

Panacea or Pacifier. Faith-Based Perspective on the Management of Cattle Rustling among Pastoral Communities in Kenya

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Abstract: The research study focused on the state and non-state policies employed to manage cattle rustling among pastoral communities in Kenya. The general objective was an evaluation of the interface between state and non-state policies in cattle rustling management among pastoral communities in Kenya. The specific objectives the effect of faith based policies, in the management of cattle rustling in Kenya. The area under study was in North western Kenya which comprised Turkana, West Pokot, Elgeyo-Marakwet, Baringo and Samburu counties with a population of 2,980,035. The sample size was 444 determined by use of Krejcie, R.V., & Morgan, D.W table. Findings indicate that the Churches/mosques supports locals by loans to own permanent structures (mean score of 4.862), the Churches/mosques provides employment after school with a mean score of 4.138, further Churches/mosques offers education on good farming with mean score of 3.434. The Churches/mosques encourages community intermarriages with a mean score of 3.406 and finally the Churches/mosques offers locals market to their produce (mean of 2.453). It is apparent that state based policy interventions could only work if the members of the public were fully engaged before security disarmament exercises. To management cattle rustling, the Government of Kenya therefore has an option of engaging Public participation with the help of Faith- based leadership as primary lead agencies to spearhead sensitization before any security stabilization programs.

Keywords: Cattle rustling, Churches/mosques, faith based policies, interface, non-state policies and pastoral communities.

I. INTRODUCTION

The major functions and responsibilities of every state among other things, was the protection of life (security) and property of the citizenry. This was in exchange with the natural freedom mankind earlier enjoyed in the state of nature as conceived by Rousseau, which was consequential to the terms of social contract mankind engaged himself in with the state (government, community, government, leviathan, sovereign). (Appadorai, 2004). This concept was shared by, Dunmoye, (2014) and Unobe, (2014) who concurred that Governments existed to support mankind through social contract where public policy executions were based on peoples' sovereignty. However, few states succeeded in keeping to terms of the social contract while many other states failed and as the result many citizens frequently lost their lives and properties from time immemorial to date.

Despite having a vibrant economic policy aimed at growth with equitable distribution (GOK, 1965). Studies on inequalities were not allowed by the Kenyan Government until 2000. Public policies cut across Government institutions, disciplines, and sectors. (Stone, 2008). This meant that public policies affected all sectors of the economy, political entities, socio-

cultural organizations, and private organizations. The policy-making process takes awareness of economic, social, and political issues. It was endless, making it possible to assume different policy responses from various stakeholders, such as regulations governing import quarters and laws on the local, national, or international levels. Examples of common policies were food policy, security policy, entrepreneurial policy, water policy, forest policy, and political party policies. (Metivier, 2016).

In Canada, the Government had adopted a legislative approach in dealing with cattle rustling practices. The suspects were charged using the Criminal Code Section 338, where the maximum sentence had been enhanced to 10 years with a fine of \$10,000, (Fukuyama, 2013). In Wild West, however, by the 19th century, the practice of cattle rustling attracted a hanging sentence until the 21st century when the law was reviewed, and the charge lowered to ten years following a clamor by civil rights organizations. (Sharkansky et al., 2016).

In West African states and the countries in the Maghrib, the public policies put up by the Government punish cattle rustlers by use of the Penal code and other decrees integrated into their constitutions. The blend of legal application constituted the use of other legislation such as Universal Education policy by all school-going children and Proper Land Use Act of 1978. Besides the above, there were other alternative avenues used by some states to contain cattle rustling, such as the Miyet Allah Cattle Breeders Association of Nigeria, which had adopted an integrated policy of socio-political, economic, and cultural integration to focus on pastoral communities who engaged in cattle rustling such as the Fulani communities.

In South Africa, the Government used the Penal code to punish the cattle rustler offenders despite the vice's continuation. It was a scourge in South Africa as it was spread across the pastoral communities, (Mashala, 2012). In East Africa and Kenya in particular, the Europeans' colonial policy during the cold war period had a bearing in the policy aspect concerning cattle rustling. The pastoral communities in Northern Kenya were neglected, and no attention was given to them as far as livestock policy development was concerned. The Pokot community and their neighbors, Turkana and Elgeyo– Markwet, were closed to progress. (Pellisary et.al, 2015).

