

RESTRUCTURING THE MARGINS: EMERGING POLITICAL ORDERS IN KENYA'S BORDERLANDS

Hassan H. Kochore

February 2025



Rift Valley Institute
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MAP

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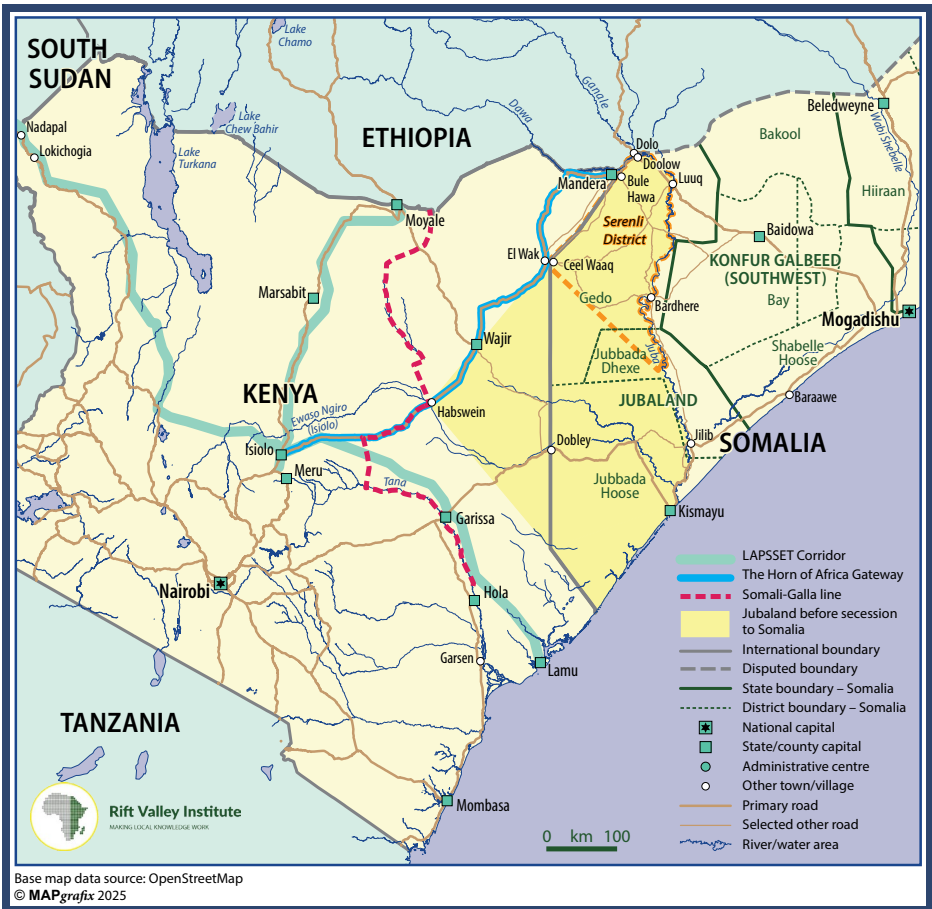
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SUMMARY

- During the past decade, northern Kenya's peripheral border counties have become key to the central state's political and economic agenda. This synthesis report therefore uses the concept of 'restructuring the margins' to unpack the findings of two case study reports exploring how political decentralization, coupled with cross-border, national-level and county-level dynamics, impact borderland trade and conflict. The sites for the respective case studies are Moyale town, which straddles the Kenya–Ethiopia border, and Mandera town, sited at a point where the Kenya–Ethiopia–Somalia borders meet. Comparing these two sites reveals significant differences in how cross-border programmes and national policies are implemented on the ground.
- In Moyale, strategies aimed at stimulating and formalizing trade through infrastructure development and revenue extraction have led to the increased presence of national government institutions. Although trade formalization using the recently opened one-stop border post (OSBP) has facilitated growing revenues—at least for the national government, though not for the county authorities—small-scale traders have largely been excluded, causing them to turn to informal routes.
- In Mandera, meanwhile, the Kenyan government's enforcement of the official border closure has only ever been partial at best. Despite national government officials describing local cross-border trade as 'informal' and a 'local arrangement', it has grown considerably over recent years. Placing the findings from Mandera alongside those from Moyale underlined the point that dichotomies such as 'formal and informal' or 'legal and illegal' are misleading when it comes to understanding the dynamics of cross-border trade, and thus how best to programmatically support it.
- Taking a wider perspective, the report explores how the two border counties in which the case studies are sited have been affected by postcolonial state formation and collapse across the Horn of Africa, as well as recent structural changes in the Kenyan state. These processes have evolved during the past 30 years, with key moments such as Somalia's state collapse and regime change in Ethiopia—both in 1991—as well as the start of Kenya's devolution process in 2013, prompting a long-term reconfiguration of spatial and political dynamics.
- While Kenyan devolution allows for greater political agency and resource allocation at the local level, it also has important implications for conflict dynamics and centre–periphery relations in border areas such as Moyale and Mandera. Both cases demonstrate that inter-ethnic cooperation in politics and trade can not only help reduce conflict, but enable local elites to gain greater leverage vis-à-vis the national government.
- In addition to alliances among political elites, the case studies spotlight the experiences of—often marginalized, often female—small-scale traders in building multi-ethnic networks. These networks can help such traders remain in business in a region where

- conflict is prevalent and livelihoods precarious.
- Finally, the synthesis report calls on all relevant actors to: *acknowledge* the importance of informal cross-border trade; *recognize* and promote the peace- and state-building potential of informal small-scale cross-border traders; *learn* from and build on community-led, grassroots initiatives that create dialogue across ethnic boundaries and national borders; and *communicate* existing and emerging procedures relevant to small-scale and informal traders.

MAP



INTRODUCTION: KENYA'S BORDERLANDS IN TIMES OF DEVOLUTION

Kenya's borders with Ethiopia and Somalia stretch from Lake Turkana in the west to Benadir Coast in the east.¹ In doing so, they traverse the northern counties of Turkana, Marsabit, Mandera, Wajir and Garissa, which are mainly inhabited by pastoralist and agropastoralist groups. Marsabit, Mandera and Wajir host primarily Somali- and Oromo-speaking clans (such as the Ajuran, Garre and Degodia), while Garissa and Turkana are, respectively, mainly Somali and Turkana speaking. Geographically and politically, these counties have long been marginalized peripheries of the Kenyan state, characterized by a weak or non-existent state presence, high levels of poverty, lack of basic infrastructure and regular conflict (from raids to small wars).² Government elites at various levels are complicit in these conflicts, making the state itself one of the many actors involved.³ As anthropologist Jon Holtzman, drawing on the case of Samburu county, observes, 'the Kenyan government plays as actor, audience, and symbol in these conflicts'.⁴ Moreover, since the beginning of Kenya's devolution process in 2013, the state's role has increased not only when it comes to security interventions, but in initiating large-scale development programmes. In this respect, both domestic and geopolitical factors have led to the above-named counties playing a key part in the central state's political and economic agenda, with the Kenyan government planning to reverse the region's history of marginalization

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- 1 From the Persian word 'Bandar', or port. These ports include are Warsheik, Mogadishu, Merca and Barawa/Brava.
 - 2 Günther Schlee, *Identities on the Move: Clanship and Pastoralism in Northern Kenya*, Manchester: Manchester University Press, 1989; Oscar Gakuo Mwangi, 'Statelessness, ungoverned spaces and security in Kenya', in *Understanding Statelessness*, edited by Tendayi Bloom, Katherine Tonkiss and Phillip Cole. Routledge, 2017; Jeremy Lind, 'Devolution, shifting centre-periphery relationships and conflict in northern Kenya', *Political Geography* 63 (2018).
 - 3 Gufu Oba, *Nomads in the Shadows of Empires: Contests, Conflicts and Legacies on the Southern Ethiopian-Northern Kenyan Frontier*, Brill, 2013; David M. Anderson, 'Remembering Wagalla: state violence in northern Kenya, 1962-1991', in *Politics and Violence in Eastern Africa*, eds. David M. Anderson and Øystein H. Rolandsen, Routledge, 2015; Hannah Whittaker, 'Legacies of Empire: State Violence and Collective Punishment in Kenya's North Eastern Province, c. 1963-Present', *The Journal of Imperial and Commonwealth History* 43/4 (2015).
 - 4 Jon Holtzman, *Killing Your Neighbors: Friendship and Violence in Northern Kenya and Beyond*, University of California Press, 2017, 165.

