

FITTING CATTLE RUSTLING IN KARAMOJA CLUSTER IN THE FRAME
OF TRANSNATIONAL ORGANIZED CRIME

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Abstract.

This article aims to fit cattle rustling in Karamoja cluster in the frame of transnational organized crime (TOC) and proposes its inclusion in the typology of TOC. Data was collected through qualitative means; content review, observation and interview. The key informants included elders, former cattle rustlers, local council leaders, security personnel and business people. Sampling was purposive. The article found that cattle rustling have similar features that fit into the frame (understanding) of transnational organized crime. The article concludes that cattle rustling is a transnational organized crime and should be included in the typology of TOC. The article begins with an introduction and definitions of cattle rustling, Karamoja cluster, OC/TOC,

modus operandi of OC/TOC and analysis of cattle rustling as a TOC. It then draws conclusion with recommendations.

Key words: Fitting, Cattle rustling, Karamoja cluster, frame, transnational organized crime.

Introduction.

Cattle rustling in Africa is growing both in scale, violence and increasingly linked to organized criminal and terrorist groups as a source of income. In West Africa, it is reported in Nigeria, Niger and Cameroon. North-eastern Nigeria's experience with cattle rustling is extending throughout the Lake Chad Basin, involving Boko Haram (Ciara et al 2017).ⁱ The extremist group relies on the activity as a major source of financing. Militants frequently raid cattle in northern Cameroon and transport them via middle men to markets in northern Nigeria. In 2016 Borno State estimated that 200,000 head of cattle were rustled. Overall estimates of Boko Haram's accumulation vary from some million dollars to US\$20 million.ⁱⁱ The group's activities had a drastic impact such that major cattle markets in Borno state were shut down to ensure that Boko Haram don't exploit the livestock trade. Zamfara State in the north-west region of Nigeria remains a major hotspot for cattle rustling, despite the amnesty programme granted by the state governor in 2017 for cattle rustlers to lay down their weapons.

Madagascar presents another example of cattle rustling in African. Banditry linked to the raids of zebu cattle became increasingly problematic as the island suffered political instability and economic decline after President Ravalomanana was ousted in 2009. The rise of cattle rustling and casualties was magnified by the introduction of modern weaponry and criminal groups that became increasingly professional. In 2016, the Madagascan army announced that 161 people were killed in clashes between the army and cattle rustlers.ⁱⁱⁱ

As for Karamoja cluster in East Africa, there has been a long history of cattle rustling. The act evolved over time from being an accepted traditional practice sanctioned by the village elders into a commercialized and criminal venture (Titus, 2013).^{iv} Some of the causal factors that contributed to cattle-rustling in the Karamoja cluster were the creation of administration units during colonialism which impeded the pastoral way of life of the people in the region. The colonial administration imposed permanent tribal boundaries with ramifications on the pastoral communities as these boundaries were set up without due regard to the seasonal variations and demands of the nomadic lifestyles of the pastoralists (Osamba, 2006).^v Environmental factors also contributed largely to the practice of cattle-rustling. This led to the pastoralists crossing borders and trespassing to other communities' territories in search of pasture and water. Consequently, the pastoralists engage in inter-ethnic conflict because of the effects of drought and famine leading to the death

of hundreds of stock. The pastoralists engaged in rustling to restock and compensate for lost cattle. Some of the pastoralists engaged in rustling as conduits for unscrupulous businessmen to make quick money from the miseries and hardships of the pastoralist.

However since the 1990s, there has been a surge in cattle rustling in Karamoja cluster, the actors and weaponry becoming increasingly sophisticated because of the proliferation of small arms in the cluster. Recent statistics and reports show that cattle rustling has evolved in both method and extent (Ciara et al 2017). It is now practiced for commercial reasons through criminal networks cross-communal and international borders, rendering the practice a transnational criminal act. Previously practiced as a cultural heritage, it is now undertaken for economic benefits. Livestock is seen as a valuable commodity that has attracted business people from within and outside the cluster region.

Data for the article was sourced qualitatively using interview, document review and observation as methods of data collection. The key informants included elders, former cattle rustlers, local council leaders, security personnel and business people. Sampling was purposive because former cattle rustlers rustled the animals, local council leaders are politicians who know the affairs of their localities, security personnel are involved in curbing rustling and some of the business people deal in rustled animals. Therefore, they were best placed to give the required data since they

were participating in various activities involving animals. Photographs of elders examining the intestines of animal for information, and youth normally mobilized to rustle animals were taken.