In April 2004, the Kenyan Government signed the Nairobi Protocol on Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes region and the Horn of Africa. This protocol involved the East African countries, Kenya, Uganda, Tanzania, Burundi, Rwanda, South Sudan, Eritrea, and Ethiopia. This was concerning adopting a non-cattle rustling approach by East African Countries on grounds based on mutual agreement, (GOK, 2004). In May 2005, the Kenyan Government further signed another protocol to develop an implementation mechanism in respect to prevention, to combat, and eradicate cattle rustling by 2008 within the country borders.

In 2015, Kenya formed a multi-pronged approach where a county-based strategy to discourage gun culture was formed, and this was centered around creating public awareness, community safety, and the creation of alternative means of livelihood in cattle rustling affected counties in The North Rift. The Ministry of Interior and Citizen services came up with Draft Arms Management Policy and Community Policing strategy to augment KNFP efforts. (Office of the President, 2006). The Ministry of Agriculture, livestock, Fisheries, and Irrigation has come up with a draft policy on livestock management to address the gaps existing in various sub sectors of the economy. (Ministry of Agriculture Draft Policy, 2019).

Statement of the problem

In reference to Kenyan case, despite the Government's effort to put in place legal mechanisms and regulatory measures to manage cattle rustling in the past years, cattle rustling continued to be practiced. (Bashir, 2017). It had continued to be a security threat in the North Rift where lives were lost, livestock were stolen, schools closed down, and massive numbers of people displaced from their homes. (Barilla S., Plang I. and Isaac J. 2019). The cattle rustling menace had been a major challenge to the general governance, economy, national security and social order in the North Western part of Kenya. (Mkutu, 2019). This menace of cattle rustling had continued to erode the political and socio-economic balance of many nations culminating in calling the attention of policy makers across the globe. (G.O.K 2019). This led to the clamour for credible policies to manage the effects of the menace of cattle rustling. It was after a critical review of the effects of cattle rustling on the general development in the North Rift that this study became necessary hence the investigation of the policy actions of different states actors concerning the insecurity situation brought about by cattle rustling. This formed the basis for the research project

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The cattle rustling menace had been researched by many scholars who brought forward its challenges to the authorities to take action. Some of these scholars were Titus Kaprom, who investigated the effects of cattle rustling on economic development with a case study of Messol location in West Pokot County. (Kaprom, 2016). In 2005, McMillan Muchai did research on disarmament and destruction of firearms, not a panacea to insecurity in Kenya. In 2005, Joshia Osamba, did a study on the sociology of insecurity: Cattle rustling and Banditry in Northern Kenya. Despite the above information, cattle rustling remains a serious security challenge in the North Rift, and this study endeavored to apply faith-based policies to provide solutions that could deal with the existing lapses and ensure appropriate recommendations had been arrived at to inform the authorities on how to eradicate cattle rustling in the North Rift.

Objective of the study

To find out the effect of faith-based policies in the management of cattle rustling in Kenya.

II. THEORETICAL FRAMEWORK

Social contract theory

The study utilized social contract theory as propounded by Jean Jacques Rousseau in 1762. Rousseau was born in 1712 and died in 1778. This theory inspired the population to rise against injustices meted against them which resulted in the French revolution of 1789. It was a revolution against the French despotic monarchy and formed the basis of popular sovereignty. The cohorts of Rousseau include: Thomas Hobbes and John Locke among others (the mechanical theorists of the state). According to Rousseau man was essentially good and sympathetic as found in the state of nature, he forwarded that in the state of nature men were free and equal, there was idyllic happiness, but with the introduction of private property, material acquisition and the increase in number, quarrels arise and man was compelled to give up his natural freedom and rights, to find a form of association which protect with the whole common force the person and his property. Every man who was an associate became as free as before, the problem of men was solved through the contract and the creation of the civil society.

In the contract every man surrendered to the community all his rights, the community became sovereign. The sovereignty was exercised in the interests of the subjects, because the sovereign body was formed only of the individuals who constitute it. The sovereign body had no interest which contradicts the interest of the subjects.

According to Barilla S., Plang I. and Isaac J. (2019), the theory was utopia, on the basis that the state had no interest that contradicted that of the subjects. It was not possible for the state to have the same interests with the subjects at all time. Secondly, individuals in the state differ from one another in their interests at individual, group and community level, with different numerous and contradicting priorities based on the nature of the community and the social order. This again, made it difficult for the state to fit into the interests of these different categories at all times in the exercise of its functions, most especially in the area of human security which was the part of the thrust of the discussion. It is at this point the researcher thought of introducing the faith-based policies of the church and the mosque to find out whether the churches and mosques can play a role in mitigating cattle rustling given that they are more directly on the ground than the state. The preachers and faith based teachers interact with the locals at least once a week and by them preaching peace, cattle rustling might be discouraged.

