

# Delimitation Of The Elastic Ilemi Triangle: Pastoral Conflicts and Official Indifference in the Horn Of Africa

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## ABSTRACT

This article observes that although scholars have addressed the problem of the inherited colonial boundaries in Africa, there are lacunae in our knowledge of the complexity of demarcating the Kenya-Sudan-Ethiopia tri-junctional point known as the Ilemi Triangle. Apart from being a gateway to an area of Sudan rich in unexplored oil reserves, Ilemi is only significant for its dry season pastures that support communities of different countries. By analyzing why, until recently, the Ilemi has been 'unwanted' and hence not economically developed by any regional government, the article aims to historically elucidate differences of perception and significance of the area between the authorities and the local herders. On the one hand, the forage-rich pastures of Ilemi have been the *casus belli* (cause for war) among transhumant communities of Sudan, Ethiopia, Uganda, and Kenya, and an enigma to colonial surveyors who could not determine their 'ownership' and extent. On the other hand, failure to administer the region in the last century reflects the lack of attractiveness to the authorities that have not agreed on security and grazing arrangements for the benefit of their respective nomadic populations. This article places the disputed 'triangle' of conflict into historical, anthropological, sociological and political context. The closing reflections assess the future of the dispute in view of the current initiative by the USA to end the 19-year-old civil war in Sudan and promote the country's relationship with her neighbors particularly Uganda, Kenya, and Ethiopia. However, the author is cynical of attempts to enhance international security and political stability that do not embrace 'peoples of the periphery', such as the herders of Ilemi, into the economic, social, and political rhythm of the mainstream society.

## INTRODUCTION

This article is about Ilemi, a triangular piece of land joining Sudan, Kenya, and Ethiopia described in some records as measuring 14,000 square kilometers and 10,320 square kilometers in others.<sup>1</sup> It lies north of the equator between latitude (deg min) 5 00N and longitude 35 30N and is variously defined as Ethiopia (claimed), Kenya (de facto), and, Sudan (claimed).<sup>2</sup> By analyzing why until now the Ilemi Triangle has been 'unwanted' hence not economically developed by any regional government the article aims to historically elucidate differences of perception and significance of the area between the authorities and the local herders.<sup>3</sup> Ilemi is

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on the fringe of southern Sudan, which is rich in unexplored oil. Nevertheless, no explorations have been made in the contested territory partly due to insecurity from the 19-year civil war in southern Sudan and partly due to a hands-off attitude by each regional government. It lacks any infrastructure or modern facilities and is so insulated that its only reminder of the ‘outside world’ is a Kenyan frontier post. Even so, Ilemi is so precious that its dry-season pastures have been the focus of incessant conflicts among transhumant communities and an enigma to boundary surveyors who previously failed to determine its precise extent and breadth.

The article begins with a brief anthropological description of the transhumant communities of Ilemi before tracing the evolution of the problem. There follows a critical analysis of colonial meridians that slice through pastoral country and an attempt to understand the ‘hands-off’ policy by successive governments of the region. The conclusion reflects on the future of the dispute given the current national and international attempts to stabilize the region. My overall objective is to contribute to our understanding of African boundaries that are still in dispute for not respecting local opinion such as customary pastures for transhumant populations particularly where colonial surveyors failed to follow permanent terrain features.

Our search for understanding the dispute begins with colonial treaties and arbitrary boundaries. In particular, those delineating the 1907 boundary between Ethiopia and British East Africa not only undervalued the centrality of water and pasture to herders but the vagueness of the treaty also opened an opportunity for resource conflicts in one clause which states:

“The tribes occupying either side of the line shall have a right to use grazing grounds on the other side as in the past, but during their migrations it is understood that they shall be subject to the jurisdiction of the territorial authority. Free access to the wells is equally accorded to the tribes occupying either side of the line”.<sup>4</sup>

On the one hand, the ‘open frontier’ implied by the above clause invited resource conflicts among pastoral peoples of the newly created national identities during their transhumance and epicyclical movements to dry-season pastures and water. On the other hand, if the corresponding authorities enforced a ‘closed frontier’, communities that had previously grazed freely before the boundary was drawn would not honor the exclusion.

So far, no scholar has historically explored how the differences of perception and significance of Ilemi by various leaderships in Sudan, Ethiopia, and Kenya have contributed to the low priority given to the delimitation and administration of the disputed territory during the colonial and post-colonial periods. This opinion is based on a review of relevant studies that have enriched our awareness on the subject. One is McEwen’s 1971 lucid historical examination of the processes undertaken to delineate and the technical difficulties experienced when demarcating boundaries in Africa.<sup>5</sup> McEwen does not explain the ‘hands-off’ attitude by the regional authorities on the administration of Ilemi, particularly after the collapse of the Anglo-Egyptian condominium in Sudan and the end of British colonial rule in Kenya and Uganda. Likewise, Taha’s analysis sheds light on the problem of demarcation where ethnic boundaries do not correspond with terrain features in the context of Sudan’s proposal to barter the Ilemi triangle with Ethiopia’s Baro (Beyrou) salient, which holds Kenya’s territorial claim to Ilemi in abeyance.<sup>6</sup> Ngatia also gives a balanced analysis of the legal difficulties of delimiting the Kenya-Sudan boundary, particularly the problem of determining the extent of the pastures claimed in north Ilemi by the Turkana community of Kenya.<sup>7</sup> Finally, in the discussion on the commendable work of Leslie Whitehouse, Elizabeth Watkins addresses the difficulties faced by

Kenyan Boundary Commissions and administrators serving in the inaccessible periphery of the state.<sup>8</sup> The study decries the plight of the herders of the Ilemi Triangle, but it is a Kenyan perspective inasmuch as there is no explanation of the reluctance by Sudan and Ethiopia to resolve the territorial dispute. This paper focuses on the omission of previous scholars and places the evolution of the disputed territory into its historical, political, and anthropological context from 1907 to the present day. It interweaves ethnographical information with the political history of the four regional countries concerned because, here, colonial boundaries bear no relation to ethnic distinction.

### **ILEMI: PEOPLE AND PASTURES**

The meaning of Ilemi, (also called, Ilembi, Ilembe/ Elemi) is difficult to ascertain except that it takes its name from a famous Anuak chief, a community living along Sudan's eastern border with Ethiopia. It is home for five ethno linguistic communities; the Turkana, Didinga, Toposa, Inyangatom, and Dassanech, who are members of the larger ethno cultural groups of Ethiopia, Kenya, Uganda, and Sudan, but traditionally migrate to graze in the triangle.<sup>9</sup> Whereas it is difficult to isolate ethnic groups of Africa using the criterion of linguistic typology alone, intermarriage and clan affinity in Ilemi create an additional problem for clear-cut delineation and analysis. This may explain why scholars, travellers, and administrators still refer to each community by several names.

The Turkana live in southern Sudan and northwestern Kenya where their subsistence is described as multi-resource nomadism which combines pastoralism, gathering, commerce, raiding, and fishing. The translation of their name as cave dweller suggests they originated from the caves on the Kenya-Uganda border.<sup>10</sup> They are classified among the Eastern Nilotes.<sup>11</sup> Grass for their cattle is only available in northern Ilemi where they annually graze for eight to nine months. Their northwestern neighbors are the Didinga, who mainly live in the Equatorial Province of Southern Sudan and north eastern Uganda, but western Ilemi forms their dry-season pastures. Their traditional enemies are their Toposa neighbors in the northeast who migrated to Sudan's Equatorial province in 1780.<sup>12</sup> Recent anthropological research emphasises the close ethno historical connection between the Inyangatom and the Toposa, which suggests they were originally one people.<sup>13</sup> The traditional pastures for the Didinga and Toposa are the better-drained higher grounds of northwestern Ilemi, but their hunting pushes further to the east of the triangle.<sup>14</sup>

The Inyangatom live in central and southeastern Sudan and southwestern Ethiopia.<sup>15</sup> During the dry spell, they migrate southwards with their milch animals to the pastures of northern Ilemi. Being astride River Kibish and River Omo their womenfolk practice retreat cultivation when there is rich clayey soil left by flooding and have turned the riverside area into a breadbasket that supports the element of the community whose crop is not always reliable.<sup>16</sup> Their neighbors are the Dassanech who mainly live in southwestern Ethiopia but about one third live in Kenya. Dassanech men raise cattle, around which many social systems are built, and women grow grain on the banks of River Kibish and River Omo. Their agricultural productivity is so eye-catching that early travellers describe them as uniquely hospitable people with plenty of food.<sup>17</sup> During the dry season Inyangatom and Dassanech men graze their herds for long periods in eastern Ilemi.<sup>18</sup>

