

Cultural Perspective in Management of Cattle Rustling Among Pastoral Communities in Kenya

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Abstract: The practice of cattle rustling is rampant amongst pastoralist communities in Kenya which involves stealing cattle either for economic gain or social gain. This destabilizes these communities and undermines their normal livelihood strategies, thus contributing to increased poverty and under development. The study draws on the experience of pastoral communities in the arid zone of north-western Kenya, an area with a long history of cattle rustling activities. Despite the Government's effort to put in place legal mechanisms and regulatory measures to manage cattle rustling in the past years, cattle rustling has continued to be practiced. The specific objective was to find out the effect of cultural influences in the management of cattle rustling in Kenya. The area under study comprised of Turkana, West Pokot, Elgeyo-Marakwet, Baringo and Samburu counties with a population of 2,980,035 people. A sample size was 444 determined by use of Krejcie, R.V., & Morgan, D.W table. The research utilized primary and secondary data sources. Data was analysed both qualitatively and quantitatively. Responded strongly agreed that cattle rustlers are celebrated in their community as supported by a mean 4.1380 and a standard deviation .3453. Further respondents strongly agreed that they practice cattle rustling for marriage as indicated by a mean 4.4193 and a standard deviation .4940. The study therefore recommended that there is a need for the Government to provide scholarships as bait to lure more students to take up studies and avoid cattle rustling. The researcher suggests for further research on the role of community conservancies in the management of cattle rustling in the North-Rift Counties.

Keywords: Baringo, Elgeyo-Marakwet, Cattle rustling, Cultural, North Rift region, Pastoralist communities, Samburu, Turkana.

1. INTRODUCTION

Background to the study

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.

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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 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).

The Kenyan Government punished cattle rustlers by use of the Penal Code Amendment Act, 2016, where a sentence of not less than 15 years was given to whoever was proven guilty of an offense of stealing livestock. The Act went further to notice any police officer who fails both in stopping the commission of an offense of stealing of livestock and investigating the same. If such an officer is found guilty by the courts, he will be sentenced to serve a jail term of 10 years (Penal Code Amendment Act, 2016).

Statement of the problem

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 has 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, Plang. & Isaac, 2019). The cattle rustling menace has 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 has 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 state actors concerning the insecurity situation brought about by cattle rustling.

For example, in October 2014, 21 police officers were killed by suspected Pokot raiders, and their rapid deployment unit truck was torched, (PDR, 2018). In October 2018, three people were killed and more than 700 head of cattle stolen in Nadome Village of Baringo County (Kipsang, 2019). According to Nginyang (2020), armed bandits attacked Nginyang' in Tiaty sub-county, Baringo county, shot Pokot herders and drove away 60 goats. In similar instances, on 9th April, 2020, over 800 people fled their villages of Kagir and Kosile in Baringo County for fear of retaliatory attacks over the raids carried by their youths from Nginyang (PDR, 2020).

The numerous scholars came up with different perspectives concerning cattle rustling and its cause and effect where to some, cattle rustling was a resource based conflict (economical), while to others it was a sort of organized crime or terrorist activity (terror brand cattle rustling) in its causation and prevalence. To the two schools of thought the above imperatives were the drivers, motives, rationale or perspectives of cattle rustling. This meant that the Government had not found solutions befitting in the fight and management of cattle rustling menace among the pastoral communities in the North Rift. The study therefore was about finding lasting solutions through analyses of applicable policies by the State and Non-State actors with a view to enabling National Government manage cattle rustling.

Objective of the study

To find out the effect of cultural influence in the management of cattle rustling among pastoral communities in Kenya

2. LITERATURE REVIEW

In the Eastern region of Africa most especially in Kenya, cattle rustling was the dominant cause of conflicts among the Pokot, Masaai, Marakwet and other pastoral community members. Cattle rustling in West Pokot County involved the Turkana, Sabaot, Samburu, Marakwet, Sabiny and Karamajong communities and it was a way of life for the pastoralists where pastoral communities like the 'Morans' organized raids and executed as a symbol of dominance. These raids were normally planned, guided and moderated by community elders. Usually retaliatory attacks always took place by the rival community elders' at the most appropriate time, although fatality did not occur. However, contemporary raids had become more frequent and fatal. This was attributed to the increase in extreme climatic events, particularly droughts and Proliferation of arms respectively (Huho, 2012).