III. RESEARCH METHODOLOGY

The study applied a mixed-method study design which invoked the usage of both probability and non-probability methods of data collection and techniques. The population of the study comprised of 2,980,035 from North Rift Kenya from where a sample size of 444 was determined by use of Krejcie, R.V., & Morgan, D.W table. Questionnaires and interviews methods were used to collect primary data. The questionnaires targeted 384 respondents while the interview schedules targeted 60 key respondents. For the quantitative analysis, Statistical Packages for Social Sciences (SPSS) was used to analyze the data while triangulation method was applied for qualitative data analysis. Results were summarized into means, standard deviation and interpretation done by regression model, $Y = \beta_0 + \beta_1 X_1 + \epsilon$, Where; β_0 , is regression coefficient to be estimated, X_2 , = Faith based policies and ϵ = error term

IV. RESULTS AND DISCUSSION

Faith based policies

The results on descriptive statistics on general overviews of the respondents concerning the interface between faith-based policies in cattle rustling management among pastoral communities in Kenya were recorded in table 1 below.

Table 1: Faith based policies

	Statements	N	M	SD	Sig.
1	I believe that the church standing and preaching for peace and justice has reduced cattle rustling	384	1.138	.3453	.013
2	I believe act of the church providing foodstuffs has reduced rustling	384	1.862	.3453	.022
3	I a member church of a church/mosque	384	3.867	.2287	.022
4	I attend church/mosque	384	1.281	.4502	.033
5	The church/mosque preachers teach against cattle rustling	384	1.580	.4940	.034
6	I believe reconciliation by the church has reduced rustle rustling by avoid further rustling by revenge	384	1.281	.4502	.046
7	I believe cattle rustling exists due to lawlessness	384	1.862	.3453	.021
8	The Churches/mosques gives scholarships	384	1.138	.3453	.026
9	The Churches/mosques provides employment after school	384	4.138	.3453	.031
10	The Churches/mosques supports locals by loans to own permanent structures	384	4.862	.3453	.024
11	The Churches/mosques support locals to own farm implements	384	4.010	.7578	.011
12	The Churches/mosques offers education on good farming	384	3.434	.1789	.014
13	The Churches/mosques offers locals market to their produce	384	2.453	.2938	.015
14	The Churches/mosques encourages community intermarriages	384	3.406	.6001	.014
15	The Churches/mosques teach against killing to acquire cattle	384	1.708	.4551	.023
16	The Churches/mosques teaches that cattle is not the only means of paying dowry	384	1.289	.4539	.031
17	The Churches/mosques mitigates among communities	384	1.427	.4953	.024
18	Churches/mosques have increased in our region	384	1.289	.4539	.003

In respect to the influence of faith-based policies on cattle rustling management, the respondents disagreed that the church’s policy on preaching peace and justice had reduced cattle rustling as supported by a mean of 1.14 and a standard deviation of 0.35 and Sig. (2-tailed) value 0.01 was derived. These findings did not corroborate with Elfversson, (2016) that the church was very critical in preaching the gospel and promoting peace in the region. The church had been involved in creating committees within the communities to create a friendly environment for pastoralists with a view to creating platforms where the residents would meet to discuss issues cattle rustling. The preaching of peace in these regions was a critical factor in enhancing peace in the area. The church had promoted intercultural relations whereby all communities could go to church and chair meetings of improving mindsets of the people and their economic stability.

Moreover, the respondents disagreed that the act of the church of providing foodstuffs had reduced cattle rustling as supported by a mean of 1.86 and a standard deviation of 0.35 and Sig. (2-tailed) value .022.

Most respondents indicated that they were members of a church/mosque as supported by a mean of 3.87 and a standard deviation of 0.23 and Sig. (2-tailed) value 0.02. The findings indicated that the respondents rarely attended church/mosque as supported by a mean of 1.28 and a standard deviation of 0.45 A Sig. (2-tailed) value 0.03. The respondents further disagreed that the church/mosque preachers teach against cattle rustling as supported by a mean of 1.58, a standard deviation of 0.49 and Sig. (2-tailed) value of 0.034. These results were contrary to Philip Kepkemboi’s research on the voluntary contribution made by faith based and NGOs in the social-economic development in Turkana county, Kenya, (1986-2006), where he highlighted the critical role of the church in dealing with cattle rustling menace.