Defining cattle rustling.

Several authors have fronted a number of definitions of cattle rustling. According to Ciara et al (2017) cattle rustling occurs when a group of individuals plan, organize and steal livestock forcefully from another person or from the grazing field or kraal for the purpose of commercial gain. Similarly, journalists, academics and practitioners increasingly refer to it as a form of violent organized crime with a transnational dimension.

According to Okoli et al (2014)^{vi} cattle rustling is a criminal activity which is driven by the criminal intent on the expropriation of stolen cattle for meat or for sale, the act of stealing a herd of cattle from grazing land. To them, the phenomenon has evolved into a more standardized term to mean the act of stealing herd of cattle from any place notwithstanding the motivations.

Greiner (2013)^{vii} notes that cattle rustling is a collective term that entails brutal and reckless murder, ethnic cleansing, criminal marketing chains, highway banditry and petty theft across rural border areas that has degenerated into serious violent conflict.

Deo et al (2019)^{viii} also refer to cattle rustling, as conceived by the Turkana elders in the traditional setting, as theft of livestock, usually a herd belonging to one community, by a group of armed warriors from another rival community. It entails the use of illicit small arms and light weapons (weapons designed for personal use and use by people serving as crews).

The Eastern Africa Police Chiefs Cooperation Organization (EAPCCO)^{ix} report (2006), Kenya Human Rights Commission (KHRC) (2010)^x and Titus (2013) offer similar definitions of cattle rustling. All the definitions mention stealing, planning, organizing, attempting, aiding or abetting the stealing of livestock by any person from one community or country to another, where the theft is accompanied by dangerous weapons and violence. The EAPCCO definition recognizes that modern weapons (guns) are used which have replaced the less lethal weapons like spears, bows and arrows which were historically used before. The KHRC (2010) and Titus (2013) agree that cattle rustling has degenerated into a commercialized criminal venture and a predatory form of crime, hence passing for a typical example of organized crime involving discernible hierarchical social, economic, criminal networking and syndication.

Cattle rustling is also defined by Bunei et al (2016)^{xi} as an activity carried out by a group of individuals, often not from the same community, who plan, organize and

forcefully steal livestock from another person, community or from the grazing field or kraal for the purpose of social, political or economic gain.

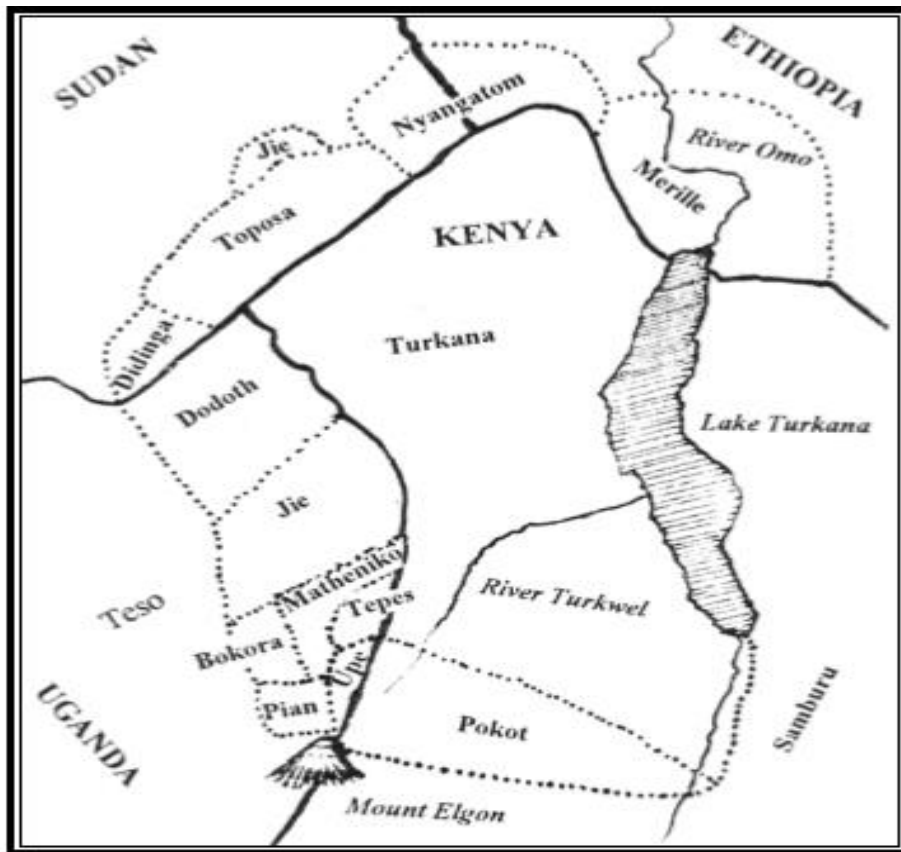
Cheserek et al (2012) further conceive cattle rustling as the act of forceful raiding of livestock from one community by another using guns and leaving behind destruction of property and loss of lives. According to Maganda (2013),^{xii} the practice along the Kenya-Uganda border has transformed over time with the increased proliferation of sophisticated firearms. The arms trade routes in the region, which traverse national borders and explores the factors that influence cattle rustling, including commercialization, political incitement, unresolved recurrent conflicts, historical marginalization and poor state strategies for curbing raids and related conflicts, has exacerbated the practice.

