

## Role of kinship social structures in anti-livestock rustling policy implementation in Kuria West sub-county, Kenya

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### ABSTRACT

Livestock rustling is a global problem that requires concerted stakeholder interventions. In Kenya, despite dedicated state interventions, including the enactment of anti-livestock rustling policies, the frequency of livestock rustling has not dissipated. This indicates a policy implementation deficiency with regard to stakeholder and agenda inclusivity. This study investigated the influence of kinship social structures on policy implementation against livestock rustling. The study was anchored in the ecological theory of public administration and social control theory. It employed a mixed research design to help collect and analyze data on kinship social networks and their contribution to the implementation of anti-livestock rustling policy and regulations in Kuria West Sub-County. The study was conducted in Kuria West, an arable zone in Kenya, to provide valuable insights on the dynamics of livestock rustling in contrast to its conventional perception as a pastoralist norm characteristic of arid and semi-arid zones. The target population of the study was households and government actors, for instance, deputy county commissioners, chiefs, assistant chiefs, village heads, and the council of elders. The sample size of this study was 496 respondents, consisting of 396 household heads, 47 government actors, and 50 council of elders that were randomly and purposively selected. Methods of data collection included a household questionnaire, interviews with government actors, and focused group discussions with the council of elders. The study adopted Cronbach's metrics of alpha to determine the internal consistency of the instrument. Quantitative data was analyzed using descriptive statistics (frequencies and percentages), while qualitative data was analyzed using content analysis. Collected data was presented in tables. The study findings established that kinship social structures significantly influence anti-livestock rustling policy implementation in Kuria West, Kenya. The study concludes that collaborative governance models that incorporate clan leaders, recognize cultural contexts, and strengthen formal-informal coordination offer the most promising pathway to sustainable, inclusive solutions to livestock rustling.

**Keywords:** Implementation, Kinship, Policy, Rustling, Social Structures

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### I. INTRODUCTION

The state's exclusivist policies and the incapacity to accept the distinctive social and cultural contexts of the pastoral communities have made it difficult for public policy interventions to address the practice of livestock rustling on the African continent. Since colonial times, the state has made significant efforts to curb livestock rustling, a backward practice that impedes socioeconomic development in the impacted counties. This contrasts with the developed world, where livestock rustling is illegal and the public policy template is implemented universally (Bunei *et al.*, 2016). From a small-scale, frequently culturally embedded practice, livestock rustling has developed into a highly organized criminal enterprise. Cattle rustling has become entangled with transnational crime networks in places like East Africa, involving armed groups, illegal markets, and sophisticated logistics.

Kinship systems have played a key role overtime in the formation of pastoralist societies especially in the distribution and protection of wealth which comes in the form of livestock. According to Schneider (1979), owning livestock in pastoral societies serves as a way to uphold kinship ties and social hierarchies in addition to being an economic activity. Cattle raiding has historically been viewed as a deeply ingrained cultural practice connected to honor, redistribution, and rites of passage both within and between kin groups. However, the development of livestock rustling into a highly organized, commercialized criminal activity has threatened this traditional system in recent decades.

What started out as a small-scale, symbolic activity has now become intricately linked to networks of cross-border crime, corruption, and arms trafficking, claims Enact (2020). The traditional power of kin-based structures to control or stop livestock rustling has been severely undermined by this change. As a result, a lot of international policy responses now support technology-driven interventions like livestock identification and tracking systems, regional

coordination, and improved law enforcement mechanisms rather than merely depending on traditional community structures (Enact, 2020).

In Kenya, kinship continues to play a critical, albeit evolving, role in shaping the social structures of pastoralist communities. Among ethnic groups such as the Kalenjin, Pokot, and Turkana, kinship networks particularly clans (oret) and age-sets (ipinda) have historically provided the organizational basis for both economic life and security (Onditi, 2022). Elders traditionally mediated conflicts and determined when, how, or if cattle raids occurred. These mechanisms were effective when social cohesion within kinship lines was strong and when rustling was perceived more as a cultural practice than a criminal act.