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Respondents believed that the reconciliation by the church had reduced cattle rustling by avoiding further rustling as revenge was supported by a mean of 1.281 and a standard deviation of .4502. A Sig. (2-tailed) value .046 as derived. The respondents believed cattle rustling existed due to lawlessness as supported by a mean of 1.862 and a standard deviation of .3453. A Sig. (2-tailed) value .021 was derived.

The respondents disagreed that the Churches/mosques gave scholarships as supported by a mean of 1.14 and a standard deviation of 0.35 and Sig. (2-tailed) value of 0.03. Respondents agreed that the Churches/mosques provide employment after school as supported by a mean of 4.14 and a standard deviation of 0.35 and a Sig. (2-tailed) value of 0.031.

Respondents agreed that the Churches/mosques supported locals by provision of loans to own permanent structures as supported by a mean 4.86 and a standard deviation 0.35 and a Sig. (2-tailed) value of 0.02 and further that Churches/mosques support locals to own farm implements as supported by a mean 4.01 and a standard deviation 0.76. A Sig. (2-tailed) value 0.01 was derived also the Churches/mosques offered education on good farming as supported by a mean 3.43 and a standard deviation 0.18 at Sig. (2-tailed) value of 0.01 was derived. The respondents disagreed that the Churches/mosques offered locals market for their produce as supported by a mean 2.45 and a standard deviation 0.29 and a Sig. (2-tailed) value of 0.02 was derived.

The respondents agreed that Churches/mosques encouraged community intermarriages was supported by a mean 3.40 and a standard deviation 0.60 with Sig. (2-tailed) value of 0.014 however respondents disagreed that Churches/mosques taught against killing to acquire cattle as supported by a mean 1.71 and a standard deviation 0.46. A Sig. (2-tailed) value of 0.02 was derived. Further respondents disagreed that Churches/mosques taught that cattle is not the only means of paying dowry as supported by a mean 1.29 and a standard deviation 0.45. A Sig. (2-tailed) value of 0.03 was derived. Respondents disagreed that the Churches/mosques mitigated among communities as supported by a mean 1.43 and a standard deviation 0.50. A Sig. (2-tailed) value of 0.02 was derived. Churches/mosques had not increased in our region as supported by a mean 1.29 and a standard deviation 0.45. A Sig. (2-tailed) value of 0.00 was derived.

The results from all the parameters of faith based policies indicated that there was statistical significance in the faith based policies where it was noted that religion influenced cattle rustling ($p < 0.05$) out of the 18 descriptive statements. On the contrary, churches/mosques encouraging community intermarriages was not significant ($p > 0.05$). All the mean scores were above one (1) across all the descriptive statements which showed there was variation in the causes of cattle rustling.

According to Ruto S., Ongwenyi Z., and Mugo J., (2009), the church in Kenya had been credited with starting and expanding schools in arid Counties of Kenya. In Samburu, the Catholic Church was supporting an extensive community based pre-school system. In Marti Parish for example, 20 nursery schools enrolled about 1500 children who it supported. The church paid the teachers, provided learning material, guided the teachers on how to teach and supported School Feeding Program. The priest also facilitated entry to boarding primary schools within a radius of 80 km. The pre-schools were registered with the nearest primary school, which could be as far as 30 km away. The pre-schools situated within the "manyattas" were mobile. The intention was to grow these units to at least Grade three (3). This would allow children to remain at home longer before they proceeded to boarding school. Given the low population density, having a fully-fledged school may not be cost effective. While the impact of these schools in aiding access was tremendous, it had been observed that "for many children, nursery would be their only education. Parents would send a few children to primary school". Sustaining children in school would require investment in school types nearer to families. The mobile pre-school system in Marsabit (Chalbi) run by the Catholic Church presents exciting possibilities of giving children a head start in formal schooling. These churches supported schools to perform two functions with greater regularity and efficiency, which resulted in better schools and better transition. First, the church offered a "supervisory role" ensuring that these schools are monitored. This enhanced accountability from teachers. The chances of learning not occurring because of "teacher unavailability" were minimized. Indeed, all four pre-schools visited during the field visit were on session. Second, unlike the ALRMP/MOE mobile schools in which children repeat the same level and ultimately drop out because of lack of access to primary schools, the Catholic Church (parish priest) followed up and arranged for children to join the next school. By identifying the schools and transporting the children, the church played a significant role in aiding transition from pre-school to grade one (1).