According to Ngaga, (2012), the cultural practice of giving dowry before marriage was a major cause of cattle rustling. It was evident that this factor had had a major impact on the spread and practice of the culture of cattle rustling and conflict in the North Rift part of Kenya. This cultural practice had made the Pokots, the Marakwet and the Masaai among others think that cattle rustling is a normal way of life.

It was also noted among the Pokots in Kenya that there existed the practice of 'Sapana' (a Pokot male traditional rite of passage from adolescence to elder hood) which influenced cattle rustling. During 'sapana' ceremony, the man spears his favourite bull and serves meat to his friends and other elders, after which he was officially introduced to the elder hood club and was allowed to participate in community matters as an elder. Those who had not served 'sapana' meals had no say in community matters. The 'sapana' cultural rite encouraged the young adults to acquire bulls by whatever means so that they could be respected in the community. Women were identified as one of the major factors that triggered the spread of cattle raids because they celebrate successful cattle raiders with songs while using mockery against those who did not participate in raids. The women respected men with huge herds of cattle, while those without cattle were seen as cowards and not respected. The women always had songs for each occasion when raids were conducted successfully. (Cheserek et al., 2012). Similarly, cattle rustling in North America, was also seen as a culture practice among the Texan cowboys, Baker, (1945) and Derricourt, (1899).

In the same vein, Manu et al. (2014) observed that, traditionally, cattle rustling among the pastoral communities in other parts of the world was considered as a cultural practice which was sanctioned and controlled by the elders. This showed that in East Africa, most especially among the herders in Kenya, Uganda and Lesotho cultural rites and practices were the major causes of cattle rustling. Manu et al. (2014) further posited that it was from the cultural practice over a period of time that the cultural raid developed new trends, tendencies and dynamics, leading to commercialization and internationalization of the practice, contrary to the views of early scholars who trivialized cattle rustling as a mere cultural practice. By way of inference, it could be deduced that the cause of cattle rustling among the Pokot and the Marakwet people of Kenya was largely attributed to cultural practices, traditions, customs, values and beliefs Manu et al. (2014); Cheserek et al. (2012); Ngaga, (2012). Although there were other factors that caused cattle rustling among the Pokot and the Marakwet people, the major cause identified by the scholars was the culture and tradition of the Pokot and the Marakwet communities.

Culturally the practice of cattle raiding was significant as a rite of passage for young men as a means of paying dowry and a mark of prestige. However, in this respect, the practice had now been transformed from a quasi-cultural practice with important livelihood- enhancing functions, into a more predatory activity. Hendrick et al. (1998) and Gakuria, (2013) point out that the marriage institutions also had a hand in the conflict in pastoral life. Mature youths often went to conduct raids ostensibly to raise a certain number of cattle to present as dowry or bride price.

Culture of materialism and possessions was another factor leading to cattle rustling in the North Rift region where many people practiced pastoral farming. The fight for grazing space and water points now triggered community animosity (Wamuyu, 2014). In her journal, Social Structure and Anomie, she cited that livestock rustling had caused socio-economic disruptions which was unprecedented. She associated socio-cultural practices with cattle rustling, such as sacrifices, circumcisions, weddings, and dowry payment. This was corroborated by Sebit, (2017), who underscored the importance of cattle in respect to bride price, social status and identity. He argued that a surge in bride price had intensified cattle rustling in the North Rift.

3. RESEARCH METHODOLOGY

The researcher applied simple random, purposive and observation methods to collect data from the respondents in the study area. Data was collected by the use of questionnaire and interview schedule. The population of the study was 2,980,035 and a size of 444 respondents by use of Krejcie, R.V and Morgan, D.W table. The questionnaires were administered across the general sample while interview schedules were administered to specific type of residents such as elected leaders, security officers and local leaders.

4. RESULTS, DISCUSSION AND RECOMMENDATIONS

The results on descriptive statistics on general overviews of the respondents concerning the cultural influences on cattle rustling management among pastoral communities in Kenya were recorded in table 1 below.