Karamoja cluster.

This is a semi-arid cross-border region comprising the pastoralist communities living in the borderlands between Uganda, Kenya, Sudan and Ethiopia. Most of the pastoralist communities classified under the cluster share the same ethnic roots and the Ateker language. The pastoral communities belonging to the cluster includes the Turkana, Pokot and Samburu of Kenya, the Dodoth, Jie, Matheniko, Pian, Tepes, Bokora, Eethur and Pokot of Uganda, the Toposa, Didinga and Nyangatom of Sudan and the Merille of Ethiopia. Competition for scarce resources, particularly water and

pasture, and the cultural value placed on cattle has produced a tradition of cattle rustling in the region (Ken et al, 2010).^{xiii}

Fig.1. Map of Karamoja cluster.



Source: Karamoja harmonization report, 1999.

In 2004, violent pastoral conflict in the Karamoja Cluster resulted in more than 600 human deaths and loss of over 40,000 heads of livestock (primarily cattle and goats) in a year (Osamba, 2006). The origin of the present increased militarization of cattle-rustling and the change from a traditional practice to the current sophistication, dates

back to 1904, and sanctioned by elders through a system known as gerontocracy. Available literature indicates that guns were rarely used in conducting cattle rustling, but on the contrary crude weapons such as sticks, spears, bows, arrows and clubs were the preferred weapons (Mazrui, 1977).^{xiv} The raids were practiced as a means of reciprocity, for poor families to acquire livestock and restock, particularly after droughts or epidemics, a form of redistribution and balancing of wealth. In the cluster, cattle rustling was traditionally a cultural activity where young men would steal livestock as a means of acquiring more stocks for various purposes such as payment of dowry, show of heroism, worthiness, courage and social status, rite of passage from youth to adult or wealth enhancement (Cheserek et al 2012).^{xv}

This cultural practice has been transformed, with elders having no control over the youth and, with guns as major tools of trade. Prior to 1990, cattle raids meant stealing livestock by scaring away owners but in contemporary times, it involves forceful stealing and destruction of property (Cheserek et al, 2012).^{xvi} The modern form of cattle rustling is no longer the case with the traditional one. The motive has changed from stealing to fulfill cultural traditions to a highly complex, commercial and criminal act. The act has become an organized commercial enterprise along the boundaries of pastoral communities as stolen cattle is never recovered. According to Greiner (2013), cattle rustling is a major problem in Kenya which has been used as a political tool to coerce and create voting blocs by criminals preferring to resort to

violence if confronted. The commercialization, militarization and politicization of cattle rustling has significantly altered the traditional parameters of political engagements. Cattle from rural areas are cheap, organically good and “sweet” for human consumption (Greiner, 2013). This has created demand and business opportunity for rogue business individuals to reap huge profits as cattle is bought at a cheap price. Trading of livestock and livestock products has become a lucrative business, attracting a lot of people seeking to gain from the upsurge and demand. Organized criminal ventures are involved throughout the value chain in livestock production i.e. herdsmen to rustlers, distributors and consumer markets. As a result cattle rustling has become a highly commercialized activity.

Organization of cattle rustling.