However, several studies show that modernization, poverty, and the influence of external political and economic forces have weakened these traditional structures. In Kilgoris (Narok County), for instance, low levels of formal education, strict adherence to traditional customs such as bride price, and weak community leadership have fostered conditions where livestock rustling is normalized and sometimes encouraged by kinship obligations (Kanda, 2016). Similarly, in Baringo County, while indigenous conflict resolution methods are still practiced among the Tugen, Ilchamus, and Pokot, their effectiveness is limited in dealing with modern, militarized rustling (Kamais & Mosol, 2022).

### **1.1 Statement of the Problem**

Livestock rustling in Kuria West, similarly in other pastoralist societies in the arid and semi-arid zones in Kenya, has transformed from an endemic cultural practice into a violent undertaking driven by commercial intent that has attracted diverse stakeholders. The state has, since colonial times, attempted to contain and eradicate it through legislative and administrative acts to no avail.

Several studies have attempted to link kinship social structures in anti-livestock rustling policy implementation (Marigat, 2023; Sani Ibrahim et al, 2021). However, these studies were carried out in different geographical contexts as they did not explore how kinship social structures influence anti-livestock rustling policy implementation. The lack of engagement of traditional kinship networks and the attendant social capital has exacerbated the gap between policy implementation and community wellbeing and sustained the vicious cycle of poverty in Kuria West. In specific terms, the reliance on coercive law enforcement and technological interventions is a symptom of the deliberate avoidance of incorporating the intrinsic capacity of existing kinship social networks and customary institutions that paradoxically act as gatekeepers of the culture of livestock rustling. In the real sense, however, kinship social structures in pastoralist societies have historically served as vital frameworks for maintaining order, regulating wealth distribution, and resolving conflicts within pastoralist communities (Schneider, 1979).

### **1.2 Research Objective**

To examine the role of kinship social structures on anti-livestock rustling policy implementation in Kuria West

## **II. LITERATURE REVIEW**

### **2.1 Theoretical Review**

#### **2.1.1 Ecological Theory of Public Administration**

The Ecological theory of public administration founded by (Riggs, 1961) states that public administration works not in isolation but in its ecological environment. This environment is largely characterized by structures, culture and socio-economic factors. Riggs (1961) further postulates that formal state interventions such as administrative structures and state policies (anti-livestock rustling policies) ought to conform to the environment in which they operate and should leverage existing social structures e.g. kinship social networks to ensure state interventions for instance anti-livestock rustling policies are effective and efficient. The theory further demands that effective public administration ought to take into account the interplay between state interventions and the traditional informal governance systems in which they operate.

#### **2.1.2 Social Control Theory**

According to Travis Hirsch's 1969 social control theory, people form bonds that, in turn, control their behavior when prompted to commit criminal acts or do good for the community. Based on four pillars, namely, attachment, commitment, involvement, and belief. Together, these four social bonds offer a multidimensional framework for strengthening the implementation of anti-livestock rustling policies. While belief guarantees long-term value alignment, involvement lowers idleness and deviance, commitment secures investment in legal livelihoods, and attachment cultivates trust in institutions. Policymakers can guarantee that anti-rustling measures are not only implemented but also accepted as culturally acceptable and long-lasting by utilizing these ties (Hirschi & Stark, 1969).

## 2.2 Empirical Review

Burke et.al., (2023) explored the state of kinship care in British Columbia (BC), Canada 10 years after the implementation of major policy reform designed by the provincial government to improve services to kinship caregivers. It arises from a community-based research project that included Parent Support Services (PSS), a charitable nonprofit organization that supports kinship caregivers in BC, and the University of Northern British Columbia (UNBC). Two hundred participants were involved, including kinship caregivers and key informants. Data collection used surveys, focus groups, and interviews. The key recommendation from this article is that there should be ongoing evaluation of the experiences of kinship caregivers, particularly after policy changes, to ensure that kinship care programs meet the needs of those for whom they were created. Based on what was shared by the caregivers, secondary recommendations around the provision of supports and services are also provided.