Table 1: Cultural Influence

	N	M	SD	Sig.
Cattle rustling is not part of our culture	384	1.0000	.0000	.114
I believe cattle rustling is acceptable means of acquiring cattle	384	1.8620	.3453	.013
Cattle rustlers should be celebrated	384	4.1380	.3453	.022
I agree with rustling cattle for marriage	384	4.4193	.4940	.034
I do not speak in favor of cattle rustling	384	4.1276	.8345	.125
Cattle rustling is a sign heroism	384	3.5469	.2938	.035
Cattle rustling defines social status	384	1.8620	.3453	.034
Elders/community seers encourage cattle rustling	384	3.8672	.2287	.024
Cattle rustling is a source of income	384	1.8620	.3453	.214
Locals who have many cattle are seen as being powerful	384	1.0000	.0000	.022
Locals who have many cattle are seen as successful	384	1.2760	.6907	.013
Locals who have many cattle are seen as being high in social status	384	1.1380	.3453	.014
Community seers encourages cattle rustling	384	1.4193	.4940	.015
Community should be encouraged to inter marry from other tribes	384	1.2917	.4551	.016
culture of marrying locals is good	384	1.4193	.4940	.024

The findings indicated that the respondents disagreed that cattle rustling was not part of their culture as supported by a mean 1.0000 and a standard deviation .0000. The respondents believed cattle rustling was an acceptable means of acquiring cattle as supported by a mean 1.8620 and a standard deviation .3453. Cattle rustlers would be celebrated as supported by a mean 4.1380 and a standard deviation .3453. The respondents agreed that they practice cattle rustling for marriage as supported by a mean 4.4193 and a standard deviation .4940. This was corroborated by Sebit, (2017), who underscored the importance of cattle in respect to bride price, social status and identity. He argued that a surge in bride price has intensified cattle rustling in the North Rift.

The respondents agreed that they did not speak in favor of cattle rustling as supported by a mean 4.1276 and a standard deviation .8345. A Sig. (2-tailed). This was true since the respondents appeared to support cattle rustling. These findings were in line with Markakis, (1993) that it was not possible to separate cattle rustling from the lives of the pastoral communities, as doing so would create a rupture in the structure of social relationships among the people.

Cattle rustling was a sign of heroism as shown by a mean 3.5469 and a standard deviation .2938. A Sig. (2-tailed). Cattle rustling defined social status as supported by a mean 1.8620 and a standard deviation .3453. Elders/community seers encouraged cattle rustling as indicated by a mean 3.8672 and a standard deviation .2287. These findings agreed with Wamuyu, (2014) that culture of materialism and possessions was another factor leading to cattle rustling in the North Rift

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region where many people practiced pastoral farming. The fight for grazing space and water points triggered community animosity. In her journal, *Social Structure and Anomie*, she cited that livestock rustling had caused socio-economic disruptions, which was unprecedented. She associated socio-cultural practices with cattle rustling, such as sacrifices, circumcisions, weddings, and dowry payment.

Cattle rustling was a source of income as supported by a mean 3.8672 and a standard deviation .2287. Locals who have many cattle are seen as being powerful as indicated by a mean 1.0000 and a standard deviation .0000. Locals who had many cattle were seen as successful as supported by a mean 1.2760 and a standard deviation .6907. Locals who had many cattle were seen as being high in social status as supported by a mean 1.1380 and a standard deviation .3453. Community sears encouraged cattle rustling as supported by a mean 1.4193 and a standard deviation .4940. Olaniyan, (2016) supported the findings that the pastoral communities as people whose affinity to culture cannot relinquish the intertwined aspects of cattle raids and customs. The age-set system is the only thing that remains common among the communities in the North Rift, the social structure embraces the practices that the morans uphold, and cattle rustling is central among them. On whether communities should be encouraged to inter marry from other tribes was supported by a mean 1.2917 and a standard deviation .4551. Culture of marrying locals was good as supported by a mean 1.4193 and a standard deviation .4940.

The findings concur with an inquiry by KNCHR (2017) where their findings established that high bride price from the Pokot is a cause for conflict and cattle rustling. Pokot boys ready to get married feel the societal pressure thus engaged in cattle rustling in order to gain cattle for dowry payment. In the inquiry, informers pointed out that dowry in the Pokot culture is paid in full unlike other cultures. Thus frequent raids to neighboring communities which makes the conflict to flare up. Many scholars had dismissed bride price as cause of conflict however Hudson and Matfess (2017) in their study revealed that the linkage between marriage and conflict was evident more than poverty as a cause of conflict. They argued that bride price acted as a market obstruction especially in patrilineal communities. They suggested government intervention in placing caps on bride price or subsidize marriage costs to avoid marriage market obstruction and conflict.

