STATELESSNESS

FMR32

Am I stateless because I am a nomad?

Ekuru Aukot

As a pastoralist from Turkana, who am I and where is my nationality, my citizenship?

I hail from the Ateker nation, an Itung'a-speaking group, bound by ethno-linguistic ties and practising nomadic pastoralism as our main livelihood activity. The Ateker inhabit the borderland area straddling four countries – Sudan, Ethiopia, Kenya and Uganda.

They occupy the peripheral semi-arid and arid borders of their respective nation-states and are arguably the most marginalised peoples there. This is also one of the most conflict-prone zones in the Horn and East Africa region, with both intra- and interethnic conflicts with other Ateker groups and non-Ateker neighbouring communities. The zone also suffers from weak or absent state institutions.

I am primarily known as a Kenyan because I hold a Kenyan passport. Yet I am a member of a group that is spread across at least four countries. So where is my real nationality, my citizenship, my state? Or rather, where is my loyalty? These are complex questions in the light of the discourse around nationality and citizenship as well as their co-relation to statelessness; in the context of a nomadic pastoralist, what benefits accrue to me from having a nationality since I move through porous borders, de-linked from government machinery? When I come across government agents such as the police, they are more often than not the instruments of persecution. As a nomadic pastoralist, I owe my first allegiance to the Ateker nation in all its manifestations across four countries.

When my people visit the modern urban centres in Kenya, they say they are visiting Kenya; and when I go to my village in north-western Kenya, they ask me "how is Kenya?" or "how is the land of *emoit* (the foreigner)?" There is a fundamental explanation for this in the context of how the nation-state has developed over the years. The process of denationalising other peoples, such as pastoralists, emerges when one tribe dominates politics and relegates others to the periphery. Within the context of post-colonial nation creation, pastoralists are forced into a nation, citizenship and nationality they do not subscribe to.

Back in the 1920s, while describing the Turkana (an Ateker group), a colonial administrator put it this way: "There is nothing good that can come out of controlling the Turkana; the Turkana were but a problem that is best transferred elsewhere..." Arguably he was right and this set in train the denationalisation of ethnic groups and in particular of the pastoralist communities of northern Kenya.

If I cannot therefore narrow down my nationality and even my citizenship to any of the four countries above, am I therefore stateless? This status at least allows the integrity of our way of life as a group. It seems to me that we nomadic and pastoralist communities do not first and foremost attach any meaning to the invisible boundaries that divide nation-states and therefore in one way or another determine a person's nationality. I am happy as a member of the Ateker nation and happy that my nationality is with the Turkana, Toposa, Karamojong and Nyangatom.

Many modern-day states have to deal with the plight of nomadic pastoralist communities. It has taken Kenya at least 45 years to date and it has still not come up with a policy on nomadism or pastoralism. But even if the government were to write such a policy, what would it mean for me? Would it change me into being more Kenyan than Eturkanait? There is no simple solution to these dilemmas.

In nomadic and pastoralist regions the government is largely symbolic. Were any one of the governments to have a stronger presence in the Ateker region and assist its development, it would make a difference. In Sudan, some of the elite among the Ateker have already been thinking about how they can make themselves and their community accepted as equal citizens and nationals in all four countries. The case of nomadic peoples who not only exist across borders but move across them suggests that a single nationality would restrict them and that therefore it might be better to have multiple nationalities.

Ekuru Aukot (aukot@kituochasheria. or.ke) is Executive Director of Kituo Cha Sheria (Legal Advice Centre http://www.kituochasheria. or.ke) in Kenya where he also directs the Urban Refugee Intervention Programme.

A nomadic Turkana pastoralist herding his goats in Kenya.