Ilemi qualifies as pastoral country par excellence characterized by hilly terrain, which provides good pasture for cattle grazing and open areas suitable for grazing camels and goats. Organized raiding is common but contrary to popular belief, limited browse and scarce water are not the only motives. It is important to elaborate this factor. During their transhumance, pastoral people cannot recognize invisible meridians, which formalize territorial jurisdiction of the modern state because for them borders constrict or expand for a reason.<sup>19</sup> These reasons include a need to accommodate an increase in pastoral productivity, correspond with new demographic demands, and respond to ecological exigencies, or because of predation from more powerful neighbors. Long before the Anglo-Ethiopian Agreement of 6<sup>th</sup> December 1907 was drawn, the Inyangatom, Didinga, Turkana, Toposa and Dassanech had traded and grazed in the Ilemi through intercommunity arrangements. Raiding was then a cultural institution that served several functions such as: a strategy for coping with natural disasters, political domination of neighbors through the monopoly of animal wealth, rite of passage for young warriors, and a means of regulating the quality of livestock. It was controlled by poly-tribal councils of elders, which were destroyed by colonial intrusion in the nineteenth century.<sup>20</sup> During precolonial rustlings, raiders of Ilemi used traditional weapons and guns they obtained from Ethiopian gunrunners and outlying trade centres such as Maji, where ammunition was so common it was used as local currency. Due to the lack of respectable control mechanisms contemporary raiding has lost its traditional altruism as modern firearms, politicization, and commercialization usually drive it today.<sup>21</sup>

GRAZING IN ILEMI TRIANGLE

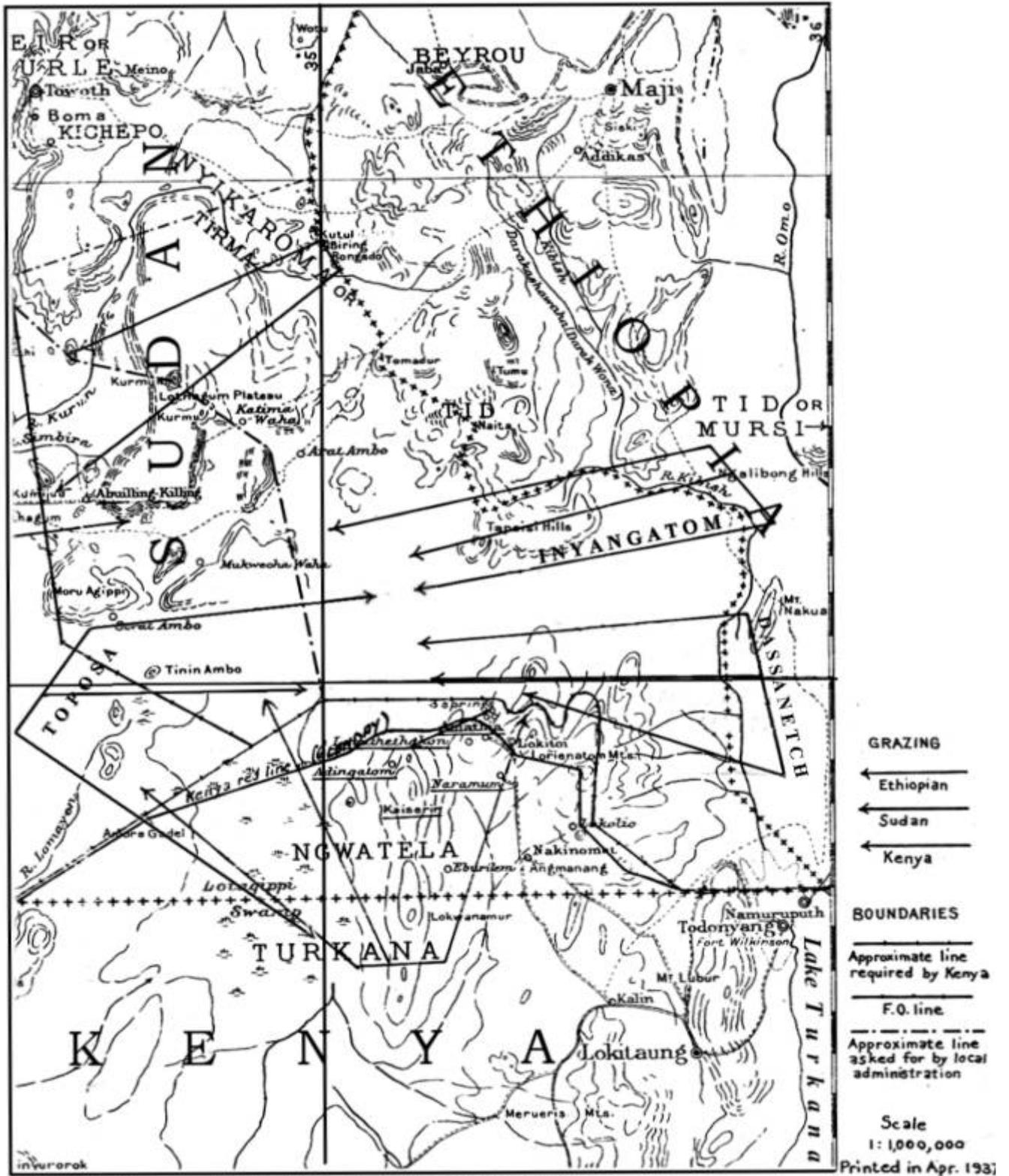


Figure 1. Source: Public Records Office MPK1/359  
 N/B Some names have been realigned by the author.

## EVOLUTION OF THE ILEMI DISPUTE

During the partition of Africa, there was no urgency to delimit the Kenya-Sudan-Uganda boundaries, as they were part of the British Empire. Ethiopia was independent and an understanding of its political developments at the time will shed light to the problem under consideration. The death of Tewodros II of Ethiopia occurred during a critical stage of the partitioning of Africa whereby Britain and Germany agreed on mapping out their territorial possessions in Eastern Africa.<sup>22</sup> His successor, Emperor Menelik II, found his unification of Ethiopia hampered by European imperialism. In circulars sent to the imperial powers in 1891 and 1894 Menelik outlined the extent of his empire and in 1896 he resumed the expansion of the Amharic nation southwards in order to contain the northward expansion of the British sphere of influence.<sup>23</sup> Having better weapons than his predecessor, Menelik's policy was to consolidate remote areas by military conquest and establish garrisons and administrative outposts in the fashion of the competing European powers.<sup>24</sup> The territory claimed by Menelik included Lake Turkana which he called the Samburu Sea. He proposed his southern boundary with the British to run from the southern end of Lake Turkana due east to the Indian Ocean. Emperor Menelik based his territorial claim on slave raiding into peripheral lands that Ethiopia did not always police.<sup>25</sup> For instance, it is indisputable that he had previously conquered the Lake Turkana region but the Turkana had regained control and expanded northwards to the present day Kenya-Ethiopian border long before the colonization of Africa.<sup>26</sup> Britain disagreed with Menelik's proposal and insisted on running the Ethiopia-Kenya boundary along the meridian it had already agreed on with other European powers without consulting Ethiopia. However, logistical constraints prevented the Emperor or Britain from establishing administration on the ground to back their corresponding territorial claims.<sup>27</sup> Nevertheless, Britain delineated its territories to halt other Europeans' territorial ambitions and more specifically to curtail Emperor Menelik's claim to land Britain considered within its sphere of influence. Mr. Archibald Butter and Captain Philip Maud (Royal Engineers) surveyed Ethiopia's border with British East Africa in 1902-3 and marked the 'Maud line' which was recognized in 1907 as the *de facto* Kenya-Ethiopian border.<sup>28</sup> Addis Ababa renounced Britain's attempt to rectify this border through a survey by Major Charles Gwynn (Royal Engineers) in August 1908 for excluding Ethiopian surveyors.

Changes occurring in Ethiopia's political landscape at the time influenced the subject under consideration. Menelik II did not consider the domestic use of prisoners as constituting slavery, hence he continued slave raiding into the region of study where communities had displaced into for safety.<sup>29</sup> Therefore, Britain conducted military expeditions not only to secure its sovereignty but also to prevent the depopulation of Kenya and southern Sudan by slave traders.<sup>30</sup> Sudan welcomed Britain's punitive policing to halt Ethiopian slave raids. However, despite the security of Ilemi being essential to the security of Mongalla Province (Sudan), logistical constraints prevented Sudan from consolidating gains from British expeditions with the establishment of administration.