Public policy implementation against livestock rustling in the Sahel region of Africa is generally challenged by the dynamic nature of the practice as a result of the vibrant trade in illicit small weapons. Ojewale (2024) examined the internationalization of cattle rustling as a form of banditry in the border regions of southwest Niger and northwest Nigeria, identifying it as a critical security threat with severe humanitarian implications. From 2019 to 2022, incidents of livestock rustling in northwest Nigeria and southwest Niger increased by 1028.57% and 957.14%, respectively, highlighting the alarming scale of the crisis. The study attributed this rise to multiple conflicts, perceived injustices, governance failures in addressing endemic poverty, and escalating competition over natural resources. These factors have created a volatile environment, exacerbated tensions and fuelled cycles of violence that significantly disrupt rural livelihoods in these areas.

Defere et.al. (2022) examined how the international boundary along the Ethiopia–Kenya border affects pastoralists’ access to cross-border environmental resources. Historically, ethnic groups in this region shared ecosystems, migratory patterns, and trade networks, but the colonial boundary disrupted these traditional practices by restricting mobility and dividing communities. Using qualitative methods, including key informant interviews, in-depth interviews, and focus group discussions, the study found that the boundary limits pastoral mobility, impedes access to shared resources, and disrupts livelihoods. Despite these challenges, ethnic kinship ties and indigenous institutions have enabled the Moyale pastoralists to maintain some level of mobility and resource access. These mechanisms have also supported conflict management and helped sustain pastoral livelihoods in the face of restrictive border policies, (Onditi, 2022).

## III. METHODOLOGY

### 3.1 Research Design

This study adopted a qualitative research design using mixed research methods. It enabled the combination of quantitative and qualitative research techniques to provide a comprehensive understanding of the complex phenomenon of anti-livestock rustling policy implementation. This approach is appropriate when the entire scope of the research problem cannot be sufficiently captured by either quantitative or qualitative methods alone (Creswell & Clark, 2018). Similar studies have used the same research design with respondents of similar characteristics. In their study on community-based interventions to prevent livestock theft in northern Kenya, Lekimain (2020) used a mixed methods design. They demonstrated how clan elders and family loyalty influence how the community reacts to rustling through key informant interviews and household surveys.

### 3.2 Target Population

As presented in Table 1 below, the study focused on households from seven different locations in Kuria West, as well as opinion leaders, village elders, chiefs, assistant chiefs, deputy county commissioners, anti-stock corporals/inspectors, the county chief officer in charge of agriculture and livestock, and the county executive committee member in charge of agriculture, livestock, and fisheries blue economy.

**Table 1**

*Target Population*

Actors	Target Population
County commissioner	1
Deputy county commissioner	1
Chief	7
Assistant chief	12
Village elders	240
Council of elders	50
<b>Sub total</b>	<b>311</b>
Household Heads	39723
<b>Total</b>	<b>40,034</b>

### 3.3 Sampling Design and Sample Size

Sampling is the statistical process of selecting a subset of a population of interest for purposes of making observations and statistical inferences about that population (Bhattacharjee, 2012). Sampling process encompasses determining the population, sampling frame, sampling method, and sample size.

### 3.4 Sampling Procedure

The study used a multi-stage sampling procedure tailored to the characteristics and roles of the three distinct population groups: household heads, government officials, and the council of elders. Each category employed a sampling strategy that matched the size and makeup of the group as well as the data collection method.

#### 3.4.1 Sample Size

The sample size was determined using Yamane's formula (1967):

$$n = \frac{N}{1 + N(e)^2}$$

Where:

n: Infinite sample population

N: The total population (number of referral hospital employees from management department)

e: error term indicating the level of accuracy which is  $\pm 5\%$ .

$$n = \frac{39723}{1 + 39723(0.05)^2} = 396$$

Sample Size = 396 household heads

The government officials targeted in this study comprise a relatively small, structured, and purposively selected group, totaling 265 individuals. These officials were segmented into six subgroups based on their administrative roles, namely: one county commissioner, one deputy county commissioner, four assistant county commissioners, seven chiefs, twelve assistant chiefs, and 240 village elders.

A census approach was chosen for this subgroup due to its strategic significance and small number of senior officials. This implies that the sample was automatically composed of all high-ranking officials, such as chiefs, assistant county commissioners, deputy county commissioners, and county commissioners. Because of their roles, they have important knowledge about how anti-livestock rustling laws are implemented and how formal governance structures and customary kinship systems interact. For the assistant chiefs and village elders, a purposive sampling technique was employed to ensure balanced representation across different administrative regions. Selection was based on criteria such as regional diversity, experience in handling livestock rustling cases, and active involvement in community leadership. In particular, approximately 10% to 20% of the village elders (i.e., 24 to 48 individuals) were selected to participate in structured interviews. This approach ensured that a wide array of perspectives was captured while maintaining the study's manageability and depth of inquiry.