In the Karamoja cluster, cattle rustling comprises of three steps with planning as the initial step. A key informant, a former cattle rustler narrates the steps:

Cattle rustling expedition begins with planning. A youthful warrior consults an elder who is a foreteller/dreamer to explore the chances of success. The elder probes questions such as; Is the way safe? Will the expedition be successful and animals brought? What will be the magnitude of death on either side. The elder asks for a goat of a particular colour according to his dream, which is killed and he examines the intestines to discern the answers to the questions under probe.

Fig. 2. Karimojong elder examining the intestines of the goat for information.



Source: Field data (2020).

Depending on the findings of the intestinal examination, the youth are advised to continue with the planning of the expedition. If the information discerned indicates that “own” warriors will be killed in large numbers and few or no animals brought, another goat with a particular colour prescribed by the foreteller is killed to erase the previous negative information. Once positive examination is ascertained, the youth are flagged off to begin mobilizing the rustling force. Alternatively, *emuron* (diviner) is consulted, who investigates the success of the expedition by casting skin sandles. Casting skin sandles is done by knowledgeable and expert community elders who can foretell the success of the rustling expedition. Casting the sandle involves gently throwing the skin sandles in the air and noting their positions after landing on the ground. Their positions on the ground after landing contain messages which are then interpreted by the elder. This is done repeatedly as observations and interpretations of the different positions are made, until a favourable landing position is attained by the sandles showing that the expedition is fruitful.

After proof of success, a second step of mobilization of the youth (*ngikaracunas*) begins. This is the fighting force to execute the the rustling plan.

The mobilizers are usually previous or current cattle rustlers who are brave in the field, have amassed animals through the act such that when they talk to the youth, they are respected and words believed. For their bravery, they are respected and given praise names such as *Amunya ngimoe* (finished/killed all the enemies), *Abwanga ngimoe* (chased/defeated all the enemies), *ayiwu ngikiliok* (saved fellow warriors in a battle) or *Thopuriethe* (smouldering fire). Such mobilizers mobilize up to about 50 youth; 30 armed with AK 47 assault riffles and 20 unarmed, but with sticks. The 20 unarmed warriors are to drive the animals very fast, while the armed group engage the pursuing party in a battle of gun fire.

Fig. 3. Chief mobilizer posing with his gun, frenzied warroirs showing their prowess in rustling and the category of youth mobilized.



Source: Field data (2020).

In one successful cattle rustling act in Turkana land, Kenya, the informant further narrates:

In this particular episode, the mobilizer was a Jie warrior of Karamoja cluster of Uganda, but with very close ties in Turkana, a cluster community in Kenya as he is married to a Turkana woman. He coordinates the cattle rustling inside Kenya with other accomplice rogue police and military personnel,

paramilitary, local politicians and local traders in Kenya and Uganda. He acts as if passing intelligence to the rustlers to take a route that would not make them be intercepted by security, while at the same time, informing security to block the very route so that the rustlers are intercepted. He also prepares the business people to buy the animals once the mission succeeds. The rogue security personnel intercept the animals, impound them and sell to the business people. The mobilizer later gets his share of the deal.

The third step is spying and moving to the location of the animals for a final assault:

The mobilized group set out and gathers at some location as reconnaissance is made. Spies are sent out to spy on the enemies i.e. what is the strength of the enemies, how many animals are there. The spies also steal some goats/sheep for subsistence in the bush as the reconnaissance continues. The reconnaissance continues until they are satisfied that the animals are many enough, and no remarkable resistance is expected from the enemies. The attack ensues with ferocious gun fire and the animals are driven away very fast. The armed group engages the enemies as the unarmed ones escape with the animals. After a while, the engaging armed group disengages and run very fast after the group driving the animals. They again stop and engage the enemies as the animals are driven faster and farther. Another tactic is to divide the animals so that the enemy trackers get confused, divide themselves and become weak in confrontation. The warriors then meet at an agreed place to divide the animals among themselves. Meanwhile, the rogue security personnel are planning to intercept them and impound the animals. Once it is done, it is sold off to the traders.