by opening up a 'new frontier' for development.⁵

Kenya enjoys a strategic location relative to the East Africa and Horn of Africa regions, providing passage to the Indian Ocean for the country's landlocked neighbours Uganda, Ethiopia and South Sudan. This cross-border cooperation is anchored in an ambitious state-led project known as the Lamu Port South Sudan–Ethiopia Transport (LAPSSET) corridor, plans for which encompass an oil pipeline, railway, roads and a deep-water port. Together, these will form a network designed to facilitate transport and trade. LAPSSET is complemented by various infrastructure projects aimed at connecting counties. These mainly consist of World Bank-funded projects such as the Horn of Africa Gateway, which includes the tarmacking of Isiolo–Mandera highway, and the setting up of a one-stop border post (OSBP) at Rhamu in Mandera.⁶ On top of this, the North Eastern Transport Improvement Project aims to improve the movement of goods and people along the Isiolo–Garissa–Wajir–Mandera–Mogadishu road corridor, and generally strengthen connections between North Eastern Kenya and the rest of the country.⁷

These physical infrastructure projects are complemented by policies such as the Intergovernmental Authority on Development (IGAD) Free Movement of Persons Protocol, which promotes cooperation concerning pastoralist land management and the free movement of people.⁸ Beyond regional African considerations, a number of domestic factors underpin the state's renewed interest in the periphery. These include the discovery or prospect of new resources in the area (such as oil, wind power, green hydrogen, green ammonia reservoirs and geothermal), as well as the restructuring of the state through the devolution process.⁹

Against the above backdrop, this report explores how cross-border trade and conflict in the peripheries can help inform understandings of state-building in the context of decentralization and changing political economies. More specifically, the report poses the following questions: What effects have past state formalization processes had in the context of political and economic decentralization? How does the formalization process vary between the report's two

- 5 Hannah Elliott, 'Town making at the gateway to Kenya's "new frontier"', in *Land, Investment and Politics: Reconfiguring Eastern Africa's Pastoral Drylands*, eds. Jeremy Lind, Doris Okenwa and Ian Scoones, Cambridge University Press, 2020.
- 6 World Bank, 'Project Appraisal Document on a Proposed Credit in the Amount of EUR 669.2 Million (US\$750 Million Equivalent) to the The Republic Of Kenya for a Horn Of Africa Gateway Development Project', 19 August 2020. Accessed 29 October 2014, <https://documents1.worldbank.org/curated/en/607871599876158923/pdf/Kenya-Horn-of-Africa-Gateway-Development-Project.pdf>.
- 7 World Bank, 'Case Study: North Eastern Transport Improvement Project (P161305)', 1 April 2022. Accessed 29 October 2014, <https://thedocs.worldbank.org/en/doc/7c403b0cd6edcb63822e5fdb1b55a3-024001202/original/Transport-Case-Studies-Adaptation-CoBenefits-AFR.pdf>.
- 8 IGAD, 'Protocol On Free Movement Of Persons in the IGAD Region', Khartoum, 26 February 2020. <https://environmentalmigration.iom.int/sites/g/files/tmzbd1411/files/event/file/Final%20IGAD%20PROTOCOL%20ENDORSED%20BY%20IGAD%20Ambassadors%20and%20Ministers%20of%20Interior%20and%20Labour%20Khartoum%2026%20Feb%202020.pdf>.
- 9 There is oil off the coast of Kismayo and inland, both in Kenya's North Eastern province and southern Somalia.

case studies in light of the respective counties' divergent infrastructural conditions and political contestations? And when it comes to the evolution of centre–periphery relations, what role has been played by political elites in relation to security and trade?

The report synthesizes insights from two case studies focused on Mandera (a Kenyan town in Mandera county that lies within a border region—the 'Mandera triangle'—encompassing the towns of Beled Hawo in Somalia and Malka Suftu in Ethiopia) and Moyale city (which straddles the Kenya–Ethiopia border).¹⁰ Through analysis of what the report terms 'restructuring the margins'—that is, decentralization and the various accompanying attempts at undoing past exclusion and marginalization—the aim is to shed light on how regional, national and local forces intersect to alter centre–periphery relations. In doing so, the report emphasizes that such processes are gradual, as they must build on longstanding legacies rooted in state violence, inter-ethnic conflict and infrastructural marginalization.

In what follows, the report provides brief historical profiles of Moyale and Mandera, with a particular focus on security and trade-related national state interests. This historical excursion provides vital context, as it reveals that many of the case study findings have colonial precedence, with the peripheries' trade and local politics influenced by a multiplicity of forces at a regional, national and local level. These include British imperial interests in territory and trade control, and Somali nationalism as it overlapped with Kenyan and Ethiopian state-building.

The report spotlights the successive colonial, independence and post-independence dynamics at play in order to foreground the ways in which the borderlands became important sites for local contestation and competing visions of state-building. Having laid out the historical backdrop, the report turns to the synthesis of the two case study reports, which are primarily concerned with changes and continuities in centre–periphery relations in the context of trade and decentralization (since 1991 in Ethiopia and 2010 in Kenya).

CONCEPTUAL BASIS AND METHODOLOGY

The two case studies synthesized in this report explore trade, revenues and political contestations at both the national and county level. Pursuing this subject necessitates according a historical role to borderlands and their population, as well as recognizing the agency of those populations in shaping contemporary political and development programmes at the national and subnational levels.¹¹ As Baud and van Schendel set out, three broad actor groups are involved in the politics of the borderlands: national elites, borderland elites and borderland communities. Baud and van Schendel's framework—a 'triangle of power relations'—provides a helpful structure for understanding how the centralization of border management

10 The Mandera and Moyale reports are: Dalle Abraham 'Legally Informal: Women, Conflict and Cross-border trade at the Mandera tri-border', Rift Valley, 2025; Hassan H. Kochore and Insene Bagaja, 'Dynamics of Informal Trade, Gender and conflict on the New Kenya–Ethiopia Trade Corridor', Rift Valley Institute, 2025.

11 Michiel Baud and Willem van Schendel, 'Toward a Comparative History of Borderlands', *Journal of World History* 8/2 (1997).

(through infrastructure development and revenue extraction) intersects with the contestations occasioned by devolution and cross-border dynamics.¹²

Drawing inspiration from Hagmann and Stepputat, the report conceptualizes border management as being 'situated at the core of state-building, public revenues and state-society relations'.¹³ This is especially pronounced in the analysis of the 'politics of circulation', which features 'struggles over the power to influence the movement of commodities, finance and people as well as the revenues that derive from these movements'.¹⁴ With this in mind, the report connects everyday small-scale trading activities to the broader dynamics of postcolonial state formation and collapse in north-eastern Africa. These processes have evolved over the past 30 years or so, and include such key moments as Somalia's state collapse, regime change in Ethiopia and the introduction of multi-party politics in Kenya—all of which took place in 1991—and the initiation of Kenya's devolution process in 2013. These various events helped reconfigure the spatial and political dynamics that remain in evidence today. Building on an analysis of these longer-term dynamics, the two case studies examine trade and conflict in the context of federalization/decentralization, including the attempted formalization of revenue generation in the borderlands.

Moyale was selected as a case study based on the fact it has become a key site for infrastructural development (LAPSSET and the OSBP), and feeds into Kenyan political and development discourse about opening up frontiers in the north. The border at Mandera, by contrast, has for the past decade been officially closed for business due to al-Shabaab-related insecurity, as well as subsequent plans to construct a 700 km perimeter wall along the Somali border.

At the subnational level, both regions have been plagued by episodes of violent conflict related to contestation over territory and elections, with the latter element particularly pronounced in the post-devolution electoral context. Consequently, these borderlands have become spaces where states and societies are reorganizing themselves according to historical fault-lines and current political and economic demands. These past and present state-building dynamics have resulted in border areas such as Mandera and Moyale becoming particularly susceptible to violent conflict. The key dynamic explored in this report is the intersection of national government policies and programmes with those of the relevant county government. Given trade is a devolved function in Kenya, it provides a useful entry point into the broader political, economic and security undercurrents at play across the borders.

The case studies draw on fieldwork conducted in Moyale and Mandera over two weeks in January 2024 by three local researchers. This involved interviews (using leading questionnaires) with traders, county and national governments officials, customs personnel, the Border Management

12 Baud and van Schendel, 'Toward a comparative history', 225.

13 Tobias Hagmann and Finn Stepputat, 'Trade and state formation in Somali East Africa and beyond', in *Trade Makes States: Governing the Greater Somali Economy*, eds. Tobias Hagmann and Finn Stepputat, Hurst, 2023, 8.

14 Hagmann and Stepputat, 'Trade and state formation', 6.

Secretariat and civil society organizations, as well as participant observation in markets and along trade routes. The traders were identified mainly based on the commodities they trade at market places, including grain, milk, the narcotic stimulant khat, and clothes (both second-hand and new). Given the small-scale nature of these commodities, the interviews reflect a targeted focus on women, with the aim of addressing the literature's existing bias towards the region's larger-scale, generally male, traders.

A total of 68 interviews were conducted with 40 women and 28 men. Here, it is worth noting the main limitation of the research: despite the focus on borderland sites implying analysis of both sides of the border, the empirical material gathered is for the most part limited to Kenya. Although the Moyale team did conduct interviews with a handful of Ethiopian officials at the OSBP, they were unable to interview Ethiopian traders or regional government officials. Meanwhile, the fieldwork in Mandera was cut short due to security concerns arising from a series of al-Shabaab attacks in Mandera town.¹⁵ Finally, the field data is complemented by secondary sources, including government documents, policy publications, media reports and academic work.

15 Tom Odula. 'Donkey cart loaded with explosives kills a police officer and critically injures 4 others in Kenya', *The Independent*, 18 January 2024. Accessed 9 January 2025, www.independent.co.uk/news/kenya-donkey-cart-explosives-b2481184.html.

MANDERA AND MOYALE: MADE BY TRADE

British East African officials were slow to apprehend—to admit—that their own commercial policy was partially responsible for the unsettled status of this region.¹⁶

Both border towns can trace their foundations to colonial territorial and trade interests. This influence remains present in the physical and ethnic architecture of the borderlands. Today, the ridge around 'Fort Harington', established by the British, serves as the location for Kenya's security and administration offices, while the recently-constructed OSBP in Moyale has partly been financed by the British Foreign, Commonwealth and Development Office. Meanwhile, the Mandera report (p. 10) notes that 'old colonial forts are still operational as police posts'.

Moreover, the current role played by Kismayu port and the involvement of Kenyan elites in Jubaland's politics and economics since 2011 have historical precedence. A 2012 International Crisis Group report notes that 'Kismayo is in effect Kenya's second port and the hub of profitable trade—both legal and illicit—that enriches both al-Shabaab and Kenyan elites'.¹⁷ This necessitates, if only briefly, examination of the historical connections between trade and territorial consolidation in the borderlands.

Drawing on oral history and the accounts of a European explorer, Gufu Oba argues that trade along the Juba river between the Borana (included in the Oromo) and Somalis predates the colonial period.¹⁸ Nevertheless, much of the written history concerning the region's trade—primarily accounts by nineteenth-century European explorers—dates back to the nineteenth-century camel caravan trade from Kismayu (in Somalia's current-day Jubaland state), the port at 'the mouth' of the Indian Ocean. Arab traders purchased livestock from as far afield as Borana country in southern Ethiopia, before trekking them via Wajir to Kismayu (and later the Kenyan Coast).¹⁹ Moyale, Wajir and El-Wak acted as watering points along this journey. Places that were considered 'towns' and later 'city-states' during this period were mainly located on the Juba:

16 Dennis C. Hickey, 'Frontier banditry and "legitimate" trade: the Moyale Cattle Market, 1913–1923', *Northeast African Studies* 8/2–3 (1986): 169.

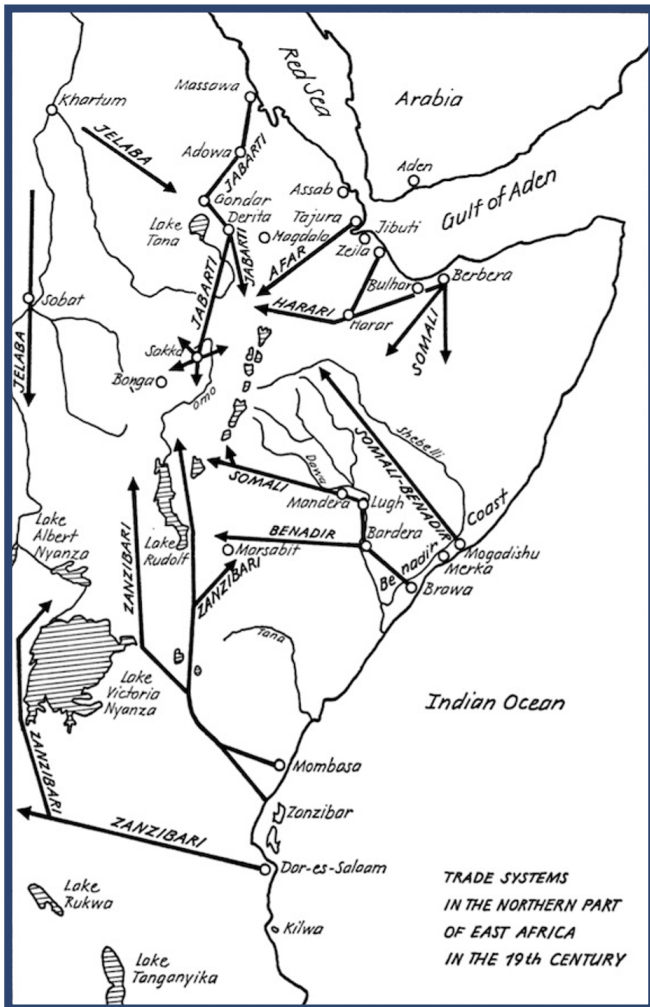
17 International Crisis Group, 'The Kenyan Military Intervention in Somalia', Africa Report No. 184, 15 February 2012, 10. www.crisisgroup.org/africa/horn-africa/kenya/kenyan-military-intervention-somalia.

18 Oba, *Nomads in the Shadows*, 33.

19 Peter Thomas Dalleo, *Trade and Pastoralism: Economic Factors in the History of the Somali Of Northeastern Kenya, 1892–1948*, Syracuse University, 1975.

Dolow, Luuq, Burdhubo, Beled'hawo, Bardhere (Bardera), Buale and Goobweyn near Kismayu (Figure 1).

Figure 1.



Map of trade systems in the northern part of East Africa in the nineteenth-century. Source: Abir Mordechai, 'Caravan trade and history in the northern parts of East Africa', *Paideuma* (1968): 105.

The British colonial administration's arrival in the region in the 1890s led to two major political and spatial changes that stimulated the growth of trading centres, particularly in what later became northern Kenya: first, the making of town and authority, and second, the formalizing of ethnicities.

THE MAKING OF TOWNS AND AUTHORITY

The decade following the establishment of administration posts in the northern frontier (Marsabit in 1909 and Wajir in 1912) saw trade expand westwards from Juba. By the 1920s, 'Mandera became the most important station on the Daua' river.²⁰ Elsewhere, Bura and Garissa developed on the Tana River, as did Wajir and Serenli (northern Juba).

Over time, the vast areas between the Tana River and Juba became progressively incorporated into existing trade routes. The establishment of the administrative posts further stimulated the growth of dukas—licensed shops—around them.²¹ Nomads came to rely on the consumer goods offered by dukas, which were operated mainly by Arab and Indian traders.²² The growth of British economic and political interests in the frontier prompted the establishment of the previously mentioned 'Fort Harrington' at Moyale. In response, traders from across the surrounding area settled there, and over time a township developed.²³

FORMALIZING ETHNICITIES

The establishment of the administrative posts was followed by the drawing of boundaries between ethnic groups in the area, with the towns mentioned above becoming coordinates for ethnic territorialization. One of these boundaries was the 'Somali–Galla line', which confined the Oromo to areas in the west and Somalis to the east: 'This line ran along the western border of Wajir District from the Tana River to the south and Moyale to the north and was intended to separate the Somalis from the Oromo, marking the south-westernmost limit of Somali expansion'.²⁴

Some groups that transcended this ethnic delineation—such as the Ajuran, deemed to be Somali—were moved from Moyale to Wajir, with the administrative boundaries adjusted accordingly.²⁵ Thus, through a process of 'formalisation and instrumentalisation of ethnic

20 For a period Mandera was called Gareh district. Dalleo, *Trade and Pastoralism*.

21 Anna Bruzzone, 'Territorial Appropriation, Trade, and Politics in the Somalia–Kenya Borderlands (c. 1925–1963): State Formation in Transnational Perspective', PhD dissertation, University of Warwick (Coventry, UK), 2019.

22 Dalleo, *Trade and Pastoralism*.

23 Dalleo, *Trade and Pastoralism*.

24 Bruzzone, 'Territorial appropriation', 71.

25 Keren Weitzberg, 'The unaccountable census: Colonial enumeration and its implications for the Somali people of Kenya', *The Journal of African History* 56/3 (2015): 417.

difference', Somali and Oromo groups were territorialized into districts, regions and, more recently, counties.²⁶ Minority urban-based ethnic groups have also gained prominence as a result of how trade in the region has developed over time, including during the colonial period. For example, the Burji's migration and increased role in the region's trade is often attributed to 'the British–Burji encounter in a remote borderland area'.²⁷

In 1924–1925, another change in colonial boundaries was to have a major impact on trade routes and ethnic territories. The territorial transfer of Jubaland from Britain to Italy was a reward by the former to the latter for having joined the Allies in the First World War. Trade routes through northern Kenya were further entrenched when Italy and Britain faced off in the Second World War: The Italians favoured a direct trade route through Luuq, while the British promoted Kismayu-oriented trade through Moyale.²⁸ Consequently, Wajir, Moyale and Mandera became key feeders of Kismayu. This led to a reorganization of trade, as 'the protectionist economic policies hinder[ed] caravans from crossing the river into rival colonial territories'.²⁹ During the war, Marsabit and Moyale towns were evacuated, with shops and the administration posts at Moyale and Marsabit taken over by British troops. The huge influx of soldiers, however, meant business soon returned to the town.

SOMALI NATIONALISM AND KENYA'S INDEPENDENCE

In the lead-up to Kenya's independence in 1963, the Somalis laid claim to the Northern Frontier District (today's Marsabit, Isiolo, Garissa, Wajir and Mandera counties), leading to an undeclared war—commonly referred to as the '*Shifita*' insurgency—breaking out between the Kenyan army and Somalia-backed rebels.³⁰ Most of the Northern Frontier District ethnic groups, including Oromo groups such as the Waso/Isiolo Boran, supported secession to Somalia. In Marsabit, however, the idea of secession was primarily popular among the Rendille and town-based Somalis. By contrast, the Oromo groups—the Boran and Gabra, as well as the township's Burji—opposed secession, fearing, among other things, Islamization and the fact they would

26 Günther Schlee, 'Ruling over Ethnic and Religious Differences: A Comparative Essay on Empires', in *Difference and Sameness as Modes of Integration: Anthropological Perspectives on Ethnicity and Religion*, eds. Günther Schlee and Alexander Horstmann, Berghahn Books, 2017, 191.

27 The Burji are a minority ethnic group of farmers, originally from Gar (Mountain) Burji in Southern Ethiopia, who were allowed to settle in the townships and engage in farming during the colonial period—a time when pastoralists were usually confined to reserves. The Burji ventured into trade at independence and are today considered a successful trading community in Marsabit county. Hussein A. Mahmoud, 'Breaking barriers: the construction of a new Burji identity through livestock trade in Northern Kenya', Max Planck Institute for Social Anthropology Working Papers 113, 2009.

28 Bruzzone, 'Territorial appropriation'.

29 Catherine Besteman and Lee V. Cassanelli, 'Introduction: Politics and Production in Southern Somalia', in *The Struggle for Land in Southern Somalia: The War behind the War*, eds. Catherine Besteman and Lee V. Cassanelli, Boulder, CO: Westview, 1996, 8.

30 '*Shifita*' is derived from the Amharic for 'outlaw'. Nene Mburu, *Bandits on the Border: The Last Frontier in the search for Somali Unity*, Trenton, NJ: Red Sea Press, 2005.

become minorities in Somalia.³¹

In June 1963, amid the context of the *Shifita* insurgency and assassination of one of Isiolo's first African district commissioners, Somali shops in the township were looted and most of their owners subsequently expelled. Their replacements mainly came from local groups—the Boran and Burji—with archival records showing that the Burji were granted citizenship that year.³² The emergence and resilience of the Burji in trade has been studied in great depth by Hussein Mahmoud,³³ who observes of the livestock trade as it stood in the early 2000s, 'while most traders in southern Ethiopia are predominantly Boran (90 per cent), the majority in northern Kenya is Burji (50 per cent)'.³⁴

TRADE LIBERALIZATION AND ELITE RIVALRIES

The *Shifita* insurgency represents a critical period in the region's postcolonial history.³⁵ During this time, political marginalization was enabled by a state of emergency that would ultimately last until 1991, despite the conflict officially being declared over in 1968. The injustices prompted by the state of emergency, particularly ethnic profiling and collective punishment, were perpetuated not only by the Kenyan state but elites from the region, who later came to occupy key positions in the central government.³⁶

During the mid-1980s, wide-ranging trade liberalization initiated as part of Kenya's structural adjustment programmes led to the formation of new economic interests.³⁷ These in turn fuelled, as least in part, intensifying elite rivalries and conflicts. Shortly thereafter, in the late 1980s, instability linked to Somalia's impending state collapse led to a significant influx of refugees into Kenya. In order to identify 'illegal aliens', the Kenyan government ran a 'screening' campaign that required Kenyan Somalis over the age of 18 to carry a special identification card. Emma Lochery notes that 'during the screening these few Somali elites used their influence over the bureaucratic machinery to detain and deport economic and political rivals, mirroring conflicts

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- 31 The Northern Province United Association (NPUA), an anti-secessionist party, had the membership of Boran, Gabra and Burji.
- 32 Hannah Whittaker, *Insurgency and Counterinsurgency in Kenya: A Social History of the Shifita Conflict*, c. 1963-1968, Leiden: Brill, 2015, 84.
- 33 Hussein Abdullahi Mahmoud, 'Risky trade, resilient traders: trust and livestock marketing in northern Kenya', *Africa* 78/4 (2008).
- 34 Hussein Abdullahi Mahmoud, 'The Dynamics of Cattle Trading in Northern Kenya and Southern Ethiopia: The Role of Trust and Social Relations in Market Networks', PhD thesis, University of Kentucky, 2003, 140.
- 35 Schlee, *Identities on the Move*.
- 36 The Wagalla massacre (1984) and the screening of Somalis in (1989) took place during the Moi regime (1978-2002).
- 37 This liberalization involved the relaxation or elimination of tariffs, and removal of duties and/or quotas on exports; specific regulations for products; and removal or relaxation of export subsidies.

expressed along clan lines in neighbouring Somalia'.³⁸

The enduring legacies of such conflicts and centre–periphery relations can be observed in the subsequent control of people and movement under the pretext of illegality. For example, in 1990, in the lead-up to Kenya's first multi-party elections, first-generation identity cards were phased out in favour of 'second generation' replacements. One of the claimed weaknesses necessitating this change was the 'illegal registration of aliens', with Somalis in particular targeted.³⁹ The following year, 1991, proved to be a turning point for the region, as the next section explores.

38 These economic and political rivals were from Nairobi and North Eastern Kenya. Emma Lochery, 'Rendering difference visible: the Kenyan state and its Somali citizens', *African Affairs* 111/445 (2012): 617.

39 Kenya National Commission on Human Rights, 'An Identity Crisis? A Study on the Issuance of National Identity Cards', 2007, 3.

THE POST-1991 ERA

In 1991, four critical events occurred in Kenya, Somalia and Ethiopia, which together had a profound effect on both the respective central states and their borderlands: 1) the fall of the Derg regime in Ethiopia; 2) the collapse of the state in Somalia; 3) the introduction of multi-party politics in Kenya (through a change in the constitution); and 4) the lifting of Kenya's state of emergency. Although the collapse of the Somali state had direct, mostly advantageous, consequences for trade in North Eastern Kenya, these were not felt in Moyale.⁴⁰ As such, it is one of the key historical factors that sets Mandera and Moyale apart.

THE END OF THE STATE OF EMERGENCY

The lifting of emergency rule allowed Kenyan Somali traders to become involved in transporting goods from the Gulf states (e.g. Dubai, Saudi Arabia) through North Eastern Kenya to major cities such as Nairobi and Mombasa.⁴¹ Moreover, the North Eastern border counties themselves became key markets for goods from the Gulf states.⁴² The end of emergency rule also led to the livestock trade being redirected to Kenya, with Peter Little observing that 'cattle sales at Garissa livestock market quadrupled in the years after the Somalia state collapse'.⁴³ On top of this, the influx of refugees from Somalia gave rise to a significant refugee economy, especially in Garissa. Taken together, these processes led to the Kenyan Somali (who had significant connections across the border in Somalia) dominating areas such as telecommunications, real estate and transportation, as well as the illicit trade in sugar.⁴⁴ The downside of increased mobility and economic connections to the centre in Nairobi and other major cities was, however, the numerous checkpoints erected along the highway to the capital through North Eastern and central Kenya. These checkpoints were put in place to help uncover illicit commodities and illegal aliens coming into the country from Somalia and Ethiopia. Inspections persist to this day, with the checkpoints acting as spaces for the profiling of, and extraction of bribes from,

40 Aden Abdi and Jeremy Lind, 'The changing nature of local peacebuilding in Kenya's north-eastern borderlands', *Accord Insight* 4 (2018).

41 Abdi and Lind, 'The Changing Nature'.

42 Abdi and Lind, 'The Changing Nature', 29.

43 Recently, however, livestock trade from parts of northern Kenya have moved northwards towards Ethiopia for onward movement to Gulf States such as Saudi Arabia (e.g. Rendille camels from Marsabit). Peter D. Little, *Somalia: Economy Without State*, Bloomington/Indianapolis: Indiana University Press, 2003; Günther Schlee and Abdullahi A. Shongolo. *Islam & Ethnicity in Northern Kenya & Southern Ethiopia*, Boydell & Brewer, 2012, 1.

44 Jacob Rasmussen, 'Sweet secrets: Sugar smuggling and state formation in the Kenya-Somalia borderlands', DIIS Working Paper 2017: 11, Danish Institute for International Studies, 2017.

traders.⁴⁵ Philemon O. Ng'asike reports that at the checkpoints between Garissa and Nairobi, 'the highway police [have come to] assume the role of the judiciary'.⁴⁶

MOYALE BEARS THE BRUNT

Following the fall of the Derg regime in Ethiopia, the incoming Ethiopian People's Revolutionary Democratic Front (EPRDF) introduced a federalized system of government based on ethnic identity. This turn to ethnic federalism had two major impacts on the Kenya–Ethiopia borderlands.

First, it forced Oromos and Somalis to choose sides and territories on a permanent, often exclusive, basis. In addition to stoking conflict between the Oromo and Somali regional governments, this led to tensions among/between communities with a mixed/overlapping Somali–Oromo identity.⁴⁷ For example, the Gabra in Ethiopia have at different points switched between the Oromo and Somali regional governments.⁴⁸ Moreover, the past three decades have seen intensifying conflicts between the Garre and Borana, and between the Gabra and Borana—groups that have been Somalized or Oromized by Ethiopia's federal boundaries.

The second major impact of Ethiopia's formalization of ethnic identities into territorial administrations can be seen in the far-reaching consequences it has had across the border in Kenya. In 1992, the Oromo Liberation Front (OLF) withdrew from the transitional government formed by the EPRDF and went on to mount an insurgency against the central state in Addis. As Fekadu Adugna notes, '[I]n the 1990s the pattern of alliances between the Ethiopian government and the local groups changed. The Borana's relations with the centre in Ethiopia were reversed. The Borana were accused of supporting the Oromo Liberation Front (OLF), and therefore categorically labelled as an enemy of the state'.⁴⁹ The OLF insurgency not only affected centre–periphery dynamics in Ethiopia, but—as the following section elaborates on—in Kenya.

INSURGENCY AND CENTRE–PERIPHERY RELATIONS IN KENYA AND ETHIOPIA

Conflict connected to insurgencies such as that mounted by the OLF in Ethiopia have influenced the politics of northern Kenyan towns such as Moyale and Marsabit. In this respect, groups

45 Mahmoud, 'The Dynamics of Cattle', 179.

46 Philemon O. Ng'asike, 'Fusing formal and informal trading: Emerging practices in the livestock value chains between Kenya and Somalia', DIIS Working Paper No. 2019: 12, Danish Institute for International Studies, 2019, 20.

47 An Oromo or Somali identity was imposed on these communities as an exclusive ethno-linguistic container.

48 Asnake Kefale, 'Federal restructuring in Ethiopia: renegotiating identity and borders along the Oromo–Somali ethnic frontiers', *Development and Change* 41/4 (2010).

49 Fekadu Adugna, 'Making use of kin beyond the International Border', in *Borders and Borderlands as Resources in the Horn of Africa*, eds. Dereje Feyissa and Markus Virgil Hoehne, James Currey, 2010, 51.

such as Borana have been accused of using the OLF to settle political scores in Kenya.⁵⁰ In the late 1990s, when OLF activities were at their peak in the region, the group targeted Kenyan and Ethiopian security forces, with civilians and traders becoming unintended targets. These activities often involved mine warfare, aimed at blowing up trucks travelling along the highway.⁵¹ Writing in 1991, journalist Said Wabera describes residents as claiming, 'the landmines were reminiscent of the *Shifta* days when Somali secessionists planted mines on roads to cut off access to food and cow them into submission'.⁵²

During the same period, Addis Ababa accused Nairobi of 'turning a blind eye' to the OLF's presence in Kenya.⁵³ Between 1998 and 2005, two major massacres occurred in the northern districts of Marsabit and Moyale, referred to respectively as the Bagalla and Turbi massacres.⁵⁴ The casualties were Degodia Somali in the case of the former, and Gabra in the latter. Kenya's internal security minister at the time not only accused the OLF of perpetrating the Bagalla massacre, but blamed the Kenyan Borana for harbouring the group's members.⁵⁵ Scholars such as Günther Schlee have, however, cast serious doubt on the OLF's participation in either of the two events.⁵⁶ Nevertheless, they provided the pretext for a Kenyan military operation aimed at 'flushing out' the militia from the midst of the Kenyan Borana.

In Marsabit, a joint Kenya–Ethiopia government crackdown on supposed OLF militia led to serious human rights violations, as well as conflicts between the Gabra and Boran.⁵⁷ Local politicians, especially MPs drawn from the Boran community, led by the MP for Moyale, raised serious grievances in the Kenyan parliament and national media. They partly blamed Bonaya

50 Terje Østebø and Kjetil Tronvoll, 'Interpreting contemporary Oromo politics in Ethiopia: an ethnographic approach', *Journal of Eastern African Studies* 14/4 (2020).

51 Said Wabera, 'Kenya: Bomb experts to defuse mines', *Daily Nation*, 19 May 1991. Accessed 25 April 2024, <https://allafrica.com/stories/199905190084.html>; Mahmoud, 'The Dynamics of Cattle', 279.

52 Said Wabera, 'Kenya: Bomb experts'. 'One of the measures proposed by Operation *Fagia* Shifta was the creation of incentives to civilians to engage in de-mining. Small payments were made for all mines turned in to either the police or the military. This proved to be a popular measure amongst traders who had lost trucks and merchandise to the explosives', Truth, Justice, and Reconciliation Commission, 'Final Report - TJRC Report Volume 2A', TJRC Related Documents. 6 (2013), 116. Accessed 31 January 2025, <https://digitalcommons.law.seattleu.edu/tjrc-core/6>. 'Problems occurred with famine relief. Traders were being discouraged from sending food because of the risk to both vehicles and personnel', Mburu, *Bandits on the Border*, 163.

53 Kenya Yearbook. Biography Series, Moi cabinets: 'Dr Bonaya Adhi Godana – A rare gem from Marsabit', Volume 1 p. 88–94, Nairobi: Kenya Yearbook Editorial Board, 2020, 89.

54 The latter location is a small trading centre along the Isiolo–Moyale highway.

55 'Africa Massacre "involved Oromos", says Kenya', BBC News, 23 June 1999. Accessed 14 November 2024, <http://news.bbc.co.uk/1/hi/world/africa/376564.stm>.

56 Günther Schlee, 'Brothers of the Boran once again: on the fading popularity of certain Somali identities in northern Kenya', *Journal of Eastern African Studies* 1/3 (2007): 422; Schlee and Shongolo, *Islam & Ethnicity*, 38.

57 Cynthia Salvadori, 'The Forgotten People Revisited: Human Rights Abuses in Marsabit and Moyale Districts', Kenya Human Rights Commission, 2000. See also Dido G. Kotile, 'Victims of the Ethiopian Government Raids on the Kenya (Moyale) Ethiopian Border', *Journal of Oromo Studies* 9/1–2 (2002).

Godana, an ethnic Gabra and then minister for foreign affairs,⁵⁸ for the disproportionate harassment suffered by the Boran during the operation, as well as generally favouring his own ethnic group when making provincial administration appointments (e.g. chiefs) in newly created divisions and districts.⁵⁹

Overall, the OLF insurgency and joint Kenya–Ethiopia government operations ‘destabilized commercial activities in the area’.⁶⁰ These impacts on trade and security in northern Kenya could arguably be described as the spillover effects of Ethiopia’s regime change, centre–periphery relations and federalist politics, all of which played out in significant ways in the south of the country. Two decades later, Kenya would embark on its own decentralized system of governance. What, then, are the impacts of Kenya’s devolution as it overlaps with Ethiopian federalism?

DEVOLUTION, TRADE AND POLITICAL CONTESTATIONS

Kenyan devolution allows for greater resource allocation and development at the local level, supposedly ‘giving previously marginalized communities an increased stake in the political system and enabling local solutions to be found for local problems’.⁶¹ Towards this end, county governments in Kenya have been granted responsibility for education, health, transport and trade. In order to implement programmes in these areas, funds were devolved from central government to the counties, which also generate revenues sent to the national government through—primarily—taxation on trade.

National government allocations to counties have enabled Mandera and Marsabit to build hospitals, roads and tertiary education institutions, including medical colleges.⁶² Devolution has, however, also had unintended consequences, intensifying ethnic and clan conflict and

58 Bonaya Godana, born in Dukana along the Kenya–Ethiopia borderlands, initially served as assistant minister for foreign affairs in 1997 and then as minister in 1998. Ethnicity has always played a central role in Kenyan politics and cabinet appointments. Minority groups in the periphery, such as the Boran and Gabra, had never been represented by a full cabinet secretary up to this point. Bonaya also drew cross-border appeal from his co-ethnicity in Ethiopia. For example, Fekadu Adugna notes that, ‘In 2004, a popular Gabra elder visited Dr Godana Bonaya in Nairobi and requested his personal advice to solve the problem the Gabra faced in defining their ethnic identity within the context of identity politics in Ethiopia’; Fekadu Adugna, ‘Making use of kin’, 55.

59 Hussein Abdullahi Mahmoud, ‘Conflict and constraints to peace among pastoralists in Northern Kenya’, in *Understanding Obstacles to Peace-actors, Interests, and Strategies in Africa’s Great Lakes Region*, ed. M. Baregu, Kampala: Fountain Publishers, 2011.

60 Mahmoud, ‘The Dynamics of Cattle’, 269.

61 Nic Cheeseman, Gabrielle Lynch and Justin Willis, ‘Decentralisation in Kenya: the governance of governors’, *The Journal of Modern African Studies* 54/1 (2016).

62 Hassan H. Kochore, ‘North Eastern: From the periphery to the center’, in *The Oxford Handbook of Kenyan Politics*, eds. N. Cheeseman, K. Kanyinga and G. Lynch, Oxford: Oxford University Press, 2020.

giving rise to the patronage politics of contracts and rent-seeking.⁶³

In the next section, the report identifies key findings from the two case studies, particularly as they relate to devolution, trade and political contestation.

63 The politics of contracts involves local elite controlling lucrative contracts for development projects. International Crisis Group, 'Kenya: Development, County Governments and the Risk of 2017 Election Violence', 7 April 2016. www.crisisgroup.org/africa/horn-africa/kenya/kenya-development-county-governments-and-risk-2017-election-violence; Neil Carrier and Hassan H. Kochore, 'Navigating ethnicity and electoral politics in northern Kenya: the case of the 2013 election', *Journal of Eastern African Studies* 8/1 (2014): 142; Michelle D'Arcy and Agnes Cornell, 'Devolution and corruption in Kenya: Everyone's turn to eat?', *African Affairs* 115/459 (2016): 264.

KEY FINDINGS

EMERGENCE OF ETHNIC ALLIANCES IN COMMERCE AND STATE-BUILDING

Both case studies demonstrate that the region's evolving centre-periphery relations are not simply a function of 'centre' versus 'periphery', but have evolved in part due to local dynamics such as cross-border and local inter-ethnic relations, together with economic interests and shifting political alliances in state-building. Devolution in Kenya has served to demonstrate the widespread strategy of alliance-building among ethnic groups, aimed at capturing power and securing the administration of counties such as Marsabit. Although such ethnic alliances can lead to exclusion and resentment (as happened in Mandera and Marsabit in 2013),⁶⁴ they can also forestall conflict situations. This was evident in the 2022 Kenyan elections, which proved peaceful in places like Moyale that were considered hotspots in 2017. Here, the Moyale report details how rival groups came together not only to form alliances and political parties, such as the United Democratic Movement (UDM) party, but to cooperate in peacebuilding efforts.⁶⁵

The Mandera report also argues that 'devolution has significantly increased subnational political currency, rekindled cross-border socio-cultural linkages, and forged new clan and ethnic alliances'.⁶⁶ As the Moyale case study emphasizes, federalism in Ethiopia is based on an official policy of designated ethno-linguistic identity (such as Oromo or Somali). Although this formal recognition is absent in Kenya, similar ethnic politics can nevertheless be observed. Even so, the contrast between formality and informality is to a certain extent reflected by how these politics play out in the respective countries: while in Ethiopia it is the institutional rules of the game that take precedence (whereby ethnicity is made synonymous with territorial control), this is less clearly the case when it comes to Kenyan devolution. In the latter case, where inter-ethnic cooperation is possible in border areas, the relevant groups can gain more leverage vis-à-vis the national government. The UDM not only managed to secure the governor positions for Mandera and Marsabit, as well as a number of MPs and senators, but negotiated for permanent secretary positions and other parastatal roles in the ruling national Kenya Kwanza coalition.

Where cooperation appears less likely (for example, due to entrenched differences between the Gabra and Borana), the national government may choose to co-opt local elites—for example, responding to post-election crises by appointing elites from the groups that lost out in county-

64 Carrier and Kochore, 'Navigating ethnicity'.

65 The governor of Marsabit, a Boran, and the governor of Mandera, a Garre, came together to form the UDM.

66 The UDM later joined the ruling coalition, known as Kenya Kwanza. Maureen Kinyanjui, 'Blow to Azimio as UDM party, 7 MPs join Ruto's camp', *The Star*, 18 August 2022. Accessed 13 September 2024, www.the-star.co.ke/news/2022-08-18-blow-to-azimio-as-udm-party-with-7-mps-joins-rutos-camp/.

level elections. This often serves as not more than a temporary fix, with administrations facing difficulties in implementing programmes due to ongoing rivalries between the local and 'new' national elite. Such was the case in Marsabit when the former governor, an ethnic Gabra, was appointed to the powerful position of cabinet secretary for the national treasury after having lost in the 2017 elections. In this instance, his continued rivalry with local political elites (including the MP for Moyale) led to a protracted political and security crisis in Marsabit and Moyale.⁶⁷ Eventually, a state of emergency was declared in the county amid accusations that militia from Ethiopia were present.⁶⁸

It is important to note that ethnicity-related violence has a direct influence on trade and urban politics. The Turbi massacre of 2005 led to the emergence of a new market in Marsabit town, with the Gabra seeking to create their own political and economic space in order to empower themselves against Boran dominance.⁶⁹ More recently, as the Moyale report discusses, Garba-Boran rivalry continues to shape local politics and conflict in the devolution era, with accusations of 'militia from Ethiopia' a key talking point in the polarized political discourse. This is further aggravated by the conflict between the Somali and Oromo regional administrations in Ethiopia, which has become the main fault-line along which conflict occurs in Moyale. Indeed, one of the most intense episodes of fighting seen in Moyale over recent years came in 2018.⁷⁰

Drawing on previous studies, the Moyale report investigates Kenya's post-devolution era, especially in terms of how election-related violence overlaps with Ethiopian federalism along the border. In Moyale—which straddles Kenya and Ethiopia—the Kenyan elections are affected by cross-border dynamics, with politicians often attempting to engineer votes from their fellow ethnics across the border.⁷¹ The Moyale case also demonstrates the impact of the prevailing political climate (whether it is more pro-Somali or pro-Oromo) on how the Ethiopia national and federal regimes regard this cross-border movement of voters. The EPRDF (1991–2018) was generally pro-Somali (as well as the Gabra), as they supported the ruling regime against the OLF, which the regime accused the Boran of harbouring.⁷²

The Moyale report also highlights the fact that in Kenya's recent episodes of post-election

67 Susan Muhindi, 'Yatani threatens to sue politicians in defamation claims', *Daily Nation*, 24 January 2024. Accessed 29 August 2024, www.the-star.co.ke/news/2021-01-24-yatani-threatens-to-sue-politicians-indefamation-claims/.

68 Lucas Barasa, 'MP links Marsabit conflict to Ethiopia Militia', *Daily Nation*, 27 August 2013. Accessed 29 August 2024, <https://nation.africa/kenya/counties/marsabit/mp-links-marsabit-killings-to-ethiopian-militia-888438>.

69 Erika Grasso, 'Mapping a "Far Away" Town: Ethnic Boundaries and Everyday Life in Marsabit (Northern Kenya)', *Africa: Rivista Semestrale Di Studi e Ricerche* 2, no. 1 (2020): 25–46, 42.

70 Katrin Sowa, "'Little Dubai" in the crossfire: trade corridor dynamics and ethno-territorial conflict in the Kenyan–Ethiopian border town Moyale', *Journal of Eastern African Studies* 17/3 (2023).

71 Fekadu Adugna, 'Making use of kin'.

72 Fekadu Adugna, 'Making use of kin', 54. For example, in a 2006 by-election in Moyale Kenya, the Ethiopian military closed the border crossing on voting day and detained some Boran voters trying to cross over to Kenya to vote.

violence there has been repeated accusations of 'Ethiopian militia' involvement—echoing political rhetoric from the late 1990s and 2000s—despite the absence of any hard evidence to back this up. Finally, although federalism in Ethiopia and devolution in Kenya have in some instances provoked violent conflict, local-level post-conflict peacebuilding efforts and common trade interests have at the same time prompted inter-ethnic cooperation.

RECONFIGURED CENTRE-PERIPHERY RELATIONS

The Moyale and Mandera reports both argue that Kenya's borderlands have become key to national political and development discourse. Nevertheless, there are significant differences between the two sites in terms of how national policies are articulated and implemented on the ground. These mainly revolve around the opening and closure of borders, as well as the categorization of formal and informal trade.

In the Moyale case, former frontier borderlands are being opened up through the introduction of a trade corridor, OSBP and large-scale transport infrastructure development. Against this backdrop, the report explores the various ways in which trade corridor narratives are both replicated and contested on the ground, especially by small-scale cross-border traders. Here, the report spotlights the integration of Moyale's OSBP into various historical and contemporary discourses around mobility, governance and territoriality.⁷³

In doing so, the report highlights the intersection between, on the one hand, the state's vision of mega infrastructure development as an instrument of governance and, on the other, the commodification of the border, which has turned it into a new frontier for wealth creation. Building on this, the report scrutinizes the effects of such grand projects on people on the ground (local understandings, claims and contestations) in the context of everyday commerce and conflict. While many small-scale traders express grievances at their exclusion, both they and the general public are open to the economic prospects of inhabiting a new trade corridor.

These hopes for a more prosperous future are expressed in the quoted opinions of traders, as well as national and county government officials. The fact the town is now considered a trade corridor has prompted expectations not just around related infrastructure, but various indirect benefits it is thought will accrue from acquiring this status. For example, mitumba sellers anticipate their lot will improve, enabling them not to have to 'vacate their stalls every time it rains heavily'. At the same time, the presence of the OSBP is—at least according to national and county government officials—attracting valuable NGO funds and support to the area. More specifically, a national-level official quoted in the Moyale report claims that 'While the OSBP may not have been operationalized, it has attracted many donors creating opportunities for cross-border peacebuilding initiatives'. Ultimately, the report demonstrates that while antagonisms exist at various scales, the articulation of the border and OSBP as economic and

73 In doing so, the report revisits the framing used in Dereje Feyissa and Markus Virgil Hoehne, *Borders and Borderlands as Resources in the Horn of Africa*, James Currey, 2010.

rhetorical resources are often complementary.

In 2011, the Kenya Defence Forces launched a cross-border incursion into Somalia's Jubaland as a response to al-Shabaab attacks in Kenya, capturing Kismayu port in the process. Since then, Kenya has experienced numerous repercussions, both in Nairobi and North Eastern Kenya. The Mandera report therefore uses trade as an entry point to discuss the ground effects of border securitization on day-to-day cross-border trading activities. The case study focuses in particular on discourses around the continued official closure of the Kenya–Somalia border, alongside the ongoing talk about reopening it.

The Horn of Africa Gateway Project is seeking to tarmac the Isiolo–Mandera road (thus connecting it to LAPASSET) and establish an OSBP in Mandera. The existing gazetted border post was closed in 2011, having been renovated just two years earlier with funding from the International Organization for Migration and Japan International Cooperation Agency. Through historicizing the politics of the border post closure, the Mandera report sheds light on the divergences between state political rhetoric and local realities. As the report observes:

The Kenyan government's official policy is to limit cross-border trade and movement, including through the proposed construction of a 700 km border fence.⁷⁴ Although only small sections of the fence currently exist, its construction forms a key part of the Kenyan government's securitization agenda. This is despite the planned fence contradicting both Kenyan intentions to re-open its border with Somalia, and the admission of Somalia into the East African Community (EAC).

The national government rhetoric of closure and securitization meets a variety of challenges on the ground. For example, claims that the national government has consolidated the border through closure are often punctuated by al-Shabaab attacks, which in turn are followed by declarations from the county administration decrying the government's failure to secure the border. As the Mandera report evidences, such claims and declarations point to how the border has become integrated into national development and security discourses. Despite transnational discourses being dominated by security concerns, the day-to-day small-scale movement of goods and services across the border—which has mostly been overlooked—are testament to the continuities of social and economic life on the border.

GROWING STATE PRESENCE AND REVENUES

Looking at trade and conflict in the context of decentralization provides an important lens through which to view the Kenyan state's growing presence in peripheral borderlands. Over the past decade, state-building through elections, devolution, revenue generation and securitization have contributed to an increased state presence in both Moyale and Mandera. As the Moyale

74 Paul Gitau, 'Building of Kenya–Somalia border wall begins', *The Standard*, no date. Accessed 28 August 2024, www.standardmedia.co.ke/counties/article/2000158488/building-of-kenya-somalia-border-wall-begins.

report shows, state infrastructures such as LAPSET and OSBP have significantly contributed to the formalization of trade. The newly-established OSBP facilities, which houses customs officials and the Kenya Revenue Authority (KRA), forms the nucleus of both domestic and foreign revenue collection. The KRA has reported an increase in revenues since Moyale became a station and is currently seeking to establish another centre at Marsabit.⁷⁵

The formalization of trade and revenue collection by national government also intersects with county government practices. As the Moyale report demonstrates, the county derives considerable power from, and exercises significant influence over, cross-border trade, including along routes that are technically illegal. This is likewise the case in Mandera: despite the border closure and relative lack of key government institutions (such as the Customs Department and Immigration), county influence on trade has been growing. For example, the number of licensed businesses in Mandera increased by close to 50 per cent between 2018 and 2022, something the county attributes to 'fair trade practices and consumer protection'.⁷⁶ These fair trade practices—which include bargains struck between the county and trade associations on, among other things, taxation—constitute an important site for state-building. Similarly, in Moyale, trader associations negotiate with the county on fees and revenue sharing (e.g. the Livestock Marketing Council), or allocating some of the revenue to improve market infrastructure.

Despite the KRA reporting an increase in national government revenue collected in Moyale, the 'analysis of revenue' provided in the Marsabit County Integrated Development Plan shows that county revenue and targets have fallen consistently over the past five financial years, from just over KES 137.4 million (around USD 1.3 million) in 2018/19 to just under KES 100.7 million (about USD 0.9 million) in 2021/22.⁷⁷ By contrast, Mandera county recorded an increase in revenue growth from around KES 61.6 million to KES 132.9 million.⁷⁸

During the 2018–2022 period, both counties experienced disruptions due to drought and violent conflict. The fact that trade in Mandera, which was affected more by these factors, grew far more than in Marsabit—at least at the county level—is noteworthy, although perhaps unsurprising given that measures such as business licensing also reportedly increased significantly in Mandera around this time.⁷⁹ Moreover, as the Mandera report describes, the ongoing border closure has led to the Kenyan government describing the town's booming cross-border trade as an 'informal and a local arrangement. In effect, cross-border trade in Mandera falls into the ambiguous category of "legally formal", with Kenyan enforcement of the official border closure

75 Interview, Head of Domestic Tax Department, Moyale, January 2024.

76 Analysis of data in Mandera County Government, Republic of Kenya, 'Integrated Development Plan 2023–2027, Third Edition', December 2022, www.manderaassembly.go.ke/storage/cidp/CIDP-2023-2027.pdf.

77 County Government of Marsabit, Republic of Kenya. 'Third County Integrated Development Plan (2023–2027)'. Accessed 25 October 2024, www.marsabitassembly.go.ke/wp-content/uploads/2023/07/3rd-CIDP-Report-DRAFT-2.pdf.

78 County Government of Marsabit, 'Third County Integrated Development Plan', 18.

79 Mandera County Government, 'Integrated Development Plan'.

only ever partial at best’.

As touched upon, despite national government publicity spotlighting growing cross-border trade in Moyale due to the OSBP, resulting in increased national revenues from Marsabit county (of which Moyale is part), the local revenues collected by the county government have decreased significantly. This suggests formalization has bolstered national government revenues at the expense of the county government. Conversely, in Mandera, where national government-led formalization processes have had less of an impact due to the closure of the border post, county revenues are on the rise. Thus, it seems that the greater revenues generated from formalizing trade—which is the underlying motive driving the process—are more likely to end up in the hands of central government than local coffers.

At the county level, trader associations are sometimes able to negotiate with county government on the issue of market fees, as well as the development of market facilities. Such negotiations provide an important avenue for state-building.

THE RISE IN STATE-ENABLED INFORMALITY

The Moyale report shows that increased informality at the border crossing is largely a response to government attempts at formalization, a finding supported by other recent studies.⁸⁰ In the Moyale case, excluding small-scale traders from the OSBP has forced them to seek alternative routes. Even so, government practices along what it classifies as ‘informal/illegal routes’ are anything but informal. This stems in part from the presence of national government institutions such as the KRA and the collection of legal and illegal (mainly bribes) revenues by police and other officials. Moreover, the county government’s direct involvement in automated revenue collection by uniformed officers further undermines the label of illegality.

Given that *boda-boda* (motorcycle taxis) and *bajaji* (motorized rickshaws) are not permitted to use the OSBP in Moyale, any goods they transport over the border are considered to be illegal. Similarly, goods transported by raft in Mandera are technically illicit. Thus, different forms of mobility imply different forms of formal/informal cross-border dynamics, determined by who uses what means of transport; what kind of trade is enabled by these forms of transport; and what government attitudes towards them are.

Regardless of their provenance, once goods arrive in markets and shops they are subject to regular (legal) fees collected by the national and county governments. Given that commodities often transition from informal to formal in this way, judging what is or is not official trade largely depends on which segment of the market chain is examined, and whether payment of

80 Mustafe M. Abdi, ‘Regularly irregular: varieties of informal trading in the Ethiopian-Somaliland borderlands’, Nairobi: Rift Valley Institute, October 2021; Tobias Hagmann, ‘Trade, taxes and tensions in the Somali borderlands’, Rift Valley Institute, 2021.

government taxes is included in the definition of formality.⁸¹ The county government generates revenue along these routes, which ultimately contributes to the formal figures published in revenue reports such as the relevant County Integrated Development Plan (CIDP). For example, women in Moyale trade grains and *khat* that arrives through informal routes but is taxed at point of sale in the markets.

The county may also attempt to formalize some of the trade through building physical market infrastructure and issuing business licenses. As with grand state infrastructures such as Moyale's OSBP, such formalization can, however, have unintended consequences for small-scale traders. Take the example highlighted in the Mandera report of Miraa market, where the county government is trying to formalize the *khat* trade through building stalls. Despite considerable funds dedicated to its construction, the new market has never been occupied by traders. Other small-scale attempts at formalization by the county government include the provision of automated milk machines (dispensers).⁸²

THE EMERGENCE AND PERSISTENCE OF ASSOCIATIONS

A focus on gender pervades both the Moyale and Mandera reports, and is especially pertinent to the observation that there are different classes of traders present at the border: from small-scale petty traders all the way up to the biggest, most powerful traders. While these various classes may share some opinions and concerns regarding trade and state policy, they also have divergent interests.

When it comes to state-enabled informality, women generally operate as small-scale, often marginalised, traders. The Moyale report shows that even within the category of 'informal and illegal', women are frequently profiled as being more illegal due to the nature of their businesses.

Trade involving sheep, goats or *khat* requires daily border crossings, added to which, women are often required to physically transport these commodities across the border themselves.

Simple trade in livestock products such as milk, or in the stimulant *khat*, can open up opportunities for both individual and groups of women. This includes participation in peace- and state-building (which is typically dominated by men) via efforts and networks that often go unacknowledged through being labelled 'informal'. The two case studies also demonstrate how small-scale women traders strategically switch between commodities having taken account of the associated risks (for example, switching from second-hand clothes to cereals and vegetables). Moreover, as the Mandera report observes:

The diverse cross-border trade taking place in the region not only meets wide-

81 Peter. D. Little, Waktole Tiki and Dejene Negassa Debsu, 'Formal or informal, legal or illegal: The ambiguous nature of cross-border livestock trade in the Horn of Africa', *Journal of Borderlands Studies* 30/3 (2015): 407.

82 Mandera County Government, 'Integrated Development Plan', 20.

ranging market demands, but allows women traders to engage in multiple small-scale businesses, thereby spreading their risks between them. For example, one interviewee runs a hotel alongside her work as a furniture vendor: the latter is capital intensive and slow moving, but promises big returns, while the former provides small returns on a daily basis.

Numerous trade-related groups, cooperatives and women's associations have emerged in both Moyale and Mandera, especially in post-conflict situations. Aside from pooling capital, a common aim is securing trade interests through fostering multi-ethnic alliances. Here, the Moyale report describes how, in relation to the Camel Milk Association:

[T]here is significant progress in terms of marketing and generally its contribution to 'informal trade'. Due to its multi-ethnic membership, the group has a wider market appeal and is able to sell its product among all the ethnic groups as well as reducing the ethnic profiling and targeting of their business in times of conflict. As such, the women capitalize on their common interests in trade to address inter-ethnic conflict through cooperation in trade.

These groups and associations also link up with regional, as well as national and county, programmes, and as such are important players in the business of state-building. In a political landscape still dominated by patriarchal structures such as the Council of Elders—who 'negotiate democracy' according to the Mandera report—women 'view the market as a more democratic space that links them across borders'. Moreover, Mandera has an informal tripartite peace infrastructure that brings together women leaders from Kenya, Somalia and Ethiopia. Overall, these gender-based associations are a key part of multi-ethnic alliance strategies deployed to both promote trade interests and push a peace agenda. More generally, some traders' associations are able to secure financial assistance from donors and national government bodies, as well as bargain for lower fees.

CONCLUSION

This synthesis, which brings together the findings of the Moyale and Mandera reports, demonstrates the increased presence of the central state in Kenya's peripheral borderlands. Both case studies demonstrate how the border crossings with Ethiopia and Somalia have become central to national and political discourse. In particular, it shows how (infrastructure) development, political decentralization and securitization can lead to formalization at various levels. Contestation over trade and revenues has given rise to binary categories such as legal-illegal and formal-informal, which not only reveal a 'triangle of power relations' but demonstrate important dynamics of 'state-building, public revenues and state-society relations'.⁸³ This bifurcation is not, however, useful when it comes to understanding the dynamics of cross-border trade more broadly, or how best to programmatically support them.

The local responses detailed in the two reports not only cast light on the side-effects and limits of top-down formalisation processes, but the innovative ways in which ordinary people attempt to advance trade and state-building agendas by adapting themselves to the structures of whatever political order they are faced with. An example here is the mitigation of conflicts through trade-related interests and cross-ethnic political alliances. Moreover, despite occupying a particularly precarious position in both formal and informal contexts, small-scale women traders have demonstrated remarkable resilience in the face of stifling social and political conditions. Nevertheless, tensions related to political boundaries and resources, and the ethnic conflicts that accompany them, persist.

Finally, the two case studies support—at least to a degree—the argument that recent political changes have contributed to a centring of the periphery, 'expressed in various forms of empowerment and reversed flow of resources from the center'.⁸⁴ On the other hand, taking into account northern Kenya's enduring legacies of exclusion—in terms of both infrastructure (checkpoints, border closures and OSBPs) and state violence—a less radical term might be more apt. Here, referring to the changes as 'restructuring the margins' would acknowledge there have been both successes and setbacks, and that the peripheries have not been centred quite yet.

83 Hagmann and Finn Stepputat, 'Trade and state formation', 8.

84 Dereje Feyissa, "'Centering the periphery"? The praxis of federalism at the margins of the Ethiopian state', *Journal of Federal Studies* 1/1 (2013): 161.

POLICY CONSIDERATIONS

- **Acknowledge** the importance of informal cross-border trade. Excluding such traders in pursuit of increased revenue generation risks entrenching informality.
- **Recognize** and promote the peacebuilding and state-building potential of informal small-scale cross-border traders, particularly women. Towards this end, state infrastructures such as OSBPs need to take into account the micro-level, gendered aspects of small-scale cross-border trade.
- **Learn** from and build on community-led, grassroots initiatives that create dialogue across ethnic boundaries and national borders.
- **Communicate** existing and emerging procedures relevant to small-scale and informal traders. This could be done by, for example, setting up accessible mobile information desks in market centres rather than rely on formal border facility meetings.

GLOSSARY OF ACRONYMS, WORDS AND PHRASES

CIDP	County Integrated Development Plan
EPRDF	Ethiopian People's Revolutionary Democratic Front
IGAD	Intergovernmental Authority on Development
KRA	Kenya Revenue Authority
LAPSSET	Lamu Port-South Sudan-Ethiopia Transport corridor
OLF	Oromo Liberation Front
OSBP	one-stop border post
UDM	United Democratic Movement

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