The 50 traditional leaders who make up the Council of Elders, known locally as Abhaghaka Bhi Inchama, are crucial to the community's cultural governance. Four FGDs with ten to twelve elders each were conducted, for a total sample size of forty to forty-eight people. This format guarantees that conversations stay controlled and interactive, giving every elder a fair chance to participate.

**Table 2**

*Sample Size*

Group	Sample Size
Household Heads	396
Government Officials	47
Council of Elders	48

### 3.5 Data Collection Methods

To gather information from a variety of sources, including households, village elders, local administrators, the Kuria council of elders, and reformed rustlers, this study combined questionnaire surveys, interviews, and focused group discussions. The respondents shared their perspectives on how kinship social structures affect the Kuria West sub-county's implementation of the livestock rustling policy.

### 3.6 Data Analysis

The study used a wide range of data analysis techniques to ensure that both quantitative and qualitative data were properly collected, examined, and interpreted. A mixed method approach is used to comprehend the connection between livestock rustling policy implementation and kinship social networks.

Collected data was tabulated and presented using descriptive approach for qualitative data while quantitative data would be analyzed using descriptive statistics methods such as percentages and frequencies.

#### IV. FINDINGS & DISCUSSION

##### 4.1 Kinship Social Structures and Public Policy Implementation

The study sought to explore the influence of kinship social structures on Public Policy Implementation. The findings are generated as shown in table 3.

**Table 3**  
*Kinship Social Structures*

Item	Response Type	Response / Summary	Frequency / Breakdown	Percentage (%)
Who is the household head?	Closed	Father / Mother	Father: 177, Mother: 36	Father: 83%, Mother: 17%
Does your clan have a leadership that governs the entire clan?	Yes/No	Yes	Yes: 180, No: 33	Yes: 84.5%, No: 15.5%
What is the role of the clan leadership?	Descriptive	Unity, Conflict Resolution, Minor Dispute Handling	- Unity: 41, Conflict Resolution: 39, Disputes: 33	Unity: 39%, Conflict Resolution: 37%, Disputes: 24%
Is the clan the best platform to address current societal issues?	Yes/No	Yes	Yes: 158, No: 55	Yes: 74%, No: 26%
Are there clan taboos or traditions that bind members?	Yes/No	Yes	Yes: 169, No: 44	Yes: 79.3%, No: 20.7%
What is the role of women, youth, and girls in your clan?	Descriptive	Support heads, Care for property, Fetch water/firewood	Support roles: 136, Property & chores: 77	Support: 64%, Chores: 36%
My clan promotes livestock rustling as belonging symbol	Yes/No	No	Yes: 96, No: 117	Yes: 45.1%, No: 54.9%
'Ukunibha' from non-Kuria clans is accepted	Yes/No	No	Yes: 88, No: 125	Yes: 41.3%, No: 58.7%
Clan protects members from rustling punishment	Yes/No	Yes	Yes: 125, No: 88	Yes: 58.7%, No: 41.3%
Hybrid approach (clan + state) is best	Yes/No	Yes	Yes: 189, No: 24	Yes: 88.7%, No: 11.3%
Mechanisms that promote/prohibit livestock rustling	Yes/No	Yes	Yes: 179, No: 34	Yes: 84%, No: 16%
How do elders address livestock rustling?	Descriptive	Public barazas, Local discipline	Public barazas: 128, Local discipline: 85	Barazas: 60%, Discipline: 40%
Challenges clans face in addressing rustling	Descriptive	Brutality, Lack of honesty, Poor coordination, No government support	Multiple mentions	—
Role of intra/inter-communal relations in resolving rustling conflicts	Descriptive	Unity of purpose, Intelligence sharing, Joint barazas	Multiple mentions	—
Does your clan/family have livestock rituals?	Descriptive	Yes	Response given in open-ended format	—
Effects of livestock rituals on rustling	Descriptive	Conflict, Loss of life and property	Major theme reported	—
Unique livestock branding symbols used by clan	Yes/No	No	Yes: 70, No: 143	Yes: 33%, No: 67%