Considering Emperor Menelik II had been the architect of Ethiopia's political edifice his death slowed down the possibility of an early settlement of disputes on the southwestern borders of the Abyssinian (Amharic) Empire. In 1908, he appointed his grandson Lij Iyasu, age 11, to succeed him but he was dethroned in 1916 before he could be crowned.<sup>31</sup> Whereas Menelik had been keen on any matters pertaining to Ethiopia's sovereignty, his successor could not fill his

shoes because he was too young, too naïve in international politics, and faced by a challenge to his legitimacy. Consequently, Kenya and Sudan did not hold meaningful discussions with Ethiopia on boundary rectification until after the crowning of Emperor Haile Selassie. At that time, discussions were possible because Haile Selassie tried to reduce the power previously vested on regional governors in order to centralize bureaucracy under his personal control.<sup>32</sup>

Before the First World War, the need to redefine the borders of British territories in Africa raised several issues that were core to future border rectification between Kenya, Uganda, and Sudan in Ilemi. In this regard, the Uganda-Sudan Boundary Commission was formed in 1914 under Captain Kelly (Royal Engineers) and Mr. H.M. Tufnell and tasked to demarcate Uganda's borders.<sup>33</sup> Central issues included the determination of Turkana grazing grounds, Sudan was to gain access to Lake Turkana through a lozenge of land known as the Ilemi Appendix and its eastern border was to curve outwards to Ethiopia to bring the whole Kuku ethnic community into Sudan.<sup>34</sup> Similarly, Uganda wanted to extend its boundary northwards to include into Uganda the Sudanese Acholi. The Labor Patrol of 1918 was tasked to determine the feasibility of these issues. On the ground it found tribal dispositions and grazing limits were unfixed and impossible to verify due to their shape and limits being dependent on human recollection. Furthermore, they tended to vary in size depending on season and a community's ability to protect its economic and socio-political interests. Some ethnic groups claimed as their ancestral home areas they inhabited at the time of the patrol, pasturage they had lost through war or abandoned as unproductive, and also grounds whose possession was desirable for strategic considerations. After the Labor Patrol, Britain was reluctant to invest in troops and administration north of Lake Turkana due to logistical costs and anticipated casualties in case of a military clash with Ethiopian soldiers. Besides, the Turkana west of Lake Turkana increased raids on their neighbors to regain livestock the British had confiscated and to reclaim their dignity among their pastoral neighbors.<sup>35</sup>

In the meantime the Uganda Order in Council (1902) transferred Uganda's Eastern Province (Rudolf Province) to British East African Protectorate (Kenya) thereby reducing Uganda to 2/3 of its size before this order.<sup>36</sup> The territory transferred from Uganda to Kenya included the area inhabited by the Turkana and vaguely encompassed the pastures of their Ngwatela section, whose inhabitants also lived in southern Sudan. Britain suggested that Ilemi should be excised from Sudan and incorporated into Uganda, or, the portion of Uganda's former Rudolph Province containing the triangle be ceded to southern Sudan.<sup>37</sup> If neither proposal was acceptable, Kenya and Uganda could alternate the garrisoning of Ilemi Triangle with one third of the financial burden being the responsibility of Sudan.<sup>38</sup> When Sudan turned down these proposals it became urgent for the Colony and Protectorate (Boundaries) Order in Council of 1926 to redefine Kenya's territorial limit with Sudan. Britain demanded the Turkana of the borderlands should displace further south into the hinterland of the Kenya colony to benefit from British protection but by so doing they lost their fertile pastures in Ilemi to the Inyangatom and the Dassanech. By late 1926, Britain had established its administration among the Turkana but their dry season pastures in Ilemi were declared a closed frontier where no protection was forthcoming from the colonizer.<sup>39</sup> After 1926, the Kenyan colonial authorities established an administrative boundary that did not coincide with the Anglo-Ethiopian treaty of 1907 as a measure of accommodating Turkana's ancestral grazing area within Kenya.<sup>40</sup> The grazing areas in question include the physical features, which afford the Turkana natural protection from livestock rustlers of Ethiopia and Sudan. This arrangement was constrained by

a number of issues. As a start, a bigger portion of the Turkana's dry weather pastures lay to the north of the 1914 line which was the portion of Ilemi not falling under Kenyan administration. Additionally, some pastoral communities who would henceforth be under British dominion were nominal subjects of the Emperor of Ethiopia and only migrated to Ilemi for dry season grazing. To compound the problem, most Sudanese and Ethiopian rustlers used secure avenues of approach provided by hills in Sudan far north of the Anglo-Ethiopian boundary and rolled down on the Turkana tending livestock in the lower grounds.

After Britain disarmed the Turkana the traditional authority and local military equation were disrupted so much that combined forces of the Inyangatom and Dassanech frequently raided the Turkana in full view of the British frontier post in Lokitaung.<sup>41</sup> Moreover the military imbalance attracted slave raids from Ethiopia despite Emperor Haile Selassie's pledge to end slavery, which had survived in the form of captives of cattle raids being used as unpaid domestic servants in Ethiopia.<sup>42</sup> To be fair, Ethiopia's frontier policing had become too costly and impossible in inaccessible remote areas after European powers limited the quantity and quality of weapons entering the country.<sup>43</sup> Toward the end of 1929 Britain realized that its success in policing Kenya's northern frontier depended on Ethiopia's capability to do the same across the common border. For this reason it recommended to other European governments to lift the arms embargo previously imposed on Ethiopia.<sup>44</sup>

Britain was determined to establish law and order in Ilemi provided Sudan contributed £10,000 annually toward the expenses of administering the territory starting from 1931.<sup>45</sup> It should be realized that setting up administration was not a simple case of constructing a fort and hoisting a flag. Where roads existed they were impermanent and often passed through rugged country making the movement for troops and supplies slow and dangerous. So, Kenya claimed from Sudan an additional sum of £5,000 annually for the construction of roads and administrative infrastructure in Ilemi. Apparently, Khartoum planned to bear the responsibility for the triangle and dispatched a reconnaissance patrol to the area in January 1931 to determine the suitability of its administration. It later abandoned the plan after realizing the immense logistical difficulties that could result if a military post was opened in the area. First, supplies would have to be transported along the Nile River, then through Sudan's southern Mongalla province and across a hostile country that had no roads. Secondly, constructing an administrative center next to the Ethiopians could have invited constant friction from armed border communities whom Addis Ababa did not control effectively.<sup>46</sup>

Late in 1931, the administrators of Mongalla (Sudan) and Turkana (Kenya) agreed that the northern limits of Turkana pastures were within the area defined by the Red Line.<sup>47</sup> Sudan considered it legitimate and fair that the Inyangatom and Dassanech should similarly share the grazing in eastern Ilemi during the dry spell. As a measure of accommodating everybody, from August to September 1932 the Red Line was modified with a northeasterly extension of what came to be known as the Green Line.<sup>48</sup> This extension was to allow the Turkana to gain access to the pastures and water holes which they were to share with the Dassanech and Inyangatom when need arose. Later, Ethiopia was to interpret the area allowed to their Dassanech and Inyangatom for grazing purposes as constituting a formal cession of eastern Ilemi to Ethiopia and hastily constructed a border outpost at Namuruputh.

Several factors explain why the determination of Ilemi was constantly procrastinated during the Italian occupation of Ethiopia. Britain was aware of the imminent Italian invasion but did not

care about Ethiopia's territorial integrity as long as Italy did not jeopardize Britain's geo-strategic interests in Kenya, British Somaliland, the Nile valley and Egypt. Indeed Britain's realpolitik of the period is evident in the words of one official who said: 'We are the protectors of Egypt's rights in the Nile and that is the benefit we give her and the hold we have over her'.<sup>49</sup> Nevertheless, Italy's invasion of Abyssinia in 1936 increased the urgency for Britain to define its borders in eastern Africa to curtail Italian irredentism.<sup>50</sup> For instance, after occupying Ethiopia in 1936, Italy laid claim to the Ilemi on the basis that the Ethiopian Dassanech were also indigenous residents of the triangle. On this premise their migration into the territory during the dry season was not based on *tradition amicale de transhumance*, the reciprocal grazing customs among pastoral nomads, but on *une droit de possession collective* which provided for inalienable right to their Ilemi ancestral home.<sup>51</sup> Rather than consider taking immediate steps to safeguard the interests of the disarmed Turkana, and without the consent or consultation of other herders, the 1902 Maud Line (also 1907 boundary) was hurriedly confirmed as the Kenya-Ethiopia border to protect British interests from Italian territorial ambitions.<sup>52</sup> Ethiopia and Sudan agreed to mark their common boundary using meridians because terrain features did not coincide with ethnic homelands. Britain suggested that Ethiopia should cede to Sudan the Baro (Beyrou) salient where British administration had been exercised on Ethiopian communities in exchange for an area southeast of Ilemi, which Sudan had never administered.<sup>53</sup> In Britain's quid pro quo proposal, Sudan would take 11,000 square miles of the Baro salient from Ethiopia in exchange for 6,000 square miles of eastern Ilemi that would be excised to Ethiopia.<sup>54</sup> As an assurance to Kenya that the territorial barter did not infringe on Turkana's grazing rights Khartoum promised to rectify the Kenya-Sudan boundary to reduce the avenues through which Sudanese and Ethiopia rustlers could attack the Turkana.<sup>55</sup> Such adjustments would also enclose within Kenya the customary pastures of the Turkana whose limit was close to Kenya during the wet season but due to reduced browse in the dry season, they stretched further north into Sudan. However, Sudan could only offer this rectification if Ethiopia accepted the Baro-Ilemi barter.

It was important to resolve the Baro exchange quickly because Emperor Menelik had leased the 2,000 meters River Omo frontage to the authorities in Khartoum on the assumption that Sudan would remain under the Anglo-Egyptian condominium.<sup>56</sup> Still, Sudan wanted more in the territorial concession so that it could encompass within Sudan the entire Nuer and Anuak ethnic groups including their clans that lived in Ethiopia. Britain opposed the barter because it would make the Turkana boundary co-terminus with Ethiopia, which could deny Kenya automatic right of cross-border pursuits of livestock rustlers and increase its commitment for frontier security.<sup>57</sup> In view of the above predicament, Kenya reiterated its proposal of being responsible for the administration and security of the whole Ilemi Triangle at the expense of Sudan, which the latter declined because the financial burden worked out by Kenya, was not commensurate with the practical task of policing it.