Results of Interview

This study examined the effects of Faith-based policies in the management of cattle rustling. The results showed that faith based policies had succeeded in provision of alternative livelihood to the communities in terms of agriculture and organization of grazing and watering of animals. It became clear that the churches and mosques had brought significant development such as; giving employment opportunities to young people after school, soft loans to put up permanent structures, provision of food stuff and preaching peaceful co-existence among various communities living in the North rift. The interviews found out that the following were critical in the management of cattle rustling;

1. Teaching the residents to embrace the word of God and its principles such as be your brother’s keeper
2. The residents embracing alternative source of livelihood to augment livestock farming
3. Peaceful coexistence among communities living the study area
4. Provision of employment opportunities after school
5. Provision of soft loans to put up permanent structure
6. Organization of Rangeland management practices(grazing and watering points)

From the findings above, the researcher came to a conclusion faith based policies had succeeded in the management of cattle rustling in the North-rift. The researcher found out that traditional religious beliefs far outweighed Christian and Muslim faith. This proved to be a challenge when religious leaders wanted to transform society through the word of God. More so, the young people, most of whom were morans stayed away from the family where churches and mosques are found. Consequently, the young people could not be reached because they had embraced the cultural ways of life and only the parents could be reached by the religious leaders.

In the interviews, Respondent R27 was recorded having commented that

“The faith organizations should be given credit for its role in talking to morans who engage in cattle rustling - the engagements substantially pacify the region especially in Samburu county where the morans don’t listen to their elders”.

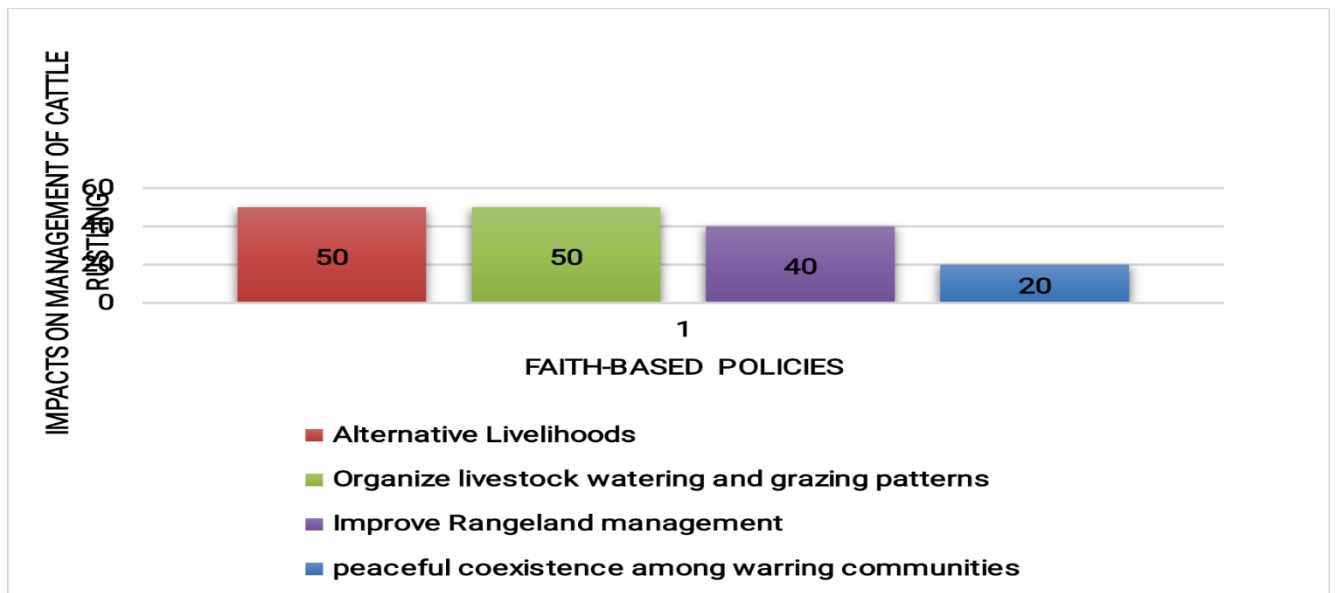


Figure 1: Impacts of faith-based policies in management of cattle rustling

Panacea or pacifier

The faith-based policies did not achieve the role of a panacea because in its self, they did not make much positive impact. Despite the fact that most people in the affected area were members of a church or mosque (mean of 3.867), most of them were not regular members of the church (mean of 1.281). Hence, the respondents did not believe that the church standing