As indicated in table 3, 84.5% of respondents agreed on the existence and authority of clan leadership structures, with roles in unity, conflict resolution, and dispute handling. This aligns with findings in Rajasthan, India. Joint family and clan-based systems in rural Rajasthan operate as parallel governance structures, providing livestock security and arbitration services that often bypass formal legal frameworks (Akall, 2021). In the same breath Lekimain, (2020) opine that these kinship institutions emphasize social harmony over punitive justice, reinforcing what the Kuria case illustrates where elders play central roles in settling disputes, and local barazas (identified by 60% of Kuria respondents) serve as effective governance platforms. The results further indicate that 58.7% of respondents believe clans shield

rustlers from punishment, and 41.3% consider stealing from non-Kuria clans acceptable a sentiment echoed in Mensah (2024), assertion that kin-based protectionism in Rajasthan often undermines policy enforcement by prioritizing loyalty over legality. These cultural justifications, while rooted in traditional values, challenge the legitimacy and reach of state law, especially when offenders are protected based on clan identity, as one village head in Kuria admitted: *“It’s hard to report a rustler when he’s your nephew.”*

According to Ojewale (2024), there are notable parallels between Kuria West and the internationalization and militarization of livestock rustling in Nigeria and Niger. The study participants' accounts of rustler brutality, a lack of government support, and poor coordination highlight the growing security threat posed by organized rustling, despite the fact that armed banditry is less common in Kuria. The Kuria findings suggest that socioeconomic marginalization and low institutional credibility cause communities to rely more on clan structures than on state actors, similar to Ojewale's discovery that endemic poverty and poor governance in West Africa spur cattle rustling.

The trust deficits in government systems are evident in sentiments such as *“The chief says one thing, the police say another. People prefer to follow elders.”* This is consistent with a larger pattern seen in conflict-prone areas, where informal justice systems are frequently seen as more adaptable and culturally acceptable than formal ones. Cattle rustling is both a symptom and a cause of governance breakdowns because, as Ojewale's study shows, this disconnects fuel cycles of violence and resistance to enforcement.

The study findings also indicated that 83% of households are headed by men and women play limited roles in peace building (64% being relegated to domestic support), mirrors gendered divisions of labor in other kinship-governed societies. While this dynamic is less directly addressed in the referenced empirical literature, it aligns with broader anthropological observations that male dominance in pastoralist communities reinforces control over livestock and conflict decisions, as livestock are deeply tied to status, initiation, and marriage rites. One village head's statement *“A cow is not just an animal here. It is used for marriage, initiation, and even appeasing ancestors”* further illustrates how cultural symbolism amplifies male authority in livestock-related matters.

This situation echoes Singh et al. (2020) caution that cultural traditions, while maintaining cohesion, can obstruct reform, particularly when they entrench exclusionary norms or justify harmful practices like rustling. The limited participation of women and youth also points to missed opportunities for inclusive conflict resolution, something noted by FGD participants who advocated for their inclusion in a hybrid policing model.

While the Kuria study did not directly examine cross-border dynamics, the recognition of clan-based traditions and taboos by 79.3% of respondents, as well as the inter-clan justifications for rustling, resonate with findings by Defere et al. (2022) along the Ethiopia–Kenya border. Their study highlights how colonial boundaries disrupted indigenous networks, yet kinship ties continue to facilitate mobility and conflict management. Similarly, in Kuria West, despite national laws, clan affiliations still shape behavior and mediate conflict, often independently of state authority. This affirms the enduring relevance of indigenous institutions in pastoral areas and reinforces the need to recognize them as partners in peacebuilding

