conflicts between farming and pastoralist communities in the Tana Delta. The findings revealed that land disputes are primarily fuelled by competing interests over access and control of land resources, particularly during periods of environmental stress such as drought or flooding. The study also found that inadequate land tenure systems, population pressure, and weak enforcement of land use policies further exacerbate tensions between the two groups. These dynamics create a fragile coexistence that often escalates into conflict, especially when livelihoods are threatened. Overall, the findings underscore the complexity of land use challenges in the region and the need for inclusive and sustainable land management strategies that consider the needs of both farmers and pastoralists.

5.1.1 Social-Economic Factors Fuelling Conflict

The investigation observed that Tana Delta communities have faced land ownership problems since they first acquired the land. The survey also found that the fundamental cause of this scenario is that nearly all of the property in Tana River and Tana Delta is trust land, and most settlers do not have titles to their ancestral property. This has resulted in repeated violence since land title is in dispute, with Ormo being farmers and Pokomo being pastoralists. The disputes in the area are

intense. The fundamental cause of this serious conflict is a lack of access to pastures and water, which causes conflict between pastoralists and farmers.

The study also reported that confrontations in the area resolve after months of squabbles, with recurring incidents of conflict being major. Conflicts over increasingly scarce land and water resources, as well as economic and political power, continue to erupt in Tana Delta. Locals being incited by politicians for political gain and unequal distribution of resources are key social, economic, and political variables that impact violence in Tana Delta to a large extent. Community members have suffered significant losses as a result of the war in the area.

5.1.2 Customary Regulatory Frameworks of Addressing Conflicts

According to the study's findings, legal policies are in place to address conflicts. Some of the legal policies used to resolve issues include designating the contested region of the basin as a KWS conservation area and designating the contested area of the basin as community land. Other legal means for conflict resolution include Tana peace committees at the divisional level, the "Maslah law court," and law enforcement by national police. The adoption of regulatory rules has increased the public's understanding of rights and constraints, resulting in fewer conflicts.

Despite the efforts of several organizations to contain conflict through a community-based system, some community members have emerged to oppose the policies, fuelling greater conflict since they believe the policies are discriminatory in character. This was reinforced by important informants who stated that conflict, particularly among Pokomo and Orma, was a recurring issue with no long-term solution. The utilization of pre-existing conflict management frameworks, such as

the Gada system for Orma and Kijo for Pokomo, has not resulted in successful dispute resolution. The Orma prefer elder involvement because these people are regarded as strong and experienced, and their decisions are respected. The role of women and youth in peace meetings is critical to decision-making in their process. Traditional land tenure principles must be codified and incorporated into statutory law. Individualization of land has increased the number of people living without land, as well as new sorts of ownership disputes.

5.1.3 Community Perception on Land Use Conflict

According to the study, community members are involved in all dispute resolution processes in Tana Delta. As a result, the majority of the locals have gotten some form of conflict resolution intervention. According to key informants, it is vital to involve locals in the conflict resolution process since this allows one to understand ethnic conflicts, recognize their core causes and complexities, and determine how they might be resolved to promote peaceful coexistence. Timely action in confrontations is critical because violence escalates and becomes more difficult to control over time. The administration holds peace talks to try to end the situation. However, due to mistrust and enmity among themselves, the communities lacked confidence in the peace sessions. Their lack of enthusiasm was also tied to the fact that the two opposing groups' social structures differed.

The study also found out that clan elders and community leaders play a significant role in conflict resolution. A key informant confirmed the existence of a peace committee comprised of all Tana River residents (youth, women, and elders) to encourage and urge them to participate in the reconciliation and negotiation process.

Traditional laws, procedures, and mechanisms have been established to resolve these issues with the assistance of elders from both communities.