Further KNCHR found out that Pokot and Turkana each had a grouping system that initiates boys to men, the Pokot refer to this as Sapanan and Turkana call it Athapan. These are initiation ceremonies carried out after every two to five years as an initiation to adulthood, (KNCHR, 2017). These age groups settings were marked by the initiates carrying out successive raids on cattle and plunder. "The men would sing songs of praises of themselves in terms of how many cattle they raided and the number of people killed in the raid to win admiration from women", (KNCHR, 2017).

Interview results on the effect of cultural influence as a factor in the management of cattle rustling in Kenya were recorded. Young men had a tremendous motive to establish their reputations and create their herds by waging raids on other pastoral groups; young men had a powerful motivation to establish their reputations and build their herds by mounting raids on other pastoral groups (neighboring counties). It contained socially acquired information, beliefs, art, law, morals, conventions, and habits. Livestock rustling was thus a Pokot cultural component based on their origin myth and conviction that all cattle belonged to them. Seers who had an economic and political interest in promoting the cultural framework, puts them in a prominent position to sustain this cultural belief in raiding. All other pastoralist societies shared the same culture of launching violent attacks on their neighbors, searching for cows to pay for dowry or wealth pursuit. For many years, pastoralist groups had maintained their customs and cultural practices.

Many people had refused to adopt the western way of life where education and modern agriculture constitute major sources of income. Pastoralism remained the sole source of income for many of these groups, and they continued to live itinerant lifestyles. Many pastoralists regarded livestock as a treasured asset, a valuable reserve, and a sacrificial gift, and they would go to any length to defend and find additional cattle. Having large herds of cattle was once considered a sign of prestige and a reliable source of income. The pastoralists placed a high premium and value on livestock ownership, a fundamental component of their culture. Pastoral communities were under a lot of stress since culture dictated that a successful group member had the largest herd of cattle.

The researcher found out that some of the cultural aspects which proved to be impediments to the management of cattle rustling were; Moranism and its heroic attachments, Isolation of young initiates from their families, Failure by elders to control the behavior of morans, The role of oloibons and seers in cattle rustling, The relegation of the role of women in decision making in pastoral communities and finally the role of illegal guns in the pastoral communities.

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From the study findings, the researcher concluded that cultural influence was a very strong factor in the management of cattle rustling and called for the reverse the existing situation. The above factors connived to perpetuate cattle rustling in many ways. The isolation of the morans from their families and failure by elders to control their behavior made it possible for them to look for food elsewhere. They were left with the option of contacting oloibons and seers to “clear their way” when they went looking for food (stolen livestock) from the neighbours. The researcher found out that women had prior knowledge about the stealing of livestock by their sons but because they were locked out of decision making, their behavior and actions remained unknown by the elders. The prevalence of illegal guns gave impetus to moranism hence promoted cattle rustling. The researcher noted that a non-militant and non-proponent of cattle rustling politician could not be elected.

5. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**Conclusion**

On cultural influence, the findings were; the respondents agreed that cattle rustling was part of their culture and further accepted that it was a means of acquiring wealth. They also agreed that the communities viewed cattle rustling as a way of celebrating those who participate and bring livestock home. The respondents agreed that cattle rustling was a source of bride price and a sign of heroism and esteemed social status as cattle rustlers were highly respected and feared. Elders/community seers encourage cattle rustling. It was also discovered that community seers and the Oloibons encouraged cattle rustling

Conclusions

The study found out that Cattle rustling was entrenched and actually part of the livelihoods of the communities in the North Rift. The cattle rustlers were looked upon as people who had wealth which could be used for dowry and for subsistence upkeep. Cattle rustlers were viewed as defenders of communities who attracted heroism and respect in the community. The mere fact that each community in the North Rift adored and cherished moralism cattle rustling could persist for some time.

Recommendations

The culture of circumcising girls should be discouraged where after the act the girls are attached to boys hence pressure to raise dowry. Further bride price should be changed from only cows to other forms such as money to reduce cattle rustling to pay dowry.

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