**Table 4**  
*Public Policy Implementation*

Item	Response Type	Response Summary /	Frequency Breakdown /	Percentage (%)
Kinship structures influence anti-livestock rustling policies	Yes/No	Yes	Yes: 132, No: 81	Yes: 62%, No: 38%
Clan protects members from rustling punishment	Yes/No	Yes	Yes: 125, No: 88	Yes: 58.7%, No: 41.3%
Elders mediate livestock rustling policies	Yes/No	Yes	Yes: 136, No: 77	Yes: 63.8%, No: 36.2%
Hybrid approach (clan + state) is best	Yes/No	Yes	Yes: 189, No: 24	Yes: 88.7%, No: 11.3%
Elders mediate livestock rustling policies	Yes/No	Yes	Yes: 136, No: 77	Yes: 63.8%, No: 36.2%
Mechanisms that promote/prohibit livestock rustling	Yes/No	Yes	Yes: 179, No: 34	Yes: 84%, No: 16%
Factors hindering clan-government collaboration	Descriptive	Slow action from government	Frequent theme	—

The findings in Table 4 indicates that a majority of respondents (88.7%) agreed that they support a hybrid governance model, combining clan-based leadership with formal state enforcement, a view echoed across interviews and FGDs. This is consistent with policy recommendations from the Ethiopia-Kenia border (Defere et al., 2022) and Ostermann-Miyashita et al., 2025) where advocacy for cooperative, participatory frameworks that uphold legal compliance while acknowledging the legitimacy of traditional actors. As one elder stated: *“If our decisions are given legal backing, the community will respect them more than court rulings.”* This statement encapsulates a central theme in the literature: legitimacy matters, and legitimacy often lies with the elders, not the courts. A significant majority of

respondents (62%) recognize the influence of kinship structures on policy outcomes related to rustling. This implies that public policy cannot be effectively designed or implemented in isolation from these traditional systems. This finding was echoed by an elder, “When policies come from the government, people listen. But when the clan elders speak, people obey.” The findings further reveals that a significant majority of respondents (62%) recognize the influence of kinship structures on policy outcomes related to rustling. This suggests that public policy cannot be effectively designed or implemented in isolation from these traditional systems. The study also revealed that Clan protects members from rustling punishment (58%). The study further indicated that Elders mediate livestock rustling policies (63.8%). majority of respondents (84 %) are aware of local mechanisms (norms, taboos, or sanctions) that either encourage or discourage rustling. This indicates that behavior is governed more by social norms than formal laws.

## V. CONCLUSION & RECOMMENDATIONS

### 5.1 Conclusion

The study emphasizes how patriarchal clan structures predominate in Kuria West, Kenya, where men lead 83% of households and hold the majority of leadership positions. Clan systems are firmly established as grassroots governance structures; according to 84.5% of respondents, they play a part in resolving disputes, preserving peace, and tackling social issues. However, because these structures are solely driven by men, they exclude women and young people from leadership and peacebuilding roles, which makes it more difficult to make inclusive decisions.

Kinship relationships have a big impact on how anti-livestock rustling policies are implemented; almost half of the respondent’s justified theft from non-Kuria clans by connecting rustling to clan identity. This shows the clan’s preference for loyalty over legality, normalizes livestock theft, and undercuts formal legal systems. In rural justice and livestock dispute resolution, traditional venues such as elder mediations (63.8%) and public barazas (recognized by 60%) continue to be crucial.

According to qualitative data, livestock have deep cultural symbolism and are connected to ancestral customs and rites of passage. This reinforces male dominance and provides justification for behaviors that conflate tradition and criminality. Elders demanded legal recognition of clan forums, integration into state policing, and hybrid governance models, criticizing the state’s formal justice system for being slow and contemptuous of their opinions.

Clan leadership improves local governance and cultural cohesion, but it also makes state-led anti-rustling initiatives more difficult. The results back up the demand for hybrid, inclusive enforcement frameworks that formally include clan institutions without sacrificing the integrity of the legal system.

### 5.2 Recommendation

Clan elders, chiefs, and village leaders should be formally acknowledged by policymakers and involved in anti-rustling efforts. These traditional leaders can serve as a link between communities and state institutions and have social legitimacy. Information flow, trust, and local enforcement can all be enhanced by forming organized collaborations like community policing units, which are jointly run by security guards and elders.

Programs for community education should be started by governmental and non-governmental organizations to increase knowledge of the legal ramifications of livestock rustling. Along with honouring and maintaining good customs, these programs must also combat damaging cultural narratives like songs and rituals that exalt raiding. Without alienating the community, customized sensitization campaigns can encourage behavioural change.

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