and preaching for peace and justice has reduced cattle rustling (mean of 1.138) as it is expected of the church/mosque. The church/mosques were a panacea in five areas only, (1) the Churches/mosques supports locals by loans to own permanent structures (mean score of 4.862), (2) the Churches/mosques provides employment after school with a mean score of 4.138, further (3) Churches/mosques offers education on good farming with mean score of 3.434, (4) the Churches/mosques encourages community intermarriages with a mean score of 3.406 and finally (5) the Churches/mosques offers locals market to their produce (mean of 2.453). Churches/mosques failed in as peace enablers may be because they were not able to reach the morans. However, even though Faith-based policies was not a cure it all, they are good pacifiers in that they can be used by the government to foster peace in the region by their preaching, encouraging more inter marriages and promoting agriculture further given that churches/mosques are on the ground.

V. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Summary

On the influence of faith-based policies on cattle rustling management, the respondents disagreed that the church's position in respect to preaching against cattle rustling had a positive impact. Moreover, the respondents disagreed that the act of the church providing foodstuffs had reduced cattle rustling. The findings indicated that the respondents rarely attended church/mosque. The respondents further disagreed that the church/mosque preachers taught against cattle rustling. The respondents believed reconciliation by the church had reduced cattle rustling by avoiding further rustling on revenge basis. The respondents believed cattle rustling existed due to lawlessness. The respondents disagreed that the Churches/mosques gave scholarships to learners. Respondents agreed that the Churches/mosques provided employment to students after school. The respondents agreed that the Churches/mosques supported local residents with loans to own permanent structures and further that Churches/mosques supported them to own farm implements and also the Churches/mosques offered education on good farming practices. The respondents disagreed that the Churches/mosques offered local people a market for their produce. The respondents agreed that Churches/mosques encouraged community intermarriages however, respondents disagreed that Churches/mosques taught against killing to acquire livestock. Further respondents disagreed that Churches/mosques taught that cattle rustling was not the only means of paying dowry. Respondents disagreed that the Churches/mosques mitigated against crimes emanating from cattle rustling among communities. The Churches/Mosques had not increased in the region.

5.2 Conclusions

The study found out that the local people in the Counties under the study attended churches / mosques for spiritual nourishment but they were not regular attendees. This pointed to lack of spiritual and fundamental doctrines which discouraged stealing among others. However, the faith based policies had been instrumental in changing livelihoods and lifestyle of the locals in the North Rift. They did this by providing employment to the youth after school, soft loans to enable them build permanent structures, purchase of farm implements, new farming skills and encouraged inter-communal marriages to foster peaceful co-existence among the communities in the North Rift.

Nevertheless, the faith based leaderships had not performed to the expected higher levels as to wipe out cattle rustling, perhaps attributable to the fear of attack from cattle thieves. Similarly, the faith based leaderships rarely preached and taught against cattle rustling through reconciliations after cattle rustling episodes but preached for long before or after people had been killed and livestock stolen. The churches and mosques offered some little scholarships due to the irregular attendance by the people in the North Rift.

5.3 Recommendations

In the case of faith-based policies, the trend was worrying because the standard deviation in respect to religious institutions to support farming activities is low (0.75). Similarly, religious institutions didn't sufficiently support community intermarriages which was one way to foster intercommunity peace (0.6). From the research findings, the management of cattle rustling could easily be managed if the NGO's and religious institutions team up to provide necessary and conducive environment by provision of both software and hardware support.

It was apparent that state based policy interventions could only work if the members of the public were fully engaged before security disarmament exercises. The Government of Kenya therefore had one options if cattle rustling was to be managed, that Public participation with the help of Non-governmental organizations and Faith- based leadership as primary lead

agencies to spearhead sensitization before any security stabilization programs. The researcher recommends software mechanisms in creating awareness and promotion of practices which promote peaceful coexistence among pastoral communities. The hardware approach is not only expensive but creates more suffering to innocent people as the real suspects flee the scenes of incidences.

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