The Kenyan government's effort to limit the conflict has been felt, with the deployment of national security personnel and the prosecution of perpetrators through legal channels. However, this strategy has not effectively resolved the underlying causes between these two groups, since confrontations have reoccurred and even intensified. The intervention of many parties, including the community, in peace missions has reduction in conflict in the area. However, several measures have failed to address the area's increasing difficulties with tenure holdings, rights to and security over land. The failure of those measures is because the contesting communities suggest contrasting intervention measures that are incompatible with one another.

Training communities on legal laws and the need for peace, as well as incorporating local people in policy creation, are some of the measures that have successfully contained conflict in the area. Similarly, recognizing the contested portion of the basin as a KWS conservation area, a portion of the basin as community land, and disarming warriors. Though there has been of work in the area by conflict resolution agencies, the steps adopted are not regarded as effective by the residents. Traditional peace committees, government institutions, police services, religious organizations, and non-governmental organizations (NGOS) are some of the successful mechanisms that have been regarded as accommodating and capable of resolving disputes among community members in the past.

5.2 Conclusions

Based on the findings of the first objective, which was to examine the elements fueling Tana Delta natural resource conflicts. The study concludes that land ownership is a major socio-economic and political factor that has led to recurring conflicts among Tana Delta residents. Almost all of the land in Tana River and Tana Delta is trust land, and the vast majority of inhabitants' lack ownership to their ancestral holdings. A race for access to pastures and water causes conflict between pastoralists and farmers.

Additionally, politicians in the area also encourage their constituents against the opposing community, causing the fight to last months. The recurrence of the violence in the area has resulted in enormous losses to the people in terms of human lives and property.

Secondly, the study concludes that legal policies adopted to contain conflicts, such as designating the contested portion of the basin as a conservation area managed by KWS, establishing a Tana peace committee at the division level, and enacting regulatory policies, have increased people's awareness of their rights and restrictions, thereby reducing conflicts. Even though this policy has had some positive effects on conflict reduction in the area, other members believe that these policies are discriminatory and should not be embraced by their community, thereby fuelling further conflicts. This reaction has also resulted in the conflict repeating with no long-term settlement.

The utilization of pre-existing conflict management frameworks, such as the Gada system for Orma and Kijo for Pokomo, has not resulted in successful dispute resolution. Each group believed that their dispute resolution system was superior to the other, which has intensified the violence in the area. Individualization of land has increased the number of people living without land, as well as new sorts of ownership disputes.

Thirdly, community members are involved in all dispute resolution processes in Tana Delta. Similarly, it is vital to include clan elders and community leaders in the conflict resolution process. Understanding ethnic conflicts, recognizing their core causes and complexity, and addressing them to promote peaceful coexistence. Similarly, the study indicates that prompt intervention in confrontations is critical, because violence escalates with time and becomes more difficult to control. The study also concludes that government efforts such as the deployment of national security forces, the prosecution of perpetrators through legal processes, and the use of track-one diplomacy have not been successful in resolving the underlying factors between these two groups, as conflicts have reoccurred and even escalated. Instead, educating communities about legal policies and the importance of peace, as well as integrating locals in policy creation, may result in a reduction in conflict cases in the area.

5.3 Recommendations

The study highlighted the poverty and competition for scarce resources as key drivers of conflict in Tana River County. To respond to this challenge, programs that diversify livelihoods, such as the introduction of drought-resistant crops, irrigation systems, and other revenue-generating ventures (like beekeeping and ecotourism), should be put in place by the government and non-governmental organizations in order to lessen this. This would ease tensions between farmers and herders by reducing pastoralism and an excessive dependency on land.

Secondly, the study found that in order to win elections, political elites frequently take advantage of ethnic differences over territory. Stricter accountability measures against politicians who incite violence should be implemented by the national government, and in particular, by law enforcement agencies. In order to guarantee fair resource distribution and deter ethnic favouritism, local administration should also incorporate conflict-sensitive governance systems.