In 1938, a joint Kenya-Sudan survey team established an administrative line that extended the Red Line in a northeasterly direction with the intention of accommodating within Kenya the hilly grounds in north Ilemi that afforded the Turkana natural protection from raiders of Sudan. Henceforth, the Red Line was variously known as the 'Wakefield Line' after the Sudan survey team leader or 'Provisional Administrative Boundary' to mark its purpose and conditionality. The Red Line now stretched the Ilemi eastwards to include more watering and protective terrain shared by all pastoral communities. It was regarded as a temporary measure in that

proper demarcation would take place during Sudan's exchange of eastern Ilemi with Ethiopia's Baro salient.

In July 1939, a raid by the Inyangatom and Dassanech in the unadministered part of Ilemi left 250 Turkana dead; the majority of them were unarmed women and children. After Italy conceded it did not have full control of the Dassanech and Inyangatom, Britain conducted a punitive raid with the Kings African Rifles (KAR) supported by the Royal Air Force who dropped 250-pound bombs north of Ilemi. The punitive expedition was a temporary solution whose repeat was unlikely due to prohibitive financial costs and the need to honor Italo-Abyssinian airspace. Britain and Italy agreed that future punitive patrols against pastoralists of Italian Abyssinia should be the responsibility of the Sudanese Defence Forces while Kenya and Italy held their frontiers intact to disarm raiders retreating across them. Italy refused to compensate Britain, arguing that the counter-raids on the Dassanech and Inyangatom were outside the category of tribal raids in that Britain had employed conventional forces. On 10 August 1939, Italy rejected the Sudanese offer of the Baro-Ilemi exchange on the grounds that the territory to be surrendered by Ethiopia was too large and no further discussions followed due to the outbreak of the Second World War.<sup>58</sup>

## IMPACT OF THE SECOND WORLD WAR

The build up of British troops for invading Abyssinia was conducted in Lokitaung just south of the disputed territory. The 25<sup>th</sup> East African Brigade comprised of two battalions of the Kings African Rifles (KAR) with 550 Turkana *Askari* and support elements. It employed the Turkana as vanguard and flank scouts to upset any ambushes organized by the Dassanech who had been armed, trained, and deployed by Italy. A lasting impact of this war was not only in making pastoral enemies fight each other across indeterminate boundaries, but post-war resource conflicts in the contested pastures would henceforth employ tactics and weapons acquired from the world war.<sup>59</sup> After Italy was defeated in 1941, troops of the KAR remained in Ilemi for six months to consolidate their victory during which the Turkana anticipated the disarming of the Dassanech and Inyangatom. Policing the armed pastoral communities of no fixed habitat was difficult for the KAR, yet disarming them was unthinkable unless they were all permanently under one jurisdiction. For this reason, Britain decided to blockade west of River Omo to reduce Dassanech encroachment on pastures of eastern Ilemi. At the time this was the plausible proposition given that Egypt was suspicious of any closed frontier policy in Anglo-Egyptian Sudan and without justification refused to accept any further rectification of Sudan's border with Kenya or Ethiopia.<sup>60</sup> In January 1942, Ethiopia demanded Britain honor the provisions of the Anglo-Ethiopian Agreement of 1907 that provided for pastoral transhumance. In reality, the blockade contravened this treaty for being located inside Ethiopia's indisputable jurisdiction. Britain withdrew but insisted that grazing was permissible in their territory if the herders were unarmed and subject to British jurisdiction as provided for in the same clause.<sup>61</sup> There followed an awkward impasse on the interpretation of the Anglo-Ethiopia Treaty of 1907, which increased the delay of determining the future of Ilemi. At the same time, British officials in Kenya and Sudan proposed a covert adjustment of the Kenya-Ethiopia boundary point using the original surveyors without the knowledge of Ethiopia. This 'cowboy' solution was later rejected after it leaked out.<sup>62</sup> After the Second World War, there was talk of establishing Sudanese authority in the disputed territory with the understanding that the logistical difficulties

envisaged by Sudan were enormous but it did not mean the country could be relieved its territorial obligation under the international law.<sup>63</sup> Conflicts amongst pastoral nomads increased after the war because without any authorities in the area to regulate their use, boreholes drilled to supply water to British troops liberating Abyssinia from Fascist Italy became instant *casus belli* (cause for war). In 1944, Britain's Foreign Office established the 'Blue Line' to the west of the Red Line, which enlarged the Ilemi triangle. The Blue Line was used from 1947 in post-war correspondence pending further negotiations that would consider the settlement of all former Italian territories in Africa.<sup>64</sup>

Meanwhile, on 10 May 1947, Ethiopian and Sudanese officials met to rectify their common boundary but were unable to agree on where the line should run to avoid splitting the Nuer and Anuak ethnic groups. Ethiopia proposed that in exchange for the Baro salient the common boundary should include in Ethiopia the Inyangatom and Dassanech grazing grounds.<sup>65</sup> Ethiopia also wanted the boundary to be rectified at the north end of Lake Turkana so that the whole River Omo remained in Ethiopia to protect the traditional fishing rights of Ethiopian ethnic groups. In 1950 Sudan unilaterally established the 'Sudanese Patrol Line', which is further to the west of the 'Blue Line'.

### DIFFICULTIES OF INTERPRETING MERIDIANS

Eurocentric surveyors of the Ilemi Triangle ignored local opinion and often used impermanent objects and vague vocabulary to describe the border, which has been a source of technical difficulties to both administrators and the local herders. A few examples will elucidate this point. Along the Provisional Administrative Boundary (also known as Red Line or Wakefield Line) Border Point (BP) 6 is described as 'A prominent tree on the slope of the northwestern spur of Kalukwakerith'. BP 13 is 'a prominent cedar tree on the northeastern spur of Loreniatom. This tree is on a spur named Atalocholo'. BP 16 is 'a distinctive and blazed brown olive tree in the midst of the forest', and BP 17 is 'a lone tree marked with stones at its base on a bluff'.<sup>66</sup> Surveyors christened the largest water mass in the region as Lake Rudolf, which local pastoral people could not pronounce or relate to. A controversial lake which lies between Kenya and Ethiopia was renamed Lake Stefanie but the local Boran know it as Chulbi, it is Galte to the Arbore community, and Chow Bahar to several Ethiopian peoples. One essential border point is Namaruputh, which exists only in colonial records and maps yet no official or local inhabitant can today pinpoint its extent or breadth on the ground. The other contentious issue is that on the northern shore of Lake Turkana (previously Lake Rudolf) the border is constantly shifting due to deforestation and other human and ecological factors that cause the lake to recede. When the Kenya-Sudan boundary was drawn one prominent landmark was a large water mass known as the Sanderson Gulf, which has since dried up thereby opening dispute on the precise point of convergence of the Kenya-Sudan-Ethiopia border. It has been opined that by failing to visit specific points on the ground the Boundary Commissions could have been deceived by a mirage in demarcating the Sanderson Gulf.<sup>67</sup>

Sudan has consistently argued that the delineation by the Maud Line of 1902-3, which leaves the triangle in Sudan, should be the basis of determining its boundary with Kenya. Alternatively, it could be based on the Uganda Gazette of 30 May 1914 which also leaves the Ilemi in Sudan by describing the Kenya-Sudan-Ethiopia tri-junctional border point as: 'A line beginning at a point, on the shore of the Sanderson Gulf, Lake Rudolf, due east...' <sup>68</sup> However, the Gazette does not say whether this line begins in the east, west, north, or south of the gulf.