In some cases, it is also coordinated by insiders of the victim communities, the Local Defense Units (LDU) personnel and the local politicians. The LDU personnel, who work together with the formal law enforcement agencies, have been implicated in collaborative activities with the rustlers. The police, army and local traders have equally been implicated as the informant continues the narrative:

The LDU personnel spy and pass intelligence to the rustlers for payment after a successful mission. They are paid inform of animals and immediately sell to the local traders. The local council officials, who are supposed to mobilize people against cattle rustling, instead mobilize the youth to rustle for payment. They also do it to secure their positions from rivals local politicians. In the 2021 general elections, one of the parliamentary candidates had the slogan *Nyawereth*, meaning “cow dung”, signifying that he stands for animals, and that he defends the interest of his community as far as animals are concerned. And he was elected on this slogan. This kind of politicians simply increases the network of rustlers. Also, when the army and police pursue the rustled animals and recover, they are supposed to return to the victims, but there is talk that they load animals on trucks and sell to urban centers where meat has higher prices. In urban centers, the traders are set waiting to receive the animals immediately and slaughter for cash. In one public security meeting addressed jointly by all Karamojong Members of Parliaments (MPs), one member of the public challenged the MPs to investigate the real people behind cattle rustling in Karamoja. Whenever the animals are rustled and recovered, the rightful owners don't get the animals back. Where do the animals end up? It appears there is a racket behind rustling which benefits from the act. Rustling has also taken a different turn with the use of modern technology, mobile phones. Warriors herding animals along the road between Kotido and Moroto in Uganda are usually seen holding mobile phones and small portable solar panels for charging. It is the local traders who operate butcheries who provide the phones and solar panels to the warriors. The phones are used to coordinate rustling. For instance when animals are rustled from Kenya and the Kenyan authorities communicate to the Ugandan authorities to intercept the animals, they collect information on the movement of law enforcement (police/soldiers) on the Ugandan side and communicate to the rustlers driving the animals to change direction. Sometimes the warriors pretend to be assisting law enforcement, but assisting the rustlers instead. In this way, cattle rustling is now a livelihood to everybody in the chain, and unlikely that it will end soon.

Organized Crime.

The United Nations Convention against Transnational Organized Crime (UNCTOC) Article 2 defines "organized criminal group" as: a group having at least three members, taking some action in concert (i.e., together or in some co-ordinated manner) for the purpose of committing a 'serious crime' and for the purpose of obtaining a financial or other benefits (UNCTOC, 2004). The Convention adds that the group must have some internal organization or structure, and exist for some period of time before or after the actual commission of the offence(s) involved. The implied definition of "transnational organized crime" encompasses virtually all profit-motivated criminal activities.

Several scholars have defined Organized Crime (OC) too. Federico Varese conducted a content analysis of 115 definitions of OC from 1915 to 2009^{xvii} and found that OC involves the pursuit of profit through illegal means by an organized hierarchy that shows continuity over time, where the use of violence and corruption are the most recurrent. He stresses that OC has its own language, history, tradition and customs, method and techniques, highly specialized machinery for attacks upon persons and property, and modes of defense. A commission is paid for overseeing, planning and coordinating the activities of all subgroups across different individuals or entities involved in it.

Haller (1990)^{xviii} finds the existence of business partnerships and cooperation among organized criminal illegal entrepreneurs, who operate under conditions of illegality

often aided by corrupt law enforcement officers who remain independent illegal operators, rather than joining a single structured organization. He further advances criminal network perspective' for the understanding of organized crime, and summarizes the characteristics of OC according to structure, activities and means. According to the structure, he stresses organization, continuity, networking, planning, coordination and entrepreneurship as the main features of organized crime. To him, organized criminal groups use violence and corruption across national and international borders to execute their missions.

Transnational Organized Crime (TOC).

The term “transnational crime” was first used at the Fifth United Nations (UN) Congress on Crime Prevention and the Treatment of Offenders in 1975 by the UN Crime Prevention and Criminal Justice Branch in order to identify certain criminal phenomena transcending international borders, transgressing the laws of several states or having an impact on another country (UNODC, 2017).^{xix} Although the concepts “transnational crime” and “organized crime” overlap, and transnational crimes are often perpetrated by organized criminal groups (Tonou, 2011),^{xx} many commentators take the two terminologies to be synonymous. The eleventh UN Survey of Crime Trends and Operations of Criminal Justice Systems in 2008 defined transnational crimes as offences whose inception, perpetration and direct or indirect effects involved more than one country (UN Survey report, 2007-2008).^{xxi} This

tendency towards a broad definition is also reflected in article 3(2) of the UN Convention against Transnational Organized Crime. It states that an offence is “transnational” if it satisfies one of a number of these alternative conditions:

- (a) It is committed in more than one State;
- (b) It is committed in one State but a substantial part of its preparation, planning, direction, or control takes place in another State;
- (c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or
- (d) It is committed in one State but has substantial effects in another State.

It therefore implies that organized crime becomes transnational when it meets the requirements of article 3(2) of the 2004 UN Convention against Transnational Organized Crime. Virtually, TOC encompasses all serious profit-motivated criminal actions of an international nature where more than one country is involved.

Typology of transnational organized crime.

The UN has identified several different categories of transnational crime: drug trafficking, trafficking in persons, child trafficking, migrant smuggling, organ trafficking, trafficking in cultural property, counterfeiting, money laundering,

terrorism, cybercrime, theft of intellectual property, illicit traffic in arms, aircraft hijacking, sea piracy, wild life trafficking, trafficking counterfeit pharmaceuticals, trafficking minerals, oil bunkering, pornography, prostitution and waste dumping (United Nations Office on Drugs and Crime, 2014).^{xxii} Although this typology is not exhaustive, cattle rustling is not included in the list.

Modus operandi of transnational organized crime.

The most typical characteristics like the use of violence, corruption and money laundering shape the modus operandi of transnational organized crime. The use of violence and intimidation against victims, against members of groups inside the same organization or against members of other organizations, has been defined as an ingredient of the crime, bringing what has been termed “the law of silence” (Arben, 2015).^{xxiii} Arben adds that the use of corruption to influence politicians, public administrators, criminal justice system officials is regarded as a tool of the organized crime (groups) that facilitate their operation. Political corruption ensures that the votes are kept intact. Judicial corruption buys administrative and judicial decisions. Criminal groups corrupt the judiciary by accessing magistrates via social, political, professional and family networks. Professional networks also facilitate such contacts, where defense lawyers, who are former prosecutors, intermediate between organized crime and the judiciary. Police corruption is used to influence the police personnel. Police have the most direct exposure and frequent contacts with

organized crime as such, organized crime most often targets them. Organized crime uses corruption to obtain information on investigations, operations and protection for continued illegal activities. Occasionally, corrupt officers become directly engaged in criminal activities.

Further, referring to definitions of Organized Crime provided by 17 different scholars, Albanese found that 12 included “the use of force or threat” in the definition (Albanese, 1988).^{xxiv} Abadinsky (1981)^{xxv} points to the “willingness to use violence” as a fundamental trait of organized crime and adds that violence is a “readily available and routinely accepted resource” for criminal organizations.

Fitting cattle rustling in transnational organized crime.

In doing this, the article analyses the features of cattle rustling that fit the definition/characteristics of OC/TOC for comparison. As noted by Tonou (2011), that many commentators take the two terminologies to be synonymous, and for purposes of comparison of the features, the article takes the two terminologies to be synonymous too. From the definition of cattle rustling, a number of authors cite planning, organizing and the use of force/violence in obtaining cattle in the process of rustling (Ciara et al 2017; Titus, 2013; Bunei et al 2016, Cheserek et al 2012 & Kenya Human Rights Commission, 2010). This is executed by a group of rustlers crossing from one community to another across international borders. In the process,

killings, maiming and destruction of properties occur. These atrocities can be considered as heinous or serious. Similarly, in the organization of rustling, the informant's testimony includes planning in which the youthful warriors consult an elder who is a foreteller/dreamer to probe some pertinent questions about the impending rustling expedition. The use of AK 47, a symbol of violence is equally identified. These definitional views resonate with the definition of organized crime as presented by Article 3 (2) of the UNCTOC 2004; "a group having at least three members, taking some action in concert (together or in some co-ordinated manner) for the purpose of committing a 'serious crime.....'". The cattle rustling is executed by a group of rustlers in a planned way similar to the consideration of "...a group having at least three members" and ".....coordinated manner" mentioned in the UNCTOC definition. The organization of rustling is synonymous with the definition of TOC under the UNCTOC article 3 (2) (b) ".....its preparation, planning, direction" takes place in another State. Clearly, cattle rustling is planned in another state, for instance Uganda and executed in another state, e.g. Kenya. These similarities are supported by Ciara et al (2017) who cite cattle rustling as organized and marked by high levels of violence and that in Baringo County, Kenya, the area has witnessed thousands of livestock stolen and dozens of people shot or killed. Federico Varese also notes that OC occurs "...where the use of violence is the most recurrent". Similarly Albanese (1988) found 12 out 17 definitions of OC included

“the use of force or threat” as an important aspect of the definition as Abadinsky (1981) lists the “willingness to use violence” as a fundamental trait of organized criminal organizations. The use of violence in OC connects correspondingly with violence in cattle rustling.

In analyzing the financial gain, the same authors mention it as one of the motivations for cattle rustling. For instance, Titus (2013), Bunei et al (2016) and KHRC (2010) share this idea of economic gain as one of the reasons for rustling. Ciara et al (2017) and Maganda (2013) also cite commercial benefits while Greiger (2013) and Okoli et al (2014) cite criminal marketing and meat for sale, arguing that rural meat is considered cheap and sweet by the urbanites. Equally, Titus (2013) adds “.....cattle rustling is a highly complex, commercial and criminal act, organized as a commercial enterprise along the boundaries of pastoral communities as stolen cattle are never recovered”. On Boko Haram, Ciara et al (2017) further note thatthe group’s activities have had a drastic impact, such that major cattle markets in Borno state have been temporarily shut down to ensure that Boko Haram does not exploit the livestock trade. This consideration of financial gain by these authors is also shared in the definition by Article 3 (2) of the UN definition of UNCTOC “.....for the purpose of obtaining financial or other benefits” and Federico Varese who notes..... OC involves the pursuit of profit through illegal activities. Besides Haller (1990), views itenterprise involving illegal activities of providing

illegal goods in public demand. The testimony of the key informant also gives cattle rustling a commercial perspective. “.....load it on trucks and sell to urban centers where meat has higher prices. the traders are set waiting to receive the animals immediately and slaughter them for cash”. These views place cattle rustling in the realm of TOC whose motive is material benefit.

Analysis of the transnationality of cattle rustling is discernible from the testimony of the key informant;the chief mobilizer is a Jie warrior of the Karamoja cluster of Uganda, but with very close contacts in Turkana, a cluster community in Kenya, as he is married to a Turkana woman. He coordinates the cattle rustling inside Kenya with other accomplices in Kenya and Uganda”. This picture of cattle rustling as a transnational organized crime ties with the EAPCCO’s conceptualization of cattle rustling “.....from one country or community to another” and Maganda’s (2013) part of definition “.....a practice along Uganda/Kenya border”, according a transnational character to cattle rustling. Additionally, Titus (2013) observes “.....the crime is also transnational in that cattle is moved across borders”. This transnational character also mirrors Ciara et al (2017) view that “.....North-eastern Nigeria’s experiences with cattle rustling now extends throughout the Lake Chad Basin with Boko Haram militants frequently rustling cattletransporting them via middle men to markets in northern Nigeria. With the involvement of actors such as Boko Haram and the movement of cattle across national boundaries, cattle

rustling becomes a form of transnational organized crime”. Further, Ken et al (2010) assert that “competition for scarce resources, particularly water and pasture, and the cultural value placed on cattle has produced a tradition of cattle rustling in the region”, implies that the act has become transnational in the region. Cattle rustling also mirror all the sub sections of the definition of TOC in article 3(2) of the UN Convention against TOC which states that an offence is “transnational” if it satisfies one of a number of these alternative conditions;

(a) It is committed in more than one State. In respect to this sub section, cattle rustling is carried out in the four countries of Karamoja cluster. As contained in the testimony of the informant, the act is therefore committed in more than one state.

(b) It is committed in one State but a substantial part of its preparation, planning, direction, or control takes place in another State. Viewed from the testimony of the informant, the act can be committed in one state, but prepared and planned in another state. For instance in the testimony, mobilization and preparation took place in Jie, Uganda, but the act was to be committed in Turkan, Kenya.

(c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State. Again considering the testimony of the informantrustlers coalesce around prominent/brave warriors with praise names such as *Rithamoe*such worriers can sway cattle

rustling to any country they choose and the youth follow them because of the respect they are accorded. In this way, a group from Uganda cluster can rustle in Kenya and South Sudan clusters at any time as the mobilizers wish.

(d) It is committed in one State but has substantial effects in another State. Regarding this sub section, the rustlers are not always lucky to come back without any casualties from the rustling expedition. For instance in one rustling expedition to Turkana, Kenya by the Jie of Uganda, the Jie were killed that only five rustlers came back and without animals. Nearly every family in the county was mourning the death of a family member as a result of that expedition. Two widows committed suicide because of the loss of their partners. Consequently, the county became a perennial victim of cattle rustling as there were very few worriers left to fight off rustlers from other communities in the cluster. Clearly, this was a case of an act being committed in one state, but with substantial effect in another state.

Considering corruption, it has been cited in cattle rustling too. From the definition of Titus (2013), “.....stolen cattle are never recovered” imputing that the animals disappear in an act of corruption. The key informant also cites corruption “.....challenged the MPs to investigate and find out the real people behind cattle rustling in Karamoja. Whenever animals are rustled and recovered, the rightful owners don’t get them back. Where do they end up? It appears there is a racket behind rustling which benefits from the act”. Also Bunei et al (2016) note “....in

reality such crime cannot occur without the collusion of the criminal network of cattle rustling involving a group of local rural residents who work in cohort with urban-based businessmen in large scale corruption.

Conclusion.

From the analysis of the two phenomena, this article has found that cattle rustling has many features that fit into the frame of TOC. The article therefore, concludes that cattle rustling is a transnational organized crime and should be included in the typology of TOC.

References.

ⁱ Ciara, A, & Omar, S., M (2017). Organized crime in Africa /Cattle rustling on the rise across Africa.

ⁱⁱ ibid

ⁱⁱⁱ ibid

^{iv} Titus, P. K. (2013). Effects of cattle rustling on economic development. A case study of Masol location, West Pokot county. A project submitted in partial fulfillment of the requirement for the award of masters of arts degree in project planning and management university of Nairobi.

^v Osamba, O. J. (2006). The Sociology of Insecurity: Cattle-rustling and Banditry in North Western Kenya. African Journal on Conflict Resolution. Vol. 1, No. 2.

^{vi} Okoli, A.C and Okpaleke, F. (2014). "Cattle Rustling and Dialectics of Security in Northern Nigeria. International Journal of Liberal Arts and Social Science, 2(3), 109-117.

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- ^{vii} Greiner, C. (2013). *Guns, Land, and Votes: Cattle rustling and politics of boundary (re)making in Northern Kenya*. African Affairs.
- ^{viii} Deo G., Nelson, A.I., & Andrew, K. (2019). *Vanishing herds. Cattle rustling in East Africa and the Horn*. ENACT. Issue 10 | December 2019.
- ^{ix} Eastern Africa Police Chiefs Cooperation Organization (EAPCCO), 2008. "Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa.
- ^x Kenya Human Rights Commission (2010). *Morans No More. The Changing Face of Cattle-Rustling in Kenya*.
- ^{xi} Bunei, E., McElwee, G., Smith, R. (2016). *From Bush to Butchery: Cattle Rustling as an Entrepreneurial Process in Kenya*.
- ^{xii} Maganda, P. A. (2013). *Sports in Cross Border Cattle Rustling Conflict Management: The Case of Tegla Loroupe Peace Foundation'*, Master's Dissertation, University of Nairobi.
- ^{xiii} Ken, M., Sergio, F., Brian, J.T., & Peter, D. (2010). *The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions*.
- ^{xiv} Mazrui, A. (1977). *The warrior tradition in modern Africa*. Leiden: E.J. Brill.
- ^{xv} Cheserek, G. J, Omondi P, and Odenyo, V.A.O., (2012). "Nature and Causes of Cattle Rustling among some Pastoral Communities in Kenya". *Journal of Emerging Trends in Economics and Management Sciences*.
- ^{xvi} *ibid*
- ^{xvii} General Introduction. *What is organized crime?* Federico Varese.
- ^{xviii} Haller, M. (1990). *Illegal enterprise: A theoretical and historical interpretation*. Criminology.
- Arben C. (2015). *Modus operandi of organized crime. Violence, corruption and money laundering*. European Scientific Journal, October 2015, edition vol.11.
- ^{xix} Albanese, J. S. (1988). *Government perceptions of organized crime: The Presidential Commissions, 1967 and 1987*.
- ^{xx} Abidinsky, H. (1981). *Organized Crime*, Boston.
- ^{xxi} United Nations Surveys on Crime Trends and the Operations of Criminal Justice Systems (UN-CTS), 2007-2008.
- ^{xxii} UNODC Report, 2014.
- ^{xxiii} Arben C. (2015). *Modus operandi of organized crime. Violence, corruption and money laundering*. European Scientific Journal, October 2015, edition vol.11.