Thirdly, since conflicts tend to repeat, putting in place community-led early warning systems would assist in seeing and reducing tensions before they become more serious. In order to facilitate proactive mediation, these systems ought to include women, youth, and local leaders in the monitoring of cattle movements, political discourse, and resource shortages.

The study also found that conflicts between formal land adjudication, which is preferred by farmers, and traditional communal land procedures, which are preferred by pastoralists, are one way that conflict in Tana River is expressed. To guarantee clarity and lessen disagreements, a hybrid legal structure that acknowledges

customary land rights and incorporates them into Kenya's National Land Policy should be formulated. Furthermore, in order to guarantee that decisions are enforceable and respected, the government should formally acknowledge and empower traditional conflict resolution mechanisms like community elders as mediators, good offices, and negotiators by educating them in contemporary mediation techniques and connecting them to the formal justice system.

Additionally, to map and title land, the government should also expedite the Tana Delta's participatory land delineation process, which involves all relevant parties, including farmers, herders, and local leaders. To lessen misunderstanding, public awareness initiatives should inform people about legal processes and land rights.

In order to address the misconception that “outsiders” are stealing resources and causing more divisions, this study also suggests implementing peace education and intercommunal communication. Narratives of shared resource interdependence should be promoted in schools, radio shows, and intercommunal conversations. Workshops could bring farmers and herders together to collaboratively manage water points and grazing corridors.

Women's voices are often left out of land disputes, despite their crucial role in resource management; local peace committees should include women to address gendered impacts of conflict, such as food insecurity and displacement, and to advocate for equitable access to resources. Youth are another important group, as they are often drawn into violence due to marginalization and unemployment; mentorship programs could counter ethnic stereotypes that perpetuate conflict, and vocational training and sports/arts initiatives could refocus their energies.

5.3.1 Recommendation for further Studies

The research looked into the factors that contribute to land conflicts in Tana Delta farming and pastoral communities. As a result, similar research is needed in other areas where land conflicts are common, such as Nandi, Mandera, and Isiolo. Because the study concentrated on land conflicts, a comparable study concentrating on other types of communal disputes such as social and political conflicts, should be carried out. A study should be carried out to identify the aspects that can help to lessen conflicts between pastoral and farming communities. Finally, studies should be performed in other areas where pastoralism is not practiced but there are land disputes. These areas contain metropolitan communities with adequate resources and work possibilities, as well as high levels of education, but property disputes remain.

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APPENDICES

Appendix I: Introduction Letter

Abdullahi Ahmed

Kenyatta University

NAIROBI

Dear Respondents,

RE: DATA COLLECTION BY ABDULLAHI AHMED MOHAMUD

My name is ABDULLAHI AHMED MOHAMUD, a Masters student from Kenyatta University. In partial fulfilment of the requirements of the award of a master's degree, I am conducting an academic research on Factors Influencing land use conflicts among farming and pastoral communities in Tana Delta, Tana River County, Kenya. This letter is to humbly request you to respond to the questions in the attached questionnaire to enable me carry out this research. This is an academic exercise and you are assured of anonymity and confidentiality.

Thanks in advance for your willingness to generously contribute to this research.

Yours truly,

Abdullahi Ahmed

Appendix II: Questionnaire

The following Questionnaire is strictly for academic work. It is submitted by Abdullahi Ahmed, Kenyatta University who is undertaking research for Master of Environmental Studies and community development on the effects of land use conflicts among farming and pastoral communities in Tana Delta as the case study. The information you provide will be treated with utmost Confidentiality. Your assistance in answering the questions is highly appreciated.

SECTION A: BASIC INFORMATION

1. Please indicate your gender

Male Female

2. What is your level of education?

a) None

b) Primary

c) Secondary

d) Tertiary

3. Please indicate your occupation

.....