The precision of the border here is important to Ethiopia, Kenya and Sudan because it could determine the breadth of the Ilemi Appendix, which is a north-south narrow strip measuring about 150 miles by 200 miles. This proposed finger-like projection extending from Sudan due south was intended to give Sudanese and Ethiopian pastoralists access to the water of Lake Turkana. Sudan's future plan was to use its access to Lake Turkana to construct a railway line for transporting food to the lake then by water using boats to consumers of Kenya's hinterland.<sup>69</sup> Nevertheless, the description of the border using indeterminate reference points on the ground makes it impossible for pastoral nomads to respect it and it would take disproportionate time and personnel to police it to prevent intercommunity violence.<sup>70</sup>

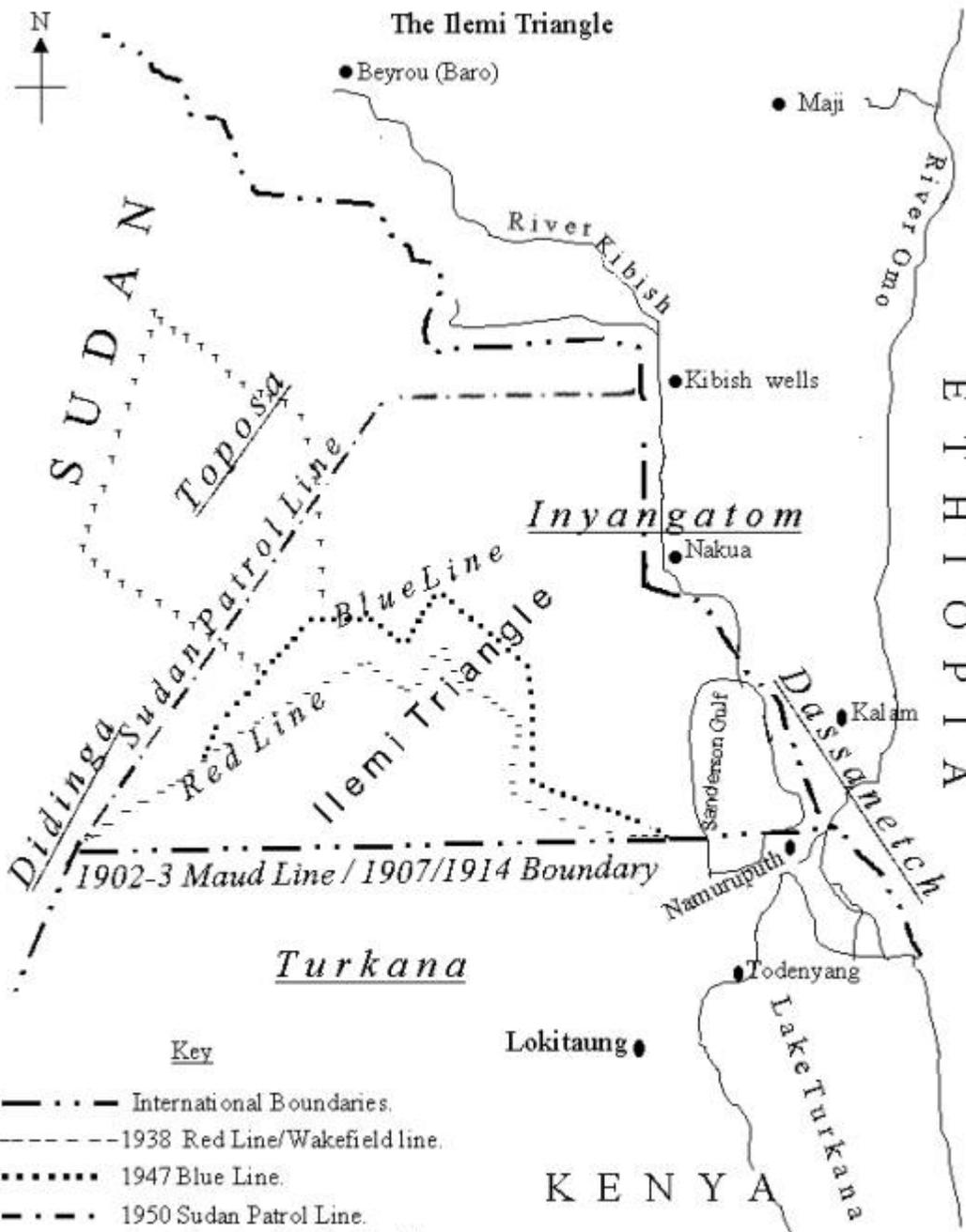


Figure 2. This illustration is not a substitute for survey records.

## OFFICIAL INDIFFERENCE

Britain's 'hands off' policy on the determination of the sovereignty of Ilemi to ensure peace among the herders cannot be isolated from its overall administrative policies after the Second World War and geo-strategic intentions for colonial possession in eastern Africa. In this respect, sympathy is expressed with the opinion that Britain would have resolved the Ilemi

dispute had its neighbor been France or Belgium and not Ethiopia and Anglo-Egyptian Sudan.<sup>71</sup> It is important to briefly review the attitude and arrangements for British military and civilian officers serving in colonial Kenya and the Anglo-Egyptian Sudan.

British administrators received training in Oxford and Cambridge, which in theory prepared them for complicated security and administrative duties in the colonies.<sup>72</sup> Others visited Yemen, Aden, and the Persian Gulf to gain experience of administering nomadic communities. Nevertheless, the British soldier-administrator found the complexity of Ilemi beyond any paradigm particularly after the outbreak of war with Italy in 1939. Furthermore, Turkana then part of Kenya's Northern Frontier District (NFD) was a 'Closed District' where movement was restricted and administrators forced to live unmarried which frustrated them.<sup>73</sup> Abortive punitive expeditions had indicated that the cost of developing the arid region could not be offset by taxes on the evasive pastoral nomads whose nationality was determined by ecological exigencies such as migration to reduce pressure on exhausted land or escape livestock diseases. Hence, most administrators working in Turkana district were out of touch with the pastoral rhythm of life and needs of the frontier at the grassroots level.<sup>74</sup> Albeit a generalization, Kenya's borderlands remained only important as a strategic buffer for future wars and to prevent pleuro-pneumonia, rinderpest and smallpox from spreading to the agricultural farmlands occupied by white settler farmers. Therefore, the authorities of Kenya saw Turkanaland and the Northern Frontier Districts as only suitable for the incarceration of political detainees such as Jomo Kenyatta and ignored serious problems of pastoral security and economic development.

Similarly, the authorities of Sudan did not evince genuine commitment to a resolution of the problem of administering the Ilemi Triangle. It is noted that during the adjustment of the Kenya-Uganda boundary in 1931 the Karamojong and Pokot pastoral nomads did not experience any serious problem of security or transhumance across the international boundary.<sup>75</sup> The Sudan-Kenya boundary was similarly between countries under Britain and running across pastoral country, so, why was there a problem of delimiting Ilemi? Unlike the Uganda-Kenya boundary the determination of Ilemi involved Ethiopia, a country proud of its history of political independence, and Egypt, which though incorporated in the administration of Sudan through the Anglo-Egyptian condominium was skeptical of any belated boundary adjustments by Britain. It may be deduced that Egypt also considered Sudan's unilateral attempt to rectify its borders as a surreptitious attempt to acquire some independence from the Anglo-Egyptian condominium.<sup>76</sup> After the Second World War, Britain's attitude in Southern Sudan increased suspicion about its long-term intentions in eastern Africa, which delayed attempts to finalize demarcations along Sudan's border with Kenya. British administrators posted in southern Sudan lacked commitment and were succeeded by Barons who implemented the policy of separation before it was officially introduced. For example, British officials excluded southern Sudanese from decision-making arguing that, 'the ethnic diversity and comparative backwardness of southern tribes precludes the selection of suitable indigenous representatives'.<sup>77</sup> Due to a conspicuous north-south cleavage and post-war political uncertainty it was speculated that southern Sudan might split in the future and join Uganda. This suspicion was underpinned by Britain's lack of socioeconomic development of the south and its reliance on missionaries and philanthropist organizations to open the region for commerce and education.<sup>78</sup> Therefore post-colonial governments of Sudan inherited a legacy of negative attitudes that the Ilemi was troublesome, undesirable, and its economic development costly in

human and financial resources. Despite the importance of its pasture to various Sudanese peoples the territory was only suitable for exchange with Ethiopia's Baro salient.

Any rectification of regional boundaries after 1960 has tended to be half-hearted measures that evade the most important issue of the delimitation and administration of the disputed pastures. For example, Kenyan and Ethiopian officials met in 1964 to rectify the common boundary where Kenya surrendered Gaddaduma in exchange for Godoma and Namuruputh. Godoma has no strategic value to Kenya but Namuruputh, which lies at the tri-junctional Kenya-Sudan-Ethiopia point, is important for future negotiations with Sudan.<sup>79</sup> By conceding Namuruputh, Ethiopia erected an unnecessary obstacle to future negotiations for their Dassanech access to Lake Turkana while ignoring their grazing interests and traditional linkage to eastern Ilemi.<sup>80</sup> The haste in which Kenya and Ethiopia rushed through border agreements in the early 1960s should be seen against the backdrop of good rapport which existed between President Jomo Kenyatta and Emperor Haile Selassie. Apart from friendship at a personal level, the two statesmen were influenced by superpower clientele competition of the period and shared threat perception from Somalia nationalism in Somali-inhabited enclaves of Kenya's Northern Frontier District (NFD) and Ethiopia's Ogaden province.<sup>81</sup> Nevertheless, Kenya's wisdom in surrendering Gaddaduma is difficult to ascertain considering boundary commissions had in the past emphasized the strategic importance of the wells as being technically too concentrated to be subdivided and too precious to go to either Kenya or Ethiopia.<sup>82</sup> In July 1964, it was suggested that Kenya, Sudan and Uganda should rectify tripartite points on the boundary over western Ilemi to curb large scale organized rustlings and predatory expansion which were causing famine, indiscriminate bloodletting and ethnic displacements. Leslie Walters, Kenya's boundary consultant and representative in the Kenya-Ethiopia boundary rectification, surrendered his British citizenship in favor of a Kenyan one to enhance his acceptability by the Sudanese negotiators.<sup>83</sup> The meeting never took place. Meanwhile on 18 July 1972, an exchange of notes between Ethiopia and Sudan failed to settle the question of the Baro salient or make arrangements to stop banditry and establish peaceful coexistence among the pastoral people.<sup>84</sup> This exchange recognized that future discussions on the southern terminal point of the Sudan-Ethiopia boundary should include Kenya.

