ABSTRACT

Cattle rustling and banditry have destabilized the socio-economic activities of Mandera East, Mandera County, Kenya. The district has for the last 20 years experienced an influx of refugees from other countries in the Horn of Africa especially Somalia and Ethiopia. This coupled with the use of modern weapons including small fire arms that replaced the traditional ones such as spears, bows and arrows have led to the escalation of diverse forms of criminal activities. Animosity and irrational behaviours have become the order of the day among the residents. The situation is worsened by the prolonged drought and famine which lead to the death of livestock, and communities strive to restock their lost animals.

This study examined the role of the mosque institution in the prevention of cattle rustling and banditry in the district using a conceptual framework adapted from Islamic paradigm of peace. The study further evaluated the contribution and efforts of various stakeholders including the government, Non-Governmental Organizations (NGOs) and Community-Based Organizations (CBOs), in collaboration with the community and political leaders to curb the menace. It further sought to recommend practical strategies of combating cattle rustling and banditry, from an Islamic perspective.

The study used both primary and secondary sources of data. The target population consisted of Muslims inhabiting Mandera East. The study’s sample size consisted of a total of one hundred and twenty-eight (128) respondents drawn from a cross section of residents comprising Muslim religious leaders such as sheikhs, imams and mosque committees, madrassa teachers, representatives of NGOs, CBO officials, government officials, youth groups and village elders. This study adopted qualitative method of data processing and analysis. Qualitative data were first coded then analysed using descriptive statistics in accordance with the objectives of the study. The data presentation is in form of discussions and some presentations using descriptive statistics like frequency tables, pie charts and bar graphs where applicable.

The study revealed that cattle rustling and banditry are a common phenomenon in Mandera East. The main causes of this phenomenon include socio-cultural, agro-ecological, political and socio-economic factors. The influence of civil conflicts in the Horn of Africa was also noted. The study established that the Holy Quran, Hadith and ijma and al-qiyas of Muslim scholars have explicit provisions on the prohibition of cattle rustling and banditry and advocate for appropriate punishment to be meted out on those who commit the vice. Though the Sharia law is not enforceable in Kenya, Islamic teachings on the prohibition of cattle rustling and banditry conform to the Kenya Constitution and Statute Law which safeguard human rights, protect private property and provide for appropriate punishment for cattle rustlers and bandits.

The study noted that the mosque institution undertakes a number of activities in its efforts to curb cattle rustling and banditry such as peace caravan, religious roadside preaching, dialogue with the youth, positive behaviour change, dialogue with chiefs, dialogue with the police, inter-madrassa competition, rapid response initiatives and monitoring the implementation of peace agreements and trauma healing. Enforcement of Islamic principles by the mosque institution has contributed to some extent to reduced incidents of cattle rustling and banditry. The study’s findings indicate that despite notable successes of some programmes, the mosque institution are faced by a myriad of challenges such as non- involvement by the Government of Kenya (GoK), instability in Somalia and the influx of refugees and criminals, financial constraints to carry out activities of the mosque institution, lack of transport, weak logistic, negative ethnicity, illiteracy and conflicts between government laws and Sharia laws. According to the study’s observations the success of the mosque institution lies with the comprehensive integration of efforts of the mosque institution, NGOs, CBOs, FBOs and GoK.

The study concludes that the mosque institution, being trusted by both the government and the public, is well placed in coordinating efforts by different actors thereby providing a proactive, harmonized and integrated approach to dealing with the cattle rustling and banditry menace. Therefore, based on the findings, the study recommends that there should be a well-organized system of involvement and coordination of activities carried out by the mosque institution and other relevant Muslim Organizations and Government agencies, capacity building and empowerment, accountability and improved follow-up of incidents of cattle rustling and banditry to avoid duplication of efforts.