4. For how long have you been involved in land use in Tana Delta?

a) Less than 2 Years

b) 3-5 Years

c) 6-10 Years

d) 11-15 Years

e) Above 15 Years

SECTION B: SOCIAL-ECONOMIC FACTORS FUELLING CONFLICTS

1. Have you experienced any conflicts in your period of land ownership in Tana Delta?

Yes [] No []

b. If yes, how would you rate the severity of the conflicts?

a) Very Severe []

b) Relatively severe []

c) Not severe []

d) No effect []

2. How long did the conflict last?

a) Hours []

b) Days []

c) Weeks []

d) Months []

3. To what extent do you think that the following social economic and political factors could have been the cause of conflicts?

Causes Large Extent Moderate Extent Uncertain Less extent No extent

a) Unequal Distribution of Resources e.g. land

b) Poverty among residents

c) Incitation by politicians for political benefits

d) Unemployment among youths

e) Practices of traditional rituals

4. What are other factors do you think cause conflicts amongst Tana Delta people?

.....
.....
.....
.....

5. Have you personally incurred any loss out of the conflicts?

Yes [] No []

b. If yes, how much could the loss have totalled to in monetary terms?

.....
.....

SECTION C: CUSTOMARY REGULATORY FRAMEWORKS OF ADDRESSING CONFLICTS

1. Are you aware of any legal policies that have been put across by relevant authorities to resolve conflicts?

Yes [] No []

b. If yes please state any?

.....
.....

Are there follow-ups by government agencies and other stakeholders to ensure that the policies are adhered to?

Yes [] No []

2. To what extent do you agree with the following statements on effects of legal and customary regulatory framework in addressing conflicts?

Statement Large Extent Moderate Extent Uncertain Less extent No extent

- a) Customary law used are focus on the needs and desires of people rather than on results
- b) A resource which is part of customary tenure patterns are made legally inaccessible to one of the parties it causes a conflict
- c) Regulatory policies have brought awareness on the rights and restrictions amongst the people thus reducing conflicts
- d) The policies have reduced customary practices thus causing leadership vacuum and conflicts
- e) Community members have emerged to oppose the policies thus fueling more conflicts
- f) Lack of consultations and involvement of the local people by the law makers is increasing conflicts

3. What are other impacts do you think have come as a result of legal policies and customary regulations?

.....
.....

4. How would you comment on the legal policies and customary regulatory frameworks imposed on the communities?

.....
.....
.....
.....

SECTION D: Community Perception of Land Use Conflicts

1. Are you involved in any way in conflict resolution process in Tana Delta?

Yes [] No []

5. To what extent do you agree with the following statements on community perception influence land use conflict?

Solution Large Extent Moderate Extent Uncertain Less extent No extent

a) We own the land for our farming activities and no one should claim otherwise

b) Land is for everyone and as pastoralist community we have the right

c) Land should be a freehold and no own should claim to own the land

d) Those who poses large portion of land are the reaches people in the community thus people protect land in all means

e) Owning a large number of cattle signifies how rich you are and thus you need a land to herd the cattle.

3. What other solutions would you propose to resolve conflicts?

.....
.....

4. Which improvements would you recommend the authorities to do in order to reduce conflicts in the area?





.....
.....
.....

THANK YOU

Appendix III: Key informant Interview Schedule

- i. What are the causes of conflict in Tana Delta? Explain.
- ii. Who are the main actors in the conflict and what role do they play in the conflict?
- iii. Do conflict hotspots areas exists? If yes why and name them.
- iv. Which methods are used mostly to solve conflicts?
- v. What are the challenges encountered or experienced in solving conflicts?
- vi. What are the short- and long-term impacts of these conflicts?

Appendix IV: Research Permit

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
Ref No: 630294	Date of Issue: 16/April/2025
RESEARCH LICENSE	
	
This is to Certify that Mr.. Abdullahi Ahmed Mohamud of Kenyatta University, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Tana river on the topic: Determinants of land use conflicts among farming and pastoral communities in Tana Delta, Tana River County. Kneya, for the period ending : 16/April/2026.	
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