In recent times Ilemi has been sidelined by higher priorities in each country's security. For instance, in the post-independence era, Khartoum's focus has been the war with the Sudanese People's Liberation Army (SPLA) and various offshoot factions. Over the same period Ethiopians have been also been preoccupied with civil war and external conflicts, such as the 1977-78 Ogaden War with Somalia, which was supported by the former USSR, the war for the liberation of Eritrea, the collapse of Mengistu's authoritarianism, and the current territorial disputes with Eritrea.

Kenya too has had different security priorities. After independence from Britain, Jomo Kenyatta's immediate frontier security commitment was in the former NFD where pan-Somalia nationalism tied Kenya to a four-year secessionist conflict known as the Shifta war, which was supported by the Republic of Somalia.<sup>85</sup> In August 1967, President Kenyatta tried to win the sympathy of Britain on the determination of the Kenya-Sudan boundary by proposing the recognition of the Red Line as the international Kenya-Sudan boundary.<sup>86</sup> On the same premise the straight line of 1914, which places the whole of the Ilemi Triangle within Sudan was to be treated as null and void by virtue of having been superseded by the modified Red Line.

Thereafter Kenya has not officially pursued the matter with Sudan although it maintains a police post in the area marked by the Red Line.<sup>87</sup>

Without exonerating the former colonizer from blame for the uncertainty it planted in Ilemi Triangle, the current territorial claims by both Kenya and Sudan have credibility gaps. First, Kenya's claim that Sudan and Britain accepted the Red Line as the common border requires verification by documentary evidence. Be that as it may, Kenya would still experience difficulties explaining its unilateral demarcation of the Blue Line in 1944, which was adopted as the boundary in 1947, as this would constitute an encroachment on Sudanese territory. Similarly, unilateral border surveys by Sudan beg an explanation. Its demarcation of the Sudanese Patrol Line of 1950, which is west of the Blue Line, prohibits Kenyan and Ethiopian pastoralists from using pastures or water west of the line and henceforth authorities in Khartoum abandoned policing duties or economic development east of the line. This could imply a 'silent' territorial concession to Kenya and Ethiopia to resources east of the Sudan Patrol Line but the interpretation of such action under the international law is beyond the current investigation.

### **THE FUTURE OF THE ILEMI DISPUTE**

The Ilemi triangle of conflict should be seen in the context of a wider problem affecting transhumant peoples of the region. Despite the current climate of good relations in the region each party to the dispute has either ignored the sovereignty of Ilemi or exploited the uncertainty for short-term political goals. For instance, Uganda may currently not stake any territorial claims to the triangle but its Didinga community needs the dry season pastures. The sovereignty of Ilemi has not featured in Uganda's current rapprochement with Sudan despite having been a safe haven for various insurgent movements such as the Lord's Resistance Army.<sup>88</sup> At present the threat of insurgency is so minimal that the priority for the authorities in Kampala is the disarming of the Karamojong ethnic group, which started in 2001. But the leaders may soon realize that the establishment of law and order today in southern Sudan generally and Ilemi in particular is crucial for Uganda's future security.

Ethiopia has allowed the problem to remain dormant and has been derelict in its responsibility of securing the needs of pastoral Dassanech. In the 1990s, the current Ethiopian government armed the Dassanech with new Kalashnikov automatics in recognition of their vulnerability from the Kenyan Turkana and Sudanese cattle thieves, but failed to seek a firm border settlement that could safeguard their grazing interests in the disputed Triangle.<sup>89</sup> Arming the Dassanech raises a number of issues. One, because they are the stakeholders for Ethiopia's territorial claim to eastern Ilemi, the current government turns a blind eye when they raid Kenya for livestock. The Kokai massacre of March 1997 when the Dassanech shot 47 Kenyan Boran lends weight to this perspective. The other possibility is that the community is being used as a strategic shield to Ethiopia's vulnerable southern flank. Emperor Menelik II armed and employed the community in this way in the nineteenth century and Italy did the same before the outbreak of the Second World War. Ethiopia's special relationship with the Dassanech does not advance the community's claim to Ilemi and it waters down the extant Kenya-Ethiopia mutual defense pact.

Arguably Sudan has more leverage over other disputants but it has not only abrogated its responsibility but also consistently destabilized the area controlled by the SPLA.<sup>90</sup> In the last

decade alone it is estimated the Toposa have received 50,000 firearms from the government excluding landmines.<sup>91</sup> Overall it is estimated the government of Sudan has injected more than 250,000 firearms to border communities of southern Sudan to destabilize the SPLA.<sup>92</sup> Sudan's action has made Ilemi more costly to administer and more 'unwanted' by any future government despite its significance to the lives of the local pastoral people.

Despite manning a frontier post in Ilemi today, Kenya's future linkage to the disputed territory is difficult to establish due to official secrecy and conspiracy theories. For instance, before President Moi came to power in 1978, maps of Kenya showed the contested area in dotted lines with the words 'provisional/administrative boundary'. After 1978, Kenyan maps omit the straight Maud Line and draw the triangle in a continuous line. By implication, the provisionality of Ilemi does not exist. This supports the claim that President Moi's government entered a covert deal with the government of Sudan, which ceded Ilemi to Kenya in exchange for halting military support for the SPLA through the Turkana ethnic community. The other theory is that the Sudanese Peoples Liberation Movement (SPLM) cut a deal with Moi's government in exchange for logistical support in the ongoing civil war and accommodation of its officials. Medical treatment of wounded combatants of the SPLA in Kenya and the presence of SPLM officials in Nairobi, Kenya's capital, support the latter view. Furthermore, for the last two decades President Moi has been arming the Turkana, leading to speculation that the firearms are for dominating the area claimed by Kenya. It is unthinkable that Moi's government could enjoy its current cordial relations with the antagonists of the Sudan civil war without secretly having given something in return. Regardless, it is worth remembering that promissory bargains that lack legislative mandate are unlikely to survive regime changes.

Finally, it is important to briefly comment on the significance of Ilemi after the events of 11 September 2001 in New York. In July and August 2002, the USA sponsored a series of talks in Machakos, Kenya, to end the war in southern Sudan.<sup>93</sup> With the future of oil supplies from the Middle East being uncertain, the USA now realizes the importance of stabilizing oil-rich southern Sudan.<sup>94</sup> So far the sovereignty of Ilemi has not featured in this consideration and it is inconceivable how enduring peace and international cooperation can be achieved without embracing the 'people of the periphery' in the economic social and political rhythm of the mainstream society.

## CONCLUDING REFLECTIONS

Whereas colonial surveyors ignored local peoples in their demarcations, bilateral rectification of the international boundaries by regional governments in the post-colonial period have short-changed the pastoral nomads and failed to show a keen interest in resolving the dispute. The Kenya-Ethiopia boundary agreement, which bartered Gaddaduma wells for Godoma and Namuruputh, neither reinforced Kenya's claim to the contested territory nor confirm the extent of the customary pastures of the Turkana in the hills north of the disputed triangle. By excluding Sudan, the bilateral boundary negotiations restricted their achievements to an exchange of territories without long-term significance. Similarly, the Sudan-Ethiopia boundary rectification of 1972 fell short of a viable long-term solution inasmuch as it did not redefine where the boundary should run over the Baro salient. As Kenya did not participate in the exchange of notes, it was not possible to determine the location of the Sudan-Ethiopia-Kenya border north of Lake Turkana.

What is required is a tripartite boundary rectification in which Sudan barter Eastern Ilemi to Ethiopia in exchange for the Baro salient and Kenya extends its border northward to encompass the customary pastures of the Turkana. Khartoum should consider the determination of the legal regime in Ilemi an integral element of the peace initiative it is currently pursuing in the south and good neighbor image it is cultivating with Uganda, Kenya, Ethiopia, and the international society. Likewise, Ethiopia and Kenya should consider the long-term welfare of their nomadic nationals herding in the disputed territory and prioritize their embracement into the economic and political life of the nation-state. In view of the prevailing ‘hands off’ attitude and chronic insulation of people of the periphery, have we not time-travelled to 6<sup>th</sup> December 1907, when the official perception of the significance of the disputed Ilemi Triangle contrasts with that of the local herders who constantly kill for its resourceful pastures?

## NOTES

<sup>1</sup>Kenya National Archives(KNA), Nairobi. DC/ISO/2/5/5 ‘The Kenya/Sudan boundary and the Ilemi Triangle’ in Isiolo District Reports. See illustration Fig 1. Also, consult, ‘Elemi triangle, World Statistics Atlases’ <http://worldatlas.brinkster.net/asp/terr>; and, ‘Appendix F: cross-reference list of geographical names’, <http://www.cia.gov/cia/publications/factbook/docs>.

<sup>2</sup>Ibid.

<sup>3</sup>The ongoing pastoral expansion and livestock rustlings undermine the strategic value of Ilemi to the local herders as analysed in Mburu, Nene, “Contemporary banditry in the Horn of Africa: Causes, History, and Political implications,” in *The Nordic Journal of African Studies* 8, no.2, (1999): 89-107.

<sup>4</sup>Command Papers in Public Records Office (Cmd.) 4318. Kew Gardens, London. ‘Agreement between the United Kingdom and Ethiopia relative to the frontiers between British East Africa, Uganda and Ethiopia’, signed at Addis Ababa by the Emperor Menelik II and his Britannic Majesty’s charge d’affaires on 6 December 1907, published in Treaty Series No. 27 (1908).

<sup>5</sup>McEwen, Alec. *International Boundaries of East Africa*. Oxford: Clarendon Press, 1971.

<sup>6</sup>Taha, Farah. “The problem of the Baro Salient.” *Sudan Notes and Records*. LVII, (1976): 21-30.

<sup>7</sup>Ngatia Fred H. “The Legal Difficulty of Delimiting the Kenya - Sudan Boundary.” MA Thesis, London School of Economics and Political Science, 1984.

<sup>8</sup>Watkins, Elizabeth. *Jomo’s Jailer Grand Warrior of Kenya*. Calais: Mulberry Books, 1993.

<sup>9</sup>See, Colonial Office Records, Kew Gardens London, hereafter (CO) 533/395/2 ‘Situation on the Abyssinia-Kenya and Abyssinia-Sudan Frontier - Ilembe Triangle’, ‘From the Governor of Kenya to Rt. Hon. Secretary of State for colonies’ dated 16 September 1930.

<sup>10</sup>Lamphear, John. *The Scattering Time: Turkana Response to Colonial Rule*. Oxford: Clarendon Press, 1992, p.10; Austin Major Herbert H. *With MacDonald in Uganda*. London: Edward Arnold, 1903, p.178-179; White, Major R.F. “Notes on the Turkana.” *Sudan Notes and Records* III, (1920): 217-222; Watkins, *Jomo’s Jailer*, p.133.

<sup>11</sup>Lamphear John. “Brothers in Arms: Military Aspects of East Africa Age-class systems in historical perspective.” In *Conflict, Age & Power in Northeast Africa: Age*

- Systems in Transition*, ed. Esei Kurimoto and Simon Simonse (London: James Currey, 1998), p.79-97. *Identities on the Move: Clanship and Pastoralism in Northern Kenya*. Manchester: Manchester University Press, 1989, p. 41-54; Watkins, Jomo's *Jailer*, p.133.
- <sup>12</sup> Beaten, A.C., "Record of the Toposa Tribe." *Sudan Notes and Records XXXI*, (1950): 129-132; Driberg, John. "Preliminary account of the Didinga." *Sudan Notes and Records V*, (1922): 208-222.
- <sup>13</sup> See Tornay, Serge. "Generation set systems on the threshold of the third millennium: an anthropological perspective." In *Conflict Age & Power*. ed. Kurimoto & Simonse, p.98-120; Lamphear, John. "The evolution of Ateker 'New Model Armies: Jie & Turkana.'" In *Ethnicity & Conflict in the Horn of Africa*, ed. Fukui Katuyoshi and Markakis John (London: James Currey, 1994), p.63-92.
- <sup>14</sup> Fig. 1. Also consult, Blake, Gerald. *Imperial Boundary Making: The diary of Captain Kelly and the Sudan-Uganda Boundary Commission of 1913*. Oxford: British Academy, 1997, p.99.
- <sup>15</sup> Consult, Kurimoto, Esei. "Resonance of Age Systems in S-E Sudan." Kurimoto and Simonse, *Conflict Age & Power*, p. 48; Cmd. 9798 'Report on the administration of the Sudan for the year 1950-51' London: His Majesty's Stationery, 1956, p.659.
- <sup>16</sup> Matsuda Hiroshi. "Annexation & Assimilation: Koegu & their neighbours," in *Ethnicity & Conflict*. Ed. Fukui & Markakis, p.54.
- <sup>17</sup> Almagor, Uri. *Pastoral Partners Affinity and Bond Partnership Among the Dassanech of Southwest Ethiopia*. Manchester: Manchester University Press, 1978. Also consult, Austin, Major. *With MacDonal in Uganda*. London: Edward Arnold, 1903, p. 187-189.
- <sup>18</sup> Fig. 1.
- <sup>19</sup> The terms nomadism and transhumance may be applied to clear-cut forms of land use with distinct socioeconomic systems but in this analysis, nomadism will be assumed to include transhumance.
- <sup>20</sup> See a fuller discussion in Mburu, Nene. "Firearms and political power: The military decline of the Turkana of Kenya 1900-2000." *Nordic Journal of African Studies* 10, no.2, (2001): 148-162.
- <sup>21</sup> Hendrickson Dylan, et al. "Livestock Raiding Among the Pastoral Turkana of Kenya: Redistribution, Predation and Links to Famine." *IDS Bulletin*. 27, no. 3, (1996): 17-30,
- <sup>22</sup> Greenfield, Richard. *Ethiopia: A New Political History*. London: Pall Mall Press, 1965, p.76-91; Hertslet, Sir Edward. *The map of Africa by treaty*. Vol.II. London: His Majesty's Stationery, 1896, p. 316.
- <sup>23</sup> Foreign Office Records Kew Gardens London hereafter (FO) 2/144 'JR MacDonald to Marquis of Salisbury', August 30, 1897.
- <sup>24</sup> Marcus, Harold. *A History of Ethiopia*. California: University of California Press, 1994, p.104-115; Greenfield, Richard, *Ethiopia: A New Political History*. New York: F.A. Praeger, 1965, p.105.
- <sup>25</sup> CO 533/421/4 'Sir John Simon to Sir P. Loraine' (Cairo) of 13 July 1932; CO 533/419/8 'Abyssinian raids and incursions into British territory and Anglo-Egyptian Sudan'; CO 533/421/9, 'Correspondence respecting slavery in Abyssinia'.
- <sup>26</sup> FO 2/144 'JR McDonald to Marquis of Salisbury', dated 30 August 1897. See also, FO CP.LXXI 'Dulio to Perduci' of 28 September 1902; FO 2/574 'Jenner to Hardinge 18 October 1902'.

- <sup>27</sup>KNA: PC/NFD4/2/8 'The work of the Kenya-Ethiopia boundary commission 1950-1957' in Northern Frontier District Report p. 1.
- <sup>28</sup>KNA: DC/ISO/2/5/3, 'The Kenya-Ethiopia boundary' Northern Frontier District Handbook 1917, Frontier Records p. 93-94.
- <sup>29</sup>Cmd. 1858 'Correspondence respecting slavery in Abyssinia', London: His Majesty's Stationery Office, 1923. See also, Hertslet, Sir Edward. *Map of Africa by Treaty*, 3<sup>rd</sup> Edition Vol. II Nos. 95 to 259, London: His Majesty's Stationery Office, 1909, p.488-491; Greenfield. *Ethiopia a new*. p.132-159.
- <sup>30</sup>CO 533/421/4 'Disarmament of frontier tribes & Abyssinian raids'. See also 'From Sir John Simon to P Loraine' dated 13 July 1932, on complaints of slave raids on British subjects by the Abyssinians; CO/533/419/8 'Slave raids on the Kenya-Abyssinia Frontier'; Cmd. 3217 'Abyssinia incursions into British territory and Anglo-Egyptian Sudan' London: His Majesty's Stationery Office, 1928.
- <sup>31</sup>Marcus, Harold. *The life and times of Menelik II Ethiopia 1844-1913*. Oxford: Clarendon Press, 1975, p.185, 230-281.
- <sup>32</sup>Greenfield, Richard, *Ethiopia: A New Political History*. New York: F.A. Praeger, 1965, p.168.
- <sup>33</sup>Collins, Robert. "Sudan-Uganda boundary rectification and the Sudanese occupation of Madial, 1914." *The Uganda Journal* 26, no. 2, (1962): 140-153; CO 533/380/13 'Memorandum on the history of the boundary between Kenya and Uganda'; CO 533/390/2 'Situation on the Sudan-Kenya-Uganda frontier, draft Order in Council'.
- <sup>34</sup>CO 533/406 'Situation on the Abyssinian-Kenyan and Abyssinian-Sudan Frontiers, Ilembe Triangle, contributions by Sudan government'.
- <sup>35</sup>For a contextualized account of the encounter between the Turkana and the British, see Mburu. "Firearms and Political."
- <sup>36</sup>Order in Council Annexing to His Majesty's Dominions and including in Kenya Colony Certain Territories in Uganda Protectorate, London, February 1, 1926. *British and Foreign State Papers* Vol,123, Part1, 1926, pp 123-125.
- <sup>37</sup>CO 533/390/2 'Situation on the Sudan-Kenya-Uganda frontier, Draft Order in Council' Secretariat Minutes NLND 1/1/4 II dated 20 June 1930.
- <sup>38</sup>Ibid. See also, Darley, Major Henry. *Slaves and Ivory*. London: H.F. & G. Witherby, 1926, Chapter 1.
- <sup>39</sup>Ibid.
- <sup>40</sup>CO 533/406/9 'Kenya-Abyssinia border proposed arbitration'.
- <sup>41</sup>Mburu, Nene. "Firearms and political power: The military decline of the Turkana of Kenya 1900-2000." *Nordic Journal of African Studies* 10, no.2, (2001): 148-162.
- <sup>42</sup>Cmd. 1858 'Correspondence respecting slavery in Abyssinia', London: His Majesty's Stationery Office, 1923.
- <sup>43</sup>Marcus. "The life and. p.135-173; Greenfield, p.189-221.
- <sup>44</sup>Marcus. *A history of*. California: University of California Press, 1994, p.131.
- <sup>45</sup>CO 533/406 'From governor of Sudan to Foreign Secretary' dated 19 Dec 1931.
- <sup>46</sup>CO 533/395/3 'Pennefather Holland to Rt. Hon Arthur Henderson' of 23 August 1930 complaining of Ethiopia's inability to control her brigands of the border.
- <sup>47</sup>McEwen, p.133.
- <sup>48</sup>CO 533/421/9 'Kenya-Abyssinia border 1932-33'.

- <sup>49</sup>CO 967/4 'Sir Robert Vansittart of 25 April 1936'; also in same reference 'Report by Sir John Maffey dated June 18, 1935' pp. 29.
- <sup>50</sup>FO 371/20931 'Foreign Office Memorandum by Mr. Lambert dated 26 January 1937' and, 'Italian annexation of Ethiopia: Kenya, Somaliland and Sudan interests'.
- <sup>51</sup>KNA: K 967.6203 'Memorandum on Turkana affairs'; Lamphear, *The Scattering Time*, p.233, 235.
- <sup>52</sup>Fig. 1
- <sup>53</sup>FO 371/20931 'The Baro Salient-Ilembe Triangle Exchange scheme, parliamentary question Mr. J.J. Davidson, 2 June 1937'.
- <sup>54</sup>Taha, Farah. "The problem of the Baro Salient." *Sudan Notes and Records*. LVII, (1976): 21-30.
- <sup>55</sup> See approximate line required by Kenya Fig.1 & 2.
- <sup>56</sup>KNA:DC/ISO/2/5/5, 'The Kenya / Sudan boundary and the Ilemi Triangle' a report from the Provincial Commissioner Northern Frontier Province Isiolo District Reports, p. 7; CO 533/406: 'Notes on a meeting held in colonial office of Friday May 15, 1931; Hertslet. *Map of Africa*. p.431-432.
- <sup>57</sup>This right was guaranteed because Sudan was still under the Anglo-Egyptian condominium. See, KNA: DC/ISO/2/5/5 'The Kenya / Sudan boundary and the Ilemi Triangle'.
- <sup>58</sup>CO 533/454/4 'Proposed exchange of Baro Salient for Ilembe Triangle' January 1935.
- <sup>59</sup>See Mburu. "Contemporary Banditry".
- <sup>60</sup>CO 537/7212 'Frontier negotiations Sudan Ethiopian Frontier- 1950'; CO 531/7212 'The Secretariat Khartoum to R. Allen', The Africa Department, Foreign Office' of 22 March 1951.
- <sup>61</sup>See Cmd. 4318 'Agreement between the United Kingdom and Ethiopia'.
- <sup>62</sup>CO 537/7212 'From A.G.L. Baxter to R.W. Newsam of 9 July 1951; 'M.N.F. Stewart Esq. To R.W. Newsam Esq. Colonial Office' of 16 May 1951.
- <sup>63</sup>CO 533/395/2 'Situation on the Abyssinia-Kenya and Abyssinia-Sudan Frontiers-Ilembe Triangle'.
- <sup>64</sup> See FO Line, Fig. 1.
- <sup>65</sup>Taha, Farah. "The problem of the Baro Salient." *Sudan Notes and Records*. LVII, (1976): 21-30.
- <sup>66</sup>CO 533/537/8 'Appendix A -Description of the 1938 Red Line'.
- <sup>67</sup>McEwen. *International Boundaries*, p.103-112, 129-134.
- <sup>68</sup>CO 531/7212 'From the Secretariat Khartoum to R. Allen, The African Department' of 26 May 1951.
- <sup>69</sup>Collins, Robert. "Sudan-Uganda boundary", p.140-153.
- <sup>70</sup>Foreign Office, Public Records Office, London FO 533/395/3 'Pennefather Holland to Rt. Hon Arthur Handerson' dated 23 August 1930; Cmd 3217 'Abyssinian raids and incursions into British territory and the Anglo-Egyptian Sudan', London: His Majesty's Stationery Office, 1928.
- <sup>71</sup>CO 533/395/2 'Arthur Sanderson MP to the Secretary of State' dated April 11, 1930.

- <sup>72</sup>“ICS Recruits turn to colonial service” *The Mombasa Times*, 24 July 1947, p. 2.
- <sup>73</sup>See Lamphear, *The Scattering Time*, p.111.
- <sup>74</sup>CO 533/422/4 ‘Poll tax, Northern Turkana: payment in kind, December 1931- April 1932’; CO 927/161/5 ‘Gulliver. “*The Family herd*”. p.5.
- <sup>75</sup>CO 822/1559 ‘From Governor of Uganda to Ian N. Macleod Secretary of State for the colonies’ dated 18 December 1959 titled ‘Revision of the Kenya-Uganda inter-territorial boundary’.
- <sup>76</sup>Consult, CO 537/7212 ‘Frontier negotiations Sudan Ethiopian Frontier’.
- <sup>77</sup>CO 822/108/21 ‘Local Government (Provincial Councils) Ordinance of 1943 dated September 24, 1943 Section 2, signed by Huddleston, H.J. Governor General on 26 August 1943’ *Sudanese Records*. For the root causes of disaffection of southern Sudan, see, ‘Southern Sudan Disturbances August 1955’ report of the Commission of inquiry by Cotran, T.S., Chairman, produced by the Republic of Sudan, 18 February 1956.
- <sup>78</sup>Daly M.W. *Imperial Sudan: The Anglo-Egyptian Condominium*. Cambridge: Cambridge University Press, 1991, p.235.
- <sup>79</sup> See Fig. 1 & 2.
- <sup>80</sup>War Office Records, Kew Gardens London (WO) 276/362 ‘North Turkana Forts and Mt. Lorienatom’, reconnaissance report by Capt. G.B. Long, 3 / 4 K.A.R. dated 1 June 1942.
- <sup>81</sup>This view is persuasively explored in Mburu, Nene. “The Shifta conflict in Kenya 1963-1968.” Ph.D. diss., University of London, 2000.
- <sup>82</sup>KNA:PC/NFD1/1/2, ‘Report by Captain Kittermaster, R.D. officer in charge NFD 5 July, 1919 ref.434/10/19, also, ‘The Kenya colony and protectorate (Boundaries) Order in Council 1921’ ref. SR & O.1921/1134 (REV. XI).
- <sup>83</sup>Watkins. *Jomo’s Jailer*. p.218.
- <sup>84</sup>The gravity of the current security situation is analysed in Mburu, “Contemporary banditry”.
- <sup>85</sup>There is a comprehensive exposition in Mburu, “The Shifta conflict in Kenya 1963-1968.” Ph.D. diss., University of London, 2000.
- <sup>86</sup>Foreign/Colonial Office Records, Kew Gardens London (FCO) 39-195 ‘From Survey of Kenya Nairobi to the Director Overseas Survey’ dated 21 August 1967 signed Loxton, J.
- <sup>87</sup>FCO 39-195 ‘From RF Firman East African Department’ dated 17 November 1967’.
- <sup>88</sup>See, ‘Kampala, Khartoum ready to exchange ambassadors’ *New Vision*, 29 July 2002; also ‘Khartoum moves to avert Sudan partition’ *The Monitor*, 29 July 2002.
- <sup>89</sup>Tornay. “Generation systems.”
- <sup>90</sup>Turton, David. “Mursi political identity & warfare: the survival of an idea”. In *Ethnicity and conflict*. ed. Fukui & Markakis, p.15; Kurimoto, Esei. “Civil war & regional conflicts: the Pari & their neighbours in south-eastern Sudan”. In *Ethnicity and conflict*. ed. Fukui & Markakis. p.103.
- <sup>91</sup>“Illicit firearms proliferation and the implications for security and peace in the Sudan, Kenya, and Uganda border region: report of the research carried out on the Sudan side of the common border” in *AFRICANEWS* 68, November 2001.
- <sup>92</sup> *Ibid*.

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<sup>93</sup>See Stele, Jonathan, "Oil is key to peace in Sudan," *The Guardian*, (London) 6 August 2002; "Sudan says it fights to secure oil areas," News article by AFP <http://www.sudan.net/news/news.html> posted on 1 August 2002.

<sup>94</sup>See Dowden, Richard, "How to secure peace in Africa," *The Observer*, (London) 1 August 2002; "Egyptian Press accuses U.S. of seeking to split Sudan," *Tehran Times*, 4 August 2002; 'Peace in Sudan opens oil of opportunities' *Mena Reports*, 29 July 2002, <http://www.sudan.net